

# NATIONAL ASSEMBLY

## OFFICIAL REPORT

Wednesday, 6th July, 2005

The House met at 9.00 a.m.

*[Mr. Deputy Speaker in the Chair]*

### PRAYERS

### POINT OF ORDER

#### LEAVE TO MOVE A MOTION LATER

**Maj. Madoka:** On a point of order, Mr. Deputy Speaker, Sir. I had seen you with the intent of moving a Motion this morning, but for a very special reason, I would like to seek your indulgence so that I move it next week.

**Mr. Deputy Speaker:** Maj. Madoka, you were to make a request some time, but the Chair has noted what you have said.

Next Order!

### QUESTIONS BY PRIVATE NOTICE

#### DESTRUCTION OF WATER CATCHMENTS IN TAITA-TAVETA DISTRICT

**(Dr. Ojiambo)** to ask the Minister for Environment and Natural Resources the following Question by Private Notice.

(a) Is the Minister aware that there is ongoing destruction of water catchments in Mbale and Sagala locations of Taita- Taveta District?

(b) Is he further aware that on 11th May, 2005 and also on 9th and 10th June, 2005, Government lorry registration No.GK A755D and Toyota Land cruiser GKA432H were used to ferry logs of timber from the destroyed forests to an unknown destination in the District?

(c) Could the Minister inform the House who issued the logging permits to the people involved in cutting trees in the catchment areas?

**Dr. Ojiambo:** Mr. Deputy Speaker, Sir, I asked this Question last week and it was partly answered. The Minister was required to bring a list of the names of the drivers who had these lorries. He was also to tell us where these lorries were on those material dates.

**Mr. Deputy Speaker:** Yes, indeed, I recall that it was just a matter of the Assistant Minister certifying to the House as to the whereabouts of the vehicles in question. In fact, he was to lay on the Table of the House the work tickets of those vehicles.

**The Assistant Minister for Environment and Natural Resources (Mr. Kamama):** Mr. Deputy Speaker, Sir, I answered this Question on the said date. My job today is basically to lay these

papers on the Table. I beg to do the same.

**Mr. Deputy Speaker:** Which papers?

**The Assistant Minister for Environment and Natural Resources** (Mr. Kamama): Mr. Deputy Speaker, Sir, the work tickets and a list of the names of the drivers. I would like to lay the same on the Table of the House.

**Mr. Deputy Speaker:** Proceed and do so!

*(Mr. Kamama laid the documents  
on the Table)*

Dr. Ojiambo, did you have a chance to look at these documents?

**Dr. Ojiambo:** Mr. Deputy Speaker, Sir, I have not had access to those papers. I do not know what information is contained in those documents that the Assistant Minister has laid on the Table. Could I request that he reads out that information?

**Mr. Deputy Speaker:** Well, I really do not know how to deal with this matter. I will defer this Question further so that you may look at the papers and then we can deal with the matter next time.

**Mr. Mwandawiro:** Jambo la nidhamu, Bw. Naibu Spika. Je, ni haki kutoa habari kutoka kwa maofisa ambao wametuhumiwa kwa kushiriki katika kuharibu misitu katika milima ya Wilaya ya Taita-Taveta? Tutakuwa tunasaidia Bunge na wananchi tukitegemea maofisa kama hawa ambao tunawatuhumu kwa kuharibu misitu?

**Mr. Deputy Speaker:** Mr. Mwandawiro, hakuna haja ya kupoteza wakati tukijadili Swali ambalo limeahirishwa. Kwa hivyo, jambo ambalo umelitaja litazungumziwa Swali litakapoletwa Bungeni.

*(Question deferred)*

#### MEASURES TO PROTECT STRATEGIES HEALTH CREDITORS

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

(a) Is the Minister aware that Strategies Health, a company offering health insurance services, is in the process of winding up its business operations in Kenya?

(b) Is he further aware that the company owes millions of shillings to many policy holders and service providers in the health sector?

(c) What measures is the Minister taking to protect the interests of policy holders and service providers who are at risk of losing money to the company, which is planning to relocate to another country?

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

(a) I am not aware that Strategies Health is in the process of winding up its business operations in Kenya.

(b) I am not aware of the extent of the liabilities of Strategies Health given that the company was not under the regulations of the Insurance Act.

(c) Strategies Health applied for registration under the Insurance Act on 17th December, 2004. They did not comply with the following requirements:

Local shareholding requirements, professional indemnity cover minimum of Kshs1 million;

statements of outstanding premiums signed by the auditor and application forms were not duly completed. The Insurance (Amendment) Act requires that all medical insurance providers must be registered by the Commissioner of Insurance. This became effective from 19th December, 2004. Only nine medical insurance providers have been registered by the Commissioner of Insurance to date. Strategies Health is not one of them. Consequently, parties aggrieved by this company can only seek legal redress in accordance with the law.

**Dr. Manduku:** Mr. Deputy Speaker, Sir, I would like to thank the Assistant Minister for that answer. However, if Strategies Health was not registered to offer health insurance services in this country, how then did it continue operating? The Government, and many private institutions were covered by this institution. Strategies Health continued being in business without anybody querying their operations in this country. How was that possible?

**Mr. Obwocha:** Mr. Deputy Speaker, Sir, when Strategies Health applied for registration, the Commissioner of Insurance wrote to them advising them on the Minister's decision and requesting submission of the outstanding documents. He did not receive a response to his letter prompting him to invite Strategies Health for a meeting which was scheduled on 21st June, 2005 at 3.00 p.m. The same day the meeting was scheduled, the Commissioner of Insurance learnt from the Press that they had actually closed down that morning. So, it was in the process of trying to register them that they closed down.

**Mr. Deputy Speaker:** Order, Mr. Assistant Minister! The Question was: "Why were they allowed to operate without being registered?"

**Mr. Obwocha:** Mr. Deputy Speaker, Sir, they started operating when they had submitted certain documents and had left out others. However, the Commissioner of Insurance requested for the additional documents. It is within that period that they closed down.

**Mr. Munya:** Mr. Deputy Speaker, Sir, there is more to this issue than meets the eye. There have been similar health insurance companies that have gone under with people's money. How did the Government agencies pay premiums to this insurance company that had not complied with the Insurance Act? Could he tell us specifically whether the directors have been arrested? It appears they have been taking premiums illegally from the non-suspecting public.

*(Applause)*

What action has the Assistant Minister taken? He is not serious because he is telling us that he has not looked at the liabilities of the company. Why is he not answering the question?

**Mr. Deputy Speaker:** Relax, Mr. Munya! That is enough!

**Mr. Obwocha:** Mr. Deputy Speaker, Sir, that lawyer is quarrelling instead of asking a question!

**Hon. Members:** No!

**Mr. Obwocha:** Mr. Deputy Speaker, Sir, the law was changed last year. Medical insurance was not under the Insurance Act. It was only changed last year. As you would remember, we have even been paying premiums to companies like M/s AAR. However, since this was in the process of both parties trying to find out what the new law is, that is how this tragedy happened. I can assure the hon. Member that I will take appropriate action against the directors if they are found to have flouted any law.

**Dr. Manduku:** Mr. Deputy Speaker, Sir, there were such companies last year, and the previous years, that also cheated many clients in this country. One of them was M/s MediPlus, M/s Medicare and others. The Assistant Minister knew and still knows about them. He still allowed this company that is not registered to continue practising. In this respect, there are many people who have lost money to this company. Could he take immediate action to save these clients? Most of these

directors are foreigners and are likely to run away from this country.

**Mr. Deputy Speaker:** That is enough, Dr. Manduku! When you ask a question, you put a fullstop or a question mark and let the Assistant Minister answer it.

**Mr. Obwocha:** Mr. Deputy Speaker, Sir, that is a good question. We learnt about what is happening to some of these providers last year. In fact, we learnt it from the closure of M/S MediPlus, and we changed the law. I can assure the hon. Member that we are going to move in swiftly, investigate this matter and safeguard any person or members of the public who may have been defrauded by this company.

MEASURES TO SAVE ALUPE SUB-DISTRICT  
HOSPITAL FROM COLLAPSE

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

(a) Is the Minister aware that the delivery of health services at Alupe Sub-District Hospital in Teso District is on the verge of collapse?

(b) If the answer to "a" above is in the affirmative, what are the causes of the decline in the provision of medical services at the health institution?

(c) What urgent plans does the Minister have to address the myriad of problems affecting the sub-district hospital?

**The Assistant Minister for Health (Mr. Konchella):** Mr. Deputy Speaker, Sir, I beg the indulgence of the House and request that I answer this Question next Tuesday.

**Mr. Deputy Speaker:** Why do you want us to defer the Question, Mr. Assistant Minister?

**The Assistant Minister for Health (Mr. Konchella):** Mr. Deputy Speaker, Sir, the information I have from the Ministry is that the Question has not been received although the Clerk of the National Assembly has certified that it has been signed for. There must be a problem somewhere. It has not been worked on.

**Mr. Deputy Speaker:** Mr. Ojaamong, what do you have to say?

**Mr. Ojaamong:** Mr. Deputy Speaker, Sir, this Question was submitted two weeks ago. I am very much aware that the Ministry received it. I will only accept his request on condition that he directs the medical staff at Alupe---

**Mr. Deputy Speaker:** Order, Mr. Ojaamong! You cannot pre-empt what the Assistant Minister is going to say by seeking his commitment on a Question. Mr. Assistant Minister, this is a Question by Private Notice and it should be answered within 48 hours. You are asking us to defer it to next week. How many hours will those be? Today is Wednesday, and I order that this Question be answered tomorrow afternoon. These are our rules! We have Standing Orders and we cannot flout them.

*(Applause)*

*(Mr. Konchella stood up in his place)*

Order, Mr. Assistant Minister! That is an order! You will answer that Question tomorrow afternoon. It is not a judgement that you can appeal against. It is an order!

*(Question deferred)*

EXPANSION OF KISUMU AIRPORT

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

(a) Is the Minister aware that Kisumu Airport runway is dangerously bumpy and could cause an accident any time?

(b) When will the works for the proposed airport expansion commence?

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

(a) I am not aware that the Kisumu Airport runway is dangerously bumpy and that it could cause an accident anytime.

*(Loud consultations)*

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

**The Assistant Minister for Transport** (Mr. Ligale): Mr. Deputy

**[The Assistant Minister for Transport]**

Speaker, Sir, the runway at the Kisumu Airport meets the minimum requirements for safe aircraft operations.

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

**Mr. Deputy Speaker:** Order, hon. Members! You must be patient and let the Assistant Minister answer then you ask your questions!

Proceed, Mr. Assistant Minister!

**The Assistant Minister for Transport** (Mr. Ligale): Mr. Deputy Speaker, Sir, daily inspections are carried out by the Airport Manager while routine inspections are carried out monthly by the Kisumu Airport Runway Safety Inspection Team, which includes representatives from airlines operating at the airport, the Kenya Civil Aviation Authority (KCAA) and the Kenya Airports Authority (KAA). The last inspection by the team was carried out on 22nd June, 2005. According to this inspection, the runway at Kisumu Airport meets the minimum for safe aircraft operations.

(b) Technical and financial consultants proposals have been received and are being evaluated to select consultants for design and construction supervision of the Kisumu Airport expansion works. The design and tendering for the project is expected to take 10 months from now after which construction works for the proposed Airport expansion will commence.

**Rev. Nyagudi:** Mr. Deputy Speaker, Sir, the Assistant Minister comes from that region. I am very surprised that he is saying that he is not aware of the conditions of the runway yet he lands there every weekend. However, we all remember the Busia incident where the Government thought the airstrip was good. The Assistant Minister has said that the runway meets the minimum requirements. Why can we not meet the maximum requirements?

**Mr. Deputy Speaker:** Order, Rev. Nyagudi! You have asked your question!

**Rev. Nyagudi:** Mr. Deputy Speaker, Sir, I still have one more question!

*(Laughter)*

**Mr. Deputy Speaker:** No, Rev. Nyagudi! That is enough!

**Mr. Ligale:** Mr. Deputy Speaker, Sir, indeed, we want Kisumu Airport to be expanded. That is why we have received the proposals from the consultant. Once those proposals are evaluated, we will appoint a firm to carry out detailed designs. The airport will be expanded, the runway lengthened

and widened to accommodate large aircraft and make it even more safer.

**Mr. Wanjala:** Mr. Deputy Speaker, Sir, Kisumu Airport is our lifeline, if we want to fight poverty. The people of Western and Nyanza regions can only survive when that airport is rehabilitated and expanded to accommodate international flights. In the last financial year, the Minister for Transport was in Kisumu and said that Kshs500 million was allocated for the expansion of Kisumu Airport.

**Mr. Deputy Speaker:** Now ask the question!

**Mr. Wanjala:** Mr. Deputy Speaker, Sir, the year has ended and, maybe, that money has been returned. We want to grow flowers and export them through that airport! What urgent measures is the Assistant Minister taking to stop Kshs500 million from being returned to the Treasury, so that expansion work could start next month?

**Mr. Ligale:** Mr. Deputy Speaker, Sir, no money has been returned to the Treasury. The money that was allocated for the expansion of Kisumu Airport is still available, and that airport will be expanded.

**Mr. Sungu:** Mr. Deputy Speaker, Sir, thank you for recognising that I am the other hon. Member for Kisumu, which has no boundaries. The Assistant Minister has said that the airport will be expanded and the runway lengthened. But is he aware of the recent Government directive that any grabbed land must be repossessed by those who are affected? The land surrounding Kisumu Airport has been grabbed. There is no room for expansion or building a new terminal, except the runway. We should construct a big runway because Kisumu is now the regional headquarters of the Lake Victoria Management Authority. What steps is the Assistant Minister taking to ensure that land which was grabbed by individuals is returned to the airport authorities?

**Mr. Ligale:** Mr. Deputy Speaker, Sir, in fact, Kisumu Airport is one of the few areas in this country where land was not grabbed. I am aware of that. We have enough land for expansion. For the information of the hon. Member, we expect to lengthen the runway from 1,985 metres to 2,850 metres. The width will be expanded from 30 metres to 45 metres, so that aircraft like Boeing 737 can land in Kisumu. We have enough money and we shall make sure that, that work is carried out.

**Mr. Deputy Speaker:** Last question, Rev. Nyagudi!

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

**Mr. Deputy Speaker:** What is it, Dr. Khalwale?

**Dr. Khalwale:** Mr. Deputy Speaker, Sir, is the Assistant Minister in order to mislead the Republic that, that is the only area where land grabbing has not taken place when he knows that the land on which Molasses Plant in Kisumu was constructed was grabbed from the airport? Could he order that, that land be repossessed?

*(Applause)*

**Mr. Ligale:** Mr. Deputy Speaker, Sir, the hon. Member and everybody else should know that the land on which the Molasses Plant is situated is well outside the airport.

**Mr. Deputy Speaker:** Last question, Rev. Nyagudi!

*(Loud consultations)*

Order! Order, hon. Members!

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

**Mr. Deputy Speaker:** No, Mr. Wanjala! Overruled!

**Rev. Nyagudi:** Mr. Deputy Speaker, Sir, I am really surprised by the answers given by the

Assistant Minister. However, could the Assistant Minister---

*(Mr. Wanjala stood up in his place)*

**Mr. Deputy Speaker:** Mr. Wanjala, you will have to sit down!

**Rev. Nyagudi:** Mr. Deputy Speaker, Sir, you will have to intervene! There is a problem here!

*(Loud consultations)*

**Mr. Deputy Speaker:** Order! Everybody should sit down!

**Mr. Sungu:** On a point of order, Mr. Deputy Speaker, Sir. Is the hon. Member for Ikolomani in order to mislead the House and actually spoil the name of a very reputable company that the land on which the Molasses Plant is built was grabbed? It belonged to the people of Kisumu! It was given out voluntarily by the people of Kisumu.

**Mr. Deputy Speaker:** Order, Mr. Sungu! You are declared disorderly! I do not wish that we move on to that. I did order for the next question and someone around there is trying to disrupt this House! That will not be tolerated.

Rev. Nyagudi!

**Rev. Nyagudi:** Mr. Deputy Speaker, Sir, could the Assistant Minister confirm the amount that has been allocated for the airport, be specific about the date or the month when the work will commence and tell us whether other social amenities like schools and hospitals will be built during that expansion?

**Mr. Ligale:** Mr. Deputy Speaker, Sir, the amount of money that will be utilised for the expansion will be known after the consultancy work is completed. That is about to start any time from now. Apart from the runway that will be lengthened, the airport terminal will be expanded to cater for the increased number of passengers. No social amenities will be constructed in addition to the runway and the airport terminal.

**Mr. Deputy Speaker:** Next Question by the hon. Member for Machakos Town.

#### LAWYERS' BOYCOTT OF MACHAKOS LAW COURTS

**(Mr. Mwanzia)** to ask the Minister for Justice and Constitutional Affairs:-

(a) Is the Minister aware that operations at the Machakos Law Courts have been paralysed after lawyers boycotted court sessions?

(b) What urgent measures has the Minister taken to restore court operations, so that innocent Kenyans do not continue languishing in police/remand cells as a result of the boycott?

**Mr. Deputy Speaker:** Is Mr. Mwanzia not here? Question dropped!

*(Question dropped)*

#### ORAL ANSWERS TO QUESTIONS

*Question No.403*

COMPENSATION FOR MR. ALI'S NEXT OF KIN

**Mr. M.Y. Haji** asked the Minister of State, Office of the President:-

- (a) whether he is aware that compensation for the late Mr. Abdi Sheikh Ali who was killed by a crocodile was made to the District Commissioner, Garissa by Kenya Wildlife Service (KWS) vide letter Ref.KWS/GSA/3005(32) and cheque No.000056;
- (b) whether he is further aware that the above compensation has not been paid to the next of kin to date; and,
- (c) what steps he will take to ensure that Mr. Daar Ali Muhamed is paid the compensation due to him as the next of kin.

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

(a) Yes, I am aware.

(b) Yes, I am aware.

(c) My office has undertaken to pay Mr. Daar Ali Muhamed, who is the next of kin of the deceased, through the District Commissioner Garissa vide cheque No.000066 dated 24th June, 2005. So, Mr. Muhamed should be able to collect the cheque at the DC's office immediately.

**Mr. M.Y. Haji:** Mr. Deputy Speaker, Sir, if what the Assistant Minister has said is true, I think that is the most perfect and satisfactory answer I have ever received from the NARC Government! I hasten to add that, that Giriama Assistant Ministers do not eat rats.

**Mr. Deputy Speaker:** Mr. Y. Haji, what question have you asked?

**Mr. M.Y. Haji:** Mr. Deputy Speaker, Sir, at one time, I said that Giriama eat rats. But I am now saying that Giriama Ministers do not eat rats.

**Mr. Deputy Speaker:** I do not understand! Mr. Assistant Minister!

**Mr. Kingi:** Mr. Deputy Speaker, Sir, I do not know how that issue comes in. The issue we are addressing is whether Mr. Muhamed has been paid or not. I have said that he has been paid and he should go and collect his cheque. The issue of rats has nothing to do with the Question.

**Mr. Deputy Speaker:** Let us move on to the next Question. Capt. Nakitare!

*Question No.303*

SEIZURE OF PRIMARY SCHOOL  
LAND IN KITALE

**Capt. Nakitare** asked the Minister for Education, Science and Technology:-

- (a) whether he is aware that a senior civil servant has seized land belonging to Soil Conservation Primary School in Kitale; and,
- (b) whether he could institute measures to revert the land back to the school.

**The Assistant Minister for Education, Science and Technology** (Dr. Mwiria): Mr. Deputy Speaker, Sir, I beg to reply.

(a) I am aware that a senior civil servant in the Ministry of Agriculture grabbed part of 13 acres of land belonging to Soil Conservation Primary School in Kitale. I am further aware that this case is in court since 1999.

(b) Meanwhile, the District Education Board (DEB) and the Municipal Education Officer, Kitale Municipality and the school management committee have been instructed to ensure that the school runs without interruption until the matter is finalised by the court. In fact, the board is advised to take appropriate action leading to the repossession of the grabbed land in view of recent circulars from the Ministry of Lands and Housing.

**Capt. Nakitare:** Mr. Deputy Speaker, Sir, I thank the Assistant Minister for taking time to



answer this Question. As we speak now, the school stands on a three acre piece of land with a population of 1,080 pupils. These children have no amenities like toilets. Recently, the man who grabbed the land stopped the school from digging a pit latrine. He came and covered the pit latrine. The same man rears livestock on the school land and some of the animals stray into the classrooms. The man is rude and arrogant. Could the Assistant Minister, in view of the fact that we are dealing with repossession of land, tell us whether there any other people who have grabbed this school's land? Secondly, could he read their names and the acreage they have grabbed?

*(Loud consultations)*

**Mr. Deputy Speaker:** Order, hon. Members! Could I have some order in that corner?

**Dr. Mwiria:** Mr. Deputy Speaker, Sir, I have already indicated that in accordance with recent developments, any measures will be taken to remove the grabber from the school land. Yes, it is true that this is some kind of a cartel and it may be that the senior Ministry of Education, Science and Technology officer, a one, Mr. Ndiema, is probably fronting for a number of people who were allocated the same land. The land belongs to the Ministry of Agriculture. So, I do not know if it is appropriate for me to give names of people who grabbed this land since it falls under the Ministry of Agriculture. However, in case some of those people might have grabbed some of the land allocated to schools, would you like me to read their names?

**Mr. Deputy Speaker:** It is not necessary since I do not know what it is going to help since part "b" of the Question reads: "Could the Minister undertake to institute measures to revert the land back to the school?" That is the matter in contention.

**Dr. Mwiria:** Mr. Deputy Speaker, Sir, I think it is important to table the list of the names because it is related. I think the grabbers need to be known.

Mr. Deputy Speaker, Sir, what we have recommended very strongly is that, in view of the length of time it might take to remove these people, I think we urge the school management board to ensure that these people are evicted from the property.

*(Dr. Mwiria laid the document on the Table)*

**Mr. Mwandawiro:** Bw. Naibu Spika, kuna agizo kutoka kwa Wizara ya Ardhi na Nyumba wananchi watekeleze uwezo wao na wachukue ardhi ya umma ambayo imenyakuliwa na naona watu wanaregarega. Je, Wizara ya Elimu, Sayansi na Teknolojia kweli imeagiza hii shule ya msingi ya Conservation huko Kitale pamoja na Mbunge waichukue hiyo hatua mara moja kuanzia hata kesho?

**Dr. Mwiria:** Mr. Deputy Speaker, Sir, in fact, in the last part of my answer, I said that: "The Board is advised to take appropriate action leading to the repossession of grabbed property". Therefore, I agree with the Ministry of Lands and Housing.

**Mr. Karaba:** Mr. Deputy Speaker, Sir, the grabbing of school land is not only confined to Kitale. We have many schools in Kenya losing land through grabbing. Could the Assistant Minister institute a national policy whereby all schools whose land has been grabbed is returned to them?

**Dr. Mwiria:** Mr. Deputy Speaker, Sir, we have already given a list of the schools that have suffered this kind of problem to the Ministry of Lands and Housing and I do not think we need to over-emphasise the point that has already been made. In view of the fact that the law tends to favour very much those who are propertied and who can pay expensive lawyers, I think it is important that we just go by the directive of the Ministry of Lands and Housing on repossession.

**Capt. Nakitare:** Mr. Deputy Speaker, Sir, it is imperative that education is provided for in this country. Our children need a clean environment. In this case, Soil Conservation Primary School pupils have been subjected to legal tussles between the man who grabbed their land and the teachers.

Could the Assistant Minister ensure that the teachers are protected from this man whenever he goes around using Administration Police to harass them?

**Dr. Mwiria:** Mr. Deputy Speaker, Sir, yes, it is our duty to protect both the pupils and the teachers and we shall ensure that it happens.

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

*Question No.512*

IMPLEMENTATION OF REP  
IN MARAKWET DISTRICT

**Mr. Sudi** asked the Minister for Energy:-

(a) whether he is aware that there is no electricity in Marakwet East Constituency although the power line from Turkwel Power Station passes through Kerio Valley; and,

(b) what rural electrification plans are in place for the constituency and Marakwet District at large.

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

(a) Yes, I am aware that there is no electricity in Marakwet East Constituency although the power lines from Turkwel Power Station pass through Kerio Valley.

(b) The Ministry has already approved for implementation of the other mentioned schemes in Marakwet District during the 2005/2006 Financial Year. These are: One, Chesoi Market and Health Centre in Marakwet East - Kshs77 million. Two, Yemiet Market and Secondary School, Chebulbai Market and Dispensary, Chemanai Market and Health Centre in Marakwet West for Kshs2 million. Three, Kaptalamwa Market and Health Centre, Kapsait Market and Trading Centre, Kam Trading Camp, Lelan Secondary School and Kapkudul Market in Marakwet West, Kshs20 million.

**Mr. Sudi:** Mr. Deputy Speaker, Sir, I am surprised by the answer given by the Assistant Minister. I asked a very specific Question on the power line which passes through Kerio Valley and yet the Assistant Minister is building castles in the air and his answer is totally wrong. He is quoting imaginary figures of millions of money. We can get power out of this power line by step-down transformers and supplying it to the residents of Marakwet District. When is the Assistant Minister going to provide us with step-down pylon transformers in order to tap power which passes through Marakwet District and supply it to the residents?

**Mr. Kiunjuri:** Mr. Deputy Speaker, Sir, I need not sympathise with the hon. Member because he thinks everything is impossible. Having suffered under the previous regime for over 20 years, seeing those power lines, he cannot believe that we can do it. First, may I inform the hon. Member that we cannot interfere with those power lines coming from the generation points since they are main lines. Even if we got transformers, we cannot interfere with them. What we are doing and why he is surprised that we are spending this amount of money is that the power line which is very close to his district is at Kapsowar. That power line is 11 KV and if it is extended to the Chesoi Market, cannot be of any use. It will be tantamount to waste of money because already we have to first of all upgrade this line from Iten, which is 50 kilometres, to Kapsowar, to 33 KV. We will spend that amount of money and then we will be able to connect from Kapsowar to Chesoi at a cost of Kshs19 million. However, may I assure him that we are not playing politics. This Government is committed to improving the living standards of people, and especially the Marakwet.

**Mr. Manoti:** Mr. Deputy Speaker, Sir, how long does it take for a consumer to be connected after payment of the full amount required has been made? Does the Ministry have a time-frame? I am asking this question, because a tea factory in my constituency paid some money to Kenya Power and

Lighting Company in March, to be supplied with electricity, but it cannot be opened because it has not yet been supplied with electricity.

**Mr. Kiunjuri:** Mr. Deputy Speaker, Sir, I agree that we have failed in more than one occasion to supply electricity to people who have paid the full amount chargeable. We have been experiencing problems, especially in the area of supplies. Right now, we have a shortage of posts. That is a fact we must accept. However, we now have the opportunity to amend the Procurement Bill, which is already before the House, to enable us procure goods in an effective way. That is the only way my Ministry and other Ministries can be effective.

**Mr. Sudi:** Mr. Deputy Speaker, Sir, the Assistant Minister is misleading the House. In Turkwel, electricity is being supplied within the neighbourhood of power generation. The people of Marakwet and their neighbours can be supplied with electricity if the step-down transformers can be installed. Since he has just referred to a multimillion shillings project, when does he intend to implement this project?

**Mr. Kiunjuri:** Mr. Deputy Speaker, Sir, may I assure the hon. Member that there is no way we can install step-down transformers. However, we are going to upgrade this line. The first step is to upgrade the power line from Iten to Kapsowar.

**Mr. Deputy Speaker:** Mr. Kiunjuri, the question is when you intend to implement the project. Just be a little bit specific.

**Mr. Kiunjuri:** Mr. Deputy Speaker, Sir, we intend to implement the project in the Financial Year, 2005/2006.

**Mr. Deputy Speaker:** Very well! Next Question, Mr. Shaaban!

*Question No.140*

INCREASE IN HYENA POPULATION  
IN MANDERA DISTRICT

Mr. Shaaban is not here? The Question is dropped!

*(Question dropped)*

*Question No.208*

MEASURES TO CHECK DemeanING  
MEDIA ADVERTISEMENTS

**Ms. Mwau** asked the Minister for Information and Communications:-

- (a) whether he is aware that most commercial advertisements in both print and electronic media are based on stereotypes that demean women; and,
- (b) what steps he is taking to ensure that media advertisements do not offend social values or vilify either gender.

**Mr. Deputy Speaker:** Where is the Minister for Information and Communications? I will ask the Leader of Government Business to tell us more about this.

**The Vice-President and Minister for Home Affairs** (Mr. Awori): Mr. Deputy Speaker, Sir, I will have to make a telephone call. It is possible that the traffic from Kangemi to this place may be congested. I will ensure that this Question is answered on Tuesday next week.

**Mr. Deputy Speaker:** There is no reason for a Question like this one not to be answered, because there is the Minister and an Assistant Minister. Even in some cases, there are two Assistant

Ministers. I will order that this Question be deferred to tomorrow. There is no reason for us to defer it longer than that. So, the Question will be deferred to tomorrow afternoon. **Ms. Mwau:** On a point of order, Mr. Deputy Speaker, Sir. This Question has been here for two months. I have an answer with me. I wonder why the Minister is not here to answer it.

**Mr. Deputy Speaker:** That is why I have ruled that the Question be answered tomorrow, rather than Tuesday next week. Let that suffice.

**Ms. Mwau:** Thank you, Mr. Deputy Speaker, Sir.

*(Question deferred)*

**Mr. Deputy Speaker:** Next Question, Dr. Ali!

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

**Mr. Deputy Speaker:** Order! I have finished with that matter. When the Chair rules on a matter, you do not continue with it. The matter has been disposed of.

**Mr. Mwancha:** Mr. Deputy Speaker, Sir, I rise on a point of order with regard to something else.

**Mr. Deputy Speaker:** You should wait until something else comes up. If you are referring to something else, this is not the time for something else!

*(Laughter)*

*Question No.269*

TELEPHONE/POSTAL SERVICES  
FOR WAJIR NORTH CONSTITUENCY

**Mr. Deputy Speaker:** Dr. Ali is not here! Therefore, the Question is dropped.

**Maj-Gen. Nkaisserry:** On a point of order, Mr. Deputy Speaker, Sir. The Minister is also not here to reply to this Question. So, even if Dr. Ali was here, this Question would not have been answered. I request that you defer it rather than drop it.

**Mr. Deputy Speaker:** I agree with you. That is a good point. So, the Question will also be deferred until tomorrow afternoon.

*(Question deferred)*

*Question No.420*

INADEQUATE BUDGET ALLOCATION  
TO MSAMBWENI HOSPITAL

**Mr. Ngozi** asked the Minister for Health:-

(a) whether she is aware that the budget for Msambweni Hospital in Kwale District is equal to that of a sub-district hospital, while the facility is operating as a district hospital; and,

(b) what action she will take to ensure that the budget allocation to this facility is commensurate to that of a district hospital.

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

(a) I am aware that Msambweni District Hospital was allocated a budget of a sub-district hospital in the last financial year.

(b) In the current financial year, the hospital has been allocated Kshs11 million, which is a true reflection of the actual workload as per the statistics at the district hospital. In the last financial year, the hospital was allocated Kshs9 million for routine maintenance and operations.

**Mr. Ngozi:** Mr. Deputy Speaker, Sir, I would like to thank the Assistant Minister for that answer. However, it is evident that during the Financial Year 2004/2005, when the facility was allocated funds as a sub-district hospital, there were some programmes which were not carried out. How will the Ministry compensate the hospital for the programmes not carried during that year, because of under-funding?

**Mr. Konchella:** Mr. Deputy Speaker, Sir, the funds allocated to the hospital are for routine maintenance and operations, which we think are adequate. However, should the hospital require funds for any of the programmes the hon. Member is talking about, we should be informed, so that we can see how we can support the hospital.

**Mr. Angwenyi:** Mr. Deputy Speaker, Sir, could the Assistant Minister tell us the minimum amount that can be allocated to a district hospital in a year?

**Mr. Konchella:** Mr. Deputy Speaker, Sir, there is no such thing as the "minimum amount" to be allocated to a district hospital. There is a criteria we use in determining the amount of money to be allocated to each hospital. Some of the considerations used include the poverty level of a district, the number of beds occupied in a hospital, the number of patients who report to a facility; whether a hospital is located in an accident-prone area, like along major roads, where there would be a likelihood of need for more facilities and, the fuel costs incurred by a hospital when it collects drugs from our medical stores.

**Mr. Ngozi:** Mr. Deputy Speaker, Sir, could the Minister tell this House how many years this hospital has been receiving sub-district allocations?

**Mr. Konchella:** Mr. Deputy Speaker, Sir, I do not know because I do not have the exact date when it was upgraded from a sub-district hospital to a district hospital. So, I cannot say how long it has been receiving sub-district allocations. But what I know is that from last year, they were allocated funds as a sub-district hospital, and it was actually an error on the part of the Ministry. We have now managed to correct that error and they are now receiving funds as a district hospital.

**Mr. Owino:** Thank you, Mr. Deputy Speaker, Sir. You have seen me standing up so many times, and the reason is that even the district hospital in my constituency is still getting a budgetary allocation for a sub-district hospital. How soon is the Assistant Minister going to release a national plan for the district hospitals that are operating as sub-district hospitals?

**Mr. Konchella:** Migori Hospital should certainly receive funding in accordance with the high volume of disease burden in the district. If it is receiving a sub-district allocation, I will then take appropriate action. I am not aware that it is not actually receiving the right amount of money, but I will find that out when I consult the Minister later.

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

**Mr. Ngozi:** Let me remind the Assistant Minister that this hospital has received a budgetary allocation as a sub-district hospital all along, and it is only this year when it has been allocated funds as a district hospital. Could the Assistant Minister now assure this House that the hospital will continue getting its share as a district hospital?

**Mr. Konchella:** Yes, Mr. Deputy Speaker, Sir, I assure him of that.

**Mr. Deputy Speaker:** Very well! Next Question on the Order Paper, Mr. Mukiri!

MEASURES TO CHECK DEFECTION  
OF KENYAN ATHLETES

**Mr. Mukiri** asked the Minister for Gender, Sports, Culture and Social Services what he is doing to stop Kenyan top-notch athletes from representing other countries in international competitions?

**The Minister for Gender, Sports, Culture and Social Services** (Mr. Ochilo-Ayacko): Thank you, Mr. Deputy Speaker, Sir, I beg to reply.

The Ministry has appointed a task force chaired by Mr. Okuthe, the Chairman of the Kenya National Sports Council (KNSC) to investigate the cause that led to our athletes defecting to other countries and representing them in international competitions. The task force is to submit its findings and recommendations within three months and this will, therefore, enable the Ministry to come up with remedial measures to stop the practice. The reason why we decided on three months is because we are still waiting for money from the Exchequer to enable the task force to operate.

Thank you, Mr. Deputy Speaker, Sir. **Mr. Mukiri:** Thank you, Mr. Deputy Speaker, Sir. I am disappointed by what the Minister has said because the problem seems obvious. The Minister has decided to form a task force which is going to eat more into our money. I believe the problem with our athletes is that they do not receive enough cash incentives from the Government, and that is why they are lured by other countries.

How much money does the Ministry set aside for our athletes or is there any financial consideration by the Government for those athletes every time they go out for competitions?

**Mr. Ochilo-Ayacko:** Mr. Deputy Speaker, Sir, I want to make it clear that representing a country in any sporting activity is an honour and privilege that any citizen must appreciate. We understand that changing of citizenship by athletes is because of their desire to improve their economic position. But I am still waiting for the findings of this task force, although we have certain pieces of information but we need confirmation from the task force, and the measures they will recommend will provide a long-lasting solution. There is no specific country in the world that sets aside money to give its citizens not to defect to other countries as that will amount to improper policies.

Thank you, Mr. Deputy Speaker, Sir.

**Mr. Midiwo:** Mr. Deputy Speaker, Sir, I want to agree with the Minister that no country in the world sets aside money to give its citizens not to defect to other countries, but every country sets aside money to give incentives to its citizens. Could the Minister assure this House that, that money that he is expecting from the Exchequer is going to be used, for example, on our athletes who are now on their way out to represent this country, so that we can see a difference? I think hon. Members of Parliament could also advise on this issue.

**Mr. Ochilo-Ayacko:** Mr. Deputy Speaker, Sir, we have set aside certain forms of incentives to our sportsmen and women and the amount is as little as what we can afford. We are appealing to the general citizenry in this country to love this country and to try to improve it for the present people and also for posterity. I know the kind of money that the Government has to give as incentives to athletes may not change their lives, but my Ministry is recommending that athletes be honoured, those who work in the Public Service be promoted and those who are employed by various parastatals be considered for promotion. We are also recommending the private sector to come in and support sports in this country.

**Maj. Madoka:** Mr. Deputy Speaker, Sir, could the Minister tell us whether this task force is just to cover athletes? If it is only for the athletes, could we ask that it covers all sports because all sports are also affected?

*(Applause)*

**Mr. Ochilo-Ayacko:** This task force was intended to cover athletes because it is that area where we have a crisis, but we can expand the mandate of that task force to cover other forms of sports.

**Mr. Deputy Speaker:** Well, well, I have to finish this Question. Proceed, Mr. Ngoyoni!

**Mr. Ngoyoni:** Thank you, Mr. Deputy Speaker, Sir. Could the Minister tell us how many of those top-notch athletes have relocated to other countries and which are those countries?

**Mr. Deputy Speaker:** Yes, Minister? I will then have the last question after that.

**Mr. Ochilo-Ayacko:** Mr. Deputy Speaker, Sir, we do not have the precise number of athletes, but this will be given by the task force. But we have the names of the athletes who have sought permission from us to relocate, because under the rules of the International Amateur Athletics Association (IAAA), you must seek permission from your local federation. The countries which are taking away our athletes are Qatar, Bahrain, Denmark and the United States of America (USA). The notable athletes who have adopted new citizenship include Mr. Stephen Cheron and Mr. Albert Chepkirui to Qatar; and Mr. Wilson Kipketer to Denmark. We have other applications which are still pending, including those of Mr. Abel Cheruiyot and Mr. Leonard Mucheru.

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

**Mr. Mukiri:** Mr. Deputy Speaker, Sir, I wish to disagree with the Minister. I do not know why our athletes would want to go and run for Qatar, if there were no financial gains. We all know that they are being given money. The Minister has talked about these athletes asking for permission from this country to run for other countries.

The amount of money that is involved is a lot. It runs into hundreds of millions. How are we benefiting as a country from this exchange, because we are the ones who are involved in training these athletes to that level? What is the country gaining when they go to Qatar, because it seems there is no way we are going to stop it?

**Mr. Ochilo-Ayacko:** Mr. Deputy Speaker, Sir, as a country, we are not involved in the sale of our citizens. But the change of citizenship is definitely because of the prospects of earning more. It is also pursuant to freedom of movement, and because those other countries are offering better terms. But the challenge is to the entire country to make sure that we inculcate patriotism among these athletes. We also need to improve the terms, honour and reward we give to them.

**Mr. Deputy Speaker:** Thank you, Mr. Minister. Hon. Members, that is the end of Question Time!

### POINTS OF ORDER

**Mr. Deputy Speaker:** There was a point of order by Mr. Mwanicha. Please, proceed!

### DEFERRING OF QUESTIONS DUE TO ABSENCE OF MEMBERS

**Mr. Mwanicha:** On a point of order, Mr. Deputy Speaker, Sir. My concern is the disparity that seems to be there when Ministers cannot answer Questions and when hon. Members are not in the Chamber to ask Questions for one reason or another. It appears that it does not matter how genuine the reason that keeps an hon. Member away is. I have a lot of respect for our Vice-President and Minister for Home Affairs, and I cannot say more than that. But for him to say that a Minister could have been caught up in a traffic jam from Kangemi to this place--- I do not think you took that as a

reason. Would I be in order to seek guidance from the Chair, so that we get equal treatment? When an hon. Member is not here the reason for his absence should be accepted and the Question can be deferred. Some of these Questions could be of national importance. They do not belong to a specific hon. Member. Sometimes, we even get together to request one hon. Member to ask a Question. So, when it is deferred because that hon. Member is not here, we suffer. Therefore, would I be in order to ask for guidance from the Chair on this matter?

**Mr. Deputy Speaker:** Hon. Members, I share your concern that Ministers do not come all the time to answer Questions. I think we have belaboured that for a long time. Now, the point Mr. Mwanacha is bringing out is that when hon. Members do not come to ask Questions the Chair should also defer them as we do when Ministers do not come to the Chamber. That is a point that has been raised time and again. But I think we also defer Questions when Ministers do not come to answer them for the benefit of hon. Members. We cannot have it both ways, so that hon. Members do not come on time to ask Questions. The hon. Member has talked about a reason being given. But no reason has been given whatsoever for the absence of some of the hon. Members who were meant to ask Questions today. That is why I dropped the Questions.

Now, let me assure hon. Members that if we receive information in advance that an hon. Member is going to be absent or late because of a particular reason, we will defer his or her Question. But when we do not hear anything about his or her absence, there is absolutely no alternative but to drop the Question. Let us be more serious about this because we must dispose of Questions. We cannot be deferring them every now and then. Let hon. Members come on time to ask Questions. But if they cannot come, let them inform the Chair, and it will oblige them.

**Mr. Muturi:** Mr. Deputy Speaker, Sir, I will not attempt to question the ruling that you have made. But you have said, among other things, that when an hon. Member does not indicate the reason for his absence--- I just want to get your further clarification. The explanation given by the Vice-President and Minister for Home Affairs was that, perhaps, there was a traffic jam between the City centre and Kangemi. A few minutes later, we saw the Minister for Information and Communications stroll in and out as though he was just a pastoralist walking in and out of a grazing area. What really is the position? Should hon. Members not also demand explanations as to why the Ministers themselves are not present or are late, because hon. Members could be late or absent from the Chamber?

**Mr. Deputy Speaker:** Indeed, I do agree. I wish the Vice-President and Minister for Home Affairs were here to respond to that remark. But I tend to think that he was saying it with a light touch. Be that as it may, the Minister did come to the Chair and apologised. He explained that his office had not informed him about the Question. But I did communicate to him what I had already told the House, that he has to come here tomorrow afternoon and answer the two Questions. In the process, he will have to explain to the House why he was not in to answer the Question. So, I have ordered that he will come to answer the Question tomorrow. But let us be fair to both sides. I do agree that we seem to be only dropping Questions when hon. Members are not here. But they can only stop us from doing this by informing us before hand that they would not be in the House, so that we defer their Questions.

So, please, let us not waste more time on this. I think it is very clear that we will all be more careful and responsible in answering or asking Questions.

DELAY IN ALLOCATING TIME TO  
MOTION OF CENSURE AGAINST SPEAKER

**Mr. Wanjala:** On a point of order, Mr. Deputy Speaker, Sir. I rise under Standing Order No.45(i) which provides that a Motion raising a question of privilege may be moved without notice. There was a Motion which was forwarded to Mr. Speaker by hon. Midiwo. Mr. Speaker told us that



he had already endorsed it and he wanted to it be debated as soon as possible. But by yesterday this Motion had not been allocated time. Could I ask the Chair now to guide this House as to when it will be ready for debate? What are the reasons that have delayed the Motion? When will it be brought to the House for hon. Members to debate it, because we have interest in it?

**Mr. Sungu:** Mr. Deputy Speaker, Sir, I stand to second!

**Mr. Deputy Speaker:** Order, Mr. Sungu! You must be orderly! That was a point of order, and you were not required to second it.

Now, hon. Members, you are aware that matters to be debated in this House are decided upon by the House Business Committee. The Committee meets every Tuesday afternoon. It was scheduled to meet yesterday. But since I am not a Member of the Committee, I am not in a position to tell the House when the matter will come before the House. I think the best thing is to ask those who are responsible. My duty is to go through what has been placed on the Order Paper. I do not have the Motion on the Order Paper.

Now, hon. Members, there is a Ministerial Statement from the Minister of State, Office of the President.

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

**Mr. Deputy Speaker:** I have finished with points of order!

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

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

**Mr. Sungu:** I am asking to be allowed to raise a point of order, Mr. Deputy Speaker, Sir.

**Mr. Deputy Speaker:** Order, Mr. Sungu! You are overruled, because I have already explained that it is the business of the House Business Committee to decide which matters are to be put on the Order Paper. It is not the business of the Chair. I have no information on the matter and, therefore, I cannot tell Mr. Wanjala when the Motion he is referring to will come before the House.

Proceed, Mr. M. Kariuki!

**Mr. Wanjala:** On a point order, Mr. Deputy Speaker, Sir. The hon. Members of this country---

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

Proceed, Mr. M. Kariuki!

**Mr. Sungu:** Mr. Deputy Speaker, Sir, I have a right to speak.

**Mr. Deputy Speaker:** Order! Mr. Sungu, will you stand up!

**Mr. Sungu:** Yes, Mr. Deputy Speaker, Sir.

**Mr. Deputy Speaker:** You are disorderly and you are ordered out of this Chamber for the rest of the day!

Will you, please, walk out of the Chamber?

*(Mr. Sungu withdrew from the Chamber)*

Some hon. Members think they are heroes when they flout Standing Orders of the House. But they are not!

Mr. M. Kariuki, please, proceed!

## MINISTERIAL STATEMENT

### EVICTON OF PEOPLE FROM MAU FOREST

**The Assistant Minister, Office of the President (Mr. M. Kariuki):** Mr. Deputy Speaker, Sir,

on 22nd, June, 2005, the hon. Member for Kaiti Constituency, Mr. Gideon Ndambuki, sought a Ministerial Statement on Mau Forest evictions. He wanted to know how many children are affected by those evictions, how many houses and churches were burnt down and how many people were evicted. He also sought to know what action the Government is taking to settle those people, so that they can establish new homes. Finally, he wanted to know why a Minister, who issued the eviction order ignored a court order and yet everybody is supposed to seek justice. I wish to state as follows:-

The Government has, of late, been concerned with the wanton destruction of forests, and Mau Forest in particular. It is on that note that we decided that the destruction of forests and other catchment areas be stopped forthwith. That directive applied in the settled areas of Mau Escapement, including settlements with title deeds within the forest and catchment areas. I, therefore, directed the Provincial Administration in liaison with the Forest Department to work closely with the local authorities in the affected areas to ensure that water catchment areas are protected against destruction of the forest cover.

Mr. Deputy Speaker, Sir, seven primary schools with a population of 2,721 pupils were pulled down within the forest perimeter. The children have since been relocated to other schools outside the forest perimeter, successfully. A total of 2,680 structures were demolished and approximately 9,200 people were evicted. No churches were demolished. Most of the displaced people have gone back to their homes of origin, and only 200 are remaining. They are being accommodated by their kinsmen. The Red Cross Society of Kenya has assisted by providing tarpaulins, blankets, mosquito nets and other accessories.

Finally, I am not aware of any Minister who was served with a court order. In any case, this matter is pending before a court and it is *sub judice*.

Thank you, Mr. Deputy Speaker, Sir.

**Mr. Ndambuki:** Mr. Deputy Speaker, Sir, you have heard the Assistant Minister say that he gave the order for the eviction of people who have occupied that land since 1970, and they have title deeds. No amendment has been brought to this House to allow a Minister to cancel title deeds. I would like to know why the title deeds were ignored. Those people have occupied that land since 1970. Some of them have nowhere to live. Where are those people at the moment? Some of them are still camping on the roadsides. Some women have even given birth on the roadsides. This Government has no pity or mercy on its own people! We have Kenyans who live in their own country and yet, they feel rejected.

The Assistant Minister says that, that was done to save the forests. I would like to know whether there has been any amendment to the law to cancel a title deed. We would like to know where the Minister got the authority from. We would also like to know why he went ahead with the eviction, even after a court order stopped it.

**Mr. Deputy Speaker:** Mr. Ndambuki, you know you are only seeking a clarification?

**Mr. Ndambuki:** Mr. Deputy Speaker, Sir, I am finishing.

**Mr. Deputy Speaker:** You have gone on like you are debating!

**Mr. Ndambuki:** Mr. Deputy Speaker, Sir, even the Minister himself questioned me why I had requested for a Ministerial Statement and the job had been done. It means he had planned the eviction and he was aware. They have no mercy on the people---

**Mr. Deputy Speaker:** Mr. Ndambuki, I must stop you know! I will allow a few more clarifications.

Mr. ole Ntutu, please, proceed!

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

**Mr. Deputy Speaker:** I have already given a chance to Mr. ole Ntutu!

**Mr. ole Ntutu:** Mr. Deputy Speaker, Sir, I want to know from the Assistant Minister: What was the basis of the evictions? Were Government surveyors sent to the ground to mark the boundaries

between grasslands and group ranches?

**Mr. Deputy Speaker:** Let us have another clarification from Mr. Mwenje!

**Mr. Mwenje:** Mr. Deputy Speaker, Sir, that is a very sad affair. Let us get serious when we are faced with some matters! Trees cannot be more important than people!

*(Applause)*

Whether we are saving forests or not, we cannot act in a manner where we human beings suffer in the name of trees. The Assistant Minister is very much aware that, the matter---

**The Minister of State, Office of the President** (Mr. ole Ntimama): On a point of order, Mr. Deputy Speaker, Sir.

**Hon. Members:** No! No!

**The Minister of State, Office of the President** (Mr. ole Ntimama): Mr. Deputy Speaker, Sir, I think you are right when you say that hon. Members should normally seek clarifications. But this is now developing into a debate and if it is so, then you must let us answer some of these allegations.

**An hon. Member:** Who are you? Who are you?

**The Minister of State, Office of the President** (Mr. ole Ntimama): Who are you, yourself? Who are you? *Takataka wewe!*

**Mr. Deputy Speaker:** Order! Mr. ole Ntimama, address the Chair! Order! Will you sit down? Now, will you cool down? We are dealing with a very sensitive matter. The Assistant Minister, Office of the President, has issued a Ministerial Statement. It is now time for clarifications! I have given chances to Mr. Ndambuki, Mr. Ntutu and Mr. Mwenje! Mr. Mwenje, this is not a debate! Just seek clarification. After that, I will give a chance to one more hon. Member and then the Assistant Minister will respond!

**Mr. Mwenje:** Mr. Deputy Speaker, Sir, I am coming to the clarification. I wanted the Assistant Minister to be clear on what I am asking.

Mr. Deputy Speaker, Sir, judges of the High Court have clearly stated that a Minister, whether flying a flag or not, cannot defy a court order. The order was given by the High Court of Kenya, which we respect. Why is it that, despite the order from the High Court, the Minister continues to say that title deeds are simply mere papers and, therefore, he will evict those people without giving them alternative settlement? Is that being human?

*(Applause)*

**Mr. Deputy Speaker:** Very well.

**Mr. Salat:** Last one!

**Mr. Deputy Speaker:** Order, Mr. Salat! You are not the one to tell me which is the last one! Mr. Sirma, please, proceed!

**Mr. Sirma:** Mr. Deputy Speaker, Sir, we would like to be told whether this country has degenerated into a lawless State. If the rule of law has been suspended, then we need to tell Kenyans to forget about the Constitution, the rule of law and become lawless in this country!

**Mr. Deputy Speaker:** Let us have the last clarification from the Shadow Minister for Lands and Housing!

**Mr. Serut:** Thank you, Mr. Deputy Speaker, Sir.

*(Mr. Angwenyi stood up in his place)*

**Mr. Deputy Speaker:** Order! What is it, Mr. Angwenyi?

**Mr. Angwenyi:** Mr. Deputy Speaker, Sir, thousands of our people are suffering out there! We need to express our views on their predicament!

*(Applause)*

**Mr. Deputy Speaker:** Order! Mr. Angwenyi, I am asking for clarifications. Every hon. Member here is concerned. Really, I do not think that, that outburst helps anything. Could you cool down, so that we can move on in a procedural manner!

Mr. Serut, please, proceed!

**Mr. Serut:** Mr. Speaker, Sir, the responsibility lies with the Government. Kenyans have been settled in Mau by a Government which was elected by the people of Kenya. Governments are immortal. There is a Government which is in place now and people were issued with title deeds. What happens to Section 75 of the Constitution which protects the sanctity of a title deed? Secondly, when these people were evicted, I have heard the Assistant Minister loud and clear say that they were given certain conditions for eviction. But I have not heard him say that the houses belonging to those people who were living in Mau should be set on fire. Why did they have to set the houses on fire if they really cared for Kenyans?

**Mr. Deputy Speaker:** Order! That is enough now. The Assistant Minister may respond.

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

Order! Hon. Members, I know many Members are affected. Indeed, all of us are affected. Therefore, we cannot allow everyone to seek clarifications on a matter of a statement; it is not a debate. If you wish to go further, there are still avenues we can use to debate this matter. But this is not a Debate. The Assistant Minister may now respond.

**The Assistant Minister, Office of the President** (Mr. M. Kariuki): Mr. Deputy Speaker, Sir, I appreciate why this particular issue has provoked a lot of emotions. I call upon the Members to give me some attention to respond to the clarifications they have sought.

First, hon. Ndambuki said that these people have been there from 1970 and he is asking why they are being evicted now. The truth of the matter is that evictions took place in 1989, 1990 and 1991. Those were the first evictions carried out by the KANU Government because these people had encroached on the forest. It is not happening the first time now.

As to the issue of title deeds, the issuance of title deeds is a process that takes several stages. It is not enough to come and say that you got a paper at the final stage and it is in your name. The validity of the title depends on whether the various statutory requirements have been followed to the letter.

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

**Mr. Deputy Speaker:** Order! Will you let the Assistant Minister finish?

**The Assistant Minister, Office of the President** (Mr. M. Kariuki): Mr. Deputy Speaker, Sir, I am making a statement of law. I wish to make it absolutely clear that it is not enough for one to say they have a piece of paper headed title deed in their name. They must show that they followed every necessary step under the law to get that paper. That is the issue in contention. You cannot, for example, obtain a title deed---

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

Mr. Deputy Speaker, Sir, can I have the opportunity to respond?

**Mr. Deputy Speaker:** Order! Order, Mr. M. Kariuki! Hon. Members, you know, the Assistant Minister may say something you do not like or you do not agree with. But that does not mean that you must stand up to challenge him. Will you hold your peace, whether you agree with the Assistant Minister or not! It is now his time to respond, just like I gave you time to seek various clarifications.

**The Assistant Minister, Office of the President** (Mr. M. Kariuki): Mr. Deputy Speaker, Sir, I was only emphasising that the issuance of a title deed is a process. It is not an event of going to collect a document, *per se*.

Mr. Deputy Speaker, Sir, where there is a gazetted forest, for example, and somebody purports to hold a title, that title, for all intents and purposes, is a piece of paper. We cannot issue titles when the forest has been gazetted as a Government forest.

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

**Mr. Deputy Speaker:** Order, hon. Members! Please, let him finish.

**The Assistant Minister, Office of the President** (Mr. M. Kariuki): Mr. Deputy Speaker, Sir, I hope that the Members of this House have familiarised themselves with the recommendations of the Ndung'u Report because that is what we are implementing. One of the major recommendations ---

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

Mr. Deputy Speaker, Sir, I need the Chair's protection.

**Mr. Deputy Speaker:** Order! If Members do not want the Assistant Minister to continue, I can discontinue him. But I think it is in the interest of the House and this country to give him an opportunity to respond to the various points of clarification raised. At the same time, will you, Mr. M. Kariuki, confine yourself to the clarifications sought?

**The Assistant Minister, Office of the President** (Mr. M. Kariuki): Thank you, Mr. Deputy Speaker, Sir, for giving me protection. I think it is good to exercise a sense of tolerance. I sat patiently as clarifications were sought and I think the Members should reciprocate by listening to me as I respond to the various issues raised.

Mr. Deputy Speaker, Sir, a question was raised on whether forests are more important than human beings. There is a decision of our constitutional court. You cannot talk about the right to life unless you can talk about an available environment to do that. Those of us who are Christians know about creation. The environment was created before man. Man was the last item. This is because you cannot sustain life in the absence of an environment. So, it is very important to appreciate why we have to recover our forest cover, because life depends on the availability of that particular environment.

Mr. Deputy Speaker, Sir, in the Mau area, there are group ranches that had acquired land next to the forest. They encroached on the forest area beyond the boundary. Some of them started sub-dividing the forest area and parcelling it out to people. Before the evictions took place, the surveyors were called on the ground to identify the original boundaries, which have already been set in place. Those who are occupying their own pieces of land have not been evicted; it is those who encroached on the forest.

Mr. Deputy Speaker, Sir, as far as the court orders are concerned, I have said that no Minister has been served with a court order. We believe in the rule of law. If a Minister is served with a court order and defies it, he will face the consequences of contempt of court. But there is no law where you can injunct a Government. You can only injunct an officer of Government. But you cannot stop a Government through an order of injunction. That is a statement of law.

If you want to question a decision of a Government officer or the Government, you can use a process of judicial review. You can use *mandamus*, prohibition or *certiorari*. Those provisions are there. But an injunction as a remedy is not available to stop the Government from discharging its executive authority. That is the law. We believe in the rule of law. Kenyans are asking, where was the rule of law when the grabbing of public land took place? How come those who abused the rule of law are the ones who are today seeking the protection of the rule of law? You cannot pass a good title if you do not have a genuine title. If you steal property and sell it to a third party, the third party cannot acquire title on that property whatsoever, even if that item passes over to 10 people. As long as there was no validity in the origin of that title, no third party can acquire valid title.

Mr. Deputy Speaker, Sir, I think I have made the necessary clarifications.

*(Applause)*

**Mr. Deputy Speaker:** That matter is finished! Next Order!

## MOTIONS

### INTRODUCTION OF COMPULSORY COMPUTER STUDIES IN SCHOOLS

THAT, in view of the ever increasing importance of computers, this House urges the Government to introduce Computer Studies as a compulsory subject in all schools and provide all public secondary schools with computers for teaching purposes.

*(Mr. Karaba on 8.6.2005)*

*(Resumption of Debate  
interrupted on 29.6.2005)*

**Mr. Deputy Speaker:** Capt. Nakitare was on the Floor and he has five minutes remaining.

**Capt. Nakitare:** Mr. Deputy Speaker, Sir, as we progress into the new era, it must be understood that computer science has taken over the system of book keeping manually.

*(Loud consultations)*

**The Assistant Minister for Planning and National Development (Mr. Lesrima):** On a point of order, Mr. Deputy Speaker, Sir. Consultations on the Mau Forest are continuing and we want to participate in this important Motion.

**Mr. Deputy Speaker:** Order! May I ask that hon. Members consult in low tones? Mr. Salat, consult in low tones, so that you can give Capt. Nakitare a chance to be heard.

**Capt. Nakitare:** Mr. Deputy Speaker, Sir, computer science has displaced the old system of doing things. The old system of accounting, which created a lot of employment, has been superseded by computer science. The emphasis here is to make computer studies compulsory in all schools. Computer science is now being used in all fields, for example, in aviation and monitoring space craft.

Kenya should not lag behind in computer science.

Mr. Deputy Speaker, Sir, students of MIT who undertook PhD Studies in Physics endeavoured to invent transistor radios. We would also like to see genius students from our country inventing even more advanced technology in this science. The MIT produced genius students like Robert Nois, who eventually introduced computer chips from platinum. This is an interesting issue. Computer science has taken over navigation on waters. All the big boats manoeuvre at 40 knots. They move as fast as vehicles on the road. Aircrafts are also navigated by computers. They are no longer manually operated.

Our children today play computer games as beginners. We need to expand computer knowledge in our country. We are looking forward to modernise Kenya, but there is a constraint that computer science cannot be taught in the rural areas because most of our rural areas lack electricity. There are more schools in the rural areas than in urban areas where electricity is available. The Government should supply electricity to all schools, from kindergartens to universities, so that computer science can be taught in these institutions. Teachers today would like to do what Archimedes did when he started inventing mathematics. However, they cannot do that. It is interesting that our children are being exposed to computers at the kindergarten level and yet, a graduate teacher does not know how to apply computer science. Computer science must be introduced from the grassroots.

Mr. Deputy Speaker, Sir, computer science has been introduced in the 21st Century. There is mischief and schools are being deprived of money by middlemen who are trading in this field of Information Communications Technology (ICT). Today, a mail takes three seconds to get overseas as opposed to three weeks that it used to take before. It is time our country took interest in computer science. In most industries, computers have replaced human labour, but we have to appreciate the fact that the more we advance in computer science, the more we gain as a nation.

With those few remarks, I support the Motion.

**Mr. Midiwo:** Mr. Deputy Speaker, Sir, I wish to contribute to this Motion. This is a good move by hon. Karaba. There is no way we are going to move forward as a country, in terms of education, if we do not pay attention to technology.

*[Mr. Deputy Speaker left the Chair]*

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

Mr. Temporary Deputy Speaker, Sir, at the moment, the Government's tax policy on computers is so mixed up that parts are zero-rated and computers attract some tax. The Government should make a concerted effort to introduce computer technology in our schools. If somebody donates computers to schools, the schools are forced to pay the Value Added Tax (VAT) on the computers. There is something that is happening in our schools and the Government needs to monitor it. In schools, even in Nairobi City, computer technology has turned into a cash cow for headmasters. Students pay school fees and then they are forced to pay an extra fee just to look at computers. I say "just to look at computers" because in many of these schools, the teachers are not well trained to equip the students with the relevant skills.

The Ministry of Education, Science and Technology should reform the bursary system and start utilising the bursary funds to introduce computer studies in our schools. Right now, the money which the Government is giving to primary schools is not being utilised properly. The Ministry should engage leaders and stakeholders in this course, so that we can rid this country of perpetual corruption in our institutions.

Mr. Temporary Deputy Speaker, Sir, there are so many primary schools in my constituency

which have not received even a single cent since the inception of free primary education. It is my view, that as opposed to using that money to build toilets, that money could be used to buy tangible things. I believe that the communities can at least lend a hand and participate in providing such facilities. In cases where we need physical facilities which are not easily accessible in the constituencies, such as computers and vehicles or facilities which we need in a learning environment, including medical facilities, we could properly use this money to give our children relevant and adequate education. This will ensure that Form Four school leavers attain quality education and can easily be employed locally and abroad.

Mr. Temporary Deputy Speaker, Sir, there is also the issue of infrastructure. You cannot teach somebody computer technology without electricity. Ninety per cent of the population in this country does not have access to electricity. What is the Government doing about this problem? The Government should give us a 10-year plan detailing what they intend to do. This will ensure that as we plan to bring technology to our institutions, we also move in tandem with the order of the day around the world. You cannot operate a computer using paraffin. In any case, paraffin has now become too expensive for our people to afford. We should think forward and be bold enough as a people, Government and country to do those things without discrimination. There is no way we are going to give computers to schools in some parts of the country and leave out the rest. That disparity is not good for a country that is eager to develop.

Mr. Temporary Deputy Speaker, Sir, I have donated several computers to schools in my constituency and even in some cases outside my constituency. The Ministry of Education, Science and Technology could make such donations tax-free so that we can encourage Kenyans to give out donations.

I beg to support.

**The Temporary Deputy Speaker** (Mr. Poghio): Hon. Members, I will ask the Official Government Responder to make his remarks.

**The Assistant Minister for Education, Science and Technology** (Dr. Mwiria): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to support the principle of this Motion. I do agree with hon. Members that we cannot over-emphasise the need to introduce and support computer programmes in our schools.

It is impossible to disagree or agree with the many arguments that have been brought forward, on why it is important to ensure that our school children benefit from computer technology. We also appreciate as a Government the great role of ICT in development generally, but more importantly, in terms of lessening the divide between the developed and under-developed countries. Computer technology is becoming very important in terms of bridging that gap between the countries that have made it and those that are hoping to make it. There are benefits in having access to computers that go beyond education; that is, industrial and agricultural benefits.

Mr. Temporary Deputy Speaker, Sir, the Government is very much in support of ICT policy. There are efforts to do a draft ICT policy for the whole country. The E-Government Strategy, whereby Government officers and various Ministries and departments would be interlinked is already on course. A number of Ministries and departments are already inter-connected because we appreciate the benefits that would come with this kind of inter-connectivity.

In the area of education, very major points have been made on the key role of computers. Particularly important is the point that was made, that a lot of our young people are in rural areas and in disadvantaged schools. Those schools that have access to computers, both as a teaching course as well as something that they can use for related factors benefit much more than those that do not have access. In terms of reducing the gap between most of our students in rural schools and other disadvantaged schools and those that are enrolled in well-endowed schools, it is principally important that we find ways of democratising usage of computers across the whole country, because there are



many other benefits that go with that access.

Mr. Temporary Deputy Speaker, Sir, we do appreciate the great role that computers would play with regard to promoting teaching, learning and research, in that, computer knowledge is not useful just in itself. Knowledge of computers supports the learning of other subjects like languages, Geography, sciences and Mathematics. There is a lot that you pick from just being able to understand software computer languages. This is also important in terms of the depth of knowledge that researchers in our universities, librarians and teachers can draw from computers, especially if they have access to the internet.

Being able to take advantage of computer technology can also open up opportunities for those that are in remote districts through distant learning or virtual university ideas that are now already being practised through some of our universities. There are also opportunities of employment that go with being equipped with those skills. They can compete for employment opportunities, not just in our respective communities and countries, but also worldwide. This is the language of the future, business and politics. It is more or less a pervasive language which cuts across all cultures and communities.

Mr. Temporary Deputy Speaker, Sir, the Ministry of Education, Science and Technology also values the introduction of this subject, because we will then be preparing Kenyans or the human resource that will be used to support computer programmes in other Ministries as well as other Government sectors and other areas of development.

The Ministry of Education, Science and Technology is, therefore, developing a policy strategy on ICT that will be debated very soon. We are collaborating with partners, including NEPAD, less well known NGOs like the Computers for Schools Kenya, and the private sector, as well as individuals like Mr. Midiwo said, who can donate computers to our schools and libraries. This also applies to others who will support the educational enterprise around computers. A lot is already happening, because we believe it was important even long before this Motion was brought to Parliament.

Mr. Temporary Deputy Speaker, Sir, as a Ministry, we are focusing on a number of issues. First of all, we plan to facilitate universal access of ICT infrastructure across the country, in terms of ensuring that there is relevant infrastructure like electricity, equipment and improved connectivity which is a big problem in most parts of this country for a variety of reasons. A hon. Member of Parliament already spoke about how 90 per cent of Kenya is still living in darkness, because there is no electricity. Telephone connectivity is a big problem worldwide even though there are now possibilities of using non-telephone line communication for this. We insist that it is important for us, as Ministry, to appreciate that people who teach our young children must be themselves computer literate. In the long-run we want to see a situation where computer knowledge will be compulsory, especially at the university level, so that even those who teach it will be required to have that literacy. That will be necessary if we are to take the subject seriously.

We will also want to introduce a curriculum that will be compulsory in the long-run for our schools. Computer studies will form a key element of that curriculum. This is because, unless we have a curriculum that is realistic, we will not move forward, given the conditions in our rural areas and many other parts of this country. Unless we have a curriculum that will offer basic computer skills to our children both in primary and secondary schools, it will be much more difficult for young people to tackle advanced aspects of computer knowledge and technology at the universities and other post-secondary school training institutions. As much as we are ambitious and would want all this done, we would also have to be realistic in terms of what is possible in this country.

A point has been made already in this House on why we would need to quicken the process of rural electrification programme. Even though we may rely on other forms of power, electric power is the most efficient and dependable source of energy. It also supports other aspects of development.

We also need to ask ourselves whether we have human resources or not. Human resources in terms of teachers to teach the subject are necessary. I think that is critical because computer teachers

are very few, and the ones who are in our schools are easily poached by the private sector, because they are in high demand. It is, therefore, important for us to find ways, even if it is through implementing crash programmes, to make sure that we have adequate teachers to teach in our schools. This will ensure that when we will make computer knowledge compulsory, we will have teachers to teach that subject, so that we do not fall into trouble with parents and other stakeholders. They may complain: "You have made computer knowledge compulsory but you have not created an enabling environment for it".

We will also need to work closely with the Ministry of Information and Communications to formulate our telecommunications policy, and undertake necessary reviews to make sure that such a policy supports education, especially with regard to strengthened connectivity to rural communities. Also important will be the need to develop modalities for cost reduction on computers and other equipment. If they continue to be expensive and are to attract VAT, as one hon. Member was saying, then it is going to be very difficult for parents and students to take advantage of the technology. We will, therefore, have to negotiate with other Ministries to ensure that we have support from them.

There is also need to have a curriculum, as I said before, that will cut across institutions, and that will take into account the needs of primary and secondary schools, our teacher training colleges and universities. There are many bodies involved in the businesses of computer technology, such as donors, the private sector, NGOs, that are trying to take advantage of it, and are providing computers that cannot be maintained. They donate computers that are worn out, and are more or less useless. In view of that, I think it is important for the Ministry of Education, Science and Technology to put in place appropriate policies. There are many organisations that will want to take advantage of the situation. We will ensure that we co-ordinate the donation of computers and the whole programme to ensure that equipment that we will receive will be useful, properly maintained and will be worth the resources and time that will be invested in it. We will also ensure that we do not support NGOs and other trusts that will want to get involved in the programme, just because they will want to make money out of it. Therefore, as much as we agree on this matter, we need to ensure that we have a realistic environment within which we can implement the programme so that we can avoid any kind of frustrations in the implementation process.

I am gratified that the Motion before this House does not give us a time limit, that is, we are not told that we must make computer studies compulsory by a particular date. However, the important thing is that the Ministry and Mover of this Motion are in total agreement that this is something that we need to implement. We should work out modalities depending on what is realistic. Therefore, I would propose that we implement this programme in phases. We could start with secondary schools and ensure that we get to as many of them as possible depending on whether they have the relevant infrastructure that can support the introduction of computer studies. Even if it means having clusters of secondary schools benefiting from one resource centre, we will still do it. Essentially, we need to start this project in phases.

Let us do what we can and convince as many partners as possible, including parents, that there will be need for cost sharing. As you already know, the Ministry of Education, Science and Technology is the biggest beneficiary of our resources. Already, we are spending a great deal on bursaries, free primary school education and many other educational programmes. Therefore, we will continually call upon other partners, including the immediate beneficiaries, to contribute a little bit for as long as it does not lead to some exploitation or exclude those who are disadvantaged from benefitting from this technology. Cost sharing initiatives and bringing in more partners will be important aspects to consider.

Mr. Temporary Deputy Speaker, Sir, more important, we will have to vote more money for this activity. We cannot introduce this programme and make it compulsory if we do not have the

money. We will, therefore, call upon hon. Members of Parliament to assist. As soon as we suggest this as a vote for the Ministry of Science, Education and Technology, we will expect support from Parliament because it will be impossible to introduce computer studies in all schools, let alone making it compulsory, if we do not have substantial support from the Government.

Mr. Temporary Deputy Speaker, Sir, equally necessary will be the need for us to collaborate with other Ministries that are related to our Ministry in one way or another, for example, the Ministry of Information and Communications and the Ministry of Energy. Any other Ministry that will be of relevance when implementing this subject of computers in our schools, will be included in an interministerial co-ordinating committee that will look at the matter in great detail. The committee will see how

best each of the other sectors of Government can be asked to support this very important programme that will benefit not only those who will go through the education system, but also support other sectors. Obviously, the people who will acquire this computer knowledge will work for various Ministries and firms in the private sector. The interministerial committee will work out modalities to ensure that other Ministries that are related to ours also contribute towards the support of this initiative.

I wish to inform the Mover of the Motion that the Ministry agrees with the spirit of the Motion and we are determined to introduce this programme in phases because that is what is realistic. The Ministry of Education, Science and Technology will remain committed to having every child who goes through our education system, all the way from primary school to the university, computer literate.

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

**The Assistant Minister, Office of the President** (Mr. M. Kariuki): Thank you, Mr. Temporary Deputy Sir for giving me this opportunity.

I would like to support this Motion and also thank its Mover because it is timely. In fact, Kenyans are well ahead of the Ministry of Education, Science and Technology in terms of Information Technology (IT). Nowadays, if you walk in town during weekends, you will find young children in cyber cafes sending messages, chatting and learning a few things about computers. The anxiety on the part of our children to learn and access education and information from the internet is, indeed, tremendous. I think what this Motion is calling upon the Government to do is to put this aspect of life in the education curriculum. We need to acknowledge the fact that we are now in a global world which is very competitive. Already, many other jurisdictions have integrated IT in their school systems. If we really need to have a cutting edge over the other jurisdictions, we must embrace what our competitors are doing. It is timely that we consider our place in the global world in terms of access to jobs and the global market.

Mr. Temporary Deputy Speaker, Sir, the way forward, as far as the curriculum is concerned is, perhaps, to start with secondary schools. We know that there are a number of schools that offer non-compulsory computer classes. The subject, however, is not offered in the examinations. The Kenya National Examinations Council (KNEC) should be called upon to start offering computer studies examination papers at Form Four level for those who wish to pursue the subject in secondary school. Parents who are in a position to buy computers and equip a classroom can have their children study the subject and be examined by KNEC.

Mr. Temporary Deputy Speaker, Sir, it is quite easy to set up a computer class, but it is a task to sustain the computers. The real challenge is in sustaining the computers. One needs a class of not less than 10 computers. Computers quite often break down and unless you have a resource person who is prepared to maintain the software, it could turn out to be an exercise in futility. We could start these classes only to be disappointed in the end. So, I think we need a Sessional Paper from the Ministry of Education, Science and Technology which will spell out the roadmap in terms of the way we are going to actualise computer education in our schools. That way, we will ensure that our

country offers quality education and we shall be able to sustain the software that is going to be used in the schools. Those who have an experience with computers know how often they break down. We, therefore, need technicians to be on standby. At the district level, we shall need workshops which can address the shortcomings of the computer software, upgrading it and so on. These are issues that should be addressed. The implementation should not be haphazard. It needs to be well thought out and planned. If a Sessional Paper is brought here for discussion, the Ministry will be able to come up with a clear roadmap that can see the light of day.

It may sound so ambitious to start computer education in primary schools. However, I think that is the right level to start. If we can do that, then we shall have set a very firm foundation for our children. However, given the constraint on our resources, perhaps, it is advisable that we start this programme in our secondary schools and when we have sufficient resources we make it part of the free education that is being offered in our primary schools. Once the foundation is set, a student going to secondary school can pursue computer studies at his or her own expenses. Children are at their best when exposed to computer studies at primary school level and if possible in nursery school. After all that is what other jurisdictions are doing. If we need to prepare our young people for a job market that is competitive, we must seek to offer them quality education that is competitive and that can find its place in the global market.

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

**The Temporary Deputy Speaker** (Mr. Poghisio): I now call upon the Mover to reply.

**Mr. Karaba:** Thank you very much, Mr. Temporary Deputy Speaker, Sir. Allow me to donate two minutes of my time each to Mr. Lesrima, Prof. Olweny and Mr. O.K. Mwangi.

**The Assistant Minister for Planning and National Development** (Mr. Lesrima): Thank you, Mr. Temporary Deputy Speaker, Sir. I would like to begin my contribution by congratulating Mr. Karaba for bringing this Motion before this House. In fact, computer studies have been taught in some secondary schools since 1996. There is a school in my constituency whose candidates have sat for the Kenya Certificate of Secondary Examinations (KCSE) for the last four years and attained a mean grade of a C plus.

This is a very important Motion and we do not have a choice but to introduce computer studies in all our secondary schools. However, the biggest problem is lack of electricity in many parts of our country. One way of solving that problem is by reverting to other sources of energy, such as wind, and buying generators for the schools which have no electricity. If we do not introduce computer studies in all the secondary schools, we will have a digital divide where some students from a certain part of this country join universities and are unable to access educational materials both locally and overseas through the internet and another group of students who have an advantage over the others. Mr. Temporary Deputy Speaker, it is also important that education administrators, particularly teachers, are brought on board. Computer studies in a developing country like Kenya are important in creation of employment opportunities. In India, a lot of out-sourcing work is done in cities like Mumbai and Bangalore. By "out-sourcing" I mean that taxpayers take their returns to Bangalore. A lot of office work is sent to India. It is done and returned by satellite at a cheaper cost to the countries it originated from. As a result of this, many young people in India have secured employment. I believe that we can also create employment opportunities, if we establish call centres and out-sourcing back office operations.

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

**Prof. Olweny:** Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to add my voice to the hon. Members who have spoken in support of this Motion.

Computer studies in our secondary schools would be a reality if they were started in our primary schools. The Government should supply computers to primary schools under the Free Primary School Education Programme. Otherwise, we will not get anywhere with this programme.

We all know that any serious employer in this country will employ computer literate persons. The Ministry of Education, Science and Technology should start with the teachers. There is no point for us to introduce computer studies in our schools if the teachers are not computer literate. Today, most of our teachers are not computer literate. Let computer studies be made compulsory subject in our teachers training colleges (TTCs). Any teacher who graduates from any TTC without passing computer studies should not be employed in any school. In fact, when recruiting teachers, computer studies should be taken as the main subject. Introduction of computers in our schools will be a reality if we do that. This is because those computer literate teachers will teach our students computer studies in our schools. Computer studies should be an optional subject in primary schools but a compulsory subject in secondary schools and TTCs.

Mr. Temporary Deputy Speaker, Sir, computers will make teaching easy because we have softwares which can be used to teach science subjects. We do not have enough computer laboratories in our schools, and yet computers are being used in many countries to teach science subjects. This makes work very easy for the teachers. Computers also make learning very easy for the students because they can use the software to do anything as far as the learning of science subjects is concerned.

My colleagues have raised concern about lack of electricity in most of our schools. However, we have solar panels which can be used in any part of this country to produce electricity. Once you have bought the solar equipment and fixed it, you do not need to service it as is the case with the generators which also require fuel everyday. That will make the use of computers very expensive. In addition to the Government supplying computers to our schools, it should also supply solar systems for schools in the rural areas where there is no electricity.

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

**Mr. O.K. Mwangi:** Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this chance to contribute to this Motion. I would like to thank Mr. Karaba for donating two minutes of his time to me so that I can contribute to this very important Motion. I also thank him for introducing this Motion before this House. This Motion is important for the economic development of this country.

Almost every sector of this economy is turning to computer technology. It is, therefore, imperative that computer studies should be introduced in our schools. Were it not for the cost involved, I would have urged the Ministry of Education, Science and Technology to introduce computer studies in primary schools. However, because of the cost involved, I urge the Ministry to introduce computer studies in our secondary schools.

The Ministry of Education, Science and Technology should address the crisis in the schools which offer computer studies. The principals in most of those schools and other people, who call themselves "self-donors", I describe as "bogus donors" - have taken computer studies to be a multi-million business. They have donated computers to schools and then started charging students computer fees. Some of those principals rob students of their money in the name of computer studies. They collect school fees from students and call it "fees for computer classes" and leave the students with fees arrears. I urge the Ministry of Education, Science and Technology to look into this issue. The Ministry should find out what is happening in those schools.

Mr. Temporary Deputy Speaker, Sir, I support this Motion.

**Mr. Karaba:** Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this chance to contribute to this Motion. Many hon. Members would have wanted to contribute to this debate, but unfortunately, we are running out of time. I thank all the hon. Members who have contributed to the debate and the Minister for Education, Science and Technology for acknowledging that computer education is very vital in schools. He has also recognised that the study would standardise education in schools in the whole Republic. The study would also reduce the incidences of corruption in schools.

I beg to move.

*(Question put and agreed to)*

PROVISION OF LOANS TO STUDENTS  
IN MIDDLE LEVEL COLLEGES

**Mr. Koros:** Mr. Temporary Deputy Speaker, Sir, I beg to move the following Motion:-  
THAT, in view of the significant contribution made by graduates trained in our tertiary institutions in national development; aware that many brilliant young people cannot access tertiary education due to lack of fees; this House calls upon the Government to provide loans to all needy students in middle level colleges throughout the country.

As much as we appreciate what the Government is doing in terms of providing education throughout the country, nothing much has been done to assist our middle level colleges. In our country today, we have the free primary education programme. We also have provision of bursary funds to needy secondary school students and loans for our university students. In our midst, there are middle-level colleges, for instance, the polytechnics, medical training colleges and other Government institutions where students are not offered any assistance in terms of bursaries. It is embarrassing that our Government has not done much to improve our middle-level colleges. We know that most of our country's personnel are graduates of the middle-level colleges, but our economy does not allow many of our students to join these institutions owing to financial constraints. If the Government could set aside some money and offer it as bursary or loans to students in these institutions, we would have very many graduates.

There are many students in the middle-level colleges who attained high grades that could have enabled them to join universities. But due to lack of professional courses they desired to take at the universities, they opted to join middle-level colleges. If the Government could assist students in these institutions, then we would have many skilled graduates from both the middle-level colleges and the universities. I request the Government to set aside some funds for this purpose. We should have a revolving fund for middle-level colleges, one for the universities and for any other class of institutions. This way, the Government would not worry so much about provision of education.

We now have the Constituency Development Fund (CDF) from which we are supposed to set aside five per cent for bursaries. We try our best to set aside this money but unfortunately, we have many students in the middle-level colleges and the money cannot be enough to cater for all of them. I request the Government to assist these young Kenyans in these institutions. We know that most of our professionals today have gone through the middle level college training and even advanced their education further. It is not easy to succeed in doing this unless one has money or has been offered financial assistance.

With those few remarks, I beg to move and ask Mr. Karaba to second the Motion.

**Mr. Karaba:** Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this chance to second this Motion. This Motion is meant to improve students who have finished their secondary education. It is supposed to cater for them in terms of providing funds to continue with their education. With the introduction of the 8-4-4 system of education, the school drop out rate continued to increase. This continues to happen. When students complete their secondary education, they look forward to joining public universities. When some of them do not make it to these universities, they find their way to other countries in the West because they do not have anywhere else to go. The students complete their secondary education while they are still young. Unfortunately, some of them lack money to continue with their education. In this case, very few of our secondary school graduates proceed to the universities. A number of those who proceed to the universities access loans so as to

pay their school fees.

Majority of the students who do not make it to the universities opt to abandon education and end up suffering. Some who are lucky join the middle level colleges like the Mombasa, Nairobi and Eldoret polytechnics. We also have the medical colleges which some of these students join. The fees paid in these institutions is even higher than that paid at the universities. Students who may not have made it to join the universities end up paying more money for fees at the middle level institutions as opposed to the universities. Lack of school fees causes discontinuation of education for many students. The only way we can curtail the drop out rate is by introducing this Motion. Unless we support these students financially, we will have a time bomb because we will be breeding students who cannot afford to pay school fees.

This Motion seeks to address the plight of our youth. Let us be seen to be concerned about our youth by trying to make sure that those who graduate from secondary schools do not have to join the universities, but can also be accommodated in the middle level colleges.

Mr. Temporary Deputy Speaker, Sir, we used to have well managed technical schools, polytechnics and medical institutions, but they are now history. As a result of this, there are now fewer institutions which can cater for the growing number of youth who want to enrol for further studies. Unfortunately, as a result of this state of affairs, many youth are getting involved in criminal activities. The only way to avert this problem is to introduce a way of supporting them. This could be through providing loans and bursaries for students from poor families. This will encourage them to further their studies in middle level colleges. Therefore, I hope that when this Motion goes through, we will have many students join middle level colleges. This is the only way we can be assured of economic development, technological advancement and industrial take off by the year 2020.

Mr. Temporary Deputy Speaker, Sir, if you compare Kenya and other countries, especially in South East Asia, you will realise that middle level colleges play a very important role in the development of a country especially in the development of industries and the economy. Majority of artisans and more so the people running cottage industries in India and Malaysia are not university graduates. People who develop these countries are middle level graduates. If we do not encourage students in this country to further their studies in middle level colleges, we will consign our fate and the future of this country to the fate of dogs. That is why I consider this Motion to be very important. It has been brought at the right time, although it has come in so belatedly because this is something that should have been introduced when this country attained Independence.

Mr. Temporary Deputy Speaker, Sir, we continue coming up with many policies, which are just discussions that are never implemented. Recently, I had an opportunity, together with other hon. Members, to visit countries in South Eastern Asia. However, I wonder why we continue visiting those countries only to learn and never implement what we have learnt. However, we assured officials from that part of the world that we would implement what we learnt. We noted that polytechnics and middle level colleges are playing a critical role in the industrial development of those countries.

We assured them that Kenya is a good destination for industrial take off. If we promote middle-level colleges by allowing students to access loans and bursaries, we will make this country worth being emulated by other countries. We should, therefore, pay fees for students who cannot afford to do so. We should also provide loans and bursaries. At the moment, there are many students who are dropping out of schools for lack of fees. Since they are dropping out at a time when we need them, we need to support them in these institutions so that we can talk of a better future and a country that we are proud of, Kenya.

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

*(Question proposed)*

**The Assistant Minister for Trade and Industry** (Mr. Miriti): Thank you, Mr. Temporary Deputy Speaker, Sir. I rise to support this very important Motion.

As you know, the NARC Government has done very well in supporting education in Kenya. Our children are enjoying free primary school education. We also have bursaries at secondary school level and loans at university level. Most students who join tertiary colleges are those who have achieved grades to enrol in universities, but fail to be admitted because of the prevailing competitive environment. Some of these students will have enjoyed free primary education, bursaries at secondary schools, because of their family background, but since most of them come from poor families, they fail to further their studies. Once they fail to get admission to universities, they join colleges. As a result of the nature of support from the Government today, they are not supported. We have witnessed quite a number of them approaching us for Harambees, but at this time in the history of Kenya, people are really moving away from Harambees. When you invite people for such functions, they are not ready to support such students. As a result of this, most of the time, these students drop out of school. Therefore, this Motion has come at the right time. In future, these students will be supported. This is important for the development of our country. As it has been said, most of these people are the ones who are involved in various sectors of economic development. Such people join teacher-training colleges, nursing schools, polytechnics while others join private colleges which are available in all parts of the country.

Mr. Temporary Deputy Speaker, Sir, we have been trying to support these students through the Constituency Development Fund (CDF). However, since it is only a small percentage, it is not enough. We, therefore, call upon the Government to consider giving these needy students loans so that they can be at par with the others. Sometimes these students feel as though they are marginalised and that they are not wanted by the community. When they see others being supported while they are not supported, this affects them psychologically. We cannot say that there is no poverty in this country. We have so many parents who are very poor. For reasons not known to many people, very many children from poor families perform well in school. Because of the competition that is going on now, such students find themselves in colleges.

I want to congratulate Mr. Koros for bringing up this timely Motion.

With those few remarks, I beg to support.

**Mr. Kimeto:** Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity.

I also wish to congratulate the Mover of this Motion for reaching out to the people of this country. Some people in this country are threatened by those who are wealthy. We have never considered poor children who have been trying to live to the standards of those who are able. The students in this country who get opportunities are the ones whose parents are able to educate them in teacher-training colleges and other best colleges on this land. However, clever students from poor families have no place in this country. I, therefore, congratulate Mr. Koros for bringing this Motion.

The rich people in this country have sent their children abroad. When they come back, they are considered the best yet they were of equal aptitude with the poor students in lower classes here. Clever students from poor families, who were educated by Government in the lower level, topped their classes. They are being ruled by those who did not do so well in school.

Mr. Temporary Deputy Speaker, Sir, it is good that the Mover of this Motion has recognised this discrepancy. However, whom are we addressing? Even if we pass this Motion, will the Government implement it? It is good that we are debating this Motion. Is the Government hearing? Is the Minister for Education, Science and Technology here with us? Is he in a position to implement this Motion? This Motion could have been debated by the time Mr. Kimeto came to Parliament in 1997. Unfortunately, he has never had time to think about it. Will this Motion be implemented?

**The Assistant Minister for Trade and Industry** (Mr. Miriti): On a point of order, Mr. Temporary Deputy Speaker, Sir.



**The Temporary Deputy Speaker** (Mr. Poghisio): Mr. Kimeto, there is a point of order.

**Mr. Kimeto:** Mr. Temporary Deputy Speaker, Sir, I do not need any point of information!

*(Laughter)*

**The Temporary Deputy Speaker** (Mr. Poghisio): Order! It is a point of order!

**The Assistant Minister for Trade and Industry** (Mr. Miriti): On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the hon. Member in order to say that the Assistant Minister for Education, Science and Technology is not here while, in fact, he is staring at him?

**The Temporary Deputy Speaker** (Mr. Poghisio): Did he say that?

**Mr. Kimeto:** Mr. Temporary Deputy Speaker, Sir, I never said that. I said that the Assistant Minister should be realistic and implement the Motion immediately. We should not pass Motions which are not implemented. This Motion should have been debated, passed and implemented by the time Mr. Kimeto came to Parliament in 1997.

We have bright students in teacher training colleges and polytechnics. We said long time ago that Kenya should be industrialised by the year 2020. That is to say that by the year 2020, Kenya will be a manufacturing state and not an importing state. We will have a human resource that will turn Kenya into a manufacturing state. But are we aware that the year 2020 is around the corner? It is not that far. If we do not implement this Motion, do you know that all the governments that will come before the year 2020 will fail? Who will do the implementation of policies in this country? There are so many students who have graduated from teacher training colleges, and yet our schools do not have enough teachers. This country has so many graduates from polytechnics who are just walking around without jobs. They have even forgotten what they were taught in colleges. So, they would have to go back to colleges to be re-trained because of the Government's inability to give them jobs. Are we aware that students from technical training schools who trained in the 1970s do not have jobs? They have forgotten what they were trained in.

Mr. Temporary Deputy Speaker, Sir, let the Assistant Minister for Education, Science and Technology live above the standards---

**The Temporary Deputy Speaker** (Mr. Poghisio): Order, Mr. Kimeto. You should address the Chair.

**Mr. Kimeto:** Mr. Temporary Deputy Speaker, Sir, forgive me in advance. I was trying to tell the Assistant Minister that, once we pass this Motion, he should move fast, so that we can allocate money to this Ministry in the Supplementary Estimates to implement the Motion.

This country has a lot of resources. The resources are the people themselves. Can we assist poor children in the universities? We should assist clever students in secondary schools and universities who cannot afford fees. I request the Minister to go to every sub-location and assist students who are willing to learn, but are poor. They should be assisted from locational and constituency levels. He should visit the constituencies and educate them about this Motion and Kenya will develop. We have so many resources in this country, like agriculture. There are trained agricultural graduates in this country but they cannot impart their skills due to unemployment. We are still importing cars, and yet we have trained polytechnic graduates who can assemble new vehicles. In fact, right now, Kenya is importing everything because of lack of employment opportunities, and thus it cannot measure up to the USA, Japan and the rest. Our people, who make a population of 33 million, are alive and their skills are idle due to lack of their implementation.

Mr. Temporary Deputy Speaker, Sir, let me suggest that once this Motion is passed into law, Mr. Koros should be made the Minister for Education, Science and Technology, and I as his assistant to enable him to move forward.

*(Laughter)*

Let us work hard until the future generations will come to know that while President Kibaki was in State House, things were way above the standard. However, so far, he is not solving the problem of war in Sagamia. The people of Sagamia, who elected the Government, are being evicted from the Mau Forest and trampled upon by the same Government that they elected.

**The Temporary Deputy Speaker** (Mr. Poghisio): Order!

**Mr. Kimeto:** Mr. Temporary Deputy Speaker, Sir---

*(Laughter)*

**The Temporary Deputy Speaker** (Mr. Poghisio): Order, Mr. Kimeto!

**Mr. Kimeto:** Mr. Temporary Deputy Speaker, Sir, thank you. With those few remarks, I beg to support.

*(Laughter)*

**The Temporary Deputy Speaker** (Mr. Poghisio): Order! No! Mr. Kimeto, [**The Temporary Deputy Speaker**]

you cannot just run away like that. When you are told "order" and the Chair is on his feet, you quickly sit down. You do not continue contributing. Your time is still there. You did not have to finish. I just wanted you to continue. Proceed!

**Mr. Kimeto:** Mr. Temporary Deputy Speaker, Sir, due to the little time that I have, I request hon. Dr. Kibunguchy to say something about this Motion.

*(Laughter)*

**The Temporary Deputy Speaker** (Mr. Poghisio): Mr. Kimeto, do you support the Motion?

**Mr. Kimeto:** Mr. Temporary Deputy Speaker, Sir, I beg to support in totality. I thank you in advance.

**The Temporary Deputy Speaker** (Mr. Poghisio): It is not your responsibility to offer any other hon. Member the chance to contribute to this Motion.

Proceed, Dr. Kibunguchy!

*(Laughter)*

**Dr. Kibunguchy:** Thank you, Mr. Temporary Deputy Speaker, Sir. Thank you, hon. Kimeto, for lobbying for me.

**The Temporary Deputy Speaker** (Mr. Poghisio): Order! Dr. Kibunguchy, who are you thanking?

**Dr. Kibunguchy:** I am thanking Mr. Temporary Deputy Speaker, Sir.

*(Laughter)*

**The Temporary Deputy Speaker** (Mr. Poghisio): Order! You have been caught on the HANSARD saying that you are thanking Mr. Kimeto for offering you a chance to contribute. No one else can do that here except the Chair!

**Dr. Kibunguchy:** Mr. Temporary Deputy Speaker, Sir, I withdraw that remark and apologise.

**The Temporary Deputy Speaker** (Mr. Poghio): Proceed!

**Dr. Kibunguchy:** Thank you, Mr. Temporary Deputy Speaker, Sir. Before I make any comments, first of all, I would like to thank my colleague, hon. Koros, for coming up with this Motion. At the heart of this Motion, we have to admit that many brilliant young people cannot access tertiary education due to lack of school fees. To me, that is the heart of this Motion because it is looking at our society. Where is our society at the moment? As we speak now, poverty in this country is very high. That is the society we are dealing with. There are so many bright people out there, but they cannot access tertiary education because of poverty. We cannot go very deep looking at the merits and demerits of this Motion without defining or appreciating the society we live in.

Mr. Temporary Deputy Speaker, Sir, right now, the NARC Government has established free primary education. That takes care of our primary school pupils. We also have a bursary scheme for our secondary school students. For those students who go to the university, there is the Higher Education Loans Board (HELB) which gives them loans. So, you realise that there is a certain cadre of young people in this country who are not catered for. Those are the students going to middle level colleges. This Motion is trying to lobby for the Government to look at this group of students in this country.

I agree that students in middle level colleges should be given loans. I will be reluctant to recommend that they be given bursaries, because there is something about bursaries that breeds dependence. The Mover of the Motion is talking about giving the students loans, which I support fully. A loan is money that you take and repay later. We do not want students to get used to bursaries. To me, bursaries breed dependence. It is a scheme which tends to get abused. So, if we establish a system of giving loans, it will be most appropriate.

Mr. Temporary Deputy Speaker, Sir, such a system can be administered like the Higher Education Loans Board (HELB) for students at the university level. Alternatively, the Government could talk to some of our banks to provide loans to these students at a concessionary rate. To me, that is what the Government should be looking at on a very serious note. As I said, this is a cadre of students that has been overlooked. We have to appreciate that the level of poverty in this country is very high. At the same time, we have to appreciate that, right now, we have so many orphans who need to go to school. So, education loans like the ones suggested by this Motion will really assist this group of people.

Mr. Temporary Deputy Speaker, Sir, in terms of the value of the students graduating from middle level colleges, I cannot over-emphasise what has been stated. If we expect to develop on the lines that we are thinking about, we have no option but to support middle level college education. In fact, to me, middle level college education should be encouraged much more than even university education. To me, if we are looking at development in terms of leaping and catching up with the people who are ahead of us, we have to put a lot of emphasis in middle level college training.

Mr. Temporary Deputy Speaker, Sir, I would like to end my contribution by touching on something that I think most of us are doing in our various constituencies. At least, for us in Lugari, we are doing this, and it has to do with the Constituency Development Fund (CDF). In Lugari, we have set aside 10 per cent of our Constituency Development Fund (CDF) to assist those students. The majority of the students we are assisting in Lugari are those who are attending middle level colleges. This year, we would also like to move a little further to help university students, but I would say that almost 90 per cent of those we assist from this 10 per cent of our CDF are the students attending middle level colleges.

Finally, Mr. Temporary Deputy Speaker, Sir, in terms of education in this country, we have seen that when we talk about private schools and Government-funded schools, you find that there is a

lot of disparity in levels of education. We have to be able to reach a stage where we try to bridge this difference. We have to look at equity in terms of education; otherwise, we face the danger of the rich getting education, and the poor remaining marginalized for a long time. One of the things which can bring equity to our educational system is what is envisaged in this Motion.

With those few remarks, I beg to support.

**Mr. Mbau:** Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this chance, on the outset, to support this very worthwhile Motion that focuses on the dire needs of our youthful population; the one that is capable of joining universities and translating into very productive persons in this country. It cannot be gainsaid that education is the hallmark of a country's economic development. Yet in this country, a moment in time came when it appeared as if the focus of our education moved towards public universities at the peril of our middle level colleges and with negative consequences, including very many graduates roaming our streets and countryside seeking unavailable or non-existent jobs. You will bear witness that every year, close to 40,000 youthful Kenyans who sit for the Kenya Certificate of Secondary Education (KCSE), or rather over 35,000 of them qualify to join our public universities, but how many get admissions to join our public universities? Only about 10,000. The question that has been yearning for an answer is this: What becomes of this other close to 30,000 university-material Kenyans who usually get grade "C" or "C+" and above and have not been able to join our Government-supported public universities? Has the Ministry of Education been asking what becomes of this lot?

I think time is ripe for us to shift from over-emphasizing the value of degree certificates and refocus on the value of arming our youthful population with technical qualifications, by supporting and enabling our middle level colleges. There was a time when Nairobi and Mombasa polytechnics used to be big names in this country, because they offered diploma courses that were recognised by industries and other employment sectors in this country. Their diplomas were as good as university certificates. I do not know where we are going.

I would like the Minister to note that of late we are losing hundreds of students to our neighbouring country, Uganda. Many students are now going there in pursuit of higher education at some universities. The universities absorb students from Kenya and give them qualifications within their middle level colleges. These qualifications are turning out to be as good as degrees. This is what we want to see happening in Kenya. It is important to note that movement of our students to other countries results in loss of colossal amounts of foreign exchange. The monies that are going out would instead be circulating within the economy, hence bringing benefits to our country.

Mr. Temporary Deputy Speaker, Sir, I want to call on the necessary arm of Government to deliberately do something about elevating our middle level colleges. We have now seen that the private sector, having noted this lack of policy focus on the part of Government, have now come up with various kinds of academies. There are very many private sector tertiary institutions now tapping our youthful population who should have joined universities. But, of course, as we all know, the youths who are joining the private sector-funded tertiary institutions are only those who can afford, yet this country has 56 per cent of its population that can be considered as very poor or needy. So, if our public universities are not able to absorb those who qualify from poor families, and our Government is not deliberately supporting them by giving them loans and other facilities so that they, too, can pursue and achieve qualifications that can be recognised by industries, then it means only the few students from rich families will get these good qualifications from colleges such as Strathmore, the Kenya College of Accountancy and the Kenya School of Monetary Studies. As a result of this, we will end up wasting many very bright people in this country who will eventually re-direct their brilliance and ingenuity to vices. That is not in keeping with our desire to have people of good conduct among us. When our very bright population begins to engage in negative activities, because they were endowed with bright minds and ingenuity, they will perfect performing, and partaking of activities that

are considered undesirable.

So, we need to take cognisance of what becomes of our youthful population when they are not supported and let loose to go in the negative direction. However, I want to commend our Government because, in the recently released Budget, the Ministry of Education, Science and Technology received the bulk of the entire Budget. We need to appreciate that. That is commendable. It is a good thing. It is a clear appreciation and understanding that the education sector, if left behind-- If the education sector is not leading in terms of focus and resource input, then the whole country may not be able to move forward. I want to say that, as hon. Members, we need to support the budgetary re-orientation of putting resources where our mouths are! At the constituency level, like the hon. Member for Lugari Constituency has said, let us try as much as possible to put resources in the education sector. That way, we will not only support the facilities in both primary and secondary schools, but also the individuals in pursuing education and eventually getting worthwhile certificates.

I want to say that, in my constituency, through the Constituency Development Fund (CDF), over 50 per cent of our budgetary allocation supports education facilities. I want to thank the Government, once again, for introducing the CDF Act. I think that is the best thing that ever happened in this country. It is helping people and even hon. Members! We feel very good. I want to urge the Ministry of Education, Science and Technology to clearly spell out a policy for supporting needy students. They need to pursue their desires for higher education in middle level colleges.

With those few remarks, I beg to support.

**Mr. Wamwere:** Ahsante sana, Bw. Naibu Spika wa Muda, kwa kunipa nafasi hii ili nichangie Hoja iliyo mbele yetu. Hoja hii ni muhimu sana.

Kwanza, ningependa kusema kwamba ikiwa Bunge litakubali kupitisha Hoja hii, itaongeza faida ya elimu ya msingi ambayo, kwa wakati huu, inatolewa bila malipo. Nasema hivyo kwa sababu, ingawa tunaishukuru Serikali kwa kuwezesha watoto wetu kupata elimu bila malipo, ukweli ni kwamba elimu ya msingi haitoshi. Ukimpatia mtoto elimu ya msingi na kisha uwachane naye, ni kama kumlea mtoto kwa miaka kumi na kumuacha bila malezi zaidi. Ukweli ni kwamba mtoto akimaliza masomo yake ya Darasa la Nane, akili zake zitapata kutu ikiwa hataendelea. Atakufa kiakili na kitabia. Kwa hivyo, ili kuhakikisha kwamba kuna maendeleo ya kielimu, ni muhimu sana kuwasaidia wanaondelea na masomo baada ya kumaliza elimu ya msingi. Tunaongea juu ya watoto maskini kwa sababu hawawezi kulipa karo katika vyuo vya elimu ya juu. Watoto wa matajiri hawana shida hii, lakini hata watoto maskini wana haki hiyo ya kupata elimu, sio tu ya msingi, lakini pia elimu ya juu.

Bw. Naibu Spika wa Muda, tukiweza kupatia watoto maskini elimu ya juu, tutakuwa tunasaidia kupigana na umaskini. Watu wengi wanategemea ajira ndio waweze kupigana na umaskini. Ajira katika nchi hii haiwezekani kama mtu hana elimu. Kwa hivyo, wakati maskini wanaposaidiwa kupata elimu ya juu, tutakuwa tumechukua hatua muhimu katika vita vya kupunguza umaskini miongoni mwa watu fukara.

Bw. Naibu Spika wa Muda, Hoja hii isipopita, na wanafunzi maskini wasiposaidiwa kwa mikopo hii ya kuwawezesha kupata elimu ya juu, basi elimu inayotolewa katika vyuo vya ufundi itaendelea kuwa ni elimu ambayo inaweza tu kupatikana kwa watoto wa matajiri. Mafunzo yanayotolewa katika vyuo vya walimu pia yatakuwa elimu tu ambayo inaweza kupatikana kwa watoto ambao wazazi wao in matajiri. Pia, elimu ambayo inatolewa na vyuo vikuu chini ya mpango wake wa kulipa, au *parallel programme*; hiyo nayo itaendelea kupatikana kwa watoto wa matajiri peke yao kama hatutapitisha Hoja hii, ili Serikali iweze kutolea watoto maskini wanaopita katika mitihani yao ya sekondari na wanakosa kuchukuliwa katika vyuo vikuu kwa ule mpango wa kawaida na wakawa wanahitaji pesa nyingi ili waweze kusoma kwa mpango huo.

Kwa hivyo, hii ni Hoja muhimu sana kama tutasawazisha nafasi za elimu kwa tabaka zote. Vile iko wakati huu, tunaelekea kujenga elimu ya matajiri peke yao. Wale wengine maskini watapata elimu ya msingi peke yake. Elimu ya msingi itakuja kuwa ni sawa na elimu ya maskini, na ile nyingine

itakuwa ni hifadhi ya matajiri peke yao.

Bw. Naibu Spika wa Muda, wengine wetu tumeketi afisini. Nakumbuka mtoto mmoja wa kike aliyekuja afisini mwangu akitaka tumsaidie na pesa ili aweze kuendelea na masomo yake katika chuo cha ualimu. Ninakumbuka mtoto huyo akilia machozi, akisema ya kwamba ni lazima nimsaidie. Sikuona namna ningeweza kumsaidia kwa sababu zile pesa tunapata ni *bursary* kwa watoto wanaosomea shule za sekondari, na nikamhurumia sana. Nikamuuliza kwa nini familia yake haiwezi kuungana kuchanga karo. Akasema familia yake ni maskini kabisa na alikuwa anaishi na nyanya yake. Hii si haki; huyu ni mwanafunzi ambaye amepita mtihani wake na anachotafuta ni nafasi ya kumaliza masomo yake, apate kazi, ndio aweze kusaidia wengine. Sasa alikuwa amefika pahali ambapo nyanyake hangeweza kulipa Kshs50,000 alizokuwa anatakiwa atoe. Hili ni jukumu ambalo linafaa kuchukuliwa na Serikali, wala sio manyanya zetu kwa sababu hawana nguvu. Serikali ni kazi yake kusaidia kwa sababu ndio inayolipwa kodi. Hata maskini wanaolipa kodi wanastahili kurudishiwa kwa njia ya msaada huu.

Bw. Naibu Spika wa Muda, ningependa kugusia kidogo matatizo yanayopatikana katika vyuo vya utabibu, hasa kuhusiana na clinical officers, ambao wanalazimika kulipa karo. Wanapohitimu ile miaka mitatu ya kwanza na wanaanza ukufunzi katika mahospitali, hawapewi mikopo, hawalipwi marupurupu kama wakufunzi, na kwa hivyo, wanalazimika kuendelea kutegemea wazazi. Kama mwanafunzi hakuwa na wazazi wenye uwezo, itamaanisha ya kwamba hataweza kupata ukufunzi, ambao ni lazima ndio aweze kufaulu kama clinical officer na baadaye kupata kazi. Ni makosa kumwachisha mwanafunzi masomo yako au kutompatia mkopo ili aweze kupata ukufunzi ambao utamaanisha kila kitu kwake. Kama wewe ni clinical officer ambaye hakupata ukufunzi, ile elimu yote uliopata hapo mbele itakuwa haina maana tena.

Ni makosa Serikali iwe na mpango ambao unaruhusu madaktari wakufunzi kupewa marupurupu, lakini wenzao ambao ni clinical officers wananyimwa marupurupu hayo na pia wanakosa kupewa mikopo. Tukisema Serikali ikae na marupurupu yake, tupendekeze hawa clinical officers wapewe mikopo ndio waweze kumaliza ukufunzi wao, na ndio mwishowe waweze kuingia katika hospitali kutibu mamilioni ya wagonjwa wetu. Wakati huu, tuna upungufu wa madaktari ambo unaweza kumalizika tukiwawezesha clinical officers kumaliza masomo yao na hatimaye kupata kazi.

Bw. Naibu Spika wa Muda, ndio watoto kutoka jamii maskini wapate elimu ya juu baada ya kupata elimu ya msingi, ni muhimu wasaidiwe kupata elimu ya sekondari. Ukweli ni kwamba, kama mtu hakupitia shule ya sekondari, hawezi kuingia katika vyuo vya elimu ya juu. Watoto kutoka jamii maskini hawawezi kuingia shule za sekondari kwa sababu wakati huu karo iko juu zaidi. Bado tunasikia kwamba walimu wakuu wanang'ang'ania kuongesa karo. Ningetaka kupendekeza kuwa Wizara ya Elimu, Sayansi na Teknologia, ambayo inapwa pesa nyingi sana, iulize iongezwe pesa ili tuweze kupata elimu ya bure ya sekondari, ndio kila mtoto katika nchi hii awaze kupata elimu ya sekondari na baadaye aweze kuingia chuo kikuu au vyuo vingine vya elimu ya juu.

Kwa hayo machache, ninaomba kuunga mkono.

**Mr. Omingo:** Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me a chance to contribute to this Motion. On the outset, I support the Motion.

We all know that the Government has provided free primary school education and there is mass enrolment in primary schools. The transition from secondary schools to institutions of higher learning keeps on going down because there are very few chances in our national universities. It is important, therefore, that as we build up capacity in terms of educating our youth, we require to do it evenly across the board. It is true that many of the students who drop out after the O'Level get odd jobs and some do not even earn a living. At the middle level, we also have that vacuum because of lack of facilities in the middle level colleges, and yet there are still fewer chances in our universities. We all know that anybody can join a university by attaining Grade C-plus. When they do not do that, we need to utilise these brains. We need to build capacity in the middle level colleges because, during the old

days polytechnics used to provide practical experiences of on-the-job training. They were more valuably used than the theoretical teaching that used to be in the universities.

Mr. Temporary Deputy Speaker, Sir, we, therefore, need to support this Motion and provide an enabling environment for our students, who actually do not manage to go to university. These students are qualified but unfortunately, the facilities at the universities are not sufficient to accommodate all of them. This will ensure that they qualify for loans from the Higher Education Loans Board (HELB). We can duplicate what we have in the HELB by accommodating students from the middle level colleges.

As a nation, we should build capacity in the middle level colleges and have research students. You will find that even in developed countries, research or innovation took place in their mother tongue. Home-grown thinking will help us develop ourselves by way of innovating our thinking. You can only think best in your mother tongue. I would request the Ministry of Education, Science and Technology to build capacity in the middle level colleges to enable them do research. The *Jua Kali* sector was actually vibrant through the middle level colleges. I want to encourage the Ministry to provide funds, in order to educate them and open up facilities, so that students can do research. As I said, you can only do research effectively when you think in your mother tongue. The Europeans have managed to be innovative because they think in their mother tongue. We should innovate in our mother tongue, rather than translating our thoughts. Let us have home-grown innovations.

Mr. Temporary Deputy Speaker, Sir, we do not have sufficient resources allocated to middle level colleges. This is because most Kenyans are fond of white-collar jobs. Even in universities, there are very few students who study agriculture-based courses, because agriculture is classified as a lesser profession. We want to encourage the Ministry to build capacity in this area and provide funding in terms of loans, so that we can bridge this gap. Otherwise, we are going to have a nation that has got semi-illiterate people. As a result, the gap between the learned and the illiterates will widen up.

It is critical that people who go to middle level colleges are of prime age. These are the youth. The policy of this Government was to empower the youth. There is no way you are going to empower the youth when they drop out of Form Four and cannot pursue further education. In such a case, you will have intelligent idlers. That is why the rate of crime in this country will never come down. This is because, when you have people who have knowledge but have nothing to do, they end up practising negative development by resorting to interesting ways of earning a living, including thuggery.

Mr. Temporary Deputy Speaker, Sir, in as much as we want to expand this and provide funds for training, it is also critical that our policies in terms of investment are put right. You will find that we shall train them effectively, but at the end of the day they will go to Europe to earn their living. For example, there are so many nurses flying out of this country to go and earn a living in the West. It is important that as we train them, we also retain them so that they pay back. It does not make sense to train people without being able to retain them. It is also a question of priorities. It is not that we do not have vacancies for them to work.

Mr. Temporary Deputy Speaker, Sir, most of our health facilities do not have sufficient staff to manage them. Unfortunately, because of the terms and conditions of service, and the kind of constraints given by the donor community, that you should not employ even when you have trained skills, this is something that the Government needs to re-think to be able to absorb the people.

Mr. Temporary Deputy Speaker, Sir, earlier on, I gave an example of primary school teachers. There are numerous P1 teachers out there, and yet there is a huge workload being placed on the shoulders of the few teachers who are employed. I recently had an occasion to meet the Secretary of the Teachers Service Commission (TSC) and he told me that the best he can do is to replace those teachers who are lost through natural attrition processes like retirement and death. However, the increase in enrolment of pupils is not taken care of. I wish to encourage the Ministry and the

Government to formulate policies that would ensure that those teachers who are in the country, rather than taking them to Botswana or Europe, are retained so that they can help develop our nation.

The Constituency Development Fund (CDF) has done a bit of good work in this regard. About 10 per cent of the CDF money has been used to boost the bursary fund. Secondary schools already have a bursary fund under the kitty. Most constituencies, including mine, have actually resorted to supporting students who go to middle level colleges. However, that is not sufficient. You cannot meet all those needs with CDF money. Middle level colleges and universities qualify for this scheme, but it is not sufficient to cover them since the fees charged by these institutions are high.

I want to impress upon the Minister not to increase university fees, otherwise that will cause a crisis in this country. Whatever fees is charged presently is already a burden on poor parents. These are people who have actually gone to the shamba and planted their sugar-cane, which cannot be harvested for crushing, for example, by Sony Sugar Company, and yet they are expected to pay this kind of fees which they cannot afford. By increasing fees threefold, as has been suggested, I am certain that the Ministry will be pushing back the burden to parents, and at the end of the day, they will suffer greatly. We will negate all the gains of having educated Kenyans.

Mr. Temporary Deputy Speaker, Sir, we require facilities in our learning institutions. Polytechnics, in the past, had a lot of capacity. They had room for courses like carpentry and joinery, but they were neglected until they collapsed. A nation that cannot have skilled personnel and is incapable of innovations and positive thinking in terms of development is a nation headed for a crash. We do not want our nation to crash. Let us introduce this scheme whereby needy students in middle level colleges will benefit from loans provided by the Government. That way, the capacity of those institutions and their facilities will be improved. The department of technical training and applied technology should harness itself and put everything in perspective so that whatever we do today is for the benefit of our nation.

Mr. Temporary Deputy Speaker, Sir, the issue of fair distribution of resources is critical because we have areas where demand is so high. Even when allocations are made for these areas, you will find that they are inadequate. In terms of fair distribution of resources, let us not look at the population. Let us look at the extent of need. I know we all would want to share the national cake equally, but we cannot be equal because some people require more than others, depending on aspects such as population, need and exposure. In this regard, I would urge the Minister to look into this matter and come up with a solution.

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

**Capt. Nakitare:** Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this chance to contribute to this very important Motion. The Mover of this Motion had a big thought for this country.

In the past, universities gave loans to their students. The students were given loans by the Government with an assurance that after graduation, they could work for it for two years. After that, they could resign and work in the private sector. By doing that, the Government recovered the money the students had been given in form of loans. Today, the education sector is constrained by finances.

Technology has taken Kenya by surprise and the informal sector will be undermined by lack of technology. That is why we are talking about middle level colleges. We cannot talk about free primary school education and university education and say that Kenya has produced enough manpower.

Mr. Temporary Deputy Speaker, Sir, we have the Kenya Union of Post-Primary Teachers (KUPPET) in Trans Nzoia District. This is a group of primary school teachers who are pursuing degree courses under the parallel degree programme. They also spend half of their salaries to pay fees, which is a burden to them. They have parents and children to take care of, but they are still thirsty for education. If those teachers are given loans to pursue university education, especially those in



Trans Nzoia District, the Government would have helped them a great deal. They cannot qualify for assistance from the Constituency Development Fund (CDF) because those funds are not enough to share with, primary and secondary school children and university students. They are like a pendulum because they swing between two knots. I urge the Government to take this matter very seriously.

College studies are technical. Graduates from colleges are the ones who do the technical work. Universities produce well learned people but when it comes to technical work, it is the college-goers who do it better. These are the middle people we are concerned with. Apparently, 400,000 children sit for KCPE in Kenya, but very few of them pursue higher education. We are not talking about the well-to-do in society, but the bright people who will build the nation. We do not want to leave them behind. Good students should be motivated. The students who pursue education in polytechnics, commercial colleges and Government-funded training colleges should be supported by the Government.

Mr. Temporary Deputy Speaker, Sir, our parents are poor because the Government has not supported the agricultural sector. Our farmers meet the production cost and realise little income from their produce. As a result, those farmers are unable to educate their children. Those farmers can educate their children if they had a source of income.

If we give those students loans and yet they are not assured of being employed, how will the Government recover that money? We should expand the *Jua Kali* sector, which is now being taken over by school leavers.

Long ago, people used to go to Burma because---

#### ADJOURNMENT

**The Temporary Deputy Speaker** (Mr. Poghiso): Order, Capt. Nakitare! You will continue with your contribution for five minutes next week.

Hon. Members, it is now time for the interruption of business. The House is, therefore, adjourned until this afternoon at 2.30 p.m.

The House rose at 12.30 p.m.