

NATIONAL ASSEMBLY

OFFICIAL REPORT

Tuesday, 11th August, 2009

The House met at 2.30 p.m.

[Mr. Speaker in the Chair]

PRAYERS

QUESTION BY PRIVATE NOTICE

ALLOCATION PER STUDENT/DISBURSEMENT OF FPE/FSE FUNDS

Mr. Koech: Mr. Speaker, Sir, I beg to ask the Minister for Education the following question by Private Notice.

- (a) Could the Minister lay on the table the amount allocated per student for the Free Primary Education (FPE) and the Free Secondary Education (FSE) funds disbursed from January, 2009 to date indicating the specific dates of disbursement?
- (b) Could the Minister explain how the schools have been able to sustain the programmes and how schools are managing the co-curriculum activities and, specifically, how much has been disbursed for the school teams participating in the National Music Festivals in Mombasa?
- (c) How and when will the Minister disburse the balance of the money to the schools, and what measures has he put in place to ensure the funds are not delayed in future?

Assistant Minister for Education (Prof. Olweny): Mr. Speaker, Sir, I beg to reply.

- (a) I lay on the Table the details of how we disburse, both FPE and FSE funds.

(Prof. Olweny laid the documents on the Table)

The allocation of the FPE Funds is based on annual capitation of Kshs1,020.00 per pupil, out of which Kshs650.00 is for tuition (Account I) and Kshs370.00 is for recurrent expenses (Account II).

On the other hand, the allocation of FSE funds is based on annual capitation of KShs10,265 per student, out of which Kshs3,600 is for tuition and Kshs6,665 is for operation expenses. Accordingly, since January, 2009, the Ministry has allocated a total of Kshs4,071,718,365 for FPE and Kshs8,058,871,177 for FSE. The details are in the Papers I have laid on the table.

(b) (i) The FPE and FSE programmes have been sustained through consistent annual budget allocation; devolution of the funds management at school level through capacity building on procurement and financial management; implementation of the National School Health Policy; support from parents through payment of fees in boarding

schools, meals, construction and other expenses; mobilization of resources from development partners; assistance from other devolved funds; monitoring and evaluation of schools to ensure efficiency and disciplinary action against embezzlement of funds.

(ii) Also, every Kenyan public primary and secondary school is given a capitation of Kshs43 and Kshs650 per student under Account II and operation accounts, respectively, to manage co-curricular activities at school level up to district level. In addition, a total of Kshs380 million is allocated for co-curricular activities from district, provincial, national and regional level; that is Kshs190 million for primary schools and Kshs190 million for secondary schools.

A total of Kshs48 million was budgeted for the 2009 Kenya National Music Festivals in Mombasa for accommodating 80,000 students and officials for 11 days between 3rd August, to 13th August, 2009.

(c) There are no pending disbursements for Financial Year 2008/2009 for both FPE and FSE schools as we have disbursed all the money for the last financial year. Meanwhile the Ministry is currently negotiating with the Treasury for realignment of the two funds and those for co-curricular activities to avoid future delays and inconveniences to learners and other stakeholders.

Mr. Koech: Thank you Mr. Speaker, Sir. While I thank the Assistant Minister for his answer, the delay in the release of this money has really caused havoc in our schools. The money which was released on 15th of January 2009, was the balance for last year. The money meant for January was released in March and to date no other money has been released.

Mr. Speaker, Sir, I asked the Assistant Minister how the schools have been able to sustain the programmes and not how the Ministry has been able to sustain the programmes. Could he explain how our schools have been able to sustain the programmes up to date, now that they have just closed for second term without receiving any money meant for last term?

Prof. Olweny: Thank you, Mr. Speaker, Sir. Let me clarify to Mr. Koech, that for this financial year, FPE funds, the first release was in September last year, the second and third release were done this calendar year. So there is no balance. As regards the release of the funds, the delay is not with the Ministry but with the office of the Deputy Prime Minister and Ministry of Finance. If we get the money from the Deputy Prime Minister and Minister for Finance, we release it straight away.

Mr. Koech: On a point of order, Mr. Speaker, Sir. The Assistant Minister is charged with the responsibility of managing our schools. I have asked him a very simple question and he is avoiding it. How have these schools been able to sustain their programmes?

Mr. Speaker: Mr. Assistant Minister, answer the question directly!

Prof. Olweny: Mr. Speaker, Sir, they manage the schools with the funds we allocate them.

Ms. S. Abdalla: Mr. Speaker, Sir, it is unfortunate that the Assistant Minister has not answered the question he has been asked. This Ministry has a responsibility and mandate to manage the affairs of our schools countrywide. No funds were released to the schools last term. How did the schools sustain their programmes? That is the question that the Assistant Minister has not answered.

Secondly, what other criteria, other than population, does the Ministry consider while funding schools under the Free Primary Education Programme?

Prof. Olweny: Mr. Speaker, Sir, we released the funds for free primary education in September, last year. That was the first disbursement. The second disbursement was made in March, this year while the third disbursement was made in June, this year. With proper planning, the head teachers and school managers can manage the schools.

Mr. Mwangi: Mr. Speaker, Sir, the allocation by the Ministry of Kshs10,265 per student in secondary schools is admittedly inadequate. This has made the principals to disregard the guidelines given by the Ministry of Education. Instead of charging Kshs18,260 per annum, some schools have escalated the fees up to over Kshs30,000. Could the Assistant Minister deny that the delay in disbursement has led to the principals overcharging the parents? Even the bursaries we give are not adequate to keep our boys and girls in secondary schools.

Prof. Olweny: Mr. Speaker, Sir, I will not deny anything here. The Kshs10,000 that the Government pays is for tuition. Any other expense is met by the parents. If the parents want their children to be provided with lunch or keep them in boarding school, then they should meet that cost. This is clear. It has been stated repeatedly by the Government that the Ministry of Education pays tuition for students in public secondary schools.

Mr. K. Kilonzo: Mr. Speaker, Sir, it is no wonder the free primary education programme has become a failure and parents have to dip into their pockets to finance it. In his answer, the Assistant Minister has said that they provided money for accommodation for the students to go to Mombasa, and yet they did not provide transport. According to the answer the Assistant Minister has given us, each child was to get Kshs21 for transport. Surely, how does he expect a child to get to Mombasa with Kshs21? Is the Ministry serious? What has the Ministry done to make sure that the free primary education programme is effective and does not eat into the pockets of Kenyans?

Prof. Olweny: Mr. Speaker, Sir, this was a very successful festival. Let the hon. Member tell me the students who walked to Mombasa. The schools hired buses using the Ministry of Education money.

Mr. Ochieng: On a point of order, Mr. Speaker, Sir. I think the Assistant Minister is misleading this House. In my constituency, there is one school known as "Radienya", which did not make it to the festival because it did not have transport.

Prof. Olweny: Mr. Speaker, Sir, let me tell hon. Members once again that teachers know very well that the Ministry of Education gave full sponsorship to the number one school in each province. That included a bus, food and accommodation.

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

Prof. Olweny: Just a minute! Listen, I am telling you. You have to keep quiet!

Mr. Speaker: Order, Mr. Olago! The Assistant Minister will have to be heard!

Prof. Olweny: Mr. Speaker, Sir, the runners up in the provinces were told clearly that if they could get their transport to Mombasa, they would be accommodated and provided with food. That was done.

Mr. Olago: On a point of order, Mr. Speaker, Sir. Mr. K. Kilonzo's question was very specific. He has said that the Ministry provided Kshs21 per student as transport. Is that money enough to take a student from Kisumu Town to Mombasa for the festival?

Prof. Olweny: Mr. Speaker, Sir, as far as I know, no student was given Kshs21. We hired buses for them. If you get the average for doing all that work, it comes to that amount. However, we hired buses for schools. Tell me the school that was given Kshs21 per student and it had to look for a bus?

Mr. K. Kilonzo: On a point of order, Mr. Speaker, Sir. Is it in order for the Assistant Minister to mislead this House that they did not allocate Kshs21 per pupil for transport, and yet he has tabled his answer before the House? He has tabulated it clearly that the money allocated is Kshs21 per child for transport?

Mr. Speaker: Mr. Assistant Minister, could you explain that?

Prof. Olweny: Mr. Speaker, Sir, that is the average for the whole population of students, but we did not carry the whole school to the National Festival!

Mr. Speaker: Last question, Mr. Koech!

Mr. Koech: Mr. Speaker, Sir, I would like the Assistant Minister to take this business seriously, because it is affecting the children and schools in this country. More so, these are children who belong to the poor. This is because the children of the majority of the rich are in private schools.

The Assistant Minister has alleged that he started releasing the money in September and yet school programmes run from January to December, while the financial year of the Government runs from July to June. Could he confirm that, that is where the problem lies? What will he do to ensure school programmes match with the financial year of the Government, so that they are not affected?

Prof. Olweny: Mr. Speaker, Sir, it is an old practice in this country that the school calendar runs from January to December. If the hon. Member wants that changed, it is the House to do that and not the Ministry. Schools belong to this country and not the Ministry of Education which is mandated to run the schools. However, if the hon. Member wants that changed, then he should do it here.

(Mr. Koech stood up in this place)

Please, let me finish my answer. Once the money has been released to the managers of schools, it is up to them to manage the funds the way they want.

Mr. Speaker: Order, Mr. Koech! You are out of order and I will not allow you to raise any point of order! As the Assistant Minister answered your last question you remained on your feet. Our Standing Orders provide that only one Member shall be on his feet at any given time.

Let us move on to the Question by Mr. Mungatana!

ORAL ANSWERS TO QUESTIONS

Question No.QPM012

RATE OF COMPLIANCE WITH FINANCE
MINISTER'S DIRECTIVE ON OFFICIAL CARS

Mr. Mungatana asked the Deputy Prime Minister and Minister for Finance: -

whether following the directive by the Government that Ministers and top

Government officials use one official car with an engine capacity of not

more than 1800cc, he could -

(a) state the rate of compliance with the directive and confirm how much savings are expected from the initiative;

(b) table the list of the Ministers, top government and parastatal officials who have complied and those who have not and state whether escort cars will also be affected; and,

(c) state when H.E the President, H.E. the Vice-President and the Rt. Hon. Prime Minister will start complying and lead by example.

The Assistant Minister, Office of the Deputy Prime Minister and Ministry of Finance (Dr. Oburu): Mr. Speaker, Sir, I wish to seek your indulgence to allow me to get more information on this matter. I request that I answer this Question on Thursday afternoon.

Mr. Speaker: Mr. Mungatana, what is your reaction to that?

Mr. Mungatana: Mr. Speaker, Sir, I have a lot of respect for the Assistant Minister, Office of the Deputy Prime Minister and Ministry of Finance. However, this Question has been on the Order Paper for about three weeks. The Prime Minister has dodged it. Now this Ministry is trying to play games. As I speak now, I do not even have a written answer. I think they are not taking this matter seriously. They are the ones who issued this directive. What is going on?

The Assistant Minister, Office of the Deputy Prime Minister and Ministry of Finance (Dr. Oburu): Mr. Speaker, Sir, we are not dodging this Question. I have an answer which is not very satisfactory to me. I want to give the hon. Member a satisfactory answer. We will definitely give it on Thursday afternoon, this week.

Mr. Speaker: Fair enough! The Question is deferred to Thursday afternoon, this week.

Hon. Members, note that the fact of Questions not being responded to timeously by Ministers has acquired so much notoriety. We will be addressing this matter substantively later this week.

(Question deferred)

Question No.195

CREATION OF KRA OFFICES
IN NEW DISTRICTS

Mr. Wamalwa asked the Deputy Prime Minister and Minister for Finance:-

(a) given the Government policy of bringing services closer to the people by creating new districts, why it has not extended the same policy

to KRA by creating offices in towns like Kitale, Kapenguria and Lodwar in order to avoid the inconvenience for the residents who have to travel up to Eldoret for the services; and,

(b) when the Government will open such offices.

The Assistant Minister, Office of the Deputy Prime Minister and Ministry of Finance (Dr. Oburu): Mr. Speaker, Sir, I beg to reply.

(a) The Government has not opened KRA offices in towns like Kitale, Kapenguria and Lodwar in view of the cost effectiveness of running the offices in these stations.

(b) The KRA is currently implementing an Integrated Tax Management System (ITMS) programme which calls for online service provision. To this end, taxpayers will not need to travel to KRA offices for these services. The KRA will assess the effectiveness of the online service programme with a view to exploring the possibility of opening additional offices should the business/economic activity warrant the move.

Mr. Wamalwa: Mr. Speaker, Sir, I do not know whether the Assistant Minister is aware of the amount of revenue the Government is losing by the amount of time people spent travelling all the way to Eldoret from Kitale, Kapenguria and Turkana. Has the Government taken time to assess the amount of revenue it is losing for lack of offices in this region, given the distance and time?

Dr. Oburu: Mr. Speaker, Sir, there used to be Government offices in Kitale and Kapenguria. However, when the road licensing was abolished in 2006, the Government found that the effectiveness of the officers who were based in those stations were underutilized. Because of this, the Government introduced mobile services. As far we are concerned, we have not noted that has led in loss of money. We are only aware that this is giving service to the people who require it conveniently, so that they do not have to travel all the way. But we go to them using mobile services on designated days.

Mr. Speaker: Anybody else interested? Yes, Mr. Lekuton!

Mr. Lekuton: Mr. Speaker, Sir, the Government has created a lot of administration units across this country. The reason for this is for people to get services. That is why we have all these new districts. What is this Ministry doing to make sure that these services are decentralized to the man in a village between Wajir and Laisamis, so that they do not have to waste their time coming all the way to Nairobi?

Dr. Oburu: Mr. Speaker, Sir, the Government is trying to introduce IT villages. We want Kenyans to be computer literate so that they do not have to spend so much time going to sort out their tax matters. We are also assessing the effectiveness of these services in the short term. If we find that this service is not very effective in delivering services, we will consider opening more offices. This will depend on the effectiveness of the delivery of the services.

Mr. Wamalwa: Mr. Assistant Minister, I do not know when these assessments will be finalized. As you know, for most of the towns that we have mentioned, the residents come from rural areas where electrification has not been done effectively. So, online services are really not a very practical and effective method. What is the Ministry doing about it?

Dr. Oburu: Mr. Speaker, Sir, the assessment is ongoing and will be completed very soon. We hope that hon. Members will use the IT system very effectively. The use of IT is the way the whole world is going. I know it might not be quite effective from the

beginning, but that is the way to go. The assessment will be done as soon as possible. As I said earlier, we will consider opening more stations depending on the effectiveness.

Question No.333

LISTS OF BANKS AUTHORIZED TO
OPERATE CDFC ACCOUNTS

Mr. Nyamai asked the Minister for Planning, National Development and Vision 2030:-

- (a) if he could table a list of all banks in which Constituency Development Fund Committees (CDFC) are authorized to operate accounts; and,
- (b) which criteria was used to select the banks.

Mr. Speaker: Order, hon. Members, we have a letter from the Minister for Planning, National Development and Vision 2030 asserting that he has a problem which entails sickness of one of his relatives. So, obviously, that is a matter that the Chair must be sympathetic to, except that the Minister must be having an Assistant Minister. So, where is the Assistant Minister? Somebody who can take responsibility from the Cabinet?

The Assistant Minister for Water and Irrigation (Mr. Kiunjuri): Mr. Speaker, Sir, I believe maybe the Assistant Minister is assisting in the same case. However, I undertake to inform their office that they should be able to answer this Question by Thursday, this week.

Mr. Speaker: Fair enough. Except for what we will be saying later this week, the Question is deferred to Thursday, next week.
Next Question, Mr. Konchella!

(Question deferred)

Question No.295

NON-PROVISION OF WATER TO LOLGORIAN/
ONGATA BARAGOI TRADING CENTRES

Mr. Konchella asked the Minister for Water and Irrigation:-

- (a) why the Kilgoris, Kuria and Transmara Water Services Company (KIKUTRA) is unable to provide water to Lolgorian and Ongata Baragoi Trading Centres for the last 2 years; and,
- (b) if he could consider forming a water service provider to cater for Transmara District only so that over 50,000 residents of Kilgoris town can access clean water for domestic use and sanitation services, considering that Migori, Kuria and Transmara Water Services Company (MIKUTRA) is also serving a large area.

The Assistant Minister for Water and Irrigation (Mr. Kiunjuri): Mr. Speaker, Sir, I beg to reply.

(a) The management of gazetted water supplies in Transmara, Kuria and Migori districts is under MIKUTRA Water and Sanitation Company. The major challenges facing provisions of water to Lolgorian and Ongata Baragoi Trading Centres and other areas in the districts include inadequate capacities of existing water supplies to meet the water demand which is attributed to inadequate sources, inadequate storage facilities, old and dilapidated pipeline network and inadequate funding.

(b) MIKUTRA Water and Sanitation Company can effectively serve the three districts under its jurisdiction. May I inform the members that establishing a water service provider for only Transmara district will not be viable. There is, however, a need to rehabilitate and augment the existing water supplies and sanitation in order to improve service provision in Kilgoris and other towns within the supply area. My Ministry, through the Lake Victoria South Water Services Board, in collaboration with the UN-HABITAT, has designed a water and sanitation project estimated to cost Kshs291 million for Kilgoris town. The project is being considered for funding by the African Development Bank under ADF (X1) funding window.

Mr. Konchella: Mr. Speaker, Sir, I thank the Assistant Minister for the answer; particularly part “b” where the Ministry has designed, through the Lake Victoria Water Service Board, a project as a permanent solution to the water problem in Kilgoris of Kshs291 million. However, I am not very happy because it is not really the inadequacy of the sources of water and facilities but the lack of the completion of projects. I have a list of stalled projects for the last years which include both boreholes and dams. I do not have to read them because there are more than ten projects. I can probably hand the list to the Assistant Minister. When will those projects be completed?

Mr. Kiunjuri: Mr. Speaker, Sir, I would really like to see the list of projects that have not been completed. However, what we are dealing with right now - because all sources of water are drying up, including the water table – is that where there are emergencies, we can be able to fix them. Where there are public institutions like schools, we can be able to intervene.

Mr. Speaker: The former Mayor, Mr. Shakeel!

Mr. Shakeel: The title of Mayor is something that I will die with, with the grace of God.

I would like to ask the Assistant Minister, whether the water service boards across the country have failed. Whenever there is a water service company, whether in Kisumu, Nairobi, Mombasa or Trans Mara, they have all failed. Could he tell us one successful water service company in the country?

Mr. Kiunjuri: Mr. Speaker, Sir, the water services companies have not failed. One successful case is in Nyeri.

(Loud consultations)

Mr. Speaker, Sir, I am straining to listen to the questions because of loud consultations.

Mr. Speaker: Order, hon. Members! Could you lower the level of your consultations so that hon. Members who are asking questions are heard? Mr. Kombo!

Mr. Kombo: Mr. Speaker, Sir, I was a victim recently when I visited Kilgoris---

An hon. Member: Use the microphone!

Mr. Kombo: My friend, I am standing near a microphone!

When I visited Kilgoris recently, there was no water in the hotel. This is a town of 50,000 people and the Assistant Minister is promising to look for Kshs291 million through the UN Habitat or the African Development Bank (ADB). That means donor funding and yet he knows very well that donor funding takes a long time to materialize. What is the Government doing to ensure that a town of 50,000 people has water?

Mr. Kiunjuri: Mr. Speaker, Sir, it is true that the town has over 50,000 people but the only water source that we have can only serve 10,000 people. In the other areas like Ongata, we can only be able to serve 3,000 people. In Lolgorian, we can only serve 2,500 people. That is the source that we have. That is why we want to draw water from Migori. Last week I said that we already have Kshs482 million for supply of water to the three districts of Migori, Trans Mara and Kuria. When we augment all these projects and we get that money in addition to what we are receiving from UN Habitat for sanitation, then we shall get adequate water for Trans Mara, Kuria and Migori Districts.

Mr. ole Lankas: Mr. Speaker, Sir, Trans Mara District was created from the larger Narok District. Migori and Kuria Districts are in Nyanza Province while Trans Mara and Narok are in Rift Valley Province. Could the Assistant Minister consider forming a water company for Narok and Trans Mara for ease of management?

Mr. Kiunjuri: Mr. Speaker, Sir, forming a water company depends on so many things. First, whether we have sources of water, second, whether there are enough customers to purchase the water and third, whether it would be cost effective to do that. We might end up with a water company that cannot even run or manage itself. If we are convinced that the Narok/Trans Mara Water Company can manage itself, then we can go ahead and form it. But this far, we know that Trans Mara cannot be able to manage itself. It cannot be self-sustaining.

Mr. Konchella: Mr. Speaker, Sir, Kilgoris Town has more than 3,000 school going children. In fact, there are boarding schools; three secondary schools and three primary schools. Those children walk to the river to fetch water very early or very late. We have lost more than 10 girls through pregnancy because they are just idling at home and not in school.

What immediate steps could the Assistant Minister take to sink a borehole to provide water to these schools because this is an emergency? We have Kilgoris Boys' Secondary Schools, Kilgoris Girls Secondary School, St. Joseph Girls' Sosio Secondary School and DEB Boarding School.

Mr. Kiunjuri: Mr. Speaker, Sir, I would like to know from the hon. Member whether they can be served by one borehole. If we can be able to supply them from one borehole, then I can assure the hon. Member that we can do one borehole for him on an emergency basis. Then we shall consider the next one later but the most urgent one can be done in the next one month.

Question No.222

NON-PAYMENT OF RETIREMENT BENEFITS
TO JOSEPH M. KAGWI

Mr. Warugongo asked the Minister of State for Provincial Administration and Internal Security:-

(a) why he has not paid service and pension benefits to Mr. Joseph Muturi Kagwi (P/No.371347) who retired on 1st December, 1997; and,

(b) if he could he inform the House when he will be paid.

Mr. Speaker: Is the Minister of State for Provincial Administration and Internal Security not here?

Mr. Bett, I am told you are the senior-most here now!

The Minister for Roads (Mr. Bett): Mr. Speaker, Sir, I do not understand what Question has been asked.

Mr. Speaker: It is Question No.222, asked by Mr. Warugongo and it seems there is no Minister to respond.

The Minister for Roads (Mr. Bett): Mr. Speaker, Sir, there was a Cabinet meeting today and I believe he could still be there. I came out earlier because of the business I have in the House. I undertake to inform the Minister to come to answer the Question later.

Mr. Speaker: Order, Mr. Bett! Do Assistant Ministers also attend Cabinet meetings?

The Minister for Roads (Mr. Bett): Mr. Speaker, Sir, I would not be able to respond to that because I am not clearly aware.

Mr. Speaker: Order, Mr. Bett! You have to take this House seriously. You are a Member of the Cabinet and you attend those meetings. Do your Assistant Ministers attend Cabinet meetings at the same time as you do?

The Minister for Roads (Mr. Bett): No, they do not, Mr. Speaker, Sir.

Mr. Speaker: Could you, therefore, indicate to the House why the Assistant Minister in that Ministry is not available?

The Minister for Roads (Mr. Bett): I may not be able to give you an answer. All I know is that the Minister was in the Cabinet meeting. I undertake to pass the information to the Minister.

Mr. Speaker: Order! Obviously the explanation given by Mr. Bett on behalf of his colleagues in the Cabinet and on behalf of Assistant Ministers is not satisfactory. That notwithstanding, I will defer this Question to Tuesday next week but we will be covering this ground in the communication that we will make later on this week.

(Question deferred)

Mr. J.M. Kamau: On a point of order, Mr. Speaker, Sir.

Mr. Speaker: That matter is concluded! Mr. Mwathi!

Question No.346

SUBDIVISION OF TIGONI MARKET

Mr. Mwathi asked the Minister for Lands:-

(a) under what circumstances Tigoni Market, LR.12082, was subdivided into nine plots and allocated to private individuals and/or companies;

(b) whether he could state the procedure followed in allocating the land;

(c) whether he could table the names of individuals and companies who benefitted from the public land; and,

(d) what steps the Minister is taking to ensure that irregular acquisition of public land is stopped in Kiambu West District, and the country at large.

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

(a) LR.No.12082, Tigoni Market, measuring 1.446 hectares is registered in favour of Kiambu County Council for a term of 99 years with effect from 1st March, 1969. In 1998, a portion of the plot was irregularly excised and planned into nine commercial plots measuring between 0.03 hectares and 0.5 hectares each.

(b) The allocation was based on Part Development Plan No.Kiambu1271/97/12 of 24th December, 1997 which was approved by the Director of Physical Planning and Commissioner of Lands. However, this allocation ignored the fact that the original title deed which is still valid ought to have been surrendered first.

(c) The nine plots were allocated to the following persons – I beg to read the names, because they are only nine:

(i) Parcel 69 was allocated to S.A. Service Limited and transferred to Regina and Morris Brewer of P.O. Box 483, Nairobi.

(ii) Parcel No.70, Teresia Njeri Kong’i of P.O. Box 52688, Nairobi.

(iii) Parcel No.71, Joseph Karimi Koigi of P.O. Box 85, Ngecha.

(iv) Parcel No.73, Devland Company Limited of P.O. Box 64678, Nairobi.

(v) Parcel No.78, New Valley Estate Limited of P.O. Box 47217, Nairobi.

(vi) Parcel No.75, Anna Wanja of P.O. Box 167, Nairobi and transferred to Chakwe Holdings Limited of P.O. Box 67771, Nairobi.

(vii) Parcel No.76, Janet Wangui, transferred to Chakwe Holdings Limited of P.O. Box 67771, Nairobi.

(viii) Parcel No.77, Kalama Agencies Company Limited and transferred to Chakwe Holdings Limited of P.O. Box 67771, Nairobi.

The sub-division and subsequent allocation of the nine plots to private individuals and companies was irregular because there is an existing valid title deed registered in favour of Kiambu County Council. These leases are, therefore, invalid.

(d) My Ministry has, through the Commissioner of Lands, directed the cancellation of the said leases. My Ministry has undertaken an exercise to document all public utility land in the country and the policy has been to issue title deeds of such land to the Permanent Secretary, Treasury. Where the public institutions have the legal capacity to hold title deeds, then the title deeds are issued directly to them.

Mr. Mwathi: Mr. Speaker, Sir, I thank the Assistant Minister for assuring this House that the titles will remain cancelled. Could he tell us which action he is taking to discipline the officers who did this work irregularly in Kiambu County Council?

Mr. Bifwoli: Mr. Speaker, Sir, as I said, this land was irregularly allocated, therefore, we are investigating. Some of the officers have retired but those ones who are definitely still with us; we shall take some disciplinary measures against them.

Mr. Olago: Mr. Speaker, Sir, I listened very carefully to the answer by the Assistant Minister and I noticed that he has not addressed the question in “b”. I listened keenly because similar instances have occurred in Kisumu Municipal Council where land registered in the name of the council as trustee for the public is disposed of by senior officers. So what is the Ministry doing to ensure that such allocations do not happen anywhere else in the Republic?

Mr. Bifwoli: Mr. Speaker, Sir, apparently when I was reading, my brother might not have been listening. I said very clearly that for any land that might have been irregularly allocated, we shall cancel that deed and not just this one but across the country.

Mr. Olago: On a point of order, Mr. Speaker, Sir. What I am trying to reiterate here is: What the Assistant Minister is saying takes cares of what has already happened; but what is being done to ensure that it does not happen?

Mr. Bifwoli: Mr. Speaker, Sir, you will agree with me that in this country, if there is any Ministry that has been messed up by the previous Government is the Ministry of Lands. That is why we have the National Land Policy that has been approved by the Cabinet and is awaiting to be approved by this august House. Once approved, some of these anomalies in the Ministry of Lands will be a bygone story.

Mr. Ngugi: Mr. Speaker, Sir, we are grateful to the Assistant Minister for this answer that those titles which were allocated illegally will be cancelled. The Assistant Minister is aware that in my own place, there are 331 dams which was drained and some people subdivided this land and acquired the titles illegally. I would like to know when those title deeds will be cancelled and the dam reinstated to its former use.

Mr. Bifwoli: Mr. Speaker, Sir, as I have told this House, this issue does not affect Kiambu alone. The other day, we were in Mombasa and we are going round the country as a Ministry. Anywhere, anybody including anybody seated here, if you have been irregularly allocated land that is meant for public utility, I and my brother, Mr. Orendo and the rest shall cancel that title.

Mr. Ngugi: On a point of order, Mr. Speaker, Sir. The Assistant Minister did not answer the question. The question is: When? Because every time they come here, they say those titles will be cancelled. When will the first title deed be cancelled so that we have faith?

Mr. Bifwoli: Mr. Speaker, Sir, I wish my brother listened. Why can he not let us know today and we will cancel it?

Mr. Speaker: Fair enough! Mr. Ngugi, the ball is in your court. The Assistant Minister is ready to cancel the first title today if you supply the information.

Mr. Mwathi: Mr. Speaker, Sir, the first title to be cancelled is mine because he has just cancelled it. But despite the fact that he has undertaken to cancel this title, could he assure the House and the people of Limuru that this land will not be allocated in future and it will be used for the intended purpose of a market.

Mr. Bifwoli: Mr. Speaker, Sir, this land was leased to Kiambu County Council with conditions attached with. There is no way land allocated for public utility with conditions on it can be allocated to individuals. If you get it, you get it at your own risk!

Mr. Speaker: Next Order!

MINISTERIAL STATEMENTS

Mr. Speaker: Hon. Members, do we have any statements ready for delivery today?

The Assistant Minister for Public Health and Sanitation (Dr. Gesami): Yes, Mr. Speaker, Sir.

Mr. Speaker: How long are you going to be? We only have ten minutes?

The Assistant Minister for Public Health and Sanitation (Dr. Gesami): Five minutes, Mr. Speaker, Sir.

Mr. Speaker: Stick to it! Proceed!

RISING CASES OF CANCER IN KENYA

The Assistant Minister for Public Health and Sanitation (Dr. Gesami): Yes, Mr. Speaker, Sir. On 26th May, 2009, Dr. Eseli asked a question on the rise on the issue of the rise of cases of cancer in this country and I made a Statement to that effect but he wanted some clarifications which I want to deliver.

The following are the companies that manufacture plastics in Kenya: Plastic Products, Plastic Industries, Afrom Plastics, General Plastics, Kenapen Industries, Malplastic Industries, Plastic Prestige and Safepak Limited.

Mr. Speaker, Sir, the following are some of the companies that are packaging their foodstuffs using plastics. They are Coca Cola Bottlers, Bidco, Keringet, Aquamist, Kapa Oil Refineries, Unilever and New Kenya Co-operative Creameries, among others.

Mr. Speaker, Sir, in this country, the plastic container manufacturers for food packaging use lead and cadmium as stabilizers for their final products, but that must conform to our county's standards; that is the Kenya Bureau of Standards (KEBS) 1667 of 2001. For plastics in contact with food and drinking water, the maximum level of lead is 0.1 per cent or 10milligrams per kilogram.

Mr. Speaker, Sir, the hon. Member also wanted to know why we use those plastics to the detriment of the health of Kenyans. My Ministry, in collaboration with KEBS, has been carrying out surveillance in food outlets to withdraw from the market any container showing signs of damage.

Mr. Speaker, Sir, I hope that clarification closes the chapter on this discussion. Thank you, Mr. Speaker, Sir.

Dr. Eseli: Mr. Speaker, Sir, the law is generally made to protect the weak. In that case, once the containers leave the manufacturers and the goods inside have been used - even if it was cooking oil - eventually, those containers end up in the hands of the rural folk who fetch and store water and other edible items in them. Those containers get damaged and, I believe, that is the cause of the rising cancer cases in the rural areas.

Mr. Speaker, Sir, I think the Assistant Minister might be constrained, being in the Ministry, to give a full report on this. Would I be in order to request that this issue be referred to the Departmental Committee on Health to do a thorough probe into it? That is because the rural people are the ones who are being exposed, inadvertently, to cancer causing materials.

Mr. Speaker: That is fair enough. Is there anybody else interested in this issue? Order, hon. Members! Even as you respond, Mr. Assistant Minister, the Departmental Committee responsible for health is at liberty, according to our Standing Orders, to initiate an inquiry whenever and howsoever it deems appropriate. So, you do not require an order from the Chair. The Committee is at liberty to proceed. Dr. Gesami?

The Assistant Minister for Public Health and Sanitation (Dr. Gesami): Thank you, Mr. Speaker, Sir.

POINTS OF ORDER

FATE OF MT. ELGON HOSPITAL LAND IN KITALE

Mr. Wamalwa: On a point of order, Mr. Speaker, Sir. Two weeks ago, I sought a Ministerial Statement from the Minister for Lands regarding Mt. Elgon Hospital in Kitale that was taken over by individuals under questionable circumstances.

SETTLEMENT OF SQUATTERS ON SOLIO RANCH

Mr. Speaker, Sir, I also sought a Ministerial Statement from the same Ministry regarding Solio Ranch, the settling of squatters and people who are not squatters on that parcel of land. Up to now, Mr. Speaker, Sir, the Minister has not come up with the two Statements, in spite of undertaking to do so. May we have some directions from the Chair?

The Assistant Minister for Lands (Mr. Bifwoli): Mr. Speaker, Sir, I will try and bring the Statements next week.

Mr. Speaker: Why next week? Those issues have been pending for about two weeks?

The Assistant Minister for Lands (Mr. Bifwoli): Mr. Speaker, Sir, I am learning about it now and I have to go and look for it.

Mr. Speaker: Hon. Bifwoli, the essence of requests for Ministerial Statements is that they pertain to matters that are urgent! So, they must be responded to as fast as possible, within 48 hours. Can you do that by Thursday this week?

The Assistant Minister for Land (Mr. Bifwoli): Mr. Speaker, Sir, on Thursday, I will be attending the Mombasa International Show with His Excellency the President.

(Laughter)

Mr. Speaker: Tuesday, next week!

The Assistant Minister for Land (Mr. Bifwoli): Yes, Mr. Speaker, Sir.

Mr. Speaker: It is so ordered!

(Laughter)

STATE OF DONOR FUNDING TO GJLOS PROGRAMME

Mr. Olago: On a point of order, Mr. Speaker, Sir. About three weeks ago, I sought a Ministerial Statement from the Minister for Justice, National Cohesion and Constitutional Affairs on the failure of the Ministry to utilize about Kshs2.5 billion for the Governance, Justice, Law and Order Sector (GJLOS) Reform Program. He was supposed to give the Statement this afternoon. He asked, with your permission, that the Statement be given on Thursday this week at 2.30 p.m., if that will suit---

Mr. Speaker: Who is the Minister concerned?

Mr. Olago: Mr. Speaker, Sir, the Minister for Justice, National Cohesion and Constitutional Affairs. He contacted me this morning and said that he would to deliver the Statement on Thursday.

Mr. Speaker: Thursday, this week?

Mr. Olago: Yes, Mr. Speaker, Sir.

Mr. Speaker: Then, it is so ordered. We will take your word as being factual.

Mr. Olago: Thank you, Mr. Speaker, Sir.

PRESENCE OF GMO MAIZE IN KENYA

Dr. Eseli: On a point of order, Mr. Speaker, Sir. There was a clarification that was to come from the Ministry of Agriculture regarding the importation of Genetically Modified Organism (GMO) maize, and I was given to understand that the investigations were through and they were supposed to clarify the issue.

Mr. Speaker: Could the Minister for Agriculture do that on Thursday?

(Mr. Ndambuki stood up in his place)

Order, Mr. Ndambuki! Can you do that on Thursday, this week?

The Assistant Minister for Agriculture (Mr. Ndambuki): Not on Thursday, Mr. Speaker, Sir. But I can do it on Tuesday next week.

Mr. Speaker: Tuesday next week?

The Assistant Minister for Agriculture (Mr. Ndambuki): Yes, Mr. Speaker, Sir.

Mr. Speaker: It is so ordered! Order, hon. Members! Before we proceed to the next Order, I have the following Communication to make.

COMMUNICATION FROM THE CHAIR

WORKSHOP TO STRENGTHEN PARTNERSHIP BETWEEN PRIVATE SECTOR AND PARLIAMENT

Mr. Speaker: A Workshop whose theme is: “*Strengthening Partnership between the Private Sector and Parliament for the Social and Economic Development of Kenya*”, has been organized jointly by the Kenya Private Sector Alliance (KEPSA) and the Kenya National Assembly for all Members of Parliament.

The Workshop will take place on Friday the 14th and Saturday the 15th August, 2009, at the Leisure Lodge in Mombasa. Resource persons will include sourcing by

Association of European Parliamentarians for Africa (AWEPA) and the East African Legislative Assembly (EALA) as well as the international community, among others. Members will depart for Mombasa on Thursday the 13th evening and Friday the 14th morning from Nairobi and return on Sunday the 16th of August, 2009, by scheduled flights. The expenses relating to the workshop which include accommodation, air tickets, ground transport and any other incidental costs will be met by the Kenya Private Sector Alliance and/or their partners. I repeat. The expenses relating to the Workshop which include accommodation, air tickets, ground transport and any other incidental costs will be met by the Kenya Private Sector Alliance and/or their partners.

Hon. Members are requested to collect their air tickets from Room No.8 at the Main Parliament Buildings. I also wish to inform Chairmen of all Committees that there will be a meeting of the Liaison Committee today at 4.30 p.m. in Committee Room No. 9 to brief them on the foregoing matter.

Thank you.

COMMITTEE OF SUPPLY

(Order for Committee read being Seventh Allotted Day)

MOTION

THAT THE SPEAKER DO NOW LEAVE THE CHAIR

Vote 13 – Ministry of Roads

The Minister for Roads (Mr. Bett): Mr. Speaker, Sir, I beg to move that the Speaker do now leave the Chair.

Mr. Speaker, Sir, the Ministry's Vision Statement is to attain and sustain world class roads infrastructure to enable socio-economic development. The Mission is to facilitate provision, maintenance and management of quality roads infrastructure in support of Kenya Vision 2030 aspirations.

The Ministry of Roads has the following functions:- National Road Development Policy (NRDP); Kenya Roads Board (KRB); Kenya National Highways Authority (KeNHA); Kenya Rural Roads Authority (KeRRA); Kenya Urban Roads Authority (KURA); Mechanical and Transport Services (MTS); Enforcement of Axle Load Control; Material testing and advice on usage; standardization of vehicles, plant and equipment; registration of roads contractors; registration of engineers and protection of road reserves.

The budget of the Ministry is Kshs71,931,150,000 broken down as follows; Recurrent Expenditure - Kshs21,434,550,000 and Development Expenditure - Kshs50,496,600,000. This gives a total of Kshs71.9 billion.

The Recurrent Budget is broken into two and is procured as follows; Roads Maintenance Levy Fund - Kshs20 billion; other Appropriations-in-Aid - Kshs79,150,000 and from the Government Ex-chequer - Kshs1,335,400,000. This gives a total of Kshs21.4 billion.

The Fuel Levy Fund charged at Kshs9 per litre of fuel consumed has continued to increase over the years. The Roads Maintenance Levy is managed by the KRB and the

allocation will continue being made as per the Kenya Roads Act, 2007 or as per other Parliamentary amendments.

(Loud consultations)

Mr. Speaker, Sir, hon. Members are consulting loudly. I seek your indulgence to have then consult in low tones.

Mr. Speaker: Order, hon. Members! Lower the level of your consultations so that the Minister is heard.

The Minister for Roads (Mr. Bett): Thank you, Mr. Speaker, Sir, for that intervention. The total Recurrent net to be provided from the Ex-chequer is Kshs1.4 billion. A major component of this net expenditure is salaries which amount to Kshs1.1 billion. The balance of Kshs286.7 million is to be allocated to operations and maintenance which, when combined with the total Appropriations-in-Aid of Kshs79.2 million, gives a total of Kshs365.9 million to be expended by the Ministry for operations and maintenance.

Mr. Speaker, Sir, the gross Development Budget of Kshs50.5 billion comprises the following; Development partners' component - Kshs24,947,500,000; Government component - Kshs25,549,100,000. This gives a total of Kshs50.5 billion. The Development Budget has risen by Kshs8 billion from the Printed Estimates of 2008/2009 of Kshs42.4 billion to Kshs50.5 billion this year. This represents an increase of 19 per cent from last year's Budget.

The Development Partners' Component will contribute 49 per cent to the Ministry's Development Budget and the Government will contribute 35 per cent. You will notice that our absorption of the Development Partners' funds is still low and we will endeavour to increase the level so that we can have more roads developed for our people. The Development Partners' Component has increased by 13.7 per cent from last year's component. I take this opportunity to thank our development partners for the good gesture and support they have given us.

The Government component has increased by 25 per cent, if you look at the Printed Estimates of last year and this year. The Ministry has made achievements and is involved in a serious reform exercise in the sector so as to improve efficiency and quick delivery of service to the people of this country. To address the institutional challenges facing the roads subsector, the Ministry has been able to operationalise three roads authorities as stipulated in the Roads Act, 2007. The institutions are the Kenya National Highways Authority (KENHA), which is responsible for design, development, management and rehabilitation of all our national roads. These are roads commonly classified as A, B and C.

The Kenya Rural Roads Authority (KERRA) has been put in place to man all our rural roads. It is responsible for designing, developing, managing, rehabilitating and maintaining our rural roads. This Authority will work in conjunction with the District Roads Committees. We have allocated close to Kshs18 million per constituency this year. This money is obtained from the Roads Maintenance Levy Fund which has Kshs20 billion.

Mr. Speaker, Sir, another Authority we have put in place for the same reason is the Kenya Urban Roads Authority (KURA). Its responsibility is on roads which are

within our cities and municipalities except national roads. All these authorities are fully funded by the Government of Kenya with support from the development partners.

Over the last couple of years, the Ministry has been able to complete several major road projects which include the following. Mtito Andei – Sultan Hamud - 131 kilometres; Maji ya Chumvi – Miritini - 35 kilometres; Mai Mahiu – Naivasha – Lanet - 95 kilometres; Makutano – Embu – Thuci - 78 kilometres; Nkubu – Meru – Lewa - 40 kilometres; Nabkoi – Kapsabet - 82 kilometres; Lanet – Njoro Turn off - 14 kilometres of dual carriageway; Nderi – Owimbi; Nyamira – Kanote – Seneta - 16 kilometres; Wote – Makindu - 66 kilometres and Kipsigak – Serem – Shamakhokho - 54 kilometres.

Mr. Speaker, Sir, I want to indicate that the following roads are currently ongoing projects: Northern Corridor Projects, comprising of the Sultan Hamud-Jomo Kenyatta International Airport (JKIA) Turn-off section of the Nairobi-Mombasa Highway, Lanet-Njoro Turn-off to Timboroa, and the Oljoro Turn-off to Timboroa. This will cost the Government Kshs4.8 billion.

The Eastern and Northern bypasses will cost the Government Kshs3.97 billion. I want to inform hon. Members of this House that we will be commissioning construction of these two bypasses any time now. Most likely, the work will be commissioned next week, as soon as we find time for His Excellency the President to launch the projects. We are still looking for funds for the construction of the Southern bypass.

Mr. Speaker, Sir, the Isiolo-Merile River Road is under construction at a cost of Kshs2.15 billion. The major problem there is insecurity. We are appealing to the Minister of State for Provincial Administration and Internal Security to assist us, so that the construction of that road can be completed on time as expected.

The Emali-Loitokitok Road project is ongoing at a cost of Kshs1.2 billion. We are almost reaching Loitokitok. I will be inspecting that road tomorrow. The Namanga-Athi River is a major road connecting us to Tanzania. The Tanzanians are doing the Arusha-Namanga section on their side. We are doing the Namanga-Athi River section on our side. You may have seen, on your way to Mombasa, that there is a major inter-change at the Mombasa-Nairobi Road and Namanga-Athi River Road junction. It is a beautiful inter-change. I do not know whether we are going to call it “Spaghetti” or “Macaroni”, but it is a very good inter-change. It will cost Kshs3 billion.

Mr. Speaker, Sir, construction of the JKIA-Uhuru Highway section to Gigiri will cost Kshs350 million. Construction works on the Dondori-Ol Kalou section are about to be completed. This section will cost about Kshs2 billion. The Ishiara-Ciagarika section will cost Kshs445 million.

Other roads are Lewa-Isiolo, Kendu Bay-Homa Bay, which we commissioned a week ago. A very small section of the Mai Mahiu-Narok Road remains undone. Construction of Kamugunywa-Kaptama-Kapsokwony Road in Mount Elgon will cost Kshs570 million.

Mr. Speaker, Sir, across the country, the Roads 2000 Project is ongoing. There are many of them right across the country. It is here that we have also involved the youth through the *Kazi kwa Vijana* Project.

Construction of the Nairobi-Thika Highway will cost Kshs4.02 billion. This road has attracted a lot of attention, because of the issue of road reserves. I want to appeal to hon. Members to understand us. You have constructed on a road reserve. I have to do a road through somewhere. If somebody has already encroached on a road reserve, I have

to remove that person. I want to plead with hon. Members to bear with us, because we need roads.

In respect of those people who have encroached on land that has been fully paid for by the Government for purposes of road construction – and those people have occupied it using other means – I appeal for support from hon. Members of this House.

Mr. Speaker, Sir, we have plans to do more roads as follows: Eldoret-Webuye-Malaba, which will conclude works on the Northern Corridor, leading to our border with Uganda. It is very important for trade between Kenya and Uganda. It is a very important connectivity that we need.

We have plans to do the Kitale-Nedabau Road, which will connect us with Southern Sudan. We have plans to connect ourselves with Ethiopia. Therefore, we are negotiating for money for the completion of the road project from Merile all the way to Moyale. We have other roads like Rang'ala-Siaya-Bondo, Homa Bay-Mbita, Eldoret-Chavakali-Kapsabet, which is currently being re-carpetted to give comfort to motorists before we do a total overhaul of it.

We have the Bondo-Migori-Owindi Road, whose contract we recently advertised.

Mr. Speaker, Sir, I want to indicate that 93 per cent of the Northern Corridor Roads project, covering between Mombasa and Malaba, have already been rehabilitated. The Mau Summit-Kericho-Kisumu Road project is awaiting a letter from the World Bank. It will be next. It will connect Mau Summit, Kericho, Kisumu and Kisian. It includes a bypass to be done in Kisumu.

I have already said that rehabilitation of the Timboroa-Eldoret-Malaba Road project is awaiting award of the contract. Once that is done, the contractor will report on site and construction work will start.

Mr. Speaker, Sir, we are also looking at Nairobi. We would want to make sure that congestion in our City is brought down. So, we intend to undertake a project to decongest Nairobi through the following measures: construction of the Eastern and Northern bypasses, that I have already alluded to, construction of Nairobi Urban Toll Roads Concession is now in progress, improvement of Thika Road, improvement of the road section between the JKIA-Gigiri as well as Airport Road.

That includes studies that are underway to introduce dedicated lanes, so that there will be busses ferrying passengers directly from one point to another, avoiding traffic jams on our roads. This has been done elsewhere. You may have noticed that I was out in Colombia and Mexico to do a study on similar road networks and, therefore, deliver our people to work and from work on time.

Mr. Speaker, Sir, we will continue to support the *Kazi kwa Vijana* Initiative. The Ministry has been allocated Kshs800 million that has already been expended. We are expecting more money that we believe will support young people in our countryside. The project will also disengage them from activities that may not be acceptable in our land. More importantly, it will give them income for their survival. As I have said, the Ministry will continue with the Roads 2000 Programme, which is also labour intensive.

Mr. Speaker, Sir, we have challenges in the execution of our mandate. These include encroachment on our road reserves. Again, I am pleading with hon. Members to give us support on that particular issue, so that we may be able to expand our roads without engaging ourselves in unnecessary squabbles with members of the public.

We also have a big problem on axle load control. Our people continue to overload their trucks. However, I am happy and want to laud the Minister for Transport for getting through the Cabinet the Integrated Transport Policy. I believe that that policy will immensely contribute to axle load control. The most important aspect we would like to have is control of weight of trucks before goods leave the Port of Mombasa. That will be the best control, because they are the ones which are destroying our roads.

Mr. Speaker, Sir, we also have inadequate local construction capacity. I want to indicate that our local people do not yet have sufficient capacity to be involved in road construction. I want to urge our engineers to set up companies and manage them well, so that we may be able to utilise them in the construction of roads in our country, as opposed to us going out to look for engineers, yet we have own local engineers who should be able to participate in our works fully.

There is also a problem that I will be addressing with the President and the Prime Minister. That is the issue of multiplicity of players in the execution of road works. That is a challenge that is being addressed elsewhere.

The Government is also kind of underfunding the sector.

Mr. Speaker: Order, Mr. Minister! Wind up!

The Minister for Roads (Mr. Bett): Mr. Speaker, Sir, in conclusion, for my Ministry to be able to finance its operations, I am asking this House to approve a sum of Kshs71,931,150,000 for both Recurrent and Development Budgets for the financial year 2009/2010.

With those remarks, I beg to move.

The Minister for Public Works (Mr. Obure): Thank you, very much Mr. Speaker, Sir, for giving me the opportunity to second this Motion. First, I want to thank the Minister for Roads for this eloquent, very elaborate and comprehensive presentation in defence of his Ministry's budget estimates.

I also want to take this opportunity to thank the staff of the Ministry for the good work being done. I have worked in several Ministries of the Government. I have also had the opportunity to work at the Ministry of Roads. The staff of the Ministry of Roads, including staff of the Kenya Roads Board and those of the road authorities, are among the most diligent and hardworking public servants in the entire Civil Service.

Today, Kenyans everywhere are proud because they can point at some striking development projects being undertaken around them. When most Kenyans speak of development, they are, probably, referring to a road which has been constructed in their area. To a lesser extent, they are referring to rural electrification projects which they have seen in their areas. Development and maintenance of roads in Kenya in recent years has been a huge success story. This has also been the Government's greatest achievement and success in recent years.

It is a success because once roads have been constructed, they are measurable. They can be seen in every part of our country. Roads can also be felt when we drive on them. The reason we have been successful is because the Government has been prepared to invest large sums of money in the development and maintenance of roads in recent years. We must be prepared to sustain these levels of investment in the road sector if we are to sustain the current momentum. We should strive, not only to develop roads, but also to ensure that they are in good motorable condition and free of pot holes.

Mr. Speaker, Sir, I am aware that there are huge challenges in the road sector. The hon. Minister has just spoken about lack of capacity on the part of contractors. This is the reality. We must develop our own contractors rather than rely on foreigners. It will also be necessary for Kenyan contractors to realize that the quality of the work they produce is far more important than merely being given jobs because they are Kenyans.

The other big challenge which this Ministry and other infrastructure Ministries are facing is the irregularity surrounding Exchequer releases. We pass this Budget in this Parliament and Ministries know that they are entitled to get funds. The question we must raise is: How and when are these funds released? You find that contractors cannot be paid because funds have not been released by the Treasury. This delay in payments automatically leads to delay in implementation of projects. Consequently, projects become very costly.

Mr. Speaker, Sir, even the Minister and the supervision staff of the Ministry of Roads or other infrastructure Ministries will have no moral authority to supervise construction work and insist on standards if contractors themselves have not been paid. Therefore, I want to appeal to the Ministry of Finance to ensure that they guarantee regular Exchequer releases to the Ministry of Roads and other infrastructure Ministries in order to assure Kenyans of speedy and timely implementation of projects.

Mr. Speaker: Order, Mr. Obure. Your time is up.

The Minister for Public Works (Mr. Obure): Mr. Speaker, Sir, I support.

(Question proposed)

Mr. I. Muoki: Thank you, Mr. Speaker, Sir, for giving me this opportunity to speak on behalf of the Departmental Committee on Transport, Roads, Public Works and Housing. I would like to start by thanking your office and that of the Clerk for the support that you have given our Committee in terms of deliberating on the issues which were before us.

I would also like to take this opportunity to thank Members of the Committee who have been very committed during the several meetings that we have had with the four Ministers heading the Ministries under our Committee.

We did table our report and I am sure members are conversant with our recommendations and observations. Therefore, I will only highlight a few areas which I would like to share with hon. Members.

Mr. Speaker, Sir, the Ministry of Roads is a very key Ministry. It is one of the Ministries in charge of infrastructure in this country together with the Ministries of Energy, Transport and others. Therefore, if the Ministry of Roads succeeds in its mandate, then we are about to see development in our country.

If we want to achieve the development goals that we intend to achieve by 2030, then it is very important that this House supports the request by the Minister for Roads. In the past, the Government was not keen on developing the total infrastructure in the country. In the recent past, as from 2003, we have seen tremendous development of our road network.

Mr. Speaker, Sir, over the last seven years, wherever you travel in any part of our country, you will see a major road being done. Had this been the trend since Independence, I am sure we would be very far in terms of road development in this

country. The Minister in charge and the Government should continue on that path, so that we have our road network developed and we easily catch up with other countries in terms of development.

Some areas have been left out in terms of development of our road network for many years. If you look at our country, the only key concern has been our connection with Uganda. The Voi-Taveta Road connects us with Tanzania. It is a pity that, that road is not in good condition. We have other regions like North Eastern Province and Eastern Province whose roads would easily connect to Somalia, Ethiopia and Southern Sudan. Therefore, if all these roads had been done and we were also connected to these regions, this would definitely develop our country in terms of trading with our neighbours. I am appealing to the Ministry to look into this issue of constructing roads connecting us with our neighbours, so that we can improve our trade and the performance of our economy.

Mr. Speaker, Sir, having said that, I would like to highlight some of the areas which the Committee found were left out and we thought if the budget could allow, the projects would be useful.

As I just said earlier, the road from Mwatate to Taveta was left out of the budget because of under-funding, as per the Ministry's request. The issue of this road needs to be addressed. The road connecting Turbi to Moyale also needs to be addressed. The roads that need attention are; connecting Eldoret - Ziwa - Kitale Road, Kibwezi-Kitui-Mwingi-Isiolo Road which connects to Ethiopia and Southern Sudan, the road connecting Eldama Ravine-Nyaru-Eldoret Road, Isebania-Kisii-Ahero which would also connect us to northern Tanzania and the Mombasa by-pass to Kipevu from Ndongo Kundu. If this road is done, it will help to open up this area.

The other project which we found was important but was left out was the dualing of the Outering Ring Road and Ngong Road. We also have Isiolo - Garbatula - Modogashe Road, Marigat - Lorup Road and Makutano - Sagana Road. We found out that had these projects been taken on board, we would have required about Kshs6 billion. I am sure Kshs6 billion is not a lot of money. If some money could be allocated from somewhere or if we could get some donor funds, I would urge the Minister to address these projects urgently so that they can connect those essential areas and therefore, spur development in our country.

Mr. Speaker, Sir, one of the observations by the Committee is that, there have been delays in the completion of projects by the Ministry of Public Works and contractors. This needs to be addressed because if a project is supposed to take six months, it should take six months. If it goes beyond that, there is a delay in work and a possibility that the cost would go up. The Committee would like to see the Ministry have speedy completion of projects so that we do not have extra money spent on projects.

The other area of concern is that of pending bills. We observed that the Ministry has pending bills of Kshs8 billion. Either way, if you pay those bills and move on with a clean bill of health, you will have a budget less Kshs8 billion. At the same time, if you keep carrying forward these pending bills, it will still impact negatively. Therefore, our thinking is that the Ministry should clear pending bills so that we can move forward. That way, the money allocated can be used to implement new projects.

Mr. Speaker, Sir, another area of concern is the issue of transparency, regarding allocation of funds to regions. Members would like to see a transparent way of allocating funds to the various regions in the country because all the regions need equal

development. We need to develop every part of this country so that each part can be useful.

Mr. Speaker, Sir, the Minister highlighted the issue of enforcement of weight between the Ministry of Roads and the Ministry of Transport. This issue needs to be addressed through the Cabinet because when we have poor quality of roads, we also have the issue of overloading on our roads and this damages them. The two Ministries should, through the Cabinet, address this matter urgently so that our roads can remain in good shape once done.

[Mr. Speaker left the Chair]

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

The other area of concern is poor workmanship on our roads. That also needs to be addressed.

Mr. Temporary Deputy Speaker, Sir, with regard to Treasury, the Minister highlighted the issue of delays in disbursement of allocations. We found this to be a major challenge in this Ministry and other Ministries as well. While we blame the Ministry of Roads for not using all their money, we found out that there is a delay of Exchequer releases from the Treasury.

Secondly, there is frequent breakdown of the Integrated Financial Management System (IFMS). If the system keeps failing or there are delays in Exchequer releases, the compounded effect will be that the Minister will get the funds late and he will, therefore, not do his duties effectively. The money will either be taken back to the Treasury or the work will be done hurriedly. I am appealing to the Treasury to make sure that Exchequer releases to the Ministry of Roads and other Ministries which require to do construction are done in good time so that their work is effective.

Mr. Temporary Deputy Speaker, Sir, finally, I would like to make a few recommendations. One of these recommendations is that the Ministries that deal with transportation should define their mandate. One of the challenges we have experienced is where you are not sure which Ministry handles which aspect. Therefore, the Ministers keep on passing the buck to one another. You will find that there is a lot of confusion. For example, we have the following Ministries dealing with construction; the Ministry of Roads, the Ministry of Public Works, the Ministry of Housing, the Ministry of Local Government and the Ministry of Nairobi Metropolitan Development. You find that there is quite a bit of confusion in all these Ministries. I think it is very important that we have clear mandates of these Ministries so that we know who is doing what such that if something goes wrong, we can know where to take the issue to.

With those observations and comments, I wish to support.

The Assistant Minister for Trade (Mr. Omingo): I thank you Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to contribute to this Motion.

From the onset, I want to congratulate the Minister for doing a good job. As one of my colleagues has said, this Ministry is working. I think we need to be rated and in order of performance, we know performing Ministries. This Ministry and my Ministry

are serious working Ministries. The work by the Ministry of Energy has also touched every corner of this country.

Having said that, for us to be focused to work and deliver our mandate, we must focus our energies on issues that affect the nation and stop politicking. Most of the time we engage in time wasting. When we talk about the importance of roads, we cannot attain the objectives of Vision 2030 if our road network is not well connected in terms of providing services. The road network can only be equated to the nerve system of the body from where there is sensitivity and blood flow to every part of the body for us to be functional.

Mr. Temporary Deputy Speaker, Sir, I think it is important to appreciate and give a little more support to this Ministry. We know that this budget was tightly managed. We are going through economic hard times but I think in even that, there is an opening available. We should support this Ministry to provide services.

The most interesting thing about what is happening in the current budget provisions is that we can now identify what goes where as opposed to previous times when if we demanded services from particular Ministries, you would be told: "We shall do it when funds are available". During those days, those funds were never available. Some of us who were sitting in the Opposition those days suffered painfully because of imbalances in terms of resource distribution, fairness and equity.

Therefore, the transparent way in which the Budget has been done suggests that each Kenyan will benefit from this kind of delivery. We have realized that the Ministry has gone further to develop three boards; Kenya Rural Road Authority, Kenya National Highway Authority and Kenya Urban Roads Authority. I want to plead with the Minister to make sure that the mandates of these three bodies is streamlined so that we avoid duplication and inefficiency in terms of service delivery. I appreciate that some of their mandate is cross cutting. We need to know who stops where so that we also stop wastage. Let me hope that this is not one way in which we will waste public resources in terms of bringing up bodies which may not deliver their mandate. Critically, it is important to decentralize these functions and be able to hold each one of them accountable.

In terms of the performance contracts, we need to review them in short term so that we appreciate whether their relevance is still there or if we need to do away with them or if we need to give them more capacity.

Mr. Temporary Deputy Speaker, Sir, somebody talked about the pending bills. In my other life as the Chairman of the Public Accounts Committee, I found out that pending bills are usually a waste of Government resources. Somebody can bring a wheelbarrow, park it on the roadside, refuse to pull it away from the site and continue to accumulate bills on taxpayers' money. In my other life as the Chairman of the Public Accounts Committee, I realized that there was an element of wastage of resources. You would find that this person has not removed it from site for five to six years and interest accumulates on the side of the Government and the Government pays for that. Due to this complicated position, you will find that the contractor is paid for doing nothing. We need to have value for our money. We need to know which road is used for what. We need to identify the priority roads and the value they add to our nation. Those days when we used to set up roads for purposes of political expediency are gone. We must take our roads to a state where Kenyans get value for their money. Therefore, the pending bills issue should be closed once and for all so that Kenyans can get value for money.

Mr. Temporary Deputy Speaker, Sir, I want to plead with the Minister because in his statement, he did not talk about some roads which are critical and have been funded four times. One of them, which has already been observed, is the Kamagambo-Nyaseembe-Etago-Mogonga Road. This is D205 and D204. The Minister, in response, needs to come out and tell Kenyans what he is doing about those roads and many other roads.

With those few remarks, I beg to support.

Mr. Lessonet: Thank you, Mr. Temporary Deputy Speaker, Sir, for this opportunity to contribute to the Vote on the Ministry of Roads.

As it has been said by the previous speakers, the Kenyan roads are key towards the development of this country. As hon. Members, we demand equity when the Ministry of Roads is disbursing these funds to the various agencies and to the various constituencies and districts in this country. I want to start by highlighting the amount of money which the Ministry has allocated to Koibatek District. They have allocated Kshs5,000 for the development of roads where I come from. I actually wonder what this Kshs5,000 is for. If they are giving Kshs5,000 to Koibatek District, definitely, we do not need that kind of money. I want to believe that this is the money that was supposed to be voted for the Eldama Ravine-Nyaru-Eldoret Road. However, this road needs billions of shillings.

When the Minister was moving the Vote of his Ministry, I did not hear him mention the key item which the Deputy Prime Minister and Minister for Finance highlighted when he was reading the Budget this year. The Deputy Prime Minister and Minister for Finance indicated, in the Budget, that 22 per cent of the Petroleum Levy Fund would go directly to the constituencies through the CDF. We did not hear the Minister talk about that and say that he would bring an amendment to the Kenya Roads Board Act so that, that Fund can go through the CDF. I want to believe that most hon. Members would support me in that idea that the Petroleum Levy Fund which has been going to the constituencies should go through the CDF. That is the only way that this money will reach the various constituencies.

We also want to support that the amendment should be brought here so that equity may prevail. We would also like the amount of money which has been going to the so called districts--- The districts we have now are no longer manageable. We are aware that there are two principals who are competing in dishing out districts in this country. Very soon, we will have close to 1,000 districts. There is an amount of money which the Act requires that it should be disbursed equitably to the districts. Since we no longer know the number of districts we have in this country, we want to request the Minister that the 12 per cent which he is required to distribute equitably to the districts be distributed equally to the constituencies. When we use the word equity, it means that this issue is within the discretion of the Minister or the Managing Director of the Kenya Roads Board to decide what amount is equitable. We demand that the money should go like the 20 per cent which has been going to the constituencies so that we can have equity in this country.

Mr. Temporary Deputy Speaker, Sir, just to say a little bit about Nairobi, this is the only Ministry which can assist us to decongest this city. The issue of by-passes has been on the air since the year 2003. In 2003, I was a very young man and I had not even started dreaming about coming to this Parliament. We are yet to start the job. The Minister has indicated that they are still looking for the President to come and inaugurate

or do the ground breaking for the by-passes. I do not know how long it will take the Ministry to locate the President so that he may inaugurate this ground breaking ceremony and we decongest this city. The year 2003 up to now is a very long time. We want these by-passes to have been done like yesterday.

I want to remind the Minister that he was in the Government that brought down very many buildings which were purported to be sitting on by-passes in 2003. We are now in 2009, six years down the line. Please, let us have something happening on roads which are called by-passes.

With those few remarks, I beg to support.

The Assistant Minister, Ministry of State for Defence (Mr. Musila): Thank you, Mr. Temporary Deputy Speaker, Sir. I stand here to support the Motion. In doing so, I want to say that I have a lot of respect for the Minister for Roads, his able deputies and indeed, the Permanent Secretary and his staff. However, having said that, I want to agree with the previous speaker, Mr. Lessonet, on the inequality in development and particularly as far as the Ministry of Roads is concerned. There has been a deliberate marginalization of certain areas by this Ministry. Today, we are being asked to approve a lot of money, billions of shillings; Kshs15 billion.

The Minister was very eloquent in describing what the Ministry was going to do. However, did you hear him talk about any projects that he will do in the North Eastern Province? The whole of North Eastern Province has 12 kilometers of tarmac road. Are those not Kenyans? The south eastern, apart from the road that leaves Thika to Garissa, which is dilapidated and is not a road anymore, there is no road. No roads have been done.

For how long will this continue? This is my 12th year to support the Vote for the Ministry of Roads. Every year, I talk about Road C94 which is the only major road that passes through my constituency. To date, nothing has been done. This is 12 years down the line. For how long will I wait? Other than the money that is allocated to the District Road Committees (DRCs) equitably on constituency-basis, the rest of the money is allocated through favouritism. Certain areas have Class E roads tarmacked, while others have Class B roads untarmacked. I was surprised to hear Mr. I. M. Muoki, the Member for Kitui South praise the Ministry when, in fact, Road B2 - Kibwezi- Kitui that passes through this constituency has never been constructed.

Mr. I.M. Muoki: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is Mr. Musila in order to say that I praised the Ministry and failed to mention the road when I strongly said that the road from Kibwezi through Mutomo/Mwingi to Isiolo was left out and, therefore, needs money through the allocation to be done?

The Assistant Minister, Ministry of State for Defence (Mr. Musila): Mr. Temporary Deputy Speaker, Sir, I would have expected that being a very able Chair of his Committee, his road would have been included in this year's Budget.

Mr. Temporary Deputy Speaker, Sir, with regard to *Kazi Kwa Vijana* programme, I would like the Kenya Roads Board (KRB) to know that the conduit for misusing public funds through bush clearing is evident. As I speak here, there is serious drought in my constituency. However, all the Ministry of Roads officers did was to use *Kazi Kwa Vijana* money in bush clearing, and yet there is no bush to clear. The other area on which they used money is in cleaning culverts. Even if they are cleaned, you will not know because they are under the ground. I emphasize that let us use money in *Kazi Kwa Vijana*

projects so that we can say in years to come that we did this and that during this programme. We should not waste money on useless things like clearing bushes and cleaning culverts.

Mr. Temporary Deputy Speaker, Sir, in conclusion because I am very angry, I plead with the Minister for Roads who is my very good friend and who inspected the road I have talked about and promised to take action, to ensure that as I conclude my 12th year in this august House, Road C94 will be done.

I beg to support this Motion.

Mr. Mwathi: Mr. Temporary Deputy Speaker, Sir, I rise to support this Vote fairly reluctantly. I will support it because the Ministry has done something.

In so doing, I would like to quickly point out the fact that it is very important for the Ministry and Minister, for that matter, to know the importance that road infrastructure has in the lives of Kenyans. Even though I know people cry about tarmac roads, there are certain roads that must be passable in order to access some areas. However, I would like to say that if the Ministry undertakes to upgrade a road to a certain level, for example, tarmac it, it should do so. I do not want to be selfish but since I do not have a choice other than talking about my road; let the road be tarmacked. Let us not have a road that is half way tarmacked and before it is completed, the initial section of the road has developed potholes. I will give a road in my constituency, as an example of probably what happens in Kenya. I have visited the Ministry many times and brought Questions here about this road. I have tried to befriend the former Minister and Assistant Minister by speaking very well because this section of the road is not complete. All this does not seem to yield anything. I will try hard next time. However, all said and done, if I were in the West, for example, Britain, I would immediately tell my constituents to take the Ministry of Roads to court. This is because these people live in dusty conditions. They have now started developing breathing-related complications. They cannot air their clothes because by the time they get them from the line, they are full of mud. Why do we subject our people to these conditions? If you do a road, it is only fair - and I know it is provided for in the contract because I have been in that Ministry for a long time - that you water the road so that you do not subject people to conditions that are not good. So, as the Minister looks at the roads programme that he has, if it is a tarmac road, let it be tarmacked to the end. If it is a murrum road, let it be so. The Ministry should not do the road half way because we will always complain that the work is incomplete. This is true anyway.

Mr. Temporary Deputy Speaker, Sir, I would like to talk about the DRCs. I have realised that the Ministry has allocated some money through the DRCs and some through the local authorities. In certain instances, you will find that there are work plans that are superimposed on each other. So, if there is collusion among the officers, you will find that the same road is funded through the DRC and at the local authority level. I do not know why this has to happen. So, it is important that if a road is being covered by the DRC, then that should be so. The same case should apply to those covered by the local authorities. However, the DRC is doing very well in this case. The only thing the Minister should do in order to streamline this, is to ensure that there is monitoring and evaluation. This is because the local District Roads Engineer is the boss of everything.

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

The Assistant Minister for Livestock Development (Mr. Duale): Mr. Temporary Deputy Speaker, Sir, I support Vote 13 - Ministry of Roads - for the current

Financial Year, 2009/2010. I join my colleagues in supporting the Minister for Roads, his Assistant Ministers, the Permanent Secretary and the entire team for doing a good job. This is because if you drive from Nairobi through Thika to Mwingi and also look at the road works going on in the City of Nairobi over the last six years, you will say that this is a working Ministry.

Mr. Temporary Deputy Speaker, Sir, I would like to dwell more on the reforms that the Ministry of Roads has introduced in the last three years. This is where the major stake for Kenyans lie. I am talking about three authorities, namely the Kenya Rural Roads Authority (KeRRA), the Kenya Urban Roads Authority (KURA) and the Kenya National Highways Authority (KeNHA).

These reforms are geared towards bringing services closer to the people. They will make the people of this country to have authority to choose and control road projects. They will also empower the local contractors and take care of the road users.

Mr. Temporary Deputy Speaker, Sir, these reforms will give us chance to select which roads will be done as per the economic activity. Our people will say: "We want this access road to be done because it goes to this market centre and so on."

Finally, these reforms will also reduce the bureaucracy of selection and award of projects at the headquarters. These are very encouraging reforms. By the end of the day, we want to see how the Kenya Rural Roads Authority (KeRRA) and other authorities will take their specific roles. Before the establishment of the KeRRA, there were no projects in North Eastern Province where I come from. I am saying this because Class D and E roads and all unclassified roads in North Eastern Province have never been done in the last 45 years. I hope that the 32 per cent of the Budget which has been given to KeRRA will make a difference in North Eastern Province.

Mr. Temporary Deputy Speaker, Sir, I want to come back home; for 45 years of Independence, only 20 kilometres of the road was earmarked to be done in North Eastern Province under the leadership of President Kibaki. This is very sad. Out of this 20 kilometres road, it is only ten kilometres that was done. This is because of unscrupulous and dishonest contractors. They claimed to have spent Kshs70 million to do a kilometre. This is immoral. We cannot allow it to continue because it is a total theft of Kenyan taxpayer's money. I want to know why out of the expected 20 kilometre of Garissa-Modika-Nuno road earmarked for tarmacking, only ten kilometres were done.

Most local authorities cannot account for the huge money they are given under the Local Authorities Transfer Fund (LATF) programme. They are given funds by the Ministry of Roads. As I speak now, for the last five years, Garissa Municipal Council has not accounted for the roads funds it received from the Kenya Roads Board (KRB). This is one thing we must look into.

Turning to equitable distribution of resources, Ministry of Roads is constructing roads everywhere in this country. But as hon. Musila asked, what about the people of North Eastern Province? Are we not part and parcel of this country? The Nairobi-Thika-Mwingi-Garissa Road is being redone. I want to thank the Minister and his team for this work. I drove through that road last week and I saw it being done.

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

Dr. Khalwale: Mr. Temporary Deputy Speaker, Sir, this Ministry has been allocated a total of Kshs71.9 billion this year, up from Kshs44.8 billion that it was given the last financial year. I want to support this money to be spent.

As I do so, I would like on behalf of the Public Accounts Committee (PAC), to challenge the Minister that we can demand for nothing short of efficiency. Your Ministry is the most notorious of all Ministries in Government in terms of audit queries. You have the highest number of audit queries. We want you to rein in to make sure that the accounting procedure in your Ministry will ensure that this Kshs71.9 billion reaches the intended purpose.

Mr. Temporary Deputy Speaker, Sir, the issue of corruption at this Ministry is worse than other Ministries in this country. Until, the Minister reins on the so called cowboy contractors and dishonest people who cause roads not to be constructed in this country, not because money is released by Parliament, but simply because they have not wished to construct roads, this country will not develop in the roads infrastructure. He must make sure that the absorption capacity by his Ministry is improved. This is something we have found in the PAC. He must ensure that his officers follow up on projects for them to be completed on time. This money will be given to people. Projects that are meant to run for 18-24 months run for four to five years. We demand that he makes sure that pending bills are cleared on time. I want on behalf of this Minister, to appeal to the Treasury to stop frustrating this Ministry. The Treasury most of the time does not give immediate exchequer releases which again affects the efficiency of this Minister.

Having said that, I would like to mention the issue of where are all these good roads that are being talked of being constructed in this country. It is important that, Mr. Minister, you do not underrate and under play the issues raised by hon. Members on the issue of equity. It is now evident in this country that the best roads in the country tend to be skewed in favour of the executive authority of the country. Thus in the first Government of President Kenyatta, the best roads in this country were found in Central Province and Mt. Kenya area. In the rein of Moi, the best roads were found in the Rift Valley.

Now in the current reign of President Kibaki and the Prime Minister, we are now seeing for the first time, we can drive to Western because you are able to reach Kisumu maybe, because they want the Prime Minister to be reaching home on good roads. But what happened, Mr. Minister? Do you not think that the people of Western Province have a stake in this country? We pay tax. We do not want to wait until we shall be presidents. We want the road between Kisumu-Kakamega-Webuye-Kitale to be done. For your information, how come you do not know that ,that is trans African Highway- all the way from Isebania- Kisii to Kisumu? Even in his report, the projects that he forgets, he has now indicated here that when he eventually go to this road, he will move from Isebania, come to Kisii and when he reaches Kisumu, he will not continue to where he is supposed to go, but he will then detour and go to Ahero. Why are you doing this?

Mr. Temporary Deputy Speaker, Sir, I would like to mention something on the issue of contractors. To support the construction industry in this country, without being alive to the fact that the construction industry is not in the hands of Kenyans, is a defeatist approach to management. Even the so called local contractors are actually Asians. Asians have one foot in this country, another foot in Britain and another foot in Canada. It is a shame that out of the 26 local construction companies, only two, Nyoro and Kirinyaga Construction are indigenously owned companies. The Minister must devise means to make sure that he supports local contractors so that the money that is put in

these roads remains in this country. It is amazing that when a local contractor is asked to tender for a road, he is told: You must give evidence of a bank turnover of Kshs3 billion. Since you know local contractors cannot meet this, why do you not create a special fund to support local contractors?

With those few remarks, I beg to support.

The Assistant Minister for Information and Communications (Mr. Khaniri): Mr. Temporary Deputy Speaker, Sir, thank you very much for giving me the opportunity to make my remarks on the Vote for the Ministry of Roads. I will start by congratulating the able Minister, Mr. Bett, for the eloquent way in which he presented his budget for this year. I also want to congratulate and thank him together with his Permanent Secretary and the entire team for the seriousness with which they take their work. We have seen them go around the country inspecting roads and touring construction sites to ensure that the contractors that have been given work to build our roads are doing a good job. I just want to encourage them to keep that up. I want to encourage them to keep that up. We want to see their presence all over the country.

Mr. Temporary Deputy Speaker, Sir, while I congratulate the Minister and his team for the good work, there are one or two observations that I want to make on this particular Ministry. I will start by stating that the importance of the Ministry of Roads cannot be over-emphasized. This is a very important Ministry and we know that many other sectors that are driving this economy rely on this particular Ministry. Agriculture, which is the backbone of this economy, depends on these roads. The farmers will need good roads to get their farm inputs to their farms. They will also need good roads to get their outputs or harvests to the market. For the tourism that we have been talking about to flourish, we need good roads. We are losing many tourists because of the bad roads in our parks and the roads leading to tourist attraction areas. Therefore, for the country to be able to realize the dream of Vision 2030, we must ensure that we have a proper road network system in this country. That is why we are saying that this is a Ministry that must be allocated enough funds to ensure that they give us good roads for us to achieve what I have stated.

Therefore, I want to appeal to my colleagues to support this Vote and I also appeal to Treasury to consider giving enough money to the Ministry of Roads for them to be able to give us the roads that we are asking for, including the one Dr. Khalwale talked about.

Mr. Temporary Deputy Speaker, Sir, when I go around the country, while on duty, I see so many road construction works going on. The only thing that I want to appeal to the Ministry, and I also think Dr. Khalwale, alluded to this, is that while they are distributing the little resources that they have from Treasury, they must make sure that it is done fairly and equitably to all corners of this Republic. I do not understand the rationale of constructing a six-lane highway to Nyeri while the Nairobi-Nakuru-Eldoret-Busia Road remains a single lane road. Between these two roads, which one is more economically viable? Is it the road to Nyeri or the road to Busia? I do not understand the rationale. Therefore, we are saying that we want equitable and fair distribution of these resources because we are all tax-payers and therefore, entitled to services from our good Government.

Mr. Temporary Deputy Speaker, Sir, while moving his Vote, the Minister stated that the Eldoret-Kapsabet-Chavakali Road is being recarpetted while they wait for proper

building of a new road. In my opinion, this is a waste of resources. The Ministry should look for enough funds and build a new road because as they do recarpeting, where they started is already being destroyed.

With those few remarks, I beg to support.

Mr. Baiya: Mr. Temporary Deputy Speaker, Sir, thank you for giving me the opportunity to contribute. I want to start by congratulating the Minister for the good job that he is doing at the Ministry. This is witnessed by the various projects that we are seeing across the country. It is also true that the Ministry has to justify what it is doing with the huge allocation of resources that they are receiving. The point that I am trying to make is that even when it comes to the choice of projects, I want to endorse the sentiments raised by my colleagues who have just spoken, that it is very important for the Ministry to justify why it allocates funds to a particular road and not another one.

We know of an era where some roads would be done and they would be so “idle” that farmers would use them to dry maize. We do not want to see a repeat of that in this era. I have a case in my constituency where a road stretching from one area to another, being diverted to another area just because there are some prominent people who are residing there. They leave out a huge area where there are many people. Actually, the money being used is Fuel Levy Fund where Kenyans are contributing on the basis of the fuel that they consume. So, that criteria is very critical.

Mr. Temporary Deputy Speaker, Sir, even as we do the roads, repair and maintenance is very critical. When it is not done promptly and timely, it leads to waste. I do not know again, what criteria is used because we have raised complaints about certain roads in my constituency where you can see that the rate of wear and tear is so huge. I wonder where the Ministry is actually applying due diligence in maintenance of the roads. Ensuring adequate and proper maintenance is very critical because of the huge resources being invested if they are going to be properly utilized and taken care of.

Mr. Temporary Deputy Speaker, Sir, the other issue that I would like to be properly utilized and taken care of is the management of resources across the districts. The effort to maintain rural roads through the system of the District Roads Committees (DRCs)--- We know that in the Budget, it was rescheduled to go through the Constituencies Development Fund (CDF) but the details of that have also not been outlined. It is very important that the issue is clarified. The reason why I am saying that is because I have seen much of those resources meant to go to the road maintenance in the constituency go to waste. It is not being used for road maintenance. The worst thing is that the names of the Members of Parliament are being dragged in. The Ministry is not able to reign in on the engineers and the way they are doing their work. Whereas the law is very clear about the role of Members of Parliament, committees and the DRCs, the engineers ignore the law and run the show themselves. Therefore, the percentage of resources reaching the constituency is less than 50 per cent. The rest must be going to people’s pockets. We are talking about corruption. We urge the Minister to ensure that the engineers play the role of being the consultants to assist the local communities through the Members of Parliament and the committees to do the right thing.

Mr. Temporary Deputy Speaker, Sir, with regard to the projects being done through the *Kazi Kwa Vijana* Initiative, we are also having a huge challenge. Even the choices of work to be done, compared to the amount of resources being extended to *Kazi Kwa Vijana*, programmes pose a challenge. Why should we be talking about huge

resources through *Kazi Kwa Vijana*? If the idea is to create jobs, then the roads should be providing such work. It is much better that these resources are put elsewhere where we can see an impact.

With those few remarks, I beg to support.

The Assistant Minister, Ministry of State for Public Service (Maj. Sugow): Thank you very much, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to support this Vote of the Ministry of Roads.

Mr. Temporary Deputy Speaker, Sir, the most important measure for service delivery is customer satisfaction. We are representatives of the people of Kenya and from all the submissions from hon. Members here today, clearly, except for suggestions to improve on certain aspects of service delivery and equitable distribution of resources, this Ministry is doing a good job. So, for me, I see the key driving force in the Ministry for this commendable job is the Kenya Roads Board (KRB). So I will clearly go direct and congratulate the KRB because they are doing Kenyans proud. They should keep it up.

It is very important for the Office of the Deputy Prime Minister and Ministry of Finance to follow up on what it has indicated in the Budget with guidelines to all Ministries with regard to devolved resources to the constituencies. There are no clear instructions or guidelines to this Ministry with regard to those funds that were specially allocated for the purpose in this year's Budget. Perhaps, it is very important that we urge the Office of the Deputy Prime Minister and Ministry of Finance to do that as quickly as possible so that we know how these projects will be implemented.

When I go to the issue of equity the way my colleagues have done, there are quite a number of areas in this country which were ignored in the past and which are very potential in terms of development and contribution to the economy of this country once they are opened up and their roads made. A good example is Northern Eastern Province and other parts such as the north and even Ukambani. It is not all just misery unlike what some of our colleagues or members of this country believe. But these are potential areas; they still have a lot of resources to be tapped if only the infrastructure could be improved. So, I urge the Minister to clearly take the issue of equity seriously when allocating resources.

The other issue is the formation of the authorities. In any formation of any organization, there are always teething problems. This Ministry is doing a good job now and their activities are very well streamlined. I urge the Ministry to ensure that the operationalization of the authorities is done as quickly as possible. The civil servants who have been appointed to these authorities should get their postings as quickly as possible because as of about a week or two ago, they were still not posted although they had been appointed into the various authorities. It is important that they are posted as quickly as possible and these authorities are operationalised so that it does not disrupt the activities of the general service delivery of the Ministry.

Mr. Temporary Deputy Speaker, Sir, the services that are being delivered at the district level now are a little wanting. They have become even worse after the posting of the officers to the authorities. Currently, therefore, the authorities are not operationalized but appointments have been done and delivery of services is still being done at the district level. There is a lot of corruption going on currently. There is a lot of inactivity and inefficiency apparently simply because those services will now be taken over by the authorities. So, I urge the Ministry to hasten the operationalization of the authorities.

It is one thing to build a road but a different thing all together to maintain it. One of the greatest problems we have with public institutions or public infrastructure is maintenance in this country. We leave roads to totally deteriorate to disuse completely before we start patching them here and there. It becomes worse than if you do not have a road in that place. This is particularly so in those roads that were constructed by the National Youth Service (NYS). A good example is the road from Mombasa-Nairobi-Garissa Junction towards Hola.

With these few remarks, I beg to support.

Mr. Kathuri: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity. I stand here to support the Vote of the Ministry of Roads. It is true that any area which does not have an all-weather road cannot open up. That area will be behind the rest of the world. Actually their properties will definitely not attract value. They will be behind civilization. But it is also good to mention that while a good road network brings this civilization, it is also good to admit that the distribution of road network in Kenya is skewed. One of the reasons which make many of the areas feel very uncomfortable is especially where there is no single tarmac road which traverses the constituency. As I talk here, I may not be a very happy Member of Parliament because of only one road, Mutunduri-Manyatta-Kianjokoma Road. That road is under construction as we are talking by Aegis Construction Company. As we are talking, there are some sections which have started forming rubbles; not by design but because of deformation and specifically the area between Kibugua where they have the campsite and Kigari Teachers College. At one corner, the road has started being deformed. It is so worrying and now that it is not even complete, I doubt how it will be a year from now. In fact, if it sees 2011 without major potholes, I doubt whether we will be talking of a tarmac on that road. Worst of all, when you remember that 2012 will be a campaign year, it will definitely mean that my people will see as if nothing was being done or I never complained about it. I want to complain here that, that road is being done in a sub-standard way. It is also good to mention that even the feeder roads that have been used as diversions are all in terrible condition. When I tried to ask the roads engineer, the comment was that there was no money meant for the diversions. If that was never done, the Ministry has a share of blame because, surely, funds ought to have been allocated for the diversions. If there were no feeder roads that were motorable, then it meant that the contractor had to do the diversions. Now that he made some motorable roads, then it means that he must maintain them. He is doing nothing!

There are some three bridges on River Kavingasi which are located on the diversions. Those bridges are out of shape. One is being repaired. It is also being repaired in a sub-standard way. I do not think it is even going to assist the community even for a year. I would hate to be complaining every other day and whenever we try to talk with the roads engineers, they give excuses. They tell us that the resident engineer is the one who is supposed to handle that. When you go back to the roads engineer, he gives us some excuses that there were no monies for the diversions. Surely, these are all gimmicks to try and make the contractor get away with it. I am very bitter. It is good for the Ministry to note that despite the fact that we appreciate tarmac roads, they should not come and get away with all the feeder roads that were already done before it came into being.

I want to ask the Ministry; when the Deputy Prime Minister and Minister for Finance was reading the Budget, he was putting some ceilings on some of the items that are being procured through tender system. I wonder whether the Ministry has some upper level ceilings so that we do not hear contractors charging Kshs40 million a kilometer; another contractor charging Kshs50 million a kilometer and yet another contractor charging Kshs70 million a kilometer! Surely, if that is not a rip off, what will we call a rip off in Kenya? If a road can only be done by a maximum of Kshs20 million per kilometer, anybody who quotes anything beyond Kshs20 million should automatically be disqualified! That is the only way we can ensure that we are getting value for money. We have brokers who win tenders. After they win the tenders, they sell the contract to others who have not won for a commission. That is happening in broad daylight and in front of resident engineers and road engineers. That continues unabated! I want to hear a situation where the Government---

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

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

The Assistant Minister for Higher Education, Science and Technology (Mr. Kamama): Thank you very much, Mr. Temporary Deputy Speaker, Sir, for giving me a chance to support the Motion on the Ministry's Vote. I join my colleagues in supporting the Motion on this Vote. I thank the Minister for a sterling performance in his Ministry, together with his Assistant Ministers. Usually, the Assistant Ministers are a forgotten lot. I thank the Permanent Secretary, together with his directors, who are doing a wonderful job in that Ministry.

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

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

So, Mr. Temporary Deputy Speaker, Sir, I just want to start by saying that the Ministry has introduced quite a number of reforms, starting with the reforms in the Kenya Rural Roads Authority, Kenya Highway Roads Authority, Kenya Urban Roads Authority and, of course, you have heard about the Kenya Roads Board for quite some time. So, I think the Ministry is on the right track. So, in terms of performance, the Minister should do a much better job this time round than before. When you delegate other duties or roles to specific authorities, the Ministry becomes efficient. It will deal with issues pertaining to guidance and policies to all the other departments. So, I support the Ministry for that.

Mr. Temporary Deputy Speaker, Sir, I want to talk about the way our local contractors have not been empowered since Independence. The entire construction sector is actually in the domain of the Asian community. That is known by Kenyans and it is time we actually woke up and empowered our local contractors. That is because since Independence, we now have about two local contractors. Even those two, I am sure, are not doing much better. So, we want to hear about 20 local construction companies. The rest can be taken up by international companies. I think that something should be done in that direction.

Mr. Temporary Deputy Speaker, Sir, I stand here to support the Ministry. The officers are doing a good job. But the area that I come from has really been forgotten. It has been handed over to bandits such that what you hear about Baringo East, Turkana South and other areas on those sides is about banditry, rustling, mayhem and everything that is bad! So, we want the Government or the Ministry to open up that area. We have Road B4, which is a national road. We want our children to celebrate when they see a tarmac road. They have not seen it! There will be a ceremony when you bring that road. I am sure something is being done by the Ministry. The roads between Loruk-Tot-Marich Pass and also Tot-Kapedo-Lokichar--- Those roads will decongest the traffic all the way to Kitale. There is going to be a shortcut between our country and Sudan through Lokichoggio.

Mr. Temporary Deputy Speaker, Sir, we want to see the participation of the private sector. We have been told for quite some time that we have programs between the private sector and the Government. We want to see roads that are being constructed by the private sector. It has taken quite some time. So, we need to fast-track that.

Mr. Temporary Deputy Speaker, Sir, we have Vision 2030. We want to see the road between Lamu-Ijara-Garissa towards Ethiopia being fast-tracked. That is because we want to open up that area. If we do not do that, that Vision may actually be a mirage or a pipe dream for that matter. We have other priority roads in the country. There is a road from Marsabit towards Moyale. Something has to be done. We also want roads to be constructed in areas where nothing is being done.

Mr. Temporary Deputy Speaker, Sir, all in all, I think the Ministry is on the right track. We want the Minister to visit those areas. If he has no time, he has very able Assistant Ministers who can do a wonderful job.

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

Dr. Laboso: Thank you very much, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to support this Motion. I want to start by congratulating the Ministry for doing a very good job. I want to, especially, thank them for introducing new measures to benefit the people through various roads authorities. I believe that with the new authorities that have been put in place, we are going to see a more efficient way of running the Ministry.

Mr. Temporary Deputy Speaker, Sir, even as I support the Ministry, I want again to reiterate that the road network in this country must be seen across the country. For a long time, this country has suffered from inequitable distribution of resources. What is going to change this country is when everybody will have a very good road network, either within the constituencies or the newly created districts. Even as we speak, I can tell you that my own constituency, Sotik, does not have one single tarmacked road. I am sure you might talk about the roads that are going through to Kisii or Kericho. But I would not count them as being roads within my constituency. So, I wish to ask the Ministry that, as it distributes road networks across the country, it should consider areas where there are no roads.

Mr. Temporary Deputy Speaker, Sir, there is one particular road I would like to single out – the one that has been spoken about from time immemorial. It has been used to politicize the people. The KCC-Ndanai Road has been spoken about, I think, for the last 20 or 30 years. There have been promises to tarmac it but, after the elections, it is quickly forgotten. So, I would, again, wish to ask that, that road be considered, together

with quite a few roads that would cut, not only across Sotik Constituency, but across Chepalungu and right into Bureti. So, I believe that some of the roads that would actually cut across longer areas should be given priority.

Mr. Temporary Deputy Speaker, Sir, I wish, again, to appeal to everybody in the Ministry to continue with the work that they are doing.

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

Mr. Thuo: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity. At the outset, I would like to commend the Minister, Assistant Ministers, the Permanent Secretary and his team for doing a very commendable job.

Mr. Temporary Deputy Speaker, Sir, I think it would be fair to say that if there is any one Ministry whose efforts are physically visible on the ground - with no pun intended - is the Ministry of Roads. It is apparent to anyone who has moved around the country how much work has gone into infrastructure in the last few years. I wish to commend the entire team and, indeed, the Minister for Finance for continuing to allocate them funds.

Indeed, the Deputy Prime Minister and Minister for Finance should allocate them large sums of money so that they can respond to all the issues raised by the hon. Members who have spoken here and others who will not have an opportunity to voice their requests.

Mr. Temporary Deputy Speaker, Sir, I would like to talk about two very important points. One of them has to do with the construction of roads, for instance, the proposed Nairobi – Thika Highway. I would like the Minister to consider giving out a small component in whatever amounts is available to assist the outlying county councils or municipalities to do physical planning. Our planning has been extremely poor and it will be a shame when we put in place a Kshs27 billion road that leads to concrete jungles and failed municipalities.

Secondly, with regard to toll roads, they have never been popular. People do not like to pay taxation generally. They will be resisted because they are not in every place. People will feel that they are being penalised in their respective areas. In order to avoid such resistance, I urge the Ministry to consider some resource-sharing from the toll proceeds. For instance, if they collect money from a toll stations on the said road, a certain proportion, for example, 10 to 15 per cent should be allocated to outlying or neighbouring county councils and municipalities to ensure that people are not moving from a cattle track into a first-world road. If this is done, there will be some progress in terms of better infrastructure in the neighbouring areas and people will feel the impact of having the new road and toll station.

Mr. Temporary Deputy Speaker, Sir, may I also use this opportunity to say that we should continue to learn from our experiences. As people are being moved away from road reserves, it is clear that it is never an easy exercise. It is not a very good idea to move people whether they are there rightfully or not. I am talking about Kenyans who have been trading along road sides for many years. I request that as roads are being built, road reserves are kept clear permanently so that these things do not recur. This will also ensure that the roads are clear to avoid road accidents. I appeal that the road reserves are also demarcated. Continuous efforts should be made to keep the road reserves clear of all settlements. Sometimes, it appears as if the Ministry is being draconian and yet it is doing

what it must. To avoid those ugly scenes in future, what has been demarcated as a road reserve should be retained that way.

(Several hon. Members stood up in their places)

Mr. Temporary Deputy Speaker, Sir, these are my very impatient colleagues. This is not in order. I think they should be seated because I have plenty of time which I intend to utilise.

However, with those few remarks, I beg to support the Motion.

(Laughter)

Mr. Chanzu: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to support this Vote for this very important Ministry. There are a few things that the Minister needs to do, being what we call a “new broom”. I know the Minister has a lot of experience in the public sector. With good linkage between him and the well trained engineers in the Ministry, he should do a very good job.

Arising from what Mr. Thuo has just talked about with regard to the standards, even if you talk about the new Ministries that have come up, for example, the Ministry of Nairobi Metropolitan Development, they must be stereorized with the engineers. The only place we know we have engineers who are from the university is the Ministry of Roads. There is the aspect of water and so on, but I am talking about roads. An hon. Member has asked a question about what we are doing about our roads. If you look at our roads now, you will find that we have widened the road from Jomo Kenyatta International Airport (JKIA), but failed to think about what would happen when you approach Nyayo National Stadium. So, we have widened the road, but we have not solved the problem. This is because you cannot move the moment you get to Nyayo National Stadium. These are the standards we are talking about.

The Minister should have a feedback with regard to what goes on in the Ministry. A lot of money is given out, for example, to constituencies through the District Roads Committees, but I do not think the Minister gets feedback on how it is spent. The reason we are decentralizing and talking about devolution and saying that money should go to the districts and constituencies is that we want to do away with unemployment and poverty. If you send, for example, Kshs20 million and the District Roads Engineer in Vihiga decides on his own to engage a Government grader or a contractor from Kisii, how much money is left in Vihiga? Those are the kind of things we come across. That is why we have been stressing that there is lack of capacity to monitor what goes on.

Mr. Temporary Deputy Speaker, Sir, we have asked Questions in this House about the staffing of the districts. The answer we normally get is that they have no problem with staffing. I think the Ministry needs more officers. Just imagine a situation where money is allocated to every constituency for all these projects at once. We are talking about five or ten projects to be done at the same time and the contractors come at the same time for payment. A single engineer has no capacity to go back and check what has been done. We need to employ more engineers as we decentralize. We also need to have more qualified staff.

I would also like to talk about harmonization. We are talking about reforms and yet there is a point we are missing. That is harmonising how the Authorities will work *vis-à-vis* the Ministry. Today, we have the Kenya Roads Board (KRB) which has done a good job. The Ministry has also tried its best. However, the engineers are employed by the Ministry of Roads. The KRB is “top-heavy” because it does not have its engineers. Because of money, the engineers owe allegiance to the KRB, but when there is a disciplinary case, they jump on the side of the Ministry. So, it becomes difficult to hold these engineers to account. It is high time we allowed the KRB to employ its engineers and have them answerable to the Board. That is where we have a breakdown in communication and things go wrong.

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

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

Somebody has talked about re-carpeting. To me, it is all terminology, but these roads are not being re-carpeted. They are being patched up. The Kisumu – Kakamega Road’s foundation was done in 1962 and it is now worn out. So, you will be doing nothing if you go there to patch it up. I have complained about that road but nothing has happened. Before they even re-carpeted five kilometers, the potholes have already started developing in Kisumu. The road is worn out and yet the same contractor who was awarded tender to do it has been awarded another tender to do the Majengo – Luanda Road. That should not happen.

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

The Temporary Deputy Speaker (Mr. Imanyara): It is now time for the Minister to reply. However, there are two hon. Members who have been here since the beginning. Could you give each a few minutes of your time? The discretion is yours.

The Minister for Roads (Mr. Bett): Mr. Temporary Deputy Speaker, Sir, you have talked about two hon. Members and I would like to know who they are. I will give each of them one minute to contribute.

The Temporary Deputy Speaker (Mr. Imanyara): They are Mr. Wambugu, who has been here since the beginning of this debate and Mr. Nyambati.

The Minister for Roads (Mr. Bett): I concede, Mr. Temporary Deputy Speaker, Sir. I give one minute each.

The Temporary Deputy Speaker (Mr. Imanyara): What about Mr. Onyonka, who is seated behind you?

The Minister for Roads (Mr. Bett): Mr. Onyonka has just arrived. I will give them one minute each.

Mr. Wambugu: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this chance. I also thank the Minister for giving me a chance to briefly contribute to this debate.

First and foremost, I would like to say that I stand here to support the Motion.

Mr. Temporary Deputy Speaker, Sir, I believe you have noticed that I was standing all the time – about 20 times. I am also a Member of the Departmental

Committee on Transport, Public Works and Housing. I was here on time to make a contribution to this debate.

Let me congratulate the Minister and his team for the good work that they are doing as well as for the reforms they have brought to this sector. As I continue to support, there are few issues I would like to highlight.

As you realise, the Government is trying to get services closer to the people by creating various districts. Unfortunately, up to now, most of the areas, where we have created new districts, the Minister has not been able to give guidelines as to how to create new District Roads Committees that are clearly needed. There is no work that can continue until roads committees are established.

Mr. Temporary Deputy Speaker, Sir, as the Chairman of the Departmental Committee was giving his contribution, he gave a list of very many roads that have not been covered. In my constituency, there is a particular road – Gituge Road – which has remained in controversy for a long time. The Minister is already aware of that issue.

With those very few words, I beg to support.

Mr. Nyambati: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity. I want to thank the Minister, the Permanent Secretary (PS) and other officers for doing a wonderful job. They have been everywhere in the country, trying to check on what is happening. I want to raise a few issues.

Firstly, it is important that at this time, we ensure that we encourage our African contractors to do roads construction jobs. The work of contractors must be seen to be qualitative and fair in terms of pricing. There are quite a number of issues we must address. We are all saying that we need more roads, but there is no money that we give this Ministry. We must urge the Ministry of Finance to give more financing to the roads sector, because without roads, we cannot do other things.

As I finish, in my constituency, I have nothing to thank the Ministry or the Government for, because my people do not know how a tarmac road looks like. The two roads I am begging the Ministry to work on are Kemera-Mabuko and Metamaywa-Kebirigwa Roads.

With those remarks, I beg to support.

The Minister for Roads (Mr. Bett): Mr. Temporary Deputy Speaker, Sir, I beg to reply.

First of all, I want to thank every hon. Member who got the chance to speak as well as those who have not had the chance to speak for their contributions and the ideas they have given us. I know that some of them have talked hard. I want to thank them for having talked hard. It was necessary, so that we may be able to work even harder.

Mr. Temporary Deputy Speaker, Sir, I want to, quickly, summarise what I have heard from hon. Members. They have stressed on equity, in terms of distribution of funds and distribution of projects across the country. I want to assure the House that I will make sure that, that is done.

Hon. Members have also stressed the issue of efficiency in the use of funds. I want to assure the House that money in the Ministry of Roads will be used efficiently. I want to disabuse any person of any notion that there is corruption in the Ministry. I want to disabuse any person who may think that way.

I have also noted with a lot of interest and respect to the hon. Members who have stressed on timely completion of projects. We will observe time lines where

circumstances allow us; in some cases, certain reasons may mitigate against our completing projects on time. One of them is what could have been seen happening in Murang'a, where we were being frustrated by the County Council. So, such situations frustrate and cause us not to be able to finish projects on time.

We will also be mindful of prioritisation of our roads. I also want to appeal to hon. Members that, through the District Roads Boards (DRCs), they also make sure that they prioritise the roads within their jurisdictions.

Mr. Temporary Deputy Speaker, Sir, another issue is that of "cowboy" contractors. We do not have any "cowboy" contractors in the Ministry or in our system. If there were any, we would be able to know them. If there are "cowboys", I suspect that there are "cowgirl" contractors somewhere as well because we deal with all contractors.

The Nairobi-Thika Road is one of the busiest roads in the country. We have registered 250,000 vehicles to and from Nairobi. That is the road coming into Nairobi and going out of Nairobi with the largest number of vehicles. Hence, the investment that we have put into that road.

The road running from Kisumu to Kakamega and Webuye has been re-carpeted. On the issue that we require Kshs3 billion in the bank for a contractor to be enlisted is misleading. That is not true.

On the issue of maintenance that has been raised Maj. Sugow, I am stressing that the Ministry must incorporate the concept of maintenance of our roads, so that we do not wait until the roads are bad, then we come to work on them.

Mr. Temporary Deputy Speaker, Sir, I also note what the Member of Parliament for Juja, Mr. George Thuo, has said – that in order for toll charges to be acceptable, we need to consider the possibility of sharing the proceeds. That is a good idea. I have noted it, and I will look into it. It is also a way of extending a hand of help to the neighbouring areas where toll is collected.

I want to sympathise with Mr. Kivuti. He said that he is bitter. I want him to come and see me in my office. We might remove the bitterness out of his heart. I would not like him to carry misery for that long. The Bible says: "You should not be angry from morning until sundown." So, I would want to appeal to Mr. Leny Kivuti to take up the matter with me.

The Temporary Deputy Speaker (Mr. Imanyara): It was not Mr. Kivuti. It was Mr. Kathuri.

The Minister for Roads (Mr. Bett): Was it Mr. Kathuri? Okay! I am sorry about that.

Mr. Temporary Deputy Speaker, Sir, I also note that there was serious persuasion that we listen to you when you come to our offices. I want to advise every Member of Parliament that our doors are open. Feel free to come and discuss with us your roads. Secondly, I will be touring roads in your constituencies. I want you to talk to me the way you have talked in this House today, or even more strongly, when I tour roads in your constituencies. It is very important.

For every road I visit, I write to the Members of Parliament in whose constituencies those roads are. I am disappointed because they do not come.

An hon. Member: Are you disappointed?

The Minister for Roads (Mr. Bett): Yes, I am, because I write letters to you but you do not come. One or two hon. Members turn up. I am sure that Mr. Wambugu came

the other day. So, when you see my letter informing you that I am touring your roads, please, be there and tell me what is wrong with your roads, so that we clear them on the ground.

On the issue of sharing, I want to indicate that we will go by the law. The Kenya Roads Board Act declares that the Kenya National Highways Authority (KeNHA) shall receive 40 per cent, KURA shall receive 15 per cent; KeRRA shall receive 32 per cent. We are also assisting the Kenya Wildlife Service (KWS) to do roads in our national parks.

Mr. Temporary Deputy Speaker, Sir, finally, I want to indicate that we have not received the amendment that was proposed by the Deputy Prime Minister and Minister for Finance on placement of funds to the Constituencies Development Fund (CDF). We are waiting for that amendment. We will look at it but I want to indicate that I still want to remain the one to account for that money, whether it is in the CDF or not.

Finally, if you have got Kshs5,000 for your roads, that is good news. It means that the Ministry has noticed your roads to be of priority, and a road for which funds should be looked for. It is worse when your road is not in the Budget. It is good news when it is allocated Kshs5,000, or even Kshs1 as a token amount.

With those remarks, I beg to move.

(Question put and agreed to)

The Temporary Deputy Speaker (Mr. Imanyara): Hon. Members, we will be going into Committee on this Vote in two hours' time because we have to give the Vote of the Ministry of Housing its time first.

Mr. Minister for Housing!

THAT MR. SPEAKER DO NOW LEAVE THE CHAIR

The Minister for Housing (Mr. Shitanda): Mr. Temporary Deputy Speaker, Sir, I beg to move:-

THAT, The Speaker do now leave the Chair.

I would like to thank the House most sincerely for according me this opportunity to move the Vote of my Ministry, Vote 44 – Ministry of Housing.

*[The Temporary Deputy Speaker
(Mr. Imanyara) Left the Chair]*

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

Mr. Temporary Deputy Speaker, Sir, before I move debate on my Ministry, allow me to outline the mandate of the Ministry of Housing as derived from the Presidential Circular No.1 of 2008 on Organisation of Government. This mandate includes:

1. Formulation, implementation and monitoring of the Housing Policy.
2. Improving the living conditions and housing for the poor and low income through shelter and slum upgrading.

3. Control and prevention.
4. Development and promotion of low cost rental housing for middle and low income Kenyans.
5. Facilitation and promotion of research on building and construction technologies.
6. Discharge the role of National Secretariat for Human Settlement.
7. Facilitate housing for civil servants and the disciplined forces.
8. Civil Servants Housing Scheme.
9. Management of Government Housing.
10. Leasing of public office accommodation.
11. Rent valuation.
12. Develop guidelines and resolve disputes between landlords and tenants under controls.
13. Tenancy as defined under the Rent Restriction Act.

We are also in charge of the Government interests in the operations of the National Housing Corporation and Housing Finance Company of Kenya where the Government has five per cent shareholding.

Mr. Temporary Deputy Speaker, Sir, as a guide towards fulfillment of our mandate, our vision in the Ministry is excellent, affordable, adequate and quality housing for Kenyans. Our mission is to improve livelihoods of Kenya through facilitation of access to adequate housing in sustainable human settlement.

As we pursue the mandate, the Ministry is guided by Government policy priorities and commitments as amplified in the Kenya Vision 2030 and the medium term plan. These include:

1. Build adequate capacity to provide effective and efficient services to housing sub-sector stakeholders.
2. Facilitate production of 200,000 housing units per year by the year 2012 under various initiatives.
3. Enactment of Housing Bill which was drafted in 2006 and the Landlord and Tenant Bill of 2007.
4. Formulate and implement housing sector policy.
5. Promote and encourage research and utilization of cost-effective appropriate building materials and construction technologies.
6. Improve the livelihoods of at least 2.5 million people living and working in slums and informal settlements.
7. Provide housing infrastructure facilities in 17 urban centres.
8. Raise sufficient financial resources to implement programmes and projects.
9. Enhance annual rent collection from Government houses from Kshs419 million to Kshs460 million.

We are also trying to promote access to housing and mortgage facilities. We are formulating a policy that harmonizes pieces of legislation for real estate management; decentralize the Rent Restriction Tribunal operations; establish affordable financing initiatives; mitigate impact of HIV/AIDS and integrate monitoring and evaluation in our project cycles.

Mr. Temporary Deputy Speaker, Sir, the objectives I have already outlined cannot be achieved effectively without an elaborate organizational structure to effectively discharge the enumerated functions. In view of this, the Ministry of Housing has six

technical departments. The first department is called Housing Department. This is a department with the responsibility of formulation, implementation, monitoring and review of the National Housing Policy.

The current National Housing Policy was enacted in this Parliament in 2004. The Estates Department is responsible for management of buildings and their maintenance as well as managing Government houses and office accommodation of all Government Ministries.

We have the Rent Restriction Tribunal to formulate rent policies for rental dwelling houses and resolution of disputes between landlords and tenants for low cost houses. The Slum Upgrading Department co-ordinates systematic upgrading of all slums and informal settlements. It also prevents formation of new slums and informal settlements. We have the Civil Servants Housing Department that facilitates civil servants to access affordable housing. Finally, we have the Housing Infrastructure Department to improve the living conditions through co-ordination of installation of infrastructure in urban residential areas as a way of opening up undeveloped land to facilitate housing development.

Mr. Temporary Deputy Speaker, Sir, the Ministry has been able to achieve progressively positive results in a number of areas. Under the Civil Servants Housing Scheme, the Ministry is facilitating civil servants to own houses either by way of selling houses or through extending loans to them. So far, we have sold 300 housing units to civil servants in the last two years on Jogoo Road for the low income civil servants. Other houses were developed and sold in Kileleshwa and Kilimani areas of Nairobi.

Currently, the Civil Servants Housing Scheme is developing 950 units in Ngara which are at about 55 per cent completion stage. These houses are being offered to civil servants on a tenant purchase arrangement. They will be ready for occupation by the end of this year.

The Civil Servants Housing Scheme Fund equity has increased by 46.6 per cent during the period under review from Kshs2.4 billion to Kshs3.4 billion as of now. The revenue reserves have moved from Kshs98.9 million two years ago to Kshs303.7 million, while the capital reserve for the Civil Servants Housing Scheme Fund has moved from Kshs2.3 billion to Kshs3.2 billion over the same period.

Mr. Temporary Deputy Speaker, Sir, the Ministry has also been able to complete formulation of the housing loan framework meant to facilitate civil servants to develop or purchase houses and is now operational. As a result of this, a total of Kshs762 million has already been advanced to civil servants under this arrangement.

Under the estates management, the Ministry has finalized drafting the policy on leasing of Government offices and residential accommodation to harmonize and rationalize accommodation space. To this end, the Ministry has leased 247 houses and office space to cater for security officers and newly created Ministries and departments. The Ministry has also facilitated purchase of the BP Shell House that is going to house the Office of the Prime Minister. We have also purchased Protection House in Nairobi and Bima House in Mombasa to provide more office space for Government Ministries and departments.

Mr. Temporary Deputy Speaker, Sir, my Ministry has registered 4,221 unregistered and newly completed houses during the period under review. We are in the process of acquiring title deeds for about 43,000 Government houses countrywide. In this

regard, preparation of development plans, advertising and registration is in process in a bid to safeguard Government properties against alienation. Further, we are also undertaking security fencing for all Government houses for the same purpose.

On the area of refurbishment, the Ministry has refurbished a total of 5,796 houses across the country and the Rent Restriction Tribunal offices in six regions of Kisumu, Mombasa, Nakuru, Embu, Nairobi and Nyeri have been refurbished including upgrading of some residential houses to accommodate District Commissioners in the newly created districts.

Mr. Temporary Deputy Speaker, Sir, I am happy to announce that the Ministry, over the said period, has realized great improvement on rent collection from Government houses. Over the period, we have raised a total of Kshs1.4 billion. This is mainly due to improved conditions of our Government houses and hence increased occupancy which enhanced rent collection modalities.

With regard to the Slum Upgrading and Informal Settlement Programme, my Ministry is at various levels in terms of improving the livelihood of people living and working in slum areas. These include completion of 17 blocks of five storeys high, comprising 600 three-roomed houses at Kibera decamping site, which is now complete. We are putting up another 400 housing units with one primary school, a nursery school, social hall, a market centre, a health centre and a police station in Mavoko, Athi River. The project is at 53 per cent completion level.

Mr. Temporary Deputy Speaker, Sir, development and rehabilitation of eight social infrastructure facilities in Kisumu and Mombasa are now complete. We have 13 housing cooperatives formed in slum areas, mainly Kibera. We are constructing 0.5 access road in Kibera which is almost complete. Finally, under the Housing Policy and Dissemination of Appropriate Building Technology, the Ministry has finalized and presented to Treasury housing incentives proposals. We have also finalized the Draft Housing Bill (2008) that has been submitted to the Cabinet for approval.

During the year under review, 2009/2010 Financial Year, our resource allocation under Recurrent Expenditure is Kshs921 million against our scaled-down resource requirement of Kshs1 billion leading to a funding gap of Kshs106 million. With this shortfall, the areas that will experience insufficient funding include Building Code Committee operations which was not provided for and routine maintenance of residential buildings.

Mr. Temporary Deputy Speaker, Sir, in order to cater for the expenditure under the Recurrent Vote, given the close provision of Kshs1.8 billion, the Ministry intends to apply the allocated resources in the following priority areas:-

- (i) Personal emoluments,
- (ii) Operation and maintenance,
- (iii) Routine maintenance and refurbishment,
- (iv) Grant to Civil Servants Housing Scheme Fund,
- (v) Construction of civil servants houses,
- (vi) Loans for civil servants; and,
- (vii) Subscriptions to international organizations.

Out of this amount of Kshs1.8 billion, Kshs936 million will be by way of Appropriation-in-Aid (A-in-A).

Under the Development Vote, our scaled-down resource requirement stood at Kshs2.2 billion against resource allocation of Kshs2.1 billion. However, it is important to note that our requirement stood at Kshs10 billion which leaves us with a deficit of about Kshs7 billion that would enable us to effectively carry out the programmes.

The Kshs2.2 million allocated under the Development Vote will be channeled towards the following areas:-

- (i) Acquire and refurbish Government buildings;
- (ii) Slum upgrading programmes;
- (iii) Appropriate building technology; and,
- (iv) Housing infrastructure development.

Mr. Temporary Deputy Speaker, Sir, having outlined the programmes my Ministry intends to undertake during the financial year, I wish to state that the allocated funds will be utilized efficiently as approved by this House. The Ministry shall strive to uphold good governance in the delivery of services.

With these remarks, I now seek approval of this House for the Ministry to spend the sum of Kshs4,111,764,830 to finance both the Recurrent and Development Expenditure for the Financial Year 2009/2010.

I beg to move and request my brother, Mr. Githae, to second the Motion.

The Minister for Nairobi Metropolitan Development (Mr. Githae): Thank you, Mr. Temporary Deputy Speaker, Sir. I rise to second the Motion on the Vote of the Ministry of Housing. Let me, first of all, take this early opportunity to thank the Minister, his PS and the staff of the Ministry for a job well done since the Minister was appointed to that Ministry. We have seen rapid development of housing, particularly for civil servants. This is something that we need to commend the Minister. Before the Minister moved to that Ministry, it was the Government's plan to house civil servants. It used to be very ridiculous that a civil servant would work for 25 to 30 years and once he retires, he would be forced to move out of the house he was staying in to a slum area because that was the only place he could afford to stay. With the new policy of giving mortgage loans to civil servants to own their own houses is a very commendable plan. We must commend the Minister for this. This policy has been static but it needs to be accelerated so that it will be our policy, that every civil servant owns his or her own house so that by the time they retire, they have something to hand over to their children. This would be a very good investment.

I noticed that most of the programmes are in the urban areas. My request to the Minister is that they should spread this scheme to the rural areas so that the civil servants in those areas can benefit. The houses need not be very expensive and not also very big. However, it is important that when a civil servant retires, they have a house to retire to. They do not have to move from the house they have been staying. They do not have to move from the place where their spouses and children are used to. It is on record that many marriages used to go down the drain when a civil servant retired and he was told that the only place he could afford to live was in the slum areas. I am told that many spouses would refuse to accompany their husbands to those areas. This used to have an effect on marriages.

The landlord and tenant law is housed by this Ministry. There are complaints that whenever a dispute is referred to the Tribunal, it takes too long to be determined. As a result, this encourages landlords and tenants not to refer issues to the Tribunal. I would

request the Minister to open up more tribunals not just at the provincial level but also at the district level. This will encourage a good relationship between the landlords and tenants so that we do not have the problems we experienced in 2007 where some tenants felt that it was their right to stay in houses rent-free. That is totally unacceptable! If somebody has put up a building or houses, they are entitled to receive a fair rent of their investment. If there are tenants who do not want to pay rent, the Ministry should take steps to force them to pay rent to the owners of those buildings. This is how we develop a healthy landlord and tenant relationship.

Mr. Temporary Deputy Speaker, Sir, the other commendable plan by the Ministry is to upgrade slums. It is really sad that 70 per cent of the people in Nairobi stay in slums. This is even a breach of human rights. We need to upgrade those slums. If we say that we will eradicate them, that may not happen very soon. However, we can give them good roads, water, electricity and even drainage which are very important so that they feel that they are part and parcel of being Kenyans. I think that is important.

With those few remarks, I second.

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

*[The Temporary Deputy Speaker
(Prof. Kamar) took the Chair]*

(Question proposed)

Mr. I. Muoki: Thank you, Madam Temporary Deputy Speaker, for this opportunity. I am responding on behalf of the Departmental Committee. We have had an opportunity to interact with the Minister and his staff. Therefore, we do not have many comments to make, but I would like to highlight a few things.

From the outset, I would like to say that I support the Vote of the Ministry of Housing and make the following observations: One of the key concerns of the Ministry is to provide decent housing to all Kenyans. I think that has been a challenge, so far. I think it is not all Kenyans who have decent houses and not all Kenyans can afford decent housing, especially in towns. One of the issues I would like to raise with the Ministry is that of slums. If you look around the country, in major towns, starting with Nairobi and other towns, you will find that the mushrooming of slums has been on the increase because many Kenyans cannot afford to rent decent houses. This has been a major concern in the country. While the Minister is talking about the slum upgrading programme, I would like to say that this programme has not been successful. I would like to put the following issues across. One, the process has been very slow such that whatever was supposed to be achieved has not been achieved. If you delay a project, you delay your plans and you do not achieve anything.

Secondly, Madam Temporary Deputy Speaker, even if the houses are completed, you will find that they are not given to the slum dwellers. If you start a slum upgrading programme in Kibera, the people there may move to other areas and start to develop other slums because they cannot afford those houses. The houses will end up being occupied by other Kenyans. We really need to address the issue of slums properly. We need to

address the issue of slums and know where we can place those people. We should also know if we upgrade the slums whether these people can either afford to rent or buy the houses and, therefore, stay in decent houses.

Madam Temporary Deputy Speaker, the other issue I would like to raise with the Ministry relates to incomplete or stalled Government projects. While it is not very clear whether it is the Ministry of Housing or the Ministry of Public Works to blame, we still have incomplete Government projects in some parts of the country. This issue needs to be addressed because it is better if we can complete the old projects and then, we can move on knowing that we do not have stalled projects where we have already sunk our money. If a project stays unfinished, we are likely to be losing and the final cost will be more than what had been proposed.

Madam Temporary Deputy Speaker, I would also like raise the issue of quality of houses. While most houses are developed by private developers, as a Ministry in charge of housing, we need to address this issue of quality. Do we have quality buildings in the country which are cheap and affordable? This has been a major challenge. If you look at the cost of housing, you will see that a house which would have cost Kshs3 million three years ago is now going for Kshs10 million.

This is way above the capability of most Kenyans. I am sure that even Members of Parliament, Chief Executive Officers of parastatals and other people who head major organizations find it difficult to buy houses because their costs have gone up very fast. Therefore, if the people who work cannot afford these Houses, what about Kenyans who are in the lower bracket or who do not work? The cost of housing should be addressed urgently.

Madam Temporary Deputy Speaker, the other issue which I would like to raise and will be my last is the policy of housing. It is high time the Minister came out, developed a policy and had it followed. We need a policy on the materials to be used in the construction of houses so that people can know the kind of materials which are required. I am thinking of the Minister developing material centres in various parts of the country and roll the materials to *wananchi* so that any *mwananchi* who has money can construct a decent house, which is also affordable. This is very important. If the Ministry could come up with that policy or programme, it will be very useful.

We would also like to have standards set in the policy, so that even if it is a private developer, the Ministry of Local Government, the Ministry of Nairobi Metropolitan Development or the Ministry of Housing they abide by the rules.

The other issue which should be touched in the policy is to do with tenants and landlords. I am sure that this has been a problem in the country for a long time and it needs to be addressed.

Madam Temporary Deputy Speaker, as I have said earlier on, we have had time to interact with the Minister and his staff. Therefore, I do not want to waste a lot of time repeating issues which we have discussed. I have just highlighted a few issues and I am sure the other Members of the Committee and other hon. Members will highlight the rest.

Madam Temporary Deputy Speaker, with those remarks, I beg to support.

The Minister for Public Health and Sanitation (Mrs. Mugo): Thank you, Madam Temporary Deputy Speaker. I also wish to support this Motion on the Floor and congratulate the Minister for Housing and his entire staff for the good job they are doing to provide housing for the people of this country.

I would like to comment briefly on housing in the City of Nairobi and other townships where we have informal settlements or slums as we call them. It is time we had proper designs to upgrade all these slums. I believe there are designs which we can copy from elsewhere and do not cost much in order to change the face of Nairobi. This should not be implemented only in Mathare and Kibera slums, which are talked about most of the time, but also in many areas including Kawangware and Kangemi where we have the “un-sightly” dwellings.

I urge the Minister – and I am sure he has been there – to visit South Africa. I have just come from that country. I saw settlements which are inexpensive that have replaced their slums. Each person owns several square feet or yards and the Government puts up the structures.

They are able to pay slowly and everybody finally owns their house. What impressed most was that those settlements have all the amenities. They have roads, street lights and water. They are just like any other settlement. So, children are able to study. This reduces crime and every citizen feels that they are well taken care of and live in descent houses.

Madam Temporary Deputy Speaker, I want us to adopt this model because the structures I saw do not cost very much. The designs such as the ones we have in Mathare Phase 4A are extremely expensive. It means that the people, who are meant to live there, cannot live there. These houses are taken by other people. That is unfair. We saw many demonstrations and people refusing to move from those houses.

Another area I would urge the Minister to look at is the issue of single mothers. We have many single mothers who cannot afford descent housing. Not just single mothers, but there also other people who are not well to do. These single mothers have school children to care for and feed. These children also require descent housing where they can do their studies. So, we should look into the issue of constructing pro-poor housing which are descent and have all the requirements. They must make sure that these houses have enough ventilation. Right now, we have the resistant Tuberculosis (TB). We are urging our people to sleep in well ventilated houses, otherwise, this disease will spread. As we know, at the moment, it costs Kshs1.4 million to treat TB. My health officers who visit estates to follow up patients have noted that there is a big problem with the way houses are constructed. They are unhygienic and do not have enough windows or ventilation. Even if there is crime, we do want to encourage houses which do have ventilation.

Madam Temporary Deputy Speaker, another area I would like to emphasize is sanitation of these houses. We have very many houses which are not planned properly and lack sanitation. That spreads disease.

With those few remarks, I beg to support.

Mr. Mwaita: Thank you, Madam Temporary Deputy Speaker, for giving me the opportunity. I also wish to join my colleagues to congratulate the Minister for turning a small department to a fully-fledged Ministry. I want to congratulate him and his staff led by the Permanent Secretary for that.

I stand to support this Vote because descent and affordable housing to Kenyans is a right. I want to commend the Ministry, particularly on the Civil Servant Housing Scheme (CSHS). This scheme is very important. Civil servants all over this country are charged with the responsibility of implementing Government programmes. So, when they

are given descent housing, they will be able to discharge their duties efficiently and on time. So, I wish to commend the Ministry for coming up with that programme. However, the amount allocated looks small. I hope in the next financial year, the Ministry will request for more funds.

Madam Temporary Deputy Speaker, the other area which I would like to talk about is concerning the new districts where we have new District Commissioners (DCs), District Officers (DOs), new heads of departments and new officers, you find that they live behind shops and bars. When they are in their offices, the respect which is supposed to be accorded to them is lost. The Minister should look into it and make sure that they put up decent offices and decent houses for DCs, DOs and heads of departments. I know funds may not be sufficient but, at least, the Ministry should make an effort to put up houses for these new districts.

The other aspect that I would like to comment on is the issue of housing policy. I wish to congratulate the Minister and his staff for coming up with a draft housing policy. You have heard the Minister say that it is now at the Cabinet level. When it gets to this House, I am sure it will receive the support that it deserves. The housing code will address a number of issues so that this country will no longer get into situations where we get buildings collapsing. There is one which collapsed in Nairobi a few years ago and more recently in Kisii. That policy and the law should be able to address that issue so that we do not have that problem. It should also be able to bring the role of the various professionals, particularly in the building industry into one Act, when it comes into operation.

Madam Temporary Deputy Speaker, while on the same, the issue of quality of material; cheap and good quality material which is used in the building industry--- I hope the policy will be able to address how the prices of these materials can come down. I wish to support and concur with what my colleague said that the Ministry should come up with a research department to research on cheap and good building material.

The other issue that I wish to touch on is that of loans to municipalities. In the last few years, the National Housing Corporation has forced a number of municipalities and county councils to sell houses to recover loans. Some of those loans date back to decades; 1960s and 1970s. Maybe while working on the new housing policy, the Ministry should look at how to restructure some of those loans so that the upcoming young municipalities and town councils are not robbed of sources of revenue. When you force them to sell those houses, apart from losing revenue, the residents of those towns will lose the benefit of cheap and affordable houses to rent. I urge the Ministry to look at this very critically. Many municipalities, like in Kabarnet, had to sell a whole housing estate which was built in 1970s at a paltry Kshs6 million. The estate has 12 to 15 three-bedroomed bungalows located in a prime area. I would call it the "Muthaiga" of Kabarnet Municipality. It is a pity. I wish the Ministry could look into that.

The Temporary Deputy Speaker (Prof. Kamar): Your time is up!

Mr. Mwaita: With those few remarks, I beg to support.

The Assistant Minister for Roads (Mr. Kinyanjui): Madam Temporary Deputy Speaker, I wish to take this opportunity to contribute to the Vote for the Ministry of Housing. I would also like to thank the Minister and his team for a job well done and for the proposals that he has given us here. We are convinced that the Ministry will be able to move to greater heights. I also wish to commend the Ministry in its quest to ensure that

Kenyans have access to affordable housing and especially the poor and the vulnerable groups. This has been seen clearly through the provision of housing through the slum upgrading programmes that have been carried out throughout the country, the major towns and mainly in Nairobi, especially Kibera where for a long time decent housing was a dream. Through the efforts of the Ministry, the issue of housing for the urban poor has been made a reality. We hope that this will be extended to other towns so that many more can benefit.

We also wish to commend the Ministry for the Civil Service Housing Programme that has made it possible for civil servants, who for many years would work and upon retirement would all be sent to their rural homes because houses in urban centres were not affordable to afford houses. But through the Civil Service Housing Programme, many of them now have been able to access proper housing and that even after retirement they can continue living in the city together with their families. It is also important to note that it has been a great motivator when the civil servants know that they can also be assisted to own houses in town and, therefore, to feel that they are not just there to work for the Government but also to uplift their living conditions.

It is also worth noting that shelter is a basic human need and whenever we fail in availing or giving access to this basic human need, then, indeed, we are depriving our people of a great need for their survival. Therefore, we wish that the Ministry will continue in its endeavour to ensure that more Kenyans have housing and decent housing, for that matter.

Madam Temporary Deputy Speaker, it has also come to the attention of the public that a lot of the construction that is going on to supplement the Government's efforts is in good faith and goes a long way to ensure that we have housing for the poor and the middle class. However, the standards being observed by the people who are undertaking these constructions is not up to standards and that the monitoring of the standards being applied is not very well coordinated. To that effect, we have contractors who have put up apartments and there are no clear criteria on what is expected of them, what materials they are using and what supervision is done. Therefore, you find a housing programme has started and even before it is completed, people have purchased it and the certificate of occupation and all the other things are given without thorough checking. It would also be important that even as we look at standards, especially for Nairobi, which is growing very fast, that we also ensure that other facilities that would be important for a growing city like Nairobi and other big towns are also incorporated. For example, we would be able to make it mandatory that solar panels, which will reduce the cost of energy and our dependency on hydro and other expensive fossil fuels, are incorporated as a mandatory measure for us to be able to make our houses cheaper and affordable to maintain.

Secondly, water storage is a big problem in this country. We continue to talk of lack of water or clean water yet when it rains all the water goes down. Through proper planning and adequate facilitation for those who are in the planning sector, we can be able to harvest the water that comes when it rains. This would help us to ensure that when there is water rationing, we can use the water that we have harvested over time.

Madam Temporary Deputy Speaker, it has also been a big concern that the people who are in the construction industry and especially the steel-makers, the cement manufacturers and the people who produce the materials like concrete and others do not have clear standards. This has been a major concern and we would wish and hope that the

Ministry will regulate so that when you buy steel for reinforcing the houses, if it is supposed to be 40 feet, then it is exactly 40 feet. When it comes to how strong the metals are, we should ensure that is done. Currently, we are doing it through the local authorities but there is a clear lack of capacity on their side and, therefore, a lot should be put to ensure that, that is done.

There is also the issue of ensuring that we incorporate the needs of disabled persons in the housing. That is currently a big issue today. You will find that houses going up to fifth and seventh floors do not have lifts or provision for people with disabilities. This has been a big challenge.

With those few remarks, I beg to support.

Mr. Kaino: Thank you very much, Madam Temporary Deputy Speaker, for giving me this opportunity to contribute to the Vote of Ministry of Housing. Let me start by talking about owning a house in a town or urban area, which is a very, very important thing. There is nothing as important as owning a house. But the laws and policies that are in place are prohibitive and restrictive to owning a house.

Madam Temporary Deputy Speaker, I wish to thank the Minister for preparing what he has said is now before the Cabinet. But when it comes to this House, we shall have a look at it and approve it. That is because the common people are suffering by paying rents. There are so many cases and the Rent Tribunal takes ages to expedite cases or disputes between house owners and tenants. Tenants pay a lot of money to landlords. Even for a one-bedroom house, it is too much!

Madam Temporary Deputy Speaker, I really wish that the Ministry could come up with some policies to encourage people to own houses in towns. People who live, work and do businesses in towns should be encouraged to own houses. If you are unable to own a house in a very important area like Karen, Parklands or Lavington, one can even go to Kitengela and other areas where the price of land is still low. The Ministry should encourage Kenyan citizens to own houses. It is very, very important!

Madam Temporary Deputy Speaker, rural-urban migration is very important. Our people ought to learn that coming to live in urban areas is very important, and the Ministry should encourage that.

Madam Temporary Deputy Speaker, the National Housing Corporation must be given finances to start the Rural Housing Fund, which used to be there a long time ago. Our people should be supported to build houses, not in the rural areas, but in some towns like Thika and Eldoret. They can build houses in areas where they can get good services like health facilities, clean water, good roads and good education. That is actually where the world is going today. Our people should not be encouraged to live in the rural areas where there is a lot of insecurity. In my place right now, if you have built a very expensive house--- I have seen many people building very good houses but, at the end of the day, they do not live in them because of insecurity. The security situation is terrible! You cannot build police stations everywhere! It is very important to encourage our people to come to urban areas where there is security. There are police stations and where the administration is very close to the people. But in rural areas, you can walk for five kilometers to find a police station. People have abandoned very beautiful and expensive houses just because of insecurity! The Ministry must come out strongly and encourage people to live in urban areas, where there are so many facilities. We should leave rural

areas for agricultural purposes, where we can only have an agricultural farmhouse and a very big piece of land to produce food for Kenyans.

Madam Temporary Deputy Speaker, as I finish, I just want to say that proper planning is very important. I went to Botswana one time and I saw some very impressive things. Those people have gone ahead. Social amenities like health, tarmacked roads, telephones and even electricity are available even in bushes; where estates are waiting to be developed. There are no houses there. It is very important to develop to that level. We would like to encourage the Minister to come up with very good policies so that we can develop very fast. People can build houses where there are services like water and sewerage systems. So, the only thing that one will have to decide is where to live. If you construct a house there, there will be water and lighting.

Madam Temporary Deputy Speaker, I beg to support this Motion.

The Minister for Public Health and Sanitation (Mrs. Mugo): On a point of order, Madam Temporary Deputy Speaker. Have you noticed that there are bottles of water all over the Floor of this august House? Hon. Members are walking on top of bottles. Mr. Bett almost fell down. Even the lids are all over. Could we go back to using glasses?

The Temporary Deputy Speaker (Prof. Kamar): Madam Minister, you have put your point across. We will take care of that.

Yes, Mr. Njuguna!

Mr. Njuguna: Thank you, Madam Temporary Deputy Speaker, for giving me a chance to contribute to this very important Vote. First, I would like to thank the Minister for performing so well in the Ministry. I would also like to thank the Assistant Minister and the Permanent Secretary who have been of great help in the management of this Ministry.

This Ministry has been charged with an important responsibility of promoting the living standards of our people. Therefore, resources will be used to realise these objectives. I call upon the Minister to ensure that fairness, justice, and equity are applied in the distribution of these resources.

Madam Temporary Deputy Speaker, new districts have been created and senior officers posted there. I call upon the Minister to move fast and make sure that housing for senior civil servants are developed. For example, District Commissioners now live in rented accommodations. Some District Officers live in hotels which are not conducive to the rendering of better services. We would like senior civil servants to stay near their place of work. The low cadre should also be encouraged to stay where the houses have been provided.

There are instances where Government houses were grabbed in the past. It is the responsibility of the Minister to apply the law and make sure that the grabbed houses revert back to the Government so that they can be used by our civil servants.

On the Rent Tribunal, it should be expanded and create constant harmony between the landlord and the tenants. In some situations, we have seen landlords fight with tenants. We have seen loss of lives in some areas. This should not be encouraged. We recall cases where landlords have taken the law in their hands. They have broken doors and kicked out the aged and the sick from their houses. This should not be encouraged.

With regard to the upgrading of slums, this is a very healthy move. The Minister should have been allocated more funds so that this objective is realised. The plan by the Minister to put up 2,000 units per year cannot be attained until the funds allocated to the Ministry are increased. After upgrading, the houses in the slums should be allocated to the poor in the society. The rich in society should not take advantage of the upgraded facilities.

Madam Temporary Deputy Speaker, electricity and other amenities should be provided as we upgrade the slums. Playgrounds and water should be availed to the people.

Madam Temporary Deputy Speaker, I note with appreciation the contribution by the Ministry to the Exchequer to the tune of Kshs1.4 billion. I would think that if the amount of money allocated to the Ministry was doubled, the contribution by this Ministry would be higher, and more housing would be done in the whole nation.

On the acquisition of BP Shell House by the Ministry, this is a very welcome move, because our Prime Minister will now get better accommodation. He will now be centrally positioned to serve the interests of our people. I also commend the move to acquire Bima House. This will also create the necessary accommodation for civil servants.

Madam Temporary Deputy Speaker, it is also important to note that the Housing Loan Scheme for Civil Servants is a good incentive. The loans that are already accorded to civil servants should be on lower interest rates, so that these people will be able to pay the loans, and retire happily.

With those few remarks, I beg to support.

Mr. Mwathi: Thank you, Madam Temporary Deputy Speaker. I wish to support this Vote. In so doing, I wish to commend the Minister for the good work he is doing. I know very well that this is not a very old Ministry. As person with background information about the Ministry when it was part of the former Ministry of Roads, Public Works and Housing, because of where I was working, I know that he is really trying.

However, I have a few comments to make, the first one being about the Housing Policy. This is a document that has been going round and round but at the end of the day, it does not come out clearly for people to know what the plan is for housing in the whole country. If you are in Britain, you will find a comprehensive housing policy for the citizens. We need the Housing Policy document to be polished and show us whether the Government is able to provide housing or subsidised housing for the citizenry. That is a very critical thing because; even if you do not have food, you will probably have somewhere to sleep.

Mr. Temporary Deputy Speaker, the second one is on the issue of slum upgrading. In this regard, I would think of the slum upgrading projects in Pumwani and Kibera and what happened. We are bringing down mud houses and putting up concrete five-floor flats and saying that we have upgraded a slum. Sooner or later, that becomes almost an up-market area, from which even those we upgrade slums for do not benefit.

So, that kind of slum upgrading programme is a failure, because it should be able to benefit those people for whom it was intended. Once you upgrade one place, those people who are displaced go ahead and create other slums elsewhere. This means that you are failing, and that that housing scheme is actually benefitting those who should not benefit.

For that matter, I plead with the Minister to look for pilot projects on slum upgrading in areas where they need to be, like in the constituencies; that is where we have slums. I say so because in my constituency, there is a slum. You can have a pilot project on upgrading of the slum in my area. In this way, you will also be teaching the local people how to use appropriate technology.

There is technology that is available. Research was done by the University of Nairobi as long ago as when I was there. There is a Housing Development Unit in the Faculty of Architecture, Design and Development, which must now be updated. They have proper research on how you can use cheap materials for construction of cheap houses that are affordable, and which can accommodate people in the real sense of accommodating people.

Whenever I look at the building called Railway, it reminds me of the colonial times. If we seriously look at the densities of buildings here, we are still talking about the big, open spaces that we used to talk about during Independence.

Madam Temporary Deputy Speaker, given the fact that resources are diminishing, why is it not possible for us to revise the building code to the extent that we are able to have concentrated buildings? There are flats in Dubai and those people are comfortable. We only need to change the parameters and the coverage and the height of the buildings will change. We will then be able to accommodate more people within small areas.

Let us not do it haphazardly. I have looked at the growth of some centres like Upper Hill at Kileleshwa. There are very nice flats, but what happens with regard to the services? The services are not improved. So, a sewer line that was meant for a bungalow is the same one that is meant to cater for several high-rise flats. Therefore, we have a problem of clogging and the services are not adequate. It is very critical that even as we open up and the city grows in terms of housing, the services are catered for.

Madam Temporary Deputy Speaker, I was looking at traffic congestion in some of those upcoming estates in Kileleshwa. You will find 20 cars coming out of those high rise buildings where there used to be one house. That kind of congestion leads to a very heavy jam because the road width is the same as it was during Independence or when it was planned.

It is necessary for the roads be opened up so that they accommodate the growing number of people. Those people must give out a piece of the land so that the road can be done.

With those few remarks, I beg to support.

The Minister for Roads (Mr. Bett): Thank you, Madam Temporary Deputy Speaker. I want to join my colleagues in supporting this Motion and congratulating the Minister for a job well done.

Physical planning and planning of houses in our urban centres in general is wanting. It appears like the construction of houses is ahead of planning. Consequently, we have haphazard constructions across the country in our urban centres. We have structures which have been done without any particular order, making it so difficult for water systems, the electricity and the sewer system to be supplied. That is posing a major health hazard. I would want to urge the relevant Ministry in charge of physical planning to go ahead before the housing section comes.

If a person wants to build a house and there is no physical planning in a town - nobody knows delineation of areas - it is so difficult. I would want to urge that physical planners move ahead of the Ministry of Housing, so that there is no difficulty at all.

It is also important that once a physical plan has been done, the Ministry of Lands respects those plans. Many a time, I find they have also authorized another building to be done in an area that was already planned for something else, for example, a road. I think we need to be serious on that.

Madam Temporary Deputy Speaker, architectural drawings are wanting in some cases. That is why you will find buildings collapsing during construction. We have lost lots of lives because of that. Even if the architectural drawings are right, you find that the supervision is also wanting in the sense that even what was provided for by the architect or structural engineer, whoever is doing the construction will not be following the details in that design. I think it is incumbent upon the Minister to strengthen the role of supervision of construction of buildings once they have been authorized by the relevant local authority whom I also have got doubts as to whether they have the capacity of doing so.

Madam Temporary Deputy Speaker, we have so many Government houses. Thank goodness, they are all over the country. However, if you look at their state and condition, it is deplorable. If those buildings were properly maintained, they would last for many years and serve this country more.

I want to urge the Minister to strongly advocate for a maintenance section, the same way this House impressed on me to have the same. It should be a section that is proactive for Government houses and offices. These buildings should be properly maintained. When the roofs leak, they should be repaired quickly. When they require paint, they should be painted. Otherwise, they will be an eyesore for us all the time. That is my plea to the Minister so that we have neat residential houses and office buildings. As it is, in some cases it has taken long for attention to be given to them and they fall as a result of such neglect. We are then forced to use huge amounts of public money to repair them, yet if we were to do basic maintenance, we could use less money. We could also have decent housing for our people.

Madam Temporary Deputy Speaker, the other issue is that of constructing houses for individual use in rural areas. I think the Ministry should finance institutions that fund mortgage. These include the National Housing Corporation (NHC), the Savings and Loans Mortgages and the Housing Finance Company of Kenya (HFCK) in order to make the mortgages affordable to the people in the rural areas. I assure you that if we do that, in the long run, we will have decent houses for our people.

I congratulate the Minister for slum upgrading.

With those very many remarks, I beg to support.

Mr. Baiya: Thank you, Madam Temporary Deputy Speaker. I want to support this Motion. However, I want to point out that it is very disappointing to see the amount of resources the Government is committing to housing. Looking at the state of human settlement in this country, especially in Nairobi, it is very disappointing that the Government is telling over 70 per cent Kenyans that it has no resources for them. I recall very well that when the National Rainbow Coalition (NARC) Government came to power, it had promised that it was going to put up over 500,000 housing units per year. What happened to this promise? Are we saying that we will have a sustainable settlement

in the city when we have so many human beings unsettled? This is actually a challenge that the Government cannot wish away. It is something that really needs to be thought out more critically.

The other issue that needs to be considered by the Ministry is developing a policy that will comprehensively address the challenge of settlement in terms of why we are attracting so many people to the city. In the long run, if we continue with that kind of attraction, it is not sustainable. The resources will not be there. Could the Government also think about coming up with policies that will help retain a majority of the population in the rural areas? That can be done by simply ensuring that there is fair distribution of resources between urban and rural areas. When you concentrate resources in urban centres the result is that you end up attracting everybody to the city. This will require more resources for housing and so on and so forth. If the problem had been checked before, the people would be comfortably settled in rural areas and accorded services from there.

Madam Temporary Deputy Speaker, it is also very clear that some of the challenges such as scarcity of water, electricity and other amenities, even though they may be said to be more viable within concentrated settlements; the rate of development of cities, particularly in Third World countries has been noted to be very fast. It happens within a short time span making resources completely inadequate. The Government cannot mobilize these kind of resources to sustain these settlements. The ultimate solution, if we will have anything that will amount to a genuine solution, is to plan the human settlement to be balanced between the rural and urban centers. What they are doing, therefore, is clearly a crisis management. The kind of resources being allocated to this sector can be compared to throwing peanuts to a starving population. The Government needs to demonstrate some seriousness and come up with a policy that is adequate to the challenges and problems that are posed by the settlement of many people. An urban population where over 70 cent of the people is living in slums means that you cannot provide them with proper services for human settlement. That poses all other challenges like crime and a lot of instability. The amount of money being allocated for slum upgrading is not adequate. It appears as if it is not being spent to lift up very insignificant minority to stop being slum dwellers of the city but to benefit rich people who can afford these houses. This is evidenced by the fact that even the structures which they have come up with are very expensive and slum dwellers cannot afford them.

With those comments, I beg to support.

The Assistant Minister for Roads (Dr. Machage): Madam Temporary Deputy Speaker, as I support this Motion, we have to remind ourselves of the inadequacies and the poor planning we have in this country. Housing is one of the parameters that are used to assess the development of a community. The human development moved from the caves to funny shelters to real houses. It is the inverse in our country where we are moving from good houses to slums. That means that we have poor planning. We have to borrow a leaf from other funds that have been able to be used well and enhanced the development of this country. The Petroleum Levy Fund under the Ministry of Roads is one example. We are able to construct dilapidated roads using this Fund. If such a system was to be used in the Ministry of Housing under our policy formulation, it would be mandatory for any civil servant who can sustain his services to the Government for at least, five years, to build a good decent house using such a fund as a grant that is not felt

in terms of repayment. I think this is a system that would go a long way in enhancing the standards of living.

If you travel to the Far East, for instance, Malaysia or Singapore or the other countries in those areas, you will see that housing is a mandatory facility that is given to the population by the government. They plan and look at the demographic factors on population increase trends. They know that next year, the population will have increased to a certain level and so many people will have been married and they will want to have their own houses. You will find houses that have been built waiting for occupants. This is because those governments have known the population trends in their countries and can plan ahead. The other thing that should be considered is having very many Ministries. We have the Ministry of Lands looking into the issues of parcels of land and the Nairobi Metropolitan Development that has come up. There is the Ministry of Works and the Ministry of Housing. There should be one Minister whereby he will not have a problem looking for land to put up houses estates or look for plans from another Ministry. This is not necessary. It is an unnecessary waste of resources. I think we are now sober enough for the Principals to consider reducing the Ministries so that we can use those resources positively.

In good housing, you have that opportunity of reducing expenditure in certain aspects of life. Poor housing will enhance disease progression in communities. Tuberculosis is known to be a disease of the poor, especially the people in poor housing situations. The same applies to measles and other diseases. If we had a properly managed housing policy we would reduce our expenditure on the medical aspects that are directly hinged on poor housing and sanitation. Maybe the Tanzanians were right in coming up with the Ujamaa village system, where people were brought to live together so that facilitation on certain amenities would be--- I am not trying to suggest that we go that way, but I think we should move into urban development without necessarily moving to the City. I do not support a Member who said that we should all move to the City. Let us develop the small villages out there to have clean water, housing facilitation, electricity and schools. That way, we will encourage the development of these areas instead of moving everybody to the City, whose facilitation is over-stretched. We cannot afford to have people moving to the City any more. We have to provide good housing to the people in the rural areas.

The National Housing Corporation, therefore, should pay attention to the smaller towns and district headquarters that are now being established and enhance development of proper and cheaply available and affordable housing by the people of this country at that level, so that people do not think that if you want to live well you must come to Nairobi.

Of course, security is an issue in the village like an hon. Member has said. However, it is time Kenyans policed themselves. We do not have to look for policemen to bring peace to our communities. It is high time we grew from that kind of culture to a culture of development and self policing so that we can develop our farms and proper housing.

With those few remarks, I beg to support.

The Temporary Deputy Speaker (Prof. Kamar): Hon. Members, having no other Member to debate, may I now call upon the Minister to reply.

The Minister for Housing (Mr. Shitanda): Thank you, Madam Temporary Deputy Speaker. May I take this opportunity to thank the hon. Members who have supported my Ministry's Vote. I assure them that most of the concerns that they have raised about the Ministry's operations will be taken up to make sure that the operations of the Ministry are done in such a way that Kenyans derive maximum benefit.

Madam Temporary Deputy Speaker, Sir, slums have been upgraded before. I share hon. Members' concerns that previous slum upgrading programmes have ended up benefiting the people who live in other areas.

But I want to assure them that the strategy that we have devised as a Ministry on the slum upgrading project in Kibera where we have 600 housing units will ensure that those houses are distributed fairly. These houses were meant for slum dwellers. The Ministry has worked out a programme to ensure that these houses go to slum dwellers. My Ministry has not quite taken into consideration issues of affordability. If we go in that direction, then we will end up dispossessing the slum dwellers of these houses. We are making sure that issues of affordability will take back seat when we are discussing issues of relocating the slum dwellers of these houses. So, the very poor slum dwellers are the ones who will occupy these houses.

Madam Temporary Speaker, hon. Members also raised concern about the Rent Tribunal Bill which we intend to table before this House. I want to assure hon. Members that the Bill does not seek to protect rogue tenants. It seeks to streamline the operations of the tenants/landlord relationship. It also seeks to take into consideration the rights of each party. The Bill is intended to bring some form of sanity in the sector. We have heard cases where landlords have thrown out tenants. We have also cases where tenants have refused to pay rent. I think the Bill is structured in such a way that both interests are catered for. I am sure when it comes before this House, Members will have an opportunity to give their input on the many provisions that are contained in the Bill.

Madam Temporary Deputy, the Civil Servants Housing Scheme is about four years old. We intend, if funding was available, to make it possible for every civil servant to own a house. But, even then with the little funding that we have, we are trying our best. I want to assure hon. Members that we will do our best to see to it that civil servant both in low and upper cadres have access to housing.

Many hon. Members have talked about problems that are experienced in the building industry. Majorly, most of these problems emanate from archaic building code that we are using. The current building code was developed in 1968. There has been a committee that has been working on a reviewed building code. On 25th of this month, the draft building code will be presented to the Prime Minister. He is the one who put up that committee. I think that building code will find its way to this House. Members will have an opportunity to debate. They will have an opportunity to give their input in the proposed law, so that some of the problems that we have experienced such as collapsed buildings and who is responsible for what, can be streamlined. We want also to harmonise some of the laws governing the construction industry under one authority.

Madam Temporary Deputy Speaker, we have discussed with the Ministry of Finance the issue of tenant-purchase schemes. We think that if the mortgage period is extended from the present 18 years to 50 years, many Kenyans will be able to afford mortgages or a house on tenant-purchase programme. Once the discussions are concluded, a paper will be prepared for tabling in this House.

Regarding the alternative building material, yes, we are trying to see if we can have centres in all the constituencies across the country so that the alternative methods of putting up houses can be accessed by Kenyans. Presently, we have about 18 centres that we have established. We think that by the year 2012 we will be in all the constituencies. I know very many hon. Members have been to my office asking about the appropriate building technology centres. I want to assure them that we will work with them to ensure that these centres are opened in their respective constituencies so that our people in the rural areas can have alternative forms of accessing decent housing.

Madam Temporary Deputy Speaker, we have issues of rural-urban migration. It is not an issue that is isolated in as far as Kenya is concerned. It is a global challenge. As we try to deal with the problem, it has emancipated itself in many ways majorly through mushrooming of slums in our cities. Today, about 60 per cent of the population in Nairobi lives in slums. In order to eradicate slums, according to figures that are available, we require about Kshs885 billion. We do not have those kind of resources. So, as we try in a small way, I want to thank the hon. Members who have raised concern about the little allocations that have been given to that area. But we will continue talking to Treasury to see if they can avail more funding for slum upgrading programmes. What we are doing is very little.

The pace at which we are moving we will not be able to catch up with the problem of slums not just in Nairobi but in other urban areas. We have tried other interventions in slum areas by putting up other facilities like schools, roads, health centres and other social facilities to try and improve the lives of people living in slums. As I said, resources are key, we do not have them and I urge hon. Members to support any initiative that would help us to raise resources to tackle that noble course.

The Temporary Deputy Speaker (Prof. Kamar): Time up!

The Minister for Housing (Mr. Shitanda): I wish to thank all the hon. Members, Madam Temporary Deputy Speaker.

With those few remarks, I beg to move.

(Question put and agreed to)

*[The Temporary Deputy Speaker
(Prof. Kamar) left the Chair]*

IN THE COMMITTEE

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

Vote 13 – Ministry of Roads

The Minister for Roads (Mr. Bett): Mr. Temporary Deputy Chairman, Sir, I beg to move:-

THAT a sum not exceeding Kshs15,077,250,000 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure during the year ending 30th June, 2010, in respect of:-

Vote 13 – Ministry of Roads

(Question proposed)

Vote R13 – RECURRENT EXPENDITURE

SUB-VOTE 130 - GENERAL ADMINISTRATION AND PLANNING

(Heads 154, 380 and 600 agreed to)

(Sub-Vote 130 agreed to)

SUB-VOTE 133- OTHER SERVICES

(Heads 505, 506 and 507 agreed to)

(Sub-Vote 133 agreed to)

SUB-VOTE 136 – ROADS

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

(Sub-Vote 136 agreed to)

(Vote R13 agreed to)

VOTE D13 – DEVELOPMENT EXPENDITURE

SUB-VOTE 130 - GENERAL ADMINISTRATION AND PLANNING

(Head 380 agreed to)

(Sub-Vote 130 agreed to)

SUB-VOTE 133- OTHER SERVICES

(Head 505, 506 and 507 agreed to)

(Sub-Vote 133 agreed to)

SUB-VOTE 136 – ROADS

(Heads 384,385,393,488 and 489 agreed to)

(Sub-Vote 136 agreed to)

(Vote D13 agreed to)

(Question put and agreed to)

(Resolution to be passed without amendment)

Vote 44 – Ministry of Housing

The Temporary Deputy Chairman (Mr. Baiya): We will proceed to the Ministry of Housing. Proceed, Mr. Minister!

The Minister for Housing (Mr. Shitanda): Mr. Temporary Deputy Chairman, Sir, I beg to move:-

THAT a sum not exceeding Kshs1,557,532,415 be issued from the Consolidated Fund to complete the sum necessary to meet the expenditure during the year ending 30th June, 2010, in respect of:-

Vote 44 – Ministry of Housing

(Question proposed)

VOTE R44 – RECURRENT EXPENDITURE

SUB-VOTE 440 – GENERAL ADMINISTRATION AND PLANNING

(Heads 142 and 657 agreed to)

(Sub-Vote 440 agreed to)

SUB-VOTE 441 – GOVERNMENT ESTATES DEPARTMENT

(Heads 418 and 673 agreed to)

(Sub-Vote 441 agreed to)

SUB-VOTE 442 – HOUSING DEVELOPMENT

(Heads 404, 411, 416 and 423 agreed to)

(Sub-Vote 442 agreed to)

(Vote R44 agreed to)

VOTE D44 – DEVELOPMENT EXPENDITURE

SUB-VOTE 440 – GENERAL ADMINISTRATION AND PLANNING

(Head 657 agreed to)

(Sub-Vote 440 agreed to)

SUB-VOTE 442 – HOUSING DEVELOPMENT

(Heads 404 and 411 agreed to)

(Sub-Vote 442 agreed to)

(Vote D44 agreed to)

(Question put and agreed to)

*(Resolution to be reported without
amendment)*

(The House resumed)

*[The Temporary Deputy Speaker
(Prof. Kamar) in the Chair]*

REPORTS

Vote 13 – Ministry of Roads

Mr. Baiya: Madam Temporary Deputy Speaker, I am directed to report that the Committee of Supply has considered the Resolution that a sum not exceeding Kshs15,077,250,000 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2010 in respect of Vote 13 – Ministry of Roads and has approved the same without amendment.

The Minister for Roads (Mr. Bett): Madam Temporary Deputy Speaker, I beg to move that the House doth agree with the Committee in the said Resolution.

The Minister of State for Public Service (Mr. Otieno) seconded.

(Question proposed)

(Question put and agreed to)

Vote 44 – Ministry of Housing

Mr. Baiya: Madam Temporary Deputy Speaker, I am directed to report that the Committee of Supply has considered the Resolution that a sum not exceeding Kshs1,557,532,415 be issued from the Consolidated Fund to complete the sum necessary

to meet expenditure during the year ending 30th June, 2010 in respect of Vote 44 – Ministry of Housing and has approved the same without amendment.

The Minister for Housing (Mr. Shitanda): Madam Temporary Deputy Speaker, I beg to move that the House doth agree with the Committee in the said Resolution.

The Minister of State for Public Service (Mr. Otieno) seconded.

(Question proposed)

(Question put and agreed to)

ADJOURNEMENT

The Temporary Deputy Speaker (Prof. Kamar): Hon. Members, we have come to the end of today's sitting. Therefore, the House stands adjourned until tomorrow, Wednesday, 12th August, 2009, at 9.00 a.m.

The House rose at 7.20 p.m.