

# NATIONAL ASSEMBLY

## OFFICIAL REPORT

**Tuesday, 9th August, 2005**

The House met at 2.30 p.m.

*[The Temporary Deputy Speaker  
(Mr. Khamasi) in the Chair]*

### PRAYERS

### PAPERS LAID

The following Papers were laid on the Table:-

Annual Report and Accounts of Kenya Industrial Research and Development Institute for the year ended 30th June, 2000, and the Certificate thereon by the Controller and Auditor-General.

Annual Report and Accounts of Kenya Industrial Research and Development Institute for the year ended 30th June, 2001, and the Certificate thereon by the Controller and Auditor-General.

*(By the Assistant Minister for Trade and  
Industry (Mr. Miriti) on behalf of the  
Minister for Trade and Industry*

Annual Report and Accounts of Kenya Forestry Research Institute for the year ended 30th June, 2001, and the Certificate thereon by the Controller and Auditor-General.

*(By the Assistant Minister for Trade and  
Industry (Mr. Miriti) on behalf of the Minister  
for Environment and Natural Resources)*

Annual Report and Accounts of Tana and Athi Rivers Development Authority for the year ended 30th June, 2003, and the Certificate thereon by the Controller and Auditor-General.

*(By the Assistant Minister for  
Trade and Industry (Mr. Miriti)  
on behalf of the Minister  
for Regional Development)*

Annual Report and Accounts of Postal Corporation of Kenya for the year ended 30th June, 2002, and the Certificate thereon by the Controller and Auditor-General.

*(By the Assistant Minister for*

*Trade and Industry (Mr. Miriti)  
on behalf of the Minister for  
Information and Communications)*

### QUESTIONS BY PRIVATE NOTICE

#### INSECURITY ALONG KENYA/UGANDA BORDER

**Mr. Ojaamong:** Mr. Temporary Deputy Speaker, Sir, I beg to ask the Minister of State, Office of the President the following Question by Private Notice.

(a) Is the Minister aware that there have been continuous raids by armed thugs at Nambale, Busia, Angorom, Amerikwai and Asinge towns which have led to loss of lives in the last two months?

(b) What urgent measures is he taking to stop further raids in these shopping centres and to guarantee security for residents along the Kenya-Uganda border in Teso and Busia districts?

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

(a) I am aware that there have been isolated incidents of raids by armed thugs at Nambale, Busia, Angorom, Amerikwai and Asinge town centres.

(b) The District Intelligence Security Committees (DSCs) of Bungoma and Teso districts are closely collaborating and sharing intelligence information besides the implementation of the community policing, which is already bearing fruit judging from recent co-operation by members of the public which led to the arrest of a notorious gang of suspects in July, 2005.

The chiefs and assistant chiefs countrywide have been put on alert. Flushing out criminals from their areas of jurisdiction is one of the benchmarks on which their performance is to be judged.

**Mr. Ojaamong:** Mr. Temporary Deputy Speaker, Sir, the situation along the Kenya/Uganda has deteriorated. People are under siege. The Assistant Minister has talked about community policing, which has failed. He has also talked about the chiefs, who are sabotaging the Government because of their partisan interests. Could the Assistant Minister consider arming members of the community policing forum (CPF) who volunteer information, just like in Uganda, so that they are not overpowered by thugs?

**Mr. M. Kariuki:** Mr. Temporary Deputy Speaker, Sir, in the last two months, there have been eleven incidents of burglary and robbery. On 7th July, 2005, members of the public offered information to the police, pursuant to the spirit of community policing, that a raid was about to be conducted and the police erected a roadblock. The information was found to be correct and five suspected thugs opened fire on the police. Three of the thugs were gunned down and two were arrested. That is a testimony to the fact that community policing is bearing fruits.

As far as the chiefs are concerned, we have said that one way of assessing their performance is to ensure that they are alert and there are no criminals in their areas of jurisdiction. With regard to the issue of arming the communities, we are in the process of preparing a Sessional Paper on security, which will be brought before this House fairly soon. One of the issues to be deliberated by this House is arming private security providers. Once the House passes that Paper, we will consider arming private security guards. Otherwise, we have appointed the Kenya Police Reservists (KPRs) to police the areas which are insecure.

**Mr. Serut:** Thank you, Mr. Temporary Deputy Speaker, Sir. Mount Elgon Constituency borders Amagoro and Bungoma districts which lie along the Kenya/Uganda border.

Mr. Temporary Deputy Speaker, Sir, what is the Assistant Minister doing to ensure that the

people who are armed in Uganda do not cross over to Kenya, commit crimes and get away with it?

**Mr. M. Kariuki:** Mr. Temporary Deputy Speaker, Sir, in March, 2005, the Minister in charge of internal security in Uganda and our Minister of State, Office of the President in charge of internal security and Provincial Administration, entered into an agreement to disarm people along that border. That exercise has been going on and it principally targets the communities which operate along the border, and more so, the cattle rustling communities. However, our security forces are carrying out the disarmament exercise along the Kenya/Uganda border to enhance security. We have also reinforced security personnel in chiefs' camps along the border in order to beef up security. Those are the measures we have put in place.

**Dr. Ojiambo:** Thank you, Mr. Temporary Deputy Speaker, Sir. Is the Assistant Minister aware that the security personnel are ill-equipped and cannot repulse the raiders from Uganda? The security forces also lack means of transport. Could the Assistant Minister consider increasing patrol vehicles along the border so that the security officers can patrol the border more effectively?

**Mr. M. Kariuki:** Mr. Temporary Deputy Speaker, Sir, some of the items that are in this year's Vote include transport. We will buy about 160 new vehicles for the regular police and the APs. The priority areas will be hotspot areas with high incidences of crime. So, Busia District, alongside other districts, will benefit from the new vehicles that we will purchase.

As far as equipment is concerned, we are also in the process of buying communication equipment so that information relating to crime can be communicated to the relevant authority as quickly as possible. Otherwise, our forces on the ground are properly equipped in terms of combat.

**Capt. Nakitare:** Ahsante, Bw. Naibu Spika wa Muda. Kenya kama nchi nyingine ina mipaka ya kimataifa. Kwa nini jeshi letu haliwezi kupelekwa kulinda mipaka ya Kenya? **Mr M. Kariuki:** Bw. Naibu Spika wa Muda, mipaka yetu ina jamii ambazo zinaishi katika nchi zote mbili. Katika mpaka wa Kenya na Uganda, kuna jamii za Kenya ambazo jamaa zao ziko katika upande wa Uganda. Kwa hivyo, hatuwezi kuwagawanya watu wetu. Tunahakikisha kwamba kuna usalama wa kutosha katika mpaka baina ya Kenya na Uganda. Kulikuwa na mpango kati ya nchi yetu na Uganda kuhakikisha kwamba mpaka kati ya Kenya na Uganda unalindwa.

Kuhusu kutumia majeshi yetu, majeshi yanatumiwa wakati kuna vita ambavyo polisi hawawezi kukabiliana navyo. Hivi sasa, tunatumia askari wa chifu au askari kanga na polisi kuweka usalama. Jeshi letu liko tayari ikiwa tutalazimika kulitumia.

**Mr. Ojaamong:** Mr. Temporary Deputy Speaker, Sir, the people along the border are under siege. Most business people have closed their businesses. Previously, we had General Service Unit (GSU) patrols. They were really assisting us. But the Government withdrew them without any notice or any justifiable cause.

Could the Assistant Minister consider reinstating the GSU patrols along the border so that we can also sleep like other Kenyans?

**Mr. M. Kariuki:** Mr. Temporary Deputy Speaker, Sir, GSU officers are part of the police force. We have enhanced patrols in that particular area, especially along the border. When we talk about police patrols, they are done by all arms of the police, including the GSU.

**The Temporary Deputy Speaker** (Mr. Khamasi): Next Question by Mr. Kanyingi!

OMISSION OF KABUKU-TIGONI ROAD  
FROM ROADS IMPROVEMENT PROGRAMME

**Mr. Kanyingi:** Mr. Temporary Deputy Speaker, Sir, I beg to ask the Minister for Roads and Public Works the following Question by Private Notice.

(a) Why was Kabuku-Tigoni Road omitted from the on-going Roads Improvement

Programme in Kiambu District?

(b) How many roads are covered by the improvement programme and in which constituencies in Kiambu District?

(c) What urgent measures will the Minister take to reinstate the road mentioned in "a" above to the programme?

**The Temporary Deputy Speaker** (Mr. Khamasi): Is the Minister for Roads and Public Works not here? The Question is deferred until tomorrow!

**Mr. Kanyingi**: Mr. Temporary Deputy Speaker, Sir, it is very unfortunate because it looks like Limuru people do not pay taxes to the Government! I had also asked a Question about Tigoni Hospital and the Minister was not here to answer it. Now, the same thing has happened! What is happening?

**The Temporary Deputy Speaker** (Mr. Khamasi): Mr. Kanyingi, you know that the Chair cannot bring Ministers here. So, your Question is deferred until tomorrow!

*(Question deferred)*

Next Question by the hon. Member for Nyeri Constituency!

FORCEFUL TAKE-OVER OF MT. KENYA  
BOTTLERS BY ICDC OFFICIALS

**Mr. Muriithi**: Mr. Temporary Deputy Speaker, Sir, I beg to ask the Minister for Trade and Industry the following Question by Private Notice.

(a) Is the Minister aware that Eng. J. Munyiri, the Executive Director of ICDC, together with officials of ICDC Investments and the IDB invaded and forcefully took over the operations of Mount Kenya Bottlers Limited in Nyeri Town on 22nd, June, 2005?

(b) What was the rationale for that invasion?

(c) What urgent measures is he taking to stop that interference with the operations of that successful company by the officials of the State Corporation?

**The Assistant Minister for Trade and Industry** (Mr. Miriti): Mr. Temporary Deputy Speaker, Sir, I beg to reply.

(a) I am not aware.

(b) What actually transpired was the removal from office on 21st, July, 2005 and not 22nd, June, 2005, of some three directors and their alternate directors by the institutional shareholders pursuant to the provisions of Articles of Associations of Mount Kenya Bottlers Ltd and in the best interests of the operations of the company.

(c) Against the background explained in (b) above, which is a legal and in-house process, the Ministry has no mandate in meddling in the company's internal affairs. It should be noted that Mt. Kenya Bottlers is a private company and largely governed by its Articles of Association and the Companies Act, and the Government, through ICDC and IDB, is merely a shareholder. If anything, the said officials of the State Corporation were only seeking to protect their shareholding and they have no reason whatsoever to interfere with the operations of the company as that would hurt their interests, being the majority shareholders.

**Mr. Muriithi**: Mr. Temporary Deputy Speaker, Sir, I thank the Assistant Minister for that good answer. The Assistant Minister has referred to the Articles of Association governing the operations of Mt. Kenya Bottlers Ltd. If the Articles were there, why were the procedures not followed; to call an Annual General Meeting (AGM) rather than removing the directors from office by force, breaking the doors and changing the locks?

**Mr. Miriti:** Mr. Temporary Deputy Speaker, Sir, the procedures were followed as specified in the Articles. They do not provide for an AGM. They provide for a meeting of directors. The appropriate notice was given and the meeting of directors was called. The directors met and removed those who were removed.

**Mr. Kagwe:** Mr. Temporary Deputy Speaker, Sir, you heard the Assistant Minister say that the Government is a shareholder in Mt. Kenya Bottlers Ltd, through ICDC and IDB. The role of the Government is to facilitate business. That is the reason it became a shareholder in the first place. The Government is supposed to facilitate the development of local businesses.

Could the Assistant Minister undertake to reverse the situation and use Government shareholding to correct what is clearly a wrongdoing?

**Mr. Miriti:** Mr. Temporary Deputy Speaker, Sir, the NARC Government will take that opinion into account.

**Mr. Muriithi:** Mr. Temporary Deputy Speaker, Sir, it is, indeed, embarrassing to see ICDC and IDB using all their resources and energy to fight the locals who own Mt. Kenya Bottlers Ltd. Could the Government use that energy to save collapsing investments like Uchumi Supermarkets, Kenya Wine Agencies Limited (KWAL), Rivatex, Mountex and the rest, rather than fighting a profitable organisation? Privatisation is on the way. When will the Government relinquish its shareholding to the local people?

**Mr. Miriti:** Mr. Temporary Deputy Speaker, Sir, as I have said before, Government institutions are majority stakeholders. Therefore, they cannot fight themselves. What they did was to save the situation. The company was being mismanaged by the directors who were removed from office. The Government is taking privatisation of certain companies into consideration. Indeed, that is why the Privatisation Bill is being discussed in the House.

**The Temporary Deputy Speaker** (Mr. Khamasi): Let us move on to ordinary Questions!  
The hon. Member for Isiolo South Constituency!

## ORAL ANSWERS TO QUESTIONS

### *Question No.554*

#### WITHDRAWAL OF APS FROM ISIOLO SOUTH LOCATIONAL CENTRES

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

- (a) whether he is aware that Administration Police officers (APs) have been withdrawn from Sericho, Eres-Ha-Boru, Gafarsa and Malka Daka locational headquarters;
- (b) what were the reasons for the withdrawal; and,
- (c) when he will re-deploy the officers to their station.

**The Assistant Minister, Office of the President** (Mr. M. Kariuki): Mr. Temporary Deputy Speaker, Sir, this Question had largely been answered. But the Chair had expressed concern over how four chiefs' camps could have been closed and officers withdrawn and, therefore, rendering the people of those areas vulnerable to insecurity.

Mr. Temporary, Deputy Speaker, Sir, we have taken the following steps, in addition to what I said last time.

On Friday, 5th, August, the DC dispatched six APs to Sericho. On the same day, six other officers received a posting order to Malka Daka. However, they have not reported so far. That is because the final touches to their houses have not been fixed. But I have been informed by the DC that, before the end of the week, District Officers (DOs) will be arriving at Malka Daka.

Mr. Deputy Speaker, Sir, I would like the hon. Member to confirm whether that has taken place. We are prepared to give any assistance to ensure that all the four camps are re-opened as soon as possible.

**Mr. Bahari:** Mr. Deputy Speaker, Sir, I thank the Assistant Minister for taking very quick action. I would like to remind him once again that, that is a highly vulnerable area. It also has a sizeable population.

I would like to ask the Assistant Minister to allocate some funds to Eres-Ha-Boru and Gafarsa AP lines, so that those facilities could be rehabilitated and opened as soon as possible. We are doing rehabilitation every other day for prisons, regular police and others.

**Mr. M. Kariuki:** Mr. Temporary Deputy Speaker, Sir, in order of priority, it will be Sericho, Malka Daka, Gafarsa and finally Eres-Ha-Boru. I am told that the water installations at these places are now complete, but some final touches are being done in the camps. I hope that, before mid-September, 2005, all the four camps will be fully operational.

**The Temporary Deputy Speaker** (Mr. Khamasi): Very well, next Question.

*(Loud consultations)*

**The Temporary Deputy Speaker** (Mr. Khamasi): Order! Hon. Members, we cannot follow the proceeding of the House! Could you, please, consult quietly?

*(Mr. Raila walked into the Chamber)*

**Mr. Kanyingi:** On a point of order, Mr. Temporary Deputy Speaker, Sir. Mr. Raila has come in. Let him answer my Question!

**The Temporary Deputy Speaker** (Mr. Khamasi): Order, Mr. Kanyingi! That is now like water under the bridge! We will revisit that Question tomorrow.

*(Loud consultations)*

*Question No.234*

QUANTIFICATION OF WOMEN'S REPRODUCTIVE

WORK IN ECONOMIC SURVEY

**Ms. Mwau** asked the for Planning and National Development:-

(a) whether he is aware that women's reproductive work is not quantified in the economic survey, or recognised during the budgeting process as having economic value; and,

(b) what measures he has taken to measure the value of women's reproductive work and calculate it in terms of Gross National Product (GNP)

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

**The Temporary Deputy Speaker** (Mr. Khamasi): What is your point of order, Mr. Owino?

**Mr. Owino:** Mr. Temporary Deputy Speaker, Sir, I will be interested to ask a supplementary question on this important Question.

**The Temporary Deputy Speaker** (Mr. Khamasi): Which one, Mr. Owino?

*(Louder consultations)*

Order! Order, hon. Members! The Question is not yet before the House. Wait until it is put

before the House. Hon. Owino, you must follow the procedure, and the procedure is very simple. Ms. Mwau has notified this House that she wants to ask this Question but she has not asked it. So, you cannot discuss it.

**An hon. Member:** Oh, she has!

**The Temporary Deputy Speaker** ( Mr. Khamasi): Okay, proceed, Mr. Minister.

**The Minister for Planning and National Development** (Prof. Anyang'- Nyong'o): Mr. Temporary Deputy Speaker, Sir, first and foremost, I would like to apologise to the House for not having been here to respond to the Question last time when it was asked. I accompanied the Vice-President and Minister for Home Affairs to open the Kisumu Agricultural Show.

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

(a) The hon. Member is already aware that the Economic Survey released by the Government in the month of May, 2005, analyzing economic performance of the productive and social sectors of Kenya's economy is available. The survey captures contributions by agriculture, forestry and fishing industry and the services sectors such as transport, communications, hotels and other community services. In all these sectors, contribution by households is well captured, and includes contribution from both males and females.

However, the Gross Domestic Product (GDP) is not disaggregated by gender due to the complexity involved. Measurement of economic activities by sectors is compiled using national accounts statistics, and the details presented in Chapter 2 of the 2002 Economic Survey. The national accounts are intended to measure all production taking place in the economy. This covers production in all enterprises and activities in the monetary economy and also production for own consumption. The national accounts statistics in Kenya are compiled in line with the 1993 Systems of National Accounts (1993 SNA) guidelines which are used by the majority of UN member countries. The system was developed under the auspices of the Inter-Secretariat Working Group on National Accounts, Eurostat, the IMF, the UN and the World Bank and adopted in 1993. It is the internationally recognised standard way of compiling national accounts statistics.

(b) We are, therefore, incapacitated in terms of the tools of measurement of productive activities within the bounds of the System of National Accounts Statistics. This system of national accounts recommends exclusion of personal and some domestic services from the GDP. These are activities that are carried out by households for their own consumption. In this connection, activities such eating, drinking, sleeping and love-making are not taken into account in measuring the GDP.

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

**The Temporary Deputy Speaker** (Mr. Khamasi): What is it, Dr. Khalwale?

**Dr. Khalwale:** Mr. Temporary Deputy Speaker, Sir. If I heard the Minister very well, his answer dwelt on the productivity of women in our economy, and yet this Question is about the reproductive work of women, which refers to the process of pregnancy, delivery and breast feeding.

*(Applause)*

**The Temporary Deputy Speaker** (Mr. Khamasi): Order! Order! Mr. Minister what do you have to say about that point of order?

**Prof. Anyang'-Nyong'o:** Mr. Temporary Deputy Speaker, Sir, I must be absolutely sympathetic to the concern of the hon. Member, who raised this point of order as well as the owner of the Question. But I must say that if we were, indeed, not incapacitated in terms of the tools for measurement, we could, indeed, measure reproduction by women. But within the System of National Accounts that we are using at the moment, and which is used internationally, we do not have the tools at the moment to measure such activities. To be very precise, it does not mean that research is not continuing to find appropriate tools for measuring reproductive activities. Indeed, in the Demographic

and Health Survey, as well as those surveys that are used to measure pre-natal and post-natal health care needs, we have, indeed, come up with ways of doing so. But in terms of the GDP, and the GNP, we are still incapacitated in terms of doing what the hon. Member wants.

**Ms. Mwau:** Mr. Temporary Deputy Speaker, Sir, my Question has actually not been answered at all. I am not talking about productive activities. I am talking about reproductive activities of women. It is misleading for the Minister to say that activities such as drinking, eating and sleeping are part of the reproductive activities of women. Reproductive activities benefit households and the nation. Could the Minister confirm or deny that these activities have an impact on the economy of this country?

**Prof. Anyang'-Nyong'o:** Mr. Temporary Deputy Speaker, Sir, I would like to humbly submit to this hon. Member that I am not in any way trying to deny the importance of these activities to the economy. They are, indeed, very important, and the Government recognises the reproductive role of women in the economy. If we did not have them, we ourselves, hon. Members, would not be here. I am, myself, a product of the reproductive role of women. But when it comes to measuring the GDP, I was just humbly informing the hon. Member that, whereas we do account for the reproductive role of women in other surveys, like in the Demographic and Health Survey, we cannot at the moment include the value of reproduction in the GDP, because tools for its measurement do not exist.

The Government is conscious of the fact that these tools of measurement should be developed, and that is the reason why, at the moment, we are carrying out the Kenya Integrated Budget Survey. This is a survey on the role of households in the production and reproductive processes of the nation. After we complete this survey, we shall be in a position to make some solid pronouncements on the contribution of women to the economy before calculating it in the GDP. Those steps must be taken if, indeed, we are to be scientific about what we are talking about.

**Mr. Choge:** Mr. Temporary Deputy Speaker, Sir, in view of the Minister's assertion that he is not able to quantify, what stop-gap arrangements does the Government have in place on this matter?

**Prof. Anyang'-Nyong'o:** Mr. Temporary Deputy Speaker, Sir, it is not a question of stop-gap arrangements, but rather a question of developing appropriate tools for measuring the reproductive role of women. What we are carrying out at the moment is the Kenya Integrated Budget Survey as one of the processes of developing appropriate tools.

**Ms. Ndung'u:** On a point of information, Mr. Temporary Deputy Speaker, Sir.

**The Temporary Deputy Speaker** (Mr. Khamasi): Order. Mr. Minister! Do you want to be informed?

**Prof. Anyang'-Nyong'o:** Mr. Temporary Deputy Speaker, Sir, let me finish what I am saying. I cannot listen to the information and speak at the same time because it is not humanly possible.

We have to accept that this is an important Question. If we are going to give it the service it deserves, I have to explain to Members what the Ministry is doing. In that regard, I think the steps we are taking to develop tools for measuring the reproductive work of women is much more important than coming with an answer that is not yet researched.

**Ms. Mwau:** Mr. Temporary Deputy Speaker, Sir, is the Minister aware that Kenya is a signatory to the Beijing Platform of Action? Could he also tell us when this country is going to recognise women's work as valuable and important?

**Ms. Ndung'u:** On a point of information, Mr. Temporary Deputy Speaker, Sir. The Minister has told the House that the Government has yet to determine tools for measuring reproductive work of women. I want to inform him that it is the law of this country, and my learned friends in this House will confirm this, that in cases of matrimonial property, the issue of reproductive work has been quantified, and it is on that basis that court awards are made. So, if the law already has a system of quantifying reproductive work of women, then it means that the Minister himself is not doing a proper job.



**Prof. Anyang'-Nyong'o:** Mr. Temporary Deputy Speaker, Sir, the Central Bureau of Statistics is definitely not an arena for litigation. It is an arena for the collection of scientific data. As such, I do respect the hon. Member's information. But, indeed, we would not be ready to process it statistically.

Mr. Temporary Deputy Speaker, Sir, we are definitely a signatory to the Beijing Platform of Action and, as a member of UNESCO, I believe that we uphold the declarations of the Beijing Platform of Action. In that regard, we will continue to work with the women Members of Parliament to ensure that the kind of tools that we shall develop to measure reproductive work in calculation of the GDP shall take into account all those measures and issues raised in the Beijing Platform of Action.

Thank you.

*Question No.502*

RETIREMENT BENEFITS FOR  
MR. MITO OLOO

**Dr. Oburu** asked the Minister for Education, Science and Technology:-

(a) whether he is aware that Mr. John Mito Oloo, TSC No.047131, who was the headmaster of Uyawi Secondary School in Bondo District, retired on 31st August, 2004;

(b) whether he is further aware that Mr. Oloo has not been paid his pension in contravention of Section 16(a) of the Pensions (Amendment) Act, 2003, Cap. 189; and,

(c) if the answers to "a" and "b" above are in the affirmative, whether he could inform the House about the urgent measures he is taking to expedite payment of pension to Mr. Oloo.

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

(a) I am aware that Mr. John Mito Oloo, TSC No.047131 retired on 1st September, 2004.

(b) I am further aware that pension papers for Mr. Oloo were forwarded to the Director of Pensions for processing and payment.

(c) The final processing and payment of pension is under the Director of Pensions at the Ministry of Finance. Mr. Oloo has since been advised to follow up his claim with the Director of Pensions.

**Dr. Oburu:** Mr. Temporary Deputy Speaker, Sir, the answer given to me in writing is different from the one the Assistant Minister has read.

In the answer supplied to me, the Minister admits that Mr. Oloo retired on 1st September. He also says that the pension papers were forwarded in April this year. Now, that is seven good months after retirement. Could the Assistant Minister tell us what he was doing with these documents in his Ministry for seven months after Mr. Oloo retired, contrary to the law that requires that retirees are paid their dues before they leave service?

**Dr. Mwiria:** Mr. Temporary Deputy Speaker, Sir, I must apologise and say that these are some of the inefficiencies we experience from time to time. As a matter of fact, the documents requiring that he be paid were prepared on the 17th of November, 2004. So, I was also very surprised that it took that long. But we are trying to address this issue because it affects many other retirees. I appreciate the hon. Member's comments and take them very seriously.

**Mr. Muturi:** Mr. Temporary Deputy Speaker, Sir, the Minister has admitted that there has been a breach of the law which we passed here in 2003. That law requires,

among other things, that if a department of Government in which a retiree has been working has not had his dues by the time of retirement, he must be retained in service until such time as the Government will have processed his pension dues.

What will the Assistant Minister do with regard to the period between the time Mr. Oloo retired and now?

**Dr. Mwiria:** Mr. Temporary Deputy Speaker, Sir, the law states that if you have not been paid your pension, you are entitled to your salary until you are paid.

So, all I can say is that Mr. Oloo is entitled to ask for accumulative payment for the months that he has not been paid. It is only fair.

**Mr. Bifwoli:** Mr. Temporary Deputy Speaker, Sir, you have heard the Assistant Minister say that between the time Mr. Oloo retired and now, TSC is supposed to be paying him. Is TSC paying those other teachers who retired but have not been paid their pensions?

**Dr. Mwiria:** Mr. Temporary Deputy Speaker, Sir, payment will only be made if a specific officer complains. If there are problems, the law is very clear and any officer is entitled to go as per the law. One would imagine that if that is followed, then appropriate compensation would be made.

**Dr. Oburu:** Mr. Temporary Deputy Speaker, Sir, the Assistant Minister has said that Mr. Mito Oloo and other teachers who have been aggrieved are entitled to some payments. Do I take it from him that the Government is going to pay Mr. Mito Oloo all his dues up to the time that he will be paid?

**Dr. Mwiria:** Mr. Temporary Deputy Speaker, Sir, I said that Mr. Mito Oloo is free to follow up the issue with the Pensions Department. If the law allows him to be paid for the said seven months, then he should be paid. He should be the one to follow the matter up. We have already forwarded the information to the Director of Pensions.

*Question No.523*

AMOUNT OF MONEY RECEIVED BY  
BUSIA SUGAR COMPANY FROM INVESTORS

**Prof. Mango** asked the Minister for Agriculture:-

(a) how much money Busia Sugar Company has received since its inception from Mumias Sugar Company, Kenya Sugar Board and other investors; and,

(b) how the funds so far received, have been utilised.

**The Minister for Agriculture** (Mr. Kirwa): Mr. Temporary Deputy Speaker, Sir, I beg to reply.

(a) Busia Sugar Company has received a total of Kshs3,468,120,778.35 since its inception.

This is as follows:-

	Kshs
Kenya Sugar Board-	361,166,302.35
Mumias Sugar Company -	2,916,099,476.00
Booker Tate -	54,000,000.00
Reliance Holdings Ltd. -	1,000,000.00
Government of Kenya -	135,324,000.00

(b) The funds were utilised for cane development, purchase of site land, cane transport subsidy, advances to farmers, meeting legal costs, purchase of a tractor and winch for factory design.

**Prof. Mango:** Mr. Temporary Deputy Speaker, Sir, I wish to thank the Minister for the answer he has given. However, could he tell the House who are the directors of Reliance Holdings Ltd.?

**Mr. Kirwa:** Mr. Temporary Deputy Speaker, Sir, the directors of Reliance Holdings Ltd. are Messrs. Richard Chemoli and Japheth Lijoodi.

**Mr. Omingo:** Mr. Temporary Deputy Speaker, Sir, Busia Sugar Company does not exist. The company has received Kshs3.4 billion just as a conduit.

Could the Minister confirm or deny that this is a commission agent, which should be eliminated? The farmers should deliver cane directly to Mumias Sugar Company and they should be paid directly without such agents.

**Mr. Kirwa:** Mr. Temporary Deputy Speaker, Sir, if that is the wish of the hon. Member, we have already given notice to the company that, within the next three months, if it does not institute serious plans to show that it wants to set up a sugar company, we have no option but to terminate any transactions with the company.

**Mr. Okemo:** Mr. Temporary Deputy Speaker, Sir, could the Minister clarify to the House what he means by "transport subsidy"? What is the difference between what they charge and what Mumias Sugar Company pays? Where does that money go? Is it not intended for the farmers? Have the farmers ever got a penny out of that transport subsidy?

**Mr. Kirwa:** Mr. Temporary Deputy Speaker, Sir, the transport subsidy is money to defray costs because of the distance between Mumias Sugar Company and Busia Sugar Company. As to whether the farmers have been given that particular money or not, this is a matter that I can investigate and institute the necessary measures to make sure that they get the money.

**Dr. Khalwale:** On a point of order, Mr. Temporary Deputy Speaker, Sir. The Minister has told this House that he has issued a warning to Busia Sugar Company that if it does not put a factory in place within a specified period, then the Ministry will stop the functions of the company. Is the Minister in order to say that when he knows that he is the one who is hindering the efforts of the farmers and the current Managing Director to ensure that a factory is put up in that place?

*(Laughter)*

**Mr. Ojaamong:** Mr. Temporary Deputy Speaker, Sir, Busia Sugar Company is just a few kilometres away from my home area. The Minister has said that the company has received Kshs3.4 billion for development and other activities. What development has been undertaken in Busia Sugar Company?

**Mr. Kirwa:** Mr. Temporary Deputy Speaker, Sir, it may be useful to clarify the situation. The bulk of the money; Kshs2.9 billion, was given to Busia Sugar Company to pay the farmers for the cane delivered to Mumias Sugar Company. Only Kshs3 million went into development. This is broken down as follows:-

For the evaluation and the preparation of 13 copies of reports on the proposed Busia Sugar Factory, Kshs450,250,000 was spent and Kshs3.5 million was spent to pay for the factory outline design and specifications, which were undertaken by Booker Tate.

**Prof. Mango:** Mr. Temporary Deputy Speaker, Sir, Busia Sugar Company paid money for the proposed factory design which, up to now, has never been built. Busia Sugar Company continues to collect money from the farmers and yet, the farmers do not enjoy the services of the factory. Could the Minister ensure that Busia Sugar Company does not receive money from Mumias Sugar Company on behalf of the farmers, with immediate effect?

**Mr. Kirwa:** Mr. Temporary Deputy Speaker, Sir, earlier on, I gave an indication that we should give Busia Sugar Company a period of three months to decide whether it will be able to set up the factory or not, beyond which, Mumias Sugar Company will be dealing with the farmers directly.

*Question No.521*

TARMACKING OF STAND KISA-  
EMUTUTSWI ROAD

**The Temporary Deputy Speaker** (Mr. Khamasi): Mr. Marende is not here!  
His Question is dropped!

*(Question dropped)*  
*Question No.406*

AMBULANCE FOR TAITA  
DISTRICT HOSPITAL

**Mr. Mwandawiro** asked the Minister for Health when she will deliver an ambulance to Taita District Hospital as severally promised to the House.

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

The Ministry has allocated a new ambulance, GK A547K, with effect from 28th July, 2005 to Taita District Hospital.

**Mr. Mwandawiro:** Bw. Naibu Spika wa Muda, sina swali la ziada.  
Ahsante.

*(Applause)*

*Question No.592*

IMPLEMENTATION OF LOWER  
MAKENGI ELECTRIFICATION PROJECT

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

(a) why the Kenya Power and Lighting Company (KPLC) has not connected electricity to the 66 members of Lower Makengi Electrification Project even after they completed construction and installation of all the necessary works/equipment and complied with all the terms and conditions of power supply; and,

(b) when the KPLC Ltd. will connect electricity to the homes of the members.

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

(a) Under the current rural electrification policy, subsidised electricity supply is extended to trading centres and public institutions such as secondary schools, health centres, community water pumps and polytechnics, excluding domestic households. Given this fact, therefore, the KPLC has not connected the 66 members of Lower Makengi Electrification Project because they have not paid their contributions.

(b) The KPLC is charging customers within reach of an existing transformer the sum of Kshs31,000 and Kshs43,000 respectively for single phase and three phase. Customers within trading centres are expected to pay Kshs15,000 and Kshs40,000 for single phase and three phase supply respectively. I would like, therefore, to request the hon. Member to advise the residents of Lower Makengi to liaise directly with the KPLC for further assistance under the Transformer Capacity Maximisation Programme.

**Mr. Wambora:** Mr. Temporary Deputy Speaker, Sir, you have heard the response from the

Assistant Minister. I have a letter with me, from the Kenya Power and Lighting Company (KPLC) to the secretary of Lower Makengi Electrification Project. The letter gives the conditions for the supply, and it is dated 20th March, 2003. The conditions given are very simple. There is a requirement for a deposit of Kshs300,000, which was to be paid after which the supplier was to give forms so that farmers could pay meter deposits. The farmers have complied and paid their deposits while the KPLC has not installed the electricity and farmers want to pay for the meter deposits. Why can the company not pursue the agreement as per the conditions given? They have complied with their side of the bargain!

**Mr. Kiunjuri:** Mr. Temporary Deputy Speaker, Sir, the Kshs300,000 that farmers were supposed to pay was a deposit to allow KPLC to bring in power lines to the area. That is something we have already complied with. The money we take is not only a deposit but also a 10 per cent of the installation cost to enable us do the survey and design for the given area. We have also done our part and it would be good if the hon. Member visited our office in Embu. Thereafter, we shall send experts who will advise him on what to do next.

**Mr. Sasura:** Mr. Temporary Deputy Speaker, Sir, the Assistant Minister is grossly misleading this House. He said that the Kshs300,000 deposit was to bring power lines closer to people, when the actual thing is that the downpayment of Kshs300,000 is for survey and design work. Is there not a new policy of a maximum of five poles where Kshs32,000 is required? Are you implementing a new policy to a group which applied for electricity before the implementation of the new policies?

**Mr. Kiunjuri:** Mr. Temporary Deputy Speaker, Sir, the money they paid will equally be factored in when they start paying the Kshs31,000 or the Kshs43,000. If one paid Kshs2,000, it will be factored in and instead of paying Kshs31,000, they will pay Kshs29,000.

**Mr. Manoti:** Mr. Temporary Deputy Speaker, Sir, a deposit of Kshs31,000 per consumer, to be supplied with electricity, is too expensive for people who live in rural areas. It is the responsibility of the Government to supply its citizens with electricity. Why can the Ministry not allow people to pay the connection fee in instalments so that many people can apply and benefit from the scheme? **Mr. Kiunjuri:** Mr. Temporary Deputy Speaker, Sir, we have been discussing this with the Minister, the Permanent Secretary, and the KPLC. We know that it is expensive and we are trying to come up with a way of charging people half or a particular amount of deposit, then factor in the remaining money in monthly bills.

**Mr. Arungah:** Mr. Temporary Deputy Speaker, Sir, at the end of the day, KPLC is supposed to benefit from the installation of electric power. Why should *wananchi* subsidise the KPLC when at the end of the day, it is KPLC which will earn money from the installations?

**Mr. Kiunjuri:** Mr. Temporary Deputy Speaker, Sir, let me explain what has been happening. I think you have been attentive on of what is going on in this House. The KPLC has not been asking customers to subsidise it. It is subsidising customers because you know very well that connecting one customer costs the KPLC Kshs200,000.

**Mr. Wambora:** Mr. Temporary Deputy Speaker, Sir, my position is very clear. I will table the document which binds the Government to contribute Kshs5.7 million for this project. The farmers were to contribute Kshs300,000. That was then. Now, the current---

**The Temporary Deputy Speaker** (Mr. Khamasi): Order! Mr. Wambora! You must be precise!

**Mr. Wambora:** Mr. Temporary Deputy Speaker, Sir, my question is this: Why is the Assistant Minister confusing the *Umeme Pamoja* policy with the Rural Electrification Programme? My people entered into that agreement under the latter, and should not be penalised because of change of policy.

**Mr. Kiunjuri:** Mr. Temporary Deputy Speaker, Sir, I will request the hon. Member to stop

confusing his people. If he continues doing so, then he will encounter problems when asking his people to pay. Our deal was that we contribute Kshs5.7 million and the farmers Kshs300,000, which they have done. It is good if you ask us to come and assist you by explaining the procedures to them.

**The Temporary Deputy Speaker** (Mr. Khamasi): Mr. Angwenyi, you cannot ask your Question. Today, is a day of the Committee of Supply, and it is already 3.30 p.m. You will ask your Question tomorrow and you will be given preference.

*Question No.449*

RATIFICATION OF AFRICAN CONVENTION  
ON PREVENTION OF CORRUPTION

*(Question deferred)*

**POINT OF ORDER**

IMPOUNDING OF LIVESTOCK  
TRANSPORTING VEHICLES

**Dr. Galgalo:** On a point of order Mr. Temporary Deputy Speaker, Sir. I had asked for a Ministerial Statement regarding impounding of vehicles transporting livestock from my constituency, which has brought the livestock sector to a standstill. I want to know when the Minister will present it.

**The Temporary Deputy Speaker** (Mr. Khamasi): Where is the Minister of State, Office of the President?

*(Mr. M. Kariuki stood up  
in his place)*

Please come here tomorrow with that Ministerial Statement. I remember that the statement was requested last week. So, tomorrow at 9.00 a.m, after Question Time, we will want to hear the Ministerial Statement.

**COMMITTEE OF SUPPLY**

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

**MOTION**

THAT MR. SPEAKER DO  
NOW LEAVE THE CHAIR

Vote 13 - Ministry of Roads and Public Works

**The Minister for Roads and Public Works** (Mr. Raila): Mr. Temporary Deputy Speaker, Sir, I beg to move that Mr. Speaker, do now leave the Chair to enable me initiate debate on Vote 13 of the Ministry of Roads and Public Works. The core functions and responsibilities of the Ministry of Roads and Public Works include the following: Development and maintenance of roads, public works planning and policy development, development and maintenance of public buildings, maintenance of

inventory of Government property, provision of mechanical and electrical services, maintenance of security roads and airstrips, materials research and testing, supply of common user items to Government Ministries, departments and other public institutions, registration and regulation of engineers, architects and quantity surveyors and, finally, registration of contractors.

The Ministry's vision statement is to achieve and sustain excellence in roads, buildings and other public works, so as to support socio-economic needs and aspirations, whereas the mission statement is to facilitate provision and maintenance of quality infrastructure mainly in roads, buildings and other public works so as to promote and sustain socio-economic development. To accomplish these goals, my Ministry has been pursuing the following strategic objectives. First, is the facilitation of adequate provision of physical infrastructure through policy formulation, research, design supervision and regulation of standards to aid development and maintenance of infrastructure throughout the country.

Second, is the provision of operational logistics, manpower development and technical support in road construction and maintenance. Third, mobilisation of resources from the public and private sector for the development, construction and maintenance of roads. Fourth, facilitation of adequate provision of cost-effective building materials to Kenyans through policy formulation, review of legislation, research on new and low-cost building materials and technologies, dissemination of research findings and promotion of innovative technologies. Fifth, is the formulation of policy on development and maintenance of public buildings.

Mr. Temporary Deputy Speaker, Sir, my Ministry undertakes the above functions under the following expenditure of Sub-Vote 130 - General Administration and Planning, Buildings and other Public Works and Roads and other Services. Despite improvements in the previous financial year, the state of infrastructure in the country still remains of great concern to all Kenyans and hon. Members of this august House. We in the Ministry are doing everything possible to address the problem within the limited resources available from both the Government and the development partners.

The performance contract which we intend to sign between the Government and the Ministry clearly outlines specific targets in roads, buildings and other public works that we undertake to accomplish in the current financial year. Major challenges remain in the road subsector which we still have to address. These include, sourcing for sufficient financing for road maintenance, improving performance by contractors while tackling the problem of corruption as we improve supervision. It is in this regard that the Ministry continues to carry out reforms in the subsector with a view to improving on overall governance.

Mr. Temporary Deputy Speaker, Sir, in the current financial year, the Ministry intends to implement the following reforms: Restructure the administrative and technical departments, institutionalise private sector involvement in axle load control operations, enhance the involvement of the private sector in roads maintenance activities, explore available options for raising sufficient funds for roads maintenance, enhance efficiency by building capacity in the Ministry as a means of reducing costs of roads maintenance, employ labour-based methods under the Roads 2000 Programme to create employment opportunities in the programmed areas, introduce design-and-build approach to roads construction in order to speed up procurement projects, recruit resident engineers from the private sector in order to increase capacity of supervision of road projects, undertake post-qualification of contractors as opposed to pre-qualification in order to minimise building of cartels among contractors and reduce procurement periods of projects.

Mr. Temporary Deputy Speaker, Sir, having outlined the activities which we intend to carry out this financial year, allow me to present my Ministry's budgetary proposals for the 2005/2006 Financial Year to this august House.

First is the Recurrent Vote R13. In order to cater for services under the Recurrent Vote, I will require a gross provision of Kshs10,937,498,976 which I intend to apply to finance major activities as

follows: Kshs1,404,475,794 is required to meet the expenses of staff salaries, allowances and other related items; Kshs3,373,023,182 is required as gross expenditure for operations and maintenance; and, Kshs9,160,000,000 is required for operations and road maintenance under the Fuel Levy Fund.

Mr. Temporary Deputy Speaker, Sir, the Kenya Roads Board is a statutory body under my Ministry whose core functions include co-ordination of the implementation of all policies relating to development, rehabilitation and maintenance of the road network in the country, co-ordination of the development, rehabilitation and maintenance of the road network with a view to achieving efficiency, cost-effectiveness and safety, administration of the funds derived from the Fuel Levy Fund and any other funds that may accrue to it, determination of the allocation of financial resources from the Fund and from any other source available to the Kenya Roads Board required by the road agencies for the development, and finally, rehabilitation and maintenance of the road network to ensure that the allocation of funds is spread to specific categories of roads in accordance with the Kenya Roads Board Act among others.

Mr. Temporary Deputy Speaker, Sir, the funds under the Fuel Levy Fund are distributed by the KRB through the following criteria: The Ministry of Roads and Public Works, 57 per cent, the District Roads Committees, 24 per cent, constituencies, 16 per cent and the Kenya Roads Board, 3 per cent, for administrative purposes.

In the 2005/2006 Financial Year, the Government expects to collect Kshs9,160,000,000 from the Roads Maintenance Levy Fund and transit toll charges all of which will be applied towards the roads maintenance works and other related expenses in strict compliance with approved annual public roads works programme.

Mr. Temporary Deputy Speaker, Sir, the following major roads and being reconstructed under the Fuel Levy Fund: Murang'a-Sagana-Karatina-Marua Road in Murang'a and Nyeri districts; Meru-Maua Road in Meru Central and Meru North districts; Kisian-Bondo Road in Kisumu and Bondo districts; Bondo-Usenge Road in Bondo District, Nabkoi-Kapsabet Road in Nandi South District; Nakuru-Marigat Road in Nakuru and Baringo districts; Machakos turn-off to Masii in Machakos District; Masii-Kitui Road in Kitui District; Embu-Thuci in Embu; Thuci-Nkubu Road in Meru South and Meru Central districts; Ruiru-Kamiti-Kiambu-Muthaiga-Roysambu Road in Kiambu and Nairobi districts; Katitu-Nyakwere Road in Kendu Bay, Nyando and Karachuonyo districts; Nkubu-Meru-Lewa Road in Meru Central District; Thika-Gatanga-Gatura Road and Gatanga-Ndakaini in Thika District; United Nations access Road in Nairobi; Thika-Kandara-Gacharage Road in Maragua District; Iten-Kapsowar-Chesoi-Marakwet-Keiyo Road; Kakamega-Ingotse-Nambacha-Shihanda Road in Kakamega District.

Mr. Temporary Deputy Speaker, Sir, the other roads include Musanda-Butere-Sigomere-Ugunja-Ukwala in Butere-Mumias and Siaya districts. There is also Ebuyangu-Ekero in Butere-Mumias; Nanyuki-Doldol in Laikipia District and Londiani-Fort Ternan in Kericho District. In addition, Kshs1,365,000,000 will be disbursed to all constituencies and Kshs474 million to the district roads committees (DRCs) in accordance with the Fuel Levy Act.

The Ministry is working closely with all stakeholders and transporters to improve the management of weigh-bridges. A total of six weigh-in-motion bridges have been procured to help provide a more efficient service at the weigh-bridges. This will go a long way to reduce congestion and long delays.

Mr. Temporary Deputy Speaker, Sir, the Ministry is committed to renew its fleet of road construction and maintenance equipment for the purpose of rehabilitating and maintaining roads. This equipment will be appropriately distributed to the districts to assist in roads maintenance. My Ministry has established specific units at the district and regional levels aimed at creating capacity to address emergencies, quick maintenance works interventions, resealing operations and improved service delivery.



In order for my Ministry to implement the programme that I have outlined above, I am requesting this House to approve the gross expenditure of Kshs10,937,498,976 to finance the Recurrent Vote for the financial year 2005/2006.

Mr. Temporary Deputy Speaker, Sir, I now want to turn to the Development Vote for this financial; Vote D13. I will turn to the Ministry's requirement under the Development Vote for this financial year. As hon. Members may be aware, it is the responsibility of my Ministry to construct [and maintain roads to motorable standards to promote the economic growth of this country. During the financial year 2004/2005, funds were spent on the following major roads project: Sultan Hamud-Mtito Andei along the Nairobi-Mombasa Road; Kisii-Chemosit in Kisii Central District; Keroka-Nyangusu, Garsen-Lamu in Lamu District; Athi and Ikutha bridges in Kitui; Ndori-Luanda-K'otieno in Bondo District; Kipsigak-Serem-Shamakhoho in Nandi and Kitui-Kangonde in Kitui.

My Ministry also procured consultancy services for the design of various roads with a view to upgrading them to bitumen standards. During this financial year, the Ministry has been allocated a total of Kshs12,908,290,250, out of which Kshs8,914,949,850 will come from the development partners and Kshs3,993,340,400 from the Government of Kenya. The amount allocated will be utilised on the following projects:- The Northern Corridor Transport Improvement Project, which is a national project, will utilise over Kshs2 billion; Sultan Hamud-Mtito Andei Road, Wote-Makindu Road in Makueni District; Maai Mahiu-Naivasha-Lanet, which is a national road and Isiolo-Moyale Road which is in Isiolo, Marsabit, Wajir and Moyale districts. There is also Maai Mahiu-Narok Road in Nakuru and Narok districts; Kipsigak-Serem-Shamakhoho Road in Nandi South and Emali-Loitokitok Road in Kajiado District.

Mr. Temporary Deputy Speaker, Sir, there is also the Roads2000 Programme which covers 37 districts in Nyanza, Eastern and Rift Valley provinces.

There is also the Processional Way in Nairobi, Kitui-Kangonde, Ndori-Luanda-K'otieno and Mayoni-Butula-Bumala-Port Victoria in Busia District. There are also Nyamira-Konati Centre in Nyamira District and Keroka-Nyangusu in Kisii Central and Gucha districts.

As I have pointed out, it is my Ministry's intention to renew its fleet of roads construction and maintenance equipment. In this regard and in order to supplement our efforts, the Government of the Republic of Korea is financing the procurement of road construction equipment to the tune of Kshs2 billion with the Government of Kenya's contribution of Kshs475 million.

Mr. Temporary Deputy Speaker, Sir, my Ministry also undertakes other public works such as design and maintenance of sea walls and jetties. In discharging this mandate, the Ministry is expected to meet the following objectives:-

First, protect land and property in low lying areas from erosion and flooding by sea through construction of sea walls. Two, provision of mooring and berthing facilities for sea vessels by constructing jetties. In the current financial year, Kshs115 million has been allocated for construction and maintenance of sea walls and jetties in Lamu, Vanga, Kizingitini, Malindi, Mokowe and Manda islands.

Let me now turn to the building sector where my Ministry has a heavy responsibility. As hon. Members are aware, inadequate budgetary provision in the past and poor planning led to the abandonment of many incomplete building projects throughout the country. These stalled projects became a major concern of the NARC Government when it came into office. The NARC Government, therefore, decided to paint the "white elephant" projects grey. In the financial year 2004/2005, the Ministry was allocated Kshs1 billion to support completion of these stalled projects. Out of 200 stalled projects, 80 projects were revived in the last financial year. During this financial year, my Ministry will continue with the completion of the stalled projects. The construction of the official residence of the Vice-President and Minister for Home Affairs will also commence during this financial year. The following projects will also be undertaken. Vihiga District Hospital in Vihiga

District; Lodwar Community Nurses Training School in Turkana District and Nuu Health Centre in Mwingi District. Others are Muriranja Health Centre in Murang'a District; Gichira Health Centre in Nyeri District; Nyanza Provincial Headquarters in Kisumu; Eldama Ravine Police Station in Koibatek District; National Youth Service (NYS) in Nakuru District; Trans Nzoia District Headquarters in Kitale; Kinyachi Police Station in Baringo District; Bondo District Hospital in Bondo; renovations for Kapsabet Hospital in Nandi North; West Park Housing in Nairobi and Kisii Hospital in Kisii Central. To accomplish these projects and other related works, the Ministry will require Kshs2,105,476,000.

The Gross Development Expenditure, which I am requesting this House to approve amounts to Kshs17,750,949,850.

Mr. Temporary Deputy Speaker, Sir, finally, for the Ministry to undertake the projects and programmes that I have outlined, I am urging this House to approve a total sum of Kshs28,688,448,826 to finance both the Recurrent and Development expenditures for the Financial Year 2005/2006.

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

**The Vice-President and Minister for Home Affairs** (Mr. Awori): Asante sana, Bw. Naibu Spika wa Muda, kwa kunipa fursa hii niunge mkono mapendekezo ya matumizi ya pesa ya Wizara ya Barabara na Ujenzi. Ningependa kumpongeza Waziri kwa njia ambayo amewasilisha mapendekezo yake.

Bw. Naibu Spika wa Muda, jukumu letu kama waheshimiwa Wabunge na viongozi wa nchi hii ni kuyalinda na kuyahifadhi maisha ya watu wetu. Ikiwa barabara zetu zimeharibika sana, basi mikasa mingi huenda yakatokea. Mara nyingi sisi husoma katika magazeti na kuona katika runinga ya KBC, NTV na KTN, watu ambao wamehusika na ajali barabarani. Hii ni kwa sababu ya hali mbaya ya barabara zetu. Kutokana na ajali barabarani, watu wetu huumia na wengine hufariki. Wahasiriwa huwacha jamii zao zikiwa na shida nyingi. Ni huzuni kuona nchi yetu ikipoteza watu ambao wangetegemewa katika kuikuza.

Bw. Naibu Spika wa Muda, tulipochukua uongozi wa nchi hii, tuliwaahidi wananchi wetu kuwa tungefufua uchumi wa nchi yetu. Ikiwa barabara ni mbaya sana, gharama ya kutengeneza bidhaa hupanda juu sana. Sisi hutegemea sana kilimo katika kuendeleza uchumi wetu. Kwa hivyo, tunataka tuwe na barabara nzuri ili tuwawezeshe wakulima kusafirisha bidhaa zao katika soko mbalimbali hapa nchini. Tunapoteza pesa nyingi sana za kigeni kwa kununua vifaa vya kurekebisha magari na mitambo mingine. Magari ya uchukuzi hudumu kwa muda mfupi sana kwa sababu barabara zetu ni mbaya sana zikilinganishwa na za nchi zingine. Wakati huu ambapo tuna soko la dunia nzima, tungetaka vifaa vyetu vidumu.

Bw. Naibu Spika wa Muda, nchi hii inategemea sana sekta ya utalii. Mara nyingi tumeona watalii wakifariki barabarani. Hii ni kwa sababu ya hali mbaya ya barabara zetu. Habari ya vifo vya watalii huathiri sana sekta hii.

Waziri ametueleza ya kwamba tunahitaji karibu Kshs100 bilioni ili tuzikarabati na kujenga barabara zingine hapa nchini. Waziri ameuliza Kshs28 bilioni. Pesa hizi hazitoshi ukilinganisha na pesa ambazo zinahitajika katika ujenzi na ukarabati wa barabara zetu. Ni lazima tuendeleze mipango ya ujenzi wa barabara kulingana na pesa zetu. Hii ni sababu kuna uhaba wa pesa. Jambo linalotakikana ni tutumie pesa zetu vyema. Jambo la muhimu sana ni kutafuta wenye kandarasi waaminifu, wanaopenda nchi na wasiowafisadi. Mara nyingi tumeona pesa zikilipwa na ukiangalia barabara ambayo inayodaiwakujengwa, haikujengwa. Isiwe tu kwamba tukarabati barabara zetu tu, tunahitajika kuzihifadhi barabara zetu kila wakati. Zamani tulipokuwa tunatumia barabara za maramu, ninakumbuka kwamba baada ya kila mita 50 kulikuwa na kambi ya watu ambao kazi yao ilikuwa ni kurekebisha barabara. Tunahitaji watu kama hawa wakati huu. Inafaa kufuata mfano huo. Haifai kungojea hadi barabara zetu zimeharibika kabisa kabla hatujazikarabati.

Bw. Naibu Spika wa Muda, utawala wa NARC uko katikati ya safari. Tumbeki na miaka

miwili na nusu. Wakati umewadia kwa sisi kuona kwamba tumeharakisha utengenezaji wa barabara kuambatana na ahadi zetu kwa wananchi wetu. Mara nyingi tunachelewa sana kufanya hivi kwa sababu ule utaratibu wa ununuzi wa bidhaa za Serikali ulikuwa na kasoro fulani. Hata hivyo, wiki iliyopita tulipitisha Mswada wa ununuzi katika Serikali. Ni lazima Waziri ahakikishe ya kwamba kazi ya ujenzi na urekebishaji wa barabara zetu inaendelea.

Ninamshukuru Waziri kwa kutenga kiasi fulani cha pesa za kuweka lami katika barabara ya C30 inayotoka Mayoni mpaka Port Victoria.

Bw. Naibu Spika wa Muda, ni furaha pia kuona ya kwamba pesa ambazo hutolewa kwa Eneo Bunge kwa kiwango cha asilimia 16 zitatumwa mara moja. Zamani tulipokuwa tukipokea msaada kutoka Norway kulikuwa na pesa ambazo zilitumiwa na wananchi kurekebisha barabara zetu. Mpangilio huu ulisaidia sana waakaji wa sehemu hiyo. Hii ni kwa sababu walijiriwa kazi ya kutengeneza barabara hizo. Tunataka ile asilimia 24(?) inayopitia katika District Road Committees iongezwe, ili iweze kueneza ujenzi wa barabara katika nchi yetu.

Bw. Naibu Spika wa Muda, kwa miaka mingi sana, Wizara ya Barabara na Ujenzi imeshirikishwa sana na ufisadi. Ni jukumu letu sasa kuhakikisha kwamba tunaajiri katika Wizara hii, wahandisi ambao wanapenda nchi yao kwa kweli, ni waaminifu na ambao hawatafanya urafiki na wenye kandarasi, bali watahakikisha kwamba utaalamu wao unatumwa kusaidia nchi hii.

Bw. Naibu Spika wa Muda, wakati umewadia sasa wa kutafuta mbinu mpya za kutengeneza barabara kwa sababu tumetegemea sana lami katika nchi hii. Katika nchi nyingi tunazotembelea, tunaona kuwa wanatengeza barabara kwa kutumia saruji, na hali ya anga ya nchi hii ni nzuri sana iwapo tutatengeneza barabara na saruji, kwani itaweza kudumu kwa miaka mingi sana. Sisi tusiwe tunasimama kutazama au kutengeneza vitu kwa njia iliyotumiwa zamani. Najua tuna uhaba wa pesa, lakini wakati huu tunaweza kwenda ng'ambo kutafuta pesa. Pia, umefika wakati wa kutumia sekta ya kibinafsi kutusaidia kwa kutengeneza barabara zetu.

Vile vile, tuna Huduma ya Vijana wa Taifa (NYS) ambao wana ujuzi mzuri sana wa kutengeneza barabara. Najua kwamba hapo awali, vijana hao walihusika katika ujenzi wa barabara ya kutoka Mwingi hadi Garissa na kwengineko, na walifanya kazi nzuri. Sasa, lazima tuwashirikishe vijana hao na tuwasaidie kwa kuwapa mitambo na kadhalika. Nina furaha kusikia kwamba serikali ya South Korea imekubali kutuletea au kutusaidia kupata mitambo ambayo itaweza kutusaidia.

Bw. Naibu Spika wa Muda, kwa hayo machache, naomba kuunga mkono Hoja hii.

*(Question proposed)*

**The Temporary Deputy Speaker** (Mr. Khamasi): Mr. Maore, are you the Official Responder?

**Mr. Maore:** Yes, Mr. Temporary Deputy Speaker, Sir. The Vote on the Ministry of Roads and Public Works, as accurately put by the Minister, was a major priority for the NARC Government. Regarding how new the Government is, that is in the league of the propagandists.

Mr. Temporary Deputy Speaker, Sir, if you can remember very well the list of the NARC Summit, more than 50 per cent of them were Ministers in former President Moi's Government, less than 60 days before the General Elections. Now, at what point they turned out and handed the Government over to themselves and started calling themselves "new" is to be a subject of debate.

*(Applause)*

Given that, as it may, a good opening sentence is where we had the inauguration on 30th December, 2002, and the major pledge Kenyans got and were excited about was that, there would be

no roadside declarations; about somebody moving about with petty cash and dishing out development projects as he goes around the country.

*(Applause)*

Now, in the last few days, we have heard a long schedule read by the Vice-President and Minister for Home Affairs about goodies being dished out to Nyanza Province. Those ones are just items which have been picked from line Ministries and are being "cooked" up as new developments or gifts as a reward for a fruitful visit. That will amount to roadside declarations and somebody should be ashamed of it.

*(Applause)*

Mr. Temporary Deputy Speaker, Sir, when we come here tomorrow, we will plead with the Chair to give a considered ruling about several items in the Ministry's Vote which the Minister has not itemized the purpose for which he wants the money. I would like to go through them very quickly, for example, if you look at page 201, there is Kshs2 billion for construction of buildings, and they have not specified which buildings these are. On page 203, there is another item on Foreign Borrowing - Direct Payment; they do not say when they will borrow and what they will do with another Kshs2 billion. There is also another Kshs2 billion on Head 384, Item 3110400 - Construction of Roads; we want a full schedule of those roads. On the same subhead, there is another Kshs610 million coming from the Organization of Petroleum Exporting Countries (OPEC) and, maybe, it could be handled by BADEA; they do not say which roads. Also on the same subhead, Head 700, there is another Kshs436 million for construction of roads. Down there, there is Kshs1.7 billion, and the list continues like that.

So, Mr. Temporary Deputy Speaker, Sir, before the Minister stands to allow us to go through the Vote in the Committee Stage, we want specifics about what will be done with that huge sum of money being asked for. What we know is that, even in complex budgetary processes like that of the Federal Budget in the United States of America, you will find a line item of a project worth even US\$50,000 being specified in the voluminous budget proposals to the Committee of Ways and Means. So, we do not know what this theory we are inventing about some budgetary procedures or adapting them before we even change the law is all about.

Last year, when the Minister was moving the Vote, he enumerated the same issues about the vision and budgetary intentions, and he listed several issues from the construction of sections of the Northern Corridor to the construction of main roads, resealing, recarpeting, repairs and construction of several roads. He also talked about road concessioning, and I do remember in my response then, I did put it clearly that there is no shortcut to changing the law which will enable us to accommodate a new policy of public/private sectors participation in our roads; the law does not allow that as of now. As we sit here, we are getting a major example from the Kenya Railways Corporation (KR), which is in the process of a funny deadline to sign contracts with a concessionaire between October and December. That will not be possible because the concessionaire is mature enough to demand that laws need to be changed, not Executive fear, where they order that the President or the Cabinet has allowed. They know everywhere that a binding contract is only through Parliament. There is pressure that this House must pass this law to allow the concessioning of KR before the concessionaire can actually write the contract.

So, Mr. Temporary Deputy Speaker, Sir, we do not want the Minister for Roads and Public Works, when he has identified a concessionaire for all those bypasses and other sections he has been talking about, to rush to Parliament with a gun that we must pass it or we will lose the contract. Parliament does not act under duress; it is a very mischievous institution when they already see

mischief on the part of the Government.

Mr. Temporary Deputy Speaker, Sir, if you look at the document that was the subject of debate during the National Roads Conference, you see that it states that the study on roads concessioning in Kenya was commissioned by the World Bank. We have to be suspicious of these studies commissioned by World Bank or other donor-driven projects. In most cases, they are driven by the desire for consultants to get commissions and contracts, and they do not care about details. This House will require the Minister for Roads and Public Works to immediately come up with a comprehensive policy statement on how to get the law that will allow concessioning of roads in this country.

Still with regard to donors, we all know that they do not choose where to go. When they arrive in the country, they usually meet the bureaucrats at the Treasury and those in the Ministry of Roads and Public Works. They also meet officials from the World Bank (WB), the International Monetary Fund (IMF) or the European Union (EU). They then sit down to decide where donor money should be taken. It is not appropriate for Government officials to say that when they are initiating a project it is donor-driven, or that the consultants were commissioned by donors. They only want to blame the donors who picked on this or that project. We all know that before the donors identify a project, they are told about it. That is why you have not found any donor who has strayed into Western Province.

*(Applause)*

Mr. Temporary Deputy Speaker, Sir, if you look at the way donor projects are sited, you will see that the KFW is in parts of the Rift Valley Province and Nyamira District, SIDA is mostly in Nyanza Province, the EU is in parts of Eastern Province, specifically Makueni and Meru Central Districts, the African Development Bank (ADB) is in some parts of the Rift Valley Province and the IFC is in Nyandarua, Maragua and Murang'a Districts. Now, you will not find a donor who has lost his way and found himself in Western Province. The reason is that they are directed where to go.

We were pained when we, as a group of six Members of Parliament from the larger Meru area, went to visit various roads in our districts. We wanted some information on the use of the money the Ministry had earmarked for central Kenya roads, including the greater Meru districts roads. Now, if you look at the schedule of the roads listed you will see that they are all in one constituency. There is no single hon. Member who has said that a constituency is not entitled to roads. What is required is to indicate exactly where roads will be constructed. There will be no problem if that is done. However, we read mischief when we see a proposals on roads called Meru-Marimba-Kionyo, Kionyo-Nkubu-Mitungu, Kionyo-Chogoria, Meru-Mitungu and Meru-Mikinduri-Maua. All these roads are in South Imenti Constituency!

*(Applause)*

Mr. Temporary Deputy Speaker, Sir, we realise that the Meru-Mikinduri-Maua Road was put on the list as a cover-up, so that the Ministry will appear to have covered the larger Meru region. The Ministry's advertisement of 15th June, 2005 only covered Meru-Marimba Road, 18 kilometres; Marimba-Kionyo, 7.5 kilometres; Marimba-Nkubu, 11 kilometres; Nkubu-Mitungu, 15 kilometres and Kionyo-Chogoria, 25 kilometres. This is where the money from STABEX will go. A big chunk of Kshs3 billion, which in the advertisement was put as 13 million Euros, will go into these roads. When we raised a question, we were told that donors had identified these roads through feasibility studies.

The mischief I was explaining is that it is not possible to do a feasibility study on a road that does not exist, unless you sit in an office and "cook" up what you want. We, therefore, will want the Minister, when he will be responding to this debate, to indicate where these roads in South Imenti

Constituency are, so that when another donor comes and wants to identify roads in Meru North, Tharaka and Nithi Districts, we will have an opportunity. Currently, as it is, we are put under the greater Mount Kenya region or the greater Meru region roads, yet in the true sense, we are not covered. So, we want that matter corrected.

Mr. Temporary Deputy Speaker, Sir, with regard to the fuel levy, we passed a Motion by hon. Kimeto in this House requiring that the Kshs5 million called Constituency Roads Levy should go directly to constituencies. In the entire speech by the Minister, I do not see what he wants to do with it. He has even pledged to the Departmental Committee on Energy, Communications and Public Works that he will bring this matter under a miscellaneous provision. Already, we have seen two editions of the Miscellaneous (Amendment) Bill and this is not in them. This money, I can say to the Minister's face, and to his officers who are seated over there, this money is being stolen.

**The Temporary Deputy Speaker** (Mr. Khamasi): Order, Mr. Maore! You know better.

**Mr. Maore:** Mr. Temporary Deputy Speaker, Sir, I am sorry. With my experience, I was not supposed to use that word. The money is being swindled.

*(Laughter)*

**The Minister for Roads and Public Works** (Mr. Raila): On a point of order, Mr. Temporary Deputy Speaker, Sir. The hon. Member is misleading the House. With regard to the issue of the amendment to the Kenya Roads Board Act, the Chairman of the relevant Departmental Committee can confirm that I have actually submitted the proposed amendment to the Committee. Is he in order to mislead the House that we have not done so? If the money is being swindled, could the hon. Member state who is swindling it and for what purpose?

**Mr. Maore:** Mr. Temporary Deputy Speaker, Sir, what we need to understand is that I appreciate the Minister's efforts, but I have not seen it. He made reference to the matter in his presentation and that is what I am going by.

The issue of the Minister having knowledge---

**The Minister for Roads and Public Works** (Mr. Raila): On a point of order, Mr. Temporary Deputy Speaker, Sir.

**The Temporary Deputy Speaker** (Mr. Khamasi): Order, Mr. Maore! I do not want it to be a personal issue. You have been challenged. You said that the money is being misappropriated, and you have been told to substantiate your allegation. You must do it!

**Mr. Maore:** Mr. Temporary Deputy Speaker, Sir, with regard to Ntonyiri Constituency, between June, 2004 and December, 2004 we complained in writing and the District Roads Committee went to visit the said roads. The entire Kshs5 million disappeared and when I complained to the Permanent Secretary and the Provincial Roads Engineer, the biggest thing they did was to recall Eng. Ng'ang'a from Maua to the headquarters. I complained in writing, but the only action that was taken was to transfer the engineer. Now, neither the money nor the roads are there. That is why we are saying that we want this money to be taken to the constituencies, so that we can handle it.

*(Applause)*

**Mr. Arungah:** On a point of order, Mr. Temporary Deputy Speaker, Sir. If the Minister would like to know how that money is being swindled, I have examples. We were told that Butere-Mumias Road cost Kshs47,000 to grade one kilometre. We know that a grader can do three kilometres per day at a cost of Kshs15,000.

**Mr. Maore:** Mr. Temporary Deputy Speaker, Sir, still on that, the money from the Local

Authorities Transfer Fund (LATF) is supposed to take care of our roads, and also Kenya Wildlife Service (KWS) as well. We request the Minister to give us a schedule of roads that have been maintained using the money from Fuel Levy, since his Ministry is the co-ordinating organ for all the agencies that have been given money. This is not asking for too much.

Mr. Temporary Deputy Speaker, Sir, another issue that has come up concerns the weighbridges. If I may paraphrase the Minister in some of his social statements--- "The taste of the pudding is in the eating". The weighbridges in Mariakani, Athi River and Naivasha are too close to the roads that they have caused havoc in those centres. If you go to those centres at any one given time, you will find entire roads clogged for about five to ten kilometres because the trailers and trucks have to undergo their rituals. So, the Minister needs to move them further inside, away from the roads. We need them in the interior and not on the roads. We should not even notice that activity happening. They should just disappear into the bush, finish the weighing and then come back to the road. We do not want road users to be inconvenienced, as they are now.

Mr. Temporary Deputy Speaker, Sir, bumps have been erected specifically on roads that are graded "A", "B", "C" and "D". Bumps are illegal structures, according to the International Highway Code. The designers of vehicles never intended them to go over bumps. The engineers from the Ministry do not have any idea of what is a standard bump because it is not defined anywhere. They are very uneven and some of them are deadly. They have even constructed them without erecting warning signboards to warn motorists. So, they end up being killer spots instead of monitoring and controlling speed. We only know of two signs; that is the signals and the signs as the instruments for controlling speed internationally. Where you do not have enough policemen to control traffic flow, you need to educate the public on road use. Sometimes, you do not know what to make of such situations. Someone wakes up in the morning, erects a bump on a road and puts no sign to warn motorists. The moment you do that, you create danger to a road user whether it is during the day or night.

Mr. Temporary Deputy Speaker, Sir, I will give you a very quick example of the roads that have been done. This year, the work has been made easier because the Housing Department was taken elsewhere, so that the Ministry could concentrate on roads. If you see what happened to the Kshs45 million allocated to Thika-Garissa Road, you will feel pity for the taxpayers. The Kshs45 million was spent but if you go to the ground, the road is in a much more serious condition than it was previously. The other road that the Minister talked about - Emali-Sultan-Hamud - good work is being done, but at a very slow pace. On the Machakos-Makindu Road, a total of Kshs1.2 billion has been allocated in the last two financial years, but the road users are still having the same problems; the destruction of the road. I do not know whether the problem is the actual road or the quality of the work that is being done.

Mr. Temporary Deputy Speaker, Sir, we know that the Northern Corridor Transport Improvement Project was allocated Kshs3.2 billion. Some good work is going on. We appreciate that, but we want the tendering process to be done more speedily, so that people can enjoy the fruits of the road, when it is finally completed. The only thing that has happened on the Makutano-Embu-Meru Road since last year is the erection of more bumps! That is the only major change that those of us who use that road have noticed.

Mr. Temporary Deputy Speaker, Sir, we understand that there is a changed phase of capturing donor money in the Budget. We understand that less than 45 per cent of the money that was allocated to the Ministry was spent, and the rest was returned to the Treasury. So, we want a clarification as to whether it was returned to the Treasury or it was never released by the donors. Maybe, we thought they would release the money on time.

We also do not want situations where the Minister says things in a seminar and then clarifies in the media that they were not meant for the public. I thought that one of the pillars of NARC promises was transparency. If the Minister has lost control of his officers and lets us know, we do not care

about the source. We only care about the fact that, there is a problem in the Ministry of Roads and Public Works.

Mr. Temporary Deputy Speaker, Sir, we want clarification on the following figures: Building and Works Department - Kshs61 million, Architectural Department, Quantities and Contracts - Kshs34 million, Structural Department - Kshs54 million, Government Buildings - Kshs44 million and Electrical Department - Kshs39 million. We want to know whether the administration cost is turning out to be less expensive. We want to know whether the Ministry gets reimbursements from the Ministries it administers.

We want to know whether proper procedures are being followed. We want to know whether those Ministries rely on the Vote of the Ministry of Roads and Public Works and not on their own.

Mr. Temporary Deputy Speaker, Sir, this year, the allocation on roads reflect about 72.7 per cent of the total Government expenditure. Last year, the allocation was 88 per cent. That reflects a notable reduction. We want some explanation as to whether the Ministry lost some of the allocation or it is because of the same story that donors had pledged some money for roads and nothing happened.

Mr. Temporary Deputy Speaker, Sir, again, I will be seeking your ruling tomorrow, now that we have given the notice, for the Minister to give details of the monies that he put in the Budget, but did not show up in the respective district allocation booklets. If he is not able to explain, we would plead that the same be expunged or some action be taken until the Minister complies. We have done the same with the other Ministries. So, when we start the Vote tomorrow, we would plead that you give a ruling or direction that the Minister complies with the explanation of the figures that he has put forward.

Mr. Temporary Deputy Speaker, Sir, the last point that I want to emphasise is that we are delighted that the Secunder of the Motion admitted that we are in the middle of the NARC regime.

*[The Temporary Deputy Speaker  
(Mr. Khamasi) left the Chair]*

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

Mr. Temporary Deputy Speaker, Sir, June 2005 marked the middle of the regime. Now, we are on descent. So, this rhetoric of saying: "A new Government" in every corner does not arise. What we need is delivery of the promises made by this Government to Kenyans and roads were very critical. The question which I will ask Kenyans when we will be rejecting this Government out there will be: "Look at the state of the road network. Is it better off now than it was in December 2002"? You can ask the Minister to look me in the eyes and tell me whether my assertion is true that the road network is worse off now than it was in 2002 because the same network of bureaucracy exists and they have perpetuated the same problems that they say they inherited. They did not change. We have not seen change. We have not felt the change.

With those points, I beg to support the Vote.

**The Assistant Minister, Office of the President** (Mr. M. Kariuki): Thank you, Mr. Temporary Deputy Speaker, Sir. I also wish to support this Vote.

I would like to say that one of the great expectations of Kenyans after the change in 2002 was that the infrastructure was going to undergo tremendous improvement. We must say that the pace has truly been slow because visibility is not there in terms of improvement. I would like in particular to point out the Maai Mahiu-Lanet Road. We are told that the contract took off on 1st March and what now we see every other time when we are driving on that road are surveyors with their pegs trying to survey the road. The road is supposed to be complete in 24 months but five months down the line nothing visible can be seen. I think there is a lot of bureaucracy in the road construction that needs to



be addressed. We must be told how long it takes to survey the road and how long it takes to get the contractor on board to start the work. I think this is the anxiety that Kenyans have and I hope the Ministry will be able to address this problem.

Mr. Temporary Deputy Speaker, Sir, I would like to say something about our regional network. If you look around, perhaps we are the strongest economy in this region *vis-a-vis* Tanzania, Uganda and Ethiopia but, if you went to Ethiopia, the link roads to Kenya are some of the best highways anywhere in the world. If you go to Uganda similarly, their roads linking Kenya are some of the best and the same for Tanzania. These are smaller economies and we wonder whether we have really seized the moment as a great economy in this region to have proper link roads between ourselves and our neighbouring countries. Given that we have an advantage in terms of our manufacturing base, we should be able to invest in the road network to our neighbours so that we can market our products more effectively.

Mr. Temporary Deputy Speaker, Sir, it is noteworthy to know that last year alone we were able to export to Tanzania goods worth Kshs17 billion and yet our road network is one of the worst. Their road network is much better. If we look at Uganda where we exported goods worth more than Kshs32 billion, again our road network is really deplorable. I think Kenyans must get value for their money. If we are going to invest Kshs27 billion in road network, we must see something truly visible in 12 months. I think this is what is lacking.

Mr. Temporary Deputy Speaker, Sir, I represent an urban constituency and each time we have to contribute to a Vote of this Ministry, I keep raising certain issues almost perennially. No action seems to be forthcoming. If we start with the District Roads Boards (DRBs), there is a clear provision in the law that the DRB should have an independent account at the district. We have said that steps should be taken to actualise this provision and it has not been done. This is the third year. We are unable to supervise the district roads engineers at the DRB level.

In Nakuru District, two years ago our money was indeed misappropriated by a district roads engineer. We made a complaint to the Ministry. All that was done was to transfer the engineer from Nakuru to Mombasa on promotion and we lost our Kshs9 million from the DRB fund. I think action needs to be taken. We must be seen to be in charge of these funds and if the Ministry is not willing to actualise the creation of accounts, I think it is time that Members of this particular House should take measures to ensure that we are fully in charge.

*(Applause)*

Mr. Temporary Deputy Speaker, Sir, these are public funds and it is the business of this House to ensure that they are properly spent. I think we would like to see more action from the Ministry as far as the management of the DRB funds are concerned and as far as the role of district roads engineers is concerned. There must be greater accountability

Mr. Temporary Deputy Speaker, Sir, now the urban areas are truly disadvantaged. It seems the Kenya Urban Roads Transport Infrastructure Programme, (KUTIP) seems to have come to an end because there was failure to account for funds that were given to this particular programme I think in the year 2000. I have seen concerns from the World Bank saying we need to have certain people charged in court. We need to have this money accounted for. Now, as long as this programme remains stalled, the greatest disadvantaged people are the urban people and that is where our investors, manufacturers and industries are. We need to keep our roads in proper shape so that those who are producing goods for export would be able to transport them more effectively. I would like the Ministry to address this issue of KUTIP because it is a matter of priority particularly for urban constituencies where our investors are.

Mr. Temporary Deputy Speaker, Sir, I appreciate the efforts being taken on the stalled

projects but it has really taken long. I have seen district headquarters which have been supposedly under construction for the last ten years. I have seen police stations which have stalled for a long time. As we pass along Thika Road, we are able to see something going on with the National Youth Service (NYS) flats. I think something is going on and we get the feeling that things can get better if there is proper supervision of these stalled projects to ensure that Kenyans get returns for their money.

Mr. Temporary Deputy Speaker, Sir, we are aware that the German government is financing the Roads 2000 Programme and one of the things they have proposed is to ensure that the work goes to local contractors; small-time contractors. These are our people. We see the resources that we are now passing before this House going to big time contractors who are basically foreigners. We must have a policy towards empowering our people economically. That small-time contractor, who is able to prepare some earth road and put murrum, should at some point be entrusted with a major road network so that he can grow because the returns will be ploughed back to this country. However, when you give these contracts to foreign companies, at the end of the day, all that we have put in finds its way to some place out of this country. So, we must have a programme where we promote our own small-time contractors, so that they can grow and this country be independent of foreign dependence. At the end of the day, if you look at those foreign companies; the engineers and experts are all our local people. All that they have put in is the capital to purchase equipment, but everything else, is local. I am sure we can provide capital to our own people, so that they are able to contribute to the development of this country.

Mr. Temporary Deputy Speaker, Sir, the quality of the roads, I think, leaves a lot to be desired. We have seen roads being constructed and after two years there are potholes all over. We wonder what the role of our local engineers is in terms of supervising the contractors. I think we need to do much more, because we need quality roads which can last, at least, for a minimum of 15 years before they undergo repair. It is becoming extremely expensive in this country to continue to invest in roads, when, in fact, we can invest in rail, which does not require much of maintenance. Steel will be there for thousands of years. Why should we continue to invest in roads and yet, every other five years, we have to spend more money repairing the same roads?

Mr. Temporary Deputy Speaker, Sir, an issue has been raised on the equitable distribution of the road network. I would like to share those sentiments. I think we need to be involved right from the stage of planning. Right from the constituency level, we must be asked what our priorities are, as far as the roads are concerned. We do not want to end up with a situation where all the roads under construction, are in one constituency. We wonder what influence that particular Member of Parliament has. These are public resources! We want to see a fair distribution of those resources. We have been marginalised in the past and it is very sad that we continue being marginalised even in the NARC era. I think the solution is to ensure, right from the stage of planning and budgeting, that the Members of Parliament are involved. The priorities should be set right from the constituency level and not at the Cabinet level, or some side meeting between Cabinet Ministers. We want things done equitably in this country.

*(Applause)*

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

**Mr. Omingo:** Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this chance to contribute to this Vote. The road network is equivalent to blood veins in the body system. We cannot pretend to be saying that we want to revive our economy with a poor road network. I want to echo the sentiments of Mr. M. Kariuki, that marginalization from the previous regime runs through the current regime. The solution to this problem is not to leave the budgetary provisions and planning to the technocrats who work at the whim of the Executive. The solution lies with the establishment of the

Parliamentary Budget Office. Parliamentarians will have to look at what goes into the Budget before the magic bag of the Minister for Finance is tabled before this House. It is sad that we cannot undo what has been put in the Budget regardless of what our input is.

Mr. Temporary Deputy Speaker, Sir, that brings us further to the issue of the methodology of allocating resources. An example in point is the 24 per cent fuel levy. If one looked through the list of the fuel levy distribution, he would imagine some districts do not have vehicles that consume fuel. He would imagine that some people walk or they use hand carts to transport their goods as opposed to vehicles. Some districts have as little as Kshs5 million, when others have as much as Kshs200 million. If you look at those districts, they have no economic benefit, except, political instruments.

Mr. Temporary Deputy Speaker, Sir, turning to the issue of effective and equitable distribution of resources, Kenyans are all taxed. I want to give an example of a district called Gucha. This is a new district. It did not benefit from the general grouping of the larger Kisii District. But it has been allocated Kshs455,000 for construction and maintenance of roads. If the Constituency Development Fund (CDF) was to work, do I need the central Government? I do not! An allocation of Kshs455,000 is a shame for a new district that is supposed to be addressed. This is a district that does not have any other resources. Let us move back and involve the parliamentarians through the Parliamentary Budget Office. I am actually pleading with hon. Members that when Mr. Oloo-Aringo moves a Motion of the establishment of Parliamentary Budget Office, to pass it immediately. This is because it is the only safeguard for Members of Parliament.

Mr. Temporary Deputy Speaker, Sir, the budgetary process has actually been political. I almost for a while thought that my brother Mr. Moare, swims in haven. I thought having come from that region he could be a "good boy." But, unfortunately, he suffers the same fate like some people elsewhere. So, this Budget is actually politically prepared. For us to demystify it, we must involve parliamentarians. It is a shame that when the President makes pronouncements in public *barazas*, a lot of issues are mentioned. He did so, in Kisii District. However, the technocrats will emphasise on where their bread is buttered. They will not think about the sideshows elsewhere where there is no political inclination. Let us divorce politics from Budget-making, because Kenyans collectively, pay taxes. Kenyans, therefore, collectively deserve to share the national cake and they have a right to development regardless of whether they subscribe to the correct political thinking or not.

Mr. Temporary Deputy Speaker, Sir, it is interesting to realise that when we actually push our agenda in terms of development, we do not think of efficient and effective economic procurement and application of our resources. The Chair and I sat in the Public Accounts Committee (PAC), and realised the kind of wastage we received. We witnessed cases where a contract was revalued 25 times from the original cost and the man was paid and he smiled all the way to the bank, and yet, he constructed no road. These so-called "cowboy contractors" who are known have now been christened to be good contractors when they were actually dirty a while ago. This tells us that we have moved from the same spot and done an about-turn. We are walking on the same spot of the previous regime of glorifying the thieves. When we want to look into the application of our resources, let us also understand the fact that contractors who have frozen this economy and participated in graft, are not to be given chance to do so again, in terms of the reconstruction of our roads. The quality of their job is pathetic. The cost is humungous. The entire thing is a shame.

*(Several hon. Members consulted with Ministry officials)*

**Mr. Muturi:** On a point of order, Mr. Temporary Deputy Speaker, Sir. I hate to disrupt my good friend, Mr. Omingo, but could you intervene, so that hon. Members do not go to seek favours from the Ministry officers?

**The Temporary Deputy Speaker (Mr. Ethuro):** Order, hon. Members! Order, Mr. Kenyatta

and company! You are right, Mr. Muturi. Our business is transacted through the House and not the sides.

**The Minister for Roads and Public Works** (Mr. Raila): On a point of order, Mr. Temporary Deputy Speaker, Sir. There was no favour being sought at all. It was just some information that I went to seek from my officers and I am entitled to do so.

**The Temporary Deputy Speaker** (Mr. Ethuro): Order, Mr. Minister! I never addressed myself to you. You are perfectly in order to consult your officers, but not the other hon. Members. Mr. Kenyatta is not in that Ministry.

**Mr. Omingo:** Thank you, Mr. Temporary Deputy Speaker, Sir. I would like the technocrats to listen to this. When we were voting the NARC to power, there was no vote that weighed a gramme more than the other. All the votes weighed the same. Regardless of who voted for the NARC Government, we deserve development uniformly. It is high time Kenya was managed like a limited company. You can only put your money where you can realize results. For instance, anything can grow on the Kisii Highlands, however, the roads in that area are in a terrible state. We are saying, it does not matter who you are. Let us manage this country efficiently. We should aim at making returns for the social well-being of our people. When it comes to voting, let us not look where the bread is buttered most, but rather where we have economic returns.

Mr. Temporary Deputy Speaker, Sir, there is the issue I have raised with regard to wastage. I am asking the Minister for Roads and Public Works to ensure that the companies which have been blacklisted by the Public Accounts Committee (PAC) must not continue to construct our roads until this House gives them a clean bill of health. It would be immoral for them to continue constructing our roads when they have been blacklisted. We want an efficient monitoring system put in place, so that contractors can build high quality roads with a guarantee period.

The Office of the Attorney-General which gives legal advice to the Government, has failed. So, this is an area we must address. The cost of road transport in this country is very high. For example, it would cost you US\$150 to transport a 20-foot container from Dubai to the Port of Mombasa. Surprisingly, it will cost you US\$300 to transport the same container from Mombasa to Nairobi. What a shame!

Mr. Temporary Deputy Speaker, Sir, the side shows by His Excellency the President to the Minister must be followed religiously, or disregarded in toto, but they must not be applied selectively. Where it has been pronounced done, let it be done all over. Where they have refused to follow, let them refuse to follow in toto. I have nothing to show for His Excellency the President's visit to Gucha District though we were promised great things.

If the Minister wants to save the President's face, something must be done for Gucha District. I propose that the Kisii-Kilgoris Road be tarmacked afresh. Also, the Kilgoris-Kamagambo-Nyansembe-Echago-Mogonga-Kionyo Road should be tarmacked, if we are to have confidence in the President.

With those few remarks, I beg to support.

**Dr. Khalwale:** Mr. Temporary Deputy Speaker, Sir, I want to thank you so much for giving me the opportunity to contribute to this most important Motion.

May I observe that roads are so important, that even when armies go to war, they usually go with road and bridge constructing equipment. I am aware that in the Budget of 2004/2005, the Minister for Finance promised that he would allocate money to strategic roads in this country. I believe that, that money was released to the Minister for Roads and Public Works and that, given that we have not seen anything done, the Minister for Roads and Public Works has refused to use that money. One of the roads that was supposed to be done was the Kisumu-Kakamega-Webuye Road. Up to this time, nothing has been done.

Mr. Temporary Deputy Speaker, Sir, I want to make my contribution very brief by making

only one point. Who is in charge at the Ministry of Roads and Public Works? Is it the Minister, or is he being driven by technocrats or somebody else is driving the technocrats? I believe that it is the Minister who is in charge. If it is the Minister, then we should be told whether his Ministry is being used to confirm what the President said the other day in Nyanza Province.

While on a tour of Nyanza Province recently, the President said that Mr. Raila, who is the Minister for Roads and Public Works, was his top ally. The breakdown of the figures contained in the Printed Estimates confirm that, indeed, Mr. Raila is the President's top ally. While allocating money from the Fuel Levy Fund to the various districts, the Minister gave Nyeri District which is the President's home district, Kshs410 million. He then gave his home district, Bondo, Kshs235 million and a paltry Kshs40,000 to Vihiga District. He then gave the great Kakamega District Kshs75,000.

**Archbishop Ondiek:** He is misleading the House!

**Dr. Khalwale:** I have the figures! If you do not know how to read, go back to church and preach! We are not joking!

**Archbishop Ondiek:** On a point of order, Mr. Temporary Deputy Speaker, Sir.

*(Loud consultations)*

**The Temporary Deputy Speaker** (Mr. Ethuro): Order! Order, hon. Members! What is this excitement all about? It is only Dr. Khalwale who has the Floor. What is your point of order, Archbishop Ondiek?

**Archbishop Ondiek:** Mr. Temporary Deputy Speaker, Sir, is it in order for my good friend, Dr. Khalwale, to use unparliamentary language by suggesting that I should go to church?

**The Temporary Deputy Speaker** (Mr. Ethuro): Order! Order, Archbishop Ondiek! There is nothing unparliamentary about going to church. Who does not go to church? If anything, you are an archbishop.

Proceed, Dr. Khalwale!

**Dr. Khalwale:** Thank you, Mr. Temporary Deputy Speaker, Sir. I am trying to show the unfairness of this Minister.

**The Minister for Roads and Public Works** (Mr. Raila): On a point of order, Mr. Temporary Deputy Speaker, Sir. The Ministry deals with roads. Money from the District Roads Fund is shared out equally to every district. Is the hon. Member in order to mislead the House that I have given districts money when we do not give money for roads? The various District Roads Committees (DRCs) receive equal amounts of money from the District Roads Fund.

**Dr. Khalwale:** Mr. Temporary Deputy Speaker, Sir, I am surprised that the Minister, who is in charge, is unable to differentiate between the Fuel Levy Fund, which he has tabulated in the Printed Estimates and whatever he is talking about. He should produce another document, different from the Printed Estimates, which shows that the Minister has given Bondo District Kshs235 million and Nyeri District Kshs410 million, whereas he has only given Kshs75 million to Kakamega District and Kshs12 million to Kilifi District. Could he give different figures, if I am wrong?

**The Minister for Roads and Public Works** (Mr. Raila): On a point of order, Mr. Temporary Deputy Speaker, Sir. This is not right.

*(Loud consultations)*

**The Temporary Deputy Speaker** (Mr. Ethuro): Order! Order, hon. Members! Just relax all of you! This should not be a debate between the Minister and Dr. Khalwale. The hon. Member has all the right to contribute to this debate, and the Minister has given the figures which are in the Printed Estimates.

Proceed, Dr. Khalwale!

**Dr. Khalwale:** Mr. Temporary Deputy Speaker, Sir, there seems to be special hon. Members of Parliament in Kenya. There is another very special hon. Member of Parliament in this country called hon. Kiraitu Murungi. His constituency, in Meru Central District, has been given Kshs179 million. On the other hand Kuria and Gucha districts have been allocated only Kshs15 million and Kshs12 million, respectively. We cannot allow this to go on unabated. That cannot be allowed to go on. This Budget is for the people of Kenya. It is not a budget for friends and wheeler-dealers who sit in State House or cosy coffee-drinking places and allocate national resources to their people. We refuse!

Mr. Temporary Deputy Speaker, Sir, I would like to go to the area of development partners. Development partners are invited in this country and received at the airport by Ministers. If it is English they listen to, allow me to go there and speak to them in English. I know how to speak English. Even when Ministers go to the airport to meet those delegations, look at what they did. You, the people of Coast Province, who want to support this particular Vote, do you know that there is no single development partner who has been invited to the entire Coast Province? No single development partner has been invited to Western Province. In the entire northern Kenya, no development partner has been invited. The Germans have been sent to Kericho, Nakuru, Nandi, Bureti and Nyamira districts. The Swedish International Development Agency (SIDA) has been sent to Gucha, Kuria, Suba, Homa Bay, Rachuonyo, Kisumu, Siaya, Bondo, Kisii and Nyando districts.

**Hon. Members:** Shame! Shame!

**Dr. Khalwale:** Mr. Temporary Deputy Speaker, Sir, the European Community has been sent to Meru North, Meru South, Meru Central, Tharaka, Embu, Mbeere and Makueni districts.

*(Applause)*

The African Development Bank (ADB) has been sent to West Pokot, Uasin Gishu, Keiyo, Marakwet - maybe because of the newly found friendship between Mr. Biwott and others - and Kajiado districts. It has also been sent to Trans-Mara and Narok districts.

Mr. Temporary Deputy Speaker, Sir, AFP has been sent to Nyandarua, Murang'a and Maragua districts. That kind of bias should not be allowed. If some people are rewarding each other in line with the positions that they took when we went for elections under NARC--- Yes! Maybe, you are leaving out Western Province because Michael Kijana Wamalwa died. But I am telling you that there is a wonderful song in church which says:-  
"God is watching us---"

**The Temporary Deputy Speaker** (Mr. Ethuro): Order, Dr. Khalwale!

*(Laughter)*

**Dr. Khalwale:** Thank you, Mr. Temporary Deputy Speaker, Sir! God is watching you! If you are not rewarding Western Province because Michael Kijana Wamalwa died, we do not know who else will go, so that his place will also be denied development.

With those few remarks, I beg hon. Members to oppose this Motion.

*(Applause)*

**Dr. Shaban:** Ahsante sana, Bw. Naibu Spika wa Muda. Nasimama kuzungumza juu ya---

*(Loud consultations)*

**The Temporary Deputy Speaker** (Mr. Ethuro): Order, hon. Members! Dr. Shaban has the Floor!

**Dr. Shaban:** Nasimama kuzungumza juu ya Wizara hii, na pesa ambazo wanaomba mwaka huu kwa ujenzi wa barabara zetu. Kazi hiyo inahitaji hela nyingi. Jambo la kusikitisha ni kwamba ukienda nchi zote za Afrika kama Tanzania, Uganda, Cameroon, utakuta barabara zao ni nzuri. Barabara zetu hapa Kenya zimejaa aibu kweli. Kusema kweli, hata watalii--- Nimesikia Serikali ya NARC ikisema kwamba idadi ya watalii wanaozuru Kenya imeongezeka. Huo sio ukweli. Ukiangalia idadi ya watalii wanaokuja Kenya, ni chini ya milioni moja. Hiyo ni idadi ndogo sana ukilinganisha na mji mdogo wa Cancun, Mexico, ambao hupata karibu watalii milioni kumi kwa mwaka mmoja. Ukienda huo mji mdogo utajiuliza: "Je, hawa watalii wanazuru nchi hii kuangalia nini?" Isipokuwa ni barabara nzuri tu, hawana kingine cha kuonesha. Je Kenya yetu---

*(Loud consultations)*

**Capt. Nakitare:** On a point of order, Mr. Temporary Deputy Speaker, Sir. Could you use your powers to cool the temperatures from hon. Members on my right?

**The Temporary Deputy Speaker** (Mr. Ethuro): Capt. Nakitare, you are right. Order, hon. Members! I appreciate that there is excitement about this Vote. But let us give other hon. Members a chance to be heard.

**Dr. Shaban:** Ahsante sana, Bw. Naibu Spika wa Muda. Barabara nzuri katika nchi jirani zinawafanya watalii kuzuru huko na kuimarisha uchumi wao. Kwetu hapa Kenya, hatuna chochote cha kuonyesha. Nchi kama Afrika Kusini inatembelewa na watalii wengi. Wanatembea mpaka pahali panaitwa *Cape Point*. Ukijuliza: "Je, wanaenda kuona nini huko *Cape Point*?" Wenyewe watakujiibu kwa Kiingereza: "*It was a good drive*". Kwa hivyo, ukiangalia vizuri, utaona kwamba ikiwa barabara sio nzuri, hawangeenda mpaka *Cape Point* kwa sababu hakuna kinachowapeleka kule. Mamilioni ya watu hujaa Afrika Kusini kwa sababu ya barabara nzuri. Sisi Wakenya tunaomba Wizara hii iangaliwe vizuri ili ajali barabarani zipungue na wenye kandarasi wasiwe majambazi.

Ningependa kuzungumzia jinsi barabara zinavyowafanya akina mama wajawazito wasifikishwe hospitali. Ukiwa na gari---

*(Loud consultations)*

**The Minister for Fisheries and Livestock Development** (Mr. Munyao): On a point of order, Mr. Temporary Deputy Speaker, Sir. It is true that you have alerted that side of the House about their loud consultations. But we still cannot follow Dr. Shaban's contribution. There is no peace! Could we have some peace?

**The Temporary Deputy Speaker** (Mr. Ethuro): Order, hon. Members! Dr. Shaban has the Floor! Let us listen to her!

**Hon. Members:** Kuja mbele! Kuja mbele!

**Dr. Shaban:** Ahsante, Bw. Naibu Spika wa Muda.

**The Temporary Deputy Speaker** (Mr. Ethuro): Dr. Shaban, you will help us if you came--- Maybe, hon. Members are not hearing you!

**Dr. Shaban:** Sidhani hawaniskii, Bw. Naibu Spika wa Muda. Nafikiria wameamua tu kupiga kelele. Kwa kawaida, tulipolelewa, tuliambia kuwa ukisikia watu wanapiga kelele, ni kwa sababu hawana la muhimu la kusema.

Bw. Naibu Spika wa Muda, kuna matatizo ya kuwafikisha wagonjwa hospitalini kwa sababu ya barabara mbovu. Kule nyumbani, hasa Taita-Taveta, magari mengi yameegemezwa juu ya mawe kutokana na barabara mbovu. Inatubidi tutumie baiskeli na pikipiki za boda boda hili tufikishe

wagonjwa hospitali. Barabara zeneye hazifai na hata wanaoendesha boda boda wanaziogopa. Akina mama wanajifungua na kupoteza watoto njiani kwa sababu ya barabara mbaya. Vile vile, watoto hawafikishwi hospitali wanapougua.

Ningependa kuzungumzia juu ya barabara ya Voi-Mwatate-Taveta. Barabara hiyo inatunulia uchumi kwa sababu ya watu wa Tanzania Kaskazini wanaopenda kutumia Bandari ya Mombasa. Katika Bajeti ya mwaka huu, barabara hiyo imetengewa Kshs68 milioni peke yake. Hela hizo hazitoshi kufanya kazi katika barabara hiyo kubwa. Kwa hivyo, ningewaomba Waziri wa Barabara na Ujenzi na Waziri wa Fedha waangalie barabara zetu zote, hasa zile zinazotunganisha na nchi jirani. Wengine wetu, kama mimi, inanibidi nipitie Tanzania ninapoenda katika eneo langu la Bunge. Nafanya hivyo kwa sababu barabara yetu haifai. Kiasi cha Kshs68 milioni hakitoshi kutengeneza barabara hiyo. Inahitaji Kshs3 bilioni.

Vile vile, ningependa kuzungumzia kidogo juu ya ajali za barabara. Ajali barabarani zimeanza kuongezeka. Barabara hazifai. Ukipitia barabara ya Nairobi kuelekea Mtito-Andei, ijapokuwa inatengenezwa kutoka Sultan Hamud hadi Mtito-Andei, ni mbaya sana. Lori kubwa hutumia barabara hiyo. Zinahepana na magari madogo madogo. Hivi majuzi, basi kubwa lilimaliza watu katika barabara hiyo. Bado tunajua tutapata ajali zingine ikiwa hakuna kitu kitafanyika katika barabara hiyo.

Kwa hayo machache, naunga mkono Hoja hii.

**Mr. Angwenyi:** Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me a chance to contribute to this Vote.

Mr. Temporary Deputy Speaker, Sir, at the outset, I beg to oppose the inequitable distribution of resources in this Vote. A road network is like a blood circulatory system of an economy. If somebody frustrated the circulation of blood in the eye of the Chair, you would not be able to see me. This is what is happening to Taveta, Turkana, Kisii Central, Gucha, Bomet and everywhere in this country. Few places have been given money because of being politically correct. Time has come when we may have to let people without political ambitions design the Budget. The Budget is being used to penalise certain constituencies, which is against the principles espoused by the Head of State.

Mr. Temporary Deputy Speaker, Sir, if you look at the roads levy, Kisii Central does not get a single shilling. Kisii Central has four constituencies with more than 800,000 Kenyans. Gucha District, which has three constituencies and over 650,000 Kenyans has been allocated only Kshs445,000, yet a district like Bondo has been awarded over Kshs200 million. I do not know how much resources are derived from Bondo that cannot be derived from Gucha. Who needs roads more? Is it Bondo or Turkana? Is it Bondo or Wajir? Is it Bondo or Kajjado? Who needs better roads? Who produces for this country?

Mr. Temporary Deputy Speaker, Sir, this Budget has been politicised. It is time this Parliament stood up since the President does not want to intervene. You know, former President Moi used to look at the Budget before it was presented in Parliament, and he would see where there are inequalities and would harmonise a little.

*(Applause)*

But now we have a system where a Minister goes out there and allocates the resources of this country to his home area.

Last year, there was an amount allocated to a road in my constituency. Nothing has been done because the political system could not allow it. There was an amount allocated for Kisii-Kilgoris Road, and not a penny was spent. If you drive on that road, you will encounter crater-like potholes. This Parliament cannot sit back and watch this country being destroyed because of political expediency.

In any case, this budget has not been properly prepared. We are supposed to prepare our budgets on the basis of MTF, where there is a three-year cycle. What we have here is a one year cycle,



which is against the principles that have been adopted for this country in preparing budgets.

Mr. Temporary Deputy Speaker, Sir, we do not want to allow abuse of office in this country.

Every year, certain areas receive enormous funds. We see roads being done in certain areas of this country. We hear Ministers in public fora making pronouncements about construction of roads, but we do not see those roads. I have given one example in my constituency. I can give you another example in Gucha District, or even in Narok or Nakuru districts. You drive from here to Nakuru and you see how that road is. It is terrible! Go to Olenguruone, the granary of this country, and there is no road. I hope this Parliament will not sit by and see people abusing their offices and destroying the resources of this country. It is even better to steal this amount of money and put it in your bank account.

Mr. Temporary Deputy Speaker, Sir, I sit in the Departmental Committee on Energy, Communications and Public Works. We had agreed with the Ministry to allocate funds for constituency roads committees through the Constituency Development Fund. We agreed in principle, but today, when the Minister was moving the Vote, he never made any reference to that fact. This means that the Minister has no regard for the Committee of this House dealing with public roads.

Mr. Temporary Deputy Speaker, Sir, we have 24 per cent which is supposed to be distributed equally throughout the districts of this country. This is what is supposed to assist the districts lagging behind; for example, Ijara, Garissa, Mandera or Kajiado. Instead of implementing the policies, we are using these monies for political purposes.

Mr. Temporary Deputy Speaker, Sir, this House has been given power by the people of Kenya to decide how to allocate resources derived from Kenyans. I cannot tell those Kisii taxi drivers, bus or truck drivers that they have not been allocated anything from the fuel levy, and yet they are paying fuel taxes everyday. Time has come when we must be told how much was collected from each area so that we can allocate it accordingly. For example, you cannot drive to Baringo East Constituency. Women cannot get to hospital to deliver their babies; they just do it on the road and the babies are bitten by snakes, yet we are not addressing those areas. Take, for example, international roads; the road from Taveta to Tanzania, or the road from Lunga Lunga to Tanzania, or the road from Isebania to Tanzania.

**Mr. Onyancha:** On a point of information, Mr. Temporary Deputy Speaker, Sir. I would like to inform the House that what the hon. Member is saying about the road from Taveta to Tanzania is true.

**The Temporary Deputy Speaker** (Mr. Ethuro): Who gave you the chance?

**Mr. Angwenyi:** I gave him so that he could inform me.

*(Laughter)*

**Mr. Onyancha:** Mr. Temporary Deputy Speaker, Sir, it is a shame that the Member for Taveta drives through Tanzania to go to her constituency, and yet she supported this Vote.

**Mr. Angwenyi:** Mr. Temporary Deputy Speaker, Sir, the Member for Taveta should not go through Tanzania. The same applies to my colleague, hon. Omingo. He has now withdrawn his support and has joined me, because he has realised the amount of money that has been given to Gucha District is only Kshs445,000, which means Kshs115,000 per constituency. Just imagine that! Even in your own home, making a drive-way would take more than Kshs115,000.

Mr. Temporary Deputy Speaker, Sir, what I am saying is that national resources should be shared out equally regardless of political allegiance. When you are taxing Kenyans, you do not ask who they voted for in the last elections. This Ministry is notorious. They do a road today and the next day it is filled with potholes.

With those remarks, I beg to oppose.

**Mr. Kipchumba:** Mr. Temporary Deputy Speaker, Sir, I wish to contribute to the Vote of the Ministry of Roads and Public Works. I am sure you can get the discontent from many hon. Members. It appears to me that there is an inverse relationship between Mr. Murungi and Mr. Raila and this Vote, that while the relationship is negative, the Vote is the other way round.

I wish the Minister had not published the Estimates and he had left them the way they are in the big book. If you look at the Estimates, you will find that very large districts like mine, which has over 1,600 kilometres of road, has only been given a mere Kshs10 million. We consume a lot of petroleum products in that district because we do a lot of farming. Every time we buy a litre of petrol, we pay Kshs5.80, and, therefore, contribute a lot of money to the Petroleum Levy Fund.

I would like to support the sentiments of some hon. Members that it is time money was redistributed to the regions that it came from. The Kenya Roads Board (KRB) should be made independent from the Ministry of Roads and Public Works and be given the role of collecting this revenue on behalf of all the constituencies in this country. After collecting the revenue, the KRB should channel it to the 210 constituencies. The constituencies should thereafter manage the funds.

Last year, the Minister confirmed that the 24 per cent will continue to rise. When the NARC Government came to power, my district got Kshs5.5 million for the 24 per cent. Last year, we got Kshs2.7 million. The revenue of this country continues to rise. If the revenue continues to rise, the 24 per cent, in my simple mathematical understanding, should also continue to rise. The percentage is going down all the time because most of the money is being channelled to Nyeri and Meru Central Districts and Bondo, where the Minister comes from. It is sad that a few people in this country can allocate to their constituencies money that is collected from all Kenyans. We were told that the NARC Government would be fair and transparent. If this is what we call transparency, the Government should be ashamed.

Mr. Temporary Deputy Speaker, Sir, when the Minister took office, he told us that there were cowboy contractors. The cowboy contractors quickly disappeared and I do not know what other names they have been given. They must have been given a very clean name. Somebody has said that there is a renovation of the National Youth Service houses. Who is doing it and when was it advertised? You will find that it is the former Democratic Party (DP) Chairman, Mr. Dinken, who is doing it. We were told that KANU was not transparent. What has happened now? A painter turns out to be a contractor and we are told that good work is going on. It is time this House is given the responsibility of sharing out resources.

I want the Minister to tell us what criteria he has used to allocate Kshs1 million to some districts and Kshs7 million to others. If money was to be distributed equitably, based on the kilometres of road that exist in a district, Uasin Gishu District, should have been allocated the highest amount of money. I do not know whether the Minister expects us to support his Vote. However, seeing the mood of the hon. Members, the Minister should tonight publish another list, so that all this money is redistributed to the various districts in this country.

Previously, we were told that we have the power to decide how to use the 24 per cent. Every time we complain about an engineer, he is merely transferred. The Ministry even has engineers-in-chief. There is an engineer of roads, a structural engineer and they report to the engineer-in-chief, who then reports to the Permanent Secretary. Why do we need all these bureaucracies? These offices should be abolished, so that we can save money to construct roads.

Mr. Temporary Deputy Speaker, Sir, there is money for urban transport. Tomorrow, the Minister should tell us how the Kshs700 million will be distributed within the various urban centres in this country. We should be told which towns will be given the money. Last year, we asked the technocrats to give us road construction standards. An hon. Member has said that grading a kilometre of road in his constituency costs Kshs47,000 while in other constituencies, it cost Kshs10,000. We should be given the correct standards. An amount of Kshs2.4 billion will be used to purchase

specialised equipment. The Minister should bring a list of the equipment and where it will be distributed. Parliament should be told to which location equipment is taken.

There is an amount of Kshs2 billion for the construction of buildings. The Minister should tell us how that money is going to be used. When we were looking at the Vote of the Ministry of Health, there were fewer hon. Members in the House than there are today, although we had a similar problem. Today, there is a bit of excitement because the breakdown has been done fairly simple. It is time hon. Members scrutinised the Vote of each Ministry in detail. We have passed Votes here without knowing what we are passing. This is not peculiar. I want to request all the hon. Members to make sure that they are present whenever we are dealing with a Vote.

Mr. Temporary Deputy Speaker, Sir, no money has been allocated to A-Class roads. I have just seen provincial engineers and I do not even know what is their role. Why should we have provincial engineers who have no role to play, and yet they spend a lot of money? We have no provincial roads. Our main road from Mombasa to Busia should be supervised from the headquarters. There should be no provincial roads. Therefore, provincial engineers should either be redeployed elsewhere or sacked. They use our money for administration purposes without producing any tangible results.

Finally, if the Minister wants us to support him tomorrow - we are willing to support him - he should, tonight, reprint these Estimates and distribute this money fairly to every district in the Republic of Kenya. I can assure him that after that, we will have no problem in ensuring that he gets all the money that he requires.

With those few remarks, I reserve my support.

**Mr. Nderitu:** Thank you, Mr. Temporary Deputy Speaker, Sir. I am happy that you have given me this chance to contribute to this Motion. Just as my colleague said, I do not support this Motion. First, as you have seen, everybody here is complaining about the schedule, which is contained in the Petroleum Levy Fund. The schedule distributes the Petroleum Levy Fund unevenly. I would like to refer you to the Ministry of Roads and Public Works' publication which shows that some constituencies have been allocated more than Kshs500 million, while others have been allocated nothing at all. I am left wondering why the Ministry did not find it fit to have a plenary meeting with hon. Members and listen to their views in connection with roads in their constituencies. Those roads are not in the domain of the Ministry of Roads and Public Works. The roads' maintenance responsibility lies in the constituencies. Why did the Ministry officials not call us and enquire from us what to do? We would have outlined for them the roads that require re-construction. This is why hon. Members are on fire. We are on fire because we want to be given a Budget Office. If we had one, this would not have happened. We would have instead budgeted the little money that is there for the roads, and would not have given it to few constituencies.

The Chief Engineer, Ministry of Roads and Public Works, who supposedly worked on the Nkubu-Kaguru-Kigene Road, tarmacked a 3-kilometre stretch to his house. Why did he do that, yet it was not budgeted for? Could the Minister explain how much money was spent on that? That is why we feel that we should be involved in the allocation of funds process. Hon. Members are taken for granted. We are not involved in planning, tendering, and we were not even told anything about this schedule before it was brought here. I think this is a matter which should be brought here beforehand, so that we can digest it. As my colleague who spoke before me said, we urge the Minister to withdraw this schedule, if he wants his Vote to pass, and re-do it. Otherwise, if we feel that we should stop debating this Motion and go home, then we will do so.

Kirinyaga District has only one constituency, yet Kshs27 million has been allocated to it. Why did that happen? What about Mwea, Gichugu and Kerugoya - Kutus constituencies? I do not know why we are debating on this Motion. The House should adjourn and give the Minister time to go and re-do this schedule. I wonder why a road in Nakuru; the Njoro - Mau Summit Road, has been

allocated Kshs60 million, yet another road in the same district has been allocated Kshs20 million. Why was that done? Is this not a misplacement of funds? When the Minister goes back to his office, he should make sure that the Petroleum Levy Fund is directed to Constituencies Development Committees (CDCs) and not to the District Roads Committees (DRCs), so that we can supervise the jobs being done with it and see the bottlenecks they face.

It is perturbing to know that a kilometre of murram road, through the warranted authorised tenderers is five times more expensive than a kilometre of murram supplied through the CDF in our constituencies. I wonder what rates the Ministry is using. All of us need to go to the drawing board, and especially the engineers of the Ministry of Roads and Public Works, and come up with rates and values commensurate to reality.

**An hon. Member:** *Endelea!*

**Mr. Nderitu:** *Nitaendelea!* All roads in Nairobi have been zeroed in under one allocation. This is the same case with the roads in Kiambu and Murang'a Districts. This also applies to roads in Thika. What are we doing? What is the purpose of bringing this schedule to this House? Has it been brought for us to rubber-stamp it or what? I do not support this Motion. I, vehemently, do not support it!

**The Minister of State, Office of the President** (Mr. ole Ntimama): Mr. Temporary Deputy Speaker, Sir, thank you for giving me this opportunity to contribute to this Vote. When we were debating on the Vote of the Ministry of Agriculture, I pointed out very emphatically that the distribution of roads network should be concentrated where there are resources. We cannot just construct tarmac roads parallel to others. In some areas, tarmac roads lead to people's homes when they should actually lead to areas of development. When my friend, hon. Dr. Khalwale, was talking about Kreditanstalt Fuer Wiederaufbau (KFW) being in Narok, I thought it is was fiction. The Mai Mahiu - Narok Road has been on the drawing boards for the last 20 years, yet there is no work which has ever been done on it. So, when we are told that KFW is in Narok, we find it a fictitious story because there has never been money allocated to it.

I tend to agree with a young friend of mine, hon. Maore, who said that money for roads construction is being embezzled. Let me say, very frankly, that as far as we are concerned, Narok District has never benefited from the national cake. When I contributed to Debate on the Vote for the Ministry of Agriculture, I said, and Mr. Kipchumba was here, that Narok is the number one wheat-producing district today. It is ahead of Eldoret and all other districts. However, all the wheat we produce is marooned. It cannot be taken to the market, either through Nakuru or Narok, because the Mau - Narok Road is impassable. Even tractors get stuck, let alone lorries. Are we really thinking about fair distribution of resources? Are we really thinking about opening up places so that products can be distributed to other people?

We have a beautiful country. It is also beautiful in Narok District, highly potential and we should develop it. The only way to develop it is by getting the road network passing through the area. If we do not do that, our wheat will continue being marooned. The Mau - Narok Road should be developed so that we can transport wheat to be stored in silos in Nakuru and Nairobi. The worst thing that is happening, and has added insult to injury, is that there is wheat coming into the country from overseas. This will lower our wheat prices and that is very bad.

Mr. Temporary Deputy Speaker, Sir, some of our communities think that they have been marginalised for the last 100 years by the colonial government and our successive independent governments. We have a lot of faith in the NARC Government. We elected NARC in the hope that it would do fair distribution of resources, especially on the road network. We are beginning to have question marks, wondering whether this is done on a personal basis. For example, look at the distribution of water. If you look at the Budget, you will notice that water is going to be supplied to certain areas where there is already water. In Turkana District there is no water and, therefore, most of

this money allocated for water provision should go to Turkana District, North Eastern Province and some areas of Maasailand where we do not have water.

The same thing applies to roads. It appears that we are developing roads where tarmac roads are already in existence and putting up other parallel roads along the others when, for example, we in Narok cannot transport our wheat to the market because of lack of roads. I think this is very unfair and unjust. If that is not discrimination, what is it? If that is not marginalisation, what is it? If that is not keeping other communities at the periphery forever, what is it? The truth of the matter is that we must start thinking fairly and justly. We must start distributing these resources fairly and equitably so that everybody can benefit.

Mr. Temporary Deputy Speaker, Sir, the issue of the Mai Mahiu-Narok Road has been sung for years and all we have seen take place is a little bit of grading on the sides and drainage. Nothing else has happened. When the heavy lorries move on that road, it will crumble and be destroyed in the next three or four months. The road from Mai Mahiu-Narok-Trans Mara Road, right to Isebania, should be developed so that tourists can travel along this road without any problems.

Mr. Temporary Deputy Speaker, Sir, in the last regime, we know that those roads going to the Mara were not made because some aircraft companies were being supported to drop people into the Mara. These companies made roaring business by just dropping tourists there. This is why these roads were never done. This is another Government that must try and develop those roads so that even the ordinary mini-buses hired by ordinary Kenyans can go to the Mara without any problem. We should plough these resources back to where they come from. The Mara is one of those areas which are the most highly sought for by tourists in this country. Seventy per cent of the people who come to Kenya visit the Mara, but they do it in great difficulty because there is no road. They are forced to use a lot of money from their pockets to hire aeroplanes from some of these tycoons who have looted this country. This is just an extension of looting by corrupt individuals. Let us get this road network properly done.

Mr. Temporary Deputy Speaker, Sir, the Mau-Narok Road is so important. If you look at the HANSARD, you will note that every time I have stood here, I have talked about the Mau-Narok Road for the last 12 years, but nothing has been done about it. This is discrimination. We have been forgotten and are being marginalised, yet we have the resources. Tarmac roads are being built in other areas where there are no resources, or have people who do not need those tarmac roads any way.

Mr. Temporary Deputy Speaker, Sir, justice and fairness must be done. As one hon. Member said, it appears some constituencies are benefiting more than others. It is very unjust and unfair to give millions of shillings to certain constituencies because of the relationship between individuals. It is unfair to give millions of shillings to individuals to address water or roads. These estimates must be looked at afresh. We are a very different community now. We know what is happening. Over 10 years ago, hon. Members did not even read the Budget properly. These days, they scrutinise all the allocations carefully. Therefore, we would all like to know where our people have benefitted. We will continue to say it is unfair to allocate more resources to areas which do not deserve.

With those few remarks, I beg to support.

**Mr. Serut:** Mr. Temporary Deputy Speaker, Sir, at the outset, I want to say that the Vote of the Ministry of Roads and Public Works was prepared politically. It is unfair and unjust to the children of the people of Mt. Elgon.

Mr. Temporary Deputy Speaker, Sir, Mt. Elgon is in this country. It is not in Uganda! It is in this country and almost three-quarters of the produce of Western Province comes from Mt. Elgon. However, if you go there today, my people are the poorest. Their produce is sold at throwaway prices because there is no road network in Mt. Elgon.

Mr. Temporary Deputy Speaker, Sir, during the last financial year, we were allocated Kshs50 million to do the Kaptama-Kapsokwony-Kopsiron-Namwera Road, which is 56 kilometres. However,

as I am speaking today, nothing has taken place on that road. During this financial year, it has been allocated Kshs10 million. I am asking the NARC Government: Where did the Kshs50 million go?

**Mr. Angwenyi:** That is upon you!

**Mr. Serut:** Mr. Temporary Deputy Speaker, Sir, if it was returned to the Treasury, who did not do his work? When the Minister stands to reply, he should address that issue. Let it come out very clearly that Mt. Elgon is the only district where there is no tarmac in this country. There is no single inch of tarmac! We generate a lot of money for this country. Why are we producing a lot and receive nothing? Do we not deserve something as the people of Mt. Elgon? Time has come when we are going to tell this Government that we might not pay any taxes. There is no need of paying taxes if we do not get returns. We thought that the KANU regime did not value us because of our numbers. However, we are seeing the same happening in the NARC regime.

If you look at this Budget, there is a lot of money allocated to Kericho and Buret because the Assistant Minister comes from there. Also, a lot of money has been allocated for Meru because the Permanent Secretary comes from there. Even Nyanza Province has been allocated a lot of money because the Minister comes from there. How much does Luo Nyanza contribute to the Central Government as opposed to Mt. Elgon? It is unfair! I say this with bitterness. I have no apologies for saying this is wrong!

Mr. Temporary Deputy Speaker, Sir, the only place where donkeys are the only means of transport is Mt. Elgon. Soon, those donkeys will be extinct because they do not have time to mate any longer. They are on the road for 24 hours!

*(Laughter)*

**An hon. Member:** They will all die!

**Mr. Serut:** Mr. Temporary Deputy Speaker, Sir, I have been to the offices of some of the officers sitting here for more than 20 times since I was elected to Parliament. There is an Eng. Ngare who tells me he will advertise for the repair and construction of a road in Mt. Elgon District, and his song has always been: "I will do that next week." That has gone on from last year to date. In fact, nobody has advertised and the so-called "next week" has not come. What is the difference between this Government and the KANU regime? I see no difference. The NARC Government has only two years to go. We will have an opportunity to tell Kenyans that there is no difference between this Government and the KANU regime. In fact, this is the worst Government I have ever seen. The KANU regime was better because money was flowing to the people---

**Hon. Members:** From where?

**Mr. Serut:** Whether it was being grabbed, it was money! There is no money now. In fact, Kenyans are suffering. Where has the money gone? It has gone to a few constituencies. It is high time this House stood up and said no to this Vote. I would like to urge my colleagues to oppose this particular Vote of the Ministry of Roads and Public Works tomorrow. I want men and women who were elected in this House to oppose this Vote!

With those few remarks, I beg to oppose.

**Mr. Ndile:** Asante sana, Bw. Naibu Spika wa Muda, kwa kunipa fursa hii nichangie Hoja. Mbali na viongozi wachache Serikalini kujigawia mali ya umma, ukichunguza kwa makini utaona ya kwamba katika kila Wizara, Mawaziri wamewaajiri watu kutoka sehemu zao za Eneo Bunge. Utaona katika Wizara fulani, Katibu Mkuu na maafisa wengine hata wa vyeo vya chini, wanatoka mkoa anakotoka Waziri. Juzi, tukianzisha mradi wa barabara katika Eneo Bunge la Kibwezi, nilishangaa kuona ya kwamba mhandisi mkuu wa bodi ya wakurugenzi ya kusimamia maswala ya barabara, yaani, Kenya Roads Board, anaitwa Eng. C. Otonglo. Mdogo wake ni Bw. Otieno na mwingine Bw.

Onyango. Si haya ni mapendeleo? Tabia hii imeneea sana katika kila Wizara hapa nchini.

Bw. Naibu Spika wa Muda, nakubaliana na Bw. Serut ambaye amesema Mawaziri hugombana tu hadharani, lakini ikifika wakati wa kugawa mali ya umma, wao wanakaa na kula pamoja usiku. Ni aibu sana!

Sijawahi kuona Waziri ambaye anasimamia Wizara ya Barabara na Ujenzi na huku hutumia helikopta kukagua ujenzi wa barabara zetu. Huwezi kukagua barabara ukiwa juu ya anga. Waziri amezuru nchi za kigeni ili kujionea vile barabara hutengenezwa. Nasikitika sana kwa sababu Waziri alibomoa nyumba nyingi hapa Nairobi akisema anajitayarisha kujenga barabara. Watu ambao walibomolewa nyumba ni Wakenya waliopoteza riziki na makao yao. Ni jambo la kuhuzunisha sana kwamba wakati mwingi umepita na hakuna barabara yoyote ambayo imejengwa. Nilikuwa najiuliza ni kwa nini barabara hizi za *bypass* hazipitii katika mbuga ya wanyama ya Nairobi.

Bw. Naibu Spika wa Muda, ukipitia barabara ya Malava-Mombasa, karibu na Mariakani, utashangaa kwa sababu hiyo barabara ni mbaya sana. Juzi, Bunge FC ilienda kucheza mpira kule Tanzania. Tulijionea jinsi barabara zao zilivyo. Tuliitoka Dar-es-Salaam tukaenda mpaka Dodoma. Barabara zao ni pana, lakini hapa kwetu hali ya barabara ni mbaya sana.

Bw. Naibu Spika wa Muda, ningependa ujiulize ni kwa nini shimo dogo huachiliwa likawa kubwa. Siku moja nilimuuliza mhandisi mmoja: "Ni kwa nini hamrekebishi barabara zetu kabla hazijaharibika kabisa?" Alijibu: "Bw. Ndile, tukiziba shimo hilo likiwa dogo, tutatumia saruji chache sana na hatutabakisha yetu kupeleka nyumbani." Kwa hivyo, ni lazima wangoje hadi shimo hilo limekuwa pana sana ili wapate mifuko 50 ya saruji. Wakipata mifuko hiyo, watatumia 10 na 40 watauza. Ni lazima tabia hii ikome.

Bw. Naibu Spika wa Muda ningependa kusema napinga vikali sana Hoja hii. Ni lazima Waziri aratibu upya matumizi ya pesa za Wizara yake.

Bw. Naibu Spika wa Muda, watu wengine walikuwa wakifikiria kuwa kuna barabara ilifunguliwa jana huko kwangu, lakini mradi wa barabara hiyo ulianzishwa kitambo sana, sio wakati huu. Pesa za kutengeneza barabara hiyo hazikutoka katika Wizara hii, kwa sababu pesa kidogo zilitoka ng'ambo.

*(Laughter)*

Kwa hivyo, lazima Mawaziri wetu waanze kujua kuwa sisi pia ni watu, kama sio hivyo, tutamuuliza--- Sijui tutamuuliza nani, lakini tunataka Bw. Raila akiwa Waziri mwaka huu, mimi niwe Waziri mwaka ujao ndio tujitengenezee barabara. Hatuwezi kukubali Bw. Raila awe Waziri wa Barabara na Ujenzi kwa miaka mitano, halafu ajitengenezee barabara zote huko Bondo. Haiwezekani kabisa!

*(Applause)*

Kama ni hivyo, lazima tufanye uwaziri uwe wa kupokezana, ili hata mimi nipate uwaziri ndio nijitengenezee barabara huko Kibwezi. Nafikiria kuwa hilo ndilo jambo litakalotundezeza. Iwapo watashindwa, naomba Wabunge wenzangu hapa tukubaliane katika jambo hili; hivi sasa, tunachukua Kshs2.50 katika kila Kshs100 ya pesa za maendeleo za Serikali, na tunawaachia Kshs97.50; na ndio hizi wanazifanyia hivyo. Hivi sasa, nawaomba Wabunge kuwa, ili tuweze kutatua shida hii, tuweke asilimia 50 katika Constituency Development Fund (CDF).

*(Applause)*

Tukiweka asilimia 50 kwa CDF, mimi nitapata Kshs750 milioni za Kibwezi, na sitamuuliza Waziri amepeleka pesa wapi.

Kwa hayo machache, naomba kupinga Hoja hii kabisa.

**Mr. Muchiri:** Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this chance. I think it is necessary that resources be shared equally, and I think this Parliament is in one accord, that the Budget for the Ministry of Roads and Public Works is unfair!

*(Applause)*

Last year, Nyandarua was given Kshs180 million to do a road called C69, but that money disappeared and it is not in this year's Budget. The only thing we have is Kshs3 million, and that is an insult to Nyandarua people! Nyandarua is the granary of this country, because we produce potatoes, cabbages, carrots and everything that is eaten in Nairobi, yet we cannot move the produce to the market.

Mr. Temporary Deputy Speaker, Sir, if money is going to be shared along political lines, then this is going to be very bad for this country; I thought that those things are long gone with the last regime.

**Mr. Wanjala:** On a point of order, Mr. Temporary Deputy Speaker, Sir. I have seen the way hon. Members are behaving in the House and I am seeking your guidance. A majority of hon. Members are not satisfied with the document we are debating in this House now as it is. You know very well that we are going on recess on Thursday and that we also have a Motion on the Privatization Bill tomorrow.

**The Temporary Deputy Speaker** (Mr. Ethuro): What is your point of order?

**Mr. Wanjala:** Because of time and what hon. Members have proposed, that they need a new document, would I be in order to ask you to rule that the Minister withdraws and goes back with this document? Let them work on it tonight and come here with a document tomorrow that hon. Members will be able to pass!

*(Applause)*

**The Temporary Deputy Speaker** (Mr. Ethuro): Order, Mr. Wanjala! You know that the Chair does not act that way.

Proceed, Mr. Muchiri!

**Mr. Muchiri:** Mr. Temporary Deputy Speaker, Sir, there are some districts that have been forgotten. A lot of money has been allocated to Central Province districts, yet Nyandarua is one-third of Central Province. I think it is necessary for us to tell the Minister that this document needs to be redrawn.

*(Applause)*

Let there be fairness. Since we all belong to this Government, there is no Member of Parliament who is superior to another. We do not need to lobby for these issues in the Minister's office. Why should we lobby in the Minister's office? I think it is incumbent upon the Ministry to ensure that money goes to every corner of this country.

Mr. Temporary Deputy Speaker, Sir, every constituency in this country must have its share of the cake. If there is nothing in Ndaragwa Constituency, why should I support this Vote? I was voted for by the people of Ndaragwa to seek development for them. This Government is ours. However, I do not want some particular differences to be transferred to the constituencies.

Mr. Temporary Deputy Speaker, Sir, there is some money that has been allocated to districts.



In the case of Nyandarua District, the money is for roads that are already constructed. If you look at the budget for the Ministry, you will see that the roads that have been allocated money are those that have already been done. I think that is not fair, because we are simply trying to finish things that were started by others. We want deliberate action that will open up districts that have remained underdeveloped for a long time.

Concerning urban areas, Nairobi, where we spend much of our time, has also been forgotten. I reside in Lang'ata Constituency and I want the Minister to address the issue of bad roads there. In Karen, we drive on muddy roads as if we were in the rural areas. I was in Industrial Area the other day. It is here that we have big companies such as Unga Limited and the Kenya Co-operative Creameries (KCC) located, and yet the roads there are very bad. There must be a deliberate policy to ensure that even in the urban areas, roads are properly done.

Mr. Temporary Deputy Speaker, Sir, with those few remarks, I wish to ask the Minister to withdraw the document and if he does not, I will not support this Vote.

**The Assistant Minister for Information and Communications** (Mr. Gumo): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to say something about this Vote.

I agree with most of the hon. Members who have spoken. Having looked at this document, and having seen the way the distribution of money has been done, I can say that it is not right. I think money should be distributed fairly. We can blame the Minister, but in some cases, even in the past, we know that civil servants have always decided which roads are to be done first. It is as if this system has not changed at all, because those in senior positions want to benefit their areas more than others. It is high time we identified such people. They should know that when you are appointed to a certain office, you are not put there to serve your own tribe. You are put there as a Kenyan and you must, therefore, serve all Kenyans and ensure that every part of the country gets its share of national resources.

Mr. Temporary Deputy Speaker, Sir, if you look at this budget, you will realise that in some constituencies, even the smallest unclassified roads will be tarmacked. In fact, even markets are being tarmacked!

**Mr. Arunga:** On a point of order, Mr. Temporary Deputy Speaker, Sir. You have heard the Assistant Minister say that Kshs400 million was allocated to one constituency. Is it in order for him to suggest that, that money was allocated to that constituency because the Permanent Secretary comes from there?

**The Temporary Deputy Speaker** (Mr. Ethuro): Order, Mr. Arunga! That is not a point of order. Let the hon. Member contribute.

**The Assistant Minister for Information and Communications** (Mr. Gumo): Mr. Temporary Deputy Speaker, Sir, if you have read that thing, you can see for yourself. I do not have to mention names, but I know that, that has been happening even before. That is why you find that some areas are more developed than others. The whole of Nairobi has been allocated only Kshs200 million and yet it is the Capital City of Kenya. If you drive around, the number of potholes that are on Nairobi roads require more than Kshs100 billion! Why not even get 2 per cent of Kshs100 billion for Nairobi? That is why it is difficult for me, as a Member of Parliament for Westlands, to stand up here and say that this thing is okay, but when I go back and I am asked why I supported it, I cannot explain. It is high time that before a Budget is brought here, a Budget Committee of this Parliament is given an opportunity to go through it. That way, by the time it comes here, we all know how the money has been distributed. You might attack the Minister, and yet he might not have participated. Maybe, he was just given. You know, civil servants can sit on you and it is possible that they could have done that. You might want a road to be tarmacked, but because you are being fought left, right and centre, *unaangaliwa tu* and nothing happens. So, we have got to be very careful.

Mr. Temporary Deputy Speaker, Sir, the road from Nairobi to Busia through Eldoret, Kericho

and Kisumu is a trunk road. It is terrible. In fact, you are ashamed when you cross the border to the neighbouring country. The road from Nairobi to Namanga-- In fact, you are ashamed the moment you cross the border to Tanzania. Tanzania has the best roads. Do our officers not see that? Are we not embarrassed? Even if we do not have enough money, why do we not, at least, construct one or two roads well, rather than distributing bits of money, and at the end of the day, we have done nothing? It is terrible. Even if you go to South C, in the Minister's Lang'ata Constituency, *hata haiwezi kwenda kwa miguu*. There is a problem! In fact, I sympathise with the Minister.

So, it is high time we considered our priorities. It is high time for the officers that we have put in those positions to realise that they are there for the interests of the people of this country, and not for their own interests. If they do not know why they are there, they should either resign or be sacked. We are not going to be making noise here every day and nothing happens. The roads in this country are a complete embarrassment, I am sorry. The Permanent Secretary in that Ministry is a very good friend of mine, but when things are not good, what do I do? I have to talk about it as a politician because if I do not, I will lose more.

With those few remarks, I support.

**Mr. Muchiri:** On a point of order, Mr. Temporary Deputy Speaker, Sir. Going by the mood of the House, could I propose that we adjourn the debate under the relevant Standing Order?

*(Laughter)*

**Hon. Members:** Which Standing Order?

**Mr. Muchiri:** Standing Order No. 21 (1).

**Mr. H.M. Mohammed:** Mr Temporary Deputy Speaker, Sir, thank you for giving me this opportunity. Let me also join my colleagues in criticising the Vote of this Ministry. I have been listening to the contributions of the hon. Members of this House very carefully. After listening, I have found that this Vote is very unfair. The Vote for the Ministry of Roads and Public Works used to be very unfair to the people of northern Kenya, but now, from the mood of this House, I can see that it is unfair to every constituency in this country.

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

**The Temporary Deputy Speaker** (Mr. Ethuro): Overruled! Proceed, Mr. H. M. Mohammed!

**Mr. H.M. Mohammed:** Thank you, Mr. Temporary Deputy Speaker, Sir. I stand here as a very sad person because I toured my constituency yesterday, and I am very tired. Every part of my body aches. My back, knees, head and eyes ache. My eyes are full of dust.

**Capt. Nakitare:** On a point of order, Mr. Temporary Deputy Speaker, Sir.

**The Temporary Deputy Speaker** (Mr. Ethuro): Order, Captain! Just relax a bit. I will get back to you.

Proceed, Mr. H. M. Mohammed!

**Mr. H.M. Mohammed:** Mr. Temporary Deputy Speaker, Sir, we all know that roads are very important for the development of this country and without a good road network, we cannot achieve any development. If you look at our highways; for example, the Mombasa-Nairobi-Busia one, you will find that it is in a very terrible state. The Nairobi-Mombasa Highway is very narrow, with so many potholes and many trailers. That is why people are killed all the time on this highway.

Mr. Temporary Deputy Speaker, Sir, those of us who have travelled abroad in many countries have seen the type of roads they have. When it comes to highways, they are always dual carriageways, one going the opposite direction. In this country, people use only one narrow road and thus the cause of many accidents. I sympathise with the drivers of this country. I must say that they are very competent. This is because they drive on terrible roads, and yet they transport passengers and goods

safely. In North Eastern Province, there is only a six-kilometre section of tarmac road, yet the region is 126,000 square kilometres. That six-kilometre section of tarmac road was constructed in 1973 by the Kenyatta Government. I cannot understand the reason why the tarmac road was constructed, but I am told that somebody did a good job for the late President. The President was very happy and he asked him: "What can I do for you?" That person told the late President: "Give me a job in Garissa, because I am very sympathetic to the plight of the people of Garissa." He was called S.M Murdin(?). That is why the road was constructed. But after that, nothing has been done.

Last year, His Excellency the President visited North Eastern Province and addressed huge rallies in Garissa, Mandera and Wajir. We were promised that the Garissa-Modogashe-Mandera Road would be tarmacked. The President even asked the Minister to stand up and tell the people when the construction of this road was to commence. The Minister stood in public and said the construction of the road would start on 1st July, 2005. Today is 9th August, 2005, and yet nothing has started. In addition, there are no plans to construct the road. This is a very sad story. Were we cheated in front of the Head of this country? Was it a hoax?

Mr. Temporary Deputy Speaker, Sir, this Vote is bad news because most hon. Members here are complaining. They are against it not because some people hate the Minister--- No! Some of us have no reason to hate anybody, but what we want is justice for our people. We do not see that justice being done.

If the Minister cannot convince this Parliament on what he has presented here, I think he has no business sitting here. He should just go out.

**An hon. Member:** He should resign!

**Mr. H.M. Mohammed:** Mr. Temporary Deputy Speaker, Sir, I am not saying that he should resign, because that is none of my business. I am saying that this Minister has no business staying in this House. He should withdraw from this Chamber using the back door.

With those few remarks, I beg to support.

### POINT OF ORDER

#### ADJOURNMENT OF DEBATE UNDER STANDING ORDER NO.21(1)

**Dr. Khalwale:** On a point of order, Mr. Temporary Deputy Speaker, Sir. I rise under Standing Order No.21(1), which allows an hon. Member who wishes to postpone to some future occasion the further discussion of a question which has been proposed from the Chair, to move that the debate be adjourned. Accordingly, I beg to move:-

THAT, the debate on the Vote of the Ministry of Roads and Public Works - Vote 13, be adjourned, so that the Minister can go and re-look at the allocations he has made to roads in the various districts and bring the revised breakdown to us for approval.

**Hon. Members:** Put the Question! Put the Question!

**The Temporary Deputy Speaker** (Mr. Ethuro): Order! Order, hon. Members! You need to look at the particular Standing Order being invoked by Dr. Khalwale, which is Standing Order No.21(1). I also want you to look at Standing Order No.138(5). Note that we are in the Committee of Supply. I appreciate what Dr. Khalwale has said, which reflects the mood of the House. However, Standing Order No.138(5) is very clear. It reads:-

"On any day upon which the Chairman is under this order directed to put forthwith any questions, the considerations of the business of the Committee of Ways and Means shall not be anticipated by a Motion of the adjournment of the House and no dilatory Motion shall be moved in relation to that business, and the business shall not be

interrupted under any Standing Order."

Therefore, in this case, Standing Order No.21, which in ordinary debate would be relevant, has been rendered irrelevant. We are on an Allotted Day. We need those three hours.

I realise that hon. Members have an interest in this debate. The Minister has read the mood of the House. So, I hope that even though he has the advantage of being protected by the Standing Order, he will do what the mood of the House seems to be dictating.

**Mr. Khamasi:** Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to make a few comments about this Vote. I wanted to echo the same sentiments.

What has happened is absurd, unethical, immoral and obscene. I am sure that the Minister is not party to this. If he was, he would have volunteered to withdraw this Vote to go and re-look at it. Mr. Raila has claimed to be a democrat; a very fair person. Where is equity or fairness in this business? This country belongs to all of us. It does not belong to a clique of few individuals who can sit down round a table and divide amongst themselves Kenyan taxpayers' money. Mr. Raila should, please, think again because he is a statesman. He should withdraw this damn thing so that it can be looked at afresh. This country is ours. It does not belong to a few individuals.

**An hon. Member:** Tell him!

**Mr. Khamasi:** Mr. Temporary Deputy Speaker, Sir, I am very bitter. We cannot allow Kenya's money to be divided amongst a few individuals in a room somewhere. We are not talking about little money.

**Mr. Kajwang:** On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for the hon. Member on the Floor to suggest that the taxpayers' money was divided somewhere in a room, when we know that it was divided in Meru?

*(Laughter)*

### ADJOURNMENT

**The Temporary Deputy Speaker** (Mr. Ethuro): Order! Order, Mr. Kajwang! Your allegation is even worse than Mr. Khamasi's. So, you are both out of order.

Hon. Members, it is now time to interrupt our business. Therefore, the House stands adjourned until tomorrow, Wednesday, 10th August, 2005, at 9.00 a.m.

The House rose at 6.30 p.m.