

# NATIONAL ASSEMBLY

## OFFICIAL REPORT

Thursday, 7th August 2008

The House met at 2.30 p.m.

[Mr. Deputy Speaker in the Chair]

### PRAYERS

### COMMUNICATIONS FROM THE CHAIR

#### MEMBERS' WORKSHOP TO CONSIDER FIRST STANDING ORDERS DRAFT OF TENTH PARLIAMENT

**Mr. Deputy Speaker:** Hon. Members, you will recall that a Communication was made from the Chair on 1st July, 2008, 23rd July, 2008, regarding the ongoing review of the Standing Orders. In the last Communication, the Chair conveyed the timetable for the review of the rules of procedure by the Standing Orders Committee and stated that the Committee had concluded its report styled "*First Draft of the Tenth Parliament*". The said First Draft is due for consideration by all the Members.

In the same Communication, the Speaker invited all Members to a workshop to be held on 20th to 22nd August, 2008, at Safari Park Hotel. It is envisaged that the three-day workshop will be opened by His Excellency the President and closed by the Prime Minister.

Hon. Members, Standing Orders, being the basic rules of procedure, are of vital significance, not only to the House but also the Government of the day as it governs in accordance with the laws enacted by Parliament. A good number of proposals made in the *First Draft of the Tenth Parliament* definitely have fundamental significance in the way Parliament discharges its constitutional mandate. It is, therefore, imperative that all Members afford some time during the recess to attend the said workshop and make contributions to the review of the Standing Orders.

In this regard, copies of the *First Draft of the Tenth Parliament* have been circulated to all Members for their perusal.

#### MINISTRY OF ROADS WORKSHOP FOR MEMBERS

May I also take this opportunity to announce to the House that the Ministry of Roads has invited Members for a workshop on 11th August, 2008, at the School of Monetary Studies. Letters to this effect have been addressed to the Members by the Clerk.

Thank you.

### PAPERS LAID

The following Papers were laid on the Table:-

Report of the Departmental Committee on Energy, Communications and Public Works on attendance to the Second Conference of the African Parliamentary Knowledge Network on 5th and 6th June, 2008, in Cairo, Egypt.

Report of the Departmental Committee on Energy, Communications and Public Works on the tour of Sondu Miriu Hydro Electricity Power Station on 18th July, 2008.

*(By Eng. Rege)*

Report of the Departmental Committee on Administration, National Security and Local Authorities on its findings during its visit to Naivasha, Molo and Eldoret between 2nd and 4th July, 2008.

Its findings of alleged corruption at the Ministry of State for Immigration and Registration of Persons during its sittings between 18th July and 1st August, 2008.

*(By Mr. Kapondi)*

**Mr. Okemo:** Mr. Deputy Speaker, Sir, I wish to lay the following Paper on the Table of the House.

The Report of the Departmental Committee on Finance, Planning and Trade, No.F---

### COMMUNICATION FROM THE CHAIR

#### FINANCE COMMITTEE'S REPORT YET TO BE CIRCULATED TO MEMBERS

**Mr. Deputy Speaker:** Order, hon. Okemo! I am informed by the Clerk's Department that this Paper has not been circulated to the Members. The rule has been that no Paper is laid on the Table if it has not been accepted and assented to by the Clerk. Consequently, you cannot lay those Papers on the Table of the House today until you conform to the provisions of the House.

*(Resumption Papers Laid)*

Annual Report and Accounts of the Electricity Regulatory Board for the year ended 30th June, 2007, and the certificate thereon by the Controller and Auditor-General.

*(By the Assistant Minister, Ministry of State  
for Provincial Administration and  
Internal Security (Mr. Ojode) on  
behalf of the Minister for Energy)*

Annual Report and Accounts of the Kenya Industrial Estates Limited for the year ended 30th June, 2006, and the certificate thereon by thereon by Controller and Auditor-General.

*(By the Assistant Minister, Ministry of State  
for Provincial Administration and  
Internal Security (Mr. Ojode) on  
behalf of the Minister for  
Industrialization)*

Annual Report and Accounts of the Water Services Trust Fund for the year ended 30th June, 2007, and the certificate thereon by the Controller and Auditor-General.

*(By the Assistant Minister, Ministry of  
State for Provincial Administration  
and Internal Security (Mr. Ojode)  
on behalf of the Minister for  
Water and Irrigation)*

**Mr. Bett:** On a point of order, Mr. Deputy Speaker, Sir. With due respect, on the issue laying documents on the Table, hon. Ojode has not given me a copy of what he has laid on the Table.

### CONSIDERED RULING

#### TABLING OF PAPERS MUST BE DONE IN ACCORDANCE WITH HOUSE RULES

**Mr. Deputy Speaker:** Order! Hon. Members, the Chair rules and runs the House with the support of the Clerk's Department. The provisions of the rules are very clear. When I came here, I asked the Clerks-at-the Table whether the Papers have been brought to House and approved. The 200-plus copies have been brought. That has not happened. That is the information that I have. I will not bend the rules of this House, not for the President, the Prime Minister, Vice-President and the Minister for Home Affairs, a Minister, a Chairman of a Committee or anybody else. Under the circumstances, the rules cut both ways. This is the information that I have. Consequently, those Papers cannot be laid.

I will seek the concurrence of the House on hon. Ojode's Papers. If, indeed, they fall in the same category, then those Papers will also not be duly laid on the table.

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

**Mr. Deputy Speaker:** Order, hon. Members! The Chair is consulting with the Clerk's Department!

I am made to understand by the Clerk's Department that Ojode's Papers have been presented in accordance with the set out rules. Should you contest that, then be prepared to be held accountable for that. The Chair would consequently suspend the laying on the Table of Ojode's Papers until the facts are made available to the Chair. Should you want to go on record as having said that hon. Ojode's Papers have not been duly laid on the Table, I will be prepared to suspend that.

**Mr. Ethuro:** On a point of order, Mr. Deputy Speaker, Sir. I want to seek the indulgence of the Chair. The issue is not really hon. Ojode's Papers. The issue is the tabling of a Report by the Chairman of the Departmental Committee on Finance, Planning and Trade. This House made a resolution and the Chair made a ruling that the report must be submitted within a particular period.

I would like to plead with the Chair that the practice of the House has been that until you table a document, it cannot be circulated to the Members. In view of the above, maybe, the Chair may consider it necessary to allow the Report to be tabled.

**Mr. Deputy Speaker:** Order, hon. Members! I was not in the Ninth Parliament. I can only go by the information available to me. The institutional memory of the House is such that there was a ruling in the Ninth Parliament that Papers must be in Room 8 and also with the Clerk of the National Assembly. That information has been confirmed to me. That was not complied with at the moment when the Chair took the seat.

So, under the circumstances, the Chair will not bend the rules for anybody. This is a tradition that by now, you must all be acquainted with. I am not about to bend the rules! It was brought to my attention and, indeed, I have to follow the ruling that was made by the Chair. I depended on the institutional memory of the House.

**Dr. Khalwale:** Mr. Deputy Speaker, Sir, when I peruse the Orders today, I notice that the last Order of the day is on adjournment of the House. In view of the fact that the Chair has made that ruling and in view of the fact that the Chair also ruled two weeks ago that Mr. Okemo tables his report, I beg the understanding of the Chair of the fact that the mistake of commission is not by Mr. Okemo but by the Clerk. Therefore, the Chairman, Mr. Okemo, cannot be punished for a mistake which is not his. If we do not do this, it means that the House might very well be adjourned and a matter as important as the one the Chair has been dealing with is then overtaken by events.

**Mr. Deputy Speaker:** Order! Hon. Members, you will recall that the report is on an issue that essentially I, as the Deputy Speaker, chaired the session of the House. The time when the then Minister was being censured, the Chair was under intense pressure to bend the rules from some quarters. The Chair stood firm and said that the matter will appear as it is on the Order Paper and the Chair was not going to use its discretion to subvert the present and the past history of the House. In the same breath, I want to say that the Chair is not about to bend the rules again.

Hon. Members, many of you on one side of the House did appreciate very much when the Chair gave those rulings and were convinced that the Chair was standing firm to the rules. If you today feel that the rules are only supposed to be applied selectively, this Chair will not and will never do that.

Dr. Khalwale did say that there will be an adjournment of the House. Indeed there is a Motion of adjournment of the House. It is entirely upon the House to decide to defeat the Motion or to approve it. Should the Motion be defeated, the House will proceed and Mr. Okemo will have ample time to comply with the rules. The Chair will not--

**Mr. Okemo:** On a point of order, Mr. Deputy Speaker, Sir!

**Mr. Deputy Speaker:** You are out of order, Mr. Okemo! The Chair will not entertain any more points of order on this matter. It has been disposed of.

Next Order!

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

**Mr. Deputy Speaker:** Mr. Midiwo, you are out of order!

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

**Mr. Deputy Speaker:** Mr. Midiwo, for the last time you are out of order!

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

**Mr. Deputy Speaker:** Mr. Midiwo, you may leave the House now for the remainder of the day. We cannot go to the next Order until Mr. Midiwo leaves the House. Mr. Midiwo you are a stranger in the House!

**Mr. Midiwo:** Mr. Deputy Speaker, Sir, I beg to be heard!

**Mr. Deputy Speaker:** Order! You are now a stranger in the House! You cannot be heard! A stranger cannot be heard in the House!

*(Mr. Midiwo withdrew from the Chamber)*

## NOTICES OF MOTIONS

ADOPTION OF REPORT ON ALLEGED  
CORRUPTION IN MINISTRY OF STATE  
FOR IMMIGRATION SERVICES AND  
REGISTRATION OF PERSONS

**Mr. Kapondi:** Mr. Deputy Speaker, Sir, I wish to give notice of the following Motion:-

THAT, this House adopts the report on alleged corruption in the Ministry of State for Immigration Services and Registration of Persons laid on the Table of the House on, Thursday, 7th August, 2008.

ADOPTION OF REPORT ON COMMITTEE'S  
VISIT TO NAIVASHA/MOLO/  
ELDORET TOWNS

**Mr. Kapondi:** Mr. Deputy Speaker, Sir, I wish to give notice of the following Motion:-

THAT, this House adopts the report of the Committee during its visit to Naivasha, Molo and Eldoret from 2nd to 4th July, 2008 to assess the security situation in these areas, laid on the Table of the House, on 7th August, 2008.

**Mr. Deputy Speaker:** Next Order!

**QUESTIONS BY PRIVATE NOTICE**

MANAGEMENT CRISIS AT KPCU

**Mr. Kathuri:** Mr. Deputy Speaker, Sir, I beg to ask the Minister for Co-operative Development the following Question by Private Notice.

(a) Is the Minister currently aware that there is a crisis at the Kenya Planters Co-operative Union (KPCU) due to resignation *en masse* of the senior management staff in protest over the poor governance by the board of directors?

(b) Could the Minister table the list of debtors of KPCU, showing the amounts owed to the union by each of them?

(c) What action will the Minister take to resolve this recurrent problem once and for all for the sake of the coffee farmers?

**The Minister for Co-operative Development and Marketing (Mr. Nyagah):** Mr. Deputy Speaker, Sir, I beg to reply.

Over a week ago when this Question was asked, I laid on the Table the list of those people who owe KPCU some Kshs3.7 billion. I am assuming that the MP has had the time to look at it. If he has any questions to ask, I am ready to answer them.

**Mr. C. Kilonzo:** Mr. Deputy Speaker, Sir, when the KPCU was formed, it was targeted to benefit the poor coffee farmers. From the list of people who owe money, you will find that these are rich people. No wonder we have a serious problem of *Mungiki*. This is because the parents of *Mungiki* lost their money and they cannot even afford to engage in coffee farming.

Why has the Government not recovered money from all these tycoons in the list? I can see the Kenyatta family, Thika Coffee Mills; Amazon Motors and a rich former MP with a flower farm who owes Kshs168 million. If the Government is unable to recover this money, why can it not consider writing off debts of co-operative societies? The Government should consider writing off the debts owed by poor farmers of simple co-operative societies like Mavoloni Coffee Farm in my constituency.

**Mr. Nyagah:** Mr. Deputy Speaker, Sir, it is true that this list includes very wealthy Kenyans. It also includes some very poor people and several co-operative societies. It is true that the bulk of this money is owed by very wealthy people in Kenya. The Government, has over the

last few years, been writing off money owed by co-operatives in the coffee sector. The KPCU has requested the Government to write off some of these debts but, obviously, it is difficult to address such an issue when it covers individuals who are capable and are able to pay.

**Mr. Linturi:** Mr. Deputy Speaker, Sir, the Minister has admitted to this House that the KPCU is owed quite a lot of money by very wealthy Kenyans. Debts are written off when they are irrecoverable. We would understand if debts owed to KPCU by very small coffee co-operative societies are written off. Since the Minister has confirmed to this House that these are very wealthy Kenyans who owe KPCU money, why is it so difficult for the Government to go an extra mile and recover this money for the sake of the Kenyan people? Is this a conspiracy?

**Mr. Nyagah:** Mr. Deputy Speaker, Sir, I wish to confirm that due to serious mismanagement, at the management and board levels in the past, this particular issue has been handled very casually. Nobody has taken the responsibility to face this issue squarely. Some have been threatened with death. Some have been bribed by these people. Some live in fear. That is why we said that, for the sake of the poor, we will, as a Ministry, face this issue squarely and people must pay. But we must also be practical. Our book keeping records are also poor at KPCU. We also have problems when we go to court. We have been defeated because we do not always have the appropriate papers to defend our position. That is why as a former banker, I have recommended that we sit down with these people to see the possibility of reviewing the principal and part of the interest so that we can recover as much as is practically possible. That is what banks do and for the period the KPCU got into this mess, it was acting like a coffee bank.

**Mr. Bett:** On a point of order, Mr. Deputy Speaker, Sir. You have heard the Minister talk about the KPCU being fleeced by wealthy Kenyans. Would I be in order to request that the list of these wealthy Kenyans, who have stolen from the KPCU, be tabled in this House?

**Mr. Deputy Speaker:** Hon. Minister, indeed, you have made a very serious allegation on the Floor of the House.

**Mr. Wambugu:** Mr. Deputy Speaker, Sir, the Minister has accepted the fact that these big debts and mismanagement of the coffee sector, especially KPCU, have caused all the problems we have in this country. He has also stated that there are a few co-operatives whose debts have been written off.

Could he confirm to this House how many, if any, co-operative societies have been bailed out in Murang'a, particularly Mathioya?

**Mr. Nyagah:** Mr. Deputy Speaker, Sir, I do not have the list with me but I wish to confirm that, in the last few years, Kshs5.8 billion owed to the co-operative movement in the greater Murang'a has been written off by the Government.

**Mr. Baiya:** Mr. Deputy Speaker, Sir, I come from a region where most of the small-scale farmers are trying to eke out their living by growing coffee. As we speak, most of them are selling their coffee to multinationals because the KPCU, which is a farmer-owned organisation, has been brought down. I am happy to hear the Minister say that he is ready to take action. He has fallen short of stating categorically what action he will take to assure coffee farmers so that they can go back to coffee farming.

**Mr. Nyagah:** Mr. Deputy Speaker, Sir, last week, when the Question was raised, I stated the measures that the Government has taken. One of them included the setting up of a Cabinet Sub-Committee chaired by the Prime Minister to take charge of the debts, how to restructure Kenya Planters Co-operative Union (KPCU) and recruit independent highly qualified managers as recommended by the study that was funded by the European Union (EU). I wish to confirm that the Government will assist in recruiting high powered managers to assist the farmers. I have tried to reassure the farmers through Frequency Modulation (FM) radio stations. We want to take action against the debtors. We want to investigate the situation where the management walked out

because of the pressure that was applied. The Board must also take action and behave in accordance with modern methods of governance.

**Mr. Kathuri:** Mr. Deputy Speaker, Sir, from the list that has been tabled in this House, as much as the Minister is telling us that they are trying to recover the debts, some of them are very fresh. They were advanced less than five years ago. By then, the new KPCU had problems. Even as we speak now, the list will have more names! What is he doing to ensure that even the debts that do not have disputes are recovered? We would not see an increase---

**Mr. Deputy Speaker:** Order! Just ask a question!

**Mr. Nyagah:** Mr. Deputy Speaker, Sir, a very efficient team of management is in the process of being put in place at KPCU. That is a highly qualified team that Kenyans will be proud of. It will be independent and not necessarily paid by KPCU. We shall let it work independently over a two-year period during which they can help to restructure KPCU. Also, there will be changes to the by-laws which will be presented to the Annual General Meeting (AGM) in the next few weeks to enable the Minister and the Government to step in at an appropriate time, in order to ensure that we do not ever again get into such a situation.

REHABILITATION OF ISIOLO  
-MODOGASHE ROAD

**Mr. Bahari:** Mr. Deputy Speaker, Sir, I beg to ask the Minister for Roads the following Question by Private Notice.

(a) Is the Minister aware that Isiolo-Modogashe Road (B9) has been rendered immortorable following the November/December, 2007 rains?

(b) What measures will the Minister put in place to make the road motorable?

(c) When will that important road be upgraded to bitumen standards?

**The Assistant Minister for Roads (Dr. Machage):** Mr. Deputy Speaker, Sir, I beg to reply.

(a) I am aware that the condition of Isiolo-Modogashe Road, which is B9 by classification, has severely deteriorated following the November/December rains. It is made impassable during the rainy season.

(b) My Ministry will improve and maintain the road within the current financial year and remove all the bottlenecks.

(c) The Ministry plans to improve the road to bitumen standards. The design, plans and tender documentation of the road were completed in April, 2008, and the Ministry, in conjunction with Treasury, is in the process of sourcing for funds to upgrade the road to bitumen standards. The construction of the road is going to cost about Kshs8 billion.

**Mr. Bahari:** Mr. Deputy Speaker, Sir, I do not have a written answer from the Minister. However---

**Mr. Deputy Speaker:** Order! Mr. Assistant Minister, it is the ruling of the House that Ministers should make sure that hon. Members get written answers, so that they can interrogate the Question adequately. Under normal circumstances, if the hon. Member demands that the Question be deferred to another date, the Chair will always assent to it. Mr. Assistant Minister, let me hope that this will be the last time you do that. You must always furnish a written answer to hon. Members.

**Mr. Bahari:** Mr. Deputy Speaker, Sir, in the interest of the people of Isiolo South, I wish to continue. Basically, just as the Assistant Minister has treated this House by not giving a written answer, that is the way he has treated Road B9 for the last 45 years of Independence! Neglect! My question is: How much money has the Ministry set aside for that important road?

**Dr. Machage:** Mr. Deputy Speaker, Sir, while I politely take your warning to my Ministry,

your office and the Office of the Clerk have the responsibility to dispatch the answers that I have already dispatched to Parliament.

The proposed allocation for routine and periodic maintenance of that road is Kshs44 million and the following works will be carried out:-

- (i) Bush clearing.
- (ii) Patching of potholes.
- (iii) Reinstating sections which are washed out.

**Mr. Abdirahman:** Mr. Deputy Speaker, Sir, Road B9 does not connect Isiolo and Modogashe to Kenya alone. It connects some places like Wajir District, where I come from. I heard the Assistant Minister say that they want to upgrade it to bitumen standards. Many times, the Ministry of Roads has taken a long time to do a lot of technicalities. Could the Minister tell us the actual plans and timelines that they have with the Treasury? Let him be very specific and tell us whether they are discussing that the road will be done this financial year. Could we get more clarification on that matter?

**Dr. Machage:** Mr. Deputy Speaker, Sir, yes, I am aware that the Isiolo-Modogashe Road B9 traverses Igembe, Tigania and Garbatulla districts of Eastern Province. That road is about 195 kilometres long. I am serious about that project and I have already used Kshs29,589,551 on carrying out the design work. That was done by Otieno Odongo and Partners. It was completed in April this year. It is the duty of this House to allocate money that I have requested for, so that I can raise the Kshs8 billion to build that road. I am also looking for other development partners. Let me say this: I take that road seriously.

**Mr. Deputy Speaker:** Mr. Assistant Minister, the information I have is that, that response has not reached the Office of the Clerk. I do not have it in my answers. If you insist on misleading the House by saying that you have supplied it to the House, you understand the consequences. But, perhaps, you will get away with it this time around.

**Mr. Ethuro:** Mr. Deputy Speaker, Sir, under Vision 2030, Isiolo is going to have an airport. But that airport cannot be accessed by the pastoralists who use the Isiolo-Modogashe Road. The little money that the Assistant Minister has allocated will be used for bush clearing. How do you clear bushes where there are no bushes?

Mr. Deputy Speaker, Sir---

**Mr. Deputy Speaker:** Order! You have already put your question!

**Mr. Ethuro:** My question is this: I hope the Assistant Minister will uphold a decision by his predecessors in this House that, no more monies will be spent on bush clearing!

**Dr. Machage:** Mr. Deputy Speaker, Sir, I will definitely not clear bushes where there are no bushes. That money will be utilised for patching potholes and other works. I take his sentiments very seriously and no mistakes will be done.

**Mr. Deputy Speaker:** Last question, Mr. Bahari!

**Mr. Bahari:** Mr. Deputy Speaker, Sir, I want to thank the Assistant Minister for the Kshs44 million that he has set aside. But I want to remind him that Goldenberg cost this country Kshs27 billion and Anglo Leasing cost another Kshs5 billion. Why can the Treasury not finance that road which will cost Kshs8 billion? The Assistant should bring the request here and we shall approve it the same day.

**Mr. Deputy Speaker:** Next Question!

ESCALATION OF HUMAN/WILDLIFE  
CONFLICT IN LIMURU

**Mr. Mwathi:** Mr. Deputy Speaker, Sir, I beg to ask the Minister for Forestry and Wildlife



the following Question by Private Notice.

(a) Is the Minister aware that wild animals, especially monkeys, are currently on the rampage at Nguirubi area of Ndeiya Location in Limuru Constituency, and have recently destroyed maize, potatoes and beans and even killed kid goats?

(b) What measures will the Ministry take generally to deal with human/wildlife conflict of the nature in "a" above?

(c) When will the Ministry document the loss incurred by the residents of the affected area and compensate them?

**The Assistant Minister for Forestry and Wildlife** (Mr. Nanok): Mr. Deputy Speaker, Sir, I beg to reply.

(a) Yes, I am aware that monkeys and baboons are a problem to the farmers of Nguirubi area of Ndeiya Location since the Member of Parliament for Limuru Constituency made an official report to the Kenya Wildlife Service (KWS), late May this year.

(b) The KWS has an office at Ngong Town headed by a warden and assisted by outposts in Limuru and Kamae where problem animal control rangers to deal with conflict problems are based to ensure quick response to reported cases. My Ministry through the KWS has taken the following steps to address the monkey and baboon menace in Limuru:-

(i) The Warden in Ngong has deployed additional sergeants and four rangers to the existing five rangers with a vehicle and equipment to handle the monkey and baboons issues in Limuru. So far, several monkeys have been eliminated during the problem animal control exercise. Patrols have been intensified with the aim of reducing crop raiding incidents and community members have been advised on how to scare the animals back to the surrounding forest.

(ii) The warden is working together with the Provincial Administration, and especially the chiefs, to ensure cases reported to them reach the KWS service personnel on time.

**Mr. Deputy Speaker:** Hon. Assistant Minister, could you give a short and precise answer? You do not have to read long statements because we want to get to the Motion of Adjournment by 3.30 p.m. Do not read a whole page!

**The Assistant Minister for Forestry and Wildlife** (Mr. Nanok): Thank you, Mr. Deputy Speaker, Sir. I was almost finishing.

(c) Under the current Wildlife Conservation Management law, Cap.376, there is no compensation for crops, livestock and property damaged or destroyed by wildlife.

**Mr. Mwathi:** Mr. Deputy Speaker, Sir, the answer that I have got is not satisfactory and I want to bring to the attention of the Assistant Minister the fact that the same answer was given on 26th April, 2006 in this House by the Minister. He said:-

"Mr. Speaker, Sir, the Ministry has initiated a review of the amendment so that there can be sustainable corrections for compensation".

That is the same answer I am getting two years later. The rangers and sergeants who have been sent to Limuru may have been sleeping because I have not seen them.

Could the Assistant Minister tell this House when, precisely, this legislation is going to be reviewed?

**Mr. Nanok:** Mr. Deputy Speaker, Sir, as I have said three times before in this House, we have reviewed the Bill. It is awaiting Cabinet approval and the moment it is approved, we will bring it to this House. I hope that all of us will debate it quickly because it does revolve around the issues that we are experiencing in the current Act.

**Mr. Deputy Speaker:** Next Question by Mr. Thuo!

**Mr. Thuo:** Mr. Deputy Speaker, Sir, I beg to ask the Minister for Lands the following Question by Private Notice.

(a) Could the Minister confirm that the Thika Municipal Council has subdivided a public utility plot, Block 11/338 in Ziwani Estate, hived off from it a new Block 11/1037 and allocated it to Thika Institute of Technology vide allotment reference 23136/XLII?

(b) What steps will the Minister take to ensure the land is preserved for public use?

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

(a) Yes, I am aware that Thika Municipal Council still owns this utility Block 11/338 in Ziwani Estate and the same has not been hived to create a new Block 11/1037 as purported. The Block, therefore, has not been allocated to Thika Institute of Technology vide letter of allotment reference 23136/XLII.

(b) In view of the above, no steps will be taken by my Ministry since records in my Ministry show that the land is still intact.

**Mr. Thuo:** Mr. Deputy Speaker, Sir, while I appreciate that answer from the Assistant Minister, could he tell the House what we are expected to do when the Ministry says that the land is still intact yet the situation on the ground is otherwise?

Could he be very specific on what the community ought to do now, in view of this statement, in terms of repossessing, physically, that particular piece of land?

**Mr. Rai:** Mr. Deputy Speaker, Sir, the parcel No. Thika Municipal Block 11/338 also known as LR 4953/732 is registered in the name of Municipal Council of Thika. A copy of the title is attached here and I will inform the House confirming that the title is still intact and no subdivision has been done on it.

**Mr. Deputy Speaker:** Mr. Thuo, ask your last question!

**Mr. Thuo:** Mr. Deputy Speaker, Sir, it is unfair to make it the last one because he did not answer the last question!

Could he tell us what we should do, physically, on the ground given that people have moved in? Should I go there with my residents, invade and take it over physically?

**Mr. Rai:** Mr. Deputy Speaker, Sir, the conditions of this land as I had earlier stated is that, special conditions No.1, 2 and 3 as contained in the grant I(R)21632 states as follows:-

(1) "The land and building shall only be used for council housing.

(2) The grant cannot subdivide the land.

(3) The grant shall not transfer or part with the possession of the land and part thereof."

**Mr. Thuo:** Mr. Deputy Speaker, Sir, while the Assistant Minister has still failed to answer as to whether we should invade the said land and repossess it, let me ask my final question. It is clear from the questions that I have posed to the Assistant Minister in this House on land and plots in Thika, that the council has in the past been notorious for hiving off such land and distributing it for gain by individuals.

Could the Assistant Minister stop or change the title from the Thika Municipal Council to some trustees or any other competent authority that will ensure that the plot remains in the hands of the community?

**Mr. Rai:** Mr. Deputy Speaker, Sir, I confirm that. Further, I can also assure the hon. Member that apart from the title being intact, if any construction or development is to be done on it, they will need approval from my Ministry and we will not grant any approval for any development on this particular land.

**Mr. Deputy Speaker:** Next Question, Mr. Ethuro!

MIGRATION OF KENYAN PASTORALISTS  
TO UGANDA

**Mr. Ethuro:** Mr. Deputy Speaker, Sir, I beg to ask the Minister of State for Provincial Administration and Internal Security the following Question by Private Notice.

(a) Is the Minister aware that as a result of the drought and biting famine, Kenyan pastoralists from Turkana North and Turkana Central districts have migrated to Uganda with their livestock, setting the stage for violent conflicts over pasture and water?

(b) What urgent measures is the Minister taking to ensure that Kenyan and Ugandan pastoralists share these scarce natural resources in a peaceful environment?

(c) What permanent measures is the Minister putting in place to ensure that pastoralists across the external boundaries of Ethiopia, Sudan, Uganda and Kenya can exploit these common resources in a sustainable and secure manner?

**The Assistant Minister, Ministry of State for Provincial Administration and Internal Security** (Mr. Ojode): Mr. Deputy Speaker, Sir, I beg to reply.

(a) Yes, I am aware.

(b) The Kenyan delegation which includes a Cabinet Minister, elders from the Turkana community and security officials led by the Turkana North District Commissioner commenced investigations with the Ugandan team led by the resident District Commissioner Mr. Kopido, on 17th and 18th July, 2007 at Kotido in Uganda with a view to ensuring peaceful co-existence between the Turkana and Karamajong communities in the face of the current drought.

Mr. Deputy Speaker, Sir, the respective district security committees in the border districts whose residents have migrated to Uganda have been instructed to remain on high alert and ensure effective and faster communication with their counterparts and local leaders for early warning to reduce the possibility of violent conflict outbreak.

Mr. Deputy Speaker, Sir, in order to reduce the possibility of provocation and violent conflict with the host communities in Uganda, no pastoralists are allowed to cross the international border with firearms when they go to graze their animals.

(c) The Government is putting in place the following long term measures to ensure peaceful sharing and sustainable use of the natural resources.

(i) At the bilateral level, Kenya co-operates with the neighbouring countries through joint commissions, border commissioners and administrator meetings and other bilateral consultative forums.

(ii) At the multilateral level, there are ongoing initiatives under the auspices of the Inter-Governmental Authority on Development (IGAD) Conflict and Early Warning Response Mechanism, whose protocol Kenya has already acceded to.

(iii) Formation of a pasture management committee with clear terms of reference to ensure structured consultations between the local leaders and administration with the leadership of the neighbouring country on seasonal or drought induced movement of livestock---

**Mr. Deputy Speaker:** Order, Mr. Assistant Minister! Lay the answer on the Table and---

**The Assistant Minister, Ministry of State for Provincial Administration and Internal Security** (Mr. Ojode): Mr. Deputy Speaker, Sir, what we are doing--- Lastly, we want to intensify efforts to diversify sources of livelihood for the pastoralists to move away from dependence on livestock economy.

**Mr. Ethuro:** Mr. Deputy Speaker, Sir, I want to thank the Assistant Minister for making a

good attempt to resolve our problems. The House may wish to recall that, one year ago, in similar circumstances, there were bombings of Kenyans who had crossed the border in search of pasture. There was an attempt to ensure that we do not have another tragedy like that taking place in those areas.

**Mr. Deputy Speaker, Sir,** while appreciating the efforts by the Assistant Minister, it is very clear in the answer that only the Turkana and the Karamoja communities--- That is Kotido District in Uganda and Turkana North in Kenya. There is another Karamoja group known as the Matheniko in Turkana Central. Given that they are not allowed to move with their cattle and their weapons, what are you going to do where the local administration, under the District Officer (DO), Losiriana, does not have a vehicle to monitor those pastoralists? The Officer Commanding Police Division (OCPD) in Lodwar cannot reach there! When are you giving them capacity to do all the things you have suggested, Mr. Assistant Minister?

**Mr. Ojode:** Mr. Deputy Speaker, Sir, the meeting is between the elders within the borders. If the hon. Member wants us to do some mobilisation, that is a very simple thing. We have agreed that the community and the committee members who have now agreed on the possible migration, must be having a mechanically sound vehicle which can move. We have also agreed that the OCPD will also gain when we are supplying the new Land Rovers. But this time round for Lodwar, we are going to give a Land Cruiser to enable those fellows to cut across the border.

Mr. Deputy Speaker, Sir, what else does he need?

**Mr. Deputy Speaker:** Order, Mr. Assistant Minister!

Next Question!

**Mr. Ethuro:** On a point of order, Mr. Deputy Speaker, Sir. I am extremely satisfied, but I want him to tell us when he is going to supply those vehicles. This is the umpteenth time he is promising the same!

**Mr. Deputy Speaker:** Order! When are you going to supply what you have promised, Mr. Assistant Minister?

**Mr. Ojode:** Mr. Deputy Speaker, Sir, he is a friend of mine! We had agreed that---

**Mr. Deputy Speaker:** Order! This issue is not about friendship!

**Mr. Ojode:** Mr. Deputy Speaker, Sir, we had agreed that he will get a vehicle as soon as we get the new plates which are coming in any time next month.

**Mr. Deputy Speaker:** Let us move to ordinary Questions. Next Question by hon. Baiya!

## ORAL ANSWERS TO QUESTIONS

### *Question No.193*

#### MEASURES TO RAISE THE NUMBER OF PUISNE AND APPEAL JUDGES

**Mr. Baiya** asked the Minister for Justice, National Cohesion and Constitutional Affairs:-

(a) whether she is aware that the backlog of cases currently crippling the Judiciary, especially at the High Court and Court of Appeal, is due to limited number of judicial officers; and,

(b) what the Minister is doing to raise the number of Puisne Judges and Judges of Appeal in compliance with the provisions of the Judicature Act, Cap. 8 of the Laws of Kenya.

**The Minister for Justice, National Cohesion and Constitutional Affairs (Ms. Karua):**

Mr. Deputy Speaker, Sir, I beg to reply.

(a) I am aware that there have been many cases---

**Mr. Baiya:** On a point of order, Mr. Deputy Speaker, Sir. I do not have a written answer to this Question.

**Mr. Deputy Speaker:** Do you want this Question to be deferred until the Minister avails a written answer?

**Mr. Baiya:** I want it that way, Mr. Deputy Speaker, Sir.

**Mr. Deputy Speaker:** Okay. It is so ordered! Madam Minister, make the written answer available to the hon. Member. The Question should appear on the Order Paper at the earliest time possible.

*(Question deferred)*

**The Minister for Justice, National Cohesion and Constitutional Affairs (Ms. Karua):** May I say something, Mr. Deputy Speaker, Sir?

**Mr. Deputy Speaker:** No! Order, Madam Minister! Order!

Next Question by Mr. Mwiru!

*Question No.273*

COMPENSATION TO FAMILIES  
EVICTED FROM MARIMANTI

**Mr. Mwiru** asked the Minister for Livestock Development:-

(a) whether he is aware that about fifty seven (57) families were displaced to give way for approximately 800 acres of land for the creation of a livestock breeding project at Marimanti, Tharaka District; and,

(b) what the Minister is doing to compensate the affected families.

**The Assistant Minister for Livestock Development (Mr. Duale):** Mr. Deputy Speaker, Sir, I beg to reply.

(a) Yes, I am aware that 54 families - and not 57 - were relocated to create room for the establishment of a sheep and goats breeding project.

(b) My Ministry is making arrangements to compensate the affected families for their crops and temporary shelter. So far, Kshs680,000 has been earmarked to compensate the affected families in this financial year.

Thank you, Mr. Deputy Speaker, Sir.

**Mr. Mwiru:** Mr. Deputy Speaker, Sir, I appreciate the answer by the Assistant Minister. But the most unfortunate thing is that he is giving more attention to the animals than the people. Do you realise that Kshs680,000 divided by 54 families translates to about Kshs12,000 per family?

Mr. Deputy Speaker, Sir, we are talking about compensation for the crops and, of course, the land that those people have been living on - the 800 acres of land. Right now, the valuation for land in that place is about Kshs200,000 per acre. I wish to know from the Assistant Minister whether there is any other money that has been set aside to compensate those families. He should ensure that more than Kshs680,000 is provided for!

**Mr. Duale:** Mr. Deputy Speaker, Sir, yes, we are giving a lot of attention to the livestock sector. But, at the same time, we are giving attention to the human beings. But the livelihoods of those people--- The breeding system in this country is also very important. But I want to tell the hon. Member that, as a Ministry, we only have Kshs680,000 this financial year. In that line, we are

compensating for the permanent crops that were lost. Those are mangoes, pawpaws, bananas and the temporary thatched houses.

Thank you, Mr. Deputy Speaker, Sir.

**Mr. Deputy Speaker:** Last question, Mr. Mwiru!

**Mr. Mwiru:** Thank you, Mr. Deputy Speaker, Sir. Those people have lived in squalor as squatters in their own neighbourhood since 1980. Those are 28 years down the line. I do not understand when the Assistant Minister tells me that those people will only be compensated for mangoes and whatever else they had planted. You realise that 28 years down the line is a lot of time for people who have lost their livelihoods.

Mr. Deputy Speaker, Sir, I am asking the Assistant Minister to put a human face on that particular matter. Those people have even lost their livelihoods and most of their children have not gone to school up to now. They are squatters in their own land!

Mr. Deputy Speaker, Sir, could the Assistant Minister really ensure that those people are further compensated, and not just for the mangoes that they lost 28 years ago?

Thank you, Mr. Deputy Speaker, Sir.

**Mr. Duale:** Mr. Deputy Speaker, Sir, as I have earlier stated, Kshs680,000 has been earmarked for the 54 families who were illegally occupying Government land meant for expansion and development of breeding system. This what we have got this financial year. But I can assure the Member that we will visit the area to see for ourselves and we will discuss it further.

**Mr. Deputy Speaker:** Order, hon. Members! The Chair directs that the Questions by Messrs. Wamalwa, Kapondi, Dr. Munyaka, Mr. M. Kamau; Dr. Otichilo, Ms. Noor and Mr. ole Lankas be put on the Order Paper at the earliest opportunity.

*Question No.242*

RESETTLEMENT OF SQUATTERS  
IN TRANS NZOIA

*(Question deferred)*

*Question No.258*

SACKING OF POLICE CONSTABLES

*(Question deferred)*

*Question No.208*

CHRONIC WATER SHORTAGE IN  
MACHAKOS TOWN

*(Question deferred)*

*Question No.291*

ASSESSMENT OF UNEXPLODED

## BOMBS IN GITURA DIVISION

*(Question deferred)*

*Question No.240*

DELAY IN AUDITING OF SCHOOLS  
IN EMUHAYA CONSTITUENCY

*(Question deferred)*

*Question No.275*

DELAY IN OPERATIONALIZATION  
OF CDF HEALTH FACILITIES  
IN IJARA DISTRICT

*(Question deferred)*

*Question No.252*

DELAYED CONSTRUCTION OF NAROK  
SOUTH DISTRICT HEADQUARTERS

**Mr. Deputy Speaker:** Hon. Members, I wish now to interrupt the Business of the House and call upon the Leader of Government Business to move the Motion of Adjournment.

**MOTION FOR THE ADJOURNMENT**ADJOURNMENT TO A DAY OTHER THAN  
THE NEXT NORMAL SITTING DAY

**The Minister for Justice, National Cohesion and Constitutional Affairs** (Ms. Karua):  
Mr. Deputy Speaker, Sir, I beg to move:-

THAT this House do now adjourn until Tuesday, 7th October, 2008.

Mr. Deputy Speaker, Sir, traditionally, the House goes on recess around this time to the beginning of October to enable the Committees of this House to concentrate on their work, to enable hon. Members to pay more attention to their constituency work and also to enable other Government businesses to go on in the offices. The adjournment Motion was agreed upon by the House Business Committee and it is in line with the calendar. In fact, we were scheduled to rise last week, but an extension of one week was given to enable us to debate various legislations for which I want to pay tribute to this House. We were able to pass the Second Reading of three very important negotiated Bills. We shall now have time to fine tune the amendments that maybe necessary during the Recess so that we can take the process forward. Among those Bills is the National Ethnic and Race Relations Commission Bill, the Truth, Justice and Reconciliation Commission Bill and the Constitution of Kenya Review Bill.

Mr. Deputy Speaker, Sir, I urge hon. Members to debate this Motion and to allow us to

proceed on adjournment to enable us to get fresh for the next session. I want to acknowledge that, today, I was approached by the Department Committee on Finance, Planning and Trade seeking a review of the Order of the Business of the House today.

But unfortunately, although the House Business Committee meeting was convened, the notice was too short. We were not able to attain quorum. We, therefore, could not discuss their request.

Mr. Deputy Speaker, Sir, I want to be very brief in moving this Motion and also say that the events of this session and the events of the beginning of the year have taken a toll on us, I believe each and every Kenyan and more so hon. Members who have to deal with various issues arising out of that. The recess will give a good chance to further the issue of reconciliation and healing and also to attend to the issues arising there from.

With those very few remarks, I beg to move and ask Mr. Wetangula to second.

**The Minister for Foreign Affairs** (Mr. Wetangula): Thank you very much, Mr. Deputy Speaker, Sir. I rise to second the Motion.

It is routine that we do always adjourn so that we can give hon. Members time to go and be with their constituents and attend to the constituents issues particularly matters pertaining CDF and project management. More importantly, this is also an opportunity for the House Committees; watchdog and other Committees of the House to have ample time to carry out their work of oversight, scrutiny of Government expenditure so that by the time we reopen, they would have done quite a bit of work.

Mr. Deputy Speaker, Sir, more importantly, in my view, this country is still in need of a state of healing. I would want to see a situation where all of us here can move together not necessarily as a whole House; but we would wish to see hon. Members from the Mt. Kenya region visiting the Rift Valley Province and vice versa, hon. Members from Nyanza Province visiting Mt. Kenya, hon. Members from Western Province visiting Coast Province so that we can be able to show the country that, as a nerve centre of leadership in this country, we are leading from the front in telling Kenyans that we are one. We must move together. We must avoid ethnic prejudices that have plunged this country into problems so that we can be able to bring our country together.

Mr. Deputy Speaker, Sir, equally important is to give an opportunity to Ministers particularly those that are in the service and infrastructure Ministries to be able to go around the country, see for ourselves and feel the problems that people have. You realise that we are asked Questions here about road, security, co-operatives and agriculture. I would want to see a situation where the Minister for Roads will take time to go around the country with colleagues to see the pressures that drive hon. Members to ask Questions here. I would like to see the Minister for Agriculture visiting coffee growing areas to know the problems of coffee growers, sugar growing areas to know the problems of sugar growers. This will also be very helpful.

I want to end by urging the Minister responsible for higher education and universities to look into the management of the Higher Education Loans Board. The centralisation of this organisation in Nairobi does not help this country at all. I would want to see a situation where the HELB opens branches, at least, in either every province or where we have a vast province like the Rift Valley, in about three or four other towns of the province so that students and parents who want to access these loans have an easier time to access the management of the loans so that they can be facilitated. You can imagine a student from Mandera or Busia travelling all the way to Nairobi and they are not even given the loans. I would want to urge that we move into decentralisation of this organisation so that it can give people quality and better services.

Let me end by urging hon. Members that this is, indeed, a bi-partisan Motion that should be supported by all of us so that we can go and do alternative work other than being on this Floor day



in, day out.

With those few remarks, I beg to second.

*(Question proposed)*

**Mr. Olago:** Mr. Deputy Speaker, Sir, I rise to oppose the Motion for the Adjournment.

Mr. Deputy Speaker, Sir, I have listened to the contributions by hon. Ministers, namely, hon. Ms. Karua and hon. Wetangula, my junior learned friends, and I wish, with all due respect, to disagree with them. The time is not ripe for the adjournment of the proceedings of this House. It is true that many Members in this House have not had the time to visit their constituencies, look at their Constituencies Development Fund (CDF) Committees and do other matters that are relevant to being Members of Parliament. However, there are many things that this House needs to deliberate. We are certain that there are matters that need the attention of the House and which are of national interest.

I have in mind the Report of the Committee of the House dealing with the issue of Grand Regency Hotel and hon. Kimunya. To adjourn the proceedings of the House, as proposed, would jeopardise the public interest of Kenyans who are looking at this House to give leadership. My humble view is that this Motion be defeated and, if possible, the proceedings of this House go on next week, so that we can deal with matters of national importance.

Thank you, Mr. Deputy Speaker, Sir.

**Mr. Namwamba:** Thank you, Mr. Deputy Speaker, Sir. I rise to oppose this Motion.

Even though my two learned seniors have made a case that sounds persuasive on the face of it, it nonetheless camouflages some fundamental issues which must be considered as we defeat this Motion - hopefully - in the best interest of this nation.

Mr. Deputy Speaker, Sir, first, we do know that whereas it has been argued that we need time in our constituencies, we do need to admit that we do have time in our constituencies anyway even during sittings of this House. I think both our constituents and the nation at large expect that we shall have the capacity to balance the work in our constituencies and this House. There is a concern out there, about the work rate of this House and the time we set aside to deal with issues of national importance. I want to remind this House that even as we discuss this Motion, there are certain critical issues that are on the minds of people and are disturbing the conscience of this nation. The people of this country are eager to see a logical conclusion to these issues.

It has been mentioned that this House is expecting the Report on the Grand Regency Hotel matter. Last Tuesday, this House debated at length the matter of the irregular concession of the Kenya Railway Corporation. The Prime Minister did give an undertaking that he would present a substantive report on this matter in two weeks. We do not want the Government to have the opportunity to lead this country into a state where the people lose sight and concentration on these matters. I think it is essential that this House sits until, at the very least, the Grand Regency Hotel and Kenya Railways matters are concluded by this House.

Mr. Deputy Speaker, Sir, I want, therefore, to urge this House that we can afford to sit further until critical issues that have not been resolved are resolved. I also know, for instance, that whereas I want to spend more time in Budalangi Constituency, but I also have business on the Order Paper that directly affects my people in Budalangi, that I would want concluded by this House before I head to Budalangi. Let us defeat this Motion and do serious work as expected by the people of this country.

Thank you.

**The Assistant Minister for East African Community** (Mr. Munya): Thank you, Mr. Deputy Speaker, Sir. I rise to support the Motion for Adjournment for the following reasons. We

have been here, in the House, and transacted a lot of important business for the period that we have been here. Time has come to do the other very important part of our business; to go and inspect projects and present cheques for the projects that are running. Money for the projects was released the other day and we have not been able to have time to go there and see that the CDF projects are running as they should. Even though we have committees on the ground, it is also very important, as Members of the House, to be on the ground to see that nothing is going wrong when this money is being used.

Mr. Deputy Speaker, Sir, the fact that we have a lot of pending work, does not mean that we cannot adjourn. This House will always have work. This is my second term in Parliament and we have always had work to do. We deserve a rest so that when we come back, we will be energized, fresher and ready to look at those very pertinent issues that Members are raising. We have even constitutional matters that we should have dealt with. Since we feel that these matters are so important, we need enough time to digest them. We need enough time to read those Bills, so that when we come here, we are thoroughly prepared to look at them and make the right decision. If we hurry up some of these issues, we may not make the right decision.

In particular, I want to mention the issue of the Grand Regency Hotel or the "Kimunya Report." I do not see why one report of this House, when there are many other reports that are coming up, should make us not to adjourn, in order for us to look at it. The Report will be here when we come back---

**Mr. Deputy Speaker:** Order, hon. Member! This is a Motion for Adjournment. You debate the merits and demerits of adjournment! As far as the House is concerned, that Report has not been laid on the Table of the House, and you cannot debate it! Hon. Member, you must understand the rules of the House and abide by them!

**The Assistant Minister for East African Community** (Mr. Munya): Thank you, Mr. Deputy Speaker, Sir, for reminding me. I hope that the other Members who were debating the report in advance, could also take note of your ruling; that this is not the time to anticipate debate. They have to proceed with the Motion for Adjournment.

Mr. Deputy Speaker, Sir, there has been a big problem in the country concerning insecurity. Even as we adjourn, I hope the police force can come up with a better plan to deal with the insecurity that is now all over the country. Especially in my constituency, there has been a major problem of insecurity and people have been killed. Two weeks ago, people were killed in Mikinduri near a police station. I have reports that the police had information that those gangs were coming to attack people there and no action was taken. Indeed, I even had information that the police have been befriending those gangsters who have been terrorising people in my constituency. I am asking the Commissioner of Police to take action, specifically against these police officers who are manning Mikinduri Police Station, so that this matter of insecurity in my constituency can be dealt with once and for all.

With those few remarks, I beg to support.

**Mr. Mureithi:** Thank you very much, Mr. Deputy Speaker, Sir. I rise to support this Motion for Adjournment. We have been here for the last seven months and, unfortunately, did not reach us on time. It has just come and this is the time, in addition to going through the committees to look at the pending work, to go back to our respective constituencies. Particularly, I will go back to Ol'Kalou Constituency to distribute this CDF money.

Secondly, I will be able to look at the issue of the roads because it is raining heavily. The roads are not passable at all. Thirdly, I will be able to look at the potatoes which are being sold illegally against Gazette Notice No.44. Instead of selling potatoes in sacks of 110 kilogrammes, they are being sold in double bags. That was passed by the Ministry of Agriculture. I will also be able to look at some of the problems that my constituency is going through.

Mr. Deputy Speaker, Sir, for those reasons, I support the Motion for the Adjournment.

**Mr. Wamalwa:** Thank you, Mr. Deputy Speaker, Sir. I rise to oppose the Motion. First, my Question was the next one on the Order Paper when the Motion was moved. It touches on a very important issue of squatters in this country.

Mr. Deputy Speaker, Sir, I come from Trans Nzoia District which is the headquarters of squatters in Kenya. Many of my constituents are squatters. As I go home for these three months, they would want to know their fate. They are afraid that there was no provision in the Budget this year for settlement of squatters. They has been almost Kshs2 billion allocated. Farms have been bought in other provinces but no settlement of squatters in Trans Nzoia has been done. I believe that the Question will come to the House on Tuesday if the House does not adjourn today and I am likely to go home with an answer.

There are also matters of vital national importance before this House including the Report from the Committee on Finance, Planning and Trade which was to be tabled. It is a matter that cannot leave the nation in suspense for three months until October. When we go home, we need to tell the people what happened to the Grand Regency Hotel. There is a dangerous trend in the affairs of this nation. Of late, we have had the trend of foreigners coming into this nation to buy and take over prime assets including one in the heart of the capital city of this nation; the Grand Regency Hotel. It also includes the national railway line which was taken over by Rift Valley Railways (RVR).

Mr. Deputy Speaker, Sir, we are expecting and, indeed, the Prime Minister did assure this House, that by next week, he is likely to bring an answer. We are aware that there have been talks with Uganda and Tanzania. We are expecting that when we go home and we have been properly briefed by the Prime Minister as to the fate of the RVR, we will be able to sit with the people at home and tell them that something is being done about the national railway line. We will have the information after being briefed.

Apart from the railway line, yesterday in this House, there was the issue of Kenya Airways and foreigners coming into the country to take jobs. Jobs that Kenyans could do but perhaps we do not have enough Kenyans who can speak the French language. There are worrying issues of foreigners coming to this country, that this nation needs to address. Adjourning at this moment in time, when the nation is curious to know what exactly is happening, will not be fair to Kenyans. As we go home as Members, we will have a lot of questions to answer, yet we do not have the answers yet. A week more, might enable us to get these answers.

For these reasons, I oppose.

**The Assistant Minister for Regional Development Authorities** (Mr. ole Metito): Mr. Deputy Speaker, Sir, I rise to support this Motion.

Mr. Deputy Speaker, Sir, our responsibility as national leaders does not end in this House. We have a lot to do in our constituencies. We should also have time to go and show leadership at the constituency level. Yesterday this House adjourned to discuss a matter of national importance touching on security in the North Rift. I think we should adjourn in order to go and show leadership out there and unite the communities fighting over cattle rustling. Others should go out there to preach peace and reconcile this country.

Mr. Deputy Speaker, Sir, a lot has been said about the Constituencies Development Fund (CDF). We just received the money the other day and we should go and oversee the implementation of projects. This year is a year of transition with regard to CDF. I think we have not had much time to oversee that transition. This is because the money delayed. I think it is good time to get a break so that we ensure that proper transition takes place.

I would like to urge the Ministry for Youth and Sports to facilitate and speed up the release of youth funds meant for sports - the Kshs1 million per constituency - so that in the two months,

we can get time to nurture the youth talent at the constituency level. This time when Olympic Games will be going on in Beijing, we should be busy supporting our Kenyan team through the management of the Youth for Sports Programme.

Mr. Deputy Speaker, Sir, I would kindly ask the Minister for Youth and Sports - I can see he is really appreciating - that, before she leaves for Beijing to support our team, he should disburse the Kshs1 million to the constituencies so that would complement by forming youth leagues at the constituency level.

I ask my colleagues to support this Motion.

**Mr. Deputy Speaker:** The hon. Member behind Mr. Wambugo! Please, remind me of your name.

**Mr. J.M. Kamau:** Mr. Deputy Speaker, Sir, my name is Mr. Maina Kamau the Member for Kandara.

Mr. Deputy Speaker, Sir, I rise to support this Motion. I would like to ask why Members do not want to go and visit their constituents. I am sure that amongst all the Members in this House, no one managed to garner 100 per cent votes in his or her constituency. Most of us garnered 30 per cent to 40 per cent. This is the best time that one should go home and talk to the 60 per cent who were left out, so that you build yourself.

There are Members who have said that when they get home they will not have answers to the sale of Grand Regency and RVR.

However, some people in Kandara have never been to Nairobi. The question they are likely to ask me is not about the Grand Regency. They will ask me about the CDF. The Grand Regency and RVR are news to them. So, I do not see why I should actually vote down this Motion. Even a very big and important athlete who runs very fast, at one time needs to relax. You cannot run for ever!

Mr. Deputy Speaker, Sir, there are so many issues that we need to handle like the CDF. A Member has just pointed out here that the CDF money has just been released. Why can we not go home and manage that money? Some of us have never got the teams working. This is the best time that we should go talk to them so that we make sure that CDF reaches everybody.

With those few words, I beg to support.

**The Minister for Gender and Children Affairs (Ms. Mathenge):** Mr. Deputy Speaker, Sir, thank you for recognising gender I was wondering what was happening!

We have all talked about adjournment. I stand here to support it. We have come through a very big crisis in our schools and children are going home. They are closing schools and others are already closed. I feel it is very important that we all go back to our constituencies to find out what is ailing our schools and children. We cannot do this substantially if we are in Parliament. So, I beg to support this Motion and hope that by the time we come back in October, we will have found solutions to the problems that are in our schools.

Mr. Deputy Speaker, Sir, the CDF money has also just reached some constituencies and not others. Unless we go home and make sure we streamline the jobs and its implementation, I can assure you we shall not feel the impact of the money on the ground.

I support the Motion.

**Mrs. Shebesh:** Mr. Deputy Speaker, Sir, I rise to oppose this Motion.

*(Applause)*

I would like to comment on some of the issues that Members are raising such as CDF and having time to go to the constituencies. I am sure there are many Members who have been visiting their constituencies. They have not been waiting for an adjournment to do that. Mr. Deputy

Speaker, Sir, I also believe that management is not only by being there, it is also by delegating. We have issues of national importance in this Parliament that have kept the country on its toes, waiting to see what this Parliament is going to do. I am going to speak about the Grand Regency Hotel sale again. This House raised the issue of Grand Regency Hotel. Now, there is another Commission doing the same work on this. The Departmental Committee on Finance, Planning and Trade was mandated to investigate the matter and bring their Report to this House. What is the credibility of this House if the first report that will come out is what is being seen on television through the Commission that has been set up by the President?

**The Assistant Minister for East African Community** (Mr. Munya): On a point of order, Mr. Deputy Speaker, Sir. You pointed out that the Grand Regency Hotel issue should not be debated.

**Hon. Members:** She is not debating!

**The Assistant Minister for East African Community** (Mr. Munya): What is she doing?

**Mr. Deputy Speaker:** Order, hon. Members! Please, Mrs. Shabesh, do not anticipate debate on a Report that is yet to be laid on the Table.

**Mrs. Shebesh:** Mr. Deputy Speaker, Sir, that is not my intention. I am pleading with this House to allow credibility to be seen from the part of the Departmental Committee on Finance, Planning and Trade and this House which gave it that work so that we can execute the mandate that the people of Kenya have given us.

With those few remarks, I beg to oppose.

**The Assistant Minister of State for Defence** (Maj-Gen. Nkaisserry): Mr. Deputy Speaker, Sir, I stand to support this Motion. In this House, we have the Front Bench and Back Bench. For the Ministers to know how this country is developing, we need this recess. Why am I saying this? If you take the example of the Ministry of Energy, we have given it a lot of money and we need rural electrification. We need the Minister to go round constituencies in order to find out how the money is being utilised. The same applies to the Ministry of Water and Irrigation. We have given that Ministry a lot of money. Hon. Members who represent dry areas in this country, like myself, need to identify these projects and ensure that they are properly funded.

Mr. Deputy Speaker, Sir, the various Departmental Committees have a lot of work. For example, the Departmental Committee on Administration, National Security and Local Authorities intends to visit the hotspots in this country and bring a report to this House. Another example is the Departmental Committee on Agriculture, Lands and Natural Resources. We have a problem with the Mau Forest ecosystem. This is the time to go on the ground and find out the real problems. As leaders of this country, we need to go back and heal the nation. We need time to move around. For example, Members of the Amani Forum need to go around the country to help heal our people. So, we need this recess.

More importantly, some of the hon. Members do not understand the Standing Orders. They need to go and study the Standing Orders.

**Mr. Olago:** Order, Mr. Deputy Speaker, Sir!

**Mr. Deputy Speaker:** Order, Mr. Olago! What order! You do not order the Chair. Proceed, Maj-Gen Nkaisserry!

*(Laughter)*

**The Assistant Minister of State for Defence** (Maj-Gen. Nkaisserry): Thank you, Mr. Deputy Speaker, Sir. This is one example and they need to go and study the Standing Orders.

*(Laughter)*

**Mr. Olago:** On a point of order, Mr. Deputy Speaker, Sir. Is it in order for the Assistant Minister to say that there are Members of this House who do not understand Standing Orders?

**Mr. Deputy Speaker:** Order, Mr. Olago! Indeed, you are living example of that! You ordered the Chair instead of rising on a point of order.

Proceed, Mr. Assistant Minister!

*(Laughter)*

**The Assistant Minister of State for Defence** (Maj-Gen. Nkaisserry): Thank you, Mr. Deputy Speaker, Sir. That is exactly why we need this recess. Some of the hon. Members, instead of asking a question, they engage in debate. We need to understand the Standing Orders of this House so that we offer leadership.

We have had crises in our secondary schools. I, therefore, concur with Ms. Mathenge that it is high time we went to offer leadership and find out the problems afflicting our schools.

With those few remarks, I beg to support.

**The Assistant Minister for Education** (Prof. Olweny): Mr. Deputy Speaker, Sir, I beg to support the Motion. In my opinion, hon. Members need a rest. They have worked for quite a while and many of them are tired. It is evident by the daily quorum hitches in this House. Even as we talk now, look at the Back Benches, that means hon. Members need a break so that they come back with more energy to push the Motions in this House.

Mr. Deputy Speaker, Sir, I wish to congratulate the Grand Coalition Government for having brought order to the country. The Government has pacified citizens of this country. It has helped to resettle the IDPs in this country. It is now time for hon. Members to go and help. They need to supplement with their efforts the work the Government has done.

Mr. Deputy Speaker, Sir, we now have problems with our kids in schools. I beg hon. Members to go back home and try to bring order amongst the kids. They are our children! The other day, one Member approached me and told me that he wanted his kids to be transferred from one school to another. I told him, "No, we cannot do that. We have to be sure that your kid is well-behaved." The hon. Member then started to order me. I told him, "Maybe your kid is ordering the principal---" We want hon. Members of this august House to go back home and train our kids how to behave in schools.

With those few remarks, I beg to support.

**Mr. Okemo:** Mr. Deputy Speaker, Sir, much obliged after a long time. I stand to oppose the Motion of Adjournment. I have very good reasons for doing so.

Mr. Deputy Speaker, Sir, it is necessary that Parliament performs its functions which are mainly oversight and representation. These functions must be balanced as has already been stated by my colleagues. National healing does not require a recess. It is a continuous process and it is something that we do all the time wherever we are. We do not need to go on recess to do that.

Secondly, Mr. Deputy Speaker, Sir, the Government has 40 Ministries and yet so far, this House has only debated Votes for four Ministries. Surely, are we being told to go on recess then come in October, pass the Appropriations Bill at the end of that month and then guillotine the rest of the Votes for the remaining Ministries? Is that what this House is really supposed to be doing? Will that be fair to this country? We are talking about a Budget of over Kshs700 billion and yet the Votes we have dealt with do not even cover 25 per cent of that.

Mr. Deputy Speaker, Sir, besides the Committees doing their work, it is important--- Even the CDF money they are talking about is captured in the Printed Estimates. We need to be sure that

this money has been allocated before we go to see what it is doing there. We are not really saying that we adjourn forever or that we do not go on recess at all. All we are saying is that we should give ourselves some extra time, maybe, one week or two weeks more in order to complete some of these important things and even provide for a few extra Ministerial Votes to be debated. After that, we can go to our constituencies.

Mr. Deputy Speaker, Sir, in conclusion, it is important that Committees do their work. That has been said by many of the hon. Members. However, if you do your work and you cannot present a Report or you do not have one to present, you really will have done nothing as was demonstrated this afternoon.

Thank you very much.

**The Minister for Energy** (Mr. Murungi): Mr. Deputy Speaker, Sir, I stand here to support this Motion. This name we are called *Mjumbe* is a Kiswahili name which means messenger. We are messengers who have been sent here by the people of Kenya. This break is not an accident. It has been deliberately created so that we can keep in constant consultations with the people who elected us.

So, we need the break, so that we can go and get the *ujumbe* from *wananchi* and bring it to *Bunge*. I am sure that none of the Members of Parliament here has been able to visit every village in his or her constituency. We are now on live coverage. If you say that you have covered your constituency, when they know that their village has not been attended to, they will be waiting for you in the next elections. I am one of those hon. Members who has not had time to visit all the villages in my constituency to receive *ujumbe* from them. So, I need this break to go and consult with them.

Mr. Deputy Speaker, Sir, we have a very important matter pending before us which affect us as Members of Parliament, namely, the Political Parties. According to the Political Parties Act, as we sit in this House, all our parties are on provisional registration. We have up to the end of the year to regularise the affairs in our political parties, so that we can have full registration, under the Political Parties Act. We do not have much time. We need the months of August and September to go back and create party machinery, party structures and party leadership across the country.

Mr. Deputy Speaker, Sir, the requirements of the Political Parties Act are really onerous. They intend to convert the "briefcase" political parties that some of us have to full political parties. Therefore, it is in our own interest that we support this Motion, so that we can comply with the requirements of the Political Parties Act.

With those remarks, I beg to support.

**Mr. Abdikadir:** Mr. Deputy Speaker, Sir, I rise to support the Motion and say that this House's important work is to state truism. By its very nature, Parliament's work is always important. The issue really is how to balance.

The responsibilities of a Member of Parliament are of several compartments, one of which is legislation. The other two major compartments are representation and oversight. Both those two function best when the House is not in session, or when the Member of Parliament is himself or herself out of the House.

Mr. Deputy Speaker, Sir, I have been very active in Committee work over the last couple of months. Currently, the Committee I chair handles the largest chunk of the Bills before the House. We have had about seven Bills before us. That work really requires a Member of Parliament to be out of the House.

A former and famous President of the United States of America (USA), who was also a Congressman, and wrote a seminal book on the operations of the Congress, said of Congress: "Congress in Committee is Congress working, and Congress in session is Congress on show."

*(Applause)*

Mr. Deputy Speaker, Sir, most of the work of the House, even in legislation, really takes place in Committee work. That is where we are headed, to strengthen Committee work. We have several important Bills before us, in Committee. The Bill on the roadmap on the constitutional review is before our Committee. We have very many members of the public who wish to inter-face with our Committee in terms of the work the Committee is doing, and to impact an import on the work the Committee is doing

All this requires the Committee to have time, so that its Members can sit outside the time of the House. It is not that we have not been sitting while the House was in session. It is that we have been sitting, literally, two to four times a week for the previous several months. That work will be most helped if we can now take a breather and handle it properly, especially for the two Bills, or the three Bills, or the four Bills that are out of the Serena process.

Mr. Deputy Speaker, Sir, another function of a Member of Parliament is representation. Of course, representation is done when hon. Members either seek answers for Questions or represent their constituents in the House. However, this function is performed more effectively when, as they say, "rubber touches the road." It really happens when you are with your constituents at the constituency-level, or when you are doing their work in Government offices or in other public offices in Nairobi. That work will really be helped if we can have that recess.

Finally, people have talked about the Constituencies Development Fund (CDF). The CDF chunks that were released, for the majority of Members of Parliament, 50 per cent or more of the allocation for the last financial year is what has been released. In my case, 75 per cent of the allocation for the last financial year has just been released. So, for most Members of Parliament, we have between Kshs25 million-Kshs30 million in the CDF account just two or three weeks ago. That money requires the actual presence of - not by law, but practically speaking - the Member of Parliament, so that it can be properly oversighted.

Mr. Deputy Speaker, Sir, therefore, for purposes of the work that we have, as Members of Parliament, and for purposes of balancing the different compartments that a Member of Parliament has to do, it is important that we negotiate this process, so that we have some time.

Finally, on the importance of the Report that is supposed to have been tabled, I believe we will have time for that Report when the House re-convenes. There is nothing which will stop us from debating it then.

Thank you, Mr. Deputy Speaker, Sir.

**The Assistant Minister for Medical Services** (Mr. Mungatana): Mr. Deputy Speaker, Sir, I rise to support this Motion.

I just want to plead with the House for a few minutes. On Wednesday morning, a Motion was moved here, which sought to change the membership of the Parliament Service Commission (PSC), so that Members of Parliament can be subject to other bodies other than ourselves, in terms of looking after our affairs. That Motion was debated here by about ten of us. It was just because some of us were able to see it and plead with the Mover to withdraw it. All of us were going to be affected by that decision had the House adopted the Motion. Some of hon. Members were not here.

Mr. Deputy Speaker, Sir, yesterday, we had the Constitution of Kenya Review Bill, which seeks to set out the organs of the review process, which include the Committee of Experts, the Select Committee, Parliament itself and a National Referendum, as well as provide for the laws necessary to kick-start the review process. We debated that Bill here and lacked quorum. The Division Bell rung here for five minutes, but we were unable to raise quorum.

On Thursday, five of us sat here. We were debating the Political Parties Act (Rules), which are the subsidiary Rules that actually require the things that we need to do to political parties in



order for us to run the affairs of those political parties. That law was brought here by the Electoral Commission of Kenya (ECK), through the Ministry of Justice, National Cohesion and Constitutional Affairs. One Rule, for instance, requires that if you change the membership of the office bearers of a political party, you have to inform the ECK within 14 days. If you do not do so, there are penalties.

Mr. Deputy Speaker, Sir, all of us here know that running political parties is a grave affair. We need more time to organise our political parties. If some of us were not here to debate those rules and change that provision to 30 days, all of us would have been affected. We changed many other things. For instance, one of the rules sought to provide for all branches of political parties to be confined within the district boundaries, and yet we know that the administrative boundaries are not the electoral area boundaries. We were five of us in this House then.

I remember, Dr. Khalwale, seated on the other side of the House, while myself, Mr. Cheptumo, Mr. Githae, and others, sat on this side of the House. We concluded the passage of those rules, which affect all of us at 6.30 p.m., but hon. Members were not here. However, I do not blame hon. Members for not being here, because Members of Parliament are busy. They are not here because they are tired. It is not a shame to accept that we are human and, sometimes, we can get tired. Sometimes, we can need a break, not even to go and consult, but we can need a break so that we can re-organize, re-energize and take the affairs of this House seriously. I am pleading with this House: Let us just be honest with ourselves and accept it. If we do not do things the way they are supposed to be done, then we may not be heading in the right direction. I urge that, from practical experience, and for those of us who spend a lot of time in this House, it is true--- I am sure that hon. Members whom we spend time here together, from the attendance and the quorum, when it comes to debating Bills and serious business of the House, we are very few. So, I am pleading that we accept to pass this Motion, take a break and come back to continue with business.

Mr. Deputy Speaker, Sir, if you look at the parliamentary programme, which we are given every week, there is a very critical Constitutional Motion that seeks leave from this House to amend the Constitution to provide for the control of the calendar of this House. That Motion will be moved by Mr. Ethuro. I am urging this House that when that Motion comes, we can pass it. But for now, let us go the way we have moved previously.

Thank you.

**Mr. Kombo:** Mr. Deputy Speaker, Sir, I rise to oppose the Motion for Adjournment. This country was promised a new Constitution within a year. Both PNU and ODM made that solemn promise. Out of the clashes that engulfed this country, Kenyans were told that one of the ways to solve the problems affecting the country is to have a new Constitution. Therefore, the Bills that the Minister for Justice, National Cohesion and Constitutional Affairs has brought to start the roadmap to a new Constitution are important. I think the House, within one week, can look at those Bills and pass them so that, as we go for recess, we know the roadmap for a new Constitution. We can then talk to our people about it.

My second reason for opposing this Bill regards the events of this afternoon. Members have spoken about the importance of the Committees. If the Committees come up with reports and the House is not prepared to listen to them, then those Committees are being discouraged. The issue of Grand Regency Hotel - and I am not debating it at all--- I am just saying that it is a product of this House---

**Mr. Deputy Speaker:** Order, Mr. Kombo! At no time did the House say that it is not ready to listen to committee reports. All it said is that there are laid-down procedures by the House, itself, which respect traditions and practice. The law cuts both ways. Let us desist from debating that issue. Proceed debating the merits and demerits of the Motion for Adjournment.

**Mr. Kombo:** Mr. Deputy Speaker, Sir, that is the ruling of the Chair and I am not going to

oppose it. But I hope that we shall find time in which we can actually put our case and say that the ruling was not fair to the House.

**Mr. Deputy Speaker:** Order! Mr. Kombo, it is gross misconduct for you to cast aspersions on the ruling of the Chair. I hope that, as a senior Member and a respectable Member, you desist from that.

**Mr. Kombo:** Mr. Deputy Speaker, Sir, I am not casting aspersions at all! But it is only the Chair that is not infallible.

The events were difficult and the nation is waiting to see whether we shall discuss the issues, so that the future of this country and the problems that affect other departments are dealt with by the House. That is all I am trying to say. It is because of that, that I am saying: "Give us until next week." We can adjourn next week on Tuesday or Wednesday and go home to do the things that they are talking about.

With those few remarks, I beg to oppose.

**The Assistant Minister for Youth Affairs and Sports (Mr. Kabando wa Kabando):** Mr. Deputy Speaker, Sir, I rise to support this Motion on the basis of four issues. First, we do know that Members of the Nineth Parliament were presented with the issues to do with the youth of this country and how they constitute a major threat, if their concerns are not addressed. During the post-election period, we saw the violence that arose and how the youth were involved. We also saw that through the uprising of certain youth groups around April and May. Again now, there are issues that are arising in our secondary schools. They have something to do with the concerns of the young people and the leadership of this country. It is important for this House to adjourn so that hon. Members can go to the ground and do a few things connected to the youth, including focusing on the youth

polytechnics. It is very sad that there are certain areas in this country that did not submit the names of youth polytechnics to be supported, in order to equip the young people of this country with skills, so that they can be enterprising and earn a living. This is the opportunity for Members of those areas to go and identify youth polytechnics or areas to be supported, so that the youth could be helped.

Mr. Deputy Speaker, Sir, the Ministry of Youth Affairs and Sports has allocated each constituency Kshs1 million to support sporting activities. Many hon. Members may not have convened committees through which those monies will be channelled to manage sports on the ground. We also need to finalise the package of the Sport Bill, so that issues concerning sports in this country are done in a way that is very institutional.

Mr. Deputy Speaker, Sir, there is need for hon. Members to adjourn so that they can collectively focus on creating awareness on the Women Enterprise Development Fund. We heard from the Minister in charge of that docket that over Kshs0.7 billion was not collected by women in this country to utilise for their development and yet, we know the biting poverty among women in the rural areas.

I support this Motion because we need to go to the ground and focus on creating awareness among the people. I come from a constituency that is only a two hours drive from Nairobi. But there are constituencies that are very far. Those hon. Members need to be persuaded earnestly to go to the ground, form youth committees in the sub-locations and locations, so that they can take advantage of the Youth Enterprise Development Fund.

Finally, we also need to conclude the season of homecomings, so that we are not invited in 2009 for homecoming parties to go and watch bulls fighting. We need to go home.

Thank you. I do support the Motion.

**The Assistant Minister for Youth Affairs and Sports (Ms. Ndeti):** Mr. Deputy Speaker, Sir, I would like to support the Motion. As the Member of Parliament for Kathiani Constituency, I

feel that I should go back home and initiate my Constituencies Development Fund (CDF) projects which have not been initiated. Apart from that, as you know, at the beginning of the year, we never worked very well. So, it is high time we went home at least for two months to work with our people. Some of us work in the Government and we are divided between the Government, constituency and Parliament. So, if we go on recess, at least, we can share out our time for Government and constituency work.

I support the Motion.

**Mrs. Noor:** Thank you, Mr. Deputy Speaker, Sir. I rise to oppose the Motion. As I listen to Members contributing for and against the Motion, the more I am convinced that we should not adjourn the House.

The reasons given in this House today for its adjournment is that Ministers want to go and do or supervise some work in their constituencies. We hear that the Minister for Energy was given a lot of money and the Minister wants to go and implement projects. I am really surprised and it is unfortunate that the Ministers can only work when we adjourn the House and not *vice-versa*. I thought that the Ministries have their technical and support staff like engineers to work and address these issues. They should render services to Kenyans even if we are in session. That is the reason why some of us are really advocating for technocrats to serve as Ministers in this country, so that we have Members of Parliament serving in their constituencies.

**The Assistant Minister for Youth Affairs and Sports** (Ms. Ndeti): On a point of order, Mr. Deputy Speaker, Sir. Is the hon. Member suggesting that we do not need Ministers or Assistant Ministers for the Government to work?

**Mrs. Noor:** Mr. Deputy Speaker, Sir, I did not say that we do not want Ministers and Assistant Ministers. We want Ministers and Assistant Ministers who are working and whose work can be felt by the people in Takaba. Today, you are telling us that until we adjourn you cannot reach people in Takaba. You are needed here the most so that you can reach and serve your constituents in the best way by addressing their issues and problems.

Mr. Deputy Speaker, Sir, people have talked about the schools' crisis. As much as I appreciate that there are problems in our schools, our children have gone to their homes and the only time we can address their issues by consulting, guiding and advising them is when they are in their school environments where there are problems. They do not have problems in their homes. So, that is not an ideal reason for us to adjourn the House to address issues back at home.

We have uncompleted national matters which are supposed to be addressed in this House. We need to have an additional two weeks so that we can complete the business of the House and then we can go out there and do other things. There are hon. Members in this House who have been in their constituencies every weekend addressing issues of CDF and constituting their committees and doing all the necessary things that are required of them. We are leaders and we must be managers. We cannot only be leaders and leave management and say that we want to adjourn so that we can be managers again. For one to be a transparent leader, you must be a manager.

I beg to oppose.

**The Minister of State for Special Programmes** (Ms. Shaban): Asante sana Bw. Naibu Spika. Nasimama kuunga mkono Hoja hii, kwanza kwa hali ya majonzi na masikitiko sana. Nimeshangaa kuwa Wabunge Maalum wanaweza kusimama na kusema kwamba hakuna umuhimu wa kuenda kwa eneo la uwalikishi Bungeni. Ndio, hakuna umuhimu kwao kwa sababu hao hawana maeneo ya uwakilishi Bungeni. Kwa hivyo, ninaomba kuwa wasitueleze umuhimu wa kuenda kwa maeneo ya uwakilishi Bungeni. Sina dharau, lakini nasema hivyo kwa sababu ni ukweli.

**Mrs. Odhiambo-Mabona:** On a point of order, Mr. Deputy Speaker, Sir.

**Mr. Deputy Speaker:** What is your point of order?

**Hon. Members:** Speak Kiswahili!

**Mrs. Odhiambo-Mabona:** I do not know whether Suba language is also allowed, but I would better speak English.

**Mr. Deputy Speaker:** Only two languages are allowed; English and Kiswahili!

**Mrs. Odhiambo-Mabona:** On a point of order, Mr. Deputy Speaker, Sir. Is it in order for the hon. Minister to suggest that nominated Members of Parliament do not have constituencies and yet my constituency is children?

**Mr. Deputy Speaker:** Order! Hon. Minister, nominated Members of Parliament have the whole of Kenya as their constituency.

*(Applause)*

Proceed!

**The Minister of State for Special Programmes (Dr. Shaban):** Bw, Naibu Spika, ni ukweli eneo lao lote ni Kenya. Kwa hivyo, wakiwa Nairobi wako kwenye eneo lao la uwakilishi Bungeni. Lakini sisi wengine lazima tuende, kwa mfano, Taveta tukaone wale ambao walituchagua na kutuleta hapa. Kwa hivyo, nikisema vile sikusema kwa dharau. Nilisema nikiheshimu kwamba hata wakiwa Nairobi, wako kwao. Mimi lazima niende Taveta nikaone watu wangu na niwapatia muda ili nami nizungumze juu ya maendeleo huko. Tuelewane kwenye lugha.

Bw. Naibu Spika, kuna umuhimu wa sisi kurudi kwenye maeneo ya uwakilishi Bungeni ili tufanye shughulu zetu za kimaendeleo. Wabunge wapya waliochaguliwa kwenye Bunge la Kumi walisema kwamba wale Wabunge wa zamani hatujui kufanya kazi ya maendeleo. Mbona basi munang'ang'nia kukaa kwenye Bunge hili? Inafaa mrudi nyumbani ili mkafanye kazi. Msiogope wale waliowatuma kuja Bunge hili. Tufanye kazi ya Bunge kwa wakati ambao unaofaa na vile vile turudi kule nyumbani na sio kila siku kungojea hapa kuuliza Maswali na tuonekane kwenye runinga ilhali kule nyumbani hatuonekani na wala hatufanyi kazi na watu wetu.

Ninaomba tuunge Hoja hii mkono ili turudi nyumbani. Kwa kawaida tumekuwa tukifanya hivyo na hatuwezi kubadilisha tabia za Bunge hili, eti kwa sababu tunaomba wiki zingine mbili. Kwani wiki mbili tunakimbilia wapi? Tuende nyumbani tukafanye kazi na turudi hapa baada ya wakati huo na tuweze kufanya kazi. Inafaa watulie. Wasiwasi ni wa nini?

*(Laughter)*

Bw. Naibu Spika, maswala ni mengi. Tulipochaguliwa, mwanzo mwa mwaka kulikuwa na matatizo mengi. Kulikuwa na pilkapilka za kukimbia huku na kule. Ni wakati wa kuenda kukaa na waliotuchagua na kutuleta hapa kwenye Jumba hili la kifahari na tukae na tuzungumze na wao ili tujue matatizo yao. Tutapanga vipi bajeti ya maendeleo ya maeneo Bunge kama tuko Nairobi? Tutakuwa na muda gani wa kuzungumza na watu wetu? Tunatakikana kuenda vijijini kuzungumza na wao. Na kwa wale ambao ni Wabunge wapya, nawaambia kuwa msisahau wale ambao walituleta huku. Kuna umuhimu wa sisi kuwakumbuka, kukaa na wao, kupanga mambo yetu ili tuendelee na kazi.

Kwa sisi ambao ni Mawaziri, hatuogopi kazi. Tumekuwa tukiendelea na kazi, wala hatuna wasiwasi wa kazi, isipokuwa tunajua kuwa, ikiwa mmetufunga hapa na Maswali, wengine hatuna hata muda wa kukimbilia nyumbani na kuenda kutatua maswala ya kule. Kwa hivyo, tunaomba watu wote ambao walikuwa na wasiwasi wa kurudi kwa wale waliowachagua, kwa unyenyekevu warudi nyumbani ili wazungumze na wale waliowachagua. Ninafikiria bila shaka mkizungumza na wao, watakuwa na imani zaidi, na mtazidi kurudi hapa.

*(Applause)*

**The Minister for Information and Communications** (Mr. Poghio): Thank you very much, Mr. Deputy Speaker, Sir. I stand to support this Motion. This is a culmination of a state of mind in this House, which has already gone on recess. I do not need to prove to you that people are tired in this House. The visibility in the House is that even the seats are empty! A good number of people have already proceeded on recess on their own.

Mr. Deputy Speaker, Sir, let me just ask the House and plead with hon. Members that recess is factored in our calendar. It is part and parcel of the business of this House. There is nothing strange about recess. So, when we go on recess this week and come back more revitalized, we will be able to do much more.

Mr. Deputy Speaker, Sir, it is possible to calculate the number of days we have gone on recess and make it up, so that we can actually cover even the Votes that the hon. Members are talking about. This is standard for this House. It is the tradition of the House. There is precedence. It is just that most hon. Members are new. We just need to let them know that recess is part and parcel of the calendar of this House.

Mr. Deputy Speaker, Sir, you do not really need to defend yourself too much if you are going on recess. I think we spend too much time trying to defend recess or even to defend the fact that, we are already working hard in this Parliament. We have done a lot, and I must commend my friends! There is a group that sits on the Front Bench on this side that is constantly working. They are here! But if you look behind them, you will realize that many people have gone! If they could look behind, they could realize that there are no people behind them!

*(Laughter)*

So, Mr. Deputy Speaker, Sir, I figure---

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

**Mr. Deputy Speaker:** Order! Order!

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

**Mr. Deputy Speaker:** Order! Order! Order, hon. Members! Order, hon. Were!

*(Mr. Were remained standing in his place)*

Order! Order! Hon. Were, you are an old hon. Member and you want to stand when the Chair is on his feet?

**Mr. Were:** I am sitting, Mr. Deputy Speaker, Sir.

**Mr. Deputy Speaker:** Okay.

*(Laughter)*

What is your point of order, Mr. Were?

**Mr. Were:** Mr. Deputy Speaker, Sir, you heard very clearly the Minister saying that if these hon. Members looked behind them, there are no people. Are we not people?

*(Laughter)*

Mr. Deputy Speaker, Sir, is he in order to call us "no people"?

*(Laughter)*

**Mr. Deputy Speaker:** Order! Proceed, Mr. Minister!

**The Minister for Information and Communications** (Mr. Poghio): Thank you very much, Mr. Deputy Speaker, Sir. If I had talked to the hon. Member who has just raised the point of order, I would have said: "Look behind you", and then he can tell us if there are any people behind him.

**Mr. Deputy Speaker:** Order, Mr. Minister!

**The Minister for Information and Communications** (Mr. Poghio): Mr. Deputy Speaker, Sir, it is time to go on recess. When you are exhausted, you just have to take a little break and come back. We have several reasons to justify this recess. I want to plead with hon. Members that we also need to go back to the Standing Orders; we need to go back to the procedures of this House; we actually need a little bit of time to replenish our knowledge on some of these things.

Mr. Deputy Speaker, Sir, there is a lot that we need to do, especially for our new hon. Members who have just come to this House. A good number of them have participated in debates in a very credible manner, but some of them just need a little brushing up here and there, especially on decorum in this House. They should be able to know when to stand up on a point of order. They should be able to ask Questions and so on. We need to go back and read our Standing Orders and come back here more revitalized and ready to go on.

Mr. Deputy Speaker, Sir, I am ready to go for recess and I hope that everybody else will agree.

Thank you, Mr. Deputy Speaker, Sir.

**Mr. Were:** Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity to contribute. I stand here to oppose this Motion.

*(Applause)*

Mr. Deputy Speaker, Sir, I have heard several speakers talking about going on recess because hon. Members are tired. At the same time, we are talking about hon. Members going on recess to work in the Committees. I am a Member of the Public Investments Committee (PIC). We have already arranged that, when we go on recess, we are going to work full time because there are so many parastatal audit queries that have not been looked into. So, I am wondering, if at all we are tired, how are we going to work in the Committees?

*(Applause)*

So, Mr. Deputy Speaker, Sir, the issue of going on recess is not actually the issue of going home. We are still going to be around and we are still going to work. Even those who are saying that they want the recess to go home, I am very sure that, if you look around and go round this place, you will find that 90 per cent of them will be in Nairobi for most of those two months when we will be away!

*(Applause)*

Mr. Deputy Speaker, Sir, I have heard that hon. Members need to go on recess to understand the Standing Orders. The Standing Orders are not used when we are at home. They are

used when we are here! You can only understand Standing Orders when you are in the House.

*(Applause)*

So, when I am in the village in Matungu, how do the Standing Orders apply in Matungu? So, we do not need the recess to go and learn the Standing Orders!

Mr. Deputy Speaker, Sir, somebody has talked about the Constituencies Development Fund (CDF). I cannot believe that, up to now, you have not organized your CDF Committees! If you have not done it up to now, my friend, you are late! Even if you go home, you will not be able to do that.

**Mr. Olago:** On a point of order, Mr. Deputy Speaker, Sir. With all due respect to Mr. Were, who is on his feet, noting the repetitive nature of debate, would I be in order to ask that the Mover be called upon to reply?

**Mr. Deputy Speaker:** Order! Order! Order! All the more reason why you need to have a seminar for the parliamentary practice! You do not do that on a Motion for Adjournment of the House! You do not do that until the three hours are up! This is a three-hour Motion and it is only when there is no hon. Member who is on his or her feet that you can then proceed and ask the Mover to reply.

Hon. Members, you need to study your Standing Orders!

Proceed, Mr. Were!

**Mr. Were:** Mr. Deputy Speaker, Sir, let me also assist him because he can only understand the Standing Orders when he is here.

**Mr. Deputy Speaker:** Proceed!

**Mr. Were:** Mr. Deputy Speaker, Sir, he had already contributed. So, he has no right to come and say what he has said.

Mr. Deputy Speaker, Sir, we have been told that we also need to go home because of the Olympics, and share with our people the glory of the Olympics. In my constituency, we do not have television sets. So, I do not know how I am going to help my people to understand the Olympics when they do not have television sets!

*(Applause)*

That is not even a good reason to go on recess.

Mr. Deputy Speaker, Sir, we have heard that we need to work in the Committees. It is not necessary for Committees to work if their reports will not be laid on the Table of this House!

**An hon. Member:** Yes!

**Mr. Were:** Mr. Deputy Speaker, Sir, because we are going to have many Committee working during the recess, I would suggest that we extend the sittings by another two weeks, so that we may be able to clear those reports that are ready. That way, when we go on recess and start deliberating on other matters, we can have fresh reports to deliberate on when we come back.

Mr. Deputy Speaker, Sir, since there is a lot of interest, I beg to oppose!

**Mr. Muthama:** Nakushukuru, Bw. Naibu Spika, kwa nafasi hii. Najiunga na wenzangu kuzungumza kwa lugha ya taifa. Naona ni dhahiri kwamba lugha ya taifa inaleta msukosuko. Maneno yanapita kando ya masikio ya watu. Tusipojaribu kuizungumza lugha hii, basi itasahaulika.

Bw. Naibu Spika, nasimama kuunga Hoja hii mkono kwa nguvu zangu zote. Hiyo ni kwa sababu hii ndio mara yangu ya kwanza kuwa Bungeni. Sijawahi kupata wakati wa mapumziko na kurudi nyumbani kuwaambia watu wangu kuwa, katika muhula wangu wa kwanza wa kukaa

Bungeni, nimefanya hili na lile. Kwa hivyo, nawasihi ndugu zangu waliozungumza hapa kabla yangu kwamba watuonee huruma sisi tuliokuja hapa mara ya kwanza, ili tuweze kurudi nyumbani na kuwaambia watu: "Tumetumika namna hii".

Bw. Naibu Spika, tuliapishwa tarehe 15 January, 2008. Halafu Bunge lilikwama kabla ya sisi kufanya chochote. Tukaenda nyumbani. Tuliporudi, ilikuwa mwezi wa nne. Hivi sasa, miezi saba imeisha na hatujajua mipangilio baada ya Bunge. Hatujui tunaenda nyumbani kufanya nini! Huu ndio wakati wetu wa kurudi nyumbani kupanga mipango. Wengine wetu hawajawahi kutia sahihi hundi hata moja ya CDF. Huu ndio wakati wetu wa kwenda kukaa---

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

**Mr. Deputy Speaker:** Order! Order, Mr. Linturi! This is a Motion of Adjournment! If the hon. Member has only five minutes, you wait for him to finish!

**Mr. Muthama:** Bw. Naibu Spika, sisi wengine hatujatoa hata hundi moja! Tumepata pesa juzi. Hatujapanga mipango. Tunahitaji wakati huu wa miezi hii miwili angalau tuweze kurudi nyumbani na kupanga mipango.

Jambo lingine, Bw. Naibu Spika, ni kwamba mambo mengi yamezungumzwa na mengi tutazungumza. Sisi tunataka kwenda kupiga siasa! Hivi sasa, kulingana na vile ile Sheria ya Bunge ya Vyama imetolewa, nataka kwenda kukifanyia chama changu kazi na kufungua maofisi ya chama katika kila sehemu ya wilaya na kuona kwamba nimetimiza yanayohitajika na sheria hiyo.

Bw. Naibu Spika, ikiwa tutaendelea na shughuli zetu hapa Bungeni bila kwenda nyumbani kwa mapumziko, itakuwa kazi ngumu kwetu. Sikujua kwamba kuna kazi nyingi hapa mpaka nilipochaguliwa kuwa Mbunge. Siku ya Jumatatu, mimi na wenzangu tunafanya kazi katika vikao vya PIC. Siku ya Jumanne na Jumatano, mimi hushiriki katika vikao vya Bunge. Pia, mimi hudhuria vikao vya PIC siku ya Alhamisi asubuhi. Ninapata nafasi siku ya Ijumaa ambapo ninaenda katika eneo langu la uwakilishi Bungeni. Nikirudi hapa, nimechoka. Ninataka kuamini na kukubali kwamba mimi ni mchofu. Ninataka kumpumzika.

Ninaunga mkono Hoja hii.

**Mr. C. Kilonzo:** Mr. Deputy Speaker, Sir, I stand to oppose this Motion. If the Ministers of this Government could be frank with us, perhaps, we would be a little bit lenient with them. We all know that most of the Ministers have booked for Olympic Games in Beijing, but they should not include us in their programme.

**The Assistant Minister for Youth Affairs and Sports** (Mr. Kabando wa Kabando): On a point of order, Mr. Deputy Speaker, Sir. Is it in order for the hon. Member to claim that most of the Ministers have booked to go to China? Indeed, most of them have not. He is lying to the House.

**Mr. Deputy Speaker:** Order! Order! Mr. C. Kilonzo, if at all you are told to substantiate, you will understand the onerous task in doing that. You will be forced to apologise. So, please do not make that kind of sweeping statement because it is unparliamentary. Mr. Kabando wa Kabando, an hon. Member does not lie. He or she misleads. So, do not use that word. It is unparliamentary.

**Mr. C. Kilonzo:** Mr. Deputy Speaker, Sir, I was being very frank because most of the Ministers are my good friends. Indeed, most of them have confirmed that they intend to use this opportunity to go to Beijing. I was only stating a fact. In any case, my friend, Mr. Kabando wa Kabando, is not the personal assistant to the other Ministers! I agree with the Ministers is when they say that they are tied!

**Mr. Thuo:** On a point of order, Mr. Deputy Speaker, Sir. Despite your ruling, Mr. C. Kilonzo is treating this matter very lightly. Would I be in order to ask him to substantiate the allegations that he has made?

**Mr. Deputy Speaker:** Order! Order! Mr. C. Kilonzo, despite the Chair having warned you with a very light touch, you went ahead with the allegations. Could you substantiate or withdraw



and apologise?

**Mr. C. Kilonzo:** Mr. Deputy Speaker, Sir, I do not have much time, I withdraw and apologise. I totally agree that the Ministers are tired, but for a wrong reason. There is jet lag among the Ministers in this Parliament. When you look for most of them in Parliament, they are not there. If you go to their constituencies, they are not there. If you go to their offices, they are not there. It is a matter of flying from the JKIA to other countries. But we should not adjourn because of jet lag. When Parliament goes on recess, the Government goes on honeymoon.

**The Minister for Information and Communications** (Mr. Poghio): On a point of order, Mr. Deputy Speaker, Sir. Could the hon. Member substantiate his claims that the Front Bench is suffering from jet lag?

**Mr. Deputy Speaker:** Mr. C. Kilonzo, you have to substantiate that allegation, or apologise and withdraw. It is an onerous task. Let this be the last time you are making allegations that you do not have facts to substantiate.

**Mr. C. Kilonzo:** Mr. Deputy Speaker, Sir, I withdraw and apologise because there is nothing to measure jet lag. It is known that when Parliament goes on recess, the Government is very happy. It is honeymoon time. It is time to play about and relax. But we have always said it is very unfair that you go and sit overnight and decide that we should go home tomorrow. We were here yesterday, even a small *kamukunji* would have helped. Then, we would have said, "let us agree", and then the House Business Committee would have sat. We have always insisted that we should be made to plan but we have not been given that courtesy. This year alone, if this Motion goes through and it will not go through, so far we have gone home four times on recess. The normal average Kenyan is only allowed 21 days to go and relax. We are not special. I have heard hon. Members say why they want to go home. But there are certain crucial issues, particularly the issue of the Kenya Railways, which requires to be addressed by this House. Before we go home, we need to get a final solution to that problem. The Prime Minister was here and told us that he will give us an answer within two weeks. We have no problem. Let the two weeks elapse and we shall go home. There is also the issue of Mau Forest. Before we go home, we want to hear the final solution.

Mr. Deputy Speaker, Sir, Ministers must learn to delegate. Hon. Members must learn to delegate.

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

**Mr. C. Kilonzo:** Relax. Hon. Members must learn to delegate.

With those few remarks, I beg to oppose.

**Ms. Leshomo:** Mhe. Naibu Spika, nimesimama kuunga mkono Hoja hii. Nimeshangaa na kushtuka kuona kwamba waheshimiwa Wabunge hawataki kwenda nyumbani. Mimi ni mtu wa *grassroots*. Ninajua kwa kweli waheshimiwa Wabunge walichagaliwa na watu wa *grassroots* hasa akina mama. Yule mama anataka kumwona Mbunge wake akimtembelea kule mashinani. Kwa hivyo, mimi ninaomba tuende nyumbani ili wananchi pale *grassroots* wapate nafasi ya kukutana na Wabunge wao.

Pia ningependa kusema kuna kilio kingi. Jana, tuliona katika Kenya Gazette kuna *councillors* ambao walitolewa na wengine kuteuliwa kuchukua mahali pao. Hicho pia ni kilio kutoka Constituency zetu. Pia, inafaa turudi nyumbani kuangalia kilio cha wale waliotimuliwa. Waheshimiwa Wabunge wanatakiwa kutumia kipindi hiki cha mapumziko kutatua shida zinazowakabili madiwani waliotimuliwa kutoka nyadhifa zao. Mimi ni *Nominated* na ninapenda kwenda nyumbani kufanya kazi kwa sababu sitaki kurudi Bunge nikuwa *nominated*. Ninataka

kurudi nikiwa *elected!*

Thank you.

**Mr. Ngugi:** Thank you, Mr. Deputy Speaker. I rise to support this important Motion for Adjournment.

Those of us who came here in January and took our work seriously know that there is a lot of work in this House. On Mondays, we have Committee meetings. On Tuesday morning, there is also a Committee meeting. On Tuesday, we have a sitting in the afternoon. Also, on Wednesday, we sit the whole day. Also, we sit for the whole day on Thursday. It is only weekends when we get time to dash out there. We cannot really achieve much to the extent that those we defeated during the last general election have started raising their heads because we have been in Nairobi for seven months and we have never gone back to our people. It is time that we adjourn and go back home to hold several barazas to explain to our people how Parliament works, what we have achieved and what we have planned for them. That way, we would balance between Parliament and our constituencies. A lot of things have happened in this country that we have not had, time to explain to our people.

With regard to the issue of students going on strike, we need to go and consult with our people. We need to go and discuss with our people. This question of homecoming parties and healing--- I promise my friend, Mr. Wamalwa, that I will go with him to Trans Nzoia as soon as possible. I had promised, my friend, Mr. Kones, that we will go to his place and he will come to my place. That way, we will have interaction and that will heal this country. But if we are tied to this House from January to December, we will have no time to go out there and balance things. This is why it is important to have a parliamentary calendar to organize our activities. It will not require the Motion for adjournment to be brought here so that when we come to August, we know it is recess time. We should go home and attend to other matters.

Many Committees have planned, and at least, I know two, to go on safaris and deliberate on certain important matters. But if we do not adjourn, all those plans will be thrown into disarray. There is no more urgent business that cannot wait until we resume. Work never gets finished. You do what you can when you are there and you leave the other for tomorrow. When you come back, you do the other one tomorrow. This is why I would like to plead with my fellow hon. Members. In all sincerity, look at the Bench that I was sitting on. There is nobody other than hon. Affey and myself. It is because hon. Members are tired, even to the extent that I have seen others trying to exercise in the House. I do not think that this is in order. This is why we need this recess.

We have just been handed a big document on amended Standing Orders. We need time to go and study that document, so that when we are called by the Speaker for a workshop, we are ready to debate and polish it. We will be ready to come back here and not waste time because we cannot follow the Standing Orders. So, it is so important that we take the next one or two months to go and do those things that we cannot do in this House.

Mr. Deputy Speaker, Sir, I would like to appeal to my colleagues to pass this Motion for Adjournment. If we do not pass it, those of us who consider constituencies to be a big business in our life in Parliament, may not get that chance to go and settle that business.

Many of these hon. Members do not only want to be seen on cameras. Basically, they want to be seen by their people. I, particularly, not only want to be focused by the television cameras, but also want to go and address them, so that we can exchange views.

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

**Dr. Munyaka:** Mr. Deputy Speaker, Sir, I rise to support the Motion.

This is a Coalition Government. It involves a bloated Cabinet. About 55 per cent of the Members of Parliament are in the Government, whereas the other 50 per cent are Back benchers. You will find that some hon. Members are Members of two Committees and they also to have to

attend sittings in Parliament. So, you will find that from Monday to Friday, Back benchers are usually in Parliament. They do not have time to go to their own constituencies. So, it is a good opportunity to go on recess, so that we can see our voters.

Mr. Deputy Speaker, Sir, this is also a grand opportunity for those Members who came to Parliament through party euphoria, and were actually voted for without being known by the electorate, to go back home and make themselves known to them.

Thank you.

**Mr. Wambugu:** Thank you, Mr. Deputy Speaker, Sir, for giving me this chance to contribute to this very important Motion. I rise to support it.

It is very sad when we stand and say that we are being given a chance to go back to our people to be with them and then some of us flatly say "no". It is a very serious issue. I came to Parliament after being elected by the people of Mathioya. Up to now, they are still asking: "What is happening? Our man has been hiding in Nairobi." This is because there is no time to be with them. We would like to go back and touch base with them.

Mr. Deputy Speaker, Sir, we came here in January. There were a lot of problems as we all know. Issues to do with the Internally Displaced Persons (IDPs) came up. Even up to now, to say the truth, these issues have not been cleared. We need to go back to settle our people. I know that some of the people here in this House were never affected, but I feel very sad that I can sit here in Nairobi when my people are still suffering. We need to go back and settle them once and for all.

There is no way we can initiate development projects while we are here in Nairobi. We need to go back, listen to the views of our people and know the way forward. The Constituencies Development Fund (CDF) money was just released recently; just about two weeks ago. Many of the hon. Members have done nothing with that money. They have not even been able to distribute that money to the various projects. Let us accept to go back and do that work.

There have been a lot of strikes throughout the country. Very many schools were burnt down, yet we sit here in Nairobi and even do not know what is happening. We need to go back and be with our children who are now breaking for their holidays. We need to talk to them and know the reasons that brought these strikes. As late as yesterday - and it is very sad - a university went on strike. None of us here has even talked about it. We need to know what happened, yet we still insist that we need to sit in this House and talk about other issues, when we have forgotten about our children. Let us be genuine to ourselves and our people. Let us go and be with our children, so that we talk to them and teach them the proper way. This is because what our children are doing in schools is an indication of what is happening in our houses.

Mr. Deputy Speaker, Sir, we have talked a lot in this House about issues relating to the youth. If there is something that we should talk about more in this country, it is the issue of the youth. We need to go back and organise the youth groups, so that they are able to use the Youth Enterprise Development Fund (YEDF) money wisely. There are very few of us here who have been able to do that, especially the new Members of Parliament. We have been given permission to go and be with the youth and organize them, so that what we witnessed last year does not happen again in this country.

There is also the Women Enterprise Development Fund. Majority of us here are always talking about other issues like the Kenya Railways and Kenya Airways. But how does the women in the village benefit when we talk about Kenya Railways and Grand Regency Hotel, when they cannot even access the basic Women Enterprise Development Fund (WEDF)? Let us be genuine to our people. Let us go back and teach them about these things. But as long as we are here, we will have a repeat of what happened in January. This is because our people would be saying: "There is nothing that the Government has done. Those people just sit in Nairobi in that House talking about funny issues like Grand Regency Hotel, Kenya Railways and other things."

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

**Mr. Murgor:** Thank you very much, Mr. Deputy Speaker, Sir, for giving me the opportunity to air my views. I rise to oppose this Motion.

It seems like the Members who are advocating for a break are running away from something. So, maybe if we give it a week or two, we will know what they want to run away from in this House.

Also, we were elected to represent the people here and not in the village. So, why are we going away from where we are supposed to be and represent the people and articulate their issues? They have already given us the mandate and yet, we want to go away from where we are supposed to be. We should be here so that we can articulate the problems that our constituents are facing. There are important matters ahead of us that every Member should be here to represent his or her people on and debate. When the Report is laid on the Table, we should all be here. If we go back now, we will not have an answer for our people. What is the hurry for? We should wait until we exhaust those reports so that we can take them back to our constituents.

Mr. Deputy Speaker, Sir, it is common knowledge and obvious that most Members will be in Nairobi even though they are advocating to go back home. They will not go there! Many Members said that if you look around, you will see the presence of tiredness. That is not true because when you look around, you will wonder. Normally, at this time we would be fewer than we are now. So it is not true that the number in the House now shows any tiredness.

An hon. Member mentioned that we need to go home to learn Standing Orders. I do not know who will be the teacher in the village, because Standing Orders only apply in the House. We can learn them in the House and practise them in the House. I do not know who the teacher will be in the village. Therefore, that does not hold water.

Mr. Deputy Speaker, Sir, the Members advocating for going home now are saying that we need to go home to do "a", "b", "c", "d", and yet the same Members have been getting mileage claims after every weekend. So, you wonder where they have been going to so as to claim mileage every weekend. Why do they want to show us that this is the most crucial time when they have been going home every weekend. If they have not been going home, where have they been going to and what have the claims been for?

I oppose.

**Mr. Kutuny:** Bwana Naibu Spika, nimesimama hapa kidete kuipinga Hoja hii kwa kinywa kipana. Ni bayana kwamba wengi ambao wako upande wa Serikali wanaopigia debe Hoja hii ili ipite. Lakini ukichunguza kindani, utagundua kwamba wanajaribu kukwepa Maswali ambayo yamekuwa sugu hapa Bungeni. Kwa siku chache, wengi wamekuwa wakihema hapa tunapowapatia changamoto hapa Bungeni. Lakini ninataka kuwaambia kwamba mbio za sakafuni huishia ukingoni; kwani, kimo chao ki motoni kwa sasa.

Bwana Naibu Spika, sisi tumetumwa hapa tuulize maswali. Maswali mengi sana hayajatimia hapa Bungeni. Hatujapewa majibu ya kutosha. Mimi mwenyewe ninatarajia kujibiwa Maswali manne. Bwana Spika aliniambia kwamba kwa siku kumi yatafika Bungeni. Lakini Bunge likihairishwa inamaanisha changu kitakuwa kimezama kwenye bahari ya sahai. Nikasema ni lazima nipinga Hoja hii.

Vile vile, tuna miswada kadhaa. Tulikuwa tunataka kubadilisha Katiba ama sheria fulani ili tushugulikie wale wazee wa mitaa. Tunataka kupitisha Mswada hapa Bungeni walipwe mishahara. Wanangoja kwa udi na uvumba waone kwamba marekebisho haya yametimia. Hatutaenda nyumbani kwa sababu ya jambo hilo.

Bw. Naibu Spika, pili ni kwamba, sisi kila wakati tumekuwa tukishika kiguu na njia kuelekea nyumbani. Kila Jumaa wengine wetu tunatoka hapa kwenda kushughulikia maswala ya wananchi. Lakini kuna wale wachache ambao wanaponda raha hapa Nairobi. Tunataka kuwaambia

kwamba wakati sio huu. Sisi tunataka nafasi ya kutosha tuketi hapa Bungeni. Wengine wamesema kwamba, kuna zile hundi ambazo zinatakikana kupeana. Tayari mimi mwenyewe, kupitia pesa za dharura, mimeweza kupeana hundi kama tano ambazo ni jumla ya Kshs1 milioni. Wale Wabunge wengine watajaribu kueleza wananchi wao wamekuwa wapi wakati huo wote ikiwa wengine kama mimi tumepeana hundi zaidi ya Kshs1 milioni.

*(Applause)*

Bwana Naibu Spika, sisi tuna maswala hapa. Mheshimiwa fulani hapa ameeleza kwamba kumekuwa na kutoelewana kati ya Wabunge na Mawaziri kwa maswala ya madiwani. Hatutaenda kuulizia kule nyumbani maswala ya madiwani kwa sababu itakuwa ni poroja na *propaganda*. Tutaulizia hapa Bungeni kama tunataka majibu ya kutosha. Vile vile, sisi tumekuwepo hapa, juzi mwezi wa sita, baada ya kutoka likizo. Ukifanya hesabu utagundua kwamba tumekuwa Bungeni miezi miwili. Nafikiri ni kufedhehesha pakubwa sana na sisi wenyewe hatutakuwa tunafanya jukumu letu la kuwatimizia Wakenya malengo ambayo walituleta Bungeni. Tutakuwa tunafuja pesa za wananchi ikiwa kila wakati tutakuwa tunakaa nje ya Bunge kutoshugulikia maswala yao.

Ninasimama hapa kusema kwamba tunahitaji wakati kabambe wa kushughulikia maswala yanayowasumbua Wakenya. Mimi mwenyewe ninasikitika kwamba, kwangu kuna uvamizi wa usiku na mchana. Mahala ambapo nitatafutia majibu ya kutosha, mwelekeo na muundo msingi wa kuweza kuweka mambo ya usalama kule kwangu, ni hapa Bungeni. Inafaa Waziri wa Usalama atupatie mwelekeo sawa sawa. Hatutaenda kuulizia kule nje, kwa sababu tutakuwa vyura vya kupiga kelele huku ng'ombe wakiendelea kunywa maji. Kwa hivyo, ninataka hapa Bungeni tukumbatiane na wale ambao wako upande wa Serikali kulingana na maswala ambayo yamo katika taifa la Kenya.

Bwana Naibu Spika, nikikunja jamvi, ninataka kusema kwamba tuna ripoti ya Hoteli ya kifahari ya Grand Regency. Lazima tupate ukweli wa kutosha. Ninashukuru kwa nafasi ambayo umenitunuku. Ninakuheshimu kwa heshima zangu zote na ninakuvulia kofia. Ahsante sana.

**Mr. Deputy Speaker:** Mr. Langat, I hope this will be your maiden speech! I am not sure!

**An hon. Member:** He had talked!

**Mr. Deputy Speaker:** Fine enough!

Please, proceed!

**Mr. Langat:** Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity to contribute to this Motion.

From the very outset, I want to say that I oppose the Motion. We have been talking about constitutional reforms in this country for the last 15 years. We are at a critical stage of that process. If we adjourn the House at this time, it means we will be adding another one year for that process, which we cannot afford.

Mr. Deputy Speaker, Sir, this is also a very critical stage because there are matters of great public interest. One of them is the Grand Regency Hotel issue. The other one is that of the RVR. We are at a very critical stage and it would only be fair if we got answers to those issues before this House adjourns.

With those few remarks, I beg to oppose.

**Dr. Monda:** Mr. Deputy Speaker, Sir, I stand to oppose this Motion.

I want to start by going back to the beginning of this year when we were all elected to this House. Every Member of this House remembers that most of the first months were spent in violence. We did not start our work the time we were supposed to, normally.

Mr. Deputy Speaker, Sir, we have been told about the routine of this House that we go on

recess at around this time. However, we have not asked ourselves when we started the business of the House. There are issues that have been raised in this House by my colleagues. I do not want to repeat the issue of the Grand Regency Hotel. There were also issues about the Rift Valley Railways (RVR).

Mr. Deputy Speaker, Sir, it is only this week that you directed the Departmental Committee on Health, Housing, Labour and Social Welfare, of which I am the Chairman, to pursue the issue of the Alvaro drink. You directed that we bring a Report to this House within two weeks. It is only this morning that we were putting our house in order so that we can begin investigations. When we, finally, complete our work within 14 days, where will take our Report? What about the other Reports that have been mentioned in this House. It is on that ground that we cannot allow ourselves to be ambushed with a Motion of Adjournment. Really, what has been ruled in this House cannot stand simply because there is a Motion of Adjournment that has ambushed us.

With regard to matters of constituencies, we know that every hon. Member has a responsibility to be in his or her constituency when he or she is required there. It is not the business of this House to plan recess so that we can be found in our constituencies. We have been there since we were elected. Those who have not been in their constituencies will not be there even if we went on recess. It cannot be the business of the House to plan what should be done in each constituency. Therefore, I stand to oppose this Motion on grounds that there are matters that are more important to this country than going on recess. They want to create loopholes so that some matters that are important can be skipped when we are on recess.

Mr. Deputy Speaker, Sir, I stand to oppose.

**Mr. Affey:** Mr. Deputy Speaker, Sir, I stand to do the obvious which is to support the Motion. I am doing so because it is the obvious thing to do at this time. It is not strange for Parliament to adjourn in order to allow hon. Members an opportunity to go and consult more closely with their constituents in order to come back and represent them in a manner that they wish to be represented.

It is even more compelling now that we almost lost our country called Kenya following the post-election violence. This country almost went into pieces. We came here when the country was bleeding. We came to elect the Speaker and Deputy Speaker of the National Assembly at a time when the country was bleeding. We are glad that we came because it was necessary for us to create some laws that would have assisted in bringing back stability to Kenya. Now, that we have done that, it is high time the Grand Coalition Government together with the House went to the countryside and advised our people against the pitfalls of taking the law into their hands.

Mr. Deputy Speaker, Sir, we need reconciliation, healing and comfort in all the regions of this country. For that to happen, we need to adjourn and get back to the countryside and let our people understand that the stability and togetherness of Kenyans is more important than anything else that we should strive to look for. We have an opportunity during the recess to consult with our people *vis-a-vis* the constitutional review process. This process has been outstanding for a long time. When I looked at the Bill yesterday when we were discussing it here, it gives very little opportunity for the country to participate once more in a review process. We need to go and tell our people that a lot of this work has been done and what remains to be done is very little. We need to get their input so that we can have a successful review process.

The other thing that makes it necessary for us to adjourn is to allow this Government to bond. We know that this Government has been cobbled together at a time of crisis and we need it to serve a full term. Just yesterday, we heard two conflicting statements from two offices of the same Government, that is, the Office of the Prime Minister and that of the Permanent Secretary, Secretary to the Cabinet and Head of the Civil Service. We, therefore, need to allow the Government an opportunity to go and engage in soul-searching so that they can understand that we

have one Government and not two for the people of the Republic of Kenya, contrary to the perceptions that we see now.

Mr. Deputy Speaker, Sir, I, would therefore, wish to support this Motion in order to allow the Government an opportunity to bond.

I support this Motion.

**Mr. Waititu:** Mr. Deputy Speaker, Sir, I rise to support this Motion just because of two reasons. I am a new Member in this House. I have been here barely two months. Two weeks ago, I received my CDF cheque and I have, therefore, not started any project in my constituency. I have heard that some other hon. Members also received their cheques recently. They also have not initiated any projects in their constituencies. I sleep in my constituency and I know how much we are needed there. The problems there are supposed to be attended to on a daily basis. I am, therefore, requesting my colleagues to go home and attend to the problems affecting their people at the constituency level.

Some of the hon. Members here were supporting the Motion that requires Parliament to have a calendar. I believe that if this Parliament had a calendar, we would be going on recess this time as per the calendar. I, therefore, believe that this is the time to go home so that we can attend to our people and also reduce the number of people who line up at Continental House waiting for Members. They keep on coming there daily because they want to see their Members of Parliament.

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

**Mr. Ochieng:** Mr. Deputy Speaker, Sir, I stand to oppose this Motion for very simple reasons. We have not been here for so long and so we do not need any recess at this particular time. Hon. Members who are alleging that they have not been going home to do the constituency work have actually been cheating the Accounting Officers up there by claiming their mileage allowance by saying that they have been at home and they want reimbursement. We feel that it is high time we told them to refund the monies they have been claiming as mileage because they have not been going to their constituencies to do work.

I have been doing my work. As I speak now, I have already bought a constituency vehicle while I am here in Nairobi. The vehicle is already serving my people down there. We have weighty issues that cannot allow us to go on recess. For instance, the issue of the Rift Valley Railways (RVR) is very serious. Goods are not being transported to Kisumu and, therefore, prices there are skyrocketing. This is simply because the RVR is not performing its mandate. Why should we go on recess and yet it is very clear that we need to discuss the issue and finalise it before we go on recess? Some of us are still very young and we have the energy to continue even up to December. It is for those simple reasons that I am opposing this Motion. We should not go on recess. Thank you.

**Mr. Nyammo:** Mr. Deputy Speaker, Sir, I rise to support the Motion because of a number of reasons. One, it has been mentioned here that we have a crisis in our education system. Many schools have been hit by strikes. This is a matter that we cannot wish away. It is a matter that we cannot deal with when we are still debating in this House.

We must go back to our constituencies and ask why we have had all these strikes. We must stop the blame game. If we are going to stop blaming teachers, parents, the Provincial Administration and everybody else, except ourselves, we must go back to our constituencies. We must find out why so many schools have gone on strike. Are we addressing the fundamentals as to why this is happening? We have enough reasons, therefore, for adjourning. We need time to address all those problems.

Mr. Deputy Speaker, Sir, another point is that we have a major problem of Internally Displaced Persons (IDPs). It is time for us all to go and find out whether they are settling back where they should be settling. I am suggesting, in all seriousness, that we stop paying lip service to the peace and healing process. It is time for us to go out where the IDPs are being re-settled and

make sure that they are getting reconciled with their neighbours. They cannot be reconciled with their neighbours when we just talk in this House. Granted, there are laws and other matters to be discussed in this House, but are those matters more important than getting our children going back to school, to get what they should be getting from schools? Are we fair enough to just sit back here, instead of going out together to find out whether our IDPs are being settled properly?

Mr. Deputy Speaker, Sir, I do not believe that there is a single Member of this House who does not think that the educational problems confronting our country at the moment is a serious enough problem for us to adjourn and address. We will be happy to see the IDPs settling and reconciling with their neighbours.

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

**Mr. Deputy Speaker:** Order! Order! The hon. Member is still on his feet!

**Mr. Nyammo:** Mr. Deputy Speaker, Sir, it is for those two reasons that I urge my colleagues to pass this Motion.

I beg to support the Motion.

**Mr. Ruteere:** Mr. Deputy Speaker, Sir, I stand here to support the Motion. Some of us, who have small constituencies, think that those who have very large constituencies can manage to criss-cross them within the time they are in Parliament. If they make "technical" appearances in their constituencies, they say they have served their people. It is time leaders gave proper service, instead of lip service, to their constituents.

I believe that the youth are waiting for direction from their leaders. I believe that there are so many of them who want to know what programmes are in place, so that they can know what to do.

Famine has hit some parts of this country. It is ravaging those areas. It is time that hon. Members from the affected areas went and did an audit of the situation and approached the relevant authorities, and also mobilised some of their own people who may be having food, so that they can feed people in areas where food is needed.

Mr. Deputy Speaker, Sir, we have been representing people by proxy. We have been delegating authority. This is the time to know what has been done by the proxy that has been representing us. We have made several appointments. We want to go and see what has been done, what has been achieved and find out the challenges that are in those constituencies. We want to know what development is required, so that when we come here, we can file the necessary Motions. I do not think we are saying we go, because we have not been going. Personally, I have been going to my constituency every weekend since I came to Parliament, but I have not visited every part of my constituency.

For those reasons, I support the Motion.

**The Assistant Minister for Justice, National Cohesion and Constitutional Affairs (Mr. Kipkorir):** Thank you, Mr. Deputy Speaker, Sir. I stand to support the Motion.

Yesterday, in this House, we debated a Motion brought by one of our colleagues, arising from insecurity in some part of this country. Those of us who come from areas where there is serious insecurity, receive reports daily. Some time we receive reports on insecurity after every three hours. Those of us from those areas need time to go and discuss how best we can resolve those issues. One of the causes of insecurity is dispute between communities. It is for us leaders to sit down with the people and agree on the way forward, as we continue to plead with the Government to give us the necessary support.

Mr. Deputy Speaker, Sir, this afternoon, I received a letter from the Minister of State for



Provincial Administration and Internal Security, inviting me and other hon. Members from the North Rift, for a meeting to be held on Thursday, next week, to discuss how best the issue of insecurity can be dealt with. This confirms the seriousness of this issue in areas where there is cattle rustling. So, whereas there is peace and harmony in some constituencies, in some areas, there is serious insecurity. In my Baringo North Constituency, there is serious insecurity. So, I need more time to sit with my people and our neighbouring communities, starting with the Pokots, so that we can forge the way forward. I also need to go and prepare for the meeting that is coming up next week.

It is important for people to know that we are not supporting this Motion so that we can go and rest. I heard an hon. Member say that hon. Members on the Government side want to go and rest, while they are in Nairobi. That is a very subjective statement. It is not true. I want to speak for myself, for instance, that I travel to my constituency every weekend to address the challenges facing my people. So, it is important for us to address this issue in a very objective manner, because it is for the benefit of our people that we go and discuss the issues affecting them.

Mr. Deputy Speaker, Sir, finally, we have promised Kenyans a new Constitution. We passed the Constitution of Kenya Review Bill. We are supposed to give time to the relevant Departmental Committee of this House to come up with recommendations, so that when we finally come back, we can be able to pass that law and give our people and the country a new Constitution.

With those remarks, I beg to support.

**Mr. Deputy Speaker:** The hon. Member at the end there! What is your name again?

**Mr. Ombui:** Mr. Deputy Speaker, Sir, my names are Wilfred Moriasi Ombui, Member of Parliament for North Mugirango/Borabu. I stand here to oppose the Motion. It may be the procedure and routine of the House to adjourn at this specific moment. But in most cases, we have reached a stage where the world is changing. Members of Parliament have many demands. We have a lot of pending issues in the House which need to be debated and passed by hon. Members. We have appointed many Committees which are going to give us reports which we need to inform the people. In this case, the adjournment of the House to go on recess is not adequate. We spend almost 43 per cent of our time in the House here. We spend the remaining 57 per cent elsewhere. That is the time we are supposed to ensure that we go to our areas of operation. We mingle with the constituents and make some arrangements on how the activities are supposed to be carried out. As Members of Parliament, we must learn how to delegate responsibility and, at the same time, try to control them. In that case, the issue of time should not arise.

Mr. Deputy Speaker, Sir, secondly, the reason why I oppose the Motion is because recently, we passed the Budget and we have not even received the money. So, the issue of going to initiate activities in the constituency should now arise because, like where I come from, not even a single road has been allocated funds. So, what am I going to supervise?

The issue of insecurity is very rampant in my constituency. It has not been addressed. Going on recess is something that I am also fearing because of that insecurity. We need to address the issues which are pertinent as far as the people of this country are concerned.

On the issue of strikes in schools, this Parliament has appointed a Parliamentary Committee which has gone out to do some investigations in order to give us a report. We have not even received the report. We are parents and we know why those strikes are going on. So, the arguments that are being advanced are not adequate to make us to go home to the constituencies.

Mr. Deputy Speaker, Sir, we are very old in the constituency, but very new in Parliament. So, we are informed about the issues which are happening within the constituencies. We are very much informed about them. We have shown the constituents how to run their activities. With that kind of trust, we know that things are going on well there. There are so many pending issues and questions which have not been answered. There are so many Commissions which have been

appointed. So, telling us to go back means that you are putting us in small problems and yet, we need to be in Parliament here and get enough answers to go and give to our constituents.

I come from a very big constituency. But I am able to cover the region depending on how I allocate time.

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

**The Minister for Development of Northern Kenya and other Arid Lands** (Mr. I.E. Mohamed): Mr. Deputy Speaker, Sir, I beg to support the Motion. I think the main argument for those who are opposing this Motion largely centres around an important report that should be tabled in this House, and an important answer that is being awaited from the Prime Minister. In my view, this House is very important and, at one time or another, there will be one important report to be tabled at every time. I think the wisdom or traditions of this House that puts various segments of the year for different activities to be undertaken is what we should follow. If we do not follow those segments as had been planned and as has been part of the traditions of this House, then important work will not be done. I think arguments have been made as to why we should adjourn the House.

First, Committees have not been getting enough time to meet. There is the work in the constituencies. The brewing conflicts particularly in the northern region and so on. All those arguments clearly fall within the work that is supposed to be done. They clearly fall within the segments of the year when the House takes a recess. We are not just going to break the traditions of the House because there is a report. Otherwise, we shall never go for a recess. The House will never go for recess because, at every one time, there will be an important national issue that is going on.

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

**The Assistant Minister for Information and Communications** (Mr. Khaniri): Mr. Deputy Speaker, Sir, thank you very much for giving me this opportunity. I want, at the very outset, to state that I support this Motion, but very reluctantly so. Let me say that if the Motion goes through, I want to start by wishing my colleagues a good and fruitful recess. The session that we are just ending has been very successful. The House has passed very many important Bills and Motions, and the most notable one is the Bill on the Constitution of Kenya Review. This is a Bill that is going to enable us to jump-start the constitutional review process which has been very elusive for very many years. I want to state that this Tenth Parliament has a golden opportunity to give this country a new Constitution. I want to warn my colleagues that, if we fail to give a new constitution to this country, we are going to be judged very harshly. The common Kenyans have played their role. We went to Bomas of Kenya and came up with the draft Constitution. I think the whole problem in the process of constitutional making has been the leadership of this country. It is high time that we used the provisions of this Bill to give Kenyans a new Constitution.

Mr. Deputy Speaker, Sir, as we proceed on this recess - that is if this Motion goes through-- I want to urge my colleagues in the Government that, as they go for recess, to reflect on the performance of this particular Government. We were elected on a platform of zero-tolerance to corruption. But, amazingly, it is turning out that most corruption accusations are cropping up during the tenure of this particular Government. Sometimes, I feel ashamed to serve in this Government that is being attacked left, right and centre. I feel ashamed for the deeds that my colleagues in the Government are doing. It is so shameful. By insisting on going on this recess, it is reflecting very badly on the Government side.

*[Mr. Deputy Speaker left the Chair]*

*[The Temporary Deputy Speaker]*

*(Prof. Kaloki) took the Chair]*

**Mr. Kambi:** On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the Assistant Minister in order to tell us that he is ashamed to be part of the Government? If he does not want to be part of the Government, then let him resign!

**The Assistant Minister for Information and Communications** (Mr. Khaniri): Mr. Temporary Deputy Speaker, Sir, I can do better than resign, since I want to fight corruption from within.

**The Assistant Minister for Foreign Affairs** (Mr. Onyonka): On a point of order, Mr. Temporary Deputy Speaker, Sir. I am perturbed that my colleague who is the Assistant Minister just like me, is looking at the Government alone and yet I believe there are Members of Parliament who also need to improve and pull up their socks on matters of corruption because it affects all of us as Kenyans.

**The Temporary Deputy Speaker** (Prof. Kaloki): Hon. Onyonka, what is your specific point of order?

**The Assistant Minister for Foreign Affairs** (Mr. Onyonka): Mr. Temporary Deputy Speaker, Sir, my point of order is that I think the Assistant Minister is being unfair by actually accusing the Government side only.

**The Temporary Deputy Speaker** (Prof. Kaloki): Hon. Khaniri, proceed!

**The Assistant Minister for Information and Communications** (Mr. Khaniri): Mr. Temporary Deputy Speaker, Sir, you will agree with me that, that is not a point of order but an argument. He will have his turn and say that.

Mr. Temporary Deputy Speaker, Sir, I want to say that by the Government side being seen to be insisting on going on this recess, it is reflecting very badly. It appears as if there is something that we are hiding.

*(Applause)*

I wish my colleagues could allow Parliament to go on for another week or so, so that hon. Okemo's Committee can table their report so that we look at it. I believe it will just take a week and we will be through with it.

I support.

**Mr. Nyamai:** Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this chance. Indeed, I am happy since I have really tried to catch your attention.

From the outset, let me declare that I am standing here to oppose this Motion principally for three reasons. One, I am really perturbed that we are discussing a Motion of adjournment when we have been sitting here the whole of last week and this week and nobody had the audacity to inform the hon. Members what is likely to happen. I am saying this because here is a case where you can see the Executive is basically muzzling Parliament and further interfering with the very independence of Parliament.

Mr. Temporary Deputy Speaker, Sir, I am saying this because it is only this week that we were promised a Ministerial Statement by the Prime Minister. It is also this week that you ruled on some reports being presented to hon. Members because they had some interest on those matters. Then when we are still waiting for them, you then come and tell us that we are going on recess. Honestly, to me that is an indication that the Executive does not respect Parliament. It is fundamental for us as hon. Members that as we move forward, it is imperative that we have to control our calendar so that we can transact our business without our work being interfered with.

Mr. Temporary Deputy Speaker, Sir, if we are going on recess based on our practices and

tradition, then what should have been done is that taking cognisance of the fact that for the better part of this year because it started with violence and we lost quite some time, we should have---

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

*[Mr. Deputy Speaker resumed the Chair]*

**Mr. Deputy Speaker:** Order, Mr. Nyamai! I heard you say that the Deputy Speaker does not respect Parliament. Am I right?

**Mr. Nyamai:** No, Mr. Deputy Speaker, Sir.

**Mr. Deputy Speaker:** Order! Proceed!

*(Laughter)*

**Mr. Nyamai:** Mr. Deputy Speaker, Sir, I did not say that and I did not say that. I do respect the Chair.

Mr. Deputy Speaker, Sir, I was saying that if the issue is to do with traditions and practices, given that the early part of this year we did not transact any serious business because of what was happening in the country, then we should extend the sitting of this Parliament for around two to three weeks and then we go on recess for a certain period so that we can transact a lot of business.

This is because as parliamentarians, we are employed by the people who voted for us and, indeed, they expect to see us giving them value for money. When we sit for only three months in seven months and then go on recess, honestly they feel that we are not doing justice to them.

Mr. Deputy Speaker, Sir, issues about going to organise CDF committees and issuing cheques is sending the wrong message to the people that we are at a disconnect with them. When we say that we want to go on recess so that we can visit our constituents, are we telling Kenyans that for the last seven months, we have not been to the constituencies to give effective representation? I am opposing the Motion and we need to sit for an additional three weeks so that we discuss the serious reports on the Grand Regency Hotel, the Rift Valley Railways and others because we need to discuss them.

Whereas I agree that there are issues to do with the unrest in schools and we want to resolve them, I feel a bit embarrassed that it is like we are admitting to the people who voted us into this House that we have all along sat here in Nairobi as the problems were occurring and we did nothing about them. Those are not good reasons and as much as I respect the remarks, it is important that we make remarks which do not show as if there is some disconnect between us and the people who voted for us.

Mr. Deputy Speaker, Sir, indeed, there are issues to do with the conflicts, where it was suggested that we go on recess to go and resolve them. But are we telling Kenyans that we can only solve the problems they have once we go on recess? Indeed, probably, it is because we have not been able to concentrate on the issues which are affecting them that we have allowed some of these things to happen and it is now that we want to offer a makeshift solution.

I oppose the Motion.

**The Minister of State for Defence (Mr. Haji):** Bw. Naibu Spika, nakushukuru. Nataka kuchukua nafasi ili niunge mkono mjadala ambao unaendelea. Kama tunavyojua kama Wabunge, punde tu tulipochaguliwa na wananchi hatukupata nafasi ya kuweza kuketi na kutafakari na kushauriana na wao juu ya mambo yale ambao wangetaka sisi kuweza kutekeleza kama wajumbe wao, kwa sababu wakati huo mvurugano na shida kubwa ilitokea katika nchi yetu. Hilo lilikuwa

jambo ambalo lilitutia sisi wote wasi wasi kwa sababu hatukujua mwelekeo wa Kenya wa kesho utakuwa namna gani.

Bw. Naibu Spika, tunavyojua kama taifa, tulikuwa tunapokea majirani wetu ambao nchi zao zilikuwa na vurugu na wamepata hifadhi hapa. Kwa hivyo, wengi wetu tulikuwa na wasi wasi kwamba nchi yetu ikiharibika tutaenda wapi. Sasa tumepata nafasi ya kuweza kukaa pamoja katika Jumba hili ili tujuane na tumeweza kufanya kazi ile ambayo tumefanya mpaka siku ya leo. Nafikiri wakati umefika wa sisi kupata nafasi ya kuweza kurudi nyumbani kwa muda mrefu kulika mwisho wa wiki pekee yake kukaa na wananchi.

Hasa, nataka ndugu zangu wajue kwamba sisi ambao tunatoka mkoa wa Kaskazini Mashariki, tunasafiri kwa siku mbili ndipo tufike katika maeneo yetu ya uwakilishi Bungeni na wakati mwingine kukinyesha hata inaweza kutuchukua wiki nzima kufika. Mimi najue katika eneo langu la Ijara, kwa miezi minne hakuna hata gari hata ikiwa Land Rover ambayo inaweza kupita kwa sababu ni ardhi ya mchanga mweusi. Hii likizo itatupa fursa ya kuenda kukaa na watu wetu na kushauriana nao. Na sio hio pekee yao. Tunasikia Wabunge wanafanya sherehe ya kupongeza watu wetu kwa kutuchagua. Hakuna sherehe muhimu kama Mbunge kuenda kukaa na watu wake kwa wiki tatu na kunywa chai na wao, hata chini ya miti na kubadilishana maoni.

Isitoshe, Bw. Naibu Spika, hii itatusaidia pia kuzungumza na watu wetu na kuleta maridhiano ili, wale ambao wanagombana waweze kuletwa pamoja chini ya uongozi wa Mjumbe ambaye amechaguliwa.

Bw. Naibu Spika, sio vizuri kwa sisi kupuuza yale mambo yanatokea katika mashule. Kwa mara ya kwanza katika historia ya Kenya, zaidi ya shule 270 zimegoma. Siyo kugoma peke yake! Wanafunzi wamearibu vifaa vingi na majengo! Mambo hayo yote hayawezi kusuluhishwa bila ya viongozi kukaa na wananchi na kujua ni nini hasa kinawafanya vijana wetu kufanya yale ambayo wanafanya. Pia, zile kamati ambazo zimeundwa kwenda kuingilia mambo kama hayo, zitapata nafasi zaidi kuliko wakati Bunge linapoendelea, kuweza kutembelea kila sehemu na kujua yale mambo yanayoendelea.

Kwa hivyo, Bw. Naibu Spika, hata katika fikira zetu sisi wenyewe, tukikaa katika Jumba hili--- Juzi, Bw. Spika alisema kwamba kuna mtu ambaye amehisi joto. Ni kweli! Alihisi joto kwa sababu kila mara tunapiga kelele, tunazungumza na kubishana; hata vichwa vinauma!

Kwa haya machache, Bw. Naibu Spika, naunga mkono.

**Dr. Khalwale:** Mr. Deputy Speaker, Sir, I thank you! I thank you because on a Motion like this, traditionally, hon. Members of the Back Bench and the Front Bench have an opportunity to reflect on how the House has been run. As we reflect today, we, hon. Members of the Opposition, must thank you, Mr. Deputy Speaker. We must thank you for your impartiality because, at the beginning, some people on the Government side thought that there would be no Opposition in this country simply because they had given each other jobs all the way up to 42 Ministries, not in any way reflecting on the cost that it was going to visit on the taxpayer! But because of the impartiality of the Chair, today, we have a very vibrant Opposition in the country, and members of the public are, indeed, expectant!

Mr. Deputy Speaker, Sir, we must not go on recess! We must not go on recess because the Right Honourable Prime Minister, when he was looking for votes, he told Kenyans: "Vote for me so that *kazi ianze!*". The President told the people: "Vote for me so that *kazi iendelee!*" Indeed, those two gentlemen, who are doing us a lot of good, none of them will be going on leave! How can an old man like the President not request to go on leave while we, who are young and energetic, request that we go on leave?

*(Applause)*

Mr. Deputy Speaker, Sir, I respect the Mover of the Motion, Minister Martha Karua.

**The Minister for Lands** (Mr. Orengo): On a point of order, Mr. Deputy Speaker, Sir. Is the hon. Member in order to mistake the whole object of this Motion? Nobody is leaving us to go on leave. We are going on recess! The two are very, very different, indeed. I am certainly not going to go on leave!

**Dr. Khalwale:** Thank you, Mr. Deputy Speaker, Sir. Indeed, hon. Orengo is quite right! Had he been here earlier, he would have seen how his colleagues on the Front Bench have been pleading on their knees that they want to be given time to go on leave. I was only echoing the words of your colleagues, Mr. Minister!

*(Applause)*

Ms. Karua, I understand why you are tired. You are a very hard working person. You are tired because you have launched your presidential campaigns prematurely! That is your own problem and do not visit it on us, Madam *Waziri*.

*(Laughter)*

**The Minister for Justice, National Cohesion and Constitutional Affairs** (Ms. Karua): On a point of order, Mr. Deputy Speaker, Sir. Is it in order for the hon. Member, who also doubles up also as a bull-fighter, to mislead the House that I am the one who personally needs the adjournment? I clearly said, when moving this Motion that this recess is traditional. It falls within our calendar and it is up to hon. Members to decide. Is he in order to personalise debate? He should go and do bull fighting!

*(Laughter)*

**Mr. Deputy Speaker:** Order! Order! Dr. Khalwale, please, address the Chair. Do not address other hon. Members of the House. Address the Chair!

**Dr. Khalwale:** Thank you, Mr. Deputy Speaker, Sir. That correction is really timely. I had misunderstood you. Thank you.

Mr. Deputy Speaker, Sir, I oppose this Motion because of the teachers of the Republic of Kenya. This Government has very dangerous plans for the teachers. The Government is planning to force teachers to sign performance contracts when we are in recess. Performance contracts for teachers! How can you ask teachers to sign performance contracts with all the prevailing inequalities? There is no way a teacher who teaches in Embakasi Day Secondary School will post the same results like a teacher who teaches at Strathmore High School. First of all, we must address the prevailing inequalities in terms of staffing and facilities in our schools before we ask our teachers to sign performance contracts. We are not going to allow the Government to force teachers to sign performance contracts. How do you expect somebody who earns a net salary of Kshs12,000 in a month to be forced to sign a performance contract? The Permanent Secretaries (PSs) and Ministers are signing performance contracts because of the big salaries that they earn and they have the drive.

Mr. Deputy Speaker, Sir, I oppose this Motion of adjournment because of the civil servants of Kenya. The civil servants of Kenya are all working in fear.

*(The red light was switched on)*

Mr. Deputy Speaker, Sir, I beg that you give me two minutes because I lost a bit of my

time. I oppose this Motion because our civil servants are working in a state of fear because Ministers who subscribe at the point of entry into Government to PNU as opposed to those who subscribe to ODM---

**Mr. Deputy Speaker:** Order! You have run out of time, Dr. Khalwale!

**Dr. Khalwale:** Thank you, Mr. Deputy Speaker, Sir. I beg to oppose.

**Mr. Deputy Speaker:** Yes, Prof. Saitoti!

**The Minister of State for Provincial Administration and Internal Security** (Prof. Saitoti): Thank you very much, Mr. Deputy Speaker, Sir, for giving me the opportunity to make my contributions to this Motion. As hon. Members, we were elected by our constituents to represent them here and actually carry out a dual purpose. First of all, one purpose is to effectively represent the people that elected us in order to air their own concerns and difficulties that they have. We are here collectively to ensure that this House is able to explore ways in which the problems of the people can be addressed. This is why we spend quite a lot of time here as hon. Members. The other purpose why we were elected is to be with them in order to understand their problems and to provide guidance to them in matters of development. We should guide our people on how to live in harmony. These are the reasons why there is recess after a period of time.

Since we came to Parliament and started debating, there are several fundamental things which have taken place. The most important has actually been the formation of the Grand Coalition Government. There is no doubt, it has been able to make fundamental progress. I am sure that all the hon. Members who are here would agree with me that we want to deepen this Grand Coalition Government, as it represents the unity of the Kenyans and they are happy. It is for that reason that we need to go for recess so that we can go to every corner of this country and explain to our people what this Grand Coalition is. They already know it, but they also want to know its ingredients. How much it will achieve in terms of development. How much it will ensure that there is stability in this country. They also want to know how we will ensure, through the Grand Coalition, that there will be no violence like the one we saw. The wananchi want to come and hear from us. We want to also go and preach to them the good aspects of a Grand Coalition because we are one as a nation.

Mr. Deputy Speaker, Sir, we have also faced a number of challenges. One of the biggest challenges that we faced clearly has been these incidents of strikes in our schools. It is something that we have not seen before. A very large number of secondary schools have actually been closed as a result of the students not only striking, but also burning dormitories and administration blocks. We need to go down to the ground to find out what factors are causing these strikes in our schools. Education is an area that we have put colossal amounts of money.

The future of this country is in the youth. We also know that without education there cannot be development. The two are symbiotic. We need to do so. I know that we are able to go there continuously.

**Mr. Ruto:** On a point of order, Mr. Deputy Speaker, Sir. We know that Prof. Saitoti has been a Minister for Education for a long time. He is the one who sowed the seeds that are causing chaos in the schools. Right now, he is even unable to handle his security docket.

**Mr. Deputy Speaker:** Order! Order! Hon. Ruto, you are totally out of order! That is a very frivolous point of order!

Proceed, hon. Minister!

**The Minister of State for Provincial Administration and Internal Security** (Prof. Saitoti): Thank you very much, indeed, Mr. Deputy Speaker, Sir. I shall not respond to that. There are a number of fundamental economic issues that we need to go and share with our own people who elected us here, to find a solution to this matter.

There has been a Bill on the Constitution review. It is important for us, once again, to go to

our people and discuss with them about it. We need to share with them our views and also understand their views.

With those few remarks, I beg to support this fundamental Motion.

**Mrs. Odhiambo:** Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity. I wish to oppose this Motion. This is because I really do not understand why we are calling this a recess. Tomorrow, my Committee is meeting most of the day. Next week, our Committee is meeting almost the whole week. We do that all the time. Even yesterday, my Committee met. We meet and attend the Chamber at the same time. When you come into Parliament you must learn to juggle like the liver.

Mr Deputy Speaker, Sir, the only thing we will not be doing next week is walking from outside there into this Chamber. My belief is that there is mischief behind this because we have matters of urgent national importance.

**Mr. Baiya:** On a point of order, Mr. Deputy Speaker, Sir. Is it in order for the hon. Member to insinuate improper motives on the Motion?

**Mr. Deputy Speaker:** Mrs. Odhiambo, please, proceed!

**Mrs. Odhiambo:** Mr. Deputy Speaker, Sir, Dr. Naomi Shabaan alluded to the fact that---

**Mr. Deputy Speaker:** Order! You address the Chair. For Gods sake, stick to the substance, do not go personal.

Please, proceed!

**Mrs. Odhiambo:** Thank you Mr. Deputy Speaker, Sir. I actually wanted to say something positive but I wish to withdraw nonetheless.

Mr. Deputy Speaker, Sir, an hon. Member alluded to the fact that nominated Members do not have constituencies. Indeed, I clarified that we have special interest constituencies. One of my constituencies has been having a problem. That is the children constituency.

*(Applause)*

For that matter, I have been running all over like a head-less chicken while still attending Parliament until 6.30 p.m. every day. Schools have finally closed. Who are we going to consult in the schools to address these problems?

Mr. Deputy Speaker, Sir, Parliament has referred this matter to the Committee on Education, Research and Technology which is going all over the country addressing this matter. Until they present their report our mouths are sealed and we are not able to deal with it outside the House. What are Members going to do outside the House?

I also want to address myself to an issue that a Member raised on lack of quorum. An hon. Member suggested that we consistently lack quorum and, therefore, we should adjourn. I know that, that is a problem. However, going on recess will actually worsen the situation. We need to be in this House and find out why that is happening. As a result of that, I wish to very strongly oppose this Motion.

With those few remark, I beg to oppose.

**The Assistant Minister for Foreign Affairs (Dr. Onyonka):** Thank you Mr. Deputy Speaker, Sir. I would like to support this Motion. Mr. Namwamba wants to be on my case today.

We have very weighty matters at our constituencies. Currently we have just received our tranches of the monies which are supposed to be distributed to various areas in our constituencies. We have not done that because the monies came in late.

Mr. Deputy Speaker, Sir, as Members have been alluding, we have been having issues at our schools. We, therefore, need to go to the villages and find out why our schools have problems. If possible, when we come back to the House, we should be able to debate, discuss and see whether



we can come up with a solution.

The other issue is that some Members might have received most of their bursary money early. As you know, once schools are closed, we would prefer to go put the money together and disburse it so that when students go back to schools, we would have the cheques ready. As much as I am saying that we need to go for this recess, the other side has come up with very weighty matters. I would just like to mention three of them. One of the points that one hon. Member has raised is that at some point it looked like we were too many to be in Government. I want to raise this issue because the truth is, there is no price too high for us to have paid to save our country. The fact that we have 42 members of the Cabinet is actually not a bad idea in so far as it has made the Grand Coalition hold. We are proud that the Grand Coalition is holding because Kenya is a peaceful country.

An hon. Member said that teachers should not sign the performance contracts. It is true. What I wanted to raise is that, in fact, all Members of Parliament should sign the performance contracts before the teachers do. It is a very good point because performance contracting will make us achieve our targets and serve our public well.

Lastly, Mr. Deputy Speaker, Sir, I want to support hon. Members who are advocating for the Grand Opposition. They have done this country proud because they have been trying to make sure that the country runs well.

Thank you.

**Mr. ole Lankas:** Mr. Deputy Speaker, Sir, I stand to oppose this Motion. I want to make it very clear right from the outset that we are not opposed to hon. Members going on recess. What we are saying is that the timing is wrong. We are saying that because there is unfinished business in this House. That business is as a result of your order as the Chair. You gave work to the Departmental Committees of this House. You even gave us some time frame to complete that work. Now that we are ready to present our Reports--- We must appreciate that these Committees have worked tirelessly. Some of the hon. Members have sacrificed their own personal time to make sure that they beat the deadline that you gave as the Chair. Now that the Committees are ready to present their Reports, we are being told to go on recess.

We want to submit our Reports because we were given orders. We do not want to appear before this House with incomplete business. So, could we be allowed to present our findings as Departmental Committees of this House instead of telling us to go on recess? There is fear in this House, if you can read the mood of the House. Nobody knows what the fear is for. However, one or two weeks will not make a difference! Some hon. Members have said that they have businesses that they want to go and carry out in their constituencies. I wish they were honest. We are saying that you give us one or two weeks to complete the incomplete business.

Mr. Deputy Speaker, Sir, because of the fear that is lurking in this House, I wish to seek the indulgence of the Chair, that we be given one or two weeks. After that, the fear that is lurking in this House will come out in those two weeks. So, I am saying, "Give us one or two weeks. It will not make a difference." We all have business to attend to in our respective constituencies. Who is this who does not want to rest? People want to go and rest and bury their heads in the sand like the proverbial ostrich so that they can assume that everything is right.

We have matters of national importance to attend to. When a matter is of that nature, I believe that the element of urgency comes in. We are working because we were given orders by this House to complete certain works within two weeks. Now that we are ready to present our Report, we should be given the time to do so.

Mr. Deputy Speaker, Sir, I beg to oppose.

**Mr. Lagat:** Mr. Deputy Speaker, Sir, I have always been unlucky, but thank you very much. I, however, stand to oppose the Motion.

Many of the hon. Members have actually said that we are tired. I thought that when many Ministries were created, work was going to be easier. I fail to understand why some of us are saying that we are tired. Our country has so many problems. We need to address them during this recess period. We have been talking about going to solve the problem of the ongoing strikes in school. However, the relevant Departmental Committee is now going round the country, and it will bring its Report to this House. I wonder what kind of report it will bring to this House.

Mr. Deputy Speaker, Sir, some hon. Members have said that they want to go to their constituencies to give out their Constituencies Development Fund (CDF) money, but we already have committees on the ground, which deal with CDFs. It is our duty to make sure that we give those committees opportunity to work. It is also our duty to delegate some duties. We cannot say that unless we go on recess, we cannot utilise our CDF money. Some of us have already given out CDF money. We do not wait to go on recess, so that we can give out the money.

There are so many Motions which are incomplete. They were suspended. We are now being told to go on recess when we are yet to get the feedback. So, I stand here to oppose the Motion.

Thank you, Mr. Deputy Speaker, Sir.

**Mr. Deputy Speaker:** Ms. Peris Chepchumba, you have three-and-half minutes!

**Ms. Chepchumba:** Thank you, Mr. Deputy Speaker, Sir, for giving me this chance to contribute. I strongly oppose the Motion.

In fact, the hon. Members on the other side of the House, who are really pushing for the passage of this Motion, so that we can go home, are not sincere. We, on this side of the House, are sincere with ourselves. We do not need to go home just because we want to go and articulate issues. As the Member of Parliament for Eldoret South Constituency, I have serious issues which need to be articulated in this House.

Mr. Deputy Speaker, Sir, the other day, I brought a Question about the Ogiek because I am passionate about my people. I also have Internally Displaced People (IDPs). What do I go and tell those people? They are suffering. I need to be in this House to speak on their behalf. I am sure that my colleagues agree with me on this one. Time has come for the Tenth Parliament to make changes, which I know it will. We, on the Back-Bench, should not be taken for granted.

I want to correct a Member of Parliament who said that it is only the nominated Members of Parliament who do not want to go on recess. I am an elected Member of Parliament, and I feel that it is wrong for anyone to say that they do not want to go on recess because they do not have constituencies. In fact, nominated Members of Parliament represent more people, because they belong to everybody in Kenya. I am sure they are right.

Mr. Deputy Speaker, Sir, we have the issues of teachers, landless people and IDPs, among others. We want the Tenth Parliament to take these issues seriously. That is why we want to continue working and bring more Questions to this House. I know that the Members on the Government fear the kind of Questions we bring here.

With those remarks, I strongly oppose the Motion.

*(Dr. Khalwale stood up in her place)*

**Mr. Deputy Speaker:** Order, Dr. Khalwale! It is one minute to the time when the Question should be put.

Mr. I.E. Mohamed, you have exactly one minute!

**The Minister for Development of Northern Kenya and other Arid Lands (Mr. I.E. Mohamed):** Thank you, Mr. Deputy Speaker, Sir. I stand to strongly support this Motion. You have said that I have one minute. I want to go straight to the point on what I want to say in the remaining

seconds.

Mr. Deputy Speaker, Sir, as you know, there are many constituencies in this country, which are either arid or semi-arid.

**Dr. Khalwale:** On a point of order, Mr. Deputy Speaker, Sir.

**The Minister for Development of Northern Kenya and other Arid Lands** (Mr. I.E. Mohamed): Mr. Deputy Speaker, Sir, the hon. Member just wants to waste my minute.

**Mr. Deputy Speaker:** Order, Dr. Khalwale!

Proceed, Mr. E.M. Mohamed!

**The Minister for Development of Northern Kenya and other Arid Lands** (Mr. I.E. Mohamed): Mr. Deputy Speaker, Sir, as you very well know, rains fail in most parts of this country. As such, most of the Northern Kenya districts---

*(Dr. Khalwale and Mr. Ruto stood up in their places)*

**Mr. Deputy Speaker:** Order, Dr. Khalwale! Order, Mr. Ruto! You cannot take your five minutes and then deny another hon. Member one minute. You are out of order!

Proceed, Mr. I.E. Mohamed!

**The Minister for Development of Northern Kenya and other Arid Lands** (Mr. I.E. Mohamed): Mr. Deputy Speaker, Sir, we have people fighting for resources. We have scarce water and pasture resources, which people are fighting over. So, we need to go back to the constituencies and arbitrate between fighting clans. Only three days ago, two people died on the border of Moyale and North Horr Districts. We need to lead from the front.

**Dr. Khalwale:** On a point of order, Mr. Deputy Speaker, Sir.

**Mr. Deputy Speaker:** Order! Order! You are out of order!

**The Minister for Development of Northern Kenya and other Arid Lands** (Mr. I.E. Mohamed): Mr. Deputy Speaker, Sir, the hon. Member wants to waste my time.

**Mr. Deputy Speaker:** Proceed, Mr. I.E. Mohamed!

**The Minister for Development of Northern Kenya and other Arid Lands** (Mr. I.E. Mohamed): Mr. Deputy Speaker, Sir, because of the drought, we need to lead our people from the front. We need to be with them.

Mr. Deputy Speaker, Sir, there are matters to do with education. You realise that many---

**Mr. Deputy Speaker:** Order, Mr. I.E. Mohamed! Time is up!

**Dr. Khalwale:** On a point of order, Mr. Deputy Speaker!

**Mr. Deputy Speaker:** Order! Order! You are out of order, Dr. Khalwale! Parliament is supposed to be the most supreme institution in this country. The least we can do, in the eyes of Kenyans, is for us to conduct ourselves with decorum, dignity and integrity.

*(Question put and the House divided)*

## DIVISION

*(Question carried by 55 votes to 45 votes)*

**AYES:** Ms. Abdalla. S. Messrs. Affey, Baiya, Baya, Gaichuhie, Gumo, Haji, Kabando, Prof. Kaloki, Mr. Kamama, Messrs. Kamau J.I, Kamau J.M., Kambi, Ms. Karua, Messrs. Keya, Kimunya, Kipkiror, Kiptanui, Kiuna, Ms. Leshomo, Mr. Maina, Mrs. Mathenge, Messrs. Mbiuki,

Metito, Michuki, Mohammed A.C., Mohamed I.E, Munya, Munyaka, Muoki D.M, Mureithi, Muriithi, Murungi, Muthama, Mwakwere, Mwathi, Ndambuki, Nanok, Ng'ang'a, Ngugi, Nkaisserry, ole Ntimama, Messrs. Nyammo, Obure, Oyancha,J., Onyonka, Poghio, Ruteere, Prof. Saitoti, Dr. Shaban, Messrs. Thuo, Waititu, Wambugu and Wetangula.

Tellers of the Ayes: Mr. Affey and Dr. Monda.

**NOES:** Messrs. Bett, Chachu Chanzu, Ms. Chepchumba, Messrs. Ethuro, Gunda, Jirongo, Joho, Kaino, Kathuri, Keynan, Dr. Khalwale, Messrs. Kilonzo C.M., Konchela, Dr. Kones, Mr. Kutuny, Lagat, Lankas, Langat, Linturi, Magwanga, Mbadi, Dr. Monda, Messrs. Murgor, Mwahima, Mwaita, Namwamba, Nyamai, Ochieng, Olago, Okemo, Ombui, Omollo, Otichilo, Eng. Rege, Messrs. Sambu, Shakeel, Wamalwa, Were and Zonga.

Tellers of the Noes: Messrs. Wamalwa and Wambugu.

**ABSTENTIONS:** Nil.

### **ADJOURNMENT**

**Mr. Deputy Speaker:** Order! The House stands adjourned until Tuesday, the 7th of October, 2008 at 2.30 p.m.

The House rose at 7.10 p.m.