

NATIONAL ASSEMBLY

OFFICIAL REPORT

Tuesday, 3rd October, 2000

The House met at 2.30 p.m.

[Mr. Speaker in the Chair]

PRAYERS

NOTICE OF MOTION

ADOPTION OF NINTH PIC REPORT

Mr. Githiomi: Mr. Speaker, Sir, I beg to give Notice of the following Motion:-
THAT, this House adopts the 9th Report of the Public Investments Committee on the Accounts of State Corporations laid on the Table of the House on 27th July, 2000.

ORAL ANSWERS TO QUESTIONS

Question No.351

PROLIFERATION OF RELIGIOUS CULTS/SECTS

Mr. Speaker: Dr. Kituyi not here? This Question will be stood over for now. Next Question, Mr. Muiruri.

Question No.468

WHEREABOUTS OF MR. KAIYAKA

Mr. Muiruri asked the Minister of State, Office of the President:-

- (a) whether he could inform the House the whereabouts of Mr. Michael Mwaura Kaiyaka, a resident of Kamwangi in Gatundu North, who was last seen on 11th May, 1996 at Karen, Nairobi; and,
- (b) why the killers of the late Mr. Kaiyaka have not been arrested and charged with his murder.

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

(a) I did make a statement with respect to this Question last year. The answer I have still remains as it was at that time. A report in respect of the disappearance of Mr. Michael Mwaura Kaiyaka was made at Karen Police Station on 31st May, 1996 by a Mr. Sebastian Ndegwa of Thika. The report indicated that Mr. Kaiyaka - then a foreman at a construction site in Karen - had informed his workmates that he was travelling to his rural home at 6.30 a.m. on 26th May, 1996, but unfortunately, he was not seen thereafter.

(b) Although Mr. Kaiyaka was reported missing and has not been traced to date, there is no evidence indicating that he is dead. However, on the expiry of seven years after this report was made, we will have no option, but to presume that he is dead.

Mr. Muiruri: Mr. Speaker, Sir, I do not think this Question came up last year; it came up early this year. The Assistant Minister denied then that a report was ever made about the disappearance of Mr. Kaiyaka. It was upon the insistence of this House that he promised to go and investigate this matter further. The information I have here is that Mr. Kaiyaka disappeared on 11th May, 1996, from that construction site. The Assistant Minister promised this House that he would go and investigate and thereafter tell us the circumstances under which this man disappeared. Could he now tell us who the owner of that construction site was? Could he also tell us what the relationship between Mr. Kaiyaka and Mr. Sebastian Ndegwa was? At the same time---

Mr. Speaker: Order, Mr. Muiruri! Shall we listen to you the whole afternoon? Let the Assistant Minister answer your question!

Mr. Samoei: Mr. Speaker, Sir, I do admit that when this Question was asked early this year, I did not have conclusive information despite this report having been made to the police. However, I did promise this House that I

would go further and find out the exact details behind the disappearance of Mr. Kaiyaka. The construction site in question was owned by a former Nairobi KANU Chairman Nairobi, Mr. Clement Gachanja. Mr. Gachanja has made a report with respect to the disappearance of Mr. Kaiyaka, who was a foreman at his construction site. The report was received by a police constable, Lois Karima, No.53267. The report is in our possession.

Mr. Muchiri: Mr. Speaker, Sir, other than receiving the report over the disappearance of Mr. Kaiyaka by the police, how many statements have been recorded in this regard? Could the Assistant Minister tell us who the suspects are in this matter?

Mr. Samoei: Mr. Speaker, Sir, as I said, we have taken statements from the then Nairobi KANU Chairman, Mr. Gachanja, who was Mr. Kaiyaka's employer and his former workmates. Three of them have made statements. Unfortunately, we are unable to proceed from here because we do not have any clues as to whether he is dead or alive.

Mr. Muiruri: Mr. Speaker, Sir, from the very beginning, I did indicate that there was a cover-up in this matter. Why did the Assistant Minister deny at first that this man had disappeared? Could he tell us why Mr. Gachanja recorded a statement? Was he a suspect or a witness to the disappearance? The information I have is that Mr. Gachanja had disagreements with Mr. Kaiyaka. You have been trying to cover this man right from the beginning!

Mr. Speaker: Order, Mr. Muiruri! You have made an allegation which the Assistant Minister should have asked you to substantiate!

Mr. Samoei: Mr. Speaker, Sir, in the interest of justice, I would like to request the hon. Member to forward the information that he has to Karen Police Station and ask whoever availed that information to make a statement so that we can take it up from there.

Question No.475

REHABILITATION OF ROADS IN SUBA DISTRICT

Mr. Kajwang asked the Minister of State, Office of the President:-

- (a) which roads were earmarked for rehabilitation using the *El Nino* Emergency Fund in Suba District;
- (b) how much money was set aside for each road; and,
- (c) whether he could explain why no work has been done.

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

(a) The following roads were earmarked for rehabilitation under the *El Nino* Emergency Fund in Suba District:

Sindo-Nyandiwo Road (E114) - 47.7 Kilometres

Mbita Causeway Road (C19)

Koguat-Nyabera Road (E118) - 11.2 Kilometres

Rehabilitation works on the roads have not started because of delay in designs and big document preparations for approval by the African Development Bank.

Mr. Kajwang: Mr. Speaker, Sir, this was supposed to be the *El Nino* Emergency Fund. The *El Nino* rains were there in 1997 and it is now almost four years since then and work has not yet begun. Could the Minister inform the House whether this was supposed to be grading or gravelling? What is being rehabilitated on these roads?

Mr. Nassir: Mr. Speaker, Sir, the idea to rehabilitate the roads came from the District Development Committee's recommendations and the Government is in agreement.

Mr. Kajwang: Mr. Speaker, Sir, I did not hear what the Minister said!

Mr. Speaker: Order! Order, Mr. Kajwang! You must understand that this is an orderly House and, therefore, if you are unhappy with anything, you rise on a point of order to bring it to my attention and the House. So, what was aggraving you?

Mr. Kajwang: Mr. Speaker, Sir, the Minister has not answered my question as to whether this rehabilitation means grading, gravelling or tarmacking.

Mr. Nassir: It involves grading, Mr. Speaker, Sir.

Dr. Kituyi: On a point of order, Mr. Speaker, Sir. Much as we can understand that the hon. Nassir has problems with regard to the difference between those words, is he in order to mislead the House that *El Nino* funds are for grading roads? All *El Nino*-funded roads are gravelled roads. Does he know the difference?

Mr. Nassir: Mr. Speaker, Sir, what the hon. Member wants is a good job to be done, and that is what we are doing.

Mr. N. Nyagah: Mr. Speaker, Sir, could the Minister explain what reasons the Government has for deleting

various roads that had earlier been approved for *El Nino* funding all over the country?

Mr. Nassir: Mr. Speaker, Sir, I thought hon. Nyagah understands that the *El Nino* funds come from abroad. We only pay 10 per cent. So, he should consult with the DDC and find out what to do.

Mr. Kajwang: Mr. Speaker, Sir, the costing for the rehabilitation was done three years ago, and the roads have since been damaged even more. Will the Kshs34 million which he has set aside for the rehabilitation be used for grading these roads alone, or will there will be some money for repairing the damage which was caused since the evaluation was done?

Mr. Nassir: Mr. Speaker, Sir, we do not do so much in our office. It is the *El Nino* Fund Committee and the DC who do the work. The amount of money is allocated according to the state of the road.

Mr. Speaker: Next Question!

Question No.435

SALE OF STATE CORPORATIONS

Mr. Speaker: Mr. Gatabaki not in? Next Question!

(Loud consultations)

Order! Order! We can hardly transact business. I appreciate this is the first day, but hon. Members must make salutations quietly. The next Question by Mr. Musila is deferred to next week.

Question No.566

COMPLETION OF MWINGI BUS PARK

(Question deferred)

Question No.544

PAYMENT OF BENEFITS TO MR. AYORO'S WIDOW

Mr. Ayoki asked the Minister for Finance when the widow of the late Richard Ayoro, pensioner number APN/PC 24333, will get his benefits.

The Assistant Minister for Finance and Planning (Mr. Marrirmoi): Mr. Speaker, Sir, I beg to reply.

The widow of the late Mr. Richard Ayoro has already been paid the five-year dependence pension. Payment in respect of the pension into his arrears were dispatched to the DC, Kisumu on 20th July 2000, vide cheque numbers 135503 and 135500.

Mr. Ayoki: Mr. Speaker, Sir, this Question is about delay in payment of pensions and other benefits---

(Loud consultations)

Mr. Speaker: Order, Members! Order! Honestly we cannot hear. If I cannot hear and I am up above you, what about the hon. Members down on Benches?

Proceed!

Mr. Ayoki: Mr. Speaker, Sir, Questions pertaining to delayed payments of pensions and other benefits have been brought to this House repeatedly. What is the Assistant Minister doing to ensure that pensioners are paid in good time to avoid such inconveniences?

Mr. Marrirmoi: Mr. Speaker, Sir, there was an oversight, but it has been rectified.

Mr. Ayoki: Mr. Speaker, Sir, the Assistant Minister said that a cheque was sent in July to the DC Kisumu, and up to yesterday the widow had not received the payments. Could the Assistant Minister instruct the DC to make sure those cheques are paid promptly?

Mr. Marrirmoi: I will do so, Mr. Speaker, Sir.

Mr. Speaker: Very well!

Next Question!

Question No.252

REHABILITATION OF KIARENI WATER PROJECT

Mr. Angwenyi asked the Minister for Water Development:-

- (a) if he is aware that Kiareni Water Project stalled many years back;
- (b) if he is further aware that clean water has increasingly become a scarce resource in Kitutu Chache; and,
- (c) what immediate steps he will take to rehabilitate the Kiareni Water Project, and how much money has been allocated to the project during the current financial year.

The Assistant Minister for Environment and Natural Resources (Mr. Kofa): Mr. Speaker, Sir, I beg to reply.

- (a) I am aware.
- (b) I am not aware.

(c) The Ministry will continue to give technical support to Kiareni Water Project so that the project is implemented in phases and the completed phases put to immediate use to benefit the residents. However, since Kiareni is a self-help water project, the management committee of the project is called upon to raise funds locally or through donor support for faster completion of the project.

Mr. Angwenyi: Mr. Speaker, Sir, Kisii District and Kitutu Chache in particular are densely populated. Our water streams and rivers are highly polluted. I am surprised that an Assistant Minister, who is in charge of the water resources of this country, does not know that. I would like to inform him that we do not have clean water in Kitutu Chache.

The Assistant Minister says that this is a self-help project. When was this project converted into a self help project from a Government project?

Mr. Kofa: Mr. Speaker, Sir, the project was initiated by the local people since 1976.

Mr. Munyao: Mr. Speaker, Sir, in part "b" of his reply, the Assistant Minister admits that Kisii people need water. He went ahead to state that his Ministry is going to give technical assistance. Bearing in mind that this area is inhabited by taxpayers who make his Ministry exist, could he tell the House why he cannot give this project full support, so that it can be finished within this financial year?

Mr. Kofa: Mr. Speaker, Sir, the Government does not give allocations to the Ministry for such projects. The Ministry encourages communities to run them.

Mr. Angwenyi: Mr. Speaker, Sir, I beg to state that the Assistant Minister is stating untruths. This project was started by the Government in 1976, and every year the Government has allocated funds for this project, but they have never utilised the funds on the project.

Mr. Speaker: May I remind Mr. Angwenyi and the House that Question Time is not actually debating time. So, put the Question to the Assistant Minister and he will reply to you. If you want to argue the case, bring a Motion.

Mr. Angwenyi: Mr. Speaker, Sir, why is the Assistant Minister saying untruths in this House when I know that the project is a Government project?

Mr. Kofa: Mr. Speaker, Sir, this project was initiated and started by the local people. Every now and again the Ministry came in to assist whenever it could. In fact, it set aside Kshs7.2 million for this project. So, the Ministry is not absolutely out of this project.

Mr. Speaker: Next Question!

Question No.310

REVIEW OF WAGE GUIDELINES

Mr. Ndicho asked the Minister for Labour owing to the very low salaries paid to factory workers, coffee and tea estate workers *vis-a-vis* the high cost of living today, when he will as a matter of urgency review the salary guidelines and/or liberalise the salary scales in order to enable these workers attract higher salaries.

The Minister for Labour (Mr. Ngutu): Mr. Speaker, Sir, I beg to reply.

While I agree with hon. Ndicho that the real wages for Kenyan workers have declined over time, the truth of the matter is that the overall performance of the economy has equally been declining over the same period. The hon.

Member is aware that in 1995 the economy grew at the rate of 4.8 per cent, but in the ensuing years, it has been trying to register a dismal growth of 1.4 per cent, especially in 1999.

It is largely the growth of the economy that determines the levels of wage earnings that workers are entitled to. The determination of salaries for various sectors and individual firms depends on the collective bargaining agreement negotiated between those respective institutions. My Ministry role is to ensure that terms and conditions of workers are complied with and conform to the wage guidelines. My Ministry in collaboration with both FKE and COTU are taking steps towards the establishment of a productivity centre. The centre will ensure that workers get remunerated according to productivity and not merely considering changes in the cost of living. When this is accomplished, the question of liberalizing the labour market shall be addressed.

Mr. Ndicho: Mr. Speaker, Sir, I am not satisfied with the Minister's answer because employers in this country take advantage of these wage guidelines. Already there are many coffee and tea pickers and general workers in factories in Ruiru, Thika and Nairobi, who are paid as little as Kshs1,700 per month. Those are the wage guidelines. The Minister is talking about the creation of a productivity centre. He says that when this productivity centre is established then the issue of liberalizing the labour market will be addressed. In view of the fact that the cost of living today is very high - and the Minister himself is earning over Kshs500,000 while paying his employees Kshs1,700 - could he consider removing by Ministerial Order, the wage guidelines so that employers do not take advantage of them and pay workers inadequately?

Mr. Ngutu: Mr. Speaker, Sir, the National Development Plan 1997 - 2001 recommended the liberalization of the labour market through abolition of wage guidelines. The plan, however, fell short of giving an alternative once the guidelines are abolished.

Mr. Ndicho: On a point of order, Mr. Speaker, Sir. I have asked a very specific and simple question. Could the Minister forget about the academic issues involved here and abolish wage guidelines? When will this productivity centre start operating? My question is as simple as that.

(Loud consultations)

Mr. Speaker: Order! First of all, give yourself a chance to hear. I think you are not following the proceedings. That is why I am not getting as many as usual, hon. Members wishing to participate on supplementary questions. So, please, give yourself a chance. Salute each other quietly. I know you have to do that and I encourage you to do so quietly. For the benefit of all of us, please, hon. Members must rise on points of order and not on supplementary questions. Do not take a short-circuit to catch my eye by raising a false point of order. Mr. Ndicho, that was a supplementary question.

Mr. Ndicho: On a point of order, Mr. Speaker, Sir. You are the one who did not follow the proceedings.

Mr. Speaker: Who?

Mr. Ndicho: You! This is because I was repeating what I had asked the Minister. I told him not to read another lengthy answer because he will be giving the same answer that he had given.

Mr. Speaker: Order, Mr. Ndicho! First of all, you are not in charge of proceedings in this House. So, you cannot tell him how to answer you. I am in charge. Therefore, you are out of order. If you stand there quietly, I will give you a chance to ask the same question properly. Would you like to ask the same question?

Mr. Ndicho: Mr. Speaker, Sir, he knows the question.

Mr. Speaker: Order, Mr. Ndicho!

Mr. Ndicho: Mr. Speaker, Sir, in view of the fact that we experiencing high cost of living today, could the Minister now abolish the wage guidelines, so that employers do not hide behind them to pay Kenyans very little salaries?

Mr. Ngutu: Mr. Speaker, Sir, it is not possible to abolish the wage guidelines at the moment due to various factors. We have already reviewed these wage guidelines several times. Due to the current economic conditions, it is not possible to abolish the wage guidelines until such a time they are fully discussed and a suitable conclusion reached by all parties involved.

Mr. Kibicho: Mr. Speaker, Sir, the economy of this country has declined. But notwithstanding that decline, the Government has removed price controls and interest rates are governed by market forces. Is it not very shameful for this Government to continue treating citizens as slaves, so that the multinationals and other people who have capital continue to benefit from their labour through unjustified bargaining agreements? Would the Minister agree with me that these agreements between the trade unions and employers are unfair? Why can this Government not allow workers to negotiate directly, depending on the size and profit of the enterprise?

Mr. Ngutu: Mr. Speaker, Sir, these agreements are reached after discussions between the workers'

representatives, who know very well about their problems; employers and officers from the Ministry of Labour. We reach an agreement without any malice at all. The current economic situation does not allow us to abolish the wage guidelines.

Mr. Speaker: Next Question, Mr. Muihia!

Question No.431

RESEALING OF ROADS IN GATUNDU SOUTH

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

(a) if he is aware that M/s. S.S. Mehta and Sons Limited were given a contract in 1997/98 to reseal 78 kilometres of tarmac roads: D 397 - Thika road to Gatundu, and D 398 - Ruiru, Ng'enda-Kiganjo - Ichaweri in Gatundu South Constituency and paid a total of Kshs228 million;

(b) if he is further aware that only a stretch of 24 kilometres was resealed and a further 28- kilometre stretch of potholes patched up; and,

(c) if he could inform the House who was paid the amount for the 26 kilometres of road not resealed and what action he intends to take to recover the funds paid for incomplete work.

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

(a) I am aware that M/s. S.S. Mehta and Sons Limited were given a contract in 1997/98 to reseal 78 kilometres of tarmac roads: D 397 - Thika road to Gatundu, and D 398 - Ruiru-Ng'enda-Kiganjo - Ichaweri in Gatundu South Constituency at a cost of Kshs228,140,713.

(b) I am not aware of part "b".

(c) I am not aware that somebody was paid some amount for 26 kilometres of road not done.

Mr. Muihia: Mr. Speaker, Sir, the answer given by the Assistant Minister is very simplistic and lacks any merit. I asked a specific question: Whether he is aware that a contract for Kshs228 million was given to repair 78 kilometres, of which he is aware. Can the Assistant Minister confirm that we have 78 kilometres on the contract? I have a difference here; on road D 398 - Ruiru-Kiganjo, 23 kilometres and Kiganjo-Mundoro 12.3, kilometres. The connection between road D 38 and D 37, Kiganjo-Githioro is 5.3 kilometres long. That makes a total of 40.6 kilometres. D 397, Kenyatta Road to Gatundu, 24 kilometres long. That makes a total of 64 kilometres. Can the Minister tell us where the 28 kilometres which was paid for out of the 78 kilometres came from?

Eng. Rotich: Mr. Speaker, Sir, the contracted kilometres are 79 and not 78. I have a list that shows what was supposed to be done in every distance of that road.

Mr. Speaker: Eng. Rotich, could you table that list? Today being the first day, I have quite a lot of questions on the Order Paper.

Eng. Rotich: Mr. Speaker, Sir, the total distance is 79 and not 78 kilometres.

Mr. Ndicho: Mr. Speaker, Sir, the roads that the Assistant Minister says were contracted to be done in 1997/98 have completely peeled off. M/s. Mehta and Sons Limited, Kabuto Limited and M/s. Krishan Behal and Sons Construction Company are notorious road companies who do sub-standard jobs. Can the Assistant Minister assure this House that in the next tender, the contractor will be an African and that there will be a proper supervision from his Ministry, which lacks in this situation?

Eng. Rotich: Mr. Speaker, Sir, I can confirm to the House that the next contractor will be a good contractor, but not necessarily an African. The job will be supervised because we have intensified supervision of road works at the moment.

Mr. Raila: Mr. Speaker, Sir, the figures given here are Kshs228 million to reseal a 79 - kilometre road. That is nearly Kshs30 million per kilometre for resealing and not retarmacking. Is the Assistant Minister satisfied that there was no massive rip-off in that project? If so, will you give an undertaking to the House that he is going to do something about that massive rip-off?

Eng. Rotich: Mr. Speaker, Sir, I am not aware of the massive rip-off. However, it is true that the rates were on the higher side.

Mr. Angwenyi: Mr. Speaker, Sir, the Assistant Minister has admitted that the rates were on the higher side and this is a poor country. Can he take steps to recover the overpayment?

Eng. Rotich: Mr. Speaker, Sir, there was no overpayment. I wish to correct one part, it was not Kshs30 million; it was Kshs3 million per kilometre. If you divide Kshs228 million by 79, you get Kshs3 million per kilometre and not Kshs30 million per kilometre. However, but there is no overpayment on this project at the moment.

Mr. Muihia: Mr. Speaker, Sir, I would like to seek your indulgence on this matter. I am talking about a rip-

off of 26 kilometres which was not done in Gatundu South Constituency. I have the figures and I have taken the measurements. Can you guide me on whether we should refer this Question to the Committee on Energy Communications and Public Works to do further investigations to try and recover the massive amount of money that was stolen in 1997/98, maybe, to finance the KANU elections in Gatundu?

Eng. Rotich: Mr. Speaker, Sir, I do not think it is necessary. We have paid 73 per cent of the cost and we have done 73 per cent of the works. So, there is a percentage which has not been done and has not been paid for.

Mr. Speaker: Next Question, Mr. Mwiraria!

Mr. Muihia: Mr. Speaker, Sir, I am not satisfied.

Mr. Speaker: Order! Order, Mr. Muihia!

Mr. Muihia: Mr. Speaker, Sir---

Mr. Speaker: Order! Order, Members! I think it is proper that on the very first day on our resumption of duty, Members must be reminded that it is in their own interest and that of the nation as a whole that we keep to the rules of the House and behave ourselves in an orderly fashion. If you are dissatisfied, Mr. Muihia, on a Question, either you stand on a point of order to ask Mr. Speaker to accede to your request, or if you are dissatisfied with the answer, proceed under Standing Order No.18.

Mr. Muihia: Mr. Speaker, Sir, I have made my position. You have gone to the next Question when I was not satisfied. The Assistant Minister had admitted that---

Mr. Speaker: Order, Mr. Muihia! Thou must sit down now! What are you on now; are you on a point of order?

Mr. Muihia: Mr. Speaker, Sir, I am inquiring---

Mr. Speaker: Order! Order! Mr. Muihia, what are you on? Do you think you have two legs to stand on?

Mr. Muihia: On a point of order, Mr. Speaker, Sir. Can I seek your indulgence to refer this matter to the Committee dealing with roads to investigate it thoroughly?

Mr. Speaker: Order! It would not happen. Once the Question has come to the House, the rules apply. You should choose either to go to the Departmental Committee or to the House. If you do come to the House, the House will deal with the matter. For six months, it will not be deliberated upon. That must be made clear and that is the rule.

Mr. Angwenyi: On a point of order, Mr. Speaker, Sir. Is the Assistant Minister in order to tell this House that 73 per cent of the work has been done when, in fact, it is only 24 kilometres which have been done out of 79? That is for only one-third and not 73 per cent, and so, they have overpaid that contractor. They have made the country borrow money through Treasury Bills which have increased interest rates in this country. Will the Assistant Minister recover the money?

Mr. Speaker: Mr. Assistant Minister, honestly, except for the rules, I would have given half an-hour for the Question on roads and unfaithful contractors. You have heard the sentiments of hon. Members. Would you like to revisit this issue, so that it can come back to the House?

(Applause)

Eng. Rotich: Mr. Speaker, Sir, I thought I had exhausted this, but if it is the wish of the House that this be done, I have no problem.

Mr. Speaker: Very well! Can I give you two or three weeks?

Eng. Rotich: Give me three weeks, Mr. Speaker, Sir.

Mr. Speaker: Very well! The Question is deferred. Next Question, Mr. Mwiraria!

(Question deferred)

Question No.343

MURDER OF MR. KOOME

Mr. Mwiraria asked the Attorney-General:-

(a) if he is aware that Mr. Franklin Koome died on 30th October, 1999, following a fight with other young men and that the police carried out investigations and recommended that two young men be charged with his murder;

(b) if he is further aware that the two were charged under Section 233 of the Criminal Procedure Code and an Inquest No.17/97 instituted instead; and,

(c) if he could inform the House whether he is satisfied that justice is being done in this case.

The Attorney-General (Mr. Wako): Mr. Speaker, Sir, I beg to reply.

(a) I am aware that the deceased, Franklin Koome, was killed in a fracas on 30th October, 1996, and not 1999 as alleged by the Questioner. Following the said death, two people, Ericson Githinji Kimathi and Mwenda Mberia, were charged with murder.

(b) I am aware that the two accused persons were discharged for lack of sufficient evidence. Subsequently, Inquest No.17/97 was instituted. Two witnesses testified on 28th September, 1998, but the file went missing, occasioning several adjournments.

(c) I am not satisfied that justice is being done in this case. I have perused the file and consequently ordered that the two young men be arrested, charged and prosecuted for the offence of murder.

Mr. Mwiraria: Mr. Speaker, Sir, I thank the hon. Attorney-General for answer to part "c", where he admits that justice is not being done and that he has ordered the two young men to be picked up again and charged with murder. But the reply raises several questions because somebody was killed in a fracas where there were witnesses. They all recorded statements and yet, instead of being charged with murder, the whole matter was turned into an inquest. The first supplementary question I want to put to the Attorney-General is: Is he aware of the fact that money changed hands? That is why this case did not go the way it should have gone. What is the Attorney-General doing to make sure that the offices of the State Counsels are not abused, and that State Counsels do not remain in one place for too long to begin abusing their offices?

Mr. Wako: Mr. Speaker, Sir, as to the State Counsels remaining for too long at their stations, the Attorney-General's Office, in compliance with the general instructions regarding civil servants, is implementing the policy that State Counsels should not stay in one station for more than three or four years. That is being implemented. Also, whenever an incident occurs involving any public officer, be it a State Counsel or a policeman, and an allegation of corruption is made, I always order investigations into that allegation. I can tell you that right now, there are one or two State Counsels and many policemen who are facing the charges of corruption in court.

Mr. Murungi: Mr. Speaker, Sir, this is not the first time the State Counsel in Meru has abused the judicial process and the powers of the prosecutor. The Attorney-General (AG) will recall that I have had occasions to complain about a particular State Counsel in the past. In that case, the State Counsel was supposed to forward a file to the Attorney-General for his consent, but instead of doing so, he went ahead and withdrew the case under Section 87A of the Penal Code. The question I would like to put to the Attorney-General is: Could he consider either suspending or removing the particular State Counsel from Meru with immediate effect?

Mr. Wako: Mr. Speaker, Sir, those aspects are being looked into. We are undertaking an overhaul exercise of transfer within the Attorney-General's Office, throughout the country. That is now being implemented. You will agree with me that what is important is to ensure that when we come across instances of this nature, action is taken. My learned friend will agree that in that particular case of his, my office took action to rectify the situation.

Mr. Muchiri: Mr. Speaker, Sir, something is very wrong with this case. First, there is the issue of those people who witnessed the incident, and secondly, there is the issue of those people who were arrested, taken to court and, finally, discharged. There are also the issues of inquest and perusal of the file by the Attorney-General, so that he could consent to the prosecution of the suspects. The question here is: Is the Attorney-General blaming the police, the magistrate or the State Counsel? What action is he going to take against whoever he is blaming?

Mr. Wako: Mr. Speaker, Sir, as I said, the file for this particular case is missing. We do not know who is responsible for that act as of now. The decision of whether facts of a case disclose sufficient evidence to charge a suspect with murder can be within the discretion of the State Counsel. One can sometimes be wrong in exercising such discretion. It is an issue of exercising one's discretion. In this particular case, the State counsel exercised his discretion incorrectly.

Mr. Speaker: Could you ask your final question, Mr. Mwiraria?

Mr. Mwiraria: Mr. Speaker, Sir, in his reply, the Attorney-General admits that the court file disappeared and that it is still missing. One of the problems facing Kenyans who seek legal redress in courts is the disappearance of case files. The Attorney-General knows that fees charged by advocates are very high and that very few people can afford to pay. When a file goes missing and a case is mentioned throughout a year, or two, the complainant pays the advocate handling such a case for no business at all. What will the Attorney-General do to solve the problem of missing files once and for all?

Mr. Wako: Mr. Speaker, Sir, my office is aware of the problem of files that go missing in court registries, which is a common problem in all registries within the public service system. I am, however, glad to inform the hon. Member that my office has taken action regarding this matter. We have formed the Legal Sector Reform Co-ordination Committee (LSRCC), which has come up with an action plan. One of its recommendations is to computerise all

registries in the sector, including court registries. Already, pilot studies have been undertaken in Mombasa and Nairobi. Hon. Members may have seen advertisements in newspapers, inviting consultants to come and advise on how court registries can be computerised. Hopefully, with that in place, there will be few cases of disappearance of court case files.

Secondly, we have alerted the Criminal Investigation Department (CID) to lay down some strategies on how to catch up with the culprits, particularly at the registry level, who are responsible for the disappearance of court files.

Mr. Speaker: Very well! For the second time, Dr. Kituyi's Question!

Dr. Kituyi: Mr. Speaker, Sir, before I ask my Question, I would like to apologise for coming a bit late.

Question No.351

PROLIFERATION OF RELIGIOUS CULTS/SECTS

Dr. Kituyi asked the Minister of State, Office of the President, in light of the genocidal events which happened in Kanungu and Kalingo Townships of South Western Uganda, what action the Government is taking to protect gullible Kenyans from the acts of conmen behind the proliferation of religious cults and sects.

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

While freedom of worship is guaranteed in our Constitution, it is a prerequisite for all religious organisations to be registered with the Registrar of Societies, in which case they are subjected to vetting and a detailed report given by our security intelligence personnel before registration is approved, to ensure that such organisations do not pose a security risk to our country. The aftermath of the Kanungu/Kalingo massacre in Uganda has made this country's Government more alert in authorising the registration of new religious organisations. At the moment, the Government is undertaking intensive investigations into the already registered religious organisations for security reasons, and those organisations which will be found wanting will be de-registered. While it remains an individual's choice to embrace a faith, the public should be aware of the proliferating new cults and sects and should satisfy themselves that whatever organisations they choose to be long to have acceptable ethics before joining them. We have further warned members of the public of the dangers posed to individuals and the general security risk to the country by organisations that are not registered, but which are masquerading as operational organisations.

Dr. Kituyi: Mr. Speaker, Sir, many of us know of some outrageous conduct in certain cults and sects in this country. We know of crazy conduct by some leaders. For instance, in a church led by one Pope John Paul Pesa, a convicted sodomist, people are chained to stools. We have had a case of perpetual fights in the Church of God, in Buru Buru, because of a crazy man from my part of the country. We have a church near Adams Arcade where the middle class people are being bled dry by some Nigerian conman. Could the Assistant Minister tell us specific measures he has undertaken to reduce the excesses of the examples I have given and the specific investigations he has carried out since it was first reported in the Press that, one, some of the perpetrators of the madness that was witnessed in Uganda crossed into Kenya; two, a church in Eastlands has been recruiting street urchins to be trained as dogs of war to fight in the Democratic Republic of Congo (DRC)?

Mr. Samoei: Mr. Speaker, Sir, I appreciate the statements made by hon. Dr. Kituyi, and would like to assure this House that we have taken specific measures with respect to already registered religious organisations. Regarding the case of the church in Adams Arcade, the Winners Chapel, referred to by hon. Dr. Kituyi, we are taking specific keen interest in its registration. Investigations into the activities of that particular church, among others, are under way. We are specifically targeting the registration of those churches, and in the very near future, we should be making a decision as to whether it should remain a registered religious organisation in this country or not. We realise the dangers posed by such organisations, including the infamous *Mungiki* Sect. Leaders in this country are yet to make their stand known regarding this sect despite the fact that it poses a security threat to this country.

(Loud consultations)

Mr. Speaker: Order now!

Mr. Samoei: So, we are making deliberate and specific efforts to ensure that organisations that fall short of the expectation---

Mr. Speaker: Mr. Samoei, could you be conscious of the time factor?

Mr. Samoei: Yes, Sir. Those religious organisations which fall short of the expectations of the Registrar of Societies will be de-registered.

Mr. Raila: On a point of order, Mr. Speaker, Sir. The Assistant Minister and hon. Dr. Kituyi have made very irresponsible remarks with respect to Winners Chapel, which is a very respectable church in Nigeria, where I came from two days ago. Are they in order to make some insinuations about an institution that is respected not only in Nigeria, but in the rest of Africa because of an inter-religious war that we know is going on in this country?

Mr. Samoei: Mr. Speaker, Sir, the Assistant Minister will not be intimidated by the success of that organisation elsewhere, whether in Nigeria or wherever.

(Applause)

The specific conduct of that particular organisation in this country is suspect, and we will assess its registration *vis-a-vis* its conduct, and if we do discover that it falls short of our expectations, we will de-register that organisation or any other.

Mr. Speaker: Time is up!

Hon. Members: On a point of order, Mr. Speaker, Sir.

Mr. Speaker: Order! Hon. Gatabaki, I would like to know from you whether we can defer your Question to tomorrow afternoon, or do you prefer another time?

Mr. Gatabaki: Mr. Speaker, Sir, it is so urgent that the sooner we have it the better so that we know the fate of our nation in the hands of this evil regime!

(Laughter)

Question No.435

SALE OF STATE CORPORATIONS

(Question deferred)

Mr. Speaker: Order!

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

Mr. Speaker: Order, Mr. Gatabaki! Please, again, I ask hon. Members, on the very first day of the House, to keep order.

Hon. Wanjala, I can give you tomorrow morning or tomorrow afternoon; which one do you prefer? Is hon. Wanjala not here?

QUESTION BY PRIVATE NOTICE

REPAIR OF SIGIRI FERRY

(Mr. Wanjala) to ask the Minister for Roads and Public Works:-

(a) Is the Minister aware that Sigiri Ferry in Budalangi Division, Busia district on River Nzoia, which connects the Northern and Southern Bunyala, has broken down making communication in this flood-prone division impassable?

(b) What urgent steps is the Minister taking to repair the ferry to ease communication on this busy ferry?

(c) Could the Minister consider constructing a bridge on the river instead of a ferry which frequently breaks down?

Hon. Members: Let him ask it tomorrow afternoon!

Mr. Speaker: Anyway, I will give him a chance tomorrow morning!

(Question deferred)

Next Order!

COMMITTEE OF SUPPLY

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

MOTION

THAT MR. SPEAKER DO NOW LEAVE THE CHAIR

Vote 01 - Office of the President

The Minister of State, Office of the President (Maj. Madoka): Mr. Speaker, Sir, I beg to move that Mr. Speaker do now leave the Chair.

May I, first of all, thank this House and all hon. Members who, through their comments and suggestions, have over the years assisted us to streamline and improve my Ministry's delivery of services to Kenyans. I want to particularly thank Members of the Departmental Committee on Administration, National Security and Local Authorities for their useful comments when we sat with them.

The main issue before us today concerns the budgetary provisions for my Ministry for the period 2000/2001. However, before entering into the financial details, I would like to comment briefly on some of my Ministry's key responsibilities and challenges as well as the efforts we are making to tackle various problems we are facing.

Poverty is one of the most critical challenges facing Kenya today, and the Government has put in place strategies to combat the problem which afflicts up to 52 per cent of the population. The Office of the President (OP) will play a leading role in the fight against poverty and will continue to provide leadership, policy direction and set the momentum for achieving social political and economic development of our country. That is in harmony with the mission of the OP which has the following core functions:-

1. Organising and co-ordinating Government Business.
2. Provincial Administration
3. Policy Analysis and Research.
4. Provision of Internal Security.
5. Immigration Services.
6. Registration of persons, births and deaths.
7. Disaster and emergency response.
8. Management of airports.
9. Training of youths in national building.
10. Management of national game parks and reserves.
11. Co-ordination of poverty alleviation programmes.
12. Creation of awareness on HIV/AIDS pandemic.
13. Rehabilitation of infrastructure damaged by *El Nino* rains.
14. Printing and distributing of Government documents.
15. Prevention of corruption.

Mr. Speaker, Sir, if I may ask for your indulgence, I can hardly hear myself because the hon. Members are consulting loudly. I want to add that despite numerous challenges, the OP has continued to carry out those functions ably---

Mr. N. Nyagah: On a point of order, Mr. Speaker, Sir. I do realise that as the Deputy Leader of Government Business was consulting with you, the Minister of State, Office of the President, was asking for your indulgence so that you may ask the hon. Members to be a bit silent because he can hardly hear himself.

Mr. Speaker: Order! I do not think that it is right that I should call for order all the time. Hon. Members, I think you should listen because that is what we are paid to do.

Proceed, Maj. Madoka.

The Minister of State, Office of the President (Maj. Madoka): Thank you, Mr. Speaker, Sir. I would like to thank hon. N. Nyagah for coming to my support.

I want to add that despite numerous challenges, the OP has continued to carry out those functions ably within the available resources. In view of limitation of time to my speech, it will not be possible to explain in detail my Ministry's activities and achievements in each of those functions. I will, therefore, limit myself to some of the most critical areas.

One, on security, the provision and guarantee of national security as well as maintenance of law and order is a primary function of the State. Without the guarantee of security, it is impossible for the citizens to freely engage in development activities. As hon. Members are fully aware, Kenyans have in recent times witnessed increased cases of

violent crimes, including car-jackings, mugging and armed robberies in the urban centres while in the rural areas cattle rustling and banditry have become more prevalent and more violent. That situation has generated considerable concern amongst the law-abiding citizens, with some questioning the efficiency of the Kenya Police Force. I want to assure hon. Members that the Kenya Police Force is well trained in various aspects of crime control and the maintenance of law and order, including public relations and human rights. However, some officers have sometimes overstepped their legal mandate, thereby maligning the good name of the Force. The Government will deal with such officers in accordance with the law individually.

Turning back to the issue of security, in general, Kenyans have enjoyed relative peace since Independence. Accordingly, it has not been necessary for us to maintain a large police force, but the situation is now different. During the last decade or so, the proliferation of conflicts in some of our neighbouring countries has resulted in the flow of illegal firearms into our country. In addition, the move towards regional integration has enabled criminal gangs, especially those related to drug trafficking and more vehicle thefts, to form cross-border networks while also becoming more sophisticated in their activities.

In the current financial year specific measures will be taken to tackle problems affecting security personnel such as poor terms and conditions of service, inadequate transport facilities, outdated communications equipment, insufficient operating funds, poor and inadequate housing as well as the low ratio of police personnel to the number of citizens which currently stands at 1 to 960. I will count on the support of hon. Members in solving these problems as well as ensuring that the ratio of police personnel is brought closer to the level recommended by the United Nations of 1:450.

I have dealt with the issue of security at the outset because of its critical importance to the development and well being of our society and also because of the concerns voiced at various fora regarding the subject. I now wish to draw hon. Members attention to the other core functions of the Office of the President which have financial responsibility. The Cabinet Office is charged with the responsibility of ensuring that the public service is managed and co-ordinated effectively and efficiently. Its main activities include organisation and co-ordination of Government business, Cabinet affairs, national defence policy, state corporations, advisory committee, appointment of commissions of inquiry and provision of policy direction through policy analysis and research. The Provincial Administration is another core department in the Office of the President. Through its provincial and district personnel the department co-ordinates and operationalises Government activities especially in the rural areas where more than 80 per-cent of Kenyans live. The department also works closely with other departments in the Office of the President and Government Ministries.

In the financial year 2000/2001, the Provincial Administration will play a major role in disseminating Government policy, supporting poverty reduction initiative, HIV/AIDS control awareness and famine relief activities. In addition, the department will continue to ensure that peace prevails among different communities by providing a forum for members of these communities to sit together and resolve their differences amicably. The department will also continue to provide specialised services such as district treasury and procurement services. Further, it will undertake training and retraining of all administrators in the country in order to enhance their capability to perform the above function. With regard to registration of persons the issuance of identity cards to all adult Kenyan citizens is necessary if they are to enjoy in full their rights and privileges as guaranteed by the Constitution. Accordingly, during the financial year 2000/2001, the National Registration Bureau intends to register and issue identity cards to an estimated 400,000 new applicants and to replace 500,000 lost or mutilated identity cards. In addition, the department will undertake computerisation of fingerprints records with a view to enhancing efficiency in the provision of fingerprint related services.

The Immigration Department plays a major security and economic role. As crime detection systems in developed countries continue to improve, drug traffickers and other criminal elements are transferring their operations to developing countries. Indeed, the Government views with serious concern incidents of international cross-border crime including terrorism, drug trafficking, money laundering illegal arms trade amongst others. My Ministry will continue to strengthen the capacity of the immigration service to cope with these and many other emergent challenges. During the current financial year, provision has been made for acquiring additional facilities including computerisation, security printing of documents, purchase of motor vehicles and communication equipment and training of personnel. We are committed to ensuring that Kenya remains most inhospitable to criminal elements.

Another important function of my Ministry is eradication and prevention of corruption. It is in this regard that Kenya Anti-Corruption Authority is charged with the responsibility of ensuring zero tolerance for corruption in our society. The Authority will ensure strict enforcement of the law against corruption. It will also engage in public education activities in order to enlist the support of the public against corruption. Towards this end funds will be required to enable the Authority to set up offices at the Coast, Rift Valley and Western Provinces. There are other departments listed under the core functions of my Ministry whose activities I cannot enumerate in detail due to the

limitations of time. However, I wish to reaffirm to the hon. Members that all departments under my Ministry will play their respective roles in contributing to the eradication of poverty, revitalisation of the economy and the improvement of wellbeing of the Kenyan people.

Having explained the functions of the Office of the President, the various challenges we face and the measures intended to counter these challenges, I now wish to turn to the financing of the activities of my Ministry. In the current Budget, my Ministry has been funded through the new planning and budgetary system of the Medium Term Expenditure Framework (MTEF) under the following sectors:-

	Recurrent (Kshs)	Development (Kshs)
Public Administration	8,449,424,818	46,000,000
Human Resource		
Development	652,877,408	
Trade, Tourism and		
Industry	861,900,000	
Public Safety Law and		
Order	3,409,600,000	250,000,000
Agriculture and Rural		
Development	6,247,460	
Physical Infrastructure	288,800,000	
Items for Purchase of		
Maize	<u>1,500,000,000</u>	
Total	<u>15,252,220,520</u>	

This is the net allocations for recurrent expenditure for the Office of the President compared to the net provision of Kshs13,155,363,040 for the 1999/2000 financial year. Thus it reflects a net increase of Kshs2,096,867,480. The increase is mainly due to additional provisions for the purchase of maize for distribution to drought-stricken areas, accounting adjustments and computerisation of the Immigration Department as follows:

Purchase of maize - Kshs1,500,000,000.

Accounting adjustments - Kshs717,000,000.

Computerisation of the Immigration Department - Kshs126,505,000.

Grants to the National Aids Control Council - Kshs140,000,000.

The total gross increase is, therefore, Kshs2,483,505,000. The voted provision for the current Vote will be spent under the following Sub Heads:

On the General Administration and Planning, we have Kshs3,828,403,325. There is an increase of Kshs1,116,259,365. On the Field Administration Services, we have Kshs1,843,798,569. There is a decrease of Kshs178,134,411. On the Administration Police Services, we have Kshs1,863,363,351. We have an increase of Kshs88,065,691. On the Government Press, we have Kshs625,777,474. There is an increase of Kshs286,542,174. On the National Youth Service, we have Kshs677,389,318. There is a decrease of Kshs6,302,022. The Immigration Department has a deficit of Kshs441,342,399. On the Police Force, we have Kshs5,674,969,544, showing an increase of Kshs500,439,584. On the General Service Unit, we have Kshs1,179,861,338. There is an increase of Kshs80,122,118. That shows what accounts for our Kshs15,252,220,520.

Mr. Speaker, Sir, included in the Recurrent Vote is a provision of Kshs1,500,000,000, under Head 275. It is meant for relief and rehabilitation. It is intended to purchase maize for drought and relief purposes. There is also a provision of Kshs140,000,000, under Head 603, for the National Aids Control Council. Those are grants. A new Head, that is 602, has been created. It is on Policy Analysis and Research, with a provision of Kshs5 billion. It has been created for policy direction.

Mr. Speaker, Sir, on the Development Vote, the Ministry's gross expenditure amounts to Kshs3,804,925,690. The amount is less than the previous financial year's approved gross expenditure of Kshs9,349,647,500. It represents a reduction of 59.3 per cent, or Kshs5,542,721,810. The substantial decrease in the Ministry's gross estimates is due to the reduction in the ceiling of the Medium Term Expenditure Framework's permanent Budget. The Ministry's development funds are accounted for under the following Sub-Votes:

On the General Administration and Planning, there is Kshs3,249,820,690. There is a decrease of Kshs5,256,046,810. Under the Field and Administration Services, we have Kshs37,300,000. There is a decrease of Kshs89,700,000. On the Administration Police Services, we have Kshs18,050,000. On the Government Press, we have Kshs10,050,000. On the National Youth Service, we have Kshs253,705. On the Kenya Airports Authority, we have Kshs26 million. On the Immigration Department, we have Kshs1 billion. On the Police Force, we have

Kshs185,000. Some of those voted funds will be utilised in financing the on-going core projects and settlement of unpaid bills carried forward from the previous financial year.

Mr. Speaker, Sir, out of the Ministry's gross approved estimates on development expenditure, the donor community will contribute Kshs1,929,000,000, in the form of loans; and Kshs1,234,000,000 as grants.

Mr. Speaker, Sir, the following projects will benefit:

Arid Lands Resource Management Project.

The *El Nino* Emergency Project.

The Tana Basin Roads Project.

Mr. Speaker, Sir, money availed in the form of grants will finance the following projects and programmes:

Grants to the Kenya Anti-Corruption Authority.

Drought Monitoring.

Poverty Eradication.

Relief and Rehabilitation.

Arid Lands Resource Projects.

Mr. Speaker, Sir, during the year, the Ministry is expected to collect Kshs1,159,783,557 in Appropriations-in-Aid under the Recurrent Vote. The money will be collected from the following major areas:

Registration of births.

Sale of goods and services.

Sale of equipment and so on.

In conclusion, Mr. Speaker, Sir, I would like to assure the House that, the money being requested for will be spent in accordance with the guidelines laid down by the Medium Term Expenditure Framework budgeting process, to achieve maximum returns in line with the 2000/2001 Budget theme of "Poverty Reduction for Sustainable Development."

With those remarks, I beg to move.

The Minister of State, Office of the President (Mr. ole Ntimama): Mr. Speaker, Sir, I beg to second the Motion on the Vote of the Office of the President.

(Question proposed)

Mrs. Seii: Mr. Speaker, Sir, I wish to respond to what the Minister of State, Office of the President, has read out and elaborated.

Mr. Angwenyi: On a point of order, Mr. Speaker, Sir. I rise on Standing Order No.21 seeking adjournment of this debate until we discuss the Aringo Motion, which will be brought here tomorrow morning.

(Applause)

Mr. Speaker: Order! Overruled! Proceed, Mrs. Seii.

(Mr. Angwenyi stood up in his place)

Mr. Speaker: Order! Order! Mr. Angwenyi, you are becoming vexatious. Read the Standing Orders correctly. A Supply Motion cannot be interrupted under any Standing Order, and neither can a Motion of Adjournment be advanced in the House. So, please, you are being vexatious!

Mr. Angwenyi: Mr. Speaker, Sir, we are learning.

Mr. Speaker: Order! Order, Mr. Angwenyi! You have learnt now. The learning point is this, Mr. Angwenyi, and for the benefit of all hon. Members; now that you have a copy of the Standing Orders there, just turn it over and you will find the Committee of Supply, where it is stated clearly--- Look at page 49; it is stated that a debate on the Committee of Supply will not be interrupted under any Standing Order, including Standing Order No.21 or any other Standing Order that you may wish to quote. So, you are out of order.

Mr. Angwenyi: Mr. Speaker, Sir, Standing Order No.137 only refers to the Committee of Ways and Means. It does not refer to the Committee of Supply.

Mr. Speaker: Order, Mr. Angwenyi! I have told you to look at the Committee of Supply. If you bother to read it, it says:

"The Provisions relating to the Committee of Ways and Means will apply *mutatis mutandis* to the Committee of Supply."

So, please, relax! Proceed, Mrs. Seii.

Mrs. Seii: Mr. Speaker, Sir, in responding to the Minister of State, Office of the President, I would like to pick two points from his speech. First of all, it is extremely interesting to see that some of the departments have been moved to the Office of the President. Some of these departments, I suppose were moved to the Office of the President to make it convenient for "politically-corrupt" people to access monies which are allotted to these departments. I would like to talk about the monies which were allocated to the *El Nino* Emergency Fund, which should have been rightfully in the Ministry of Roads and Public Works. We know that the contracts of some of the roads which are being done by the *El Nino* Emergency Fund have been secured easily through the Office of the President, because of the control in that area.

Another programme which should have been in the Ministry of Health is the HIV/AIDS Programme. It is mind-boggling to think that the Office of the President has suddenly become an expert in matters relating to HIV/AIDS. That should rightly be in the Ministry of Health. We can conclude that the only reason why this is under the Office of the President is to make it easy for these monies to be mismanaged.

Another department which is wrongfully in the Office of the President is the Kenya Wildlife Service (KWS), which should have been in the Ministry of Tourism, Trade and Industry. I would also like to point out that the Inspectorate of State Corporations is under the Office of the President. It is wrong for such Ministries which have been deprived of their right to exercise authority to vote monies to supervise them--- We are made to understand that the Office of the President is very busy, but who can understand how busy it is when it is amassing some of these departments and, therefore, becoming inefficient and ineffective in running them.

Mr. Speaker, Sir, I would also like to look at the issue of security which the Minister has alluded to. I am sure that every Kenyan must have been shocked to read the *Sunday Nation* and see what happens within the Police Force, vide the report which was brought about by the Committee which was chosen to look into the area of crime. Of course, it was expected that the Minister of State, Office of the President, would deny the report, as he did immediately, but it is one thing to deny and another one to table some of these things, so that we can know exactly where the truth lies. The Minister of State, Office of the President, should table the report in this House, so that it can be looked into so that we can ascertain the problem that is in the Police Force. Nobody needs to be told anything about the Police Force, because anybody in the countryside or urban area knows that the police are faced with shortage of equipment and have low quality uniforms. In my lifetime, I never saw a policeman with a patched shoe, but today that is a common sight. We see policemen with torn uniforms and no equipment. The way our police is facilitated is so poor--- It is not unusual to move along a main road and find a road-block without lamps in the night, and you just pray to God that you do not knock it down. In one of these areas, I once stopped and asked the police officers why they were in darkness and they told me that they had no paraffin to light up the lamps.

The ability of the police should be enhanced by provision of equipment and facilities which they require so that they can be effective and yet, year-after-year, we come to this House and vote money for the police. This time round, we have Kshs5 billion voted for the police. If this amount of money is not enough, it would be worth doing everything possible to increase it because this alludes to the fact that there will be rampant corruption on our roads. I would like to inform this House that corruption on our roads is as a result of poor facilitation--- It is like asking a doctor to use his bare hands to operate a patient.

When we come to crime in our cities, urban areas and the country, generally, be it cattle rustling--- Cattle rustlers have superior weapons than our police. If I were a policeman, I would not dare face cattle rustlers with superior weapons and lose my life. So, you will find that we will never stop some of these crimes in our country. How can we stop them if the people who are supposed to assist us are not well equipped? The Minister has said that they are going to try, but this is a chorus which is being sang every year that "we are going to try and equip our Police Force." This has not happened and I can assure the Minister that next year, we shall read about insecurity in our country. There are so many firearms in our land today. Anybody who watched the television yesterday cannot be persuaded that this is the truth. You cannot even dare drive alone in some isolated areas because you cannot know when you can be shot at or when your car can be stolen. Why is there inefficiency and ineffectiveness in our security forces? It is simply because of frustration. Look at the houses of the policemen; it is amazing that they continue to serve in the Police Force, but I suppose that it is because they have no alternative.

Mr. Speaker, Sir, it is amazing that some policemen have served for many years in the Force. The arms and the vehicles used by the police are in a deplorable condition. You cannot even explain to anybody that those vehicles can be used. When there is a vehicle that can move, there is usually no fuel for it and year after year, we talk about improving the security situation, but that is never done. The Presidential Escort and the Anti-Stock Theft Units have quite a good amount of money voted to them. I would prefer that we increase money to some of the areas where the mwananchi will benefit.

This Government does a lot of things on its own without consulting the people, especially when it comes to

rehabilitation and famine relief food distribution. Kshs1.5 billion has been voted to that. This poverty in our land cannot be sorted out by that amount. When we talk of Kshs1.5 billion, how will it be distributed? Already, there are many complaints about the distribution of relief food and whether it is maize or anything else, it is not properly distributed. Sometimes, this relief food is withheld to be used to seek votes when time is ripe. Sometimes it is taken by chiefs, misappropriated and sold. There are many chiefs who have bought themselves big houses and vehicles out of the sale of the relief food. The relief food which will be purchased by Kshs1.5 billion will increase poverty in our country. Poverty is so rampant in our country. Fifty-two per cent of our population live below the poverty line. What do we expect if the Government, using taxes that are paid by the same people, cannot increase the amount of money to purchase rehabilitation resources? Be it maize or anything else, these things should be bought so that our people may survive.

Mr. Speaker, Sir, with the drought which has struck parts of this country, a lot of animals have died. What plans does our Government have for pastoralists who have lost their animals through natural disasters, for example drought? They have lost the animals simply because of corruption. Through corruption, the Kenya Meat Commission (KMC) went down the drain like many other corporations. What did we expect the pastoralists to do with the animals? They had to look at them and watch them die. Some of them are already grazing in the City centre. In the life of this City, we have never seen cows in the streets, but today we have seen them there. For sure, if it does not rain very soon, these cows will die. What plans does the Office of the President have in connection with the people who will soon add to the number of the poverty-stricken people? Very soon, we will be talking about 70 per cent of the population living below the poverty line. What are the plans to alleviate this? I did not hear that being mentioned.

Registration of persons has been a contentious issue because it has been connected to votes. In some areas where different ethnic groups have migrated into, people are not issued with identity cards. I know of an area where people have been asked to bring the identity cards of their grandparents. Any person with common sense will know that at this time, an identity card of a grandparent cannot be found. This is simply a way of preventing many people from being registered as voters. It is common sense that when people have no identity cards, they will not get the voters' cards and, therefore, they will not vote. I think it is time that Kenyans were treated equally, particularly, through the registration of persons. Registration of persons should not be discriminative. We should register every Kenyan regardless of where they are. Whether they come from one end of the country or the other, they should be registered where they are.

[Mr. Speaker left the Chair]

[Mr. Deputy Speaker took the Chair]

Mr. Deputy Speaker, unless we do this, we will not stand together as a nation and as Kenyans. We know very well that many people failed to vote in the last general election and even very recently, this happened. Registration of persons must be done for all people.

When we talk of poverty eradication, I do not know if the Government thinks that by retrenching its employees, it is eradicating poverty. Retrenchment has doubled the poverty level in this country. This has mainly affected widows, single mothers and people who do menial jobs, for example, secretaries in district headquarters. These are people who support quite a number of other people. They support their children and many other people. Retrenchment has increased poverty. If the Office of the President thinks that it has strategies to decrease the poverty level in this country, that will not be so as long as people will be indiscriminately retrenched without use of any criteria. We already know how this has affected so many people and they will add to the number of the poor in our land. Poverty cannot be eradicated simply by imagination and talking. Poverty must be eradicated by real actions and proper plans in terms of employment and sustaining our economy. This is not the case at this particular moment.

Mr. Deputy Speaker, Sir, I would finally like to say that the responsibilities of the Office of the President should be transferred elsewhere with immediate effect if this office will not prove to Kenyans that it is not another conduit for corruption. How can anybody tell us that the Government is committed to eradicating corruption when it voted for corruption? How can anybody say that the Government is committed to eradicating corruption when it is continuing with impunity among the highest ranks in the Government? We have to be serious and do something that will make even other people understand that we are committed to eradicating corruption. As we talk now, we should think of people who have suffered so much because of corruption. We should think of corporations such as the Kenya Creameries Corporation (KCC), KMC and the National Cereals and Produce Board (NCPB). The collapse of these corporations has so much affected our people.

Lastly, I would like to say something about the Provincial Administration. If the Government is serious about

saving money and other resources for the benefit of Kenyans, it should disband some departments such as the Provincial Administration. The Provincial Commissioners (PCs) have no jobs, whatsoever, in Kenya today, not to mention the whole hierarchy down to the District Commissioners plus their deputies. These people consume money and do not produce anything for Kenyans. Kenyans cannot benefit if we continue to talk about poverty eradication and the poor economy without doing anything tangible to reduce wastage.

Recently, Ministries were just merged without being reduced, although everybody was fooled into thinking that there was a reduction in their number. All Ministries are functioning, and it is only that several of them have been crowded together in one office. I do not believe that there has been any reduced expenditure whatsoever. How serious is our Government in reducing some of the expenses which have driven our people to the dogs? If you look at the state of our roads today, they are in a terrible condition because of corruption. But in spite of all this, the money that should have gone to roads maintenance will be taken to the Office of the President. The people who got the contracts to construct roads through the *El Nino* Fund are the same people who have got these contracts now. It is like playing hide and seek game whereby, if you are caught on this side, you move to the other side so that nobody catches you again.

Mr. Deputy Speaker, Sir, I do not believe that the Office of the President has really done much to improve the livelihood of the people in our country because all the things which have been mentioned, ranging from security to everything else, including registration of persons and what-have-you, has been in the Office of the President. Many Questions asked in this House are directed to the Office of the President and there has never been a particular answer given to them because there has not been any seriousness in dealing with these things. We simply need honesty in dealing with the resources that we have in our country. We need openness so that our people, as they enjoy the services which are given, to them know that, that is their own money which has gone to the Government through payment of taxes to the Government.

Mr. Deputy Speaker, Sir, this is a Government which lacks transparency because people are not informed! You just receive a letter dismissing you! Today you are gone and you have no job and there is no discussion! Sessional Papers must be brought into this House so that there is exhaustive discussion on some of the things which have affected our nation.

With those few remarks, I beg to sit down.

The Assistant Minister for Energy (Mr. Chanzu): Thank you Mr. Deputy Speaker, Sir, for giving me this opportunity to support this Motion on Vote 01.

Mr. Deputy Speaker, Sir, we know very well that the Office of the President is the co-ordinating office for all national activities and it is the nerve centre of all our activities as a country. We know that the Office of the President is very important when it comes to co-ordination, direction and control of all the activities meant for national development and growth. Therefore, there is need for all of us to concertedly support what the Office of the President does. In this particular case, it is good that when discussing this Vote we should criticize positively, where it is necessary in order to come up with ideas which can enhance positive growth. This is because if things do not work in the Office of the President, then we should know that all our activities are doomed. Therefore, there is need for us to support this Vote.

Mr. Deputy Speaker, Sir, the Provincial Administration plays a very big and important role in our daily lives. There are issues which we cannot deal with ordinarily, even at Ministerial levels, without Provincial Administration. There is work that is done by chiefs and there is work that is done by assistant chiefs. We have got those people who used to be called headmen or *likurus* in our place. These people play a very big role, particularly when it comes to provision of security and dissemination of information. These institutions should be supported. If anything, we should be thinking of ways on how we can improve the performance of these people's duties.

If these were days when money was plenty, I would even recommend here that, all those people below the chiefs and assistant chiefs, who do the work at the grassroots, be entitled to some kind of payment. This will help to eradicate petty corruption that would be witnessed in this aspect.

Mr. Deputy Speaker, Sir, it is almost 20 years since 1983, when the Government introduced the District Focus for Rural Development Strategy, with the intention of taking services closer to the people. The strategy was well intended for the wellbeing of Kenyans. I think there is need to support this Motion on the Vote 01; Office of the President, so that it can be more effective at the grassroots.

Mr. Deputy Speaker, Sir, there has been much talk about security. There is internal security and external security. It is time we played a role as leaders in matters to do with security. We should not just wait for things to go wrong and then we condemn a given section of the Government. It is our responsibility as citizens of this country to ensure that all is well. We should, therefore, advocate for strengthening of institutions in the Office of the President, in order for them to be more effective and efficient. Also, there is need for those institutions to be well organised. I know the intention has been good; very brilliant ideas have come up, but there are some areas where we need to lay more emphasis on organisations and equipping of those institutions in order for the security arms of the Government to work

effectively.

Mr. Deputy Speaker, Sir, the intention to have *El Nino* Programmes co-ordinated by the Office of the President was good. But I would like to suggest that, the Department in the Office of the President which is handling *El Nino* programmes, should do more than what they are doing at the moment. This is because in some of the cases, they have engaged consultants to look after projects which have already been commissioned to be done directly by various Ministries of the Government and, therefore, amounting to duplication of work, and definitely amounting to wastefulness of resources. So, I would like to urge the Minister to look into this and streamline things so that we can have a clear demarcation between what the *El Nino* programme is supposed to be doing and what the other Ministries are supposed to be doing. For example, provision of water, roads *et cetera*.

Mr. Deputy Speaker, Sir, generally, the problems which this country is facing have to do with the high rate of population growth. This is everybody's responsibility. The rate at which the population has been growing is alarming and we have all contributed to that. I think this is another aspect where I would like every Kenyan to play a role, to ensure that we are able to handle the problems emanating from the high rate of population growth. One way of handling problems of population growth is for hon. Members here, as leaders, when talking to their constituents to talk more about aspects of family planning and so on; to help in organising meetings or functions which can raise funds to cater for those who cannot be able to work for themselves because of the high rate of population growth.

Mr. Deputy Speaker, Sir, we have got another aspect which, I think, is very important and should be catered for and this is the Jua Kali sector. It is the sector which is intended to transform this country ultimately as we prepare to industrialise by the year 2020 functions must be properly organised and the funds must go to all parts of the country so that it will be one other way of working towards eradicating poverty, of course, at the same time creating employment.

Mr. Deputy Speaker, Sir, we have talked about AIDS. We have already formed constituency AIDS committees and, I think, the intended purpose is for them to play a very important role in disseminating information and educating people on the problems associated with the AIDS pandemic. Again, what has been observed here is organisation. We need proper organisation for these funds.

With those few remarks, I beg to support.

Mr. Raila: Thank you, Mr. Deputy Speaker, Sir. I want to ask some questions as I move along because I know that time is critical here. Regarding the famine relief food about which the Government has said too much of late, the position in a number of areas in the country is that it is not moving as fast as we desired, and that a number of areas which are affected are not receiving it.

Mr. Deputy Speaker, Sir, about immigration, this country is getting a very bad name every day because of mistreatment of foreigners at our airport. To be exact, on Thursday last week, a very renowned professional, Prof. Taban Lo Liyong, was made to spend a night on the benches at Jomo Kenyatta International Airport while on transit to attend a conference in Nigeria. Prof. Taban Lo Liyong is now teaching in South Africa. He is somebody who has taught in this country for a long time and yet the immigration officials could not allow him to enter the country for 12 hours only. What we have requested is that if the Government, for one reason or another, finds it impossible to grant people entry into our country, then build a hotel at the airport so that the guests who cannot enter the country can pay and have decent accommodation.

Mr. Deputy Speaker, Sir, Nigerians are also being similarly treated almost on a daily basis by Kenyan immigration authorities. Nigeria is a country with 120 million people and not all of them are drug traffickers. So, if the Government wants to deal with drug traffickers, there are more civilised ways of dealing with them without having to subject a whole population of a friendly country to humiliation the way Nigerians are being treated. If, for example, a Nigerian applies for a visa to come to Kenya, the application is referred from Lagos to Nairobi to be processed by immigration officials in Nairobi who do not know those Nigerians. Why can the Kenya High Commission in Lagos not do the processing?

Mr. Deputy Speaker, retrenchment is a very thorny issue. We will bring a Motion on this and I do not want to anticipate debate. However, we are insisting that a Sessional Paper be brought before this House so that this august House can debate it and agree on the criteria that is going to be used to retrench Kenyans. Many Kenyans are suffering because of this issue of retrenchment and because we have agreed to be dictated to by the World Bank and IMF.

Mr. Deputy Speaker, Sir, why should it be so difficult for a Kenyan born in Kenya, who has been brought up in Kenya and has attained the age of 18 to receive an identification card which differentiates him or her from a Ugandan or Tanzanian? Why should a Kenyan have to beg and pay bribes to registration officials to be given an identification card? Why should a Kenyan born and brought up in Nairobi or Mombasa be sent to go to Mandera, Busia or Migori to a chief who has never seen him to be given a letter of authority?

Mr. Deputy Speaker, Sir, on HIV/AIDS, the Government has made a statement that it is concerned and it has actually declared it a national disaster. However, what is making it so difficult for the Government to place this matter under the relevant Ministry which has got the expertise to deal with it? Why has the Government denied the Ministry

of Health the right to handle the HIV/AIDS? Why must it be handled by the Office of the President which does not have the expertise? We request or demand that the Government should look at this more rationally.

Mr. Deputy Speaker, Sir, the recurrent budget of the Office of the President together with that of the Department of Defence is Kshs29 billion. It is the biggest recurrent budget because there are several other departments which should belong to other Ministries that have been crowded under the Office of the President. When we talk about numbers contributing to inefficiency, here is a case where rationalisation is long called for.

Mr. Deputy Speaker, Sir, I have said very many times that there is need for the Government to upgrade Kisumu Airport to an international one because of the potentialities that exist there. Mwanza Airport down the lake is an international airport and several foreign aircrafts fly to Mwanza to go and carry fish. Egypt Air has got four regular flights to carry fish from Mwanza to Egypt and we are saying that if Kisumu Airport runway was extended which will cost nothing to this Government, it will be able to make Kisumu economically more active, and we want this to be included in this year's budget.

Mr. Deputy Speaker, Sir, somebody has made some very disparaging remarks about the Winners Chapel and the Minister who was speaking seemed to believe what hon. Dr. Kituyi said here. As I said, I came from Nigeria the day before yesterday and I went to a service in a Winners Chapel church in Abuja since they have just built one there. Winners Chapel in its country of origin is a very responsible church which is involved in evangelisation work and is helping to deal with the issue of religious fundamentalism in Nigeria. We know that there are inter-religious fights and this is what is responsible for the attempt to smear the name of Winners Chapel. However, we say that if there are certain individuals who are involved in some activities which the Government finds offensive, they should be dealt with individually without having to smear the name of an institution which, in my view, is above board. Winners Chapel has one of the largest cathedrals in Ota in Nigeria. It is led by a very respectable professional and officials of the general authority can vouch for that. Therefore, we would like the Government to carry out proper investigations to clear the name of the Winners Chapel.

Mr. Deputy Speaker, Sir, we are concerned about the constitutional review and we want this matter to be completed before Parliament goes on the Christmas recess so that it can finally be brought to rest. Mr. Deputy Speaker, Sir, without preempting the debate on constitutional matters, I have said and I do believe and many people now seem to come to believe that, Parliament has the right and it is the proper forum for debating constitutional matters. But you should not be coming here to say; bring constitutional amendments today and tomorrow, you say it should be done at Ufungamano House. Let us be consistent and say it is going to be done in this Parliament and not at Ufungamano House, so that we as Parliament, pass it urgently. But tomorrow, you boycott Parliament and you go to Ufungamano House because you believe this Parliament has no mandate or legitimacy to deal with constitutional amendments.

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

Mr. Nyachae: Mr. Deputy Speaker, Sir, thank you for giving me this opportunity to contribute on this very important Motion. I am also going to be very brief. I will touch on one or two things. First and foremost, I would like to talk about the morale of public servants. Let me start by talking about the Police Force in this country. I have been wondering why our police officers behave the way they do and we have been complaining about their performance. There is no Government department which is more demoralised than the Police Force. I have done quite a bit of homework on this department. If you go to a police station, you will see policemen in their uniforms. We see them smart when they are walking on the streets and when performing their official duties. However, our police officers have no proper accommodation. It is a pity to see three or four policemen living in one room. When their wives visit them, can you imagine a situation whereby three men stay with their wives in a room? Possibly, one or two of those men would be asked to go on patrol at night and leave their wives in a room where there is one man with his wife. What happens to their wives and children? You cannot expect a policeman, or any other man for that matter, to leave his wife with other men while he goes out to patrol. I cannot leave my wife with other men in a room, while I go to patrol at night. This is because my mind will be back home, wondering what could be happening to her. This is what is worrying our policemen.

One day, I witnessed policemen fighting with students of University of Nairobi. We all know that policemen are normally called upon to quell chaos in universities. On that day, policemen fought with those students for a whole day. But during lunch time, those students sneaked back to the university and ate food, while policemen were watching them at a safe distance or under trees. They did not eat anything. After students had eaten, they came back strong enough to throw stones to our police officers. What do we expect to happen? The policemen opened their firearms because they were frustrated and hungry. So, can something be done about the morale of our policemen, so that they can do their work as a happy people and be proud of it. I have done this homework because I am one of those people who feel very frustrated that our police officers are not doing their work. I have considerably suffered because I am not satisfied with the performance of the Police Force in this country. How can I continue blaming people who

are demoralised and unhappy and expect them to do a good job because I am a taxpayer?

Mr. Deputy Speaker, Sir, the second issue I want to touch on is retrenchment. Most of us here are parents. Surely, if we have to do rationalisation and reduce the number of civil servants--- I believe that the Civil Service is over-established and we have never looked into the core functions of the Government. But when it comes to rationalisation and reducing the number of the civil servants, where do you start? How can you ruin the lives of many young men and women in this country who have just been married or they have just finished their university education? Some of them have one or two children in nursery schools. Why should we retrenched such people when we have old people in the service? I think civil servants who are 45 years and above should be retrenched. Why did we not start by saying; So and So has been in the service for a long time and he must have built himself a house at home and since he is approaching 50 years, he should go home. We should not allow such people to wait until they attain the age of 55. If we retrench such people, we will give young people a chance to continue with their jobs.

Surely, are we not courting danger in this country? When you frustrate the younger generation, what do you expect? What was the point of sending them to university or high school? Why should we retain less qualified and old men in the service because they are under secretaries, deputy secretaries and Permanent Secretaries because they are in good books with the power that be? It is sad to see that it is only the young people who are doing their jobs who are retrenched because they do not have access to the "big men".

Mr. Deputy Speaker, Sir, whereas I am not objecting the retrenchment programme, I feel strongly that the formula and procedure of doing it, should be streamlined and done correctly to give young people a chance to remain in the service, so that they can earn their livelihood. We have to make sure that young people whom we have educated are not retrenched. They should be left to work for this country. Let us retrench old men because they can go back to their shambas in the rural areas. We should retrench civil servants who are 50 years and above. If we cannot get the number we want to retrench among civil servants who are 50 and above, then let us retrench civil servants who are 45 years old. In that process, we can also see who is needed in terms of experience and whose services are essential. Then, we can ask others to go home. They can come and join us. Why do I say this? Majority of us represent rural constituencies in this House and we know that elderly people have shambas but the young people who are being retrenched have no shambas. So, we should retrench the elderly people who joined the service much earlier, so that they can go back home and cultivate their shambas.

Mr. Deputy Speaker, Sir, one other point I want to make is that in the Office of the President, the Ministers need some guidance. I have been wondering why we do not address issues that affect ordinary Kenyans. Hon. Ministers in the Front Bench here should be talking about family, poverty, unemployment, energy, infrastructure and the collapsed education system, among other issues. Those are the things they should be addressing themselves to. Instead, my brother, hon. Nassir is talking a lot of nonsense all over the country. Are those the issues Kenyans need to hear addressed by hon. Ministers? Others are walking all over the country attacking hon. Nyachae. Nyachae is not an issue. If I died today, the people of Kisii know where to bury me. They should tackle the misery facing Kenyans and that is why they are in the Front Bench. They should be leading us on those issues instead of attacking other people. They should tackle the problem of famine, unemployment and insecurity. Those are the issues to be looked into. If those are the things that make us "rebels", we will continue talking about them, because those are the things that are worrying wananchi.

(Applause)

If I have to go out of this House because I am seen to be talking about poverty of my people and the famine which is facing Kenyans, thank God; my conscience is clear. I will go out knowing that I was saying the truth and I was concerned about issues facing Kenyans. We cannot be threatened that we are going to be thrown out of this House and so on.

Mr. Deputy Speaker, Sir, when people say that it is a party that brings us into this House, the party merely gives us a greenlight. I go to the people who give me votes. If it is KANU which gave me votes, I got 23,000 votes from my constituency and my own chairman got only 10,000. If it was the party which was giving votes as opposed to people electing Members of Parliament, then my chairman should have got more because he is my boss. But I got more from my constituency. Therefore, it is my people who sent me here to represent them. Let us not be threatened that we are going to be thrown out of this House because we are talking about the worries of Kenyans.

Mr. Deputy Speaker, Sir, we would like to support the Government, but let it genuinely show that it is concerned about the worries of Kenyans.

Thank you.

Mr. Wambua: Thank you very much, Mr. Deputy Speaker, Sir, for giving me this opportunity to contribute to this Vote.

I would like to join my colleagues in pointing out some of the issues which we feel should be seriously considered. Everybody is talking about insecurity and the Kenya Government, and even the **[Mr. Wambua]** Minister himself; if he looks at the Questions that he answers in this House with other Questions pertaining to other issues; he will find that most of the Members in this House are talking about insecurity. This issue should be taken very seriously. I know that the Minister has suffered a lot because of this issue. Why? Can the Government do something, at least, to reduce the rate of insecurity, or to listen to what we say? Some of us are being called Members of the Opposition; we are not Members of the Opposition. Our role is to put the Government on its toes so that the citizens and taxpayers can have confidence in the Government.

Mr. Deputy Speaker, Sir, there are some issues which even the Minister should not defend. We are prepared to assist the Government, but we do not see why the Minister is deliberately defending bad people in the Government when we put them on the carpet here. For instance, two weeks ago, a man known as Kioko was killed at Kamukunji police cells. The man was being robbed by police officers and he ran to the police station to report that incident. Instead the same police officers followed him there and had the three men locked in. Even the gangsters or robbers who are caught in the City Centre by the public, if the public wants to lynch them, they run to the police to seek protection. But when those ordinary citizens were being robbed by police officers, they ran to the police station to be protected. Instead, they were murdered in the police cells by the police officers. Imagine certain people being trained as police officers allowing other police officers to lock themselves inside a cell and beat common mwananchi to death. Is this the type of department which is looking for funds from this House?

Mr. Kamolleh: On a point of order, Mr. Deputy Speaker, Sir. The hon. Member is making a very serious allegation that those suspects were murdered by the police. Were they allegedly murdered by the police, or were they actually murdered by the police? Could he please, substantiate?

Mr. Deputy Speaker: Order! Hon. Kamolleh, you are asking a question.

Mr. Kamolleh: Could he then substantiate so that, at least, all of us can understand?

Mr. Deputy Speaker: Order! Order! Do you want him to bring them here?

Mr. Angwenyi: They are dead!

Mr. Kamolleh: Mr. Deputy Speaker, Sir, substantiation does not mean to bring the dead bodies here.

Mr. Deputy Speaker: Order! Order! Let me determine what substantiation means and not you.

Mr. Kamolleh: So, can he substantiate?

Mr. Deputy Speaker: Order! Do not stand to ask a question to a Member. Proceed!

Mr. N. Nyagah: You should sit down when the Deputy Speaker is talking to you!

Mr. Wambua: I am surprised to see such a Member. Does he know the procedures of this House?

Mr. Deputy Speaker: Order, Mr. Wambua!

Mr. Wambua: I forgive him because he does not know. When the time comes to substantiate, I will just do it. But I forgive him because---

(Laughter)

Mr. Kamolleh: On a point of order, Mr. Deputy Speaker, Sir. My name is hon. Suleiman Kamolleh and not such a Member. Could he, please, withdraw and substantiate?

Mr. Deputy Speaker: Now, you are in order.

Mr. Wambua: I am happy to refer to hon. Kamolleh and inform him that he does not know the procedures of this House.

Mr. Deputy Speaker: Order! Order! You must not take a small interruption by another Member to deviate from the debate which is before us. We are discussing the Estimates of the Office of the President. Mr. Wambua, your time will be better used if you stuck to the Motion before us. Proceed.

Mr. Wambua: I am pleased, Mr. Deputy Speaker, Sir, for your guidance. I am sure the Minister knows that I usually talk the truth. I will be able to substantiate and follow it up, because the person who was killed comes from my constituency. We buried him and I am going to follow up that matter using the right channels through the Minister. I was only giving him as an example, so that when I support this Vote, he will be more careful to what we are talking about. That is why we are trying to enlighten the Government. Some few individuals make the public feel that the Government is not protecting them, but the Government is not bad. They should not be allowed to continue with that behaviour. I am sure that police officers were not trained to kill, but they do it on their own way. That is why we want them punished and removed from the Police Force. This will help to improve the image of the Force.

Mr. Deputy Speaker, Sir, I was not trying to accuse the Police Force, but I was trying to cite the few individuals who are committing wrongs within the Force. I would like them to contribute the other way round so that

they can know that I do also support them. I know that the Police Force is doing very well. They are working day and night. But sometimes they work without adequate facilities. Two months ago, some gangsters came to my area, robbed some people but they did not have a get-away car. They just walked away as the officers from the nearby police station tried to start a Land Rover which was brought there in 1963. It failed to start and instead of following the gangsters, they started pushing the Land Rover to start. They could not make it for more than half an-hour until they reached a cliff which helped the Land Rover to start.

Why do the police have to be subjected to using such old vehicles in discharging their duties when officers in other departments, which do not render emergency services, have serviceable vehicles? For instance, the Ministry of Agriculture has new Land-Rovers, while other departments have better vehicles, yet they do not provide emergency services. Therefore, the police should have the best equipment, so that they can effectively provide security services in this county. If we do not provide them with the necessary equipment for the discharge of their duties, police officers cannot perform their duties.

When police officers encounter criminals who are armed with better weapons than themselves, they drag their feet until the criminals have retreated instead of pursuing them. This is because the police officers realise that their weapons cannot match those of the criminals. I believe that the Minister in charge of internal security understands what I am talking about since this matter has been talked about in here for many years. He should, therefore, do something to at least equip the Police Force, so that its officers can discharge their duties effectively. Having said that, I believe, the Minister is assured that I am on the verge of supporting this Vote, although with some reservation since I would have liked something streamlined.

Mr. Deputy Speaker, Sir, I would now like to talk about the HIV/AIDS funds, which are supposed to be channelled to the various constituencies through Members of Parliament. I do not know why it becomes difficult when it comes to implementing certain decisions through Members of Parliaments. The Minister has put us into a fix. He invited us to AIDS awareness seminars in Mombasa and Mbagathi, and asked us to form Anti-AIDS campaign committees urgently, so money could be released for that purpose. People in the field are now asking us about this money day in, day out, thinking that it has been channelled through our committees. Those people are now fighting us. Could the Minister do something about this issue?

Mr. Deputy Speaker: Order, Mr. Wambua! Your time is up.

The Assistant Minister for Education, Science and Technology (Mr. Karauri): Mr. Deputy Speaker, Sir, thank you very much for giving me this opportunity to contribute to this Motion.

Mr. Deputy Speaker, Sir, in supporting this Motion, I would like to make a few remarks. The trend in this country has been that, when people lose their Ministerial positions, they talk about things that they would not talk about when they were in the Government. If such people talked about those issues while in the Government, things would change for the better. For them to talk about such things after losing their Ministerial positions, really, is duping Kenyans. Those people had the chance to give those suggestions while in Government, but they withheld them.

Mr. Deputy Speaker, Sir, I would like to say something about famine relief, which falls under the Office of the President.

Famine relief is not hunger relief. In order for us not to transform famine relief into hunger relief, we must think beyond the period when people have nothing to eat and of what we should do to eradicate famine. We should not just supply people with a little food now and let the famine to continue ravaging our people. We are now expecting rain and praying all over the country that God gives us rain. However, even if we get rain, most farmers have no seeds to sow; they have eaten up everything, including the seeds that they would have planted, and have no money to purchase seeds. Therefore, I would like to appeal to the relevant Department in the Office of the President to think of giving Kenyans, including those living in high-potential areas, seeds for planting. This way, we can be sure of not only eradicating hunger, but also famine. I am wondering what will happen if rain falls in the Meru Districts, and in many other areas where it is expected to fall in plenty, since people have no seeds to plant. People have been supplied with famine relief food, but that is not sufficient.

Mr. Deputy Speaker, Sir, some of us who border districts referred to as "hunger-stricken"; I am talking about Tharaka District. Several locations in my constituency border Tharaka and Isiolo Districts. Whenever problems arise in those districts, the people of my constituency bordering those districts are equally affected. These conditions also apply to the constituents of my colleagues in my district. My constituents near those neighbourhoods watch in hunger as each of their neighbours take home half-bags of maize, rice and cooking oil; they do not benefit from those food rations simply because they come from a different district.

Mr. Deputy Speaker, Sir, I do not know whether you have heard the story of the man called "Tantalus". That man was tortured in cells; in the course of being tortured, soldiers would eat the best food in the world near him, but he would not be given even a morsel of that food. That is why we talk of "tantalising"; you see your neighbour eating, while you starve. What I am saying is that, when the Government considers residents in hunger-stricken districts for

relief supplies, it should also consider residents in the immediate districts, where the climate is the same; residents living in the Meru North District, and other areas bordering hunger-stricken districts, also need relief food.

I would also like to point out that there are problems in the Provincial Administration; the truth must be said. Today, chiefs are employed by District Commissioners (DCs). Because DCs do not hail from the districts they administer, they do not know the local people well. Despite this, DCs determine who to become chiefs and assistant chiefs, without consulting the local leaders. There has been hue and cry about assistant chiefs because, for some reasons, former convicts become chiefs and assistant chiefs. In areas where university graduates are unemployed, people who have never been to school, and who cannot even write their names, are employed as chiefs. We must correct this situation; we must involve local leaders in the appointment of chiefs. If necessary, we should tell the people to elect their leaders. I believe that chiefs and assistant chiefs are respected persons in society. As an Assistant Minister from my locality, I am probably the only person who can tell my DC that a certain individual is good enough to be a chief or an assistant chief. I could say that to the DC because, maybe, that individual is my supporter. Maybe, he or she clobbered somebody on my behalf, and then, I view him or her as a nice man, but he is not respected in his village. How does he or she handle the position of a chief or assistant chief?

Mr. Deputy Speaker, Sir, the ruling party KANU would have been the most popular, and will continue to be popular, and it is still popular today---

Hon. Members: No! No!

The Assistant Minister for Education, Science and Technology (Mr. Karauri): Mr. Deputy Speaker, Sir, but KANU would have been more popular if the chiefs and assistant chiefs knew how to handle people, if they were the right people in those positions and know how to handle people, and they would not be crying. But people do not respect them as their leaders, because other leaders are not involved in their appointments. A DC who is a Meru and who comes from my area may tell me that So-and-So is the best man or woman to be a chief or assistant chief. I think we should rectify those issues.

Finally, the police must clean their image. Efforts must be made by those in charge of the police to clean their image because there is a lot of suspicion. Whenever something goes wrong, people suspect that even the police may be involved in it. This is because over the weekend, I was faced with a situation that I have been hearing about, and which I could not understand; that plainclothes police officers were going to arrest somebody after 1.00 a.m. at night. They broke the door of somebody's house, and when that person raised alarm, wananchi from the village came in large numbers. So, the police shot many times in the air. When the people overpowered them, and cut one of them on the shoulders, then, he shouted: "Do not kill me; I am a policeman!"

From the local police station to the Police Headquarters, the police have to clean their image. Maybe, they should change the mode of recruitment, and there should be a period of probation before they are fully enlisted as police officers. Because there are no jobs today, even criminals want to be police officers. Maybe, out of 10 police officers in a police station, there could be one or two who were employed not because they wanted to be police officers, but because they wanted a job. Therefore, they cannot be proper police officers. So maybe, there should be a probation period before they are fully enlisted as police officers so that their character is checked and it is ensured that they are the right people who would not commit a crime when they are supposed to protect wananchi. By saying that, I am not blaming the Police Force because 90 per cent of them is very good, but a few elements have spoilt the name of the police, and the image should be cleaned.

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

Mr. Khamasi: Thank you very much, Mr. Deputy Speaker, Sir, for giving me an opportunity to contribute to this Vote. First and foremost, this is a Ministry which is top-heavy to an extent whereby mechanisms should be put in place to reduce the departments that are in the Office of the President. The Minister should be thinking on how to remove the *El Nino* Emergency Fund Programme from that office and put it where it rightly belongs. They should be thinking about that very seriously and, in fact, it should be done immediately. Also, they should think on how to remove the HIV/AIDS Fund from that office because they are incapable of handling it there. I believe we have not been told the truth about that fund, and it is shrouded with mystery. We have been directed to form committees which have been formed and, apparently, nothing seems to be coming out of that office. Let it go back to the Ministry of Health where it rightly belongs, and we believe that things will move.

There are many other departments in that office which should not be there. The Kenya Wildlife Service (KWS) should not be in the OP, and probably, it is there because the Head of the Public Service and Secretary to the Cabinet was once the Head of the KWS, and he thinks that he should keep it there. The fact that he is there does not mean that, that department must be in the OP.

A few hon. Members have talked about the Directorate of Personnel Management (DPM) and its retrenchment programme of civil servants. We will continue talking about it until the Minister of State, Office of the President in charge of DPM understands it and gives it a human face. Now, it does not have any human feelings.

People in the DPM do not seem to understand what they are doing; they get directives from some quarters and all they are doing is to obey the orders. I have got very classic and sad examples in my own constituency, where a man, a wife and a daughter have been retrenched. That sounds ridiculous! We have got many examples where couples have been retrenched. That is a clear case where we get into an exercise or do things after being ordered from some quarters without giving a real good thinking. I think that we, Kenyans, need to be human, and that is just missing. It appears that when there is any funding from the donors like the World Bank and the International Monetary Fund, OP would immediately want that funding to be handled by it. Why; must it be necessary? Perhaps, next time when the World Bank and IMF pledge that they want to fund the eradication of drought in the country, and I believe that they will do that sooner than later, the Minister of State, Office of the President in charge of relief operation, or the President would say that, that programme must be placed in the OP. Let us get some of those departments currently in the OP out of there in order to make them more effective and efficient. Why should we not?

Regarding the *El Nino* Emergency Fund Programme, Kakamega district where I come from, is reputed to be one of the districts that gets the highest rainfall in the country - even as we are talking now - when parts of this country have never seen a drop of rain. We are now being pounded by rain, and somebody in the OP in charge of *El Nino* Emergency Fund Programme said: "In Kakamega, they did not suffer the effects of *El Nino* rains." What rationale and criteria was being used to fund rehabilitation programmes in other districts? Fourteen or more functions in one office are too much. We do not have the capacity, and now they are even daring to go into the technical areas like health, where they do not have the capacity to handle them.

We should not burden the Office of the President. I agree that the Office of the President is very important. Let it be efficient. Let the people do things there in an efficient manner. It cannot be efficient if it is overloaded. The question of insecurity in this country is a matter of concern. By coincidence, we are talking about this Vote today when we have read in the local Press about what goes on amongst the people who are supposed to provide security for this country. As expected of any other Kenyan Minister, the Minister in charge was very quick to say they are false allegations and yet the report was compiled by his own officers in that department. If we do not have any confidence in the Police Force, where shall we go? Who shall we go to?

If you look at the Estimates, the Police Force have got a whooping Kshs5.8 billion in recurrent expenditure. We have been told about the retraining of the Police Force, but we have never been told to what extent that training has been carried out. I am happy that even an Assistant Minister from the Government side can stand here and say that we have got a problem with the Police Force. Here are people who are working under very difficult conditions. We are spending money in other areas and yet that particular area which should get attention is not getting it. The Provincial Administration is a sector that has developed under the one-party system since 1963 and they understand the language of one party - *mama na baba*. It is high time we inducted these people to understand that we are in a different era. The chief and assistant chief know *baba na mama* only and that is all.

Mr. Deputy Speaker: Do you not agree?

Mr. Khamasi: I do not. It is high time the Office of the President moved with the times and told the Provincial Administration that we are in a different era and that we are not in the era of a single-party system.

According to the estimates the Department of Defence has been allocated Kshs13.9 billion. That is weighing heavily on the taxpayers. I would like the people responsible for this particular department to become a bit innovative. Let us not be so conventional. Why are we paying so much money to these people who are kept in the barracks and hopefully doing exercises only and they cannot do anything for Kenya? Is it not possible for us to make full use of these people who are taking a very big chunk of the taxpayers money? We are talking about not having dams in this country. We are crying about improving the irrigation system in this country and some which were started have now failed. Can we utilise these people who are there in thousands at a very high cost to do some of these things? Can we not be a little bit more innovative?

The National Security Intelligence Service has been allocated Kshs2.7 billion. What are they doing? All they do is go round chasing hon. Khamasi to find out what he is saying about a certain Minister and yet students can walk from Jomo Kenyatta University of Agriculture and Technology and come here to destroy everything without anybody knowing about it. Ocalan can come into the country without being noticed. Funny people come in with bombs and they go on to blow up things without being noticed and yet the National Security Intelligence Service is here, eating quite a big chunk of our taxpayers money.

I support the Motion.

Mr. Kirwa: Thank you, Mr. Deputy Speaker, Sir, for giving me the opportunity to make a contribution to this particular Motion. There are a number of issues that we ought to raise as far as the Office of the President is concerned. One of the issues is the registration of persons. For quite some time, the Office of the President has been quite reluctant to register persons in particular areas; even within particular constituencies.

There are some cases where the Office of the President has been using the vetting system to deliberately

frustrate young Kenyans who have qualified to take identification cards. This experience has been very rampant in Trans Nzoia District and it is a practice that ought to stop. It is not a privilege to be registered as a Kenyan. It is a right of every citizen of this country to get an identification card. The Office of the President, for very strange reasons - what I can qualify as political gerrymandering - has been reluctant to give identification cards to particular communities in Trans Nzoia District. This practice is archaic and is reminiscent of the one-party dictatorship. This is a practice that has to stop. The money that we are voting to the Office of the President is not from a particular community. It is money from all Kenyans which has been collected through taxes for services to be delivered.

It is useful to remind the Government that the main purpose of any Government under the sun is not to make business. It is to provide social dimension to its citizens. When we talk about retrenchment and the "Dream Team", it is the team that is actually "dreaming". How do you explain 146,000 Kenyans between the ages of 28 and 42 being retrenched for no apparent reason by people who are already over 55 years? They are telling us they want the country to come back to its feet. This is a very productive population that ought to be harnessed in terms of talent and other resources. This is a dream! The earlier they come out of this particular dream, the better for this country. It is a situation that we cannot understand. The Kshs6 billion that we are anticipating to make as a saving from retrenching these Kenyans can be saved elsewhere by reducing the rate of interest on Treasury Bills. Effectively, they can save over Kshs18 billion. They only need Kshs6 billion to allow these Kenyans to serve. It is pathetic that some of the people are 60 years and they are still working on contract. What contract is this when you are telling Kenyans of 28 years to go home? What will they do? The only salvation and consolation is that these Kenyans will remove this Government because you are giving us material for Members of Parliament and councillors to remove you. This is a fact and the earlier you listen to it the better, because that is the position on the ground.

The other issue that we want to tackle as far as the Office of the President is concerned is not only the morale of the police but the misuse of the Police Force. For the last two months during the recess, police have harassed me ten times. On the 21st of August when we had assembled for the sole purpose of constituting the Constituency AIDS Committee, the two divisional officers both from Kaplamai and Cherangany Divisions decided to run away from their office.

The only reason is that they had been instructed from above that I should not have that particular meeting because of security reasons. What security reasons do we have in a constituency? I would like to remind the Office of the President that, even during campaign time, I drive alone in my car throughout the constituency, regardless of whether I get support from a particular region or not! How do I become a security risk now, when I am a sitting Member of Parliament, having been gazetted three times? Some of you will never be gazetted twice!

Mr. Deputy Speaker, Sir, in the ensuing confusion, a contingent of policemen in riot gear was sent to disperse opinion leaders from my constituency; and you dare call that a Government! On the 2nd of September, I had a meeting with a sole purpose of assisting needy children from poor Turkana families. Again, they sent a contingent of policemen to my own compound! What security risk do I constitute in my own house; and you call yourselves a Government? On the 4th of September, I had two "meet-the-people" tours at Munyaka and Makutano. For the sake of clarity and for heavens sake, let me remind the Office of the President that, we amended the rules through the IPPG package. There are meetings which are termed as excluded meetings. It is important for the Office of the President to recognise that. I say that not because I feel threatened, but I thought I should give you a chronology of events before I embark on a serious exercise starting this particular Friday. You have no business telling me not to tour my constituency, under the pretext that I am a security risk. You are risking your own future as a political party in power.

Mr. Deputy Speaker, Sir, yesterday, I was supposed to have a meeting at Makutano. They gave me a letter on the 27th telling me: "It is okay. You can have that particular rally." But on the 29th, the OCS Kachibora had the audacity of sending another letter saying: "That meeting will not be held because of security risk." How can you say there is a security risk in Cherangani Constituency, while you have not been able to combat crime in Kwanza Constituency for the last 13 years? There are so many people who are killed in Nairobi and all over, and you dare say that Cherangani Constituency is a security risk! You must get out of that business!

Mr. Deputy Speaker, Sir, at 2.30 p.m. yesterday afternoon, a contingent of 20 askaris was sent to disperse my constituents. The askaris told them that I was insulting the Government. If insulting the Government is talking about the retrenchment, so be it! We shall continue to insult the Government. If insulting the Government means talking about the ravaging poverty, mismanagement of the dairy industry and farmers' organisations, we will continue to insult the Government henceforth.

Mr. Deputy Speaker, Sir, somebody said that the increasing popularity of bad manners is manifested in a declining civilisation. This is what is happening in the Government. There is increasing popularity of bad manners. You have no business telling elected leaders not to participate in the affairs of their constituencies! That is the message that I give you today. On Friday, I have a meeting in my constituency. Dare come with those policemen! You will know who Kirwa is!

With those remarks, I beg to move.

Mr. Ndwiga: Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity, to say a few words on the Motion. Various speakers have talked about the retrenchment and the Police Force. I wish to say the following:

Part of the problem with the Government is that, it is incapable of cleansing itself. It is incapable of moving with changing times. Kenya and Nigeria are the only countries in the world that have the Provincial Administration. Indeed, even the British, who left that system here, do not have it. It is an archaic system and we do not need it! What is the work of a provincial commissioner today? What is the work of a district commissioner? What do they do for heavens sake? We should do away with that system now and not tomorrow! Let us not retrench young people who have just come out of the universities and other places. Let us get rid of known idlers. We have so many district officers and commissioners all over! We do not need them. We should follow that direction. That is one of the solutions.

Mr. Deputy Speaker, Sir, on retrenchment, has the Government asked how many civil servants would like to go home voluntarily? That is the direction. We have so many civil servants who will happily pack up and go home tomorrow! Let them be given an opportunity. But what are we doing? We are picking on the very young and vulnerable members of the Civil Service and sending them home.

Mr. Deputy Speaker, Sir, I would like to say something about the rising crime and the Police Force. We will continue to praise or condemn the Police Force again and again. The solution is only one. We will vote Kshs5.8 billion for the Police Force. But they will never get that money! It will be stolen here! Perhaps, that is the kind of money that is given to school children on routes whenever there is a State visit! The Police Force must be given its budget. The Commissioner of Police is the only person who knows his manpower, training and equipment requirements. It is not the other fellows in the Office of the President. Until and unless we give the Commissioner of Police his budget, we will continue to sing about crime in this country until God comes back!

Mr. Deputy Speaker, Sir, the Office of the President is not famous for the management of public funds. We have a Motion pending before this House to have a Police Service Commission. The morale in the Police Force is very low. It is caused by the fact that even promotions are ethnic based. Promotions are not on merit. As long as we have systems that work like that, we will always have low morale in the Police Force. In Kenya today, we live with criminals. We live with rapists in our villages. Why is that? When a rapist, criminal or a murderer is arrested, he buys his way out! Why should they not buy their way out when policemen have a salary of Kshs4000 and children in schools? Hon. Nyachae said that in one house, there are four men whose children have no school fees. When such policemen have fully loaded guns, they will be stupid not to go and make them work! That is what is happening here! The Police Force must be well paid. We must have a Police Service Commission. The policemen must be proud of their jobs. Until that happens, we will sing insecurity for ever. Everybody will be affected. We were told that fellows stole something from the President's bedroom! If it can happen there, what about at your place, Mr. Deputy Speaker, Sir?

Mr. Deputy Speaker: I have nothing in my bedroom for them to steal!

(Laughter)

Mr. Ndwiga: Mr. Deputy Speaker, Sir, hon. Members have also talked about registration of persons. We all know that to be registered, you need to be 18 years and above. We also know that to be registered as a voter, you also need to be 18 years and above. Why do we have two parallel systems for heaven's sake and spend so much money under this Vote? Let us look at what we will spend for registration of persons and what the Electoral Commission of Kenya (ECK) will spend to register the same person whose qualification for this registration exercise is 18 years and above. There is only a single qualification. Why is it that we have not come to terms with simple economics that you need two desks; a person is registered for the national identity card and then he is registered as a voter in the next desk? What is the problem? The problem is that this Government has never been focused. We have sang in this House for so many years, but they are waiting for us to vote for this money so that from December this year or January next year, they can call a snap election. I would like to assure the Chair that not even these Ministers know that, but if thieves can get into the President's bedroom, we can also get somewhere else. I would like to inform this House that not even these Ministers know that, that is the plan, but I can assure the House and the nation that between now and Friday, this House will live up to its expectations to block some of these things. We will not allow that.

On corruption, I do not want to repeat what has been said by other hon. Members, but the Office of the President is the "breeding ground for corruption". Picture it this way; the President moves from Nairobi to Meru; between Nairobi and Meru, that day, school-going children do not go to school. I want you to picture it in terms of lost man-hours; teachers have not taught a whole day. If I talk about Embu alone, between River Rupingazi and River Thuci, about Kshs250,000 has been given to children on the route. Could we be told where on these Estimates, because

that is a State function, this money comes from? That is the money that should have gone to the Police Force; that is the money that should have gone to useful things. The President should stop corrupting our young people. We want our people to see our President voluntary. This kind of corruption is uncalled for, wrong and immoral and it must stop. In fact, we want a situation where children do not leave school. If it is a school day, it is a school day and it does not matter who goes there. Indeed, this is the only country in the world where you want to be worshipped.

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

Mr. Maundu: Thank you, Mr. Deputy Speaker, Sir. I rise to make a few comments on this very important Vote. The Office of the President is a huge place with several Ministers, Assistant Ministers and thousands of employees or civil servants. I do not imagine whether it has ever been thought that for effective performance of this particular office, it requires to be thinner than it is because it is not properly anchored from the bottom to the extent that you find a lot of falling blocks from this particular office. I think from now and in the future, we would like to see the Office of the President becoming thinner so that its operational activities can easily be monitored. Indeed, so many times, the left does not know what the right is doing and so many things go wrong. An issue of security may arise here; Ministers may have their own details, but other issues cannot be catered for here.

Mr. Deputy Speaker, Sir, we are asking that when rationalisation or establishment is being done within the Office of the President, this particular aspect be taken into account so that people in this country do not look at the Cabinet as anything else except the Office of the President. The Ministers who are there tend in many areas to overshadow the activities of other Ministers, and we would like the Office of the President to be more specific. I do not know how other departments--- You may find that the *El Nino* Emergency Fund which merely deals with rehabilitation of roads that have been destroyed by floods is in the Office of the President. What is the rationale for this kind of thing? What is the purpose? You may find that even an activity which should be in the Ministry of Agriculture and Rural Development is in the Office of the President. Why is this so? Anytime when a project comes about which seems to have some substantial amount of money, instead of going to the right Ministry, it is focused or sent to the Office of the President. Why is this so? What happens there? There seems to be a mystery that surrounds that particular office to the extent that it has become detrimental to the interest of the greater Kenyans.

I would like to ask a few questions. The Office of the President, in past years, did establish a number of constructions and buildings at district and provincial headquarters and even here in Nairobi, most of which have never been completed. I would like to point out that some of these projects have been vandalised and large sums of shillings are lying idle. What is the programme of the Office of the President in view of these particular assets that belong to Kenyans? Have they got a programme that they are going to rehabilitate them and put them into good use? Do they have a programme where they would want to dispose them of and vest them in Kenyans or themselves? What is the programme here? We have not been given any programme. In this Budget, we do not know whether some money has been allocated for the purposes of rehabilitation of these particular projects. In Makueni District, we have a "white elephant" project which is becoming "black". The buildings are collapsing. In fact, the DC has refused to move into one of the houses which is almost complete, because it cannot facilitate his working relationship with his people. He has got to be up in the hill where he can see all the citizens and this particular block has been put under a hill. What is the Office of the President doing about these constructions? They are becoming an eyesore and we are tempted to imagine that in due course, they want Kenyans to forget that these buildings still exist and then the process of grabbing them and taking them begins. The Office of the President must come out specifically and tell us about this.

The other issue that has been raised by my colleagues is the one of security. I agree to a great extent that the Police Force is demoralised. They have no houses. In fact, they have no facilities, but sometimes, as one of my colleagues has said, they have fuel and facilities when a small commotion, which is political arises. Sometime back, some of my constituents went to the police station to complain about thuggery and there was no fuel whatsoever, but when the so-called four "Cs" went to Makueni to hold a small seminar, fuel was available and we had more than 15 policemen guarding about four men. What is the rationale here? Where does fuel come from when there is a political activity and how does it disappear when there is a security problem? These are the issues that Kenyans continue to question. Since the Office of the President is the focal point of Government, when it does not perform, in terms of security and other matters, then the Government is seriously undermined.

Mr. Deputy Speaker, Sir, we must create clear rationalisation within the Police Force. Getting a promotion within the Police Force is a hassle. One is promoted in the Force depending on who he knows and merit does not exist. There are many graduates within the Police Force who are demoralised. They have been kept in one position because a man who is 50 years old, and generally illiterate, because of vast experience, does not want to leave the Force and give room to a young experienced, knowledgeable and competent man. They want to maintain a culture of the old traditional policeman who emerged after Independence and whose sole authority was to execute duty without due care and attention. We want the Police Force to be serious, cleaned up and the amount of money that we have voted to the Office of the President, for the purposes of security, should be utilised for that purpose.

Mr. Deputy Speaker, Sir, let me also touch on this sensitive issue of retrenchment. It beats common logic that young men are being retrenched and then at the bottom of their letters of retrenchment, a very serious statement is made by the Government. A man below the age of 30 years is cautioned: "Once you accept this retrenchment, you will never again rejoin the Civil Service". What message have you given to this young man? You have told him that as soon as he leaves the Civil Service, since there is no employment elsewhere, he has the option to either commit suicide or to continue committing crime. We must accept the reality of things. We must be sensitive to the needs of our people and accept that the wrong things that we do to the young people will catch up with us in due course. Most of us here are parents. This House should stand firm and tell this Government that the retrenchment of young people in this country is wrong and unacceptable. Unless there is a jinni confusing this Government, it must rise up to the occasion and refuse to retrench young people. What does the Government think? Some of the Ministers here are elderly people. What do they feel when they tell a graduate of 30 years that he will not be accepted in the Civil Service again and he must go home?

[Mr. Deputy Speaker left the Chair]

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

Mr. Temporary Deputy Speaker, this is brutal, unacceptable and gives one the feeling that this Government has become insensitive to the interests of the people day in, day out. That is not the wish of many Kenyans. Many Kenyans would want to see a stable, realistic and well intentioned Government. But when things like these happen, even those who trust this Government start to become suspicious. They start becoming cautious and alienated. These are the issues that should be looked into.

The other issue which is very serious is the distribution of famine relief food. We have talked about it before. In fact, as a result of talking too much about the relief food, I have been described as a rebel, and, of course, now some of us are threatened with expulsion chased away from KANU, but this message must sink. There is no Government that will be stable unless it can feed its own people. Instead of talking to the World Food Programme (WFP) and telling it to send more relief food from the United States of America and other places, we should be asking the donor community to assist Kenya with sufficient facilities to irrigate our land and supply water to our people. There is no short-cut to that. There is no amount of intimidation that will persuade me to leave that course of action because I believe it is the rescue and the cure for this persistent famine which afflicts our people. Why do we impoverish our people mentally and even physically, by giving them relief food? What is so difficult in saying that the Kshs3 billion that we will spend this year on relief food, will be spent on supplying water to our people? Then we should tell our people to tighten their belts until this water project becomes a reality. Why do you want to waste money? One gets a definite impression that there is something happening with the relief food. People want to make money, take short-cuts and do not want to have a stable population for purposes of political manipulation.

Mr. Temporary Deputy Speaker, Sir, these realities must be accepted without any vested interest because unless we can feed our people properly and give them water, we will not achieve the dream of giving our people water by the end of the year 2000. You will realise that a Minister stands up here and when he is asked about this dream about water by the year 2000, he says: "It is no longer a dream; after all, it was not a dream, but a wish that never came true. So, do not blame me for it". Is that the way we will proceed and do business in Government? We must be a little more serious on this.

The other aspect which I want to end my contribution with is the El Nino Emergency Fund-sponsored projects. Where have they succeeded? What has happened? When we ask the Minister Questions about the *El Nino* Emergency Fund-sponsored projects, he gives us long stories, that mean nothing. This must stop. The *El Nino* Emergency Fund-sponsored projects are long dead.

With those few remarks, I beg to support.

Mr. Michuki: Thank you, Mr. Temporary Deputy Speaker, Sir, for granting me the opportunity to contribute to this debate.

In the first place, as I understand it, the Office of the President is an office from where policy emanates, and where the supervision of that policy, in order to achieve the planned objectives, is carried out. It is not basically an office to implement projects. If any sane kind of administration of a Government is to take place, the Office of the President must be free from implementation of projects in order to supervise the arms of Government in the performance of their duties. It is, therefore, based on that philosophy, illogical for the Office of the President to be constructing roads, controlling monies that go into roads maintenance, doing duties that should be carried out by the Ministry of Agriculture and Rural Development or for that matter, the Ministry of Health. That office is not suited and

staffed to carry out those duties to the satisfaction of the general public, for whom the services are intended. In the event that it is insisted that the situation continues the way it is, one can almost be certain that the best we can observe would be inefficiency and duplication of duties, which are detrimental to any good governance by institutions that require to serve the people.

Having said that, I would also like to dwell on certain aspects of that Office of the President, in particular, the required training within the Provincial Administration, including the Police Force and the General Service Unit (GSU). We should get the whole lot of these people out of their thinking and their performance as if this country was still a single-party State. All the conflicts that now take place in villages, districts and in towns, are because of that misunderstanding. In these institutions people have been trained to believe that KANU means Government and Government means KANU and, therefore, anything else is repugnant. I think we have to get out of that practice if we have to get this country united, speak and have values that will promote the betterment of society. People in these institutions must be retrained. What has been put in them must be taken out, otherwise this Government will continue to have traits of dictatorship which is very prevalent in the West.

Retraining people to make them fit in the multiparty system is point number one.

Mr. Temporary Deputy Speaker, Sir, I would also like to dwell on creation of districts. The Constitution of Kenya gives the definition of a district and how it should be created. The last time districts were created legally was in 1992, and so, it is by sheer luck that the Government is getting away with a lot of things. Legally, there is no district called Maragwa or Thika because there is no law that has prescribed the existence of such districts! So, when you post a magistrate to go and listen to cases and imprison people in Maragwa District, and you give him powers to be exercised within Maragwa District, what are you talking about? Is this a civilized Government or is it a Government that does not know what it is doing? How can the law be respected if it is to be exercised under those circumstances and yet we continue to appoint district commissioners to go to these districts which have no legal basis in their existence? That is what I want to point out in this debate and it is the Office of the President, which is the source of policy, inspiration and leadership. When ignoring the Constitution of this country, for which we have sworn before the Speaker, that we shall uphold, including the President, and we go on infringing it knowingly, as if we are free to break the law--- Until and unless this country is governed by the rule of law, there is no point in talking about the new constitution, if the one that we have cannot be respected! This is because we do not know whether the new one will ever be respected by the President himself, now that he appoints all those people he appoints, including civil servants. If he cannot value our Constitution, what else can he value in this country? The President leads in flouting the Constitution by creating districts by the roadside, even before their economic evaluation has been done and, so people continue fighting over where the district headquarters is to be located. This is because that is what he enjoys; divide and rule tactics.

With those remarks, I oppose the Motion.

Mr. Mwiraria: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to contribute to this Motion.

I want to start off by saying that, a lot has been said about the disorganisation existing in the Office of the President. I want to take that disorganisation in the Office of the President a little further to the districts. We have an institution called "the District Commissioner" and our District Commissioners have become centres of disorganisation in some of the districts, and at least, in Meru Central which I know well. When a district commissioner starts chairing meetings of groups which operate a water project, for instance - when a district commissioner knowingly goes and presides over group meetings and a group of six people out of a group of over 200 people sits to elect new officials and remove the old ones from office and purport to have done this because the DC signed the Minutes by putting his stamp there, this is retarding development.

Mr. Temporary Deputy Speaker, Sir, when the District Commissioner wants to interfere with education, and when he knowingly stops an Harambee just because it is being done by a leader from the Opposition, what is the aim of this Government? One hopes that we are really doing an Harambee to develop the country and, therefore, any development from any source should be welcome and it ought to be the business of the DCs to support development and not to retard development. We have projects in Meru which have stalled. There are several water projects which have collapsed because of interference from Provincial Administration. I hope the Minister responsible will have a schedule of duties for the DCs and he will give them responsibilities. Why do they want to cut across duties belonging to other Ministries? Why must they interfere with other Ministries?

Mr. Temporary Deputy Speaker, Sir, I have just come from my Constituency and there are two issues which I want to raise here. The first one relates to destruction of food crops by wild animals.

Two months ago, the Kenya Wildlife Service (KWS) pushed over 120 elephants from the Shaba-Isiolo Parks, to the Lower Imenti Forest. Those elephants have destroyed everything that is being grown through irrigation in the region.

We have not had rains in Meru for over a year. Today, even the trees the Meru people cherish---

*(Mr. Michuki consulted Mr. Cheruiyot
at the Civil Service Bench)*

The Temporary Deputy Speaker (Mr. Imanyara): Order, hon. Mwiraria! Mr. Michuki, finally I have to caution you! If you want to continue consulting, you have to call Mr. Cheruiyot outside.

Proceed, hon. Mwiraria!

Mr. Mwiraria: Mr. Temporary Deputy Speaker, Sir, I was saying that in Meru we have not had rainfall for over a year. In fact, today the drought which is facing the district is the worst in known memory. So, for the Government to push elephants to Meru and not to keep them away from people's shambas is a real shame!

Mr. Temporary Deputy Speaker, Sir, let me give an example of Kithoka, the region adjacent to the Lower Imenti Forest, where people have been growing horticultural crops through irrigation. During the last one month, everything has been cleared by elephants. People who are living in the older Meru where we have had over 80 inches of rainfall are already starving. If the Government is watching elephants destroy the little there is elsewhere, what does the Government think the people feel? Is this a Government which loves elephants more than its own citizens? I am really appealing to the Government to curb this menace. The elephants are hungry and so are the human beings, but, at least, the Government can protect the people's shambas from the wildlife. If it does not, I am sure even traditionally the Meru people knew how to keep the elephants away. I am making this plea. Unfortunately, the destruction started while we were away and I think the Minister will act quickly before we start killing the elephants. The choice is between human life and elephant life and I am afraid, the choice will not be too difficult to make.

Mr. Temporary Deputy Speaker, Sir, under the Office of the President there is an allocation for Kshs1.5 billion for relief and rehabilitation. That amount of money can only buy one million bags. I know for certain that North Eastern Province, North Rift and the whole of Eastern Province are really facing serious famine. In Meru, we have the worst famine in living memory. We are only getting 1,000 bags for the whole of Meru Central. That amount is not enough to feed those who are almost starving to death. So, could the Minister increase the provision because the situation is really getting out of hand? However, what is more important, if you go to Meru today, is that the people have tilled the land and are ready to plant but they have no seed. Whatever food there was, they have eaten it. We keep praying that the rains will come this month. Could the Government provide seeds for the people because unless that is done, things will get completely out of hand?

Mr. Temporary Deputy Speaker, Sir, let me just say a few words on retrenchment. It is unfortunate that an exercise which was, perhaps, well meant is turning out to be really bad for the country. The Minister told us that the Government and his Ministry are working to eradicate corruption. The outside signs are very healthy but the experience in Meru, once again, is that the corrupt officers have taken the opportunity to retrench the good officers who were stopping them from "eating". I will just give one example. This is in the Department of Weights and Measures in Meru where the officer in charge has hired a big office. He pays for its electricity, water and all. He sublets the office. He collects money for rent, water and electricity and I am certain that whatever he collects for the work he does for Weights and Measures Department, only about 20 per cent goes to the Government as Appropriations-in-Aid. We have reported this matter to the Ministry but that officer is now the one who is being retained. The officer who was objecting to the open corruption has been retrenched. I believe time has come for the Government to use retrenchment the way it ought to be used.

I beg to support.

Mr. Muturi: Mr. Temporary Deputy Speaker, Sir, thank you for recognising me and also giving me this opportunity to make a few comments on the Vote of the Office of the President. I do not wish to repeat what my colleagues have said about the need to trim the Office of the President. All it needs is just prudence. If the Office of the President is heavily loaded with so many departments, then obviously we will have problems with that office in overseeing or supervising what the other Government Ministries are doing. It is no wonder that day in, day out, year in, year out, hon. Members pose Questions here to various Government Ministries and the kind of answers that we receive leave so much to be desired. On numerous occasions, today included, Members are lost as to where to turn to. We wish that the Office of the President was made leaner with regard to the departments that it has to embrace, which carry with them implementing roles so that it could be left to do supervisory work.

Mr. Temporary Deputy Speaker, Sir, having said that, I want to add my voice to those of my colleagues who have talked about the Police Department which is among the various ones that are under the Office of the President. I may not wish to repeat this, but I am also aware from personal knowledge that the morale in the Police Department is at its lowest. Indeed, it is surprising that just after we have read about the report that was compiled by a committee appointed by the Commissioner of Police, it turns out that just a day later, the Minister who I believe is meant to be the

boss of the Commissioner, turns round and starts denying the contents of the report. Sometimes these things can only be explained in what my learned friend, the hon. Maundu, says is just an exemplification of the fact that the left hand may not know what the right hand is doing. We have seen the police in this country being given some vehicles called Mahindras through a company called Kamsons. All those Mahindras are now junks. Kamsons are now happily enjoying some fantastic buildings within the City of Nairobi which are prime properties. Is it really too far-fetched to imagine that Kamsons must have swindled the Police Department and, therefore, the Office of the President? What were the police expected to do with Mahindras? Is that really a way of telling them that: "We know that we have trained you well and these are the tools of trade; Mahindras!"

An hon. Member: Those are lies!

Mr Muturi: But they are all over. Anyway, they are junks. It is a fact and a truism that cannot be denied.

Mr. Temporary Deputy Speaker, Sir, the *El Nino* rains came and pounded our country all over; roads were messed up and everywhere in the villages, we had gullies. Then somebody strangely now decides it is the best time to give the police force, Toyota saloon cars. This must be extremely twisted logic. Very twisted thinking! When the road infrastructure has collapsed, you decided it is high time to give the Police Force Toyota saloon cars. I cannot understand! Anyway, this is one of the things we are pointing out, to show that there is need to inculcate greater thinking and planning and put forward management before execution. What we are doing is that, somebody comes up with an idea and we take it as if it is the Gospel Truth. It is for that reason you can see, there is a case in court on the retrenchment programme. I am not so sure that we may not be affected by the *sub judice* rule, but an idea of retrenchment came up and it was executed without proper planning. All we are told is that, it was in the Budget Speech read by the Minister for Finance. Surely, is this House not the right place for the Minister concerned, to come up with a Sessional Paper to explain to Kenyans and be able to prepare civil servants for the retrenchment exercise, so that our input into that Sessional Paper will be the criteria for the retrenchment? I am very sure that if that has been done, and decisions which would be arrived at followed, we would not be having the hue and cry that we are now witnessing all over the country. This is because we see many young men and women being sent home. We have just heard from some hon. Members, who have spoken before me, that 28 and 30-year old civil servants are being sent packing and they leave their fathers in the service. We wonder if their fathers really invested so heavily in their sons and daughters. Why do they not give them chance to come and put their input into the development of the country? If we are talking about the efficiency of civil servants, really we must have a criteria of measuring it in the Civil Service.

Mr. Temporary Deputy Speaker, Sir, the Immigration Department falls under the Office of the President. It is an interesting department. It is a department that does not know that the President himself says that we have so much trained manpower that we can now export to the Comesa region. I am saying this department does not know that because, if it did, it would not be putting so much impediments to young Kenyans acquiring passports. How then, do they implement what the President says about exporting manpower? If a young man who has graduated, and has applied for a job and he has been invited to go to Malawi, is asked for his bank statement--- What does a priest have to do with a passport? How do you expect a young man who has just graduated to give you a bank statement and yet, he is going to look for a job? Indeed, he is only heeding the word of the President when he says that we have enough trained manpower which we can export. But the Immigration Department is so impervious to reasoning that even common sense does not exist there. Now we are retrenching a 30-year old civil servant. I want to urge the Office of the President to talk with the Immigration Department because some of these young men we are retrenching, I am sure, do not have passports. Please, ask this Government not to put those impediments to the retrenchees when they start looking for jobs in South Africa and Malawi, among other countries. Unless we do that, we will be creating a time bomb in this country. The Kshs240,000 which we are talking about is not enough. It is just peanuts. If these young men and women get the opportunities out of this country, I am imploring the Office of the President and the Minister concerned, to see to it that the Migration Department improves its image. The same applies even to investors who want to come and do business in this country. So many impediments are placed on their way towards getting work permits. They are told they must have so much money. When they go to the Department of Immigration, they are asked to produce passports. Which one comes before the other? We have talked about so much money going to the Department of Immigration; it is high time we computerised that department, so as to eradicate the high level of corruption that is rampant there.

With those few remarks, I beg to support.

The Temporary Deputy Speaker (Mr. Imanyara): Yes, Mr. Kamande!

Hon. Members: Kamande or Kamanda?

Mr. P.K. Mwangi: Thank you, Mr. Temporary Deputy Speaker, Sir. I am Kamande Mwangi, Member for Maragwa.

I rise to support this Motion but I would like to concur with my other colleagues who have said that the Office of the President needs to be retrenched. There is no other Ministry which has so many departments like the Office of

the President. It has left many Kenyans asking themselves what happens within that Ministry because each and every department which has money, is taken to the Office of the President. For example, the *El Nino* Emergency Fund and the Kenya Wildlife Service (KWS) are under the Office of the President and even the AIDS/HIV Programme is under the Office of the President. Do they have any rationale? What criteria do they use to keep it there?

Hon. Members: AIDS!

(Laughter)

Mr. P.K. Mwangi: Mr. Temporary Deputy Speaker, Sir, the Office of the President is a money maniac. I will start with the Police Force and, for quite a long time, this House has been blaming the Police Force for nothing. We know very well that all those who are working in the Force are under 55 years, but like my colleagues have said, those officers are living in deplorable conditions. In my constituency, which has about three police posts, they are living in bars. Like hon. Nyachae said, instead of going to sleep, they go to spend their nights in the bars. How do you expect those people to work? The Office of the President has even been unable to pay telephone bills. There is no way one can communicate with a police station and yet, they are asking us to vote for them all this money. It is high time this Force was respected. They should be given a chance to work and they should be promoted on merit. For one to join Kiganjo Police Training College, one has to produce Kshs30,000. What is it? I am ready to substantiate my remarks. Just go to the districts when they are recruiting; that is what is happening there.

The Minister for Public Health (Prof. Onger): On a point of order, Mr. Temporary Deputy Speaker, Sir. The hon. Member has made a serious allegation, that people joining the Force pay Kshs30,000. Could he table before this House, evidence and substantiate that claim?

Mr. P.K. Mwangi: If you want to prove that, just go to Kiganjo Police Training College and ask those people about their families. You will realise they come from rich families. There is no one from a poor family.

The Minister for Public Health (Prof. Onger): On a point of order, Mr. Temporary Deputy Speaker, Sir. The onus is on the hon. Member to lay the facts on the Table. It is not for us to go to Kiganjo. He has said that he is aware. Could he substantiate?

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

The Temporary Deputy Speaker (Mr. Imanyara): Order! Order, Mr. Angwenyi! There is another point of order!

Mr. P.K. Mwangi: Mr. Temporary Deputy Speaker, Sir, what the hon. Minister---

The Temporary Deputy Speaker (Mr. Imanyara): Order! Order! Prof. Onger is quite in order. You made an allegation and you have been asked to substantiate it. Please, go ahead.

Mr. P.K. Mwangi: Mr. Temporary Deputy Speaker, Sir, what I am being asked to substantiate can be very well proved at Kiganjo Police Training College. I have told him to go to Kiganjo Police Training College and inquire from those recruits. They will tell you where they come from. You cannot get somebody from a very poor family. They all come from families which can afford to pay Kshs30,000. That is what is happening and it was even in the newspapers. You are trying to deny that fact!

The Temporary Deputy Speaker (Mr. Imanyara): Order! Order! I think you are perfectly aware that you need to substantiate or withdraw that allegation. The rules are very clear.

Mr. P.K. Mwangi: Mr. Temporary Deputy Speaker, Sir, I am not ready to withdraw or apologise. But that is what is happening!

The Temporary Deputy Speaker (Mr. Imanyara): Order! Order! If you are not ready to do any of those, the choice is very much yours. You will have to leave the House.

Mr. Angwenyi: It is so early!

Mr. P.K. Mwangi: I had better leave instead of---

(Mr. P.K. Mwangi withdrew from the Chamber)

Mr. N. Nyagah: Thank you, Mr. Temporary Deputy Speaker, Sir. While supporting this Motion, I have a few things that I wanted to say first, in relation to my constituency. In my opening remarks, I am praying, hoping and wishing that I am not making my last statement in Parliament, before a snap election is called. Having said so---

Hon. Members: Time up!

The Temporary Deputy Speaker (Mr. Imanyara): Order! Order! This is an allotted day and we may go up to Seven o'clock. There are Members who want to contribute.

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

The Temporary Deputy Speaker (Mr. Imanyara): Order! Order! Mr. Nyagah, today is an allotted day; you may continue to contribute.

Mr. N. Nyagah: Thank you, Mr. Temporary Deputy Speaker, Sir.

Mr. Angwenyi: On a point of order, Mr. Temporary Deputy Speaker, Sir. This House is discussing the financial resources of the country and if we are told by a Member that there is corruption in the recruitment of police recruits, we must go to the root of that statement.

The Temporary Deputy Speaker (Mr. Imanyara): Order! Order, Mr. Angwenyi! The Member made a specific allegation regarding payments of Kshs30,000. Mr. Angwenyi, you know the rules as much as I do.

Mr. Nyagah, continue!

Mr. Nyanja: On a point of order, Mr. Temporary Deputy Speaker, Sir. I would like to have guidance from the Chair because of the future. We are talking about Kshs30,000 changing hands. How does hon. Kamande---

The Temporary Deputy Speaker (Mr. Imanyara): What is your point of order, Mr. Nyanja?

Mr. Nyanja: Mr. Temporary Deputy Speaker, Sir, unless Mr. Kamande brings you some crooks from Kiganjo, how would you expect him to prove his point? I would now like to have some guidance from the Chair!

The Temporary Deputy Speaker (Mr. Imanyara): Order! Order! Mr. Nyanja, I do not know when you became the spokesman for the hon. Member who spoke here. If you do not have a point of order, please, do not interrupt the contribution of another hon. Member.

Proceed, Mr. N. Nyagah.

Mr. Angwenyi: On a point of order, Mr. Temporary Deputy Speaker, Sir. This is the first day after our recess. As you are aware, we ended the last sitting by expunging the names of thieves from the "List of Shame" that was brought to this House by the Select Committee on Corruption. We do not want to cover up corruption. If there is corruption, maybe---

The Temporary Deputy Speaker (Mr. Imanyara): Order! Order! Mr. Angwenyi, this may be the first or last day of this Sitting, but the rules of this House apply equally whenever this House sits. Proceed, Mr. N. Nyagah.

Mr. N. Nyagah: Mr. Temporary Deputy Speaker, Sir, after listening to the hon. Members who spoke here this afternoon, I realised that they all revolved around a few areas within---

Mr. Muihia: On a point of order, Mr. Temporary Deputy Speaker, Sir. The hon. Member who was sent out of this Chamber was pursuing a matter of corruption. I was walking in when the hon. Member withdrew from this Chamber. I am pursuing an issue concerning people who paid out Kshs50,000.

The Temporary Deputy Speaker (Mr. Imanyara): Order! Order, Mr. Muihia! That is not a point of order.

Continue, Mr. N. Nyagah.

Mr. N. Nyagah: Mr. Temporary Deputy Speaker, Sir, I need some attention and ruling from the Chair. You realise that since I stood here, I have said absolutely nothing. All my time has been taken up by hon. Members who have risen on points of order. Could the Chair take it that I am beginning my contribution now, so that I may have my full time to make my contribution? Having made that request, I would now like to continue with my contribution.

Mr. Temporary Deputy Speaker, Sir, I would hate to be a Minister of State in the Office of the President. Have a look at hon. Madoka. He and I are age-mates. However, he now looks as if he is 80 years old because of the workload that he handles in that Ministry!

(Laughter)

By the end of this year, hon. Madoka's hair will become even more grey, leaving me looking younger, as I do now. As one grows old, one goes through stages known as "menopause" and "penopause". In all sincerity, the Government must now admit and accept that it has reached its menopause and penopause stages. This is because if men and women from the Government side are complaining about the same things that I, poor hon. Nyagah, sitting on this side is complaining about, then it is worrying to some of us.

Mr. Temporary Deputy Speaker, Sir, let me now touch on three subjects that I want to talk about. One touches on the *El Nino* Emergency Fund whose money had been given out by the World Bank, and various roads were identified and rehabilitated. In Kamukunji Constituency, they identified First Avenue, Second Avenue and General Mathenge Street in Eastleigh. To my utter surprise and shock, the Ministry---

Mr. Maundu: On a point of order, Mr. Temporary Deputy Speaker, Sir. I do not want to take the time of my hon. friend, but he made a serious allegation against members of the Cabinet; that they are within the period of menopause. Is he in order? I think it is offensive, but why do they not even rise to complain about it? Anyway, I think it is out of order.

The Temporary Deputy Speaker (Mr. Imanyara): Proceed, hon. N. Nyagah.

Mr. N. Nyagah: Mr. Temporary Deputy Speaker, Sir, I would like to appeal to the Minister of State, Office of the President, hon. Shariff Nassir, to fulfil the promise he made. A few weeks ago, a delegation from my constituency visited hon. Nassir and they were promised that Second Avenue, which serves all the businesses in Eastleigh, will be redone, and yet, it had been put down in writing that, that road had been deleted from the programme. We would like to know what led to the deletion of that particular road, and where its money was allocated to. Forty-seven per cent of Kenya's GDP is derived from Nairobi, and my constituency contributes the second highest amount towards it, partly because of that area called Eastleigh.

The other issue that I would like to talk about is security. Over and over again, Eastleigh has been a security threat. Many a times, my constituents have been bothered for a very long time, and I would like the Minister to check on the following: Whether the Armed Forces officers, the regular police officers, be they from GSU or any other unit, do not go on leave, spend all their period in Eastleigh and at night they wear uniform in order to extort money from poor residents of Eastleigh. We have held several meetings with the area OCS, OCPD and the DO, and it has not materialised to anything. The reason is that there is a lot of money that is being derived from Eastleigh, and, therefore, it has become a haven for many security officers to go and create that kind of a situation there. We would like that to come to an end.

I have also made another appeal in this House before, but my words have not been taken seriously. Let us revisit and look at the workforce at the Pangani Police Station. Every person from Eastleigh who has spent a night in that police station would complain about harassment by those police officers, and of how much they paid out to those police officers, and we would like to have some form of check-up by the Minister in that police station. I have also said it here before that the training facilities of the police in this country are too few. The Kiganjo Police Training College is too small and it can only accommodate 1,000 people at any given moment, and, therefore, we are not able to re-train the police who have gone amok. If you look at all sorts of mannerisms of the incidences that are taking place, you will hear that police officers have been involved. I think in times of insecurity, the Government needs to pull up its socks; it is not safe anymore to drive or walk in Nairobi.

Let me go public on another issue because we seem to have misinformed Kenyans that MPs are armed. I want to make a categorical statement that most MPs on the Opposition side do not own guns, irrespective of having passed a Motion here urging for that because we are the same people who are becoming targets, particularly during this time of high incidences of insecurity in the country. Those who are sitting in the Front Bench are very lucky because they are protected. I even noticed recently that hon. Biwott's grandchildren have bodyguards. They are more important than I am, and yet I am an hon. Member, representing 400,000 people. Our priorities are misplaced as to who should get protection. I also want to tell the Front Bench that you may have two or three security men, but at the end of the day, that man who sits out there is great. Most of you will welcome me in heaven, if at all you ever get there. It is a known fact that I bless people in this House. It is one of the virtues that I have. That is why you see them sitting because they know that if any one of them raises an objection and I curse him, then that is the end of it.

Talking about immigration, in my constituency I have a lot of West Africans and I have pleaded before in this House that this Government should look at the number of West Africans who have been given licences to operate in Kenya. A lot of West Africans who are trading in my constituency come in here as students. They have been registered as students for a very long time yet they are very rich businessmen at that level. They are all engaged in very big business of second hand clothing creating a very heavy competition amongst Kenyans who are in this country. You have also seen very many West Africans being frog-matched in the streets of Majengo because of dealing in hashish. This is the kind of group that I heard earlier on one of the party leaders defending; that they should get permits to come here. If this is the kind of category of people we need; I do not need them in my constituency. A few of them were recently arrested and we were hoping they would be sent home. However, they were fined very minimal amounts of money when they went to Makadara Law Courts. If they used the same format through which they approached me in the court, then that leaves a lot to be desired. We need to do a lot of work to get rid of these people who have no permits to work in this country, but have big businesses.

The Minister is asking whether I took the money when they approached me.

The Temporary Deputy Speaker (Mr. Imanyara): You should talk to the Chair not to the Minister!

Mr. N. Nyagah: I am actually talking to the Chair. I am just saying what the Minister has asked me.

The Temporary Deputy Speaker (Mr. Imanyara): Which Minister is this? You should answer him through the Chair!

Mr. N. Nyagah: Mr. Temporary Deputy Speaker, Sir, let me proceed. The other thing I would like to ask the Government is about these fires that have taken place within Nairobi. I know for sure in Gikomba eight people have been arrested and released. We have heard them talk on tape about what they were going to do before and on that material day. The people of Gikomba are crying that justice be done by these people being taken to court, prosecuted and justice metted to them.

With those few words, I beg to support.

Mr. Mwakiringo: Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity, to contribute to the Office of the President's Vote. I would like to start with the retrenchment issue. The holy teachings tell us that good leadership starts from your own house. It is in your own house that you get problems from your children and wife. Once you solve those problems, then you can lead others outside. What am I saying? Instead of retrenching the youth who are aged between 28 and 45 years, for the Government to be seen to be supporting the retrenchment, it should start with the Cabinet in the Office of the President. The Ministers in the Office of the President should be retrenched. Retrenchment should start from there, and when they turn to the Civil Service, we can say: "The retrenchment started with the Cabinet." We can make some savings there! When we listen to the news and hear about the Minister for Energy, we wonder whether it is Mr. Masakhalia or Mr. F.L.P. Lotodo. In the Ministry of Health, we wonder whether it is Dr. Anangwe or Prof. Onger! We must start from such offices. Whatever is saved from the Cabinet should pay chiefs!

The Minister for Medical Services (Dr. Anangwe): On a point of order, Mr. Temporary Deputy Speaker, Sir. I do not want to interrupt my dear friend, but I think he is misleading the House when he says that Dr. Anangwe and Prof. Onger do not have separate dockets! I am the Minister for Medical Services and Prof. Onger is the Minister for Public Health! I am sure the same also applies to the other Ministers!

Mr. Mwakiringo: Mr. Temporary Deputy Speaker, Sir, that could be right in your Ministry, but not in the Ministry of Energy. However, chiefs are very important people in the Government. That is where the image of the Government starts from. I would wish to concur with one of my colleagues who spoke earlier that, instead of the chiefs being recruited by the DCs and DOs, we should revert to the old system where they were elected by the people through queue-voting. It is in that line that they can command respect by the people. We would like the chiefs to be elected by the people.

Mr. Temporary Deputy Speaker, Sir, although we are retrenching, we would like the Government to cease creating divisions in the districts. We cannot retrench and go on creating divisions in the districts. We will still need manpower. We are retrenching the same manpower. If we are totally retrenching, then we should stop creating more divisions in the districts.

Mr. Temporary Deputy Speaker, Sir, we talk of traffic laws and that an over-loaded public service vehicle is very dangerous. The Office of the President is totally over-loaded! The hook that is holding the Ministry is stretching downwards to make other things fall. The Office of the President is very smart in tapping departments which have got money. Yet, it does not render any services! Let me give an example of the Kenya Wildlife Service (KWS). The Constituency that I represent is 62 per cent covered by national parks; that is both Tsavo East and Tsavo West. But the services rendered to the communities around the national parks are zero. My mother or grandmother can never tell you what the KWS has ever done.

Mr. Temporary Deputy Speaker, Sir, our animals in the farms and ranches are now experiencing severe drought and, yet, the Kenya Wildlife Service (KWS) people do not allow our people to graze in the national parks. We have lived with these animals for years and, yet, the KWS personnel tell us to go to the Office of the President which controls it. I would like to point out that everything is referred to the Office of the President. Why is this so? Some of these departments must be de-linked from the Office of the President. I hope that we are talking to a listening Government and Ministers in the Office of the President. The Office of the President is controlling everything. I hope that the Commissioner of Police will bring a Bill here so that he is "divorced" from the Office of the President just like the National Security Intelligence Service (NSIS). It is a pity to see some of these policemen with torn trousers, shirts and berets along our roads. The Police Force is not housed properly. Their houses have no water and electricity and, yet, you expect them to serve you 24 hours. They have not enough vehicles to carry out proper operations. Promotion for police officers is not based on merit, but on tribalism. That is what is happening and that is why most of them are so demoralised and go out at night to do all evil activities. They know that no matter how much one works hard, he or she will still not get a promotion. So, who am I not to do all the evils in this country?

Mr. Temporary Deputy Speaker, Sir, I would like to talk about relief food and rehabilitation. The relief food which is being given out now should be distributed equally in this country. Somehow, this food is being used as a political tool to those who support the ruling party. Kenyans are Kenyans irrespective of the parties they belong to because no Kenyan here has a label showing the party he belongs to. So, every Kenyan should be attended to equally, but the Government is using this food as a political tool to sell itself. That should not be the case. When we get relief money, apart from it going to purchase relief food, we should see some of it going towards alleviating poverty, like the tapping of water from rivers which we have in this country, so that we can use it for irrigation like what South Africa is doing. We should create artificial waterfalls from the Mzima Springs, so that we can generate hydro-electric power and at the same time use it for irrigation. Again, that is being blocked in the Office of the President.

Mr. Temporary Deputy Speaker, Sir, I would like to say that the National Registrations Bureau is giving our

young men a lot of problems. Despite the fact that it has been decentralised, the system which they are being subjected to is very discouraging. We know that people from districts which are bordering other countries need to be vetted, but somehow, somewhere, the vetting is biased. I have an example of some of our people from Taita-Taveta District, who reside in Nairobi and Mombasa and they are told to go back to their home districts for the national identity cards, but when they go there, they are told that they are not Taitas and, therefore, they cannot be issued with the national identity cards until they go and bring the birth certificates of their grandfathers. These people are dead. Where will they get them? What is happening? Even when they are registered, it takes over two months for them to get the national identity cards from Nairobi. We should streamline this exercise so that we can have more Kenyans being registered and even if it comes to exporting manpower to other countries, they will have all the documents to identify themselves as Kenyans.

Mr. Temporary Deputy Speaker, Sir, I would like to see a Government which is focused and which says something and implements it to the letter. But due to this overloading at the Office of the President, nothing gets on well in that office because it has so many funds in its docket. It can transfer funds from one Vote to the other and when you ask questions later on, you are told that funds are not available. This is because of that mess in that docket which is handled by one Minister and one Permanent Secretary. I do not know what other Ministers in the Office of the President do. For example, "my father", hon. Nassir, to me, is just a mere "Chief Government Supplies Officer" rather than a Minister because he supplies relief food. That is why I have said that some of these Ministries should be retrenched because they are mere departments.

Mr. Temporary Deputy Speaker, Sir, I would want to suggest that the National Security Intelligence Service offices in the districts should be divorced from the police buildings. If possible, they should build their own buildings or rent their own units. Once they are housed within the police buildings, the police mentality will remain there and they will always assume that they have not been divorced from the Commissioner of Police. They should have their own separate offices so that they can operate independently in the districts.

With those few remarks, I beg to support.

ADJOURNMENT

The Temporary Deputy Speaker (Mr.

Imanyara): Hon. Members, there being no other hon. Members wishing to make further contributions, I will adjourn the proceedings of the House to tomorrow, Wednesday, 4th October, 2000, at 9.00 a.m.

The House rose at 6.58 p.m.