

NATIONAL ASSEMBLY

OFFICIAL REPORT

Thursday, 26th August, 2010

The House met at 9.00 a.m.

[Mr. Deputy Speaker in the Chair]

PRAYERS

QUESTIONS BY PRIVATE NOTICE

DAMAGE CAUSED BY FIRING OF HEAVY ARTILLERY AT LARESORO

Mr. Letimalo: Mr. Deputy Speaker, Sir, I beg to ask the Minister of State for Defence the following Question by Private Notice.

(a) Is the Minister aware that 17 expectant women have suffered miscarriages and several buildings have cracked due to intensive firing of heavy artillery at Laresoro near Archer's Post?

(b) Could the Minister consider stopping the firing of heavy artillery immediately to avoid further damage and re-locate future military exercises away from human settlements?

Mr. Deputy Speaker: Minister of State for Defence! Let us move on to the next Question by Private Notice!

CIRCULATION OF HATE LEAFLETS IN RIFT VALLEY BY NGOS

(Mr. Kiuna) to ask the Minister of State for Provincial Administration and Internal Security:-

(a) Could the Minister name the Non-Governmental Organizations and their directors that are circulating leaflets ordering members of a certain community to vacate some areas in Rift Valley Province?

(b) Could the Minister consider canceling their licenses?

Mr. Deputy Speaker: Hon. Kiuna is not here! Let us proceed!

ORAL ANSWERS TO QUESTIONS

Question No.343

LACK OF WAITING LOUNGE AT JKIA

Mr. Kombo asked the Minister for Transport:-

(a) whether he is aware that passengers on transit through the Jomo Kenyatta International Airport (JKIA) have no waiting lounge;

(b) whether he is also aware that the working station for Immigration Officers at JKIA is too small, hence hampering effective clearance of passengers; and,

(c) what the Government is doing to rectify the above to ensure services at the airport meet international standards.

Mr. Deputy Speaker: Minister for Transport! He is not here also!

The Vice-President and Minister for Home Affairs (Mr. Musyoka): Mr. Deputy Speaker, Sir, I would like to suggest that this morning's Questions be deferred to the afternoon sitting. As you can see, some of the hon. Members who have put up these Questions are not here. Hon. Ojode is ready to deal with the second Question by Private Notice, but the Questioner is not here. It appears as if the Members are not set for this sitting. I want to suggest that we give them a little bit more time and have these Questions answered in the afternoon.

Mr. Deputy Speaker: Whereas it is understandable that it has not been our tradition to sit on Thursday mornings, and this is only by the leave of the House, but again, we have the Order Paper for the afternoon sitting ready.

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): On a point of order, Mr. Deputy Speaker, Sir. I was ready with the answer to the second Question by Private Notice. Ordinarily, if the Questioner is not there, the Chair will just drop it because it looks like that Questioner is not serious with his Question.

Mr. Deputy Speaker: That also goes for the Ministers. Fortunately, you are the only Member of the Government who is around now to answer Questions. There are two other Ministers who should be here to answer the Questions listed on the Order Paper this morning, but are not here.

We will go back to the Questions for the Second Time.

QUESTIONS BY PRIVATE NOTICE

DAMAGE CAUSED BY FIRING OF HEAVY ARTILLERY AT LARESORO

Mr. Letimalo: Mr. Deputy Speaker, Sir, for the second time, I beg to ask the Minister of State for Defence the following Question by Private Notice.

(a) Is the Minister aware that 17 expectant women have suffered miscarriages and several buildings have cracked due to intensive firing of heavy artillery at Laresoro near Archer's Post?

(b) Could the Minister consider stopping the firing of heavy artillery immediately to avoid further damage and re-locate future military exercises away from human settlements?

Mr. Deputy Speaker: Minister of State for Defence! Indeed, it is only a miracle that would have changed the situation in a matter of seconds. The Chair directs that this Question appears on the Order Paper on Tuesday, next week.

The Vice-President and Minister for Home Affairs (Mr. Musyoka): Mr. Deputy Speaker, Sir, I have just received indication that the Minister of State for

Defence, hon. Haji, is, indeed, on the way. However, it would be prudent to defer this Question to Tuesday, next week, if it meets the favour of hon. Letimalo.

Mr. Deputy Speaker: Hon. Letimalo, how is your convenience on Tuesday, next week? Are you likely to be out of Nairobi?

Mr. Letimalo: Mr. Deputy Speaker, Sir, if you look at the Question, you will see that it is actually a grievous matter. It involves the lives of the people. We are talking of 17 women who have already had miscarriages because of these heavy artilleries. As I speak, the firing is still continuing. This is an issue that needs to be taken seriously. I would really request the Chair that the Question be deferred to this afternoon, so that the Minister takes an appropriate action.

Mr. Deputy Speaker: Whereas the Chair would not have hesitated to have this Question in the afternoon today, but unfortunately, the Order Paper for the afternoon sitting is already out. You will realize that Questions do not form part of the substantive business of the House, so we cannot have a supplementary Order Paper for it. Whereas the Chair understands and appreciates the gravity of the situation and the fact that this is a very serious matter, I will break the tradition again and have an opportunity to go through the Questions a third time.

The second question by Private Notice! Hon. Kiuna!

CIRCULATION OF HATE LEAFLETS IN RIFT VALLEY BY NGOS

(Mr. Kiuna) to ask the Minister of State for Provincial Administration and Internal Security:-

(a) Could the Minister name the Non-Governmental Organizations and their directors that are circulating leaflets ordering members of a certain community to vacate some areas in Rift Valley Province?

(b) Could the Minister consider canceling their licences?

Dr. Khalwale: Mr. Deputy Speaker, Sir, we appreciate that hon. Kiuna is not here, but if you recall, when this Question came up last week, it was partly dealt with. So, since the Questioner had already raised the Question, could you allow the Minister to continue, so that we can interrogate his answer?

Mr. Deputy Speaker: If institutional memory serves me right, Questions by Private Notice cannot be delegated. Also, once a Question appears on the Order, it has to be asked even if it had been asked previously.

Dr. Khalwale: Mr. Deputy Speaker, Sir, you are quite right and I appreciate that, but I was saying that when the matter came up last time, the hon. Member actually asked the Question. So, he has already initiated the Question. So, could you allow that we now stand up on further clarification?

Mr. Deputy Speaker: The Question is appearing on the Order Paper for a second time on the express direction of the Chair on the given date, because it was not properly addressed. The Chair directed that the Question appears on the Order on a day other than that particular day. It goes through the same process. The Questioner still has to rise and ask the Question.

Mr. Imanyara: On a point of order, Mr. Deputy Speaker, Sir. I am aware that you previously made a ruling on this Question, but given that this is the last day of

sessions under the old Constitution, may I plead with you that you allow the Assistant Minister, since he has the answer, to give it in the form of a Ministerial Statement under the next Order, so that we can seek clarifications, given that this matter has been substantively discussed before? I am sure that the Assistant Minister has no objection to that proposal. So, when the Statement Order comes up, he can convert the answer to the Question into a Ministerial Statement.

Mr. Deputy Speaker: The Chair would have absolutely no objection to a Minister rising and issuing a Ministerial Statement on any matter of national importance. However, the Chair is not going to convert the Question into a Statement but the Assistant Minister is at liberty to seek to give a Statement. The Question will stand dropped. So, Question No.2 by Private Notice is dropped.

(Question dropped)

Mr. Deputy Speaker: Ordinary Question No.343 by hon. Musikari Kombo!

ORAL ANSWER TO QUESTION

Question No.343

LACK OF WAITING LOUNGE AT JKIA

Mr. Kombo asked the Minister for Transport:-

(a) whether he is aware that passengers on transit through the Jomo Kenyatta International Airport (JKIA) have no waiting lounge;

(b) whether he is also aware that the working station for Immigration Officers at the JKIA is too small, hence it hampers effective clearance of passengers; and,

(c) what the Government is doing to rectify the above to ensure services at the airport meet international standards.

(Mr. Ojode walked towards the Bar)

Mr. Deputy Speaker: Order, Assistant Minister! The Chair is of the impression that you are leaving the House!

(Mr. Ojode resumed his seat)

(Laughter)

Mr. Deputy Speaker: The Minister for Transport is not here? The Chair directs this Question No.343 appears on the Order Paper on Tuesday next week!

(Question deferred)

Next Order!

Is there any Minister who would wish to give a Ministerial Statement?

Hon. Members: Yes!

MINISTERIAL STATEMENTS

PROBE INTO ACTIVITIES OF NGOS/CBOS BEHIND CIRCULATION OF LEAFLETS IN RIFT VALLEY

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): Mr. Deputy Speaker, Sir, on the Question by hon. Kiuna, there was a Ministerial Statement first, which came in last week, and it was dealt with very well. It was accepted by the House and the person who had sought it. Subsequently, he converted the same Statement into a Question. So, the Questioner should have been here to ask the Question.

Mr. Imanyara: On a point of order, Mr. Deputy Speaker, Sir. It cannot be so, because there is no way the Question would appear on the Order Paper at the request of the Questioner without the Chair's direction. So, is it in order for the Assistant Minister to attempt to avoid giving a Ministerial Statement after he had indicated, only a few minutes ago, that he was ready and willing to do so?

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): Mr. Deputy Speaker, Sir, I gave a Ministerial Statement on this issue last week. The person who had sought that Ministerial Statement subsequently converted the Ministerial Statement into a Question, which came up as a Question by Private Notice this morning. I was ready to answer the Question if hon. Imanyara, who is my friend, had asked for the indulgence of the Chair. I would have answered the Question. In fact, it is at the discretion of the Chair.

Mr. Deputy Speaker: Order! Order, Mr. Assistant Minister! The rules of the House are very clear. Given the fact that you do indicate your intention to address the matter, which you feel is urgent and important, the Chair has no problem allowing you to give that Ministerial Statement. Indeed, that does not necessarily mean that you also have to strictly stick to what you felt was the manner in which you were going to handle it; of course, the Chair has no objection to it.

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): Mr. Deputy Speaker, Sir, if the House seeks a Ministerial Statement, that is different from the Question, I am willing to give a Ministerial Statement, if it is sought by any hon. Member. What I have, and what I was ready to give, is an answer to the Question appearing on the Order Paper of this morning's sitting.

Mr. Imanyara: On a point of order, Mr. Deputy Speaker, Sir. May I seek a Ministerial Statement from the Minister of State for Provincial Administration and Internal Security on the issue of the circulation of leaflets in parts of Rift Valley Province from certain NGOs? In that Statement, could the Minister indicate whether he is considering cancelling the licences of those NGOs?

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): Mr. Deputy Speaker, Sir, I will be able to give the Ministerial Statement next week. But I would want to, first of all, say that this Ministerial Statement was sought last week, and I dealt with it. However, I would like to give some highlights on these particular issues.

First, investigations are still going on, and I am not ready to give the names of the CBOs and the NGOs, which participated in the distribution of the leaflets. Giving out the names this morning, will interfere with the investigations that are going on. I have some names, which I cannot give out right now, but I can share them with some of my colleagues. I would, however, request that we allow the police to investigate the matter thoroughly.

Mr. Deputy Speaker, Sir, I want to assure this House that once the investigations are complete, as the Assistant Minister in charge of internal security, I am going to take action, which may include the de-registration of the NGOs found guilty. The action may also lead to the cancellation of the licences of those NGOs. The decision will also result in arrests and prosecution of the persons behind the distribution of the leaflets if they will be thought to have contravened the law. The law will take its course. I want to assure this House that we will act once the investigations are complete.

Dr. Khalwale: On a point of order, Mr. Deputy Speaker, Sir. The Ministerial Statement that has been sought by hon. Imanyara is about a matter of great national importance. It is not in doubt that in that same area, Kenyans lost lives and property. From what the Assistant Minister has said, it is quite clear that he has certain information which he would like to treat as classified. Can we go back to the Standing Orders, which allow the same Assistant Minister to issue the same Ministerial Statement in camera? He can ask you to ask the Press to leave, so that he can answer this Question to the satisfaction of hon. Members!

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): Mr. Deputy Speaker, Sir, if hon. Members want the Government to do a good job, and stop some of this behaviour, let us allow the police to complete their investigations. There is no need of issuing a preliminary Ministerial Statement with regard to---

Mr. Deputy Speaker: Mr. Assistant Minister, I thought you are ready to answer a Question which is exactly in line with the same Ministerial Statement that was sought by the hon. Members. By and large, it is almost the same in content with that.

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): Mr. Deputy Speaker, Sir, if you want to know what I had as an answer, I can share with you because there is nothing secret. As I have mentioned, investigations are still going on and the names, directors and motives of the Non-Governmental Organizations (NGOs) and Community Based Organizations (CBOs) suspected to be behind the circulation of leaflets cannot be revealed at this stage to avoid jeopardizing investigations.

Mr. Deputy Speaker: Is that the Ministerial Statement that you intended to issue?

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): Yes, Mr. Deputy Speaker, Sir. I would like to say in summary form that it is not imperative for me to release any Statement now because it will jeopardize investigations. I am kindly requesting that we let the investigations continue and I will take stern action on those who will be found to be behind that act.

Mr. Deputy Speaker: Are you on a point of order, Mr. Imanyara?

Mr. Imanyara: Point of clarification, Mr. Deputy Speaker, Sir. Without naming names and without identifying which NGOs were involved, could he tell this House how

many people have recorded statements, the stage of investigations and how long the investigations will take?

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): Mr. Deputy Speaker, Sir, that is a good question. We have so far recorded statements from about 13 people and they are really helping the police to get to the in-depth of the problem. Maybe, two weeks from now, if we get good leads as I suppose we shall have gotten, I will take stern action. You will see me taking action because I am going to deregister them, cancel their licences, arrest and arraign them in court. There are good leads and we will take action.

Dr. Khalwale: Mr. Deputy Speaker, Sir, there are two points that I want clarified. Could he indicate which areas in Rift Valley were affected by these threats? Could he also tell the House what improved security measures he has instituted in those areas so that we are sure that our people's lives are not at stake?

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): Mr. Deputy Speaker, Sir, we are talking about Burnt Forest. If any of my colleagues happens to visit the area, he or she will see the presence of Government; the security team in that area. There are those who are in plain clothes and regular police uniforms. Let us hold our horses because I will reveal everything once investigations are complete. In the meantime, let me not say that we are investigating So and So because they will run away. Let us wait and get the people who are behind the circulation of the leaflets. Nobody will be spared. They will all be taken to a court of law.

Mr. Koech: Mr. Deputy Speaker, Sir, the Assistant Minister has confirmed that investigations are going on. Could he assure this House that apart from taking action on these NGOs, he will also undertake to come and inform the House on the same?

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): Mr. Deputy Speaker, Sir, if there is any kind of suggestion or information that hon. Members would want me to give, I am ready. Let me also say that the country belongs to us. If anybody wants to destabilize those who have been living harmoniously together, it is the duty of the Government to take action against them. That is exactly what I am going to do, irrespective of their status in the Government or in this country. I will spare nobody.

(Mr. Kombo stood up in his place then sat down)

Mr. Deputy Speaker: Mr. Kombo, have you made up your mind whether you want to ask a question or sit down?

Mr. Kombo: Mr. Deputy Speaker, Sir, I was going to raise the issue that, now that the Minister for Transport is in the House and my Question came up yesterday and we did not deal with it, today, I seek your indulgence so that we could go back to enable the Minister answer the Question now. He is ready and I am ready.

Mr. Deputy Speaker: We have already gone past that Order. We are now transacting a different Order.

Mr. Njuguna: Mr. Deputy Speaker, Sir, I am also seeking further clarification on the issue raised by Mr. Imanyara. Due to the seriousness and gravity of this matter in the Rift Valley, what action is the Assistant Minister taking to stop further circulation of harmful leaflets?

Mr. Deputy Speaker: Could we have a number of clarifications sought, then the Assistant Minister can respond at once?

Mr. Gaichuhie: Mr. Deputy Speaker, Sir, this matter is very weighty and it concerns many lives. I know the Government moves with speed if they want to. The Assistant Minister is well known to always indicate that they are doing something but we never see any action being taken. Could he assure this House that he is going to move the whole police force as he always claims so that this matter can come to rest? Could he assure us that within a week, we are going to get results and that we are going to see things working and moving?

Mr. Imanyara: Mr. Deputy Speaker, Sir, again without asking the Minister to name these NGOs that he is investigating, could he assure the House that he has already taken steps to freeze the bank accounts of those NGOs and traced the usage of the money from those accounts?

Mr. Pesa: Mr. Deputy Speaker, Sir, the Assistant Minister has said in this House today that he issued a Ministerial Statement last week on the same issue and that he needs more time to investigate. Could he tell Kenyans how much time he needs for his investigations to end, so that he could inform Kenyans of the outcome of this very serious issue?

Mr. Deputy Speaker: Mr. Assistant Minister, you can now respond to those concerns.

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): Mr. Deputy Speaker, Sir, I will start with the question by Mr. Pesa. This is not a simple matter. I have directed that thorough investigations be done in order for us to take action on what is on the ground. After getting the investigative report, heads will roll. The Government is on the ground and investigations are going on. As for how long it will take, I would not say here because it will depend on what tangible evidence the police will have come up with. Whatever they will come up with is what will make us take action which will include deregistration, cancellation of licences and arrests. So, it is a weighty matter and not as simple as one would think.

Regarding freezing bank accounts, if there is need, we have no objections. What I am saying is that, we have to wait for the report. If they are found to be doing something which contravenes our own laws, then we will take steps. We have mopped up those leaflets. The police officers have taken them as evidence because those people will be taken to court. I would request my colleagues to rest the matter there until we have the report and action will be taken. As a matter of fact, this is a very serious matter and we will take immediate action once investigations are over.

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

Mr. Deputy Speaker: Order, hon. Members! Order, Mr. Koeh! If you look at your Order Paper, you will see that it states: "Not later than 9.30 a.m---"

Next Order!

COMMITTEE OF SUPPLY

*(Order for Committee read
Being Ninth Allotted Day)*

MOTION

THAT THE SPEAKER DO NOW LEAVE THE CHAIR

Vote 12 – Office of the Deputy Prime Minister
and Ministry of Local Government

The Deputy Prime Minister and Minister for Local Authorities (Mr. Mudavadi): Mr. Deputy Speaker, Sir, I beg to move that Mr. Speaker do now leave the Chair.

Mr. Deputy Speaker, Sir, I wish to thank you and this august House for giving me this opportunity to present both the Recurrent and Development Votes of my Ministry. As hon. Members are aware, my Ministry falls in the infrastructure development sector whose main role is to advise, co-ordinate service delivery and guide the operations of the 175 local authorities throughout the Republic. The main objective of our mandate is to empower and facilitate local authorities to enhance local governance and ensure efficient delivery of services. This is achieved through prudent financial management, ensuring accountability, transparency and putting in place mechanisms for citizen participation in local level governance.

In line with the Ministry's mandate, the utilization of the Ministry's resources is geared towards contributing to economic growth and poverty reduction through the following activities:-

1. Acceleration of local authority reforms linked to improved budgeting, sound financial management practices and enhancement of revenue mobilization.
2. Participatory service delivery planning and implementation.
3. Capacity building.
4. Spearheading the implementation of the pro-poor development programmes in local authorities through the disbursement of funds for projects and programmes that address unemployment, economic recovery, poverty alleviation and regional development.
5. Development of policies, strategies and procedures to strengthen and institutionalize democratic and participatory community based decision making processes.
6. Formulation and implementation of policies aimed at promoting orderly urban development and addressing challenges of urbanization.
7. The development of retail fresh produce and wholesale markets in urban areas to improve internal trade and uplift the socio-economic well being of the residents.
8. Improvement of solid waste management in order to ensure sound environmental sustainability.
9. Provision of equipment and building quality human resources to mitigate against disasters and sustainable development at the local level.

Mr. Deputy Speaker, Sir, to achieve these objectives, I am requesting the hon. Members to approve a total of Kshs17,087,466, 890 for my Ministry during the current financial year 2010/2011. Out of this amount, Kshs13,201,466,890 is for the Recurrent Expenditure which is broken down as follows:- Kshs12,300,000,000 for Local Authority Transfer Fund commonly known as LATF; Kshs512,864,000 for contribution *in lieu* of

rates commonly known as SILOR; Kshs193,946,401 for personal emoluments and Kshs27,752,000 for rental charges; Kshs7 million for the Nairobi Health Board, leaving a balance of Kshs159,873,699 for operations and maintenance. The remaining Kshs3,866,000,000 is for Development Expenditure.

Mr. Deputy Speaker, Sir, SILOR is listed as a major component of my Ministry's recurrent estimates; that is a contribution *in lieu* of rates. But this money actually belongs to local authorities. In addition, it is important to appreciate that the level of payment of rates is determined by the Ministry of Lands which carries out evaluation of properties in areas of jurisdiction of each local authority. To date, Government Ministries and departments owe local authorities approximately Kshs4 billion but only Kshs512,864,000 has been aside in the current budget. This low allocation is not only grossly inadequate but also causes serious financial problems to local authorities that have factored the money in their budgets.

Mr. Deputy Speaker, Sir, under the Administration and Financial Management, a total of Kshs28,488,454,000 has been set aside. Out of this figure, Kshs22,266,924 has been allocated for personnel emoluments while Kshs6,229,500 is for operations and maintenance. My Ministry provides management support services which are geared towards enhancing administrative and financial capabilities. In this regard, the Ministry conducts both routine and extra-ordinary inspections into the affairs of all local authorities. The inspections are meant to reveal the weaknesses and trends in local authorities' operations, systems and structures. This information is used as a basis for taking remedial measures in individual local authorities and also to help develop policies and strategies towards improving the sector. Inspections also serve as deterrent measures against financial mismanagement amongst those involved. As such, we focus a great deal of attention on ensuring that local authorities are well managed as a prerequisite for effective service delivery and local economic development.

It is in view of the above that I would like to draw the attention of this House to the gross underfunding to this core function of my Ministry. I also wish to inform Members that we are talking to the Treasury with the hope that we can agree on how our concerns can be addressed.

Mr. Deputy Speaker, Sir, let me refer briefly to the Kenya Local Government Reform Programme. A sum of Kshs23,331,979 has been set aside for the Kenya Local Government Reform Programme, out of which Kshs18,429,004 is personal emoluments and Kshs4,702,975 is for operations and maintenance. My Ministry is fully committed to the reform programme of the local government policy sector and local service delivery. To achieve these objectives, various reforms are being undertaken. Furthermore, the promulgation of the new Constitution is going to put heavy restructuring demands on the local authorities which will require substantial additional financial support. The low level of funding on operations and maintenance at Kshs4,702,975 coupled with the exit of the European Union financial support, will adversely affect planned reform activities in my Ministry. For this reason, we have already communicated our fears to the Treasury and asked for additional resources. In addition, our programmes are all being aligned to Vision 2030 and this requires more resources.

Mr. Deputy Speaker, Sir, I have mentioned earlier, the main areas of concern of our financial and service delivery in local authorities. So far, the Local Authorities Integrated Financial System commonly known as LIFOMs has been successfully carried

out in 83 councils. This is a computer assisted financial management system whose specific objective is to assist local authorities to harmonize and standardize their operations in order to improve efficiency, accountability and transparency in conducting financial operations. The Ministry has also developed and is implementing new accounting and reporting systems for local authorities which are being rolled out to other local authorities during the current financial year. The Ministry has also developed an inspection manual and a statutory reporting template on general acceptable way of accounting and audit practices, service delivery tools and treasurers' manual. These are in addition to being proactive in monitoring budget preparation and implementation.

Mr. Deputy Speaker, Sir, let me come back to the LATF. A total of Kshs12,300,000,000 has been allocated to LATF to be disbursed directly to all the 175 local authorities in accordance with the LATF Act and Regulations. This LATF was designed as a mechanism to supplement the financial services and facilities which local authorities are required to provide under the Local Government Act, Cap 265. LATF is, therefore, structured to provide both budget support and strong incentives to local authorities to improve their service delivery, financial management accountability and debt resolution.

As hon. Members are aware, Mr. Deputy Speaker, Sir, LATF allocation is based on the following criteria as per LATF: A basic minimum lump sum of Kshs1.5 million for each local authority, the population of each local authority as per the 1999 Population Census and Urban Population of the local authority. For Local Authorities to qualify for the LATF, they must fulfil the following major conditionalities among others:-

(a) At least 65 per cent of the allocation from service delivery account must be budgeted for expenditure.

(b) Expenditure on personnel emoluments should not exceed 50 per cent of the total expenditure of the local authority.

(c) From 1st July 2010, it is a mandatory requirement that all statutory charges payable by the local authority should have been paid within the year which they are due. Statement of actual receipt, expenditures, cash and bank balances up to 30th June 2010 must be submitted. A statement of abstract accounts for the financial year 2008/2009 must be produced.

In the event a local authority fails to meet any of the above conditionalities, it will attract penalties.

Mr. Deputy Speaker, Sir, Members are encouraged to acquaint themselves with LATF annual reports which give detailed information. These reports are distributed to this House and also published in the print media and the Ministry's website.

In order to enhance citizen involvement in the operations of the local authorities in the year 2001, my Ministry introduced the concept of participatory planning through preparation of the Local Authority Service Delivery Action Plan (LASDAP). This reform initiative creates a mechanism for interaction between local authorities and their clients or stakeholders on financial information, exchange and planning of projects, as well as their implementation. Starting from the financial year 2006/2007, local authorities are required to utilize 20 per cent of the capital expenditure for pro-poor projects. In addition to these measures, local community contracting for provision of infrastructural services has been embraced to create opportunities for employment at the local level.

Mr. Deputy Speaker, Sir, in the current budget, a total of Kshs53, 953,192 is allocated to the rehabilitation of street families. As hon. Members recall, the Children's Act (2001) mandated all local authorities to safeguard and promote the welfare of the marginalized through the establishment of rehabilitation programmes and creation of departments to deal with the rights and welfare of street families. In order to provide the necessary policy framework on this, my Ministry initiated the Street Families Rehabilitation Programme in 2003.

With the growing numbers of street families currently estimated at 300,000 million countrywide, there is an urgent need to build the capacity and empower local authorities to initiate sustainable programmes that will eradicate this problem. So far, the Ministry has rehabilitated 13,000 street families. This daunting task was placed on us because street families had become a security risk to residents and visitors in our urban centres. The success of the rehabilitation process has been made possible through provision of scholarships to 9,000 youths in vocational skills and over 400 children in formal education; primary and secondary, in partnership with local authorities, other Ministries and development organizations, such as United Nations Childrens Fund (UNICEF), International Labour Organization (ILO), GOAL Kenya as well as faith based organizations. I urge these and other partner organizations to redouble their efforts in these programmes.

Mr. Deputy Speaker, Sir, I now come to the Development Vote. The total amount allocated for the Development Expenditure in this year's budget is Kshs3, 886,000,000. These funds will be applied to the following projects:-

(i) Access Roads – For this item, a total of Kshs331 million has been set aside to be spent as follows: Kshs231 million for ongoing road projects and Kshs100 million to clear some of the pending bills under the Kenya Urban Transport Infrastructure Programme (KUTIP). Some of the ongoing projects are in Kwale, Nanyuki, Sagana, Bomet, Kegoe, Mudete, Muthurwa access road and the missing links.

The amount allocated to the Ministry will only meet part of the many certificates that are pending payments. This is a matter we have communicated to the Treasury for further consideration.

(ii) The Construction of Bus Parks and Storm Water Drainage – A total of Kshs236, 935,000 has been allocated to this item which is an ongoing programme under my Ministry. For this reason, we will utilize Kshs116, 935,000 to pay some of the certificates on bus parks while Kshs120 million to part pay, payments of certificates on storm drainage projects in Mombasa and Webuye.

(iii) Mr. Deputy Speaker, Sir, there is also the aspect of solid waste. Towards this goal, a total of Kshs150 million has been allocated as counterpart funding for projects supported by the Government of France through Agence Francaise de Development (AFD) in Mombasa and Nakuru. At the same time, the Ministry is preparing a broad policy position which will then be adopted for solid waste management in all other local authorities.

(iv) Fire disaster and prevention – in this regard, the Ministry has set a sum of Kshs298, 064,430 for the support of local authorities in equipping and building their disaster management support.

(v) The National Urban Development – here, I would like to state that some funds have been allocated in the budget to facilitate digital mapping and preparation of urban

development plans. So far, digital mapping will be undertaken in Eldoret, Bungoma, Garissa, Othaya and Mtwapa on a pilot basis. This Ministry is also preparing an integrated strategic plan for Bomet, Maralal, Mariakani and Kakamega.

(vi) Primary Education in Poor Urban Areas of Nairobi – under agreement with KFW of Germany, my Ministry is undertaking the development of new Kiumbuini and Kinyanjui Road Primary Schools. In this respect, the Ministry has allocated Kshs170 million and expects the schools to be completed by December as part of a debt-swoop agreement.

(vii) Kazi Kwa Vijana – the Ministry has set aside Kshs450 million which will go to the local authorities that will be charged with the implementation of this programme.

(viii) Economic Poverty Recovery – the majority of the current retail markets are in a state of despair and as a first step, we will spend a total of Kshs800 million towards the rehabilitation and completion of 19 ongoing retail markets that are outside the ESP and also outside the Medium Term Programme for 2010/2011.

Mr. Deputy Speaker, Sir, I also wish to state that over and above this, in order to improve internal trade accessibility to markets as well as orderliness in our urban centres, a total of Kshs1 billion has been allocated for market development in various parts of the country.

Hon. Members will recall the rationalization of Muthurwa Hawkers Market which helps to decongest parts of the Central Business District (CBD) and we still have to improve this because we need additional access for roads to make the Muthurwa area much more efficient. The Kshs1 billion cited above is also intended to deliver proper market infrastructure to our people.

Mr. Deputy Speaker, Sir, wholesale market hubs, Kshs536 million will be utilized towards the completion of four ongoing wholesale market hub projects in Karatina, Kongowea, Gakoromene in Meru and Kakamega. In the current financial year, Kshs464 million will be utilized towards the development of seven wholesale markets and seven local authorities to provide a conducive business environment for our small scale traders. We hope that these efforts will ultimately be augmented by contributions from individual local authorities, private investors and development partners.

I now beg to move that Parliament approves a sum not exceeding Kshs17,007,466,890 to be issued from the Consolidated Fund to meet the expenditure of my Ministry's programmes for the year ending 30th June 2011.

Mr. Deputy Speaker, Sir, let me re-emphasize once again that SILOR which has been used as part of setting a ceiling for the Ministry of Local Government is actually a misnomer because SILOR does not belong to the Ministry of Local Government. We are merely a transit Ministry and this money belongs to local authorities. We would, therefore, like Parliament to take note of this.

The other aspect is that, LATF which is used to give the impression that the Ministry of Local Government has a very huge Vote is again not money for utilization by the Ministry of Local Government. That is money that goes straight to the respective local authorities. So, in reality, if one knocks off the SILOR and the LATF, you will realize that the Ministry of Local Government is grossly under-funded.

With those few remarks, I beg to move and urge Mr. Haji to second.

The Minister of State for Defence (Mr. Haji): Mr. Deputy Speaker, Sir, I beg to second this Motion. From the outset, I want to congratulate the Minister who has a very

heavy responsibility in handling a very delicate portfolio - Ministry of Local Government. As stated, there are over 175 local authorities in this country. We all know that 80 per cent of the population of this country lives in our rural areas where those local governments operate. They are expected to give service to a large population of our people. They are faced with a mammoth task. No doubt, the Minister has done his best since he took over this leadership of this Ministry. He has been able to ensure that there is prudence, proper accountability and transparency in the local government. I am saying that because if you recall, before he took over this Ministry, we knew very little about the resources that were being given to the local government. For example, we never knew how Local Authorities Transfer Fund (LATF) was utilised. As a Member of Parliament for Ijara, I am happy to note that, on several occasions, we have been involved in identifying the needs of the people, so that, that money is properly used just like the Constituencies Development Fund (CDF).

Going by the presentation of the Deputy Prime Minister and Minister for Local Government, he intends to do a lot of improvements in this financial year and beyond. There is need for this country to develop a large wholesale vegetable market just like China. For those of you who have visited such a huge country like China and have gone to Juan City, you must have seen a very huge vegetable market which attracts farmers from all over the country. In Kenya, we would be attracting our neighbours to bring their produce to our country.

For us to destroy the waste that is choking our cities all over--- If you fly over Nairobi, you will see that the whole City is full of garbage and waste materials. If there could be a way of recycling that, then definitely, we would be living more healthier than we are now. If you go to all the trading centres in this country, you will see plastic papers littered all over. Our efforts to fight the mosquito menace are being defeated because when it rains, the water is retained in those plastic papers for a longer time than the ordinary paper and, in that way, mosquitoes breed. The allocation of the Kshs17 billion is very minimal, compared to the services that are given by our local authorities.

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

(Question proposed)

The Assistant Minister for Livestock Development (Mr. Duale): Mr. Deputy Speaker, Sir, I beg to support Vote 12 of the Office of the Deputy Prime and Ministry of Local Government. I also want to thank Mr. Mudavadi, the Permanent Secretary, the Assistant Minister and his team for doing a good job. The Ministry of Local Government is key and under the new constitutional dispensation, it has a lot of work to do. It is mandated with re-organizing the devolved system of government that this new Constitution has put in place. At the same time, it is this Ministry that has the grassroot system in this country. We are talking about local councils and municipalities. The Minister for Finance should have given this Ministry more funding, particularly this year and next year, so that it can start the preparations for the devolved governments like the counties, regional assemblies and the others.

My constituency Garissa, has the oldest municipal council in that region. In 2006, an integrated strategic planning was done for a number of municipalities, Garissa Municipal Council included. There were six of them. Under those pilot municipalities,

physical and strategic planning was to be done for six municipalities. That programme was launched in 2006 and Kshs50 million was earmarked for that process. A company was contracted to do that in 2006/2007. To date, what that contracted company has done on the ground is just to conduct interviews with the staff of Garissa Municipal Council. They carried out one stakeholders meeting and an aerial photographing of Garissa Town. That programme was to be completed by December 2009. However, a conflict arose between the Ministry of Land's Department of Physical Planning and the contracted team. I want the Minister to re-look at the Department of Urban Planning within the Ministry of Local Government. I want to say it here that we are going towards zero tolerance to corruption. But when you look at that department--- If you look at the number of projects that are being done, specifically in my constituency, there is the Garissa Bus Park which, in my opinion, was to cost Kshs50 million. But it ended up costing the Kenyan taxpayers close to Kshs80 million. The same Department of Urban Planning is, again, involved in a tussle of war with the Ministry of Lands. That is why, today, the Garissa Municipality has not been planned. We need to know where the Kshs50 million went. We also need to know why that pilot study among the six municipalities - and which Garissa Municipal Council was one of them - has not been undertaken. We need the Minister to send an audit team to investigate the construction of Garissa Municipal Bus Park. Why did it cost the taxpayers an extra US\$1 million? Why is it that until today, five years down the line, that bus park has not been opened?

Mr. Deputy Speaker, Sir, we cannot talk of a new constitutional dispensation when we have rot in our councils and Government departments, and when the little amount of money that the Minister for Finance sends to the Ministry of Local Government in form of the LATF, does not reach the beneficiaries on the ground. Today if you walk around this country, you will find dispensaries and schools built using CDF funds. Why are we not seeing the money that is sent to councils? Today, the City Council of Nairobi receives billions.

With those issues I have raised, I beg to support this Vote.

Mr. Gabbow: Mr. Deputy Speaker, Sir, the departmental committee on local authorities had received the financial estimates for 2010/11 and a total budget of Kshs17,087,466,890 was allocated, compared to Kshs23,946,000,000; this shows a decrease of about Kshs5,859,000,000 or 21 per cent. However, the Recurrent Expenditure increased from Kshs12,346,000,000 to Kshs13,201,466,890. The Committee was informed that the decrease would negatively affect the ongoing development projects and we agreed with that.

The Committee wishes to make the following observations and recommendations. The financing under the LATF should be guided by the Local Authorities Service Delivery Plan. The Ministry should look at the plan and ensure that there is harmony between funds disbursed and planned projects.

Two, the Ministry should participate in upgrading the various local authorities from one level to another. There is also a mismatch between the various actors within the local authorities arena and there needs to be a proper integration of various Ministries such as the Ministry of Water and Irrigation, the Ministry of Environment and Minerals, the Ministry of Roads and so on. This will go a long way in enhancing service delivery and avoid duplication.

There is also need for a long-term strategy for addressing the level of indebtedness of local authorities since LATF was intended to reduce debts of local authorities; this has had limited success. The Ministry should also be able to table the status of the impact of the LATF programme.

Since it is apparent that some of the local authorities are highly indebted and poorly managed, it is recommended that a rapid response action plan be put in place. Since the Fund is operating in a surplus, there is need to reduce the transfer from the Exchequer by an amount similar to the surplus.

Mr. Deputy Speaker, Sir, with those few remarks, I wish to support Vote 12 for the Ministry.

The Assistant Minister for Regional Development Authorities (Mr. Ole Metito): Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity to also support this Vote 12. I would like to highlight the challenges that this Ministry is facing, especially with respect to the rural areas.

First, we want to say that there is the Urban Development Department in the Ministry that takes care of urban development plans. However, there is no rural development plan, or a rural development department in the Ministry. That is why we are not seeing much on the ground in the rural areas.

I want to also highlight two things. One is about the Economic Stimulus Package that was rolled out in the last financial year. The three sectors, that is education, industry, through Jua Kali initiatives and health, have really taken root. There is a lot going on in those areas. If you look at their plan, it is indicated that about three or four constituencies have registered sixty per cent of work done on the ground.

So, when the Minister replies, we would like to know what is happening in some areas. In my constituency, that is Loitoktok, we had set aside land for a fresh produce project; a contract was awarded but no work is going on. The Ministry has identified 30 fresh produce markets in the urban areas. It has allocated Kshs1.744 billion for development of those markets. Surprisingly, the Ministry has listed 18 livestock markets that were supposed to be developed, but there is no allocation for them at all. I know the Ministry got less than what they had asked from the Treasury; but, in their own wisdom, they should actually have balanced the 18 livestock markets against the 30 markets for fresh produce. At least, each side should have got something.

Mr. Deputy Speaker, Sir, regarding the issue of market access, we are having a problem in the rural areas in bringing produce to the markets; something has to be done regarding rural roads under this Ministry. We have some roads which are under the Ministry of Roads and others fall under the CDF, and we are seeing some work going on. The roads that fall under the Ministry and which provide access to markets--- Farmers are really suffering losses because their produce is not reaching the markets.

The Ministry has an allocation of Kshs450 million for the Kazi kwa Vijana (KKV) Programme. I think there should be a way of looking for concrete projects that the KKV on the ground should do. There is an allocation of Kshs150 million for the management of solid waste. I know it is not what was requested by the Ministry; it is a challenge on the ground, even in urban cities. The Ministry should come up with a very concrete plan on how to manage solid waste.

Finally, I will touch on the Physical Planning Department. In line with the new constitutional dispensation, we will have county system. The Physical Planning

Department, as it is now, is causing a lot of chaos in the rural counties. An example is the allocation of plots for development of commercial or residential units. You will find one plot being allocated to more than four people. The objective of this Ministry is to enhance local governments and also ensure efficient service delivery. It does that through ensuring transparency and accountability, among other issues.

I think the Ministry should do something about this issue of physical planning and plots allocation. It should ensure that this is done in a much more transparent and accountable manner to avoid conflict and multiple ownership of title deeds.

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

Mr. Pesa: Mr. Deputy Speaker, Sir, I rise to support this Vote. I want to commend the Deputy Prime Minister and Minister for Local Government and his entire staff for managing this Ministry effectively. This is a Ministry which is very close to our people at the grassroots level.

Mr. Deputy Speaker, Sir, as he stated, this Ministry is underfunded. We want to appeal to the Government to ensure that more funds are given to this Ministry during the Supplementary Budget to ensure that it carries out its duties effectively. This Ministry has demonstrated to Kenyans how devolution can work for a very long time. Money was being sent down to the people at the Local Government level and it was supposed to benefit the local people in specific areas.

[Mr. Deputy Speaker left the Chair]

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

Mr. Temporary Deputy Speaker, Sir, there are areas that the Ministry needs to address itself to, especially on transparency and accountability with regard to expenditure of Local Authority Transfer Fund (LATF) money in our local authorities. You will find that in some areas the LATF money is more than what we get in CDF, but when you go to the ground, you find what the CDF has done can be seen by any officer who visits these areas. That leaves a lot of talks in our local authorities; why this money is not properly utilized as the CDF funds.

Mr. Temporary Deputy Speaker, Sir, some hon. Members talked about construction of bus parks. There is a bus park in Migori which has been there for the last 60 years. For the last three years, the modernisation of this bus park has stalled. No construction work has been going on. Bus parks are very important to local authorities because they are sources of revenue. I want to appeal to the Ministry to give this project a more serious contractor to complete it. I am sure the Deputy Prime Minister and Minister for Local Government was there and he saw the work that has been done before. All we need is for the Ministry to release that money to a more serious contractor to complete it. We want our people to use this bus park as soon as possible. At the moment, we have taken our vehicles into the Bus Park, but, of course, it is not completed. So, I want to appeal to the Ministry to award it to a contractor who can do it immediately.

Under the stimulus package, we have the money that was earmarked for construction of fresh produce market in Migori. I wonder whether this money has been released to the Ministry by the Ministry of Finance because that work has not started.

This project was supposed to have been completed last year. So, I want to ask the Ministry to make sure that this market in Migori is constructed because we are now in another financial year.

Mr. Temporary Deputy Speaker, Sir, I support this Vote. I also support that this Ministry be given more funds to carry out its mandate in the country.

With those few remarks, I beg to support.

Mr. Njuguna: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute to this very timely Motion. Let me start by thanking the Deputy Prime Minister and Minister for Local Government for moving this very inspiring Motion. I also want to extend congratulation to the Permanent Secretary who has continued to serve this nation in different capacities.

I wish to request the Minister to give more attention to availability of land, so that the economic stimulus projects will be implemented. We remember that we have the *Jua Kali* sheds, modern markets, but land is not available. The Deputy Prime Minister and Minister for Finance have re-voted funds for implementation of these projects. It is, therefore, the responsibility of the Deputy Prime Minister and Minister for Local Government to make sure that these projects are started immediately. These projects are intended to create employment for our youth and curtail the rates of insecurity in our areas.

On environment, I would urge the Ministry of Local Government to be more serious in taking steps to make sure that our cities and towns are really tidy and clean. I recall that at one time, Nakuru Town was the cleanest town in Africa. We need to regain that glory. This should happen to all the towns in this country.

We have seen in some areas LATF being abused. In my constituency, LATF funds are utilized properly. Some time, these funds are utilized in awarding bursaries and buying school uniforms for orphans. In some areas, funds are used to put up toilets and construct classrooms in schools.

On salaries for councillors, they need to be reviewed because one area that they have been agitating for is better pay because they are also grassroots leaders. They have a responsibility to the communities that they serve. Therefore, the issue of salaries for councillors must be reviewed as soon as possible.

On impunity by councillors, this is really tarnishing the image of our country. They even scare tourists who are planning to visit our country. Therefore, action must be taken to tame rogue councillors in our local authority. At times, they break chairs and injure other people. Deterrent measures must be taken to restore confidence and dignity of these leaders.

With those few remarks, I beg to support.

Dr. Otichilo: Mr. Temporary Deputy Speaker, Sir, I rise to support this Vote.

The Ministry led by the Deputy Prime Minister and Minister for Local Government has done a good job. As my colleagues have said, the money availed to them to do what they are supposed to do, is inadequate. Therefore, I want to join the rest of my colleagues to say that Treasury should consider giving more funds to Office of the Deputy Prime Minister and Ministry of Local Government, so that they can achieve their programmes.

Having said that I want to make a few remarks, which I think are very important, which the Ministry should take action on in order to move forward. First, as my

colleagues have said I would like to see a full assessment of the LATF programme. This will establish whether it has achieved its intended goals and objectives. As my colleagues have said, LATF money has been disbursed each year, but its impact on various municipalities and local authorities has not been evaluated. So, this is an exercise, I would like to see the Ministry carry out so that we know whether we are getting value for our money on LATF.

On the issue of physical planning, I would like to urge the Ministry that without proper long term physical plans for our towns, we cannot plan for these towns. I want to urge the Deputy Prime Minister and Minister for Local Government to ensure that physical plans for various towns are undertaken, so that we can know the plans for our towns in the next five to ten years. In this regard, it is extremely important that the Ministry sets up departments that create and store data for planning. In this regard, I would like to propose that each of the towns must have a GIS database, so that the GIS database can be used to create information that can be used very rapidly in carrying out any plans.

For many years, we have had digital mapping of towns such as Bungoma, Mtwapa and Eldoret, but nothing is taking place. Before I came to this House, I was involved in digital mapping of Kisumu and Mombasa. But all these programmes have failed because of lack of capacity and lack of funding within the municipal councils and towns. So, I urge the Ministry to set up a fully fledged digital mapping department if they want to carry out the mapping carefully.

Mr. Temporary Deputy Speaker, Sir, I also want to talk about solid wastes. We do not have a clearly spelt out programme on solid wastes in our towns. It is important that the Ministry comes out with by-laws and regulations on how to manage our solid wastes. This is a major menace in our towns and unless we manage it, our towns will remain an eyesore to the various visitors who visit them.

With regard to street children, over the years, when the NARC Government took power, the number of street children in our towns went down. However, I note that street children have now increased in various towns. We want the Minister to address this issue because it is of major concern.

Overall, the management of most of our local authorities is not good. The Ministry must, therefore, come up with a programme on how to manage our local authorities. They must build capacity within our local authorities so that we can have proper management. They must also empower the local authorities so that they can be able to carry out their activities without having to depend specifically on the Town Clerk and the Treasurer.

Lastly, with regard to the construction of fresh produce markets, I want to join my colleagues who said that this has not taken place. We want to know from the Ministry what is going on with the fresh produce markets in the various constituencies of this country.

Mr. Temporary Deputy Speaker, Sir, with those many remarks, I wish to support this Vote.

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Lesrima): Thank you, Mr. Temporary Deputy Speaker, Sir. I want to congratulate the Minister and his staff for the way they have been managing the

Ministry. I wish to support this Vote. However, I want to make one or two comments, particularly those concerning Samburu County Council.

As you know, Samburu County Council relies heavily on contribution from tourism. In the recent past, I am sure most of us witnessed through the media the destruction caused by serious flooding within the area to the extent that a number of lodges were completely put out of use. This has affected the financial base of the county council. For that reason, I would like to urge the Minister to speed up the payment of refunds in terms of contribution in lieu of rates. A lot of money has been owed to the Samburu County Council for a very long time. I appreciate that there has been some contribution in the recent past but we want that expedited so that the Council can be financially stable.

Secondly, the Ministry needs to closely supervise the management of the national reserve. We are aware that the African Wildlife Foundation (AWF) has come up with management plans for the national reserve. That is in terms of the carrying capacity - determining the number of lodges and camps we can have there. It is, however, very clear that those management plans are not respected and this impacts negatively on the environment. There is congestion because people are constructing lodges where they should not. I urge the Minister to participate or closely supervise the management plans of the national parks so that they are not reduced into some kind of bazaars.

Finally, with regard to fiscal planning, even His Excellency the President recognized when he came to Maralal that there is lack of planning of the towns in Samburu. We would like the Department of Fiscal Planning to do thorough planning because we have reached a stage where there is over-allocation of plots to the extent that we do not even have space for the construction of development projects.

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

Dr. Eseli: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me a chance to support this Motion on the Office of the Deputy Prime Minister and Ministry of Local Government.

First, I congratulate the Deputy Prime Minister and Minister for Local Government for presenting this Vote and the energy he exhibited during the campaigns for the referendum. I would also like to congratulate the Permanent Secretary who is very able. I am sure we will see some changes in this Ministry. However, I would like to say a few things. When you find a situation where clerks and treasurers are changed day in, day out and there is musical chairs all the time, there is a problem. Something should be done about that. You end up without continuity of work or institutional memory. There is definitely a problem and that is why we have frequent changes of clerks and treasurers of councils. If it is not corruption, then there must be something else that causes it.

Mr. Temporary Deputy Speaker, Sir, there is a problem in the local authorities in the sense that when the CDF has built a road or, maybe, the Ministry of Roads through the Kenya Rural Roads Authority (KeRRA) has built a road, they run very quickly with a chain and start collecting money from poor youngsters who have got their *boda boda* motorcycles which are on loan. The councils collect money from the *boda boda* operators and yet they are unable to service their loans. So, the councils are part of the people who create poverty amongst our youths by collecting money that they should not collect. This is because they do not give a percentage of those collections towards roads maintenance.

In fact, they end up making the youths fear going on the road and remain poor instead of assisting them to improve their livelihoods. The councils collect monies because of their by-laws. There should be some control so that as the councils collect money, some of it should go back into the maintenance of those roads rather than reaping where they did not sow.

The other issue is on bursaries. I believe that the LATF should give some money towards bursaries. In the whole of Bungoma County where I come from, I have not heard of any money from the LATF that goes towards bursaries. There seems to be something wrong with the administration of those bursaries.

Finally, the Ministry should tighten the allocation of plots in market centres and rural/urban areas. There seems to be a lot of underhand dealings that lead to the unplanned centres that we come across. The underhand dealings have meant that there are no utility plots set aside on rural urban centres and this leads to unplanned development.

With those few remarks, I wish to support this Motion.

Mr. Mbau: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this chance. I appreciate very much what has been presented by the Deputy Prime Minister and Minister for Local Government. However, in supporting this Motion, I would like to express reservations which need to be addressed for proper and prudent optimal utilization of public resources.

If you look at what has been happening with the money that is allocated to the various local authorities, you will discover that at the beginning of the year there are very many grandiose plans and targets which midstream the financial year get reallocated to other emerging projects that become desirable. Therefore, at the end of the year, you will find that there are many projects that stand incomplete and yet the next financial year does not necessarily guarantee that funds are put on the same.

This question of reallocating resources to various projects midstream gives beneficiaries inability to project with certainty what will eventually be delivered or derived from the resources allocated. I would like to give a specific example here so that the Deputy Prime Minister and Minister for Local Government does not think that I am talking for the sake of it.

We have a bus park in Makuyu Town Council that was planned some three years ago. It was supposed to be funded by the local authority of Makuyu Town Council as well as the European Union (EU). I think the same council approached my Constituencies Development Fund (CDF) Committee to do some local contribution so that we can be seen as the local leadership, to also appreciate. My CDF Committee put in Kshs700,000, but in between the implementation of that project when the EU had already put in Kshs1.8 million, they stopped the project. For three years we have had a small white elephant. Of course, my CDF Committee had to withdraw what it had already given. I want to ask the Deputy Prime Minister and Minister for Local Government to critically peruse and interrogate the various projects that have been funded across the country by the EU and whether the same have been giving value to monies that are supposed to come to this country. Right now as we talk, the same local authority is supposed to reimburse even that which had been donated or granted to it. So, we have a bus park there which is not finished and cannot be used. We have put in money which is now supposed to be reimbursed to the EU. That, to me, kind of smacks off some foul play or something fishy and I would like the Minister to get to the heart of that.

Mr. Temporary Deputy Speaker, Sir, I would also like to comment on the question of the Local Authority Transfer Fund (LATF) allocation. A lot has been said about the allocation and what has been achieved through the CDF allocations. The CDF is a mere 2.5 per cent of the gross revenue to the various constituencies which are 210. A similar amount – nearly 2.5 per cent – is allocated to local authorities which are only 175. But when you go around and hear comments by various Non-Governmental Organizations (NGOs), departments and the public, the focus is on CDF. This other nearly 2.5 per cent allocation that has been going to 175 local authorities has not had any focus. I would like to know whether the Ministry of Local Government is a social Ministry or an infrastructure Ministry, so that when they give this 2.5 per cent allocation, it goes to supporting the social causes and, therefore, may not be required to be seen regarding what projects were put up. I think time is right for us to do a thorough public expenditure review on the value of CDF across the country, so that we can say as a policy that this is going to continue. If, indeed, it is going to continue, it should be with due approval of the relevant arms, including this Parliament.

Mr. Temporary Deputy Speaker, Sir, in conclusion, I would like to say that the question of chief officers and councillors---

The Temporary Deputy Speaker (Mr. Ethuro): Order, hon. Mbau! Your time is up!

Mr. Mbau: Mr. Temporary Deputy Speaker, Sir, I beg to support.

Mr. Kiuna: Thank you, Mr. Temporary Deputy Speaker, Sir. I would like to support this Motion and congratulate the Deputy Prime Minister and Minister for Local Government for doing a good job, although there is a lot to be done. This is because this Ministry covers major towns in our Republic. Majority of these towns are in a deplorable condition.

Mr. Temporary Deputy Speaker, Sir, I want to start with discipline among the civic leaders. We have seen quarrels in many elections of mayors and chairmen of committees. I do not know what the Minister is going to do to make sure that these councillors hold their elections in a mature way. It is a big letdown to us, as fellow Kenyans and leaders.

Secondly, Mr. Temporary Deputy Speaker, Sir, as I support this Motion, I have a feeling that there is a lot to be done, especially regarding cleanliness in major towns which are in a deplorable condition. I come from Nakuru and I remember when I was a young boy, we used to be told that Nakuru was one of the cleanest cities in East Africa. But right now if you go there, you cannot believe it; it is in a pathetic situation. I do not know where we went wrong or what happened. I do not know whether it is we, the current leaders, who have failed this nation. During those old days, even Nairobi was a clean city in the sun, but right now, there is a lot of garbage in many of the streets. So, I think the Deputy Prime Minister and Minister for Local Government and his team have a lot of work to do to bring sanity in this Ministry.

Mr. Temporary Deputy Speaker, Sir, likewise, you can hardly walk for about 100 metres in major towns without getting a beggar or a disabled person begging. I think we need to change that attitude because we have a lot of visitors who visit our country. The Ministry should liaise with the relevant Ministries and find ways of taking these people off the streets to other places like charitable organizations.

Mr. Temporary Deputy Speaker, Sir, we have to address the issue of insecurity. I thank the Ministry of State for Provincial Administration and Internal Security for bringing sanity, especially in Nairobi. Some years back, you could not walk even for 100 metres without being mugged or pick-pocketed, but nowadays, things are a little bit better. I would request the Minister and his team to pull up their socks and roll up their sleeves and try to bring sanity in the Ministry.

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

Mr. Imanyara: Thank you, Mr. Temporary Deputy Speaker, Sir. I rise to support my good friend, the Deputy Prime Minister and Minister for Local Government, in seeking these funds for his Ministry. I hope he will be able to explain to us, when we go into the Committee Stage, what appears to be a big discrepancy between the sum sought in the Committee and what appears in the statement here to be a sum of Kshs17 billion. At the Committee Stage, the Minister will be seeking Kshs2 billion. Maybe that will be explained when he rises to speak.

Mr. Temporary Deputy Speaker, Sir, as I congratulate the Deputy Prime Minister and Minister for Local Government, I am very disappointed also by him. Although he has given funds for two markets within the County of Meru, within North Imenti and South Imenti, I am disappointed that he has not allocated any funding at all to complete the Kibirichia Market which has remained unopened more than four years since it was completed. What is required to complete it is less than Kshs5 million.

Mr. Minister, I have spoken to you about this issue on many occasions and I am surprised that you have not taken heed to take steps to have that market opened. Nevertheless, I am glad that you have made some allocation to Gakoromone Market which is, by far, the biggest market within the Meru County. As I say that, I am also aware that the funds that were allocated under the Economic Stimulus Programme (ESP)-- We have met all the conditions. For example, the construction of a fresh produce market in Kibirichia, despite complying with all the requirements, funding has not yet been received. We know of places where the completion of the Economic Stimulus Programme projects has been reported. Perhaps, the Minister will shed some light on this.

Having said that, and as we go into the devolved system of Government where counties will play a key role, I would have expected the Minister to address that issue more substantively. That is because we are entering an era where, under the devolved Government, County Governments will take the central stage. If you look at the proposed Constitution that we will be adopting tomorrow, you will see that the functions of the counties are enhanced. They will become true local authorities with powers that will shape the economic development of the counties. So, I would have expected this budget to concentrate on the transformation and transition from the local authorities as we know them today to the County Governments. One of the biggest problems that we have had in the past has to do with the clerks of the local authorities. I have talked to the Minister many times about the Meru County Council. There is allocation of public land with the connivance of the clerk who is there. It seems that they enjoy special status because despite complaints, letters being written and petitions being raised, nothing happens to a selected number of clerks. As the Minister comes to respond, he will, perhaps tell us why some of those officers who do not enjoy confidence of the leaders of the people in the counties in which they serve continue to serve with impunity. These are issues that need

to be addressed. As I support this Motion, Mr. *Waziri*, I hope that you will be able to shed more light on these issues.

With those few remarks, I beg to support.

Mr. Affey: Thank you very much, Mr. Temporary Deputy Speaker, Sir for giving me this opportunity to support this important Vote. It is clear that this Ministry is one of the Ministries that have attracted the highest number of Questions in this House. There is not a single day that we debate in this House and there is no Question to the Deputy Prime Minister and Minister for Local Government. We expect that when Questions are raised here, they are taken with the seriousness they deserve. The Deputy Prime Minister and Minister for Local Government, together with his technocrats, can settle down and see how the problems can be resolved so that Questions do not appear again.

Mr. Temporary Deputy Speaker, Sir, one of the critical areas, particularly, in the management of land in the main urban centers and cities that this Ministry is the custodian of--- On two occasions, I have raised in this House the issue of cemeteries and, particularly, cemeteries for people of the Muslim faith. In Nairobi, Muslims who reside in the City have a challenge as to where to bury their dead. Kariokor Cemetery is full and the one in Karen is about to be full. I have raised this matter in this House twice and the Minister gave a commitment that, that matter will be addressed. We of the Muslim faith do not take our bodies back to the rural areas. When someone dies, we have to dispose of the body within minutes. We are not like the other communities in the City where, when someone dies, there are celebrations for a week. After that, there is another week to travel to the rural areas. In our case, even if you come from Kisii and you are Muslim, you are not taken back to Kisii. You are buried in Nairobi. Therefore, this is a real challenge that the Muslims are facing in this City in terms of having space to bury the dead. I looked at the budget and that matter has not been factored in. This is a matter that we have raised many times. We hope that next year, we will not have to raise this matter again. We hope we will not bring a Question here so that the Minister can act. I hope this matter will be taken very seriously.

I want to join my colleagues who have spoken about the counties. We are moving into a new dispensation. I expected the Minister to provide a lot of information and civic education. How are we going to prepare our counties for the new dispensation that we have? Are we going to have the same kind of councillors, counties and the kind of leadership that we have in our county councils now or that will change? This is a matter that the Minister should have spoken about. I hope that he will provide a roadmap in terms of civic education in almost all the counties and, particularly, pastoralist areas, so that people understand the change of governance and the challenges that the new counties are going to face in terms of managing huge sums of money and political power.

The issue of promotion of staff is very critical, particularly in counties like Wajir. We know that there are people who have worked in those areas for 10 to 15 years. Recommendations have been made to the Ministry Headquarters through minutes, but those recommendations are never taken into account. Those recommendations are very important because someone who has worked for 15 years--- Councillors sit down together with the clerk in Wajir, recommend names but they are never taken. That means that somebody at the headquarters, particularly at the personnel division, is not keen to see how those promotions should be done. I have one case of a guy called Abbas Shidie who has worked for over ten years. His promotion request was submitted to the Ministry

Headquarters but nothing has happened. I hope that this will be taken up. There should be coordination between the Ministry Headquarters and the councils on the ground. At the moment, there is a disconnect. When a name is recommended and brought to the headquarters, there seems to a lull there. I would like the Minister to be careful and to monitor that more carefully.

Finally, Eastleigh is one area in this city which requires specific attention. The economic activities in that part of the city are enormous. The revenue collected there is enormous and yet, when you go there, you will find that the road network is bad. The infrastructure is in chaotic situation. People there are asking themselves what they need to do. That is because they pay taxes, but there are no returns in terms of what they pay. I know that the Minister is sensitive to that issue. He has visited there, but nothing concrete has come out of those visits. I would like to encourage him to see how that part of the City can get returns from the investments it is making to the local authority.

With those few remarks, I beg to support.

The Temporary Deputy Speaker (Mr. Ethuro): It is now time for the Mover to reply.

The Deputy Prime Minister and Minister for Local Government (Mr. Mudavadi): Thank you, Mr. Temporary Deputy Speaker, Sir. I beg to reply.

However, from the very outset, let me thank hon. Members for their contributions. I want to assure them that we will extract the HANSARD of all their contributions so that we can go over them with a toothcomb with the Ministry officials and tackle some of the issues that I will not be able to answer within this short time.

The first thing I will do is to address the issue of the Economic Stimulus Programme with regard to markets. This is a programme that has not taken off very smoothly. We are trying as much as possible to take it up and improve it. If Members can recollect, the first time this programme, under the ESP came up, it was under the Treasury. It did not come directly to the Ministry of Local Government for implementation. In February this year, that is when the Ministry of Finance and CDF Committees were sending documents for ESP Programmes and what they had done at the grassroots level to the Ministry for both validation and awarding. So far, our record at the Ministry shows that 143 projects are ongoing and 43 have been awarded. That totals to 186. A number of 24 projects have been deferred for re-advertisements. That will bring the total to 210 constituencies. For purposes of informing this House on the actual status in each constituency, I will lay on the Table a document on ESP so that hon. Members can take note of the specific constituencies and where we stand.

(Mr. Mudavadi laid the document on the Table)

Mr. Temporary Deputy Speaker, Sir, the second point that I would like to take up very quickly relates to aspects of capacity, specifically the issue of clerks, treasuries and maybe some senior staff. Complaints have come through from a number of Members about the instability that is generated when there is either too much transferring or sometimes when others have entrenched themselves in certain councils for too long. We have adopted a policy within the Ministry that, unless in extreme circumstances, we expect that once somebody has served in a given area for, at least, three years as either treasurer or clerk, then that person would be due for movement, so that there is some

element of somebody not overstaying and, at the same time, you do not disrupt the management of that particular institution. That is one thing that we would like to look into and enforce.

I would also want to very quickly highlight and acknowledge the remarks made by hon. Imanyara on the aspect of the new constitutional dispensation. I did not dwell too much on it although I alluded to it in my speech due to limitation of time, but the Ministry is already setting up what would be equivalent to taskforces to start re-looking at all the laws relating to local authorities and regulating the counties, so that we can start working on Bills and legislation that will come to this House to facilitate the transition from the current local authorities regime to the new regime under the counties. This is a mammoth task, but we have exactly 12 months to do so for urban areas and cities. We have a limit of up to 18 months to do all the legislation that will relate to counties. This is definitely a very major task which will require a lot of resources. As I speak, we are in touch with the Treasury and also with some of our partners to lend us support, so that where we need to have stakeholders' consultation and consultancy, we shall have the resources to do it. I want to assure this House that it is our intention to make sure that we have delivered to this House those new legislations for debate way before we get to the 2012 General Elections. This is important so that people will know what they are entering into and what their desires may be, so that everybody is aware at the very beginning when it comes to these changes.

I also want to state that the Ministry, because of the limitation of resources, is also in negotiation with the World Bank jointly with the Treasury. Here we want to have a Kenya Municipal Reform Programme where we shall get support for some of the major local authorities in our country to undertake some of the activities effectively. I will pronounce myself a little more on this later when we have concretized some of the issues.

The last point that I need to highlight relates to what is shown on the Order Paper. I will be saying more about it when we come to the Committee Stage. The Order Paper reads a sum of Kshs2,628,870,945. However, in my remarks, I went beyond that and talked about Kshs17 billion. The specific Motion which the House will pass a resolution on is for a sum of Kshs2.6 billion, but I thought it was important that I also use the opportunity to highlight to the House the broader picture of all the money that is being channeled either through the Local Government directly or in transit for local authorities. I want to bring it to the awareness of this House that very specifically the amount that we shall seek is Kshs2.6 billion. So, I would like to apologize if that impression may have misled the Members on this matter. I want that impression to be corrected, so that we can know that the actual amount will be Kshs2.6 billion as shown on the Order Paper. It is important that the House knows all the funds that are involved in the Ministry of Local Government. I hope that clarification will help in allaying those fears. I want the Members to know how much goes to LATF, how much goes to SILO and all these other details. That may not have come out if I had just passed very quickly on the Kshs2.6 billion.

Mr. Temporary Deputy Speaker, Sir, a LATF impact study was done in 2007. I want to remind the Members that I have been tabling the LAFT Audit Report by the Controller and Auditor-General. I hope that Members will look through their pigeon holes. I tabled quite a number of these reports by the Controller and Auditor-General,

which break down local authority by local authority and show how they have utilized the LATF funds.

It is, indeed, true that some local authorities have done a good job with their LATF. However, there is equally a large number of local authorities which have not utilized their LATF funds properly. This is something that we are looking at as we receive the audit report to try and seal the loopholes where we see flaws. For instance, we are now communicating to local authorities that the threshold for each project under LATF should not be less than Kshs300,000. That is enough, at least, to build a classroom. Previously, people would break down the LATF funds to Kshs50,000 and Kshs30,000 and, therefore, that does not have the impact that is required. These are some of the changes that we want to put there.

Secondly, I want Members to again familiarize themselves with the LAFT Act because part of the problem or the criticism is that not all market money goes to Development Expenditure. The Act is very clear. It says that some of the money shall be used to help local authorities settle their statutory debts and other obligations that they have. Part of it will also be used for operations and maintenance and a component of it will then go to capital expenditure. We are in negotiations and recommendations will be made by the Advisory Committee that it is now time to increase the facilities that would go to capital expenditure. We are in consultation with the Treasury because the Act is under the Treasury, so that it can be effected. Therefore, what would be additional resources for capital expenditure can now be put into law and we vary the percentages that have been laid out in the current Local Authorities Transfer Fund Act. These are some of the key points that I wanted to highlight. As I said, there were some issues which were very specific to constituencies. We will go to the HANSARD and try to respond to some of them. They include Kibiricho Market, Makuyu, Migori Bus Park, Oloitokitok and others.

Lastly, under the solid waste management, the amount that we specified of Kshs150 million is little, but that is to help cover the counter-part funding for the African Development Bank (ADB) programme, which relates to Mombasa and Nakuru. It is definitely not enough to deal with solid waste problems in the entire Republic. But the major policy decision that we are going to undertake is that we want solid waste to be largely managed by the private sector. Once the Cabinet has approved certain policy position, this is the way we want to go. Equally, in urban areas—

The Temporary Deputy Speaker (Mr. Ethuro): Order, Minister! Time is up!

The Deputy Prime Minister and Minister for Local Government (Mr. Mudavadi): Mr. Temporary Deputy Speaker, Sir, I beg to reply.

(Question put and agreed to)

The Temporary Deputy Speaker (Mr. Ethuro): Hon. Members, you realise that we have two Votes. So, I call upon the Minister for Roads to move his Ministry's Vote.

Mr. Imanyara: On a point of order, Mr. Temporary Deputy Speaker, Sir. The House has voted that Mr. Speaker do now leave the Chair. Can you explain the circumstances under which you have continued to sit on the Chair?

The Temporary Deputy Speaker (Mr. Ethuro): Order, hon. Imanyara! You know better.

Mr. Minister!

The Minister for Roads (Mr. Bett): Mr. Temporary Deputy Speaker, Sir, may be, hon. Manyara wanted to give you a break.

The Temporary Deputy Speaker (Mr. Ethuro): That is correct.

Dr. Khalwale: On a point of order, Mr. Temporary Deputy Speaker, Sir. You notice that the Ministry of Roads is one of the most important Ministries. Could the Minister tell the House why he refused to distribute the district allocation books in the pigeon holes to the extent that hon. Members do not have copies of the same? For me to have this copy, I have had to ask for it directly from the Ministry this morning. Can he explain why he intends to ambush us?

The Temporary Deputy Speaker (Mr. Ethuro): Dr. Khalwale, that is a valid point, but let the Minister move his Motion and then you can raise that matter. The Chair will grant you your wish.

Yes, Minister!

The Minister for Roads (Mr. Bett): Mr. Temporary Deputy Speaker, Sir, I do not intend to, in any way, deny hon. Members information, because I am in a public office.

Vote 13 – Ministry of Roads

Mr. Temporary Deputy Speaker, Sir, I beg to move that the Speaker do now leave the Chair.

The mandate of my Ministry is to---

Dr. Khalwale: On a point of order, Mr. Temporary Deputy Speaker, Sir. I would just like to reiterate the point of order I raised a few minutes ago. The Minister should explain to this House why he has kept it a personal secret at his Ministry, the district allocations; hon. Members will not be able to debate his Ministry's Vote from a point of knowledge.

The Temporary Deputy Speaker (Mr. Ethuro): That is a valid point of order. Minister, can you explain?

The Minister for Roads (Mr. Bett): Mr. Temporary Deputy Speaker, Sir, as far as I know, the Ministry released the relevant document. If it is still not in the Clerk's Office, I want to apologise. It was released from the Ministry. We do not have it.

The Temporary Deputy Speaker (Mr. Ethuro): Minister, let us verify that information.

(The Chair consulted the Clerk-at-the-Table)

Hon. Members, we actually have copies in Room 8. Apparently, the Minister is right. The failure is on Parliament; it has not distributed copies to the pigeon holes.

Dr. Khalwale: On a point of order, Mr. Temporary Deputy Speaker, Sir. I swear by the Almighty God that I would never mislead this House. About ten copies of the document were brought to Room 8 while I was seated there, upon my call to the Ministry. They are the ones that the Minister is talking about. It is from those copies that I received this one. If there is any room for a reprimand, this Minister should face it.

The Temporary Deputy Speaker (Mr. Ethuro): Minister, what do you have to say? It is your responsibility to bring sufficient copies to Parliament. They should be in excess of 250 copies.

The Minister for Roads (Mr. Bett): Mr. Temporary Deputy Speaker, Sir, I do take responsibility. I want to apologise to the House for that omission. The copies will be brought immediately. They will be in the pigeon holes before nightfall.

The Temporary Deputy Speaker (Mr. Ethuro): Minister, you may proceed. However, nightfall will be too late for our purpose. Since your team from the Ministry is here, you may wish to direct them to organise for the delivery of those copies in the course of your submissions.

The Minister for Roads (Mr. Bett): Thank you, Mr. Temporary Deputy Speaker, Sir. I know that they have heard you. I think they will proceed, in consultation with Clerk's Office, to do something.

Mr. Temporary Deputy Speaker, Sir, I was saying that the mandate of my Ministry is provision of roads to the public. This mandate is executed through the following institutions: the Kenya Roads Board, the Kenya National Highways Authority, the Kenya Rural Roads Authority, the Kenya Urban Roads Authority, and departments of the Ministry of Roads.

This year, the total Budget for the Ministry is Kshs104,217,682,104, which is broken down into Recurrent Expenditure of Kshs25,587,895,100 and Development Expenditure of Kshs78,629,787,004. This represents an increase of 29.7 per cent when compared to last year's budget of Kshs80.35 billion. Therefore, I want to thank the Ministry of Finance for being considerate of the wishes of the people of this country, and for providing additional funds for the improvement of our roads network.

Mr. Temporary Deputy Speaker, Sir, the gross Recurrent Budget of Kshs25.58 billion is made up of Kshs22.65 billion for the Road Maintenance Levy Fund; Mechanical and Transport Fund Receipt, Kshs800 million; compensation to employees, Kshs1.1 billion; goods and services, Kshs561 million; and emergency interventions, Kshs500 million.

The net Recurrent Expenditure of the Ministry is Kshs2.1 billion, out of which Kshs1.1 billion will go to salaries and the balance will go towards operations and maintenance in the Ministry.

Mr. Temporary Deputy Speaker, Sir, the gross Development Budget of the Ministry for the year is Kshs78.63 billion, which comprises of Kshs40.01 billion from our development partners and Kshs38.61 billion from the Government. The Government will contribute 49 per cent, while our development partners will contribute 51 per cent to the Development Vote. I take this opportunity to, again, thank our development partners for their continued support to this country in road construction.

There is another important component in our road making – counterpart funding. Development partner's co-financed projects have been allocated Kshs14.2 billion from Government funding. The provision for counterpart funding is 36.7 per cent of the total Development Government of Kenya allocation of Kshs38.62 billion.

Mr. Temporary Deputy Speaker, Sir, in our Budget, we also have the Kenya Youth Empowerment Programme, to which the World Bank has provided Kshs150 million in the current Budget; it is for the labour-based Kenya Youth Empowerment

Programme. We will be releasing the format and the procedure for releasing and using these funds in the course of the year.

Mr. Temporary Deputy Speaker, Sir, the Ministry has allocated new projects and has taken on board new projects for the year. They are new projects in the sense that, the length of the road has been segmented into portions. So, one portion which we are going to do on Isiolo-Merille-Marsabit-Turbi-Moyale is Marsabit-Turbi. So, the development partner is giving us Kshs3 billion and the Government Kshs200 million a total of Kshs3.25 billion for Marsabit-Turbi Road. For Eldoret-Webuye-Malaba, the development partner is giving us Kshs1 billion and we will be having Government contribution of Kshs200 million. That will now be Kshs1.2 billion. For Voi-Mwatate-Taveta, Kshs800 million and the missing links are the roads within the City of Nairobi that connect various roads, like the Southern by-pass and the Northern by-pass connected by a link. So, we are going to be spending Kshs31,542,624. From the Government side, we will be having Kshs280 million and when put together, we will be having Kshs311 million.

Mr. Temporary Deputy Speaker, Sir, we have also put more money on the on-going projects which are major. On the on-going major projects, the Ministry will among others continue road works on the following projects whose gross allocation, I will read alongside the road: The Northern Corridor – Kshs14, 564,646,000. The Nairobi-Thika Road, we are going to be utilizing Kshs13.3 billion. On the East African trade facilitation, we are going to be spending Kshs750 million. That is to provide for the weighbridges and one-stop point on our border points. Isiolo-Merille is a road that we are about to conclude its construction and we are putting in Kshs2.41 billion. Then there is Meru-Mariba and Imenti-Kionyo Road where we are going to be putting Kshs2.1 billion. For us to conclude Emali-Oloitoktok Road we shall be putting in Kshs1.74 billion. For the Namanga Road, I would like to report to this House that we are doing very well compared to our colleagues on the other side. We were expected to complete the section from Arusha-Namanga and Namanga-Athi River almost at the same time for the two countries. I think we will be ahead of our neighbour and that should be a credit to our Government. For Namanga-Athi River we are going to put in Kshs2.9 billion.

Then there is Dondori-Ol Kalou-Njabini Road to be completed at Kshs1.9 billion. The Eastern by-pass is already in progress and as soon as the contractor concludes the construction, he will continue with the Northern by-pass. We are putting there Kshs4.9 billion.

Mr. Temporary Deputy Speaker, Sir, we want to continue with route 2000 which is popular in the countryside and we are putting Kshs3.14 billion. Following two road projects that the development partners have confirmed co-financing and they are likely to be taken on board in the course of the financial year, that is Garissa-Modogashe, we are heading to Wajir and hopefully onwards to Mandera. Then there is Timboroa into Eldoret. That will be concluding the road from Nakuru all the way to Malaba. I would like to say that Nairobi-Nakuru is already done. That was the only missing link between Nakuru and Nairobi.

Mr. Temporary Deputy Speaker, Sir, there are critical issues which we are also taking into account as a Ministry this financial year and they are re-classification of roads which we intend to bring to this House. There is also the review of the Engineers Registration Act. This is intended to strengthen and enhance professionalism amongst our engineers so that they are able to do our roads within some bench-marks which they must

not, at any time ignore. The adoption of the Road Sector Investment Plan which is a 20-year plan is going to be a road-map in our road construction and road maintenance as a country. In actualization of the National Construction Authority, we are going to bring a Bill to this House to introduce the National Construction Authority.

Let me touch briefly on the achievements and performance of the year 2009/2010. The Ministry has been able to meet nearly all its physical targets as per the Performance Evaluation Committee. At the end of the financial year, the Ministry had achieved targets as follows: We had planned to reconstruct and rehabilitate roads totalling 274 kilometres. We managed 315 kilometres which exceeds the target by 14 per cent. We also intended to do new construction of 350 kilometres and we managed 385 kilometres which exceeds the target by 10 per cent. Roads 2000, we had planned 1,500 kilometres and we only managed 886 kilometres, that is 59 per cent of our target. Between periodic maintenance and routine maintenance, I want to explain that routine maintenance programme lagged behind due to transitional bottlenecks and the late amendments of the Kenya Roads Board Act that abolished District Road Committees and introduced Constituency Roads Committees.

Mr. Temporary Deputy Speaker, Sir, the roads that were completed in the 2009/2010 are Machakos Turn off-Sultan Hamud, JKIA-Uhuru Highway-Gigiri, Lanet-Njoro Turn off, St. Mary Nyakahura-Irima-Kabati-Kagunduini-Mareria and Kitui-Kang'onde including Kisii-Kilgoris and Farm Kawiro-Mutwate. Roads to be completed this year include Machakos Turn off-JKIA and the contractor is on site, Njoro Turn off-Timboroa. This is the road that they are concluding and they are now doing the final works. There is also Isiolo-Merille Road which is also coming to an end. There is Emali-Oloitokitok-Mai Mahiu-Narok. I want to indicate that on this road, we were taken back by an act that is associated with climate change. The road was washed away because of what we did not anticipate. We had to put in a further Kshs350 million to raise the level of the road so that we could be able to make bigger box culverts.

Then there is Namanga-Athi-River, the Eastern by-pass, Dundori-Ol Kalou-Njabini. On the Njabini Road, we were late mainly because of inability to move our own brothers and sisters from the road when we had compensated them. I want to thank the area Member of Parliament because he has been very supportive and we have concluded.

In conclusion, for my Ministry to be able to finance its total expenditure, I am asking this House to approve a sum of Kshs104, 217,682,104 for both Recurrent and Development expenditures for the year 2010/2011.

With those few remarks, I beg to move and ask Eng. M. M. Mahamud, Assistant Minister, Ministry of Energy to second.

The Assistant Minister for Energy (Eng. M.M. Mahamud): Thank you, Mr. Temporary Deputy Speaker, Sir. I beg to second Vote 13 of the Ministry of Roads for the financial year 2010/2011.

First of all, I would like to thank the Ministry led by the Minister and his staff for the important work they are doing in this country. Roads are very important to the economy of this country and they are necessary for the provision of goods and services. They are also good for the competitiveness of this country in our region. Without roads, there will be no meaningful development in the country. We cannot be talking of alleviating poverty in this country without roads.

Mr. Temporary Deputy Speaker, Sir, just to know the state of our roads in 2003 and where we are today, we know what has been happening since that time in 2003. By 2003, our roads were really dilapidated to the extent that no major road in this country was passable. But today, we are able to see a lot of work going on nationally, although there are areas that are still lagging behind in provision of roads. I will come to that later.

Mr. Temporary Deputy Speaker, Sir, I would also like to thank the Office of the Deputy Prime Minister and Ministry of Finance for continuously up-scaling the funding to the Ministry of Roads. From 2003/2004 up to now, I think the Ministry's budget has actually gone up five times. Still there are challenges in the roads sector, funding is still not adequate although today we are talking about Kshs104 billion for Recurrent and Development Vote. Of course, there have been a lot of delays in the construction and completion of roads which are attributed to the fact that also funding is not coming on time and continuously as required. I would like once again to thank the Office of the Deputy Prime Minister and Ministry of Finance for prioritizing roads as a key sector in this country.

Mr. Temporary Deputy Speaker, Sir, roads investment must be maintained because you can actually be wasting the investment you have made if you do not have proper funding. I would like Kenyans to really also appreciate the work that is being done by this Ministry and also give a---

(Mr. Duale stood up in his place)

The Assistant Minister for Livestock Development (Mr. Duale): On a point of order, Mr. Temporary Deputy Speaker, Sir. The Minister is supposed to be here taking notes on the contribution of Members but he is no longer here---

The Temporary Deputy Speaker (Prof. Kaloki): Hon. Duale, the officials are here, the Permanent Secretary is listening and the entire staff is also here taking notes. Proceed, Eng. M.M. Mahamud!

(Mr. Duale stood up in his place)

The Temporary Deputy Speaker (Prof. Kaloki): Order, hon. Duale!
Eng. M.M. Mahamud, proceed!

The Assistant Minister for Energy (Eng. M.M. Mahamud): Thank you very much, Mr. Temporary Deputy Speaker, Sir---

(Several hon. Members stood up in their places)

The Temporary Deputy Speaker (Prof. Kaloki): Yes, hon. Duale!

The Assistant Minister for Livestock Development (Mr. Duale): Mr. Temporary Deputy Speaker, Sir, it is the Minister who is going to reply and not the Permanent Secretary or the technical officers. We must follow the procedures of this House.

The Temporary Deputy Speaker (Prof. Kaloki): Hon. Duale, I know the Minister is in the House. He is listening to the proceedings in the House, he is taking his notes and he is an experienced Minister.

Proceed, Eng. M.M. Mahamud!

The Assistant Minister for Energy (Eng. M.M. Mahamud): Thank you, Mr. Temporary Deputy Speaker, Sir. I would like to draw the attention of the House to the concern that is being raised by people from the northern part of the country. We are a bit surprised that the Garissa-Modogashe Road has not been funded this year. We appreciate the effort which the Minister is making by trying to get donors for this project. But I would like to inform him that the road from Garissa to Mandera is very critical to the economy of that region. We will not be thinking of any development in that region and I would have expected at least some funding to be put in place for this road. So I will ask the Ministry to make sure they hurry up and work closely with the donors so that this money can be availed in the course of this year.

Mr. Temporary Deputy Speaker, Sir, talking about the roads in this country, the activities taking place on the Nairobi-Thika Road are a testimony to the fact that a lot is happening. For the first time in this country, we are going to have interchanges. Our roads, as you know, since independence have not been moving from one grade. But from now on, we are going to see interchanges and the City of Nairobi will change. We would like the Ministry to keep up.

Mr. Temporary Deputy Speaker, Sir, quite a number of times, Kenyans have been complaining that their houses are being demolished on the road reserves but today, I think they are seeing the fruits of that demolition. The Northern by-pass is now on. In fact, I was there only last week when I was going to the graduation ceremony at the United State International University (USIU). You can see the activities. We would like to urge Kenyans to keep away from road reserves because tomorrow, we will require those road reserves for the expansion of the roads.

Mr. Temporary Deputy Speaker, Sir, the private sector involvement in roads is very important. Last year, Parliament saw the proposal for a toll Road in Nairobi and I would urge that when it comes to this House for debate, we support it because we cannot be depending fully on the Exchequer to fund our roads---

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

The Assistant Minister for Energy (Eng. M.M. Mahamud): Thank you, Mr. Temporary Deputy Speaker, Sir.

With those few remarks, I beg to second.

(Question proposed)

Dr. Khalwale: Thank you, Mr. Temporary Deputy Speaker, Sir---

The Temporary Deputy Speaker (Prof. Kaloki): Order, hon. Dr. Khalwale, I will give you time. Let us have the Chairman of that Departmental Committee, hon. I. Muoki, to do the part of the response and you will be the next one. .

Mr. I. Muoki: Thank you, Mr. Temporary Deputy Speaker, Sir. In fact, I was about to rise on a point of order on that issue.

I am the Vice-Chairman of the Committee and I am representing my able Chairman, who is in the House but he has just come from an overseas assignment. Therefore, we will give him time to rest.

I would like to say that our Committee is mandated to undertake issues on transport, roads, public works, construction and maintenance of roads, rails, buildings, airfields, seaports and housing.

Mr. Temporary Deputy Speaker, Sir, in considering the estimates of the Ministry of Roads, the Committee met the Minister on 24th June 2010. We received submissions, presentations and the relevant reports. The Minister came along with his technical staff. The Committee also considered the following policy papers on the Budget; Vision 2030, the medium term plans, Printed Estimates for the Financial Year 2010/2011 for Vote 13, the Budget Speech by the Deputy Prime Minister and Minister for Finance 2010/2011, the Budget outlook paper for the financial year 2010/2011, the Budget Strategy Paper for the Financial Year 2010/2011 and the Economic Survey for 2010/2011 and any other relevant documents.

Mr. Temporary Deputy Speaker, Sir, we looked at the total net requested from the Exchequer by the Ministry, the comparison of the previous year's allocation, allocations to the new projects and programmes, the Ministry's absorption capacity, areas, projects and programmes which were left out of the Estimates and all development projects whether new, ongoing or stalled. We also looked at the critical issues that the Ministry intends to achieve during the financial year 2010/2011. We also looked at how the Ministry intends to live within the shortfall between the total net requested and what they were given in the Budget. We also looked at the performance and implementation status of the projects and programmes in the previous financial year budget of 2009/2010. We also looked at the proposed allocation vis-à-vis the achievements of the Ministry's Strategic Plan. Then we also looked at the Budget of State corporations under the Ministry; the Kenya Roads Board (KRB), the Kenya Urban Roads Authority (KURA) and others. We also looked at the District budgets and the other estimates.

I wish to sincerely thank our Chairman who ably steered the Committee. I would also like to thank my colleagues, the Committee Members, who also did a very commendable job. I would also like to thank the Minister who was very prompt in attending the Meeting and his technical staff. I would also want to thank your office and also the Office of the Clerk for enabling us to achieve what we were able to achieve as a Committee.

Mr. Temporary Deputy Speaker, Sir, I will not go to the details of the budgets and the figures because the Minister has already discussed that. However, there are some issues I would like to raise. You will notice that despite the fact that the Ministry of Roads, as the Minister has indicated, was given about 30 per cent more money than in the previous years, the funds still fall short of the optimal requirement. You will agree with me that although the Ministry of Roads has done quite a lot in terms of improving the road network in the country, there has been previous neglect. Therefore, what they have achieved in the last seven years is not sufficient to cover the whole road network in the country. That shortfall still needs to be addressed. The Ministry would do better with more finances from the Exchequer.

Mr. Temporary Deputy Speaker, Sir, as a result of that, some key roads were left out. We have the Kitale – Nadapal road which was left out. We also have the Rumuruti – Maralal road which was also left out. We have the Nuno – Modogashe – Wajir Road and the expansion of Ngong' Road and Outer Ring Road and Kibwezi – Mutomo – Kitui – Isiolo Road. I would like to say here that some of these roads which were left out of the

budget are very crucial. This is because if you look at the road network in the country, you will observe that some areas have actually been neglected and yet they have very important connecting roads. If you remember, last year, I talked very strongly about the road from Voi to Taveta. I think the Minister has taken it on board now, but we also talked about the Kibwezi – Kitui Road. We have raised this issue with the Minister, as a Committee. We have also raised it with the Minister as Members of Parliament from that region. We have also raised the same issue with His Excellency the President. You will recall and agree with me that at some point, the Minister had promised to have this road budgeted for. However, as you can see, it has been left out.

Therefore, what I am saying is that, these key roads which were left out of the budget need to be addressed very urgently. We think if these roads are done, our country will be connected with other neighbouring countries and this will spur development. I would, therefore, like to urge the Minister to address the issues of the roads that I have mentioned and in particular, the Kibwezi – Kitui Road which we were promised was to be in the budget this year but was left out.

Mr. Temporary Deputy Speaker, Sir, the Committee also observed that there was no clear policy on identification of roads and prioritization for tarmacking and, therefore, the Members would like to be clear as to how roads are prioritized and tarmacked. It should be clear so that Members do not have many questions. We will know which road is prioritized and so on.

The Committee, therefore, recommends an increase in funding to fulfil this kind of shortfall and address the issue of these roads. The Minister has said that the development partners are partnering with him. I would urge him to go out of his way to see if we can have development partners address the issues raised above in this submission.

Mr. Temporary Deputy Speaker, Sir, the other issue the Committee observed was that of constraints in absorption. We have observed that this affects projects which are co-funded by our development partners. Because of lengthy procedures, the absorption capacity is always very low. If you look at the absorption capacity of the Ministry of Roads, it is very low. It is made that low by the procedures with development partners. This issue needs to be addressed so that the money coming from the development partners can be processed faster so that the Ministry can implement their projects fast.

The other issue that I would like to raise is the issue of road maintenance. We were not very clear on this issue. You find that some roads are being maintained but others are done and left for quite a while. They, therefore, deteriorate to such a point that they have to be done again. As a Committee, we are urging the Minister to have a very clear policy on road maintenance. We should have a policy from the time the road is done all the way.

Mr. Temporary Deputy Speaker, Sir, I would also like to make an observation on the issue of efficiency. We want to congratulate the Minister and his staff but still the Committee feels we can have better efficiency from the Ministry because, as you can see from the enthusiasm among Members, a lot is expected from this Ministry. It would only be good if the efficiency of the Ministry is enhanced to meet the expectations of the Members of Parliament and the public at large. Therefore, I would like to recommend the following to the Minister.

First, the Minister should explore strategies towards improvement of efficiency in the procurement and disbursement procedures, particularly with our development partners. You find that if a road is identified for tamacking, it may take a year or two years for the process to be handled.

Secondly, the Minister should address the transitional challenges facing the parastatals in the Ministry. Here, I am talking of the Kenya National Highways Authority (KENHA), the Kenya Urban Roads Authority (KURA) and the Kenya Rural Roads Authority (KERRA) which were recently established. I would like to inform the Minister that we have key issues we would like to observe with KERRA. We have discussed with the Minister and most Committee Members are aware. Members would like to be very clear on the mandate of KERRA because most of the work of the Ministry of Roads is done by KERRA at the grassroots and that is where most Members are involved. Therefore, Members would like to be clear on the mandate so that there is no conflict of interest and conflict in terms of implementation.

The other issue I would like to observe with KERRA is the delayed disbursement of the funds to constituencies, especially last year. Since that was the start of this approach, we hope that this year, the disbursement will be faster so that we can have the roads done fast by the Constituency Roads Committees (CRCs).

Mr. Temporary Deputy Speaker, Sir, I would also like to point out to the Minister that as Committee Members, we have received complaints about some regional managers. I am not saying all regional managers or all the engineers. I am talking about some regional managers. If we complain about one, two or three, I think it is high time the Minister and his senior staff addressed the issue of regional managers. We get these complaints from our colleagues and it is only good that we highlight them to the Minister for the necessary action to be taken.

Mr. Temporary Deputy Speaker, Sir, I would also like to urge the Minister to expedite the proposed road investment plan, which I think he has mentioned, so that we can move on positively in our road management. So, I would like to urge the Minister to ensure strict enforcement of quality workmanship on our roads and bridges. While we praise the Ministry for doing a lot of work, you will agree with me that some projects have not been done up to standard. We have raised complaints about some specific contractors who take so long to complete their projects and I will give you two examples. The contractor who was working on the Kangonde-Kitui Road took too long to complete the project. There is a road from somewhere in Machakos to Mbooni which has taken unnecessarily too long. I am telling the Minister to identify the contractors who are taking a lot of time and not doing quality work and blacklist them.

With those few remarks, I think the rest will be covered by my colleagues. I beg to support.

Dr. Khalwale: Mr. Temporary Deputy Speaker, Sir, when I look at this Motion critically, basically, what hon. Members should be doing is to oppose it.

(Applause)

That is because this House cannot be used by the Ministry to help it to develop the country selectively, such that areas where Ministers, Prime Ministers and Presidents come from are preferentially developed in this country.

(Applause)

But because we are at a momentous time in our history, where we are about to move into the second Republic, I have prepared a Motion here which I intend to move during the Committee Stage to send a clear message to Ministers and Permanent Secretaries that Parliament is not impotent. In my Motion, I intend to knock off from the Minister's Budget Kshs19.888 million aimed at expenditure on domestic travel, other facilities aimed at foreign travel, subsistence, teas and other beverages that they take.

(Applause)

The Temporary Deputy Speaker (Prof. Kaloki): Dr. Khalwale, I have not seen that Motion that you are talking about and its contents. You are talking about a Motion that has not even been approved!

Dr. Khalwale: Mr. Temporary Deputy Speaker, Sir, I was building my point about the momentous time we are in the history of this country. It is because of what is going to take place tomorrow that I am not asking the Speaker to approve my Motion. I would have asked you to approve it. I want the Minister to know that it is that serious! So, I am not moving this Motion because we all want to move into the second Republic with our Permanent Secretaries, senior officers and Ministers.

The Temporary Deputy Speaker (Prof. Kaloki): So, what is your contribution on the Vote?

Dr. Khalwale: Mr. Temporary Deputy Speaker, Sir, so, my contribution is that, yes, hon. Members, let us support and pass this Motion. But as we pass it, if anybody who is travelling to Parliament wants to have a study in inequality in Kenya, then one should only look at the Ministry of Roads. If you want a study on marginalization of certain communities in this country, then one needs only to look at the Ministry of Roads. If one wants to have a study on how certain communities are oppressed in this country, one needs to have a study of the Ministry of Roads. That study can only confirm one thing: That under this terrible Constitution, some people and communities in this country are more equal than others. This is very unfortunate! I know that my good friend, Mr. Bett, was appointed to this Ministry only recently. I urge him to fight and resist. He should be a Kenyan. Do not be a Kalenjin. We want to see you build roads in Kalenjin land and in North Eastern Province.

(Applause)

It is very unfortunate that the real development of roads in this country is normally done through development partners. This year, we have nine development partners, namely, the EU, International Development Agency (IDA), the Government of France, the Nordic countries, the African Development Bank (ADB), the Government of China, the OPEC countries, Arab Bank for Economic Development in Africa (BADEA) and the Government of Saudi Arabia. They intend to inject over Kshs50 billion into our road infrastructure. But believe me, none of those billions have been allocated to Upper Eastern, North Eastern and Western Province.

(Applause)

Hon. Members: Nyanza and North Rift!

Dr. Khalwale: Mr. Temporary Deputy Speaker, Sir, in Nyanza, the funds have been allocated there! In Central, the funds have been allocated there! In Rift Valley, the funds have been allocated there. This is the case also for Coast Province! Look at your books! We have to be factual when we are here. I beg the leadership of the country that it is not every community--- It is not every province that can produce the top most leadership of the country. So when we are at the top, we must be prepared to serve the whole country. This unfortunate state where the residents of those three areas - Western Province, Upper Eastern and North Eastern Province - are denied an opportunity to enjoy development partnership from all those nine areas is actually an abuse of human rights. Who does not know? We all know that Parliament is not involved in negotiating for those partnerships. It is usually done by the Ministry of Finance, the line Ministries and, of course, the top most office.

I conclude by thanking the Minister most reservedly for allowing the Butere-Sigalagala-Sidindi Road to be constructed at a cost of Kshs150 million. Thank you so much!

The Temporary Deputy Speaker (Prof. Kaloki): Dr. Khalwale, are you supporting or opposing the Motion?

Dr. Khalwale: Mr. Temporary Deputy Speaker, Sir, I support!

(Several hon. Members stood up in their places)

Hon. Members: What now?

Mr. Shakeel: On a point of order, Mr. Temporary Deputy Speaker, Sir. With humility, and bearing in mind the number of people who are interested, could you kindly consider reducing the time to three minutes?

The Temporary Deputy Speaker (Prof. Kaloki): We will get to that!

Mr. Midiwo: Mr. Temporary Deputy Speaker, Sir, I rise to support this Motion with a very heavy heart. I want to begin by commending the Ministry for constructing the roads in this country. But I think it is good to point out the rights and the wrongs. I want to say very proudly that after about 15 years, I am now able to drive from Nairobi to Kisumu and get to my home safely. I want to commend the Ministry for that!

The complaints raised by Dr. Khalwale are genuine. We want to ask the Minister to kindly, please, be sensitive to the needs and requirements of Kenyans. You are going to do that because we are letting you get away with it. I am sure you know the sentiments that have been expressed. You will not have another opportunity beyond midnight tonight. So, we want you to get your attitude right! You only have another 12 hours to do it. That is because from tomorrow, things will change. If we do not get fair distribution of road resources in this country, I want to say personally that I will oppose this Ministry's Budget in the Supplementary Estimates. I do not think it is fair that, year in, year out, we keep on complaining and we see no results. So, I want to embrace the spirit of Dr. Khalwale and say that we should support the Minister, given the times that we are in. We do not want to embarrass the Minister.

Mr. Temporary Deputy Speaker, I want to tell the Minister from the bottom of my heart that I am not impressed by what I see.

I support.

Mr. Ethuro: Mr. Temporary Deputy Speaker, I rise to somewhat support the Vote for this Ministry. We are under obligation, as a House, to support the Government. But this House cannot be made to endorse the wishes of the Government, a Government that does not seem to understand its priorities. I have no problem with any part of this country being given money. But I have serious problems when the priorities of this Government do not seem to tally with the priorities of this nation. I cannot understand how the Ministry of Roads can give Kshs5,000 to Kitale-Nadapal Road. The Kitale-Nadapal Road is about 1,000 kilometres long. The Assistant Minister who seconded this Motion travelled along that road in his capacity as a PS, and this is the outcome. I am sure that even the money he and his officers spent---

I had an opportunity to travel on it with the Prime Minister, when he was the Minister for Roads. Mr. Minister, you were flown there just to do one bridge that is not even in the estimates. This country is larger than the areas that Dr. Khalwale mentioned. This country needs to grow faster and we must commit ourselves to Vision 2030. It is a Government vision; it is not ours. In fact, it has not come to this House, but we are busy supporting it. When a government departs from its commitment to a vision that has been clearly stated, I wonder what else we are supposed to do, as a House.

Mr. Temporary Deputy Speaker, Sir, I think this House should give the final warning to this Minister, in particular, that the days of just supporting anything are long gone. Dr. Khalwale, if you have abandoned that Motion, I do not know under which circumstances, we are at liberty to revive it.

I also want to fault the Ministry in terms of the Constituencies Roads Committee. I serve as the Chair of the CDF Committee and this House gave us that opportunity. This House also passed an amendment to the Finance Bill which became an Act. The Minister in his wisdom decided not to implement what is law. For how long will we act with impunity?

I was about to second Dr. Khalwale's Motion, especially when he took away the money for travel; part of the reason why we cannot get to this point to clarify this matter is that the Minister has been travelling too much. The Minister needs to be available to us. If anything, let us travel to North Eastern Province and Turkana. Those are the places that we should be travelling to together, Mr. Minister. But when you travel out of the country and deny us the opportunity to demand from you what the law has asked of you, I find it extremely difficult to support you. But I am in a catch 22 situation, because I still have to give you money.

I am also glad that you have given money to the Lodwar Southern Bridge. Which one is that one? You cannot even get the spellings right. Where will you take that money because there is no such a place? Lodwar South Bridge? Where is that money? Nginyang-Kathodo-Lokori Road that connects Baringo and Turkana is a major security road that will prevent the peasants of Pokot and Turkana from killing each other. You are giving it a pittance again.

We want this country to make progress. We want to ensure that the road network, especially in areas that have never been considered before, get priority. What you have done in Isiolo and Merille is good. Continue.

I support, with reservations.

Mr. Affey: Thank you, Very much Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity. As the chairman of the Equal Opportunities Committee of this House, I want to confirm that this Ministry's budget is not equal opportunity compliant at all. Therefore, there is need for the Minister to review it even during the supplementary budget.

Mr. Temporary Deputy Speaker, Sir, the Minister and the officials who run this Ministry are very fine Kenyans. In fact, they are quite competent in terms of the job they do. Sometimes I think decisions are not made by themselves. Maybe the decisions are made elsewhere, and they could be working under substantial pressure. If actually they were making these decisions themselves, they would be much better than they are.

The Minister spoke about many roads. There is one road I want to emphasize on, once, twice, thrice. This is the Garissa-Modogashe-Mandera Road. We have been independent for nearly 50 years. The only province in Kenya today which is not connected to its headquarters is North Eastern Province. If you come from Mandera, you will see the tarmac after Garissa. This is a shame because we are now going into a new constitutional dispensation. We have spoken to the Minister and Permanent Secretary. In fact, the Head of State has emphasized on the matter in public rallies more than twice. I do not know now where other instructions can come from. There seems to be goodwill but it is not translated into material benefit that can benefit the region.

The Wajir-Moyale Road connects Moyale to Wajir District. There are two counties, the county of Marsabit and the county of Wajir. They are not connected at all. This is a road that connects them and there is no funding for it. Kibwezi-Kitui Road is also a critical road that connects us all the way from Kibwezi through Kitui to the northern part of Kenya. There is a challenge here; this has not been done from 1963. This road passes through the home area of the Vice-President. If the Vice-President himself has no access to a tarmac road, I do not know where decisions are made.

There is also the unequal distribution of the 10 per cent. I would like to urge the Minister that when he sits down with his officials they should get a map of Kenya and identify which part of Kenya has been left out of the services of the Ministry. There is a lot of goodwill but we want it to be translated into commitment in terms of achievements on the ground.

Since we are so passionate about this matter--- I know a lot of hon. Members want to contribute to the mention. We want the Minister to review it. I want to thank him and I support the Vote. Thank you.

The Temporary Deputy Speaker (Prof. Kaloki): Hon. Members, the Minister will reply at 12.05 p.m., because the Motion should end at 12.30 p.m., and we have to go to the Committee Stage. So, we have to limit ourselves to between now and 12.30 p.m. So, hon. Members will contribute for just one minute, so that you can all have an opportunity to do so.

The Assistant Minister for Livestock Development (Mr. Duale): Mr. Temporary Deputy Speaker, Sir, as I support this Motion, it is a sad day for the people of northern Kenya. We must say it here, that even after speaking to the President--- Out of the 20 kilometres that were ordered tarmacked by President Kibaki after he came to power in 2003 only 10 kilometres have been done. The Prime Minister visited it, a report

was given but until today nobody is telling us why to tarmac one kilometre in Garissa is costing Kshs74.5 million.

The Minister himself has, for the first time, named all the provinces in this country where he is doing roadwork, and deliberately left the people of northern Kenya, or Garissa and Modogashe, at the mercy of donors. Every time he speaks in this House he does that. It is very sad. We will not accept it. I think Members of Parliament from northern Kenya are watching and seeing what the leadership is doing.

Mr. Were: Mr. Temporary Deputy Speaker, Sir, I also take this opportunity to support this Budget.

I pity the Minister for Roads because as Chairman of the Departmental Committee on Transport, Public works and Housing, I understand where he is coming from. Most of the roads mentioned here are projects that are ongoing. When we discussed with the Minister, it became obvious that actually what they have to do is to clear the projects that are ongoing before starting new projects.

Mr. Temporary Deputy Speaker, Sir, I want to support the Ministry in the work they are doing. We should all agree that if we look at the road network compared to where we were in 2002, we should commend them. The work that they have done is a lot. We should praise them where they have done well rather than just condemning them.

With those few remarks, I beg to support.

Mr. Mureithi: Mr. Temporary Deputy Speaker, Sir, I just want to differ with the Chairman of the Departmental Committee on Transport, Public Works and Housing because when I look at my constituency and district, it is very disheartening to see a C Road being given only Kshs5,000, when a D Road is being given twice that amount of money through the Kenya National Highways Authority (KeNHA) and the Kenya Roads Board. It was given Kshs20 million. This is a D Road class, whereas a trunk road that connects three district headquarters; Nakuru, Miragiiini district headquarters and Ol Jororok has been given Kshs5 million. I wonder who influenced this decision. Was it a local engineer or a senior person in Government who influenced that a class D Road should be given Kshs20 million, when a C Road is only getting only Kshs5,000?

With those few remarks, I beg to support.

Mr. Lekuton: Mr. Temporary Deputy Speaker, Sir, I have two issues with this Ministry. The first one is to do with the 10 per cent allocation. Originally, when the 20 per cent was initiated, it was meant to promote and help the really poor areas in this country such as North Eastern, Upper Eastern and other parts. At the moment, what we have in the Budget of this Ministry is that all the 10 per cent is equally divided across this country on equal basis, regardless of the vastness, property, infrastructure and resources found in those areas. So, that is an issue that the Ministry has to address.

The second one is the issue of donor components. The issue of donor components is that the Upper Eastern and North Eastern have always been marginalised. This Ministry is now asking foreign countries to marginalise us even further. So, could the Minister tell us categorically why the specific areas of North Eastern, Upper Eastern and Western were left out?

(Several hon. Members stood up in their places)

The Temporary Deputy Speaker (Prof. Kaloki): Order, hon. Members!

Let me now ask the Minister for Roads to reply.

Hon. Members: Roads! Roads! Roads!

The Minister for Roads (Mr. Bett): Mr. Temporary Deputy Speaker, Sir, I agree with my colleagues when they talk about roads.

Mr. Temporary Deputy Speaker, Sir, I want to thank the hon. Members for their contribution. I want to assure them that their sentiments, hard as they maybe, have been heard. I will take appropriate action to rationalise and synchronise the situation, so that it is acceptable to all of us. The roads which have been mentioned like Kitale-Nadapal, the Kshs5,000 put in there, in budgetary language, is taken to mean a token amount. It means it is available for support any time within the financial year. If it does not appear at all, it is nowhere at all. So, you should be grateful that your road is reflected on the Printed Estimates. Even if it is allocated Kshs1, it means that it will be given attention when money becomes available. That is the meaning of Kshs5,000. It is not intended to spite at all.

Mr. Temporary Deputy Speaker, Sir, I also want to indicate that I have also noted the issue on staff of the Ministry and I take it seriously. Hon. Members have reported to me as stated by the Chairman of the Departmental Committee on Transport, Public Works and Housing.

Mr. Temporary Deputy Speaker, Sir, on the issue of 10 per cent, I will be meeting with the relevant Committees next week to explain ourselves why it happened the way it happened. So, I am sure we will be able to reach an understanding with the relevant Committees next week.

On the issue of delay in disbursement of funds from the Kenya Rural Roads Authority (KERRA), I want to indicate that that was not our intention. It was necessitated by the fact that the enactment of the relevant law; the amendment of the Finance Bill that affected the disbursement of funds under the Kenya Roads Board Act was done late in December. I want to assure this House that 50 per cent of the funds for Constituency Roads Committees (CRCs) for this year will be released before the end of two weeks today, so that you start working on it. So, we will be on time on that particular situation.

I also note the issue of North Eastern, Upper Eastern and Western Provinces. I will take the appropriate action. I agree that, indeed, we may have misled ourselves in the past. The new Constitution which will be promulgated tomorrow, I know will even help us more on equalisation.

With those few remarks, I beg to reply.

(Question put and agreed to)

*[The Temporary Deputy Speaker (Prof. Kaloki)
Left the Chair]*
IN THE COMMITTEE

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

Vote 12 – Office of the Deputy Prime Minister
and Ministry of Local Government.

The Deputy Prime Minister and Minister for Local Government (Mr. Mudavadi): Mr. Temporary Deputy Chairman, Sir, I beg to move:-

THAT, a sum not exceeding Kshs 2,628,870,945 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2011 in respect of:-

Vote 12 - Office of the Deputy Prime Minister
and Ministry of Local Government

(Question proposed)

VOTE R12 – RECURRENT EXPENDITURE

SUB-VOTE 120 – GENERAL ADMINISTRATION AND PLANNING

(Heads 360, 362, 372 and 375 agreed to)

(Sub-Vote 120 agreed to)

SUB-VOTE 122 – CONTRIBUTIONS IN LIEU OF RATES

(Heads 367 and 415)

(Sub-Vote 122 agreed to)

(Vote R12 agreed to)

VOTE D12 – DEVELOPMENT EXPENDITURE

SUB-VOTE 120 – GENERAL ADMINISTRATION AND PLANNING

(Head 360 agreed to)

(Sub-Vote 120 agreed to)

SUB-VOTE 125 – DEVELOPMENT SCHEMES

(Head 364 agreed to)

(Sub-Vote 125 agreed to)

(Vote D12 agreed to)

(Question put and agreed to)

(Resolution to be reported without amendment)

Vote 13 – Ministry of Roads

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

THAT, a sum not exceeding Kshs 22,424,582,550 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2011 in respect of:-

Vote 13 - Ministry of Roads

(Question proposed)

VOTE R13 – RECURRENT EXPENDITURE

SUB-VOTE 130 – GENERAL ADMINISTRATION AND PLANNING

(Heads 154, 380 and 600 agreed to)

(Sub-Vote 130 agreed to)

SUB-VOTE 133 – OTHER SERVICES

(Heads 505, 506 and 507 agreed to)

(Sub-Vote 133 agreed to)

SUB-VOTE 136 – ROADS

Head 384 – Major Roads

Dr. Eseli: Mr. Temporary Deputy Chairman, I would like the Minister to clarify this. Either some money is being hidden somewhere to be retrieved later on or there is something else going on. This is because in Bungoma North, they have Ejinja-Bumala Road which has been allocated Kshs150 million. Ejinja-Bumala Road is not in Bungoma North District. This is somewhere in Busia. So, has this money been put here to be retrieved later on? I can assure the Minister that Ejinja-Bumala Road is not in Bungoma North District because that is my constituency.

The Temporary Deputy Chairman (Mr. Ethuro): Mr. Minister, where is the road located?

The Minister for Roads (Mr. Bett): Mr. Temporary Deputy Chairman, Sir, if there is a typographical error, I will correct it.

The Temporary Deputy Chairman (Mr. Ethuro): Hon. Minister it is not a matter of “if”. Is it a typographical error or not?

The Minister for Roads (Mr. Bett): Mr. Temporary Deputy Chairman, Sir, I will correct it.

Dr. Khalwale: Mr. Temporary Deputy Chairman, Sir, I draw the attention of the Minister to page 1 of 10 on Heads 384 and 385, Item 10 on the East African Trade.

The Temporary Deputy Chairman (Mr. Ethuro): Order, Dr. Khalwale! Are you on Recurrent Expenditure or Development Expenditure?

Dr. Khalwale: I am on Development Expenditure, Mr. Temporary Deputy Chairman, Sir.

The Temporary Deputy Chairman (Mr. Ethuro): No! We have not reached there. I have been more generous than before by explaining that we are on Recurrent Expenditure for avoidance of doubt.

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

(Sub-Vote 136 agreed to)

(Vote R13 agreed to)

VOTE D13 – DEVELOPMENT EXPENDITURE

SUB-VOTE 130 – GENERAL ADMINISTRATION AND PLANNING

(Head 380 agreed to)

(Sub-Vote 130 agreed to)

SUB-VOTE 133 – OTHER SERVICES

(Heads 505, 506 and 507 agreed to)

(Sub-Vote 133 agreed to)

SUB-VOTE 136 – ROADS

Head 384 – Major Roads

Head 385 – Other Roads

Dr. Khalwale: Mr. Temporary Deputy Chairman, Sir, under Heads 384 and 385, on page 1 of 10 of the District Allocation Budget Report by the relevant Departmental Committee, under East African Highways, I can see the Minister intends to spend Kshs750 million on a one-stop border post. This is a very noble project, but of concern to Kenyans is that whereas Kenya is injecting Kshs750 million, how much is Rwanda, Burundi, Tanzania and Uganda contributing as their share?

The Minister for Roads (Mr. Bett): Mr. Temporary Deputy Chairman, Sir, the Kshs750 million, apart from the one-stop border post, will also include the weighbridges.

I want to admit that I will not be able to give the amount that the other countries are giving, but the Kenya Government is responsible for what is on its land, that is the border posts and weighbridges on our land.

Dr. Khalwale: On a point of order, Mr. Temporary Deputy Chairman, Sir. If the Minister has not carried with him those details, at least, he can reassure the public that the other East African countries are making their contribution. This is because having been at the Ministry of East African Community, I know that Kenya is usually left with this burden on the assumption that we are ahead of the other countries economically and in the process, our Kenyans are denied domestic services.

The Minister for Roads (Mr. Bett): Mr. Temporary Deputy Chairman, Sir, I want to assure the House that there is a ratio for distributing the cost of this border posts across the East African Community. So, each country has a portion of its own to meet.

Mr. Lessonet: On a point of order, Mr. Temporary Deputy Chairman, Sir. I thought that while we are at the Committee Stage, especially at this time when the Minister does not seem to have enough information, he is allowed to consult the technical team which is actually on the Civil Servants' Bench.

The Temporary Deputy Chairman (Mr. Ethuro): Order, Mr. Minister! I agree with the hon. Member. Really, at the Committee Stage, we need facts. So, you need to specify even those ratios, because here is a former Assistant Minister in the same Ministry and he is aware. We do not want the burden to remain on the Kenyan side only.

The Minister for Roads (Mr. Bett): Mr. Temporary Deputy Chairman, Sir, yes, indeed, my officers have given me a note and confirmed what I have said. The other East African countries, on a formula or ratio, are meeting their part of the building of this one-stop border points and weighbridges. I would not be able to give the figures.

Hon. Members: How much?

The Minister for Roads (Mr. Bett): I will not be able to give the figures, Mr. Temporary Deputy Chairman, Sir.

Hon. Members: Ask them!

The Temporary Deputy Chairman (Mr. Ethuro): Order, hon. Members! The Minister has heard. Mr. Minister, get the information as we also get to hear from hon. Koech.

Mr. Koech: Mr. Temporary Deputy Speaker, Sir, I seek a clarification from the Minister on Head 384 and 385, on page 9 of 10 of the District Allocation Budget Report by the relevant Departmental Committee, that is, Item No.7270 – Nandi North District. The Minister has indicated there that Eldoret-Ziwa-Kitale Road has been allocated Kshs40 million and Mosoriot-Chepterwai Road has Kshs5 million. The Eldoret-Ziwa-Kitale Road is not in my constituency and, therefore, it creates a wrong perception. Could he clarify that so that it is very clear that the entire Nandi North received only Kshs5,000?

The Minister for Roads (Mr. Bett): Mr. Temporary Deputy Speaker, Sir, I may be having another typographical error. I beg your indulgence that I will correct it.

The Temporary Deputy Chairman (Mr. Ethuro): Mr. Minister, there seem to be very many typographical errors. Make sure you correct them and resubmit the revised document to Parliament. But I am also aware that Eldoret-Ziwa Road is, definitely, not in Mosop. That cannot be a typographical error.

Mr. Koech: On a point of order, Mr. Temporary Deputy Chairman, Sir, could the Minister confirm that Mosop will receive the Kshs40 million? Could he clarify to the entire country that Mosop in Nandi North District received a Kshs5,000 allocation from the Ministry?

The Minister for Roads (Mr. Bett): Mr. Temporary Deputy Chairman, Sir, I want to clarify that we allocate money to roads. So, the allocation is for the road in the respective district. As I had explained earlier, the Kshs5,000 is a token amount to give me a possibility of prioritising the road when funds become available. I will embark on that road first before I go to another road. So, it is intended to be a green signal for me to go to that road before I embark on any other road.

Mr. Ogindo: On a point of order, Mr. Temporary Deputy Chairman, Sir. Could the Minister clarify? When he says that he is going to correct, it is important that he tells us that he is going to correct from this to this, so that we know. I have also noticed that there is very little money for Homa Bay District, where my constituency lies. Could my money be elsewhere?

The Minister for Roads (Mr. Bett): Mr. Temporary Deputy Chairman, Sir, I will do a thorough audit of the placement of funds in the districts. I will make sure that every road is under the right district and I will submit a full and corrected list in the course of tomorrow.

Dr. Eseli: Mr. Temporary Deputy Chairman, Sir, still under Head 384, on page 2 of 6 of the District Allocation Budget by the Departmental Committee, the Kisumu-Kakamega-Webuye-Kitale Road has been allocated Kshs100 million. Surely, that is a road that is over 200 kilometres. What do you intend to achieve with Kshs100 million on that road?

The Minister for Roads (Mr. Bett): Mr. Temporary Deputy Chairman, Sir, that road is being repaired. There are already two contractors on site. There is money from the previous financial year that is being utilized. We intend to continue with the repairs.

Mr. Nyambati: Mr. Temporary Deputy Chairman, Sir, I am looking at page 6 where Nyanza is shown. I cannot see the Kemera-Amabuko Road. Could the Minister, kindly, let me know whether there is an omission or something?

The Temporary Deputy Chairman (Mr. Ethuro): Order, Mr. Nyambati! We are at the Committee Stage. The relevant heads are 384, 385, 393, 488 and 489. Which one are you referring to?

Mr. Nyambati: I am referring to 4270.

The Temporary Deputy Chairman (Mr. Ethuro): 4270! That is not part of what we are discussing. I, therefore, order that we continue.

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

(Sub-Vote 136 agreed to)

(Vote D13 agreed to)

(Question put and agreed to)

(Resolutions to be reported without amendment)

(The House resumed)

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

REPORTS

Vote 12 - Office of the Deputy Prime Minister and Ministry of Local Government

Mr. Ethuro: Mr. Temporary Deputy Speaker, Sir, I am directed to report that the Committee of Supply has considered the Resolution that a sum not exceeding Kshs2,628,870,945 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2011 in respect of Vote 12 - Office of the Deputy Prime Minister and Ministry of Local Government, and has approved the same without amendment.

The Deputy Prime Minister and Minister for Local Government (Mr. Mudavadi): Mr. Temporary Deputy Speaker, Sir, I beg to move that the House doth agree with the Committee in the said Resolution.

The Minister for Livestock Development (Dr. Kuti) seconded.

(Question proposed)

(Question put and agreed to)

Vote 13- Ministry of Roads

Mr. Ethuro: Mr. Temporary Deputy Speaker, Sir, I am directed to report that the Committee of Supply has considered the Resolution that a sum not exceeding Kshs22,424,582,550 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 2011 in respect of Vote 13 - Ministry of Roads, and has approved the same without amendments.

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

The Minister for Agriculture (Dr. Kosgei) seconded.

(Question proposed)

Dr. Khalwale: Mr. Temporary Deputy Speaker, Sir, we have now approved these billions. I would like to urge the Minister and the Permanent Secretary to ensure that this money is accessed by local contractors. We approve these billions and they leave the country. If those were local contractors, they would plough that money back into the local economy.

Dr. Eseli: Mr. Temporary Deputy Speaker, Sir, we have approved these Motions, but I would like the Ministry to be aware that it is easier to move from Western Province to Kampala than to Nairobi. Indeed, while we are moving towards the East African Federation, I did not know that the Ministry's intention was to hasten the federation of the western part of Kenya and Uganda.

Mr. Koech: Thank you, Mr. Temporary Deputy Speaker, Sir. As we approve this budget, it has come out very clearly that Nandi North received Kshs5,000 just to keep the account active. I would like to propose to the Minister that my salary for September and October be deducted Kshs50,000 to make it Kshs100,000 to keep the account active for the benefit of the people of Mosop.

(Applause)

(Question put and agreed to)

ADJOURNMENT

The Temporary Deputy Speaker (Prof. Kaloki): Hon. Members, that concludes the business on the Order Paper. Therefore, this House stands adjourned until this afternoon, Thursday, 26th August, 2010, at 2.30 p.m.

The House rose at 12.35 p.m.