

NATIONAL ASSEMBLY

OFFICIAL REPORT

Tuesday, 14th October, 2008

The House met at 2.30 p.m.

[Mr. Deputy Speaker in the Chair]

PRAYERS

COMMUNICATION FROM THE CHAIR

NAMIBIAN PARLIAMENTARY DELEGATION
IN SPEAKER'S ROW

Mr. Deputy Speaker: Hon. Members, we are privileged this afternoon to have four hon. Members from the Parliament of Namibia in the Speaker's Row. They are hon. Jhonny H. Hakaye; who is the head of the delegation, hon. Henock Kankoshi, hon. Aram Martin and hon. Barakias Namwandi. They are accompanied by Ms. Amalia N. Iita, a parliamentary staff, who is the secretary of the delegation.

They are Members of the National Standing Committee on Foreign Affairs, Defence and Security and are here on a study tour. Let me take this opportunity on your behalf and on my behalf to welcome them to our country and to wish them a happy, enjoyable and fruitful stay in Kenya.

QUESTIONS BY PRIVATE NOTICE

NUMBER OF RELIEF FOOD BENEFICIARIES
IN TURKANA CENTRAL

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

(a) Could the Minister explain why in spite of the famine ravaging Turkana District in particular and the entire northern Kenya in general, the number of relief food beneficiaries in Turkana Central District is being reduced?

(b) When will the Minister increase the number of relief food beneficiaries to reflect the gravity of the famine and the resultant distribution in Turkana Central District?

(c) Could the Minister table the following:

(i) Food distribution agreements between WFP/GoK and the lead agencies;

(ii) The number of food relief beneficiaries as per the final distribution points in all the districts of Kenya under the current Emergency Programme as well as the GoK emergency relief?

(d) What urgent institutional measures will the Minister put in place to increase the beneficiaries, extend the EMOP, promote sustainable food security and ensure that food is delivered efficiently, timely and in a balanced nutritional mix and further that only the *bona fide* beneficiaries receive the food?

Mr. Deputy Speaker: Minister of State for Special Programmes! She is not here? We will

come back to that Question.

GOVERNMENT FAILURE TO PROVIDE
SUBSIDIZED FERTILIZERS/SEEDS

Mr. Wamalwa: Mr. Deputy Speaker, Sir, I beg to ask the Minister for Agriculture the following Question by

[Mr. Wamalwa]

Private Notice.

(a) Is the Minister aware that farmers in many regions, including the North Rift and the Eastern Province, are unable to plant owing to failure by the Government to avail subsidized fertilizers and seeds?

(b) Could the Minister explain why, in spite of the Government's undertaking to intervene, seeds and fertilizer prices continue to escalate and DAP fertilizer now retails at Kshs6,200 per bag?

(c) What urgent measures is the Government taking to ensure that farmers are able to plant and stem imminent famine in the country as a result of the above situations?

The Assistant Minister for Agriculture (Mr. Mbiuki): Mr. Deputy Speaker, Sir, I beg to reply.

(a) I am not aware that farmers in the North Rift are unable to plant due to unavailability of Government subsidized fertilizers as this is the harvesting season in the area. However, I am aware that this is the planting season in Eastern Province and the Government is making every effort to avail cost-effective fertilizers and seeds.

(b) In spite of the Government's undertaking to intervene, fertilizer prices have continued to escalate due to competitive world market forces, but the Government has been able to control the price of seeds.

(c) The Government is undertaking the following steps to ensure that farmers are able to plant and stem imminent famine in the country:-

(i) Through the National Agricultural Input Access Programme (NAAIAP) 36,000 farmers will be assisted with fertilizers and seeds using the voucher system.

(ii) The Government has purchased 6,000 50-kilogram bags of DAP and 3,000 50-kilogram bags of CAN fertilizer through the 2KR grant assistance for the under-privileged farmers.

(iii) Plans are underway to procure fertilizers worth US\$11 million through the assistance of the African Development Bank.

(iv) Bulky purchasing of fertilizer for planting and top-dressing through the National Cereals and Produce Board (NCPB) is currently underway. It will be concluded by Friday this week.

Mr. Wamalwa: Mr. Deputy Speaker, Sir, when the issue of escalating prices was first raised here in March, the Minister indicated that the Ministry was going to import fertilizers. This was way back in March. The price then was Kshs4,000.

Is the Assistant Minister aware that, as I speak, the price of fertilizer has escalated to Kshs6,200? We are in October. The fertilizer that the Ministry undertook to provide in March is yet to arrive in the country. What is the Assistant Minister doing to cushion the farmers against the escalating prices of inputs?

Mr. Mbiuki: Mr. Deputy Speaker, Sir, in July this year, the Government of Kenya, through the NCPB, imported 2,250 bags of CAN fertilizer, which was used to top-dress maize and other plants in the North Rift. The prices of fertilizer have been going up worldwide. I want to inform the entire nation that the price of fertilizer has reduced. As I speak, the Government is in the process of procuring the DAP fertilizer at Kshs4,000 unlike the prevailing market price.

Mr. C. Kilonzo: Mr. Deputy Speaker, Sir, the Assistant Minister, Mr. Japhet Kareke Mbiuki, uttered the following words on Saturday to his constituents. He told them that:-

"I am very disappointed and sorry that farmers have been waiting for this fertilizer. The truth is that nothing has been ordered yet".

He went further to say that:-

"The delay occurred because a supplier could not be identified quickly. I wish to apologise to the farmers on behalf of the Government".

He did not stop there. He told the farmers that they had been short-changed and advised them to obtain loans and buy farm inputs.

The Assistant Minister has said that the fertilizer will be in the country on Friday, but he told the farmers a different thing on Saturday. He told them that they could only get the top-dressing fertilizer in two months' time. Is it in order for the Assistant Minister to take farmers and this House for granted? Whatever one says out there, he cannot assume that it is not applicable in the House. Could he give us the true position?

Mr. Mbiuki: Mr. Deputy Speaker, Sir, while I was addressing farmers in my constituency, the fertilizer had not been ordered. But as I speak, the whole process has been concluded. The contract will be signed on Friday for the bulk purchase of fertilizers worth Kshs11.5 billion. The entire process has been concluded and we are home and dry.

The consignment will bring in fertilizer for the Kenya Tea Development Agency, NCPB, the Agricultural Development Corporation (ADC) and the Kenya Seed Company. The parastatals have put in the money to import the fertilizer. The deal has been sealed. The signing ceremony will be on Friday. The first batch will arrive in this country by the first week of November.

Mr. Muriithi: Mr. Deputy Speaker, Sir, I stand here to challenge the Ministry of Agriculture. For the time we have been here, we have heard that fertilizer is selling at Kshs1,600. I would like to ask the Assistant Minister to tell us the truth. Right now, fertilizer is selling at Kshs6,000 and farmers are not able to plant. Even if the Ministry was to bring the top-dressing fertilizer, there are no crops on the ground.

Could the Assistant Minister tell us the truth? Is there fertilizer that is selling at Kshs1,600 or there is no fertilizer at all in this country?

Mr. Mbiuki: Mr. Deputy Speaker, Sir, this is very clear. What was selling at Kshs1,700 was the CAN fertilizer. However, we have taken the initiative to bring in the DAP, 2020 and 2323 fertilizers, which will be arriving in this country by the first week of November. I want to assure this House that, come November, if the fertilizer will not have arrived, the entire Ministry and I will go home!

Mr. Muturi: Mr. Deputy Speaker, Sir, could the Assistant Minister tell the truth by swearing using the Bible? There is no fertilizer in the country for the small-scale farmers. For which season is the Ministry importing this fertilizer? Is it for the long or the short rains?

Mr. Mbiuki: Mr. Deputy Speaker, Sir, when I addressed farmers in Nithi Constituency, it was out of frustration. Whatever fertilizer we are bringing in is due for the long rains. This will affect the farmers in the North Rift. Immediately I went public, the Government in consultation with the Office of the President and the Treasury has authorised the expenditure of Kshs400 million worth of fertilizers. As I speak, the process of procuring the fertilizer is going on, so that we can procure fertilizer in the domestic market for the short rains.

Mr. K. Kilonzo: On a point of order, Mr. Deputy Speaker, Sir. Is it in order for the Assistant Minister to tell us that when he was speaking in his constituency, he was actually threatening the Government out of frustration, yet he is part of the Government? Which Assistant Minister should we trust? Is it the one speaking today or the one who was speaking on Saturday addressing his constituents?

Mr. Mbiuki: Mr. Deputy Speaker, Sir, in Government, there is serious bureaucratic red tape. Yesterday, we managed to cut all of it and we were able to secure funding to the tune of Kshs400 million. That is a breakthrough. We are politicians and, at the end of the day, we want work to be done. I want to promise this House that by Monday next week, all the fertilizer will be available in Eastern and Central provinces and some parts of the South Rift for the short rains. This will be the DAP and 2020. The House should rest assured that we are in control and the farmers will get the fertilizers just in time at a subsidized price. The Government is subsidizing the price of fertilizer by Kshs800 per 50-kilogram bag. That is a serious breakthrough.

Mr. Yinda: Mr. Deputy Speaker, Sir, could the Assistant Minister confirm that the fertilizer will be made available to all parts of this country and not only the few sections he has mentioned and that the Ministry will also increase the distribution centres?

Mr. Mbiuki: Mr. Deputy Speaker, Sir, the current short rains are being experienced in Eastern and Central provinces, some parts of South Rift and other parts of the country. We will make it our responsibility to ensure that all the seeds and fertilizers which the Government has procured will be available with immediate effect at the divisional level and will be distributed through the National Cereals and Produce Board. I request hon. Members to come and give us the specific places where they want this fertilizer to be as early as this week on Friday.

Mr. Wamalwa: Mr. Deputy Speaker, Sir, I think the question of fertilizer has become a riddle that has not been solved since the beginning of this year. In March - if you may allow me to quote what the current Minister for agriculture said - This was before he was appointed as Minister. This was the same Question he asked:-

"As we speak, farmers are ready to go to their farms. Fertilizer is retailing at Kshs4,000 per-50 kilogram bag up from Kshs1,800 last year. When will the fertilizer be available?"

These words were said by Mr. William Ruto in March. In April this same year, we were made to understand by the same Minister, now appointed, that fertilizer would be available immediately.

Today, the Assistant Minister has told us that fertilizer will be available on Friday. This is a riddle. Could the Assistant Minister assure Kenyans and confirm to this House when this fertilizer will be available? We are in October and the riddle started in March. What will the Government do in terms of finding a long-term solution to this problem? We heard mention of putting up a factory. What happened to those plans?

Dr. Khalwale: On a point of order, Mr. Deputy Speaker, Sir. What Mr. Wamalwa has said indicates very clearly that what the substantive Minister said is different from what the Assistant Minister is saying. Now that he has given us an actual date, could we defer this Question so that it comes up after that deadline of Friday, for us to be able to hold him to account?

Mr. Deputy Speaker: Order, hon. Member! The Assistant Minister has given a definitive undertaking to the House. The House will hold him on his promise and, at the appropriate moment, you are free to rise on a point of order and bring the attention of the House to the fact that what the Assistant Minister promised in effect might not have been executed.

As for now, we will take him for his word and we respect the Government's position on that.

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

Mr. Deputy Speaker: Order, Mr. Ethuro! Hon. Members, today is a Supply Day. We cannot afford to take 15 to 20 minutes on every Question unless you are prepared to have some of your Questions dropped!

Mr. Assistant Minister, could you give a final answer to Mr. Wamalwa on the way forward? My presumption is that every other question he asked has been answered by you.

Mr. Mbiuki: Mr. Deputy Speaker, Sir, to address the fertilizer problem that the country is currently facing, the Government is buying local fertilizers in the market. So far, we have undertaken to procure fertilizers worth Kshs200 million in the local market which will be available in the market by the end of this week. Secondly, the Government is procuring bulky fertilizers worth Kshs11.5 billion in the international market which will be available from the first week of November. The Government, in conjunction with the private sector, is considering putting up a factory in this country and that will be realised by the year 2010.

MEASURES TO REDUCE HIGH OIL PRICES

Mr. Baiya: Mr. Deputy Speaker, Sir, I beg to ask the Minister for Energy the following Question by Private Notice.

(a) Considering that as at 6th August, 2008 the world price of oil stood at US\$126 per barrel, down from a high of US\$146 in mid-July, could the Minister explain why fuel prices in the local market have not been adjusted downwards?

(b) Why does the National Oil Corporation Kenya (NOCK) currently not supply bulk fuel to consumers?

(c) Could the Minister explain what steps he will take to ensure that the NOCK begins to supply bulk fuel to consumers to safeguard them against exploitation?

The Assistant Minister for Energy (Mr. M.M. Mahamud): Mr. Deputy Speaker, Sir, I beg to reply.

(a) I concur with the hon. Member that the international price of crude oil stood at US\$146 per barrel in mid-July, 2008, up from US\$92.25 in January, 2008. However, the crude oil price has fallen to US\$73.26 per barrel as at 10th October, 2008 following increase in supply. The low price ought to be reflected in the local market as well. I agree with him.

The pump prices started reducing from 1st October, 2008, with NOCK leading the way by announcing a drop of about Kshs8 across all its service stations. This is close enough to what my Ministry demanded from marketers; to reduce their pump prices by Kshs10 in line with the falling crude oil prices. The Ministry has also noted a price drop in pump prices by other marketers.

Hon. Members should advise the public to fuel at NOCK stations which are currently posting lower pump prices of Kshs96.99 per litre for diesel and Kshs97.99 per litre for super. They should also note that pump prices are pegged on a monthly average barrel cost and not the daily cost. This means that once the monthly average barrel cost drops, then any product brought at this time will lead to low prices at the pump.

Since the de-regulation of the petroleum industry in 1994, the Ministry of Energy does not have direct control over the pricing of petroleum products. However, the Government is working on modalities of empowering NOCK, which will then supply petroleum products at affordable prices. Currently, the Energy Regulatory Commission is reviewing the viability of controlling prices.

(b) NOCK supplies bulk supplies to consumers across the country. Some of the clients supplied include the following:

The agricultural sector, Kenya Seed Company; in construction sector, Kirinyaga Construction; in the tourism sector, Amicabre; in the health sector Kijabe Hospital; in the education sector, Egerton University and in the transport sector, Citi Hoppa and Kenya Railways and in energy sector, Camed and Lundin.

Besides these, the corporation serves several Government Ministries and parastatals such as Energy, the Office of the Deputy Prime Minister and Ministry of Local Government, Kenya Co-operative Creameries and

Kenyatta National Hospital, among others.

(c) My Ministry, on many occasions, has been very vocal in urging Government Ministries and parastatals to obtain their fuel requirements from the corporation. In addition, NOCK has always set out strategies for growing its share of bulk supplies to the Government as well as other related consumers. The Ministry is also in the process of gazetting a legal notice that will establish import allocations a quota of 30 per cent to be imported by NOCK. This will ensure that NOCK controls the bigger share of the market and, therefore, subsequently influences prices.

Mr. Baiya: Mr. Deputy Speaker, Sir, that answer by the Assistant Minister is not satisfactory. He has accepted that the price of fuel as at July was US\$146 per barrel and it has come down, right now, to US\$73 per barrel. That is half what it was. The pump price as at July was Kshs109. Right now, it is retailing at about Kshs98. Is that not complete exploitation of the consumers in this country? What is the Government doing to address this problem? How can the Government sit back and watch as some few monopolies exploit poor Kenyans?

Mr. M.M. Mahamud: Mr. Deputy Speaker, Sir, through the tender system that we buy crude oil, the stock we have today, is the one that was bought in July. We are now trying to source for fuel for December. This means that we are always three months behind when we are buying our stock. It does not mean that when the price changes today, to US\$53 per barrel, we can change our pump prices immediately.

Mr. Deputy Speaker, Sir, the stock that we have in the market today was brought in July. We will open a tender next week, which means that we are sourcing for fuel for December. The prices are behind by about three months.

Mr. Deputy Speaker: Let us go back to the Question by Mr. Ethuro.

NUMBER OF RELIEF FOOD BENEFICIARIES
IN TURKANA CENTRAL

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

(a) Could the Minister explain why, in spite of the famine ravaging Turkana District in particular and the entire northern Kenya in general, the number of relief food beneficiaries in Turkana Central District is being reduced?

(b) When will the Minister increase the number of relief food beneficiaries to reflect the gravity of the famine and the resultant distribution in Turkana Central District?

(c) Could the Minister table the following:-

(i) Food distribution agreements between WFP/GoK and lead agencies; and,

(ii) the number of relief food beneficiaries as per the final distribution points in all the districts of Kenya under the current Emergency Programme, EMOP, as well as the GoK Emergency Relief?

(d) What urgent institutional measures will the Minister put in place to increase the beneficiaries, extend the EMOP, promote sustainable food security and ensure that food is delivered efficiently, timely and in a balanced nutritional mix, and further that only the *bona fide* beneficiaries receive the food?

Mr. Deputy Speaker: The Minister for Special Programmes not here?

Mr. Thuo: On a point of order, Mr. Deputy Speaker, Sir. Is it in order to call for next Question without giving us adequate time to interrogate the Assistant Minister's answer?

Mr. Deputy Speaker: Order, Mr. Thuo! Today is a Supply Day! If you look at your Order Paper, it says "not later than 3.30 p.m." We will go to the Committee of Supply, which is the substantive business of the House.

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

Mr. Deputy Speaker: Mr. Thuo, I have gone to the next Question! The Chair has ruled that Mr. Ethuro's Question be answered. The matter is closed!

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

Mr. Deputy Speaker: Dr. Khalwale, you are out of order! Your point of order is disallowed!

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

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

Proceed, Madam Minister!

The Minister of State for Special Programmes (Dr. Shaban): Mr. Deputy Speaker, Sir, I beg to reply.

(a) It is not true that the relief food beneficiaries in Turkana District are being reduced at a time when the food situation is deteriorating.

Mr. Deputy Speaker, Sir, following the recent multi-sectoral and multi-agency food security assessments undertaken jointly by the Government of Kenya, UN agencies, NGOs and other development partners, it was found out that the food situation had generally deteriorated in most areas of the district. However, there were a few pockets that had received favourable long rains and, consequently, their situation has improved. The total number of beneficiaries in Turkana District was, therefore, increased from the previous 215,590 people in August, 2008, to 225,220 persons from September, 2008.

Mr. Deputy Speaker, Sir, the number of beneficiaries per division was adjusted either upwards or downwards depending on its specific food security situation. Therefore, whereas most divisions had their beneficiary numbers revised upwards, a few of them had their beneficiaries figures either maintained or slightly reduced to reflect their improved situation. There is a table showing the actual beneficiary numbers for every division in Turkana.

(b) The beneficiary numbers for Turkana have just been revised upwards and the situation is being constantly monitored through a comprehensive Drought Early Warning System operated by the District Steering Group (DSG) of Turkana and Arid Lands Resource Management Programme. The figures are revised in line with the changing situation as indicated by the Early Warning System and as recommended by the District Steering Group.

(c) The World Food Programme has entered into an agreement with the lead agencies in all the 17 districts currently under the EMOP and we have also attached a list of the EMOP beneficiaries.

Mr. Deputy Speaker, Sir, this is a summary of the information contained in the agreements between the World Food Programme and the lead agencies regarding the number of beneficiaries and the final distribution points as per the table. The districts which usually benefit are Turkana, Mandera, Marsabit, Wajir, Garissa, Tana River, Isiolo, Samburu, Moyale, Baringo, Laikipia, Kitui, Mwingi, Kilifi, Malindi, Kwale and Taita-Taveta.

(d) The Government attaches great importance to matters of food security in the country. This is because, unless the people are food secure, they cannot engage in any meaningful economic activity. The Government has, therefore, been spearheading efforts to improve the food security situation in the country, particularly in Arid and Semi-Arid Areas of the country that are prone to food---

Mr. Deputy Speaker: Order, Madam Minister! You cannot read a speech of four pages as an answer to a Question. The Chair has, time and again, said that you have to make your responses precise so that we can cover all the Questions. My observation is that you have about four or five pages of a response. Please, do it in as few words as possible, but without losing its meaning.

The Minister of State for Special Programmes (Dr. Shaban): Mr. Deputy Speaker, Sir,

the Questions are quite long and are also asking for a lot of details. It is only fair for me to give the details.

(Dr. Khalwale consulted loudly)

Mr. Deputy Speaker, Sir, please protect me from Dr. Khalwale!

Mr. Deputy Speaker: Order, Dr. Khalwale!

Proceed, Madam Minister!

The Minister of State for Special Programmes (Dr. Shaban): Mr. Deputy Speaker, Sir, the Government has created a specific Ministry, the Ministry of Development of Northern Kenya and other Arid Lands, that will deal with the challenges faced in these areas, especially in the area of food security. Under the new Ministry is the Arid Lands Resource Management Programme that is funded by the World Bank, and one of its main aims is to improve the food security situation by addressing the non-food interventions necessary to improve food security.

As I have already mentioned, the project now covers 28 districts in Arid and Semi-Arid lands. It should be noted that achieving food security in the country is a task that has to be undertaken by various Ministries. Other measures being put in place by the Government to improve food security in the country include boosting of the strategic grain reserves from the current four million bags to six million bags, and to eight million bags by the year 2009/2010, the provision of inputs through the Ministry of Agriculture, intensive extension activities through field days, agricultural shows and demonstrations amongst farmers; the Government is in the process importing 1.5 million bags to meet any shortfall of maize this year, facilitate the National Cereals and Produce Board to import fertiliser---

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

The Minister has been reading this answer for a whole ten minutes, and we have lost track of what she is saying, yet we are supposed to raise supplementary questions. Could you direct the Minister to go and take a lesson on how to answer Questions, as a Minister, in a brief manner?

Mr. Deputy Speaker: Order! Madam Minister, it has been the observation of the Chair that your Ministry comes up with so many pages of an answer to a Question. The Chair shares those sentiments. Nonetheless, please, wind up your answer in the shortest time possible.

The Minister of State for Special Programmes (Dr. Shaban): Mr. Deputy Speaker, Sir, once again, why do they ask such long Questions and seek so many details?

Mr. Deputy Speaker: Proceed!

The Minister of State for Special Programmes (Dr. Shaban): Mr. Deputy Speaker, Sir, the current programme started on 1st July, 2008 and is due to end on 31st March, 2009. An assessment of the food security situation in the country will be carried out before then, to determine whether there will be need to extend the EMOP programme. As for the beneficiary numbers, they can only be increased if there is justification to do so; for example, if the food security situation deteriorates and there is need to adjust the figures, the DSG will normally conduct a rapid assessment of the situation in the district and forward their findings and recommendations to the Kenya Food Security Steering Group for consideration. Through the community-based food targeting system, the community is involved in the identification of people that deserve to be the beneficiaries of the EMOP programme.

Mr. Ethuro: Mr. Deputy Speaker, Sir, while I appreciate the efforts by the Minister to answer the Question, the lengthy part of it was to be laid on the Table, and the specific part was to just confirm the numbers. The Minister says it is not true that relief food beneficiaries have been reduced. I want to say that, that is not correct. Turkana Central District has five divisions. In March, the total beneficiaries were 66,845 but because of the failure of the long rains, an

assessment was done which increased the number in June to 112,003. I have copies of documents representing the months that I am talking about, namely March, June and September. As we talk now, the figures were reduced in September, from 112,003 to 104,140. Is that not a reduction? I do not know where this Minister lives. Right now the Press is running a programme known as "Turkana Arise". Every person in this house must be watching Turkana people as they starve. Two weeks ago the Minister was there and promised to increase food and the number of beneficiaries but now, on the Floor of the House, she is saying that she is not increasing it. Shame!

Dr. Shaban: Mr. Deputy Speaker, Sir, I did not realise that this was going to be an insulting match! I was in Turkana and I observed what was there. I made a note that we were going to increase the amount of food from this month. That one is being worked on by my Ministry. I am surprised that what I said, or my visit to Turkana, can elicit insults from the hon. Member!

The Government, in partnership with the World Food Programme (WFP), is spending Kshs1.3 billion in its programmes on famine relief every month. I do not know how much we are supposed to spend because the amount of food that is being bought is already costing so much to the Government and to our partners. I have the documents here, giving the details and I would like to table the same.

*(Dr. Shaban laid the documents
on the Table)*

Mr. Ethuro: Mr. Deputy Speaker, Sir, the Minister is giving the Government figures. My question is that, as we speak now, the number of beneficiaries is being reduced, because the Minister has reduced the food. I have given the figures for March to September. The numbers have reduced from 112,000 to 104,000. Is that not a reduction? She needs to confirm that. She confirmed the position on the ground and promised the people of Turkana that she was going to increase the food and now she is telling the nation that it is not true that the numbers have been reduced. I have figures and I can table them.

Mr. Deputy Speaker: You have made your point! Madam Minister, the issue of food relief involves the lives of Kenyans. The hon. Member said that you had promised to increase the number of beneficiaries but, instead, they have been reduced. Maybe you owe this House a statement on the rationale for that. If you feel that fewer people are in need of food then say so!

Dr. Shaban: Mr. Deputy Speaker, Sir, I have not reduced the number of beneficiaries. At the time I went to Turkana, we were giving 225,220 people food supplies.

In my own assessment I felt that we should increase the amount of food that we are giving to Turkana people. The recent assessment was to be done by the District Commissioner, who was supposed to write a letter to our Ministry. We do not usually just release food. Even after my observation, we have to receive the reports from the ground and then we should be able to release an increased amount of food as is required in the course of this month. I was there two weeks ago

Mr. Wamalwa: Mr. Deputy Speaker, Sir, it is only this year that there was a tragedy in Turkana. The Government having failed to provide security to the people of Turkana, there were killings of almost 70 Kenyans.

The least the Government can do is to make sure that the people of Turkana do not die from starvation. Could the Minister assure us that enough food will be released to feed the people of Turkana?

Dr. Shaban: Mr. Deputy Speaker, Sir, it is the Government's duty to make sure that people are given relief food. That is why I have personally gone there to make sure that Turkana people are given food. But for us to be able to do that, we need to work with the District Steering Group (DSG). Members of Parliament are members of the DSGs. It is not fair for people, who do

not sit in their DSGs, to come here and put Questions, when they are actually supposed to provide the report!

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

Mr. Deputy Speaker: Order! Ask your last supplementary question, Mr. Ethuro.

Mr. Ethuro: Mr. Deputy Speaker, Sir, Turkana Central DSG is not Taveta DSG. I sit in that DSG and it made a recommendation that 75 per cent of the people should be beneficiaries. But the Minister decided to give 52 per cent. That is what we are questioning. The Minister has changed her tactics. She has said that she is willing to consider. My point is that the Minister needs to appreciate that the global acute malnutrition rate in Turkana is now at 25 per cent. The threshold of malnutrition is 15 per cent. Madam Minister, does that not worry you? Doctors can help us!

Mr. K. Kilonzo: On a point of order, Mr. Deputy Speaker, Sir. That is very important because, in Ukambani, people are equally dying because of starvation. What urgent measures is the Minister taking to ensure that the people of Eastern Province get food? The EMOP has failed!

Mr. Letimalo: On a point of order, Mr. Deputy Speaker, Sir. Samburu East people---

Mr. Deputy Speaker: Order! Order, hon. Members! The Question is specific to Turkana! Hon. Minister, please give your answer!

Mr. Letimalo: On a point of order, Mr. Deputy Speaker, Sir. The Question is about relief food distribution and it concerns all the parts of the country.

Mr. Deputy Speaker: Order, Mr. Letimalo! As long as the Chair is on his feet, you freeze where you are! Nonetheless, allow the Minister to respond to the Turkana Question.

Proceed, Madam Minister!

Dr. Shaban: Mr. Deputy Speaker, Sir, there is a problem all over the country and the world as far as food prices are concerned. Those are the problems that we have to grapple with. But, after all has been said and done, it is the duty of the Government of Kenya to feed Kenyans when they are in dire need of food. I am appraising the situation and, with our partners who have been putting in 70 per cent, we are re-looking at a situation where we will be able to increase the amount food we are giving to most of the EMOP areas. Apart from the food we are giving out through EMOP, and I would like to thank the World Food Programme for providing 70 per cent of the food through the Emergency Operations Programme (EMOP), there is the general food distribution which is done by the Government through the District Commissioners' offices. Those are the people we work with at the grassroots level.

Yes, there is a problem! But our Ministry is looking at ways and means of making sure that Kenyans are fed, so that they can be able to do some meaningful work economically. Mr. Deputy Speaker, Sir, I am not aware of anyone who has died because of the biting famine. We are actually even getting requests for food from areas which we normally do not cover. So, we are trying as much as possible to cover most of the areas.

Mr. Koech: Mr. Deputy Speaker, Sir, the Minister has said that she has not heard of anybody who has died because of hunger. Is she waiting for one Kenyan to die so that she can act?

Mr. Deputy Speaker, Sir, this Question touches on the lives of Kenyans. I would request that this Question is deferred so that the Minister comes with a satisfactory answer because Kenyans are almost dying! Is she waiting for them to die?

Mr. Deputy Speaker: Order! Hon. Minister, all of us are Kenyans. Do not miss the spectre of Turkana people, including the elderly and the children. I concur with the sentiments expressed by hon. Members and the ruling from the Chair is that you go back and come back with a satisfactory answer. The answer is winding and not definitive!

Next Question!

An hon. Member: When will it be answered?

Mr. Deputy Speaker: At the earliest opportunity! That should be on Thursday this week, in the afternoon.

(Question deferred)

Dr. Shaban: Mr. Deputy Speaker, Sir--

Mr. Deputy Speaker: Order! Hon. Minister! First Ordinary Question by Mr. Chepkitony, the Member of Parliament for Keiyo North Constituency!

ORAL ANSWERS TO QUESTIONS

Question No.219

IMPROVEMENT OF ITEN-CHEBIEMIT -KAPSOWAR ROAD

Mr. Chepkitony asked the Minister for Roads:-

(a) whether he is aware that the Road from Iten to Chebiemit/Kapsowar (D329) is damaged by heavy traffic and becomes impassable during rainy seasons; and,

(b) when the Ministry will improve that road to bitumen standards.

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

(a) I am aware that the Road from Chebiemit to Kapsowar (D329) is damaged by heavy traffic and becomes impassable during the rainy seasons.

(b) The Government is currently preparing a roads sector investment programme which will generate a prioritisation list of roads for upgrading to bitumen standards, nationally. Due consideration, therefore, is now being contemplated for upgrading, and that road will be given priority based on the list and availability of funds.

Thank you.

Mr. Chepkitony: Mr. Deputy Speaker, Sir, that road is very important because it connects two district headquarters. It is tarmacked at the other end up to Kapsowar. But from Kapsowar, which is the district headquarters of Marakwet, to Iten, it is not tarmacked. The road has been surveyed and designed. Funds were supposed to be allocated this year. I would like the Assistant Minister to confirm to this House whether, that road will be given funds in the next financial year.

Dr. Machage: Mr. Deputy Speaker, Sir, I have not underrated the importance of that road and all the roads in this country. I have specifically said, on the Floor of this House, that due consideration for upgrading that road will be given priority. But that will be dictated by the availability of funds.

Mr. Ruteere: Mr. Deputy Speaker, Sir, I would like the Assistant Minister to tell us what he is doing right now. That is because roads are becoming impassable even near towns and people cannot access their estates.

The roads are in very poor conditions. There are trenches and gulleys that have formed on those roads. They have been ignored for a long time, especially in my Imenti North Constituency where people cannot go to Gitimbine Market.

Dr. Machage: Mr. Deputy Speaker, Sir, it is true that the road network in this country is in a pathetic condition. There is nothing to be proud of. This House may stand accused of giving less funds to the Ministry of Roads for the maintenance of roads. But I am happy that this year, you have given us slightly over Kshs65 billion. I think Kshs70 billion would be enough for the Ministry

to attend to most of the needs as raised on the Floor of the House by the Members of Parliament. I take your sentiments seriously and Imenti North will not be forgotten in my exercise of upgrading roads.

Mr. Deputy Speaker: Last Question, Mr. Chepkitony!

Mr. Chepkitony: Mr. Deputy Speaker, Sir, I would like the Assistant Minister to confirm this issue of funds. This road had been allocated funds and construction was to continue. So, this road had already been prioritized. To say that it is going to be re-prioritized is not satisfactory.

Dr. Machage: Mr. Deputy Speaker, Sir, I, indeed, confirm that I will look at the road when funds are available.

Question No.110

RESETTLEMENT OF 1992/1997
TRIBAL CLASHES IDPS

Mr. Deputy Speaker: Mr. Jeremiah Kioni is not with us today. This Question will appear on the Order Paper next week on Wednesday.

(Question deferred)

POINT OF ORDER

RESCHEDULING OF MR. ETHURO'S QUESTION
BY PRIVATE NOTICE

The Minister of State for Special Programmes (Dr. Shaban): On a point of order, Mr. Deputy Speaker, Sir. I just wanted to seek your indulgence on the Question by Private Notice by Mr. Ethuro so that it can be asked on Wednesday next week and not in the course of this week because I will be out of the country.

Mr. Deputy Speaker: I understand that you are travelling out of the country today, but when next week do you want that Question by Private Notice asked?

The Minister of State for Special Programmes (Dr. Shaban): Mr. Deputy Speaker, Sir, on Tuesday or Wednesday next week.

Mr. Deputy Speaker: Question No.1 by Private Notice will appear on the Order Paper next week on Wednesday!

*(Resumption of Oral Answers to
Questions)*

Question No.203

DETERIORATION OF SECURITY AROUND
KIMENDE TOWNSHIP

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

(a) whether he is aware of the deteriorating security around Kimende Township/Kagwe Moi Road that has lately resulted in attack on and robbery of

motorists, including during the day; and,

(b) what urgent measures he is taking to restore security in the region.

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

(a) I am aware of the incident that

Evans Togi Change, was carjacked by unknown robbers and robbed of his motor vehicle, KAV 860N, at Kimende Township. The vehicle was driven towards Githunguri on Kagwe Moi Road and a report was immediately made to the police who were patrolling the area. They pursued the robbers and later recovered the vehicle at Githiga where it had been abandoned. However, the security around Kimende Township and Kagwe Moi Road has been improved as the Lari Police Station officers patrol the area on a 24-hour basis. An Administration Police (AP) camp has been opened at Kagwe Chief's Office.

(b) To restore security in the area, patrols by officers stationed at Lari Police Station, which is approximately six kilometres away, have been enhanced. The officers are reinforced by the APs from Kagwe AP Camp, which is about two kilometres away from Kimende, Natimberi AP Camp and Gatamaiyu AP Camp, which are both eight kilometres from Kimende Township. More police officers have been posted to those areas in order to boost security. However, as a long-term solution, we are looking for a piece of land within Kagwe Township so that we can establish a police post there.

Mr. Njuguna: Mr. Deputy Speaker, Sir, as I commend the Assistant Minister for making an attempt to reply to my Question, there are still some grey areas with regard to this matter. At Kimende Township, a matatu operator by the name Njoroge Kariuki, was murdered and a stone tied to his body and dumped in a dam in Kimende. That was the fourth murder in Kimende Township. There is also a lone gunman, with an AK-47, who has been attacking people in the area. He has robbed people of a lot of money. Even motorists have been affected. It is suspected that the same lone gunman could have been involved in the murder of a PCEA elder---

Mr. Deputy Speaker: Order, Mr. Mwaura! Ask your supplementary question! Do not give a speech!

Mr. Njuguna: Mr. Deputy Speaker, Sir, could the Assistant Minister tell us whether adequate security measures have been put in place to control the recent murders at Kimende Township? Could he also confirm that, even as we speak now, the Kimende Township/Kagwe Moi Road is not passable because of insecurity?

Mr. Ojode: Mr. Deputy Speaker, Sir, I sympathise with the hon. Member because of the insecurity in Kimende Township.

Last week, we posted 28 police officers to man Kimende Township and Kagwe Moi Road. I would like to urge my colleague to look for a parcel of land in order for me to construct a police post in Kimende.

Mr. Deputy Speaker, Sir, I intend to put up an AP camp at Soko Mjinga Market. If the land can be found, I will construct an AP camp at Soko Mjinga Market and the insecurity in that area will be a thing of the past.

Mr. Njuguna: Mr. Deputy Speaker, Sir, I wish to confirm that there is land at Soko Mjinga Market. The Assistant Minister should, therefore, avail funds to enable us put up the AP camp and contain the insecurity that we have witnessed in that area. We also have land at Kagwe. If the money is released tomorrow, we will have security at its maximum.

Mr. Konchella: On a point of order, Mr. Deputy Speaker, Sir. I have been standing here to ask a question, but somehow you have not been able to see me. I do not know if I should move down there?

Mr. Deputy Speaker: Order, Mr. Konchella! You have to make an effort to catch the

Speaker's eye. There are no strangers here. All of these people are Members of Parliament. They are representing 212 constituencies and there are also 12 Nominated Members of Parliament. So, make an effort to catch the Speaker's eye!

Mr. Konchella: Mr. Deputy Speaker, Sir, I have a serious security problem in my constituency and I would like to ask the Assistant Minister a question about it!

An hon. Member: You are not visible!

Mr. Deputy Speaker: Proceed, Mr. Assistant Minister! This Question relates to a specific part of this country.

Mr. Ojode: Mr. Deputy Speaker, Sir, I have accepted the statement by the Questioner. I had also said that if I can get the details of the parcels of land in Soko Mjinga and Kagwe, I will construct a police post and an AP camp in those areas respectively.

Question No.401

CRITERIA FOR ESTABLISHMENT
OF INDUSTRIES

Mr. Ombui asked the Minister for Industrialization:-

(a) what criteria the Ministry applies in establishing an industry in any part of the country; and,

(b) what measures he will take to facilitate the establishment of a pineapple processing industry in North Mugirango/Borabu as the area is in need of one.

The Assistant Minister for Industrialization (Mr. Muriithi): Mr. Deputy Speaker, Sir, I beg to reply.

(a) As the hon. Member is aware, the Ministry of Industrialization facilitates the private sector to establish industries in this country. The Ministry plays this role by providing information to investors on investment opportunities that are available in various parts of the country. The Ministry has embarked on organising industrial investment fora in collaboration with the Office of the Deputy Prime Minister and Ministry of Local Government. It also collaborates with local authorities in order to identify not just the resource bases available in the various districts and constituencies, but also to identify potential investors. The Ministry looks for ways of improving the infrastructure in order to promote enterprises involved in value addition.

On the basis of existing opportunities and availability of support infrastructure such as land, roads, energy and water, investors are attracted to particular regions. The Ministry is represented in the districts through the District Industrial Development Office (DIDO) where information on industrial investment opportunities is available.

(b) The Ministry, through the DIDO in Kisii, is working with the District Development Committee to promote investment in pineapple processing in Nyamusi, Sameta and Nyamarambe administrative divisions.

Mr. Ombui: Mr. Deputy Speaker, Sir, I thank the Assistant Minister for answering the Question. However, could he state clearly, how far the Ministry has gone in identifying the potential investors by giving the names of those who are going to invest in Nyamusi Division?

Mr. Muriithi: Mr. Deputy Speaker, Sir, as the hon. Member is quite aware, the way we attract the private sector to invest, is to provide them with the necessary support systems and, therefore, in the proposed pineapple processing facility, we have first of all identified this opportunity and taken it to the District Development Committee (DDC) so that it is approved. As I said, we are engaged and have recently held a Gusii investment forum to try and persuade the private sector to take up these opportunities.

Mr. Ombui: Mr. Deputy Speaker, Sir, I think the Assistant Minister has given [Mr. Ombui]

me a wrong answer in the sense that he has not identified the investors who are going to invest in these three divisions and definitely, the answer he has given does not divulge exactly what is required in terms of this investment. Could he specifically state how far the Ministry has gone in identifying these potential investors because I also sit in the DDC and this issue has never come up as far as investment is concerned?

Mr. Muriithi: Mr. Deputy Speaker, Sir, as I said, on 29th August, 350 different private sector investors were in Gusii. They were presented with these opportunities and, in fact, this is the process. We cannot of course, decree that Mr. "So-and-So" must invest in any particular place.

Mr. Deputy Speaker: Order hon. Members! Questions No.183, 357, 209 and 247 will appear on the Order Paper tomorrow afternoon and on Tuesday next week.

Question No.183

SWINDLING OF THE PUBLIC BY
LOTTERY FIRMS

(Question deferred)

Question No.357

NON-RESETTLEMENT OF MANOONI IDPS

(Question deferred)

Question No.209

MEASURES TO SUPPLY ELECTRICITY
TO LAMU EAST

(Question deferred)

Question No.247

CAUSES OF HIGH DISPARITY BETWEEN
THE RICH AND POOR IN KENYA

(Question deferred)

Mr. Deputy Speaker: Next Order!

POINTS OF ORDER

REPORT ON COUNTRYWIDE UNREST IN
SECONDARY SCHOOLS TO BE TABLED
ONCE IT IS READY

Mr. Koech: On a point of order, Mr. Deputy Speaker, Sir. On 22nd July 2008, the Chair directed the Departmental Committee on Education, Research and Technology to open an inquiry into the students unrest and strikes in secondary schools and file a report for deliberation by the House.

I wish to inform the House that the Committee visited most parts of the country, including some of the affected schools to gather views. The response from the stakeholders was overwhelming and I sincerely wish to thank all of them.

Secondly, the Committee is considering the views and evidence and compiling the same at this time. Once adopted, it will be laid before the House by 28th October 2008. I seek the Chair's indulgence to allow us to do so.

STATUS OF FARMERS' SHAREHOLDING
IN ECONET WIRELESS ROLL-OUT

Mr. K. Kilonzo: On a point of order, Mr. Deputy Speaker, Sir. I rise on a point of order to seek a Ministerial Statement from the Minister for Co-operative Development and Marketing on the following:

(a) Whether he is aware that the licence for the third mobile company, Econet was given among the shareholders of the Farmers Co-operative Union?

(b) Could he confirm what the current position in so far as the shares of the farmers are concerned in Econet is?

(c) Could the Minister inform the nation the shareholding of the farmers and whether indeed, they have been taken into account as the company goes to roll out?

Mr. Deputy Speaker: Order, hon. Members! As for the request by Mr. Koech on the Departmental Committee on Education, Research and Technology, your plea is granted. As for the Ministerial Statement which Mr. K. Kilonzo is seeking, could the Minister for Co-operative Development and Marketing give an undertaking when he is going to issue it?

The Minister for Co-operative Development and Marketing (Mr. Nyagah): Mr. Deputy Speaker, Sir, may I be given until next Tuesday if it is acceptable with the Chair, so that I can do a bit of internal consultation because this subject has come to my office but I have really not got into its details? However, by next Tuesday, I will be in a position to get into the details and also to consult with the other relevant ministries.

Mr. Deputy Speaker: Can you issue the Ministerial Statement by next Tuesday?

The Minister for Co-operative Development and Marketing (Mr. Nyagah): Yes, Mr. Deputy Speaker, Sir.

Mr. K. Kilonzo: On a point of order, Mr. Deputy Speaker, Sir. This is a matter of urgency. It is bringing anxiety in this country since the company is just about to roll out. If we allow the Minister to issue this Ministerial Statement next week, maybe, it will be overtaken by events. I seek the indulgence of the Chair to ask the Minister to issue the Ministerial Statement by the end of this week.

Mr. Deputy Speaker: Hon. Minister, are you in a position to issue a Ministerial Statement tomorrow afternoon?

The Minister for Co-operative Development and Marketing (Mr. Nyagah): Mr. Deputy Speaker, Sir, I have a little problem but if it has to be, then I am capable of producing it by Thursday.

Mr. Deputy Speaker: It is so ordered!

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

Mr. Deputy Speaker: Order, Mr. Ethuro! It is a Supply Day and we need to go to the next

order. Is it a very urgent point of order and of relevance to what is being addressed right now?

Mr. Ethuro: Yes, Mr. Deputy Speaker, Sir. On Thursday afternoon last week, you ruled that the Assistant Minister of State for Provincial Administration and Internal Security to bring an appropriate answer on the unfair recruitment of drivers in Turkana Central District and you ruled that the Question should appear on the Order Paper on Tuesday afternoon which is today and the Assistant Minister is also present.

Mr. Deputy Speaker: Hon. Assistant Minister, are you ready with the Ministerial Statement?

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Lesrima): Mr. Deputy Speaker, Sir, I did not think it was a Ministerial Statement. The Question is not on the Order Paper.

Mr. Deputy Speaker: The Question was supposed to appear on the Order Paper. I agree with you. I order that, that Question appears on the Order Paper. Are you in a position to have an answer for it?

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Lesrima): Mr. Deputy Speaker, Sir, I have two questions tomorrow and so, I prefer to answer it on Thursday afternoon.

Mr. Deputy Speaker: The Question will then appear on the Order Paper on Thursday this week.

Next Order!

COMMITTEE OF SUPPLY

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

MOTION

THAT MR. SPEAKER DO NOW
LEAVE THE CHAIR

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

COMMUNICATION FROM THE CHAIR

EXTENSION OF HOUSE SITTING

Mr. Deputy Speaker: Order, hon. Members! Before the Deputy Prime Minister and Minister for Local Government moves the Vote, today being a Supply Day, debate on this Vote has to go on for three consecutive hours and the House will adjourn at 6.40 p.m. This means ten more minutes of House business today. Proceed, hon. Deputy Prime Minister and Minister for Local Government!

(Resumption of Committee of Supply)

The Deputy Prime Minister and Minister for Local Government (Mr. Mudavadi): Mr.

Deputy Speaker, Sir, I beg to move that Mr. Speaker Do Now Leave the Chair. I wish to thank you and this august House for giving me this opportunity to present both the Recurrent and Development Votes for the Ministry. The Ministry belongs to the infrastructure development sector, whose main role is to advise, co-ordinate activities and guide the operations of the 175 local authorities throughout the Republic of Kenya. The main objective of this mandate is to enable local authorities enhance local governance and ensure that there is efficient delivery of services. This is achieved through improving financial management, ensuring that there is accountability, transparency and putting in place mechanisms for citizen participation in governance.

In line with the Ministry's mandate, 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:-

(a) Improved budgeting, sound financial management practices and enhancement of revenue mobilization.

(b) Participatory service delivery planning and implementation.

(c) Capacity building.

2. Spearheading the implementation of pro-poor development programmes in local authorities through the disbursement of funds for projects that address unemployment and poverty.

3. Development policies, systems and procedures to strengthen and institutionalise a democratic and participatory community-based decision-making process.

4. Formulation and implementation of policies aimed at promoting orderly urban development and addressing challenges of urbanisation.

5. Development of retail markets within urban areas to improve internal trade and uplift the socio-economic life of the local residents.

6. Improvement of solid waste management in order to provide a healthy living environment in urban centres.

7. Provision of equipment and to build human resource capacity to deal with disaster prevention and management at the local level.

To achieve these objectives, I am requesting the hon. Members to approve a total of Kshs12,587,804,590 for my Ministry during the current financial year 2008/2009. Out of this amount, Kshs10,159,000,000 is for the Recurrent Expenditure. Of this Recurrent Expenditure, Kshs159,860,368 is for personnel costs; Kshs235,875,632 is for operations and maintenance; Kshs9,250,000,000 is for the Local Authority Transfer Fund (LATF) and Kshs513,264 for the contribution in lieu of rates. The remaining Kshs2,428,804,590 is for the Development Expenditure.

Mr. Deputy Speaker, Sir, the funds for the Recurrent Budget are, therefore, distributed as follows: Administration and financial management in local authorities; Kshs64,954,072.

The Ministry provides management support services to local authorities which are geared towards enhancing administrative and financial capabilities. The Ministry conducts both routine and extra-ordinary inspections into the affairs of local authorities. The inspections are meant to reveal gaps in the operation systems and structures. This information is used as a basis for taking remedial measures in individual local authorities and also to help develop policies for improving the sector. The inspections are also meant to be a deterrent against financial mismanagement. My Ministry has been keen to ensure that all local authorities are well managed as a pre-requisite for effective service delivery and spearheading local economic development.

The second aspect is the Kenya Local Government Reform Programme where we are seeking Kshs79,197,036. As I have pointed out in several fora, my Ministry is fully committed to reform the local government sector. To achieve this objective, various reforms are being undertaken, financed both by the Government and the European Union (EU) this financial year. In

this regard, the reform initiatives and activities of the Ministry are increasingly being anchored on the Kenya Vision 2030 through the Local Government Sector Reform Strategy.

Mr. Deputy Speaker, Sir, as I have mentioned earlier, the main areas of concern are financial management and service delivery in local authorities. So far, the Local Authorities Integrated Financial Operations Management System (LAIFOMS), have been successfully carried out in 36 councils. This is a computer-assisted system whose specific objective is to assist local authorities to harmonise and standardise data. My Ministry is currently rolling out the software to other local authorities in the current financial year.

Mr. Deputy Speaker, Sir, the system is intended to improve efficiency, accountability and transparency in conducting financial operations of local authorities. The Ministry has also developed and is implementing a new accounting and reporting system for local authorities. The Ministry has also developed an inspection manual, Service Delivery Tools and Treasurer's Manual. The Ministry is pro-active in monitoring budget preparation and implementation so that any deviation can be detected early enough and corrective measures taken.

Mr. Deputy Speaker, Sir, as regards the LATF, we are seeking Kshs9,250,000,000 this financial year, 2008/2009. A total of Kshs9,250,000,000 will be disbursed to all the 175 local authorities in accordance with the LATF Act and Regulations. The LATF was designed as a mechanism to supplement the financing of the services and facilities within local authorities, that the local authorities are required to provide under the Local Government Act Cap.265.

The LATF is, therefore, structured to provide both budget support and strong incentives to local authorities to improve service delivery, financial management, accountability and debt resolution. The LATF allocation criteria is designed to ensure that funds are allocated in a predictable and transparent manner. The LATF allocation is based on the following criteria as per the LATF Regulations:-

1. A basic minimum lumpsum of Kshs1.5 million for each local authority.
2. Population of each local authority as per the 1999 population censuses issued by the Central Bureau of Statistics.
3. Urban population of the respective local authorities.

The LATF disbursement conditionalities are as follows: For local authorities to qualify for the receipt of LATF fund, they must fulfil the following major conditionalities among others:-

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

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

(c) From 1st July, 2000, it is a mandatory requirement that all statutory charges payable by the local authorities shall have been paid within the year in which they are due.

(d) The statement of actual receipts, expenditures, cash and bank balances up to 30th June, 2008 must be submitted.

(e) A statement of abstracts of accounts for the Financial Year 2007/2008 must be produced and submitted.

In the event that a local authority fails to meet any of the above conditionalities, it attracts a penalty.

Mr. Deputy Speaker, Sir, hon. Members are encouraged to acquaint themselves with the Local Authorities Transfer Fund (LATF) annual reports which give detailed information on the revenues and expenditures, progress on service delivery and projects implementation, among others. The LATF reports are distributed to this House and also published in the print media and the Ministry's website for perusal.

The next issue is the Local Authorities Service Delivery Action Plan (LASDAP). In order

to enhance citizen involvement in the affairs of local authorities, my Ministry introduced, in 2001, the concept of participatory planning through preparation of LASDAPs. This reform initiative is a process that accords mechanisms for interaction between the local authorities and their citizens or stakeholders on financial information exchange, planning of projects and activities and their implementation. Starting from the Financial Year 2006/2007, local authorities have been, and will continue to be, utilising 20 per cent of the capital expenditure on pro-poor projects. The concept of the local community contracting for provision of infrastructural services has been embraced with the aim of creating opportunities for employment at the local level, while addressing the Vision 2030's economic, social and political pillars.

There is also the Street Families Rehabilitation Trust Fund where we are seeking Kshs24 million. Through the Children's Act passed by this House in 2001, all local authorities were mandated to safeguard and promote the welfare of the marginalised groups through establishment of rehabilitation programmes and the creation of departments to deal with the rights and welfare of street families. In order to provide the policy framework on this issue, my Ministry initiated the Street Families Rehabilitation Programme in 2003 to do the following:-

- (i) co-ordinate rehabilitation activities for street families in Kenya, in partnership with other service providers;
- (ii) to educate the public;
- (iii) to mobilise resources and manage a fund to support rehabilitation activities; and,
- (iv) to encourage de-centralisation of activities to local institutions to benefit those surviving on the streets of Kenya's towns and cities.

Mr. Deputy Speaker, Sir, due to the growing numbers of the street families, which are estimated at 300,000 countrywide, there is an urgent need to build capacity and empower all local authorities to initiate sustainable programmes that will eradicate this phenomenon. So far, the Ministry has been able to rehabilitate 8,000 street families. This has been a daunting task! If you

remember, these families had been a security risk to residents and tourists in our urban centres. The success in the rehabilitation process has been made possible by the partnership of local authorities and development partners such as UNICEF, the ILO, Goal Kenya and several faith-based organisations. In this financial year, my Ministry has set aside Kshs24 million towards the street families rehabilitation initiatives. The funds will be used to build the capacity of local authorities to start rehabilitation programmes, and chapters in the provincial towns. Some of the funds will also go to vocational training of the rehabilitated street families to accelerate their re-integration to the mainstream societies, making them self-reliant.

On the Development Vote, we are seeking Kshs2,428,804,590, the total amount allocated for the Development Expenditure in this Budget. These funds will be applied to the following projects and programmes:-

- (i) In the infrastructure sector, we are allocating Kshs1,317,000,000. This will cover the roads sub-sector. Here we are allocating Kshs640,252,876. As part of my Ministry's efforts towards the realisation of its objectives aimed at achieving Vision 2030, provision of road infrastructure in various local authorities has been a key component in my budget. My Ministry will apply these funds to the completion of the on-going roads projects before the Urban Roads Authority takes them over. This will help to build a sustainable road maintenance capacity in various local authorities. Currently, some of the on-going road construction projects are the Kisii by-pass roads, Kangema Township roads, Kigoya-Mudete Road and the Likoni Missing Link in Nairobi.

Mr. Deputy Speaker, Sir, my Ministry is also undertaking improvement of roads in the municipal councils of Kerugoya-Kutus, Kakamega and Nyeri, with the support of the Road Maintenance Levy (RML) Fund. In addition, a total of 134 local authorities, including Nairobi,

Mombasa, Kisumu, Eldoret, Nakuru and all district headquarters, are accessing funding from the RML to maintain roads in their areas of jurisdiction. The funds requested will also be utilised to complete the on-going construction of bus and *matatu* termini in various parts of the country.

(ii) In the building sub-sector, which is basically the development of markets, we are seeking Kshs1,207,000,000. In order to improve internal trade, accessibility to markets and orderliness in our urban centres, the funds allocated this financial year will be utilised to complete the on-going construction of major and mini-markets in various parts of the country. Some of the existing markets will be re-structured and new ones started.

The benefits of operationalising Muthurwa Hawkers Market are quite clear as exemplified in the decongestion and cleanliness of our streets, especially around the Central Business District (CBD), while the orderliness of the vehicular traffic has also been achieved. Additionally, another market in Westlands, which will go a long way in easing pressure on the surrounding markets, is currently under construction.

Mr. Deputy Speaker, Sir, to deliver the 10 per cent annual growth, high quality life and social equity envisioned in Vision 2030, and particularly to address youth unemployment, I am requesting hon. Members to approve a total of Kshs1,207,000,000 towards the development of the wholesale and retail markets in our urban areas. First, to strengthen the wholesale market function, Wakulima Market in Nairobi and Kongowea Market in Mombasa will be restructured as a short-term intervention. The implementation of a state-of-the-art Nairobi Fresh Produce wholesale market is long overdue, and is now being solicited by farmers and private sector investors. Due to the anticipated impact of this project, the Government is expected to play a catalyst role through the Exchequer funding.

On retail markets, Kshs736 million will be utilised towards the completion of 16 on-going retail market projects in 12 local authorities initiated during the Financial Year 2007/2008.

Mr. Deputy Speaker, Sir, Kshs400 million will be utilized to develop eight retail markets in seven local authorities to accord a conducive business environment for our small scale traders.

These developments are being augmented by external assistance from individual local authorities, private investors and our development partners, particularly the European Union (EU), who are expected to disburse over Kshs206 million towards the development of 18 markets during this financial year.

Mr. Deputy Speaker, Sir, majority of the current retail markets are also in a state of disrepair. As a first step, I have allocated Kshs160 million to be utilised towards restructuring of eight retail markets in seven local authorities and Kshs35 million is allocated for planning of the intended developments.

Mr. Deputy Speaker, Sir, another critical area is solid waste management. We are seeking Kshs150 million. The management of solid waste is one of the key services that all local authorities in this country are mandated to provide within their areas of jurisdiction.

Mr. Deputy Speaker, Sir, my Ministry, in partnership with the Government of France through the Agence Francaise de Development (AFD), is implementing a solid waste management project in Mombasa and Nakuru that will, among other things, improve the whole solid waste management infrastructure in the two municipalities. The project is slated to be completed in 2011 and the total grant from the French Government is Kshs1.8 billion.

In order to improve service delivery in this sector, my Ministry has drawn up strategies which, when operational, will provide a framework for the transformation of our waste management from being disposal oriented to being recovery oriented. Further, those strategies will bind all local authorities in setting their specific action plans for solid waste management for the period between now, that is 2008, and 2030.

Mr. Deputy Speaker, Sir, within this framework, my Ministry intends to start improvement

of waste collection and disposal facilities in five provincial headquarters of Embu, Nyeri, Kisumu, Kakamega and Garissa in this financial year. In addition, the Ministry will initiate programmes of public education and awareness on solid waste management and the orientation from waste dumping to waste recovery, and increase coverage for solid waste management services. I would also like to add that we are also working out a proper framework where we can engage the private sector in a structured way in this area of dealing with solid waste management.

Mr. Deputy Speaker, Sir, one other critical issue is the question of fire disaster prevention and management. We are looking for Kshs20 million. I would like to say that fire outbreaks and other disasters cause serious damage in terms of destruction of life and property. Under the Local Government Act, all the 175 local authorities are mandated to provide disaster prevention and management services.

Mr. Deputy Speaker, Sir, the capacity, however, falls far short of the requirement. In this respect, my Ministry continues to address this challenge in order to put in place responsive systems and capacity building. During the financial year, my Ministry will complete the already ongoing acquisition of the following equipment for distribution to various local authorities:-

Ten fire entry protective equipment sets and ten sets of search and rescue equipment. In addition, the Ministry will undertake training for fire and rescue operations.

Mr. Deputy Speaker, Sir, there is also the development of the National Urban Development Policy and digital mapping preparation of urban development plans and we are seeking Kshs150 million for that. My Ministry is mandated to ensure that the development of urban areas is co-ordinated and well planned. This calls for a policy to guide local authorities in that endeavour. In this respect, therefore, my Ministry has started the preparation of the National Urban Development Policy and it is envisaged that it will be completed in the Financial Year 2009/2010.

Mr. Deputy Speaker, Sir, my Ministry will also undertake mapping of some local authorities for purposes of preparing urban development plans to facilitate the planning and implementation of development activities. In this regard, digital mapping will be undertaken in Eldoret, Bungoma, Garissa, Othaya and Mtwapa at the pilot stage, and other towns will be brought on board in subsequent financial years.

[Mr. Deputy Speaker left the Chair]

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

Madam Temporary Deputy Speaker, I now beg to move that Parliament approves a sum of Kshs12,587,804,590 to be issued from the Consolidated Fund as the sum necessary to meet the expenditure during the year ending 30th June, 2009, in respect of the Office of the Deputy Prime Minister and Ministry of Local Government.

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

The Minister for Lands (Mr. Orenge): Madam Temporary Deputy Speaker, I wish to second this Motion. It has been competently moved by hon. Mudavadi. I wish to commend him, first, for taking charge of such an important Ministry. We know that the Minister is up to the task. He is used to running large Ministries, having been in charge of the Treasury and the Ministry of Agriculture. So, I think he will be largely up to the task.

Madam Temporary Deputy Speaker, first, I want to point out one or two things in regard to the local authorities as a whole. Local authorities are very important institutions of Government. They must be run not only democratically - because that is the basis upon which they are formed as local authorities - but, in managing their affairs, they must respect the rule of law. As we look

forward to the establishment of a new constitutional order where the local authorities are going to have even more important functions, it is important that, even at this early stage, we keep on reminding those who run local authorities that they have got very important responsibilities.

Madam Temporary Deputy Speaker, one of the areas that I think there should be improvements in the running of the local authorities, second only to the Government. In fact, if one was to look at it critically, the local authorities put together as a whole, are responsible for the largest chunks of land in this country.

All trust lands, in accordance with the Constitution, are vested on local authorities. They have powers, in accordance with the Trust Lands Act and the Constitutions, to alienate trust lands. But they can only do that on the basis that the Constitution itself and the Trust Land Act states that all the trust lands in the Republic of Kenya are held for the benefit of the local communities. So, if the land in the Coast is under the charge of the local authority and it is not Government land, the local authority must ensure that, that land is managed for the benefit of the local communities. I am using the word "community" broadly. It does not just talk about the people who are native to those areas. It talks about people who are ordinarily residents in those areas.

Madam Temporary Deputy Speaker, from what I have seen, many pieces of land that have been grabbed have been grabbed through local authorities. Local authorities have been making it possible for people to take large chunks of important land and use them for purposes of speculation. In this regard, I do not want to just blame councillors. As a matter of fact, county councils cannot by themselves alienate public land. They can only do so, with the support of either the Central Government or some other higher authority.

I would, therefore, at this time, when the issue of public land is so critical, ask my brother, the Deputy Prime Minister and Minister for Local Government, to ensure that all local authorities do not give out public land without following laid down procedures. They should give it out only in the manner set out under the Trust Land Act and the Constitution. Indeed, there are instances where people have managed to sponsor meetings of county councils purely for the purposes of ensuring that they get pieces of land within those local authorities. It is important that, that does not take place again.

Madam Temporary Deputy Speaker, I want to suggest to the Deputy Prime Minister and Minister for Local Government that although it is not in the law, it is important to keep Members of Parliament informed. Local authorities should have the practice of informing Members of Parliament of particular areas when they desire to give out public land because then, there would be a basis for questioning or interrogating any particular allocation.

Since Members of Parliament are elected, and they cannot be seen to be acting contrary to the interests of the local communities, it would be a proper safeguard to ensure that trust lands are protected. I am talking from a lot of experience I have seen in a lot of areas where there has been abuse of the roles of those who manage our local authorities. I am sure that if a Member of Parliament was informed and involved, we would be able to control alienation of trust land.

Madam Temporary Deputy Speaker, there are areas in this country where we thought that they are just arid or semi-arid land, without resources, but we are beginning to see a lot of interest in places like Kitui and Makueni districts in Eastern Province; Lamu, at the Coast Province, and even in some parts of North Eastern Province because, suddenly, people have realised that what was considered to be arid or semi-arid land actually has rich resources. Those who know what lies under the ground have already started giving out pieces of public land without adequate consultations with the elected Members of Parliament in those regions. So, I would also ask Members of Parliament to take interest in what local authorities do in relation to giving out public land.

Secondly, the time is overdue, and as we await the constitutional review - this is a point

which the Minister in charge has reiterated before - we need chairmen and mayors of local authorities to be elected by the people who are resident in those areas. We want to begin to have a situation where if a mayor is elected directly by the people, he will be accountable to the residents of that local authority.

Madam Temporary Deputy Speaker, we have had situations where elections of mayors or chairmen of local authorities were conducted like an election of a trade union, where you do not need to consider the interests of the workers. All you need to concern yourself with are the shopstewards and the union officials; so that when you want to be elected as a mayor or a chairman of a local authority, you do not take interest of the local people. All that you do is to congregate councillors and hide them in Zanzibar or Tanzania before the elections. This is the practice.

Even though we do not have a constitutional review in place, there are rules, under the Local Government Act in relation to local government elections, that can be changed even now. I know that next year, we will have elections of mayors and chairmen of county councils. So, we should have a protocol for elections of mayors and local authority chairmen. If it is found that, for purposes of an election, a group has been transported to, say, Uganda---

Madam Temporary Deputy Speaker, we had a situation in Siaya District, where during an election of mayors and chairmen of local authorities, all the councillors were transported to Kampala to go and hide until the election day. Somebody who has been elected on such basis has got no loyalty or interest in the local community. All that he needs to do is to satisfy the greed of the councillors who elected him to be chairman or mayor.

Madam Temporary Deputy Speaker, I am pleading with the Deputy Prime Minister and Minister for Local Government to change the rules even before we have a change of the law, to ensure that elections for mayors and chairmen of local authorities are done like we elected our Speaker in this House. Although we had caucuses, they were not the kind of caucuses that we have seen involving the local authorities.

With those few remarks, I beg to second.

(Question proposed)

The Temporary Deputy Speaker (Prof. Kamar): Mr. Kapondi, since you are going to speak on behalf of the Chairman of the relevant Departmental Committee, you have half an hour to do so.

Mr. Kapondi: Thank you, Madam Temporary Deputy Speaker.

There is no doubt that local authorities in this country are playing a pivotal role in terms of developing this great country. The Deputy Prime Minister and Minister for Local Government has gone at length to give those key areas, on which he has put his focus, particularly in this financial year.

Madam Temporary Deputy Speaker, one critical aspect we need to emphasise on is that of local government reforms. If you look at it critically, you will realise that those who are elected to run local authorities are more or less reduced into "passengers" in those local authorities, because the powers are vested, according to the Local Government Act, on the chief officers of the local authorities. So, the people who are directly answerable to the public - elected councillors - are more or less reduced to "passengers" and yet, the buck stops with them.

This is one area I am urging the Deputy Prime Minister and Minister for Local Government to come up with the necessary legislation, so that Parliament can deliberate on it, so that at the end of the day, we can have real power in local authorities being vested in the hands of councillors. Councillors are people who more or less have a contract with the public. At the end of their five-year term, they must be accountable to the people.

Madam Temporary Deputy Speaker, secondly, if you look at the Budget allocation, particularly for the development aspects, you will see that the Nairobi City Council (NCC) has been allocated a lot of resources. So much allocation has been made to the Ministry of Nairobi Metropolitan Development. So, most of the money that is meant for the development of the NCC should be freed, so that it can be used for development of the areas enumerated by the Deputy Prime Minister and Minister for Local Government, in local authorities outside Nairobi. Out of the 175 local authorities in the country, hardly about 70 meet their financial obligations. This means that the rest live below their budgetary needs and more or less depend a lot on allocations from the Government of Kenya. If the money meant for each local authority is raised, I believe the situation would be helpful to all local authorities in this country.

Madam Temporary Deputy Speaker, the development of retail markets by local authorities is a very noble idea. For one, it assists many local authorities generate more income which is needed for their recurrent and development expenditure. Designating 18 markets this financial year, I believe, is quite a low figure. What should have been considered is, in all the 175 local authorities, we should have had 175 new retail markets being put up by the Ministry of Local Government.

If you look at the issue of urban planning, the Minister has clearly indicated that quite a substantial amount of money would be going to that area. It should, however, be emphasized that a lot of supervision is required because there happens to be no respect to urban planning in this country. This is the more reason in quite a number of cases, you will see buildings falling. This is because they do not adhere to the plans that were made.

The issue of the Local Authorities Transfer Fund (LATF) is a very noble idea. This is because it gives budgetary support to weak councils. I respect the criteria that the Ministry has adopted in the disbursement of the money. However, serious loop-holes are there. If you look at many councils, the councillors get their allowances from the LATF. It is kind of support because we have reduced our councillors to beggars in the hands of chief officers. This is the more reason a lot of serious work is not done by our respective local authorities upcountry. I would request the Minister to come up legislation. We need to empower councillors so that the money meant for LATF goes to the programmes they are tailored for. We should not have most of it going to pay for councillor's allowances. It is clear that we are reducing councillors into limping sheep. This is in the sense that they cannot offer their services as required.

Madam Temporary Deputy Speaker, sewerage systems in most of our local authorities are wanting. Once in a while, particularly during the rainy seasons, most sewerage systems in urban areas burst. In my opinion, the money allocated for that may not be sufficient to effectively offer this service. It is a very critical component because it is the image we give to tourists who visit us. We need to look into the issue of sewerage systems. We need to pump a lot of money into it so that we have an efficient system that is running and which does not force us to react, particularly during rains.

I applaud the idea of mapping local authorities. A lot of emphasis should be put into this because when you look at local authorities across the country, mapping has not been done effectively. There is haphazard construction of buildings.

Madam Temporary Deputy Speaker, there is also the need to strengthen the supervisory arm of the local authorities. This would ensure that what is mapped is undertaken as required by law.

Finally, fire disasters have always been a problem in most local authorities. It is unfortunate that apart from local authorities that have existed over time, maybe from Independence, many of the 175 local authorities do not have fire fighting equipment in place yet they are supposed to react to emergencies.

Wherever there are fire outbreaks, they are supposed to respond. However, they do not have fire engines and the necessary support. I think the allocation given to that area is insufficient because the public demands a lot from our local authorities.

Madam Temporary Deputy Speaker, I do not need to belabour so much about the good work that local authorities do. However, we must admit the fact that we need a lot of serious reforms for efficiency in our local authorities. Our local authorities play a very pivotal role in terms of the development of this country. We need to give them all the necessary support and budgetary allocation. This should be done in order for them to meet their requirements and ensure the necessary services are rendered to the many hungry Kenyans.

If you look at the council budgetary allocations per province, I think there are some serious anomalies. Quite a number of councils have been left out. This calls for more serious attention by the planners. We need to treat local authorities equally because they serve Kenyans. We do not need to discriminate others. If you look at the allocations, more established local authorities are given a lot of allocations and funding. Those that are coming up are either ignored or are given very meagre allocations. What I would suggest, considering the critical role performed by the local authorities, is that they should be given a bigger allocation, because they have a lot of work to do for Kenyans and Kenyans are waiting with abated breath for those services.

With those few remarks, I beg to support.

The Assistant Minister for Medical Services (Mr. Mungatana): Madam Temporary Deputy Speaker, I thank you for giving me this opportunity to also make my contribution towards this Vote. First of all, may I thank the Deputy Prime Minister and Minister for Local Government, Mr. Mudavadi for ably moving this Motion and for the manner in which he has so far conducted the affairs of this Ministry.

Madam Temporary Deputy Speaker, I support this Motion, but, as I have always said before, everything that is good can always be made better. I start with a few things that I would want to propose to the Minister. In terms of the personnel cost, the Minister has allocated a huge amount of money to cover the personnel costs and also cover a huge bill of Recurrent Expenditure. There is a very big problem in the SACCOs of municipalities and the salaries their members receive. SACCO dues are forever deducted from members' salaries but are never remitted to SACCOs. The Minister must take immediate action to remedy this situation, because it is continuing to portray a very inefficient system of central Government. His image as a Minister will be dented if this exploitation of the municipal workers continues.

Madam Temporary Deputy Speaker, I have mentioned to the Minister, and I would like to put it on record, that we are not happy with the way the district allocations have been done for 2008/2009 Financial Year. If you look at the spread of the funds, I have complained before and I will continue to raise this issue, that there is unfair allocation of the funds from the Ministry. I am sure that if you take a cursory look at the way the district allocations have been made in the documents that have been circulated to all hon. Members, you will see clearly that there is a vast inequality and unfairness. That is the reason people become so bitter with the Government. We elect a Government today and tomorrow, everybody is annoyed with it.

Look at the Coast Province on page three, for instance. There are only six projects there, and of these six projects, there is only one European Union (EU) project that is allocated money. If you look at various other regions, especially the region where the former Minister comes from, you will see multitudes of EU and GOK projects. That is not replicated in other regions. The same story is in North Eastern Province. Why should this be a song in this Parliament. Why should this continue to happen even when Parliament has talked against it many times? We need to have a fair allocation of resources. It continues to recur. We believe that the Deputy Prime Minister, who is a Deputy Prime Minister for all of us, should just look at this and make proper correction. We know

that the Budget cycle will start immediately after we pass this Vote. He may not have been holding office at some stage, but this is gross unfairness.

How can North Eastern Province, which is disadvantaged, have only five GOK projects and only two EU projects? This is not acceptable! That is why we need a change of the Constitution, so that a Minister who does a funny thing like this, we throw it out, so that they can go back and make proper corrections and bring back a budget that is acceptable to us.

If you look at these allocations, in Coast Province, we have Mombasa, Kilifi, Lamu, Taveta and Voi. We have ten districts there. We do not even have the Tana Delta, where my constituency is located, here. What are we doing here? We cannot continue to let the bureaucrats in this Ministry replicating what they did last year and the year before. I hope that they are listening to us. We are tired of this kind of thing. They must sit down and look at what is happening in this country, and start being fair to the people of this nation. They all pay taxes. Can they do the correct thing and sleep well at night? That is why some of them die early. It is so annoying. They receive curses from all over.

Madam Temporary Deputy Speaker, there is no justification as to why we cannot have new local authorities. The Government has demarcated new districts, and there is a reason why the new districts were demarcated. What we are asking is, if we have requested that local authorities be established, could the Minister move with haste so that we have local authorities in the areas where we want them functioning? I want to put it on record that in the Tana Delta, all the resources come from down the Delta, yet the County Council is up there in Tana River District, where there is nothing. People make funny decisions that affect us all the way down. Could we have our own County Council? I am sure many other Members of Parliament will raise this issue.

Madam Temporary Deputy Speaker, in particular, I want to talk about the management of solid waste. In the County Council of Tana River, some few councillors sat down and passed a decision to pump dirty water and waste into the River Tana, and it is going to flow all the way to the Delta. Why? Because we do not have our own local authority. I have talked to the Minister; I am putting it on record that he must reverse these kinds of decisions with immediate effect.

Madam Temporary Deputy Speaker, I want to thank the Minister for the time that he has taken to try and correct the imbalances that were created by the former Minister, who decided to arbitrarily give councillors nominations when we knew that no law was being followed. The current Minister for Local Government started the job and should finish it? I speak for NARC-Kenya. We want our slots back. I am putting it on record, so that when I approach him, I can take the HANSARD to him and say that he has agreed to give us back our Councillors. It is wrong. We cannot live under the tyranny of PNU. We want that thing corrected. We want the imbalances to be corrected with immediate effect. Let him just do it and then, if there is any problem, we would deal with it. This is our Parliament. We control this House.

Madam Temporary Deputy Speaker, there is this question of street families. I thank the Minister for saying that he has put aside Kshs24 million. That programme started during the Ninth Parliament and we used to see a bit of activity. As we are talking now, there are many street children out there. We cannot see what that programme, which started three years ago, has done. It is a bad thing for our country. If that money is there, could we see that programme taking some shape? That brings me to the next point that I would like to make. In moving this Vote, the Minister has kept on asking for money to do this or that - all the good things. But he has not reported to us what happened to the monies that we passed last year. There are so many incomplete projects that we want completed.

My time is gone but I would have liked to say some more. With those few remarks, I beg to support.

Mr. Konchella: Ha! Ha! Finally! Thank you, Madam Temporary Deputy Speaker. I tried to

catch the eyes of the Speaker today and, fortunately, you are there. I thank you because your eyesight is super.

Madam Temporary Deputy Speaker, I also wish to express what Mr. Mungatana has said because that is the problem of this country today. It is a problem that we must address as Parliament. It is a problem that we need to sort out as a nation, if we have to develop. We are creating poverty for our people. It is a deliberate poverty created by the people because of corruption. One of the biggest problem that we have in Kenya today is corruption. Corruption has been enhanced at the local level where people are very vulnerable and not able to defend themselves. They cannot speak for their rights. It is all over the country.

One of the critical issues that is bothering me in my own district is a council that is not functioning. Since the Minister appointed a clerk and the new councillors were sworn in, the council has never functioned. They are in court because somebody is able to corrupt the court. He is also able to corrupt the Local Government officers. I have a lot of respect for the Minister and his Permanent Secretary, because they are a new team. But I must say what I am saying. I am saying that without including them because they are a new team. Let us do something for the people of Kenya. Let us stop corruption if we want to develop as a nation. Let us be fair to everybody. Let everybody also develop. If you look at the allocation for the Nairobi City Council here--- Of course, Trans Mara County Council is not on the map here--- When you look at the district allocation, it means that there is a district called Trans Mara which is not on the map of the Local Government authorities. That is why we are saying that fairness has to be practised to everybody.

Now, Nairobi City Council is being allocated close to Kshs2 billion. The Ministry of Nairobi Metropolitan Development whose Vote we passed the other day will do the same thing. Even within the CDF kitty, the people of Nairobi are still receiving some money. Yes, we all live here but, surely, what about the poverty that we are creating by denying resources to everybody else other than the people of Nairobi?

For instance, if you look at Kilgoris, a town that has been allocated some money here, it has no management of solid waste. We want to have a sewer because the population is now polluting all the rivers that the people and cattle drink. We have a big problem of storm water and it is destroying property. We have no bus park in the town. There is no market for people to sell their goods and services to improve their welfare.

So, we want the Deputy Prime Minister and Minister for Local Government to think about the people of Kenya as a whole. Indeed, if I look at the whole allocation, it is like it has shifted to Western Province. Last time, it was Central Province! Tomorrow, when I am the Minister for Local Government, myself, I will take everything to Kilgoris and Kajiado. That is the order of the day. I think enough is enough because the people of Kenya should not be treated that way. We must treat everybody equally.

Today, the people of Yatta and Turkana are dying. Yet, we have Ministers here who cannot introduce feeding programmes for those people. A very weak person cannot cook for himself. They have destroyed the environment by cutting all the trees. Even if you give them raw maize, what are they going to cook with, when everything has been destroyed? Why can we not start feeding centres for those people until the rain comes.

I want the Office of the Deputy Prime Minister and Ministry of Local Government to do two things for the people of Trans Mara. One, an audit team should be sent from the Ministry headquarters. That team should be comprised of officers who care about Kenya, and not officers who will do the audit in Nairobi and present the papers because they have been corrupted even before they start the job. That is what is happening. You try to do an audit and somebody's pocket will be stuffed with stolen money before the audit. I want a proper audit to be done on the accounts of Masai Mara. That is because for the last ten years, people have been collecting money. They

have been bribing everybody! There is nothing to develop and support the poor in my constituency.

Madam Temporary Deputy Speaker, God has endowed us with resources to support and educate our children now and in the future. But we are not able to do that because of corruption. I urge the Minister to look at me because I am very serious about that. "Please, carry out an audit of Trans Mara County Council." The courts should not be used by others to delay justice so that, after six months, you dissolve the council. That is where they are going to. They are now bribing your officers so that you are forced by law to dissolve the council in the next one month. It is all deliberate so that they are able to control the money. We have a conservancy which is supposed to be managing the Mara Game Reserve. It is being run by people who are corrupt. Indeed, one of the directors is in court because of corruption elsewhere in another institution of the Government. They are protecting their interest so that they are able to cause havoc and steal more resources. In fact, I believe and I know that the big cats are being transported away from the Trans Mara Game Reserve. They are being taken to conservancies of white people. The Office of the Deputy Prime Minister and Ministry of Local Government should protect the people of Trans Mara. We want to have a Government officer who would be in-charge of the Trans Mara Game Reserve. That is because it is being run by a bunch of white people who have decided to use the Trans Mara Conservancy to steal the big cats out of the Mara. So, that is my concern. We are not receiving half of the money. It is still going into the pockets of those people. So, I request the Minister to dissolve the Mara Conservancy after the audit, so that we can start afresh. That way, the people of Trans Mara will have a future like the other people of Kenya.

Madam Temporary Deputy Speaker, we have a lot of land within our municipalities, which is in the hands of individuals. Government institutions are not able to set up offices because the land is in the hands of the people. The Government should ensure that land that has not been developed is repossessed by the councils so that institutions that support the public can make use of it. I have approached the Ministry of Housing to build houses for officers in my district, but there is no land. All the land has been allocated by council officers to their friends. They hold this land, but they do not use it. They simply sell it to other people. Could we ensure that land that is held in trust is, first and foremost, given to public institutions for public good. From there, they can progress their commercial interests as they wish.

Madam Temporary Deputy Speaker, we have been talking about the remuneration of councillors. I know that they have been complaining, now and again, of poor remuneration. The President said that they must collect money for them to justify their wages or earnings. That is also my belief. Councillors should not be given public resources and yet they steal whatever they collect themselves. Let them collect money and account for it. Whoever will raise a lot of revenue will be justified to increase his or her salaries or wages because they will have shown that they are efficient. The issue of saying that we should give councillors such and such an amount of money should not arise. Of course, where they have no resources, there is every reason for them to be supported by the Exchequer or the Ministry. However, where resources are being stolen like is the case in Trans Mara District--- Unless councillors become efficient, they are not justified to demand an increase in their remuneration. That is the only way they will be accountable. They should earn from their sweat.

The other issue is education. We have a lot of problems because most of the councillors have not even initiated programmes of teaching their people IT and new management styles. I would like the Minister to come up with a programme so that the officers in the Ministry of Local Government are educated in IT and new management styles. They should understand that the world is moving very fast and unless they are able to manage resources well, we will never develop our country.

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

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Lesrima): Thank you, Madam Temporary Deputy Speaker. I want to begin by congratulating the Minister and the Permanent Secretary who are both new in the Ministry. I, however, have confidence that they can both do a very good job.

One would say that this is not a "Mudavadi Budget" in the sense that he is not actually the owner. He may have done a bit of policing here and there. From my own experience and his, having been the Minister for Finance for seven years, we know that the Budget cycle in the current system begins in August and by March, the deal is done. That is why some of us were fighting in the Ninth Parliament for the establishment of the Budget Office or the Fiscal Analysis and Appropriation Committee of this House with a composition of 15 members. The idea was to get a satisfactory arrangement for Budget preparation, including an opportunity for hearing the Departmental Committees of Parliament. The public hearing was to be extended more than the one morning session that is conducted at KICC in Nairobi only.

Having said so, I would like to raise a few issues concerning governance in our local authorities. There is a problem in physical planning in our towns and urban councils. There is no co-ordination between the Ministry of Lands and the Office of the Deputy Prime Minister and Ministry of Local Government. You will find in every urban council surveyors and planners and yet there are also planning officers and surveyors at the Ministry of Lands. It is important that those two Ministries work together for proper planning of our towns and urban centres. This will prevent the kind of problems that have been mentioned by previous speakers with regard to plot allocation, double allocation and so on.

The second governance issue is with regard to procurement. This Ministry should also follow the procurement law. If I may refer to my county council, in one incident they put up an airstrip for Kshs7 million. The cost of construction was revised over a period of time to Kshs19 million. It was later discovered that the airstrip is not usable because no aircraft can land there because there is a hill that blocks the view of the runway. Now, it is a white elephant project. This wastage needs to be stopped. Programmes costing so much money must be supervised from the headquarters.

The other example I have is the construction of a bus park for Maralal Urban Council which will cost Kshs53 million. A bus park where there are no buses! In fact, in the Ninth Parliament, I raised a Question and wondered why they should not have given us a donkey park! However, since there are a few matatus plying there, they would have thought of doing something for less than Kshs53 million. A contractor arrived on site and did some work. I raised an issue in this Parliament because the contract was awarded in Nairobi. Somebody in the Ministry's headquarters got bitter about the issue. They have now reduced the amount of money to be spend on that project from Kshs53 million to Kshs17 million just to teach me a lesson. The contractor has scrapped the earth and taken off. That is another governance issue. Why are contracts awarded in Nairobi? Our people have gone to school! They are able to adjudicate these tenders in Samburu.

Madam Temporary Deputy Speaker, it is not just the Office of the Deputy Prime Minister and Ministry of Local Government which has this problem. Even the Ministry of State for Development of Northern Kenya and other Arid Lands has the same problem. We were allocated Kshs100 million for Maralal Water Supply. When they sacked an honest Permanent Secretary the other day and left a vacuum--- We had agreed earlier on with the Permanent Secretary that we will go with the leaders and plan how to utilise that money. As soon as the Permanent Secretary was sacked for being too honest, a group of civil servants arrived in Maralal and decided to divide the money. Now, how are they going to do it? Consultancy, Kshs26 million; two boreholes in Maralal, Kshs20 million and so on. Already, 50 per cent of the money has gone to contracts. Thanks to the opportunity we have now of the Grand Coalition Government. We made noise and asked the

fellows to go back. I am told the money will be returned. I would rather have the money returned to serve other Kenyans than a few individuals "eat" the money just because there is no Permanent Secretary in that Ministry. I do not know why you are still waiting for Mrs. Mwatela to accept the job.

Madam Temporary Deputy Speaker, the third governance issue I want to raise is the audit of the Local Authority Service Delivery Action Plan (LASDAP) Funds. We must monitor the LASDAP funds. Just as much as there is a lot of concern with the way Members of Parliament use CDF money--- We have been told that a number of Members of Parliament did not make it back to this House because of misuse of CDF money. We also need to know how LASDAP money has been used.

Madam Temporary Deputy Speaker, we also need to know what works have been done, whether indeed there is no duplication, whether it was done by the Constituencies Development Fund (CDF) and the quality of workmanship. I doubt even if the Ministry of Public Works is involved in the supervision of these jobs.

Madam Temporary Deputy Speaker, there is something called contribution in lieu of rate. We have a forest in Samburu District. Twenty five per cent of forest cover in Kenya lies in Samburu. That means 25 per cent of the oxygen you breathe comes from Samburu and the Government owes us contribution in rates to the tune of Kshs90 million so far. I am glad to note that there is some kind of budget although it is not segregated. I hope that the Ministry will begin to pay an outstanding amount of Kshs90 million but I know it is not this Ministry's problem but the Treasury's.

Madam Temporary Deputy Speaker, we are also not amused that in spite of the fact that Samburu District is host to 25 per cent of forestry in Kenya, not a single Board member comes from that region. To make matters worse, we now have a new problem of exploitation and looting of sandalwood. A lorry load of sandalwood costs Kshs10 million and is exported overseas. There are predators hovering around for sandalwood. I want to warn them that we have advised our people what to do to them.

The final point is with regard to the incentives to those county councils that make contribution to the economy of this country. We know that tourists come to this country to see wildlife and sometimes some of us, in our past form. We are told that the tourists' contribution is Kshs67 billion. We think it is just fair that some compensation is made to those areas that contribute.

With those many remarks, I beg to support.

Mrs. Shebesh: Thank you, Madam Temporary Deputy Speaker. As I stand to contribute on the Vote of the Office of the Deputy Prime Minister and Ministry of Local Government, I want to start by expressing my relief that this is not a budget that has been crafted under the able leadership of our Deputy Prime Minister and Minister for Local Government because to me, it is not only a mockery of the Ministry of Local Government and its seriousness to this country but also injustice. It is something that we must look at critically if we are really going to make a difference.

Madam Temporary Deputy Speaker, the names "Local Government" mean that this is the government at the grassroots level. If the Local Government is not going to deliver, the National Government cannot deliver. For a long time, we have taken for granted the Ministry of Local Government because in structures, we look at it as a body that is represented by councillors and maybe people who we feel are not adequate. I think this is where the problem starts. The problem begins because we do not appreciate the councillors and the structures at the Local Government as being sound structures that we can use to deliver services to the people. In this country, we have believed for too long that only structures that come from the National Government are those that we can access and trust. For me, then there is no need to have the structures at the Local

Government if we do not trust these structures at the National Government.

Madam Temporary Deputy Speaker, as I look at the allocation for Nairobi, the first allocation that I see that is for building primary schools shocks me because we have over Kshs700 million going towards construction of Nairobi schools. Where will these schools be built? If it is the same schools that exist, why would we want to construct more classes in schools that have empty classes? In case the Minister is not aware, I would be willing to take him around Nairobi schools where there are empty classes simply because we do not have teachers. Schools are forced to bring their students into one class. In most Nairobi City Council (NCC) schools, there are three or four empty classes full of broken benches and desks. This is something I have witnessed.

Now, if today Kshs700 million is released in Nairobi for building schools which is more than any Member of Parliament is getting for CDF, really we have opened a den of corruption. I see nothing else except a source for some people somewhere to make a lot of money. There is no way you can convince me that you are going to build new schools in Nairobi when we already have the kind of problems we are having in Nairobi. For me, that is so critical that we cannot allow it to go scot-free. We could use this Kshs700 million to do more positive things like creating jobs for young people rather than to go into something called building schools for Nairobi, when we already know the kind of problems we are having.

Madam Temporary Deputy Speaker, it is important that this Ministry tells us what its role is *vis-a-vis* education and issues of development. The other day when we were discussing the Vote of the Ministry of Education, there was some money allocated to development of schools in terms of building classrooms. So, how much money are we giving to build classrooms if we are getting some from the Ministry of Education, Office of the Deputy Prime Minister and Ministry of Local Government and CDF? Most Members of Parliament take a huge chunk of CDF to schools. Really, what are we doing as a Government? Are we speaking and listening to each other? Let us be fair to Kenyan people and Nairobi residents. We have bigger problems than building more schools.

For the information of the Minister, most students in Nairobi now go to non-formal schools simply because of the problem of lack of teachers. If you were to talk to the Ministry of Education, you would know that non-formal schools is where most of our students are in the slums of Nairobi. Therefore, we cannot use Kshs700 million to build schools that are already being deserted.

We must find out first and foremost what the problem is. The problem for me is not a problem that the Office of the Deputy Prime Minister and Ministry of Local Government can solve because it is not their mandate. It is the mandate of the Ministry of Education. We have a problem with the education system and lack of employment of teachers and, therefore, the Office of the Deputy Prime Minister and Ministry of Local Government must hold on to this Kshs700 million. For heaven's sake, hold on to this money because if you put it into these schools in Nairobi, you will have created the biggest den of corruption that is going to make us be blacklisted after the end of this year!

Madam Temporary Deputy Speaker, I also want to speak about the issue of fires. Fires in Nairobi occur in slums. Two or three weeks cannot pass without a slum with over 200 homes burning somewhere to the ground. I would like to know when the Office of the Deputy Prime Minister and Ministry of Local Government will realise that a lot of emphasis needs to be put into fire fighting in slums because that is key for us in Nairobi.

We have a lot of fires every two weeks and you know that. If there was a way to look into this problem by making sure that slums are accessible to fire fighting equipment and that, that equipment is close enough to the slums, we would be doing a service. If we just allocate money to fire fighting and then those fire fighters cannot reach the slums, again as I said, this is a disservice.

Madam Temporary Deputy Speaker, I want to say that because the Minister is taking over from a past system that had a lot of faults, I would want him not to just carry on with those faults. I

would like him to take the bull by the horns and look at some issues. When he came in, he did something about nomination of councillors but I will agree with my colleagues that still he did not take the bull by the horns. Nomination of councillors cannot be taken for granted and cannot be at the whims of either a particular person or political party at that time. I would suggest that the Office of the Deputy Prime Minister and Ministry of Local Government needs to look at nominating councillors who can add value to that local authority. For example, if we are nominating councillors in Nairobi from among the parties, we should give guidelines to those parties in order to bring a new breed of councillors who are either surveyors, planners or people who can add value. If you do it that way, then you will start giving us structures and not leaving it to the whims of one or two people to make critical mistakes.

Another critical mistake that I see the Deputy Prime Minister and Minister for Local Government continuing with - and, again, I would like to raise the red flag, is the issue of Muthurwa Market. I would like the Ministry to call Nairobi residents and ask them whether they would want another Kshs200 million put into Muthurwa Market. Muthurwa Market, first of all, brought a lot of insecurity in that area. Again, it forced the transport system to stop there, so that Kenyans are forced to buy things there by force. Then, on top of that, those who were allocated spaces in Muthurwa Market - and I say this without an apology - were not people of Nairobi. They were brought in by the power brokers of the day from their villages. Today, if we go to Muthurwa Market, we will not find the hawkers who we were finding on the streets, who were women and young people from Kariobangi or Korogocho slums. We will find people who have come from Nyeri or Murang'a, who in the evening after trading in Muthurwa Market, will take their buses back home. Do not mistake Muthurwa for a success story in Nairobi. It is not! Again, if we are going to look into the issue of markets, we must make sure that they are creating jobs for the people of Nairobi. Markets are not only there to serve people, but they must also create employment opportunities. So far, the markets are not doing so for us, especially Muthurwa Market. I think the establishment of Muthurwa Market was political. We saw what happened towards the end of last year, when hawkers were not being touched because of politics. Then, Muthurwa Market was created. Muthurwa Market was a political answer. Now, since politics is over and we are looking at development, let us look critically at the issue of markets.

Madam Temporary Deputy Speaker, on the issue of health centres, I think we have ghost health centres in this country. If you go to any constituency in Nairobi, you will find three or four dispensaries or health centres that were run by Nairobi City Council. Today, all are "ghosts" health centres. This is because inside there you will find one or two nurses who have no medicine. Even to take patients there, is just to take them to death. Really, what is it that we can do about these health centres? If they are no longer under the mandate of the Office of Deputy Prime Minister and Ministry of Local Government, then can they be under the Ministry of Medical Services and be made clear that they are no longer under Nairobi City Council, so that Nairobi residents are aware?

Lastly, let me speak about the Ministry of Nairobi Metropolitan Development *vis-a-vis* the Office of Deputy Prime Minister and Ministry of Local Government. I can assure you that Nairobi residents are confused. We still do not know what the Ministry of Nairobi Metropolitan Development is about and what the Office of the Deputy Prime Minister and Ministry of Local Government is all about. This is because what we know is that for the Ministry of Nairobi Metropolitan Development to exist something must be taken away from the Office of the Deputy Prime Minister and Ministry of Local Government. What is it that has been taken away and given to the newly created Ministry of Nairobi Metropolitan Development?

We would want to know so that we know where to go when we have issues and we do not have to take them to the wrong place. Neither do we want roles to be duplicated nor conflicts in issues that are very sensitive, for example, the issues of development of infrastructure. Is it now

under the hands of the Ministry of Nairobi Metropolitan Development or still under the Office of the Deputy Prime Minister and Ministry of Local Government? It is critical for us to know these differences because the buck must stop somewhere. I cannot be floating between two Ministries or Ministers. For us, as Nairobi residents, we have been comfortable with the Ministry of Local Government because we have been used to it and we have understood it. We would like to be comfortable with the Ministry of Nairobi Metropolitan Development by understanding it. For me, the two Ministries must come together. If there are any issues that have not been cleared, sort them out and then call the stakeholders in Nairobi and make it clear what the Ministry of Local Government is now doing or not doing and what the Ministry of Nairobi Metropolitan Development is doing, so that we can have a direct access to the services that we need.

Madam Temporary Deputy Speaker, I beg to support.

The Assistant Minister, Ministry of State for Defence (Maj-Gen. Nkaisserry): Thank you very much, Madam Temporary Deputy Speaker, for giving me this opportunity to contribute to this very important Vote.

From the outset, I would like to thank the Deputy Prime Minister and Minister for Local Government for bringing this very important Vote which covers the local government authority. I very much concur with my colleagues who have spoken before me on the issue of district allocations. When you look at the district allocations, you will find that it has not been fairly distributed. For example, in Kajiado District we got a raw deal. We were given Kshs6 million for Ol Kejuado County Council. I can assure you that Ol Kejuado County Council starts from Hunters Lodge all the way to Suswa, Magadi and the border with Tanzania. But we were only given Kshs6 million. I would like to request the Minister to go back and re-look at these things afresh because it is very important to do so.

Secondly, it is now about eight years since we introduced the Local Authorities Transfer Fund (LATF) and the Local Authorities Service Delivery Action Plan (LASDAP). They run into billions of Kenya Shillings. In this financial year alone, the Ministry is likely to give about Kshs9 billion to the LATF. For the last eight years, we can hardly see any tangible project funded through the LATF. It started with an allocation of Kshs1 billion and it was raised to about Kshs9 billion this financial year. In all county councils, especially, Ol Kejuado County Council where I come from, I do not see any tangible project funded through the LATF. I am 100 per cent sure that more than Kshs300 million has been allocated to Ol Kejuado County Council as LATF.

I suppose that this LATF was meant to target areas like water, roads, physical planing of county councils, markets and so on, but we do not see this happening. Majority of our centres, for example, are extremely dirty and unplanned. If you take an example of Kshs700 million allocated to Nairobi City Council for building of schools, to me, that money should have gone to the cleaning of Nairobi River and removing garbage in this town. The same applies to all the other towns.

Madam Temporary Deputy Speaker, physical planning in our local authorities is something which does not exist. I think it is very important that the Minister reigns in councillors to really come out. I think it is important that these councillors are actually challenged to keep their towns clean and well-planned. Unfortunately, this LATF and LASDAP money is planned and contracts are allocated at the local authorities headquarters in Nairobi. If you are allocating this money to local authorities, it should be planned and contracts awarded in the local authorities and not at the Local Government headquarters.

Madam Temporary Deputy Speaker, I would like to commend the Deputy Prime Minister and Minister for Local Government for the Kshs5,000 that he has just given the councillors as part of their allowances. But this is a drop in the ocean. I would like to suggest to him to maybe go back to the Cabinet and bring a Paper. The welfare of our councillors needs to be taken care of. They

should even get money from the Consolidated Fund, so that maybe we may see tangible results of the LATF. We are not seeing tangible results of LATF because of corruption. These fellows are underpaid. So, we want their welfare to be taken care of.

Madam Temporary Deputy Speaker, the next very important thing concerns education at the lower level, the issue of nursery school teachers. I would like to suggest to the Minister to factor in certain amounts of money for the local authorities to employ nursery school teachers. You have heard my colleague saying that there are empty classes in Nairobi. Some of these classes are meant for nursery schools, but the local authorities cannot afford to pay the teachers. So, we need to factor in an amount of money so that local authorities can employ nursery school teachers.

The other very unfortunate thing is the level of education of our councillors. I think if we do proper constitutional reforms, the education level for councillors should be raised to, at least, O-Level, because maybe the major problem we have is planning. If you cannot make recommendations to the local authority for funding of some of the districts--- Maybe it is because the councillors never make recommendations to the Ministry because of lack of education. So, when we look at reforms, we need to factor in this issue of education to bring these guys to a higher level.

I would also like to suggest to the Minister that he should consider the nomination term for councillors; just as the nomination of hon. Members is for five years, theirs should also be for a period of five years. We know that at this time there is a lot of fear that some councillors are going to lose their seats when 16 months lapse. So, we want to recommend that all the councillors nominated properly by their political parties should have a period of five years as is the life of Parliament, so that we do not get into this major problem of going back to nomination of councillors.

Madam Temporary Deputy Speaker, I think what the Minister needs to do is to get out of Nairobi and tour all the local authorities and demand to see all the projects that have been funded, or recommended, through the Local Authorities Transfer Fund (LATF) and the Local Authorities Service Delivery Action Plan (LASDAP), so that we know which local authority has misused money. In my view, LATF money is a source of corruption in local authorities. Unless we correct this, we will continue losing money and getting a raw deal in this regard. It is a lot of money; we use Kshs9 billion, yet we cannot see any tangible results in terms of roads, water provision, cleaning of our towns and construction of new water sources. We do not have these! If the Minister considers all these recommendations, I think our local authorities are going to perform as expected.

With those few remarks, I beg to support.

Mr. Bett: Madam Temporary Deputy Speaker, I also want to join my colleagues in thanking the Minister and his Ministry for this presentation this afternoon.

The loudest noise coming out of the local authorities is about allowances to the councillors to the extent that the councillors are not involved in any initiative to develop their local authorities. I would like to urge the Minister to stop for a moment, listen to these people and sort out this matter, so that we see how they can deliver services to our people. Otherwise, as of now, if you go to any local authority, the talk is allowances and salaries for councillors. It is a preoccupation, which is wasteful and does not help at all. So, I urge the Minister to look at this matter seriously, and note in the sense of providing Kshs5,000, but in a manner that will, hopefully, satisfy them and calm them down, so that they do not make noise until Christ comes back.

The other area I want to address is town planning, which is lacking in the whole Republic, be it in cities, towns or trading centres, everything is in shambles. There are officers called "Town Planners" and "City Planners" who are paid salaries, yet there is nothing they are planning unless they are planning how to rob local authorities. When I talk of town planning, I mean planning for street lighting in all our towns. Lack of street lights provides an opportunity for thugs to attack and

cause insecurity in our towns. We need street lighting to be done.

Madam Temporary Deputy Speaker, there are no roads in most of our towns. If they are there, they are full of potholes. If they are there, they are just pools of water. One needs to go to Eastleigh and experience what I am saying. We need these roads for emergency situations. When there is fire, we need a road that is passable to easily access the place of fire. We need them for health reasons. We need to deliver sick people to hospital. We need them for the police, so that they can easily access and help victims of attacks by thugs.

We also need water lines. When I talk of planning, we need water lines, so that it is known that there is a water line along a particular position in a city, town or trading centre. We also need sewer lines, so that we are clear.

We do not need to - going back to roads - to talk about by-passes which we do not know how to use. Some people are talking of underground tunnels. You cannot make them now! I am simply asking: Can we plan today for many years to come? Let us not plan for today and tomorrow and stop. That is going to be a situation where we will not be estimating, extrapolating, into the future, so that we know that these towns--- Let us anticipate our population 50 years to come and see how to do our planning in terms of all the things I have listed such as lighting, roads, water and sewer lines.

The other area that the Ministry should take care of is the issue of markets and bus parks. They are non-existent! They declared town or urban councils. When you declare a place as an urban council, what are the minimum conditions to take into account? When you declare a place a city council, what are the minimum conditions to take into account? This will ensure that we organise ourselves in a very good manner, otherwise we are going to cause a lot of mess in our cities. No wonder that now every city, town or trading centre is all rubbish; there is rubbish in every corner.

Solid waste management is non-existent in the plan by the Ministry. We need to address the issue of waste management. Waste management is extremely important for purposes of obviating diseases and rats, which can also cause problems. However, there are also people who thrive - we must avoid them - on garbage dumps and they are always black. I do not know why they look black, but we need to avoid them because they are dangerous. That is the nature of our towns today. We need to remove such ugly sights from our towns by properly planning how to remove and dispose of waste in our towns.

I also want to indicate that there is an urgent need in these authorities to start thinking of revenue generation. There are so many areas from where they can generate revenue, which can then go into the allowances of the councillors. I think the original concept of councillors paying themselves was good; they were not meant to draw their salaries or allowances from the Consolidated Fund. They were intended to be a government of their own. They were intended to generate their own revenue.

The issue of education of councillors has been mentioned, and I have talked of the issue of initiative. These people need to have this, so that they can think of how to get extra money that they can use for supplying water, providing rental houses, providing car parks, managing household water or for billboards. Look at Nairobi; there are so many billboards; they are almost becoming an obstruction. Is the City Council of Nairobi getting money out of them, or are they just structures that have been fixed there to benefit another person and bring nothing to the Council?

Madam Temporary Deputy Speaker, I want to say something about the councils. We have mutilated them; we have broken them until they are too small to sustain themselves! Even if we are able to convince them to generate revenue, they are too small! It is time to assess whether we still need them in that state! Do we need to go back and merge them so that the resources are used in a viable manner? Unless that is done, I find that some of those town and urban councils will just be

there by name. Actually, we will be forced to fund them, whether we like it or not!

So, Madam Temporary Deputy Speaker, where there are sewerage plants, we are wasting our time by not managing them well. We are also allowing that solid waste to be dumped all over the place and, in the process, they block our drainage systems! That is, again, another problem which all the councils should address. Why do we allow people to dump rubbish all over the place and, in the process, they block our drainage systems! That is why there are floods in the cities of Nairobi and Mombasa. That is because nobody is being careful on the management of waste! People just take maize, eat and throw the maize cobs everywhere! Cigarette stumps are thrown everywhere! All that contributes to the blocking of our drainage systems. That also spreads respiratory diseases which are increasing by the day. That is as a result of not being able to manage our solid waste.

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

The Minister for Tourism (Mr. Balala): Thank you very much, Madam Temporary Deputy Speaker, for giving me this opportunity to actually comment on the budget of His Excellency the Deputy Prime Minister and Minister for Local Government. This is a pet project for me. It is a pet subject for me as a former Mayor of Mombasa.

Madam Temporary Deputy Speaker, I see that we are spending a lot of money as a Government - Kshs12.5 billion. That is a lot of money! I wish we can see anything tangible that is being done well in those towns and cities. The salaries for councillors and staff is not much. It is only Kshs159 million. What happens to the rest of the money, over Kshs11 billion?

Madam Temporary Deputy Speaker, I appreciate the dilemma the Deputy Prime Minister has gone through, because this is not his budget. This is a budget that he has inherited without a serious formula of where we are going to move the country! We have Vision 2030. How has Vision 2030 been linked with local authorities? That is because, at the end of the day, if we do not have the vision from the grassroots, then the national agenda will not be achieved!

Madam Temporary Deputy Speaker, I want to say that, among the Kshs12.5 billion, Kshs9 billion is for the Local Authorities Transfer Fund (LATF). In the last eight years - and I was the architect of LATF, which was meant to benefit local authorities - it has failed! It is a failure! Today, LATF is actually a conduit to just siphon money from the taxpayers! Today, LATF is even perceived to be handouts to the local authorities. There are no means of revenue generation from the local authorities, apart from waiting for LATF. It might be much or not much but, actually, a lot of money is being siphoned! If you go to the constituencies and the municipalities, you will see that the projects that flourish and shine are those ones by the Constituencies Development Fund (CDF). When you go to the ground, you hardly see any LATF projects! If you finally see them because you make noise as the Member of Parliament and the public, I can tell you it will be a half-baked project that is never finished! If you come to my constituency, most of those projects are half-baked! Then, we have to come and supplement them. We want co-operation between CDF and the local authorities.

Madam Temporary Deputy Speaker, I want to speak specifically on governance. Governance is what is itching local authorities! That is the issue that, if you do not address it properly, you will not get the value for all the money we have invested in the last eight years!

Madam Temporary Deputy Speaker, we have had Ministers coming in and going. In 1998, Prof. Ongeru was here. When I resigned, Prof. Ongeru was here as the Local Government Minister. They have talked about "mayors by the people". Since then - and it is now almost ten years - we have not seen tangible efforts of bringing such changes in the local authorities. Governance is the key! I believe we are all waiting for the new Constitution. Cap.265 is the Act of Parliament for local governments and local authorities. Why can we not change Cap.265, do those changes and bring effectiveness to our country and develop faster? If you say: "mayors be elected by the

people", then all the chief officers should be appointed through a competitive bid and advertisement of their positions! If you have those chief officers being moved and the criteria of being moved is experience, just with the same syndrome of *status quo*, then I am sorry! We will never achieve good governance in the local authorities! We need to empower the local leaders who will be elected by the people. We do not want to see that everything is centralized in the capital. We empower the Minister to take all the decisions which, sometimes, affect the regions! In the spirit of devolution, the most powerful one is the local authority!

Madam Temporary Deputy Speaker, unfortunately, local authorities are being seen addressing issues of kiosks, hawkers and garbage. Local authorities in the world are about investments! They are about attracting investments to their regions, creating employment and investment conferences. They transform development down, left, right and centre for the private sector to develop the economy. The minute the private sector wants to develop an investment in a certain area, the first people to block them are the councillors! They want *kitu kidogo*! The chief officers and everybody need to be bribed! The biggest corruption in this country is in the local authorities We have to face it head on!

Madam Temporary Deputy Speaker, revenue generation is very poor! We, in Mombasa, sit on the biggest asset in this country - the Kenya Ports Authority (KPA), which is a port. We do not even benefit a penny! Let us get a revenue levy for the Mombasa Municipal Council! If we do not trust the leadership of Mombasa, then we can create a private sector body which will manage how that money is going to be spent! Mombasa is the second largest city in the country!

The image of the country is not necessarily in the rural areas. In fact, it is in the big cities! That is the image of the country. When you go to Paris, there is a lot of crime. But it is not in the central business district of Paris, London or New York! That has been taken care of! But when you look at our local authorities, they do not have plans. They do not have qualified engineers. They are the ones who are messing up! We are told that there are no funds to recruit! Advertise those positions and pay! If you pay peanuts, you get monkeys! That is what is happening in our local authorities!

Madam Temporary Deputy Speaker, it is important for us to think broadly and in a modern society! We can say that we establish metropolitan boards to supervise local authorities in regions like the Coast, Kisumu, Naivasha and Nakuru. There are areas with potential for investment in agriculture and tourism. We cannot avoid them. It is important for us to bring up a subject on executive advisory authority - a metropolitan body - so that it can manage these areas and advise councillors and chief executive officers.

Madam Temporary Deputy Speaker, the issue of education for councillors and local authorities' staff has been mentioned. It is critical. However, the issue is not about a university degree. The issue is the intellectual understanding of the responsibility of leadership to transform and help our people. We do not have that kind of understanding amongst councillors. That is why the mindset of councillors and officers in local authorities is about garbage and *kiosks*. That is what has reduced them. They have the capacity to be brought to a higher level.

Maybe, we should improve their salaries, like we have done for Members of Parliament. Even business people who are multi-millionaires have vacated their positions in their private businesses; they want to be Members of Parliament. Let us improve the salaries of councillors, so that we can attract high calibre individuals to lead local authorities. For instance, City of Mombasa, which is the second-largest city in Kenya, has not been allocated much money. It is the image and the gateway for East and Central Africa.

Madam Temporary Deputy Speaker, there should have been a proper plan for City of Mombasa. We need a dual carriageway heading to airport. Why can we not build a bridge across the Likoni channel so as to do away with ferry services? What rock science is inhibiting us from

doing so? We are frustrating investment. We are not opening up the South Coast in Kwale and elsewhere, where there is land for development. Instead, we are congesting the Island.

What is inhibiting us from addressing the issues affecting our cities, particularly City of Mombasa? We should have dual carriageway from Moi International Airport, Mombasa, to Mtwapa. If you go to Mombasa today and see the state of roads there, you will cry. Only 10 per cent of the Municipal Council of Mombasa is covered by a sewerage system. Where does 90 per cent of the sewage go? It is destroying our environment and the Indian Ocean.

Madam Temporary Deputy Speaker, I now want to address the issue of privatisation of local authority. We thought that privatising certain functions of local authorities would improve efficiency. However, what we have in place is a conduit for just siphoning money from there. The process has brought a bunch of people in the name of international companies, who have been awarded tenders. They are "eating" our money, and yet we do not see any changes.

It is, therefore, important for us to see to it that local authorities become the vehicles for attracting investment for our region, so that they can develop rather than having "small" minds, where we just address issues of hawking and garbage collection. That is the only thing we cry about every day.

Madam Temporary Deputy Speaker, as much as we now look into the aspect of decentralising, it is important for us to consider transforming constituencies into boroughs, particularly in urban areas.

With those remarks, I beg to support.

Mr. Ruteere: Thank you, Madam Temporary Deputy Speaker. I also stand here to speak about local authorities. I am concerned that, as it has been said, the distribution of resources does not meet the expectations of our people. I find that in a place like Meru Municipal Council, Gakirimoni Market is allocated Kshs20 million. That market needs 200 million, according to a design that was done and submitted to the Ministry. So, the Kshs20 million that has been allocated to it is actually 10 per cent of the requirement.

The dilemma is if 10 per cent of the money is given, will the work be done? Will the money be wasted? Will the money be misappropriated or mismanaged? It would be better that it was not given in this financial year, but later on, we allocate enough money to complete the work. Stalling a project is worse than starting it. That is what I believe in. I believe in a project that starts off and it is completed within given time frame, so that the people benefit from it. Meru Municipal Council is a fast-growing municipality.

Madam Temporary Deputy Speaker, Meru is actually a two-in-one town. There is the Makutano area and the lower town. Makutano area has no sewerage system at all, and yet, it is more populated than down town. The activities of Meru Municipality are much more at night. From evening, the town moves from the offices to the commercial area, which is Makutano. That is a place with no sewerage system. It is a health disaster. It is a whole town with a population of over 50,000 people, but it does not have a sewerage system. The main sewer is already full. That is a major concern.

We have only one road. That is Kenyatta Road. This road connects Meru Municipality from Kazita-Nanyuki-Maowa. In the evening, traffic jam is worse than in Nairobi. In the mornings, the traffic jams are terrible. There is no by-pass.

So, the Ministry should consider providing another exit for the people going out of town. Especially people going to Nyambene should get a by-pass. They do not need to go all the way to Makutano. People going to Kinoru should get a by-pass.

Madam Temporary Deputy Speaker, there is an issue which has been talked about at length, namely, councillors. Councillors are a dissatisfied group. We are always hammering blame at the councillors. Somebody who is not satisfied cannot deliver. There is no need of us telling the people

all the time that they must give services. How do they give services when in the morning all the people go to their homes to give them their problems? They cannot move out of their homes, like we do, and come to Nairobi. Councillors face people who want fees and hospital funds.

The meagre allowances that they earn cannot even meet their entertainment. Here, we say that they must deliver. They will not deliver. We must think of a way of satisfying their needs. They are human beings.

If Members of Parliament earn salaries that satisfy them; if you touch a cent of our salaries, we are up in arms, what of councillors? They are equal to us. They are human beings. They have all the responsibilities that everybody else has. They educate their children. They are important people in society. They represent us when we are away. So, their allowances should be considered as a matter of concern.

Madam Temporary Deputy Speaker, there is the issue of separation and co-ordination of jobs. We also blame councillors when it is not their responsibilities, or they have no mandate or they are not empowered to do what they are blamed for.

One of the issues is that councillors are said not to do something when it is the responsibility of chief officers. We all know that councillors do not sit in tender boards. As much as they would say: "Do this", wrong people are given the tenders. The chief officers do shoddy jobs and get away with it, because they are also the signatories. That makes it even worse.

I have seen shoddy jobs done. The council complained, but the contractors were paid by the chief officers who awarded them the tenders, because they were "satisfied" with their work. The contractors had greased the hands of the chief officers.

If you went to Meru Town and went to hospital at night, you would go there thinking that you may not reach the hospital, because there is no street lighting. The place is extremely dangerous. Worse still, when it rains, like it has now, you cannot access it, because the access road is not under bitumen. That is a road which should be upgraded to bitumen standard. As much as we want our towns to be good and clean, we should impress upon the people who work there. The chief officers seem not to see dirt. You tell the Chief Engineer that there is a lot of rubbish and pollution in rivers but no action is taken. They even allocate space for businesses on river banks instead of removing them. You will see cars being sprayed along the river banks. These pollute the river and environment. I do not know! It is as if these people who are very highly educated have no concern for the environment at all. Trees in towns are cut down and sold while others are not planted.

Madam Temporary Deputy Speaker, stealing in broad day light like is happening in Meru Town needs to be controlled by the municipal council. They have *askaris* and security men who can do this. People cannot walk with mobile phones, especially ladies, who are in great danger. I call upon the Ministry of Local Government to make a tour in upcoming towns. As the towns grow commercially, they also have their own security problems. It is high time you gave some education to councillors and chief officers on what is expected of them.

Schools within municipalities need access roads. However, when urban roads are constructed, entrances to schools are left out. It is done as if schools are not part of the places that need to be accessed. The work that was done in Meru is very poor and it should be re-done.

Madam Temporary Deputy Speaker, there are engineers on the ground who approve work to be excellent but even an old woman carrying a banana on her back would tell that, that is not the right job and something is lacking. Why can the Ministry not send engineers, inspectors and chief officers to go and see if the work has been done properly?

A growing town like Meru is without a fire engine. Meru is a town with a population of 120,000 people. This is a town with very tall buildings and others being constructed every day. There are very many schools in this town, but it does not have a fire engine. In the budget, there is

also no money allocated for that. I think our priorities are lop-sided.

Madam Temporary Deputy Speaker, while I support the budget, I believe there is much more that needs to be done and allocations should be done in a fair way. In the whole of Meru, the Meru County Council and the four districts have not been considered for anything.

Thank you.

Dr. Kones: Madam Temporary Deputy Speaker, let me join my colleagues in supporting the budget for the Ministry of Local Government. The Ministry is very critical in the development of this country.

Madam Temporary Deputy Speaker, having looked at the budget for the Ministry, I have a few issues and concerns to raise. First of all, I want to know whether Bureti County Council is recognised as a county council. From the Printed Estimates, no allocation has been made to Bureti County Council. I will support this budget on condition that the Minister is going to make allocation to that county council just like the others.

Another issue which has been dwelt on a lot by hon. Members is the welfare of councillors. I think it is a time bomb and the Ministry has to take it very seriously. I would like to put the Deputy Prime Minister and Minister for Local Government on notice. While in a meeting with a number of councillors last weekend, they had a very clear message for him. They really want to be considered so that their salaries can be drawn from the Consolidated Fund. We know the principle behind the reason councillors are paid through the revenue generated from their councils. But looking at the issue, you will realise that most of the councils we have today are not economically viable. For example, the Bureti County Council where I come from, councillors have never been paid their salaries and allowances for the last four months. This is a very critical matter which I would like the Ministry to take seriously. I expect the Ministry to come up with some reforms.

Madam Temporary Deputy Speaker, another important issue which I want to look at is the election of councillors whenever there is a vacancy. I am made to understand that whenever a councillor dies, there is no by-election for that ward, not unless a Member of Parliament dies so that a by-election is held to also fill the vacant wards in that particular county council. I think that is an area that needs to be looked into if that indeed is the case. If that is happening, then it means the number of councils which fall vacant as a result of death might necessitate killing a Member of Parliament so that a by-election is held.

(Laughter)

Madam Temporary Deputy Speaker, revenue generation is another area which I think the Ministry needs to look at seriously. When I look at this budget, most of it goes to traditional investment in roads. I think we need to look at other income generation projects that can help sustain these councils. I am looking at investing in tourism attraction projects. I hope that in the coming years, the Ministry will guide the councils on key investment opportunities that exist in their councils.

I also want to emphasize that the Ministry needs to allocate more funds for employment of Early Childhood Development (ECD) teachers. Indeed, if it is true that all ECD teachers should be under the Ministry, then there has to be adequate allocation for their employment.

Madam Temporary Deputy Speaker, a question has been raised here as to the boundary between the Ministry of Local Government and the Ministry of Nairobi Metropolitan Development. This is one area that we need to look at seriously, so that we can avoid double allocation of resources in small areas like Nairobi. I believe that there are other local authorities that deserve funding. We expect a circular to distinguish between the roles of the Ministry of Nairobi Metropolitan Development and the Ministry of Local Government. We know what the

Ministry of Local Government normally does, but it is not yet very clear what the Ministry of Nairobi Metropolitan Development does that is not done by the Ministry of Local Government. So, our worry is that, probably, we are doing double allocation to Nairobi City Council. If that is the case, then Nairobi is getting the highest percentage of the allocations. Perhaps, we should trim the budget for Nairobi and redistribute it to other local authorities.

Madam Temporary Deputy Speaker, regarding the road maintenance levy, I think I need some guidance on how it is used. First of all, I want to know why only four provinces got the funding. Out of the four, a total of Kshs172 million went to Central Province, and Kshs115 million went to Western Province. Coast Province got Kshs80 million and Rift Valley Kshs70 million. The rest got nothing. The Kshs172 million that went to Central Province represents 36 per cent and Western got about 32 per cent of the road maintenance levy. So, for the two provinces the percentage is about 70 per cent. So, I wonder what criteria are used in allocating the road maintenance levy. If it is really about roads, then there are other areas that require the funds. There are areas which have worse roads than Central Province. I want to request a clear explanation as to what criteria were used. If the criteria are not very clear, then I suggest that we redistribute this levy to all the provinces using the poverty index as a basis for the redistribution.

Finally, I would like to talk about the hiring of what we call "public officers". I am aware that there are people who are appointed after every five years. I have never understood their role. Who pays them? Is it the local authority or the Ministry? Most of the councils that I have visited have always complained. They do not know what those people do in their councils. Are they special advisers to the Minister, or to political parties? In my view, this is an unnecessary burden in terms of expenditure. Since they are called "public officers" why can they not be full-time officers of the Ministry? If they are there on temporary terms, then it is better that we know what they do. Are they spies, and if so, who do they work for? I think we need to know some of these things.

With those few remarks, I beg to support the Vote of the Ministry.

Mr. Njuguna: Madam Temporary Deputy Speaker, I take this opportunity to thank you for granting me this chance. As I support the Vote of the Ministry of Local Government, I wish to make a few observations.

First, the local authorities are very important, because they are the vehicles which take development to the people. If you look at the recent past, the local authorities in this land have acquired a very bad name for working hard to attain a very high degree of corruption. This tarnishes the name of the Ministry, and even the name of the country. I would, therefore, request the Minister in-charge to institute the necessary steps to contain that very bad stigma in the Ministry. Wananchi cannot be happy if the people who are charged with that responsibility are fighting for the resources that are supposed to reach them. So, that image must be corrected.

The other observation concerns the leadership of local authorities. Time and again, we have seen clerks or chief officers who have failed in their responsible positions. The remedy for a very irresponsible clerk is to effect a transfer to another local authority. That is transferring the same disease and, more or less, killing the spirit in new stations where such officers are posted.

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

[Mr. Deputy Speaker resumed the Chair]

I would, therefore, think that, if a clerk has failed in a certain position, he should be demoted and removed entirely from the administration.

My other observation is that certain local authorities continue to allocate non-existent land

to innocent Kenyans. You will realise that when they allocate that land, there are certain rates that they are paid. That means that, finally, the allottee would lose the money. So, the local authorities, although they are the trustees, should not allocate non-existent land.

The salaries of local authority staff must be reviewed. That is because, at times, when we look at the services that are rendered by those people, they really do not measure up to the amount of work that they do. So, their salaries must be increased to curb the corruption that is experienced in the local authorities.

Some local authorities do not have vehicles to deliver services to wananchi. The Ministry must plan to give vehicles to those local authorities so that they can deliver the required services. Some councils do not even have tractors or graders to improve the road networks in their areas of operation. I was imagining that in this Vote Head, I would come across the creation of Kiambu West County Council. That is because I represent Lari Constituency. It is high time that, with the creation of Kiambu East and Kiambu West districts, we have a Kiambu West County Council to serve the residents of Kikuyu, Limuru and Lari constituencies. By so doing, we will be bringing services closer to wananchi. We will also have a chairman of the newly created county council. There will be better services in our areas. With that creation, Kikuyu will have their own local authority. Limuru will have its own local authority. Lari will have a local authority at Kimende. That is because Kimende has a very high population of over 10,000 people. With that kind of leadership, we will have services reaching the population in that area.

Now, regarding representation, Lari Constituency is really under-represented. This is because we have one councillor representing two wards. For example, Kinale and Kamae wards have one councillor instead of two. Kaburu and Kamchege wards have one councillor and so has Nyanduma and Gatamaiyu wards. So, my area is seriously under-represented with only three councillors instead of six. My constituents are, therefore, being denied the required services.

The local authorities in some areas are the trustees of land. For the last 30 years, they have not issued title deeds to schools. We have noted that there are land grabbers and sometimes they interfere with school land. It is high time local authorities, being trustees of land, issued title deeds to those schools.

Mr. Deputy Speaker, Sir, local authorities are very close to the people, but I have not seen in this Vote money allocated for promoting sports in this nation. There is no money that has been set aside for athletics or football. I do not know why they have forgotten to allocate money for the development of sports. It is high time we had chairpersons of the local authorities elected by the people to contain the chaos caused by councillors. If these people were elected, the issue of breaking chairs, injuring each other and continued hatred would be contained. I recommend that in future, chairpersons of local authorities be elected by the people.

I also noted that there was no money set aside for roads in Kiambu East and Kiambu West districts. This is a very serious anomaly. Aware that we have the heaviest traffic in terms of transportation of agricultural produce from the area like tea-- Agriculture in our area must be given attention by allocating money for the construction of better roads.

When I look at the recruitment of employees in local authorities, it is a very mysterious thing. This issue needs to be brought to the attention of the people. They need to apply for these jobs whichever they are. What exists now is a dubious kind of operation that has been practised by our local authorities.

Mr. Deputy Speaker, Sir, I would like to talk about the establishment of markets by local authorities. They have begun constructing markets in areas where land is not available. For example, in Kiambu, they established a market at a place called Soko Mjinga. They collected a lot of money from people, but that market never came to reality. This is something that should not have happened at all. If we have credible leadership from the top to the bottom, wananchi should

not suffer at all.

Looking at the way the local authorities work, it is emerging clearly that with the powers that have been given to them, their books of accounts must be audited properly. The issue of projects not kicking off and yet LATF money has been given out is as a result of corruption and embezzlement of funds which has been allowed to take place in our local authorities.

Local authorities have not been involved in the social development of their areas. They have not engaged in the development of health centres, polytechnics and secondary schools. I recall in the 1960s, local authorities started primary schools. Where is that vigour they had in the past? Where is that credible leadership that we had? They have now neglected the provision of major services that our people yearn for.

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

Mr. Affey: Thank you very much, Mr. Deputy Speaker, Sir, for giving me this opportunity to contribute to this very important Motion on the Vote of the Ministry of Local Government. I have a strong attachment to this Ministry since I once served as the Minister for Local Government and, therefore, this Vote has my absolute support.

This is a grassroots Ministry. It is a Ministry that has a substantial role. In fact, it has a more important role than the Central Government itself and, therefore, any support given to it is given to the Kenyan wananchi on the ground. Therefore, with those remarks, it does not take a lot of time for this Vote to be given support by the House. I have absolute confidence that the Minister and his officials will fairly use the resources allocated to them in the manner in which they are meant.

Mr. Deputy Speaker, Sir, on the other issue of local authorities, critically here we are talking about councillors who are the leaders on the ground. Over time, the welfare of councillors has become a matter of national debate and just the other day, particularly yesterday, one of the party leaders said that it is not justifiable for the councillors to get this increment of salaries that they have sought. I want to differ and say that the Minister and the Ministry must put in place mechanisms that can be able to allow these councillors to attract allowances and salaries that are respectable and in line with the very sensitive job that we have asked them to do on behalf of our people because they are elected by wananchi. Most of them get allowances from revenue generated from local authorities.

I am pleased to know that the Minister himself has planned to see how these allowances can be paid from the Consolidated Fund because not all councils are rich and able to sustain the workforce of councils and councillors themselves. Therefore, there is need by the Ministry and the Central Government to make a deliberate effort to see how these councillors can be paid outside what the councils generate. That means that the Minister must bring the relevant legislation to Parliament and I am sure it will have the full support of the House.

Mr. Deputy Speaker, Sir, we as a party indeed wanted to move a motion in order to see how councillors in Kenya can benefit directly from the Consolidated Fund. I heard the other day that some Members from Rift Valley Province were also planning to do the same. I think they stole the idea from us but we still can play a complementary role and see how the councillors can be paid decently by the Central Government. That should be done as soon as possible.

My main concern as far as this budget is concerned is that there are quite a number of local authorities which have been established following the creation of new districts. Where I come from in Wajir, Habaswein District has been curved off from the larger Wajir District. It is depressing to note that to date, the Ministry of Local Government has not done the necessary delineation. Habaswein District is there but still the council is controlled and managed from Wajir District. Now, that is clearly conflict of interest and I would like to urge the Minister as a matter of urgency to see how this council can be created and a clerk be dispatched to Habaswein in order to service the needs of the local people because there is a big catchment area of livestock market there. We

have a very big market there but it is not fenced. The market has no water, toilets and other facilities that human beings require. When the Minister spoke about providing necessary funds in order to provide these market places with the money, Habaswein did not appear in his radar. I want to plead so that this town gets a clerk and the benefits that the Ministry of Local Government provides all other councils and that this should be done as soon as possible.

Mr. Deputy Speaker, Sir, the issue of reforms, particularly in the local authorities, which quite a number of my colleagues have spoken about, require to be fast-tracked. It would not be a good thing for this country if in the next general election, which is a few years from now, we compel mayors and chairmen to be elected by the councillors themselves. We cannot allow a group of 15 to 20 people to elect the chief executive of the council in the name of the mayor or chairman. We must give the local population in that particular municipality or county council an opportunity to elect the leader that they want. That leader might not necessarily even be a councillor of a ward. We must give the opportunity to our people to elect leaders directly.

Mr. Deputy Speaker, Sir, the Deputy Prime Minister and Minister for Local Government has spoken about the use of LATF money. There is a substantial amount of money going to our councils. However, the oversight role has been poor. Year in, year out, huge amounts of money are released from Nairobi, but the oversight role for these funds has been weak. I would like to encourage the Minister to send teams to the local councils in order to establish exactly how this money is utilized because that is the only way that the money can be of use to the people that it was intended for.

Mr. Deputy Speaker, there is a matter that we have spoken about, at least, as elected Members of Parliament from Wajir for sometime; that is, the Wajir sewerage system. It is a shame that after 45 years of Independence, the people in Wajir District still rely on bucket latrines. It is unsafe! It is both an environmental and health problem. It is a shame and a stigma to the conscience of the Kenyan people. Every year when I look at the Ministry's budget, nothing is factored towards this sewerage system, yet when we visit the Ministry's offices, we get sufficient comfort.

I would like to let the Deputy Prime Minister and Minister for Local Government know that comfort and sympathy are good, but what we need are resources. He must go out of his way and visit that place, because it is the only place of its kind in the country. You cannot find a place like Wajir District anywhere else in Kenya today after 45 years of Independence, yet what we require are resources that can make the environment healthy. He must understand our plight. In Wajir East where this place is located, there is a Member of Parliament from the Deputy Prime Minister and Minister for Local Government's party. I think if you do not perform, next time you have no authority to come and talk to the people of Wajir East and ask them for that seat. The only way that there can be some comfort is if he goes out of his way to construct the sewerage system in Wajir Town.

Mr. Deputy Speaker, Sir, the other issue that I want to speak about is Nairobi City Council, particularly a place called Eastleigh. Eastleigh has an economy within an economy. The resources in Eastleigh are equivalent, if not more, than what we have in the Central Business District (CBD). Yet, if you visit Eastleigh today, the roads are impassable, the sewerage system is terrible, the telephone lines are not working in most places and the street lights are not even there. So, there is sufficient revenue that the City Council is collecting from that place, yet there is no deliberate effort by the

Ministry or even the Council itself to see how best the services there can be addressed. I would like to plead with the Minister to see how best that can be done.

Mr. Deputy Speaker, Sir, the other issue is why the City Council of Nairobi allows everybody to develop where he wants. In a place called Kileleshwa, where some of us stay, it is an eyesore. Water is becoming a problem and electricity shortage is frequent, because the council has

given a free hand for anybody to develop the number of housing units in a flat as he wants to. That place was initially designed to hold a certain number of households. Everything is known on record, but nobody seems to understand how to follow it. I would like the Minister to see how best this problem can be tackled.

Finally, the Roads Maintenance Levy (RML). I do not know whether we have roads to maintain, but I would like to request the Minister to see the possibility of doing the roads. The distance between Habaswein and Modogashe, and Habaswein and Wajir, which is a major link to Nairobi, is always in a deplorable state. The fact that the central Government has failed in its duty to see that resources are available does not mean that the Ministry of Local Government cannot come in and assist. There are now two districts, but I am not sure whether in Lagdera they have a clerk to council.

With those few remarks, I beg to support.

Mr. Langat: Mr. Deputy Speaker, Sir, I also want to contribute to this Motion on the local authorities. Before I mention anything else, I just want to look at the document that has been presented to us. First, the Minister has not told us what achievements they attained in the last financial year. We have just been presented with the budget for the next year, but we do not know what the Ministry did in the last one year. They have not told us whether the funds were enough for whatever they had planned for last year. So, in future, I want to suggest to the Ministry that we should get the information on what happened the previous year before we budget for this year.

I would not want to talk much, but my only issue with the Vote for the Office of the Deputy Prime Minister and Ministry of Local Government is that I do not know whether we have a formula for allocating these funds. If we have that formula, I would like to suggest that in future, we should be told what it is, because maybe I am having trouble understanding, for example, why Kericho District has been given an allocation of Kshs10 million, Kakamega Kshs92 million and Vihiga Kshs131 million. These are the things that we would like to know, because some county councils and municipal councils have not been allocated any funds, yet they are officially recognised. So, I want to suggest to the Ministry that the concept of fairness among councils should be seen to work, because we would not like to see that some are getting more than others without the benefit of an explanation.

I also want to say that this is a very important Ministry in terms of development of our rural areas. This means, therefore, that how funds are distributed in this Ministry is very key to developing all our regions. We are looking forward to seeing the changes we have mentioned.

Somebody has raised the issue of the RML. I think, with due respect to the Minister, we want to see fairness in the way these funds are allocated. So, my main worry with this document is how the funds have been distributed.

Mr. Deputy Speaker, Sir, issues of councillors' benefits have been raised. I had an opportunity of talking to some councillors. It is a very big issue. The Minister has said that he is looking forward to the trouble. They are promising to make a lot of noise on the same issue. So, we want to see how those councillors can be given some allowances, so that they are motivated in what they are doing. Before we blame them for corruption and lack of proper management, are we also doing our part to ensure that their terms are, at least, improved?

Mr. Deputy Speaker, Sir, I do not want to say much. I want to support this Vote, but on condition that the Minister will look at the redistribution so that all the districts are fairly allocated the funds. I am not saying that all of them should get equal funds but, at least, we should have a formula that ensures that there is justice and fairness in the distribution of those resources.

Thank you, Mr. Deputy Speaker, Sir.

Mr. Shakeel: Thank you, Mr. Deputy Speaker, Sir, for finally recognizing us here. I stand to support the proposal and the budget that has been tabled to us by the Deputy Prime Minister and

Minister for Local Government, subject to the following:-

On the issue of the Road Maintenance Levy, it appears that the whole provinces of Nyanza and North Eastern seem to have slipped away. That, honourable Minister, covers over one-third of the country. I cannot understand under what basis that has happened. I do urge you to, kindly, perhaps, go back and look into that. I propose that you re-look at that issue and see whether you can re-allocate some of those funds so that we can all get a little bit.

Mr. Deputy Speaker, Sir, the local authorities have been the keystone of governance in this country. I now speak as a former mayor. The situation in local authorities is decaying.

We all know that you are doing a great job. Local authorities were set up a long time ago under the colonial era, and even before that, the criteria for setting up councils and appointing mayors were different then. Councillors and mayors were part time. They met after 4.30 p.m. They were usually well-to-do people who normally had things to do. I remember John Ruddock was the Mayor of Kisumu and he went to work at 4.30 p.m., 5.30 p.m. and at 6.00 p.m., he finished his work and went home. They were called "old men"! They did their jobs because the executive office was efficient. The local government systems were good and effective.

Mr. Deputy Speaker, Sir, I am sorry to say that the Ministry of Local Government is no longer a local affair. It has lost that control. It is not able to control the local authorities as it should. I know that the Minister is trying very hard. There is the Local Authorities Reform Project. It is very important that we start showing that the Ministry of Local Government can, in effect, control councils, guide them, help them in budgeting and help them to move forward.

It is very important that we start showing that the Ministry of Local Government can, in fact, control budgeting and help them go along. There are major problems in the Ministry. I want to be polite, but the Ministry's headquarters is riddled with corruption. I know that the Ministers are the first to recognise this problem. It is not that the chief officers are bad. They are excellent people, but the system itself has a problem.

Mr. Mututho: On a point of order, Mr. Deputy Speaker, Sir. I heard the hon. Member, who is a former mayor, allege that the Ministry of Local Government is full of corruption. Does he have any documents he can table here to substantiate his allegation? If not so, could he withdraw that statement?

Mr. Deputy Speaker: Mr. Shakeel, debate on the Vote of Ministry of Local Government has to be done within the confines of the rules of the House. You have to either substantiate your own statement to the effect that the Ministry is riddled with corrupt officers or withdraw the statement and apologise.

Mr. Shakeel: Mr. Deputy Speaker, Sir, you have put me in a difficult situation. Since I do not want to waste the time of this honourable House, I withdraw that comment. However, facts are known!

Mr. Deputy Speaker: Order! Order, Mr. Shakeel!

Mr. Shakeel: Mr. Deputy Speaker, Sir, I have withdrawn the comment.

Mr. Deputy Speaker: Mr. Shakeel, you withdraw the statement, apologise and proceed. You do not qualify your withdrawal. If you do not have the substantiation, the only route open to you is to withdraw and apologise.

Mr. Shakeel: Mr. Deputy Speaker, Sir, I withdraw.

Mr. Deputy Speaker: And apologise!

Mr. Shakeel: I apologise, Mr. Deputy Speaker, Sir.

Mr. Deputy Speaker: Proceed!

Mr. Shakeel: Thank you very much, Mr. Deputy Speaker, Sir.

As I said, the Ministry has got to pull up its socks. There are a lot of problems that the Ministry has to deal with. Many of these problems have been there for a long time. If it does not,

then how can it deal with local authorities, which are themselves riddled with problems? The Local Authorities Reform Project is a great one, but it is delaying. I thought that it would be completed within the life of the last Parliament. So, I urge you, Mr. Deputy Prime Minister and Minister for Local Government, to ask that we have it completed soon.

There are five former mayors in this House, but none of them has even been asked to comment. Some of us worked on the Local Government Review Programme. It is about time we looked into ways of fast-tracking this issue. We do not want to see mayors being elected by councillors. This is becoming a farce. So, we need this matter worked on very fast.

Mr. Deputy Speaker, Sir, I thank the Ministry for constructing Mambo Leo Market in Kisumu. I hope that one deals with the fish market. However, we need a wholesale market in Kisumu.

We also need to change focus as far as running of local authorities is concerned. Local authorities survive on taxing the poor as the rich go scot-free. The *mama mboga* who sells *mboga* worth Kshs100 is charged Kshs20. Some overzealous council *askaris* cause a great amount of distress. We must get away from taxing markets. We want to do other things. Why can we not contract out markets? Mwanza is doing it, and it is doing a great job. People contract out the markets. They make payment upfront and run it. The councils and the local authorities must now start concentrating on their core functions.

The core function of Local authorities is not necessarily running markets. Their core function is to give local authority good governance. It is to do things. I want to give an example. When Mr. Kaguthi was the Provincial Commissioner (PC) in Nyanza, he got so disappointed and so disgusted that he put Kisumu Fire Brigade under the PC's Office. Look at the records during that time. The Kisumu Fire Brigade's performance was excellent. These are the sort of things that we must do. These are initiatives and innovations that we must put in place. It is happening everywhere. Even jails are now being sub-contracted out in other countries. Why can we not learn that we can do this? We do not have to go very far. I think my time is up!

Mr. Deputy Speaker: Mr. Shakeel, you have two more minutes.

Mr. Shakeel: Mr. Temporary Deputy Speaker, Sir, I thank you very much for that time.

We need to concentrate on this. We do not have to go very far. We just need to go to Uganda. I was in Rwanda the other day. There is not even a single *kiosk*. In four days' in Rwanda, I saw only one piece of paper on the road. These are the sort of things we want to emulate. I know that we are talking about many things here. Many things need to be sorted out.

Mr. Deputy Prime Minister and Minister for Local Government, I want you to, please, look at one thing. Why can the Kisumu City Council approve the construction of multi-storey buildings and yet our fire brigade cannot go higher than one storey? Where is the disconnect between planning and capability? If we cannot do it, where is the problem? Why do we have fire engines that do not work? Why are these questions not answered by the chief officers? The chief officers themselves need to pull up their socks.

Mr. Deputy Speaker, Sir, finally, I support the fact that councillors need to be compensated, because they are no longer part-time employees. They are full-time employees. If elders are now getting paid by local authorities, I see no reason as to why councillors cannot be paid as full-time employees. Let us ensure that they give a full-day's work.

Let them not sit around the city councils. They have got offices in their wards. Let them sit there, and let them be acquainted.

There seems to be a disconnect between the Local Authorities Transfer Fund (LATF) and

the Constituencies Development Fund (CDF), and others.

Mr. Deputy Speaker, Sir, I think my time is up. Thank you very much.

Mr. Deputy Speaker: Do you beg to support?

Mr. Shakeel: I support this Vote, Mr. Deputy Speaker, Sir.

Thank you very much.

ADJOURNMENT

Mr. Deputy Speaker: Hon. Members, it is now time for the interruption of business. The House is, therefore, adjourned until tomorrow, Wednesday, 15th October, 2008, at 9.00 a.m.

The House rose at 6.42 p.m.