

NATIONAL ASSEMBLY

OFFICIAL REPORT

Wednesday, 13th April, 2011

The House met at 9.00 a.m.

[Mr. Deputy Speaker in the Chair]

PRAYERS

ORAL ANSWERS TO QUESTIONS

Question No.748

BENEFICIARIES OF OLDER PERSONS PROGRAMME IN GWASSI

Mr. Mbadi asked the Minister for Gender, Children and Social Development:-

(a) whether she could provide a list of the current beneficiaries under the Cash Transfer to Older Persons Programme in Gwassu Constituency;

(b) the number of locations covered by the programme in Gwassu and how they were identified; and,

(c) what criteria were used to identify the beneficiaries and when all the deserving persons will be included in the programme.

The Assistant Minister for Gender, Children and Social Development (Mr. Keya): Mr. Deputy Speaker, Sir, on Wednesday last week I gave an answer to Question No.748 and subsequently there arose points of order and other statements by hon. Members which culminated in the Chair directing that I respond to them today. In this respect I wish to respond as follows.

Regarding the point of order by Dr. Nuh requiring the list of beneficiaries of the programme, I hereby table the following documents: payrolls/list of the beneficiaries in all the 44 districts where the programme is running. The payrolls are in two categories, namely the beneficiaries who were paid through the Postal Corporation of Kenya from July 2010 to October 2010. This system of payment has been operationalized in 35 of the 44 districts covered.

Mr. Deputy Speaker, Sir, in respect of the beneficiaries who were paid through the District Treasury from September 2009 to June 2010 this manual system of payment is still being used to disburse funds in nine of the 44 districts, which are mainly arid or semi-arid areas, or where postal services are not easily accessible.

The payrolls are in very big cartons and I think my officers brought them to the Office of the Clerk of the National Assembly, but the lists are here.

(Mr. Keya laid the documents on the Table)

Mr. Deputy Speaker, Sir, the above information has been summarized in the detailed list of 33,000 beneficiaries by district and constituency, and I also table it.

(Mr. Keya laid the document on the Table)

Mr. Deputy Speaker, Sir, one thing to note is that the process of updating the list is continuous and is done as the returns are received. The list also keeps changing as some beneficiaries exit the programme, mainly due to natural attrition. Where this happens replacements are done with deserving persons from the same or neighbouring locations, districts or constituencies.

Mr. Deputy Speaker, Sir, Mr. Koech had requested that I present a strategic plan showing how my Ministry intends to ensure that the programme is rolled out all over the country to ensure that all deserving citizens of this country benefit from the funds. I hereby table the proposal to upscale the programme for the 2011/2012 to 2013/2014 financial years to cover more districts and constituencies and, therefore, more deserving citizens.

(Mr. Keya laid the document on the Table)

Thirdly, Mr. Wambugu had sought to know the amounts that have been disbursed to date, and approximately how much has been disbursed to Mathioya Constituency. To date Kshs694,260,000 has been disbursed through the programme in the 44 districts covered so far, out of which Kshs1,785,000 has been disbursed to beneficiaries in Mathioya Constituency.

Finally, Mr. Imanyara had sought assurance to the House on the measures my Ministry had put in place to ensure that the programme's money goes to the right people and not to fake people. This, indeed, is a very valid concern and I wish to assure the House that adequate measures have been put in place. This includes the disbursement of funds through the Postal Corporation of Kenya. This process is now operational in 35 out of the 44 pilot program districts and began in July, 2010. Where disbursement is still being made through the district treasuries - that is nine out of the 44 districts - normal Government financial management regulations are adhered to. The beneficiaries are always required to collect the cash themselves upon production of proof of identity. If the money is collected by care givers, the latter are required to be accompanied by the beneficiaries. There is sufficient documentation of the beneficiaries' identity such as retention of copies of identity cards and photographs to ensure that only the intended persons get paid.

Above all, beneficiaries do acknowledge payment by signing the payrolls, whose originals are forwarded to the Ministry Headquarters for verification against existing previous records.

Finally, due to the overwhelming number of questions on this and other programs, I would like to appeal to hon. Members to get in touch with my Ministry whenever they require certain/specific information regarding the various programs.

Thank you, Mr. Deputy Speaker, Sir.

Mr. Mbadi: Mr. Deputy Speaker, Sir, from the answer the Assistant Minister has given today and from the volume of documents, you will realise that it is very hard to prove the additional information. However, I intend to ask the Assistant Minister questions on issues that can be addressed on the spot. My main reason for raising this issue is because, as the Assistant Minister has rightly put it, in my constituency, only one location, Kaksingiri West is covered. It has a poverty level of 72 per cent, which is very high.

However, you will realise that the poverty level is almost the same in the neighbouring location to Kaksingiri West and the entire Gwassu Constituency. Our Constitution makes it illegal to discriminate against some citizens and favour others. Even as I appreciate the support that you have given to the elderly in Kaksingiri West Location, when will the Ministry consider all the deserving cases, not only in my constituency, but even in the entire country, because it is now a constitutional requirement? Article 57 of the Constitution says:-

“The State shall take measures to ensure that the rights of older persons-
(d) to receive reasonable care and assistance from their family and the State.”

So, the Constitution places the responsibility of caring for the elderly not only on the family but also on the State. When will the State make sure that all the elderly who deserve to be given cash transfer are given this money without delay?

Mr. Keya: Thank you, Mr. Deputy Speaker, Sir. The Constitution was promulgated last year in August. The provision of caring for the elderly is compulsory. However, the Government and the Ministry have been very sensitive to the plight of its poor people and we started this program early. However, as I have told you, money is the biggest problem. As soon as we get the money, we should be able to consider every district and every person who deserves it in the country.

Mr. Mbadi: On a point of order, Mr. Deputy Speaker, Sir. If the hon. Assistant Minister listened to my Question, he will find that it was very specific and straight forward. He should have told us when they plan to implement this. The Assistant Minister should not just generalize that by saying “when they get money”. Which money is that? The Assistant Minister should have told us that their projected budget is this much, they anticipate to get this amount of money from the Treasury and they expect to roll out this program by this particular time. The Assistant Minister should not just generalize by saying that there is no money, and that they will do that when they get money. When will the Ministry get the money?

Mr. Keya: Thank you very much, Mr. Deputy Speaker, Sir. I think I have addressed that issue in one of the documents that I have given the hon. Member. At least, we have projected the money progressively. We have indicated how much money we need in the 2011/2012 Financial Year. I have given that document to the hon. Member and he should be able to look at it.

Mr. Outa: Mr. Deputy Speaker, Sir, I appreciate the list given by the Assistant Minister which contains the beneficiaries from my constituency. It says that 758 people have received money. I have many problems in my constituency. People ask me where the money for older persons is. This is the case and yet in this list we have been given this morning 758 persons have received the money in my constituency. This could have

created an impact. Is the Assistant Minister sure that he has given 758 elderly persons in my constituency this money because I have this list here?

Mr. Keya: Mr. Deputy Speaker, Sir, if the hon. Member has any problem, he can go through that list and verify with the people on the ground. He can find out whether they have been paid or not. According to the information I have from the ground, those are the beneficiaries of that programme.

Mr. Wambugu: Mr. Deputy Speaker, Sir, I thank the Assistant Minister for the statement he has given. I have also received the list of the beneficiaries of the old persons from Mathioya. The list is actually very disappointing because Nyando has got 758 beneficiaries while Mathioya has only 85 persons. This is the case and yet we have over 10,000 old persons in Mathioya who are very needy. What criterion was used to allocate these funds to different constituencies? Why does the Assistant Minister not want to indicate the amount of money that has been disbursed to the people on this list?

Mr. Keya: Mr. Deputy Speaker, Sir, the amount of money, as I have said is a flat figure of Kshs1, 500 per person who is benefitting. Mathioya Constituency falls under the former Murang'a North District, where 817 people are beneficiaries. Kangema has 100 beneficiaries; Kiharu - 632 and Mathioya - 85. This programme was rolled out to the districts but with time we will roll it out to every constituency or person rather than to the districts. However, the hon. Member should appreciate that this was a pilot project and this is how it has been implemented.

Thank you, Mr. Deputy Speaker, Sir.

Mr. Deputy Speaker: Mr. Assistant Minister, the hon. Member has asked you about the criteria used. Could you answer that?

Mr. Keya: Mr. Deputy Speaker, Sir, I think I had talked about the criteria. When I gave my answer last time, I talked of eligibility criteria. I said the cash transfer targets ultra poor households with characteristics which include poor nutrition, poor health and low income among others. The four main aspects of the criteria for selecting beneficiaries are households with an older person of 65 years and above; extremely poor households and households not enrolled in any other regular cash transfer program. The identified older person must not be receiving any kind of pension.

Mr. Warugongo: Mr. Deputy Speaker, Sir, I would like to know from the Assistant Minister whether Kieni East and Kieni West districts are some of the districts that will benefit from this programme. If not, why?

Mr. Keya: Mr. Deputy Speaker, Sir, yes, when the programme is fully rolled out, both Kieni West and East districts will benefit.

Mr. Olago: Mr. Deputy Speaker, Sir, the way the programme was rolled out has been causing problems to Members of Parliament. Senior citizens in Kisumu Rural and Nyando districts have been identified and they are benefiting from this programme. However, in my constituency, nobody is benefiting from it. I feel encouraged when the Assistant Minister says that in the Financial Year 2012/2013, they will roll out the programme to more districts. Could he kindly confirm, therefore, that Kisumu North and Kisumu East districts will also benefit from this programme?

Mr. Keya: Mr. Deputy Speaker, Sir, we will consider both Kisumu West and Kisumu Rural districts in the next roll up.

Mr. Mbadi: Mr. Deputy Speaker, Sir, a pilot project does not go on forever. There must be a time, when either it is discontinued, implemented or rolled out.

Mr. Deputy Speaker, Sir, over 500,000 people are likely to benefit from this programme. This translates to cash transfer of about Kshs9 billion per year. Could the Assistant Minister ask the Government to allocate Kshs9 billion to his Ministry, so that he can roll out this programme in the entire country? We want to see all senior citizens in this country benefiting from this programme.

Mr. Keya: Mr. Deputy Speaker, Sir, I confirm that as we have started progressing, we will be able to ask the Government in the next future Budgets to make sure that all senior citizens are included in this programme.

Mr. Deputy Speaker: Question No. 661, hon. Sheikh Dor.

Question No.661

NON-PAYMENT OF SALARIES TO EMPLOYEES
OF M/S EASTERN INDUSTRIAL WORKS LIMITED

We will come back to that Question later on. Let us move on to the next Question No.657 by hon. K. Kilonzo!

Question No.657

TARMACKING OF ROADS IN ENVIRONS
OF KITUI TOWN

Mr. K. Kilonzo asked the Minister for Roads:-

(a) whether he is aware that all the roads surrounding Kitui Town are not tarmacked, and,

(b) whether he could consider tarmacking the roads from the town for at least five kilometres, particularly the roads leading to Kyangwithia Secondary School, Tungutu, Wikililye, Kwa Ngindu and Mutune.

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

(a) It is not the case that all roads surrounding Kitui Town are not tarmacked. Indeed, we have Kitui- Kangonde Road that is tarmacked and Machakos-Kitui Road that is also tarmacked

(b) Currently, B7 linking Kitui Town to Thika-Garissa Road is also tarmacked. Similarly, the Road C97 linking Kitui Town to Machakos Town is also tarmacked. My Ministry is now prioritizing the Road B7 from Kibwezi to Kitui to Usueni for upgrading to bitumen standards.

Following completion of the design, we are in the process of seeking financial assistance to finalize the projects. Nevertheless, we will continue to maintain all other roads in the area to motorable conditions.

Mr. K. Kilonzo: Mr. Deputy Speaker, Sir, as you must have noticed, the Assistant Minister is answering a totally different Question from the one I have asked.

My Question is very clear; roads surrounding Kitui Town. I became very specific. Part (b) of my Question asks: Could he consider tarmacking the roads from the town for at least five kilometres radius? Now he is talking about a road from Thika to Kitui Town,

from Machakos Town to Kitui Town and another one from Kibwezi to Kitui Town. Those are not the roads I am interested in. I am confining myself to Kitui Municipality. Could he answer the Question and come up with specific answers on the amounts he has set aside? I am talking about---

Mr. Deputy Speaker: Order, you have made your point. Ask one question at a time.

Hon. Assistant Minister, are you sure you are answering the right Question? The Chair is not of that opinion. But nonetheless, proceed and prove that.

Mr. Kinyanjui: Mr. Deputy Speaker, Sir, indeed, I understand the Question. It was about the five kilometre radius. However, the roads I have mentioned come all the way up to Kitui Town. So, although they come from far, they come all the way up to Kitui Town. We have not been able to make any specific allocation for the tarmacking of the roads as requested by the Member of Parliament. However, we undertake to allocate such funds, when they are available, for the repair of those roads. In the meantime, we have been able to allocate some funds for the repair and maintenance of roads within Kitui, for example, Kitui – Kyangwithya Secondary School Road, that is B735, has been allocated a total of Kshs780,000 in this financial year. The Kitui-Tungutu Road has been allocated Kshs645,000 for maintenance as we wait for the full tarmacking.

Mr. K. Kilonzo: Mr. Deputy Speaker, Sir, I wish I could speak his mother tongue. I would have explained, what this Question is asking, because it is in English. But nevertheless, I hope there is somebody who can explain to him in his mother tongue. Unfortunately, there is none sitting next to him.

Mr. Deputy Speaker, Sir, the question is very simple. It is about tarmacking the roads within Kitui Town, not outside Kitui Town. What you are giving us here, we are aware. You have answered that before. So, I do not know which part of the Question you do not understand.

Mr. Kinyanjui: Mr. Deputy Speaker, Sir, that is not a question. I do not need interpretation. I did not get the question.

Mr. K. Kilonzo: On a point of order, Mr. Deputy Speaker, Sir. I was avoiding standing on a point of order. My question is very simple. Is the Assistant Minister in order avoid answering the Question, which I have just basically explained to him?

Mr. Kinyanjui: Mr. Deputy Speaker, Sir, I have indicated that we have no allocation for this particular road within the five kilometres radius as of now. However, we shall prioritize it, in the coming financial year.

Mr. Deputy Speaker: Now, I think you are answering the question.

Mr. Kabogo: Mr. Temporary Deputy Speaker, Sir, a while ago, I asked the Assistant Minister, what an MP needs to do to get roads done in his constituency. I asked that because, since Independence, not one road has been tarmacked in Juja Constituency.

Mr. Deputy Speaker, Sir, the Assistant Minister said then---

Mr. Deputy Speaker: Order, Order! Hon. Kabogo, you do not hijack the question by the hon. K. Kilonzo.

The issue is not about Juja. The issue today is Kitui town. The only way you can rise on a point of order or ask a supplementary question is on a policy matter. If you want to ask a Question on Juja, you are at liberty to do that. Ask that Question on Juja in your own time, and you will get the answer.

Mr. Kabogo: Mr. Deputy Speaker, Sir, I was building on a policy matter.

Mr. Deputy Speaker: It is Question Time, it is not---

Mr. Kabogo: Mr. Deputy Speaker, Sir, I am asking the Assistant Minister: What is the policy of doing roads in constituencies? This Question is about Kitui Town. What is the policy for Thika and other towns?

Mr. Kinyanjui: Mr. Deputy Speaker, Sir, I am surprised the hon. Member who comes from Thika Town, which is actually the beneficiary of one of the biggest infrastructure projects in East and Central Africa can claim that we have not done anything within the constituency.

However, as I have said before, we are coming up with the road investment plans that will inform all other future developments in the roads sector in the next five years.

Mr. I. Muoki: Mr. Deputy Speaker, Sir, I come from this county. Indeed, this is the headquarters of this county. I can confirm that in the last ten years or more, there have been no activities in terms of tarmacking roads in this town. Could the Assistant Minister undertake to allocate money to do roads in the Municipality of Kitui?

Mr. Deputy Speaker: The Assistant Minister has already given an answer on that. He said that the Ministry intends to provide for that in the next financial year. Is that not so, Mr. Kinyanjui?

Mr. Kinyanjui: It is so, Mr. Deputy Speaker, Sir.

Mr. K. Kilonzo: Mr. Deputy Speaker, Sir, this answer is unsatisfactory because the Assistant Minister has not addressed the specifics about this road. He said that he has already allocated Kshs789, 000 on the surrounding roads. He then turned around and said that he has not allocated money to any roads. Roads in Kenya must be allocated money in equal terms. Could I be in order to ask you to ask the Assistant Minister to go and come back with a specific answer so that the people of Kitui and Kenya can know what the Ministry is doing? This answer is at most vague!

Mr. Deputy Speaker: Mr. Kinyanjui, did you, indeed, confirm that the roads surrounding Kitui Town are not tarmacked? It is either yes that you confirm or you are not aware about that.

Mr. Kinyanjui: Mr. Deputy Speaker, Sir, I have indicated that it is true that some roads are not tarmacked. However, as we seek for funds to tarmac these roads, they must be maintained to a motorable state. I indicated the amount of money that we have been able to allocate this financial year to ensure that even as we wait for a long-term solution, we are able to use these roads on a day-to-day basis.

Mr. K. Kilonzo: On a point of order, Mr. Deputy Speaker, Sir. We are not going to allow this Assistant Minister to get away with answers like that. He has talked about, "some roads surrounding Kitui". Could he be specific? Is he in order to mislead this House that some roads have been tarmacked? Could he tell this House which are those roads surrounding Kitui Town that have been tarmacked? If he does not know them, he must go and come back with a proper answer. This is the headquarters of Kitui County!

Mr. Deputy Speaker: Mr. Kinyanjui, the Standing Orders provide that Ministers must answer Questions as they are asked. The Question asked: "Is the Minister aware that all the roads surrounding Kitui Town are not tarmacked?" You either say: "I am not aware", or "Yes, I am aware all those roads are not tarmacked". Do not go into a wide look that essentially does not give us a specific answer. Give us a specific answer!

Mr. Kinyanjui: Mr. Deputy Speaker, Sir, for the benefit of hon. Members, in part (a) of my answer I said: "It is not the case that all roads surrounding Kitui Town are not

tarmacked.” In part (b) of my answer, I enumerated some of the roads that are tarmacked. Although they come from far, they go all the way to Kitui Town.

I also agreed that there are very important roads within the five-kilometer radius that the hon. Member talked about. However, I said that we have not made any specific allocation of money to tarmac the roads. If I was the hon. Member, I would be asking for a commitment in that direction. We also work on a budget and until we have sufficient funds to tarmac all those roads, it will be impossible for me to give a commitment that will not materialize.

Mr. K. Kilonzo: On a point of order, Mr. Deputy Speaker, Sir. In view of the answer from the Assistant Minister, would I be in order to request that this Question be deferred so that the Assistant Minister can come up with specifics?

Mr. Deputy Speaker: Order! Are you saying that the Assistant Minister is misleading the House?

Mr. K. Kilonzo: Yes, Mr. Deputy Speaker, Sir.

Mr. Deputy Speaker: Do you have proof? Can you substantiate that?

Mr. K. Kilonzo: Yes, Mr. Deputy Speaker, Sir.

Mr. Deputy Speaker: Proceed!

Mr. K. Kilonzo: Mr. Deputy Speaker, Sir, the Assistant Minister has said that some of the roads surrounding Kitui Town are tarmacked. Allow me to enumerate the roads surrounding Kitui Town: There is a road from Kyuluni where I reside, there is a road from Tungutu where hon. Ngilu resides and these roads are within the five-kilometer radius. The other one which is not tarmacked is from Kitui Secondary School where the Vice-President and Minister for Home Affairs went to school. The next one is from Kalawa and the list is endless. Which roads is he saying have been tarmacked?

That is why I am asking whether it would be in order for me to request that he goes back to do proper homework.

Mr. Deputy Speaker: Mr. Kinyanjui, you need to verify your answer. Have you said that you are not aware?

Mr. Kinyanjui: Mr. Deputy Speaker, Sir, I think the hon. Members wants me to visit his place and I will be glad to do that. Nevertheless, I stand by what I have already stated here.

Mr. Deputy Speaker: Under the circumstances, the Chair is equally of the opinion that the answer you have given is not satisfactory. If anything, you are not sure of it yourself because you keep on moving from one position to another.

It is the Chair’s direction that you go ahead and confirm your facts. This Question should be listed on the Order Paper of Wednesday next week. Please, come with a satisfactory answer.

(Question deferred)

Question No.786

UPGRADING OF BUKUGA-MAGADA/
MBALE-MAGADA ROADS

Mr. Chanzu asked the Minister for Roads when he will implement the commitment made in the year 2008 to upgrade Bukuga–Magada and Mbale–Magada roads in Vihiga Constituency to bitumen standards.

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

I am not aware of any commitment made in 2008 to upgrade the above-mentioned roads to bitumen standards. The roads mentioned fall under the responsibility of the Constituency Roads Committee and funds are sent there every year under the purview of the Member of Parliament to ensure that the roads are maintained. Nevertheless, my Ministry has reviewed the classification of roads under the Roads Sector Investment Programme that will be used to identify priorities for the purpose of maintenance and upgrading of these roads.

Mr. Chanzu: Mr. Deputy Speaker, Sir, I would like to thank the Assistant Minister for the answer. However, he has denied the commitment that was made. There is a letter here which was written by the Permanent Secretary, Ministry of Roads, Eng. Kamau, dated 18th September, 2008. The last paragraph of this letter reads thus:-

“The Ministry will consider the same for upgrading under the Roads Sector Investment Programme which is currently being prepared.”

That was two years ago and that is why I raised the issue.

Mr. Deputy Speaker: Could you, please, table the letter?

(Mr. Chanzu laid the document on the Table)

Mr. Chanzu: Mr. Deputy Speaker, Sir, the answer the Assistant Minister has given is not right. Could he, please, respond to that letter?

Mr. Kinyanjui: Mr. Deputy Speaker, Sir, I want to agree with the hon. Member that my Ministry, through the Permanent Secretary, wrote a letter on 18th September, 2008 addressed to the hon. Member. With your permission, I wish to read it out as follows:-

“I refer to your letter dated 7th August, 2008 on the above subject matter.

The upgrading of roads as mentioned in your letter, that is, Mbale – Magada and Bukuga – Magada roads are fully under the purview of the District Roads Committee for maintenance. The Ministry has no funds to prioritize the same for maintenance and development under the Treasury development ceilings of this financial year 2008/2009.”

The last paragraph which the hon. Member has quoted reads as follows:-

“However, the Ministry will consider the same for upgrading under the Roads Sector Investment Project which is currently being prepared.”

Mr. Deputy Speaker, Sir, we have just concluded the Roads Sector Investment Programme and as soon as it is ready, we will table it before this House. Clearly, there was no firm commitment to fund these roads.

Mr. Deputy Speaker: The last paragraph, as framed by the Permanent Secretary, says:-

“However, the Ministry will consider the same for upgrading under the Roads Sector Improvement Project which is currently being prepared.”

So, you cannot say that there is no commitment. This, indeed, is a commitment. You only need to tell us the time frame for the Roads Sector Improvement Project. There

is no definite time that has been given by the PS. However, you cannot tell us that there is no commitment. Mr. Assistant Minister, please, proceed!

Mr. Kinyanjui: Mr. Deputy Speaker, Sir, the commitment was not specific to the 2008/2009 Financial Year. However, as I have indicated, that particular project is ready. We will table it before this House for hon. Members to give their input. That is the project that will inform all the future developments as opposed to the previous times when we had a very haphazard way of determining which road to invest in or to upgrade. I would like to take this opportunity to request hon. Members that, once we lay the Report on the Table, they are requested to bring their input. That is what is going to guide us.

Mr. Deputy Speaker: So, are you confirming that under that project, that road has been considered?

Mr. Kinyanjui: Mr. Deputy Speaker, Sir, that is the criteria we have given in that particular project. We have not named which roads will be considered in particular. However, we will share that with hon. Members at the opportune moment.

Mr. Mbadi: Mr. Deputy Speaker, Sir, many times, when Ministries are asked questions on policy issues, they repeatedly tell this House about the programmes that they have and when they intend to table them. Could the Assistant Minister make a firm commitment on when that Roads Sector Investment Programme will be tabled in this House? Otherwise, next year, a similar Question will be asked and he will repeat the same answer.

Mr. Deputy Speaker: When will that be done?

Mr. Kinyanjui: Mr. Deputy Speaker, Sir, I will undertake to do that in the next 30 days.

Mr. Deputy Speaker: Fair enough! Mr. Chanzu, ask your last supplementary question on the same.

Mr. Chanzu: Mr. Deputy Speaker, Sir, I brought up this issue because of the importance of those roads. Therefore, I would like a commitment from the Assistant Minister. He should not take up this matter, generalize and make it become part of the policy issues which take long to be addressed. Could he be specific on this one and tell me whether it will be factored in the budget this year? The roads mentioned here are very important.

Mr. Kinyanjui: Mr. Deputy Speaker, Sir, all that I can assure the hon. Member is that, indeed, the roads in question are within our priority listing. However, as you may be aware, we normally forward our proposals to the Treasury. Upon reviews of what amounts will be available for the next budget, they are able to give us a particular ceiling. I can assure the hon. Member that we will, indeed, try to prioritize and also ask the support of hon. Members in this House. For the construction of all those roads to materialize, the Ministry will require a bigger budget.

Question No.691

NON-IMPLEMENTATION OF EMALI
TOWNSHIP WATER PROJECT

Mr. Kiilu asked the Minister for Water and Irrigation:-

(a) the reasons for the non-implementation of the Emali Township Water Project and when the works will resume; and,

(b) whether she could disclose the identity of the contractor, scope of works undertaken and amount of money paid to date.

The Minister for Water and Irrigation (Mrs. Ngilu): Mr. Deputy Speaker, Sir, I beg to reply.

(a) The implementation of Emali Water Township Water Project slowed down due to delayed release of funds. I can assure the hon. Member that the project will be completed before the end of this month. That is because people are already on the ground.

(b) The name of the main contractor is General Industries. The project is intended to connect water from Nol Turesh Reserve Tank near Sultan Hamud with Emali Town, a distance of eight kilometers. The scope of works comprise of bush clearing of pipeline route, excavation of trench, provision and laying of six-inch diameter pipe intake for the eight kilometers, testing of the pipeline, construction of the four water kiosks and laying of four kilometers distribution of three-inch UPVC pipes network. So far, no payments have been made, although the works are about to be completed.

Mr. Kiilu: Mr. Deputy Speaker, Sir, I would like to thank the Minister for the answer. I would like to ask the Minister whether she could consider building a reservoir tank in the township in addition to the four kiosks, so that there will be continuous water flow in the busy township.

Mrs. Ngilu: Mr. Deputy Speaker, Sir, when we decided to use some little resources to ensure that Emali Town residents get water, we were aware that we could put more water points in the whole area stretching from Nol Turesh. However, that requires a lot of money. It requires more money than we have. Therefore, we are trying to talk to donors to see how much more money they can give us. I am told we require about Kshs1 billion to ensure that all the towns along Mombasa Road get water up to Mavoko Town. Those plans are in the pipeline.

Mr. Deputy Speaker: Mr. Peter Kiilu, ask your last supplementary question on the same.

Mr. Kiilu: Mr. Deputy Speaker, Sir, I am satisfied.

Mr. Deputy Speaker: Fair enough! Let us move on to Question No.788 by hon. Chachu Ganya.

Question No.788

RENOVATION OF ILLERET/SABAREK
POLICE POSTS IN NORTH HERR

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

(a) whether he is aware that Illeret Police Post and Sabarek Police Post in North Horr District are in deplorable condition and the officers working in those posts lack office and residential accommodation; and,

(b) when the Government will renovate the structures at those police posts.

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

(a) I am aware that Illeret and Sabarek police posts in North Horr District are in a deplorable condition and the officers working in those posts lack office and residential accommodation.

(b) Owing to the current state of disrepair in the two police posts, the Ministry has already requested an allocation of Kshs4,132,900 in the coming financial year which, if granted, will be used to rehabilitate the buildings in the two posts. Further, as a long term strategy, there are plans to put up modern station buildings and housing units at both police posts.

Mr. Chachu: Mr. Deputy Speaker, Sir, our men in uniform, those serving in Sabarek, Illeret, Guru, Daraja and other areas are serving this nation in a very hostile environment. There are no people guarding the Kenya-Ethiopia boundary. The least we expect from our Government is to provide them with a decent environment to live in. I am glad that the Assistant Minister has promised to do something. But that has been going on for too long. For over five years, those men and women in uniform have been living in houses with no roofs and windows and yet, they are safeguarding our international borders. You know the kind of massacres we have experienced in those areas for very long. Could the Assistant Minister commit himself and say that those projects will be undertaken within a certain time frame so that we can encourage our men and women in uniform who are working there every day and night to save our lives?

Mr. Ojode: Mr. Deputy Speaker, Sir, indeed, it is true that the houses are in a deplorable condition. You will also agree with me that in 2006, I allocated Kshs500,000 for repairs. As if that was not enough, in 2007, I allocated Kshs800,000 for repairs. In the other year, 2009, I also gave an allocation of Kshs500,000 for repair purposes. We are running away from the repairs because it is becoming an expensive venture. We want to do a fresh infrastructure by allocating Kshs4.2 million. He should thank me for pushing for Kshs4.2 million so that my officers live in good housing units.

(Mr. Chachu stood up in his place)

Mr. Ojode: What is your point of order?

Mr. Deputy Speaker: Order, Mr. Assistant Minister.

Mr. Chachu: On a point of order, Mr. Deputy Speaker, Sir. Is the Assistant Minister in order to ask me to thank him for doing his job; a job that he is employed to do?

Mr. Deputy Speaker: Mr. Assistant Minister, do you, indeed, know where the two police posts are in North Horr, and what the distance from here is?

Mr. Ojode: Mr. Deputy Speaker, Sir, they are far apart. I agree with---

Mr. Deputy Speaker: How far are they from Nairobi?

Mr. Ojode: Mr. Deputy Speaker, Sir, I would not know the exact mileage, but I know for sure that they are apart. That is why I am allocating that amount of money – in order for us to have habitable housing units.

Mr. Ethuro: On a point of order, Mr. Deputy Speaker, Sir. Is it in order for the Assistant Minister to confirm to this House that he is allocating Kshs4.2 million when his written answer talks of Kshs4.1 million? How does he round up figures? Does he know

the distance between Ileret and Sabarek Police Post? Ileret Police Post is just across lower Ariawak in my county. How many kilometres are there between the two posts? If he does not have that basic understanding of the area, how will he continue rehabilitating buildings at those posts?

Mr. Ojode: Mr. Deputy Speaker, Sir, the distance does not matter. The problem is the deplorable conditions in which the officers out there are living. As I have mentioned, I have been giving out some money for rehabilitation purposes.

Ms. Karua: On a point of order, Mr. Deputy Speaker, Sir. I want the Assistant Minister to know that there is a distance of over 200 kilometres between the two police posts. In every financial year, including the current financial year, he has been allocating money for building of brand new police posts elsewhere. Is it in order for him to say that he can only give Kshs4.2 million when this is a very needy area with rampant insecurity problems, because some of the police posts are border posts? Is it in order for him to fail to provide for those particular police posts?

Mr. Deputy Speaker: Assistant Minister, just for your benefit, do you know how much it costs to send a truck from Nairobi to that place with hardware?

Mr. Ojode: Mr. Deputy Speaker, Sir, I did say here that it is quite expensive because the place is expansive. You know very well that I have been asking Treasury to give us money to no avail. We have never succeeded. However, this time round, they have accepted---

Mr. Shakeel: On a point of order, Mr. Deputy Speaker, Sir. Every time we ask the Assistant Minister a question, he says that they are asking Treasury to provide them with funds, but he does not make it clear whether they have ever budgeted for that money. The Treasury does not give you money unless you have budgeted for it. It appears that you have never budgeted for the money, but you always go and ask for it, and you will never get it. The answer is not satisfactory. Is he in order?

Mr. Ojode: Mr. Deputy Speaker, Sir, my job is to ask for money from the Treasury, just as any other department of the Government of Kenya does. You are aware that we had asked for Kshs81 billion for police reforms. This sum includes monies intended for provision of good housing for police officers. We have tried. Previously, police officers were living in dungeons. We have now managed to come up with good housing in Kakamega, Kisumu and Nairobi, and we continue to work towards providing good housing for police officers.

Mr. Ethuro: On a point of order, Mr. Deputy Speaker, Sir. The Assistant Minister is not taking this Question seriously. We are talking about the larger Marsabit District, where some Members of Parliament lost their lives while on a peace mission. We are talking about the border of Kenya with Ethiopia, where the Dasenech provide security throughout the year. Is he in order to divert the attention of the House from this Question by citing other places we may have no problem with? Firstly, he is not giving the correct figure. He is talking of Kshs4.2 million, whereas his written answer talks of Kshs4.1 million. He should remember that he is responsible for the accuracy of the information that he gives to this House. Secondly, he does not know the distances involved. He does not even care whether he knows this country or not, yet he is responsible for security. Is he competent enough to provide security to this country? May I call upon the Chair to rule that the Assistant Minister is grossly disorderly?

Mr. Deputy Speaker: The Chair is not ignorant of the history of that place. There is the assumption that, indeed, the Assistant Minister is also not ignorant of the history of that place. So, proceed and answer the question, Assistant Minister.

Mr. Ojode: Mr. Deputy Speaker, Sir, we are giving money to the two police posts in order for my officers to have good residential housing and office blocks. The distance does not matter in this particular case, because once I get a good sum of money, we are going to put up the necessary infrastructure within those police posts. In the first instance, we are providing Kshs4.1 million for the rehabilitation of the police posts. If I get more money in the next financial year, I will pump in more money in order to complete the construction of the infrastructure. That is a plus for my officers.

Mrs. Noor: Mr. Deputy Speaker, Sir, you have heard the Assistant Minister say that he does not know the distance between those two police posts. You know that we have passed a Motion for rotational sitting of this House, so that hon. Members can have a chance to see the challenges that people are facing out there and understand this country properly. Would I be in order to ask that this House implements that Motion, so that this Assistant Minister can know where North Horr is, and get to understand the challenges that the people of North Horr are facing?

Mr. Ojode: Mr. Deputy Speaker, Sir, fortunately, I have been to North Horr with my Minister. I know the terrain of that area and that is why I am saying that we are going to build infrastructure within those police posts. If anybody invites me to go there by road, I have no choice. I will go there by road.

Mr. Chachu: On a point of order, Mr. Deputy Speaker, Sir. It is true that the Assistant Minister has been to North Horr, but he only went there when seven Kenyans lost their lives at that border point. That experience should have motivated him to do something about North Horr, and particularly at those border posts. That is why it is very important for him to act.

Mr. Deputy Speaker: Mr. Chachu, the Assistant Minister is saying that you have not invited him to go there by road. Are you inviting him to go there by road with you?

Mr. Chachu: Mr. Deputy Speaker, Sir, I would rather invite the Departmental Committee on Administration and National Security to go there and see what those Kenyans in uniform are doing, and the kind of services they are providing to the citizens.

Mr. Deputy Speaker: Order, hon. Chachu! Here is the Assistant Minister, who is in the Executive Arm of the Government of this country, and who has the authority to allocate money and spend it. He is asking you to invite him, so that you can go there together by road and appreciate the terrain. Do you have a problem with that request?

Mr. Chachu: Mr. Deputy Speaker, Sir, thank you for your guidance. I want to invite the Assistant Minister as well as this House's Departmental Committee on Administration and National Security.

Mr. Deputy Speaker: Fair enough; Assistant Minister, confirm!

Mr. Ojode: Mr. Deputy Speaker, Sir, I would want to confirm that I will accompany hon. Chachu Ganya to North Horr by road or by any other means.

Mr. Deputy Speaker: Fair enough! Under the circumstances, the Chair is of the opinion that this Question should be deferred to another date to allow the Assistant Minister to acquaint himself with more facts than he already has, including with the terrain of North Horr.

Mr. Ojode: Mr. Deputy Speaker, Sir, I have already exhaustively answered the Question. Not having seen the place does not bar us from implementing what we have already planned. A sum of Kshs4.1 million is going to be given to those particular police posts. The Minister of State for Provincial Administration and Internal Security will be on site to see what is happening in that particular place. So, there is no need of deferring the Question.

Mr. Deputy Speaker: What is your reaction, Mr. Chachu? I think the Question has been---

Mr. Ethuro: On a point of order, Mr. Deputy Speaker, Sir. I want to appreciate the Assistant Minister for answering the Question under duress. However, I just want him to extend his knowledge beyond North Horr. I can provide him with a boat to go across Lake Turkana, so that he can also visit the other county, which is also wanting in terms of police stations, staffing and police vehicles. Could he confirm that he will extend his visit to the county of Turkana?

Mr. Deputy Speaker: Mr. Ethuro, the Question is on North Horr! Do not hijack Mr. Chachu's Question. Mr. Chachu, I hope you are satisfied with the answer.

Mr. Chachu: Mr. Deputy Speaker, Sir, I appreciate the Assistant Minister's response. He has said that he has allocated Kshs4.2 million, at least, to start off the rehabilitation of this infrastructure. I am talking about our men and women in uniform, policemen, who are living in houses with no windows or roofs. That is the reality at Illeret and Sabarek. How soon can this be implemented, so that these officers can live in decent conditions as they give a very patriotic service to this nation?

Mr. Ojode: Mr. Deputy Speaker, Sir, I have mentioned here that we have requested the Treasury to give us this money in the next financial year, which is starting from 1st July. In the meantime, I will try and get some money although we had given some funds for rehabilitation purposes. In 2007, we gave about Kshs500,000. If I get some funds from any savings, I will also allocate some money for the work to continue.

Mr. Deputy Speaker: Fair enough! Next Question! Question No.801 by Hon. Shakeel!

Question No.801

PAYMENT OF DUES TO 2009 POPULATION CENSUS WORKERS

Mr. Shakeel asked the Minister of State for Planning, National Development and Vision 2030:-

(a) whether all the people who participated in the 2009 population census exercise have been paid their dues and, if not, what the reasons for the delay are; and,

(b) when the Ministry will pay the elders recruited from Chiga and Kolwa East Locations in Kisumu Town East Constituency to assist in the exercise.

The Minister of State for Planning, National Development and Vision 2030 (Mr. Oparanya): Mr. Deputy Speaker, Sir, I beg to reply.

(a) I would like to point out that the Ministry has so far paid all the personnel who participated in the 2009 Population and Housing Census whose requisite details have

been verified. A few of the enumerators personnel and the elders may, however, be pending due to various reasons including incomplete personal details which include incomplete and inconsistent details on names and identity card numbers. The other problem is lack of bank account details to facilitate direct payment through electronic transfers. There is need for verification to ensure only genuine enumerators personnel are paid and to eliminate double fraudulent payments. We have cases of some names appearing in more than one category, for example, as both supervisors and enumerators.

(b) The Kisumu Town East Constituency had a total of 1,175 elders who participated in the 2009 Population and Housing Census. A total of Kshs1,816,000 was remitted to the Kisumu East District Census Account on 9th November, 2009, for payment of allowances to 11,035 elders who had their personal details including ID numbers correctly indicated. A list of 40 elders and later another one of 37 elders who had their ID details missing were returned to the District Census Committee for verification before re-submission. I am glad to report that the corrections for the said 40 plus 37 elders have now been made to facilitate completion of the payment process. The money for these elders has already been sent to the Kenya National Bureau of Statistics office in Kisumu for disbursement. I have a full list showing that all the elders have now been paid.

(Mr. Oparanya laid the document on the Table)

Mr. Shakeel: Mr. Deputy Speaker, Sir, I want to thank the Minister for the answer. However, I would like to inform him that many of the elderly people do not have bank accounts. It is only about Kshs1,500 per person. Could he waive the requirement to pay them through the electronic transfer system and ensure that the *wazee* and the other census staff are paid in cash?

Mr. Oparanya: Mr. Deputy Speaker, Sir, the figure was Kshs1,600, which was paid to the elders. The issue of bank accounts was not applicable for the elders. It was applicable for the enumerators and supervisors. The elders had the option of having bank accounts or being paid in cash.

Mr. Deputy Speaker: Hon. Shakeel, the last supplementary question on the same!

Mr. Ethuro: On a point of order, Mr. Deputy Speaker, Sir. Part “a” of the Question is asking whether all the people who participated in the census were paid countrywide. So, you have to allow us to ask more questions. I have a letter here where the District Commissioner, Turkana, wrote to the Director General, Kenya National Bureau of Statistics on 31st August, giving all the details that the Minister purports to have been missing about the people who were not paid. I also wrote a follow up letter to the Minister on 1st November, which I will lay on the table, highlighting the names of the people who have not been paid for participating in the census exercise from Turkana.

When is the Minister going to pay each and every person who participated in this national exercise? From 2009 to 2011, the Government cannot purport to still be looking for particulars of these people. Surely, there is something wrong about efficiency in the Government. What rationale did he use to pay the senior supervisors and not the elders first?

Mr. Oparanya: Mr. Deputy Speaker, Sir, as I have pointed out, all the personnel on whom we had full details, have been fully paid. I have clearly said that we had a problem in the recruitment process. I admit that. There was some duplication during recruitment. During the recruitment, details to do with bank accounts and ID numbers were not taken in some areas. That created a problem when we started paying. I have clearly said that where we have complete information about the personnel who were involved, we have fully paid them.

I remember very well that hon. Ethuro wrote to me and I think his letter has been acted upon. All those who have been verified have been paid in Turkana Central.

Mr. Deputy Speaker: Hon. Ethuro, are you maintaining, indeed, the subject of the letter by the DC has not been addressed yet?

Mr. Ethuro: Mr. Deputy Speaker, Sir, indeed, the Minister has said that he thinks the letter has been acted upon. In answer to part “a”, he has said that all the people have been paid unless their particulars were missing. This was a follow up of people who had provided all their particulars. I want to confirm to you that the Minister had actually told me that he was acting on it. He is still acting on it even today. When we come here, we want hard evidence. Has he paid the people from Turkana and when did he pay them? He should produce evidence. I have produced the correspondence and the Minister did not even have the basic decency and courtesy to reply to my letter.

Mr. Deputy Speaker: Order! Indeed, the Minister cannot be expected to have those specifics, but you, as the Member of Parliament, are you confirming that, indeed, these officers who were involved in the exercise from Turkana have not been paid?

Mr. Ethuro: Yes, Mr. Deputy Speaker, Sir. They have not been paid unless the Minister proves otherwise now.

Mr. Oparanya: Mr. Deputy Speaker, Sir, I acknowledged receipt of his letter personally. I talked to him.

Mr. Ethuro: Verbally!

Mr. Oparanya: Mr. Deputy Speaker, Sir, I acknowledged receipt of his letter verbally. If you look at the Question, it is referring to Kisumu Town East District. So, the information I carried today is in respect of Kisumu Town East. If Mr. Ethuro wants me to confirm that I have paid all those who were involved in the census exercise in Turkana Central, I am ready to do that.

Mr. Mbai: On a point of order, Mr. Deputy Speaker, Sir. This problem is not just found in Central Turkana and Kisumu. In my constituency, I collected the information and brought it to the Minister. Up to date, some people have not been paid. Could he confirm to this House when he will pay each and everybody who participated in the census exercise?

Mr. Ethuro: On a point of order, Mr. Deputy Speaker, Sir. The Minister cannot run away from answering this Question. He is referring to part “b” of the Question. He has conveniently forgotten - as if we do not have Order Paper - that there is part “a” of the Question.

Part “a” of the Question states as follows:-

“Have all the people who participated in the 2009 Population Census exercise been paid their dues and, if not, what are the reasons for the delay?”

Part “a” is not talking about Kisumu, it is talking about all the people who participated in the national exercise in the Republic of Kenya in the August, 2009. I want

to persuade the Chair to agree with me that, that is the correct reading and the Minister must answer to each and every constituency.

Mr. Deputy Speaker: Indeed, Mr. Ethuro, the Minister did indicate that all those who participated in the 2009 Population Census whose requisite details have been verified have been paid. He proceeds further and says that there are elders, however, who have not been paid. It is now upon you to say that these people whose requisite details are within the custody of the Minister, have not been paid. That way, you can rise on a point of order and hold him accountable for his earlier statement.

Mr. Ethuro: Mr. Deputy Speaker, Sir, actually, I was referring to a letter that talks of supervisors, enumerators and elders left out from cash and bank schedules. They have given Emure Jeremiah Epu, his identity card number, account number and the rank. The particulars of Ekitela Egalale, James Lomala, Emwoi Tata Kopi, Esther Arupe Tokusi, Esukupi Ekure, Lorogoi Jessica and Ng'ang'a Mayo Benson have not been provided. I followed this case. The District Commissioner followed first by a letter dated 31st August. I wrote another letter dated 1st November, which the Minister confirmed having received verbally, although he did not think I warranted a written response, as I did to him. If he acted, I do not mind. However, he seems not to have acted on this issue.

Mr. Deputy Speaker: Hon. Minister, what do you have to say?

Mr. Oparanya: Mr. Deputy Speaker, Sir, under part "a" of my response, I said all the people that provided information have been paid. The Member of Parliament requested me to confirm if we have paid those that he included in his letter. I said the Question referred to Kisumu Central. So, I carried information regarding Kisumu East and not Turkana Central. However, I am ready to come and confirm that those people that he has pointed out in his letter have been paid.

Mr. Deputy Speaker: Under the circumstances, since part "a" of the Question does actually say "all the people" which means all the people in the country, and Turkana happens to be part of this country, the Chair will have to direct that this Question be placed in the Order Paper on another day when you can come with a more comprehensive answer.

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

Mr. Deputy Speaker: Are you standing on a point of order or your sentiments have been covered?

Ms. Karua: Mr. Deputy Speaker, Sir, I had a question which will help him in bringing a full answer to this House.

Mr. Deputy Speaker: The Chair has already given direction on this Question. What is your question, Ms. Karua?

Ms. Karua: Mr. Deputy Speaker, Sir, the Minister has admitted that there are people he has not paid on the pretext that details have not been given. It is his Ministry that engaged all these people. So, it is his Ministry that has the details. If he does not have them, his officers on the ground know whom they hired. Could he now come and tell the House when he is coming to answer that he has now all the details because it is upon him to produce them through his officers and pay every Kenyan who participated in the census?

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

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

Mr. Chachu: Yes, Mr. Deputy Speaker, Sir.

Mr. Deputy Speaker: We cannot have two supplementary questions, one after the other before the Minister responds.

Mr. Minister, respond.

Mr. Oparanya: Mr. Deputy Speaker, Sir, I seek your clarification. You have directed that I bring here the detailed list of everybody who was involved in the census, those who have been paid and those who have not been paid and the reason why they have not been paid.

Mr. Deputy Speaker: Indeed, because the first part of the Question does actually talk of all the people.

Mr. Oparanya: Mr. Deputy Speaker, Sir, but I was not supposed to have brought evidence here.

Mr. Deputy Speaker: Order! It is understandable that part “b” of the Question was more specific. It is only fair that the Minister would come with a specific answer. Under the circumstances, because of part “a” and the general outcry by a substantial number of Members of Parliament from different parts of the country, it is only fair now that you answer it holistically.

Mr. Chachu: On a point of order, Mr. Deputy Speaker, Sir. You cannot believe the number of trips I have made to the office of Kenya Bureau of Standards to enable the people of North Horr to be paid. These are not elders or enumerators. These are people whose vehicles were hired and they do not have bank accounts. I have two districts and there is no single banking institution in the whole of North Horr. Despite this, these people are expected to have a bank account. Because of this, up to now, many of them have not been paid. What will the Minister do about those people whose vehicles were hired, but they were not able to provide those details that were required because the situation could not allow them to do so?

Mr. Deputy Speaker: Mr. Minister, how much more time do you need to be able to bring this holistic answer?

Mr. Oparanya: Mr. Deputy Speaker, Sir, I will request for more details on what he has requested. If he can give me details then I will follow up the issue. If you give me two weeks, I will come with a very comprehensive answer.

Mr. Deputy Speaker: Mr. Shakeel, are you happy with two weeks from today?

Mr. Shakeel: Mr. Deputy Speaker, Sir, the Minister has answered part “b” of the Question to my satisfaction, but part “a” is still pending.

Mr. Deputy Speaker: The Chair directs that this Question appears on the Order Paper two weeks from today on a Wednesday morning.

Next Question!

(Question deferred)

Question No.805

DELAYED COMPLETION OF SUBUKIWA WARD BOREHOLE

Mr. Gaichuhie asked the Deputy Prime Minister and Minister for Local Government:-

- (a) whether he is aware of the borehole in Subukia Ward started by the Nakuru County Council in 2007, which has not been completed;
- (b) how much money was budgeted for the borehole and how much has been paid to the firm that was undertaking the work to date; and,
- (c) when the work will resume.

The Assistant Minister, Office of the Deputy Prime Minister and Minister for Local Government (Mr. Nguyai): Mr. Deputy Speaker, Sir, I beg to reply.

(a) Yes, I am aware of the borehole in Subukia Ward which was started by the County Council of Nakuru in 2007 which has not been completed. This is a Local Authorities Service Delivery Action Plan (LASDAP) funded through the Local Authority Transfer Fund (LATF).

(b) The initial cost of the borehole was Kshs1.494 million awarded to Riba Hydro-System Limited of P.O. Box 1749, Nakuru by the Subukia Kirima Water Project Committee on 24th March, 2007. The total payment made to the contractor towards this project is so far Kshs1,080,000.

(c) The work of the project will resume the next financial year, 2011/12 after approval of the council budget. The council has made provision of Kshs1 million in the budget of the Financial Year 2011/12 to finance the drilling and equipping of the borehole.

Mr. Gaichuhie: Mr. Deputy Speaker, Sir, the contractor has been paid Kshs1 million and the total cost was Kshs1.4 million. So far, the works he has done is only 70 metres and the works were supposed to be 200 metres. It has taken almost five years to do the works. Could the Assistant Minister confirm that they will pay the balance of Kshs400,000 and not Kshs1 million as he indicates because we will be wasting Kshs600,000 of Government funds? The work has taken so long. I also want him to assure me that it will not be the same contractor, who is even a former Member of Parliament, who will complete the works?

Mr. Nguyai: Mr. Deputy Speaker, Sir, over the period, there has been quite a number of variations in the contract. There has been a 15 per cent variation due to inflation and Kshs100,000 variation due to post-election violence. So, the project price increased. However, I would like to assure the hon. Member of Parliament for Subukia that the contract will be awarded afresh. We will do a tender and shortlisting of the works so that it is given to a totally new contractor.

Mr. Gaichuhie: Mr. Deputy Speaker, Sir, I am not satisfied when he says that he is going to award the work to a new contractor, without even telling us that he is going to surcharge that contractor. Secondly, I would like to inform the Assistant Minister that we did not have post-election violence in that area. So, he cannot convince me that there was cost variation because of post-election violence. That is a scapegoat and I think most of these Ministers are using IDPs as a scapegoat.

Mr. Nguyai: Mr. Deputy Speaker, Sir, on 21st February 2008, the contractor wrote to the County Council of Nakuru requesting for an additional Kshs100,000 saying that his equipment had been stolen during the post-election violence. I think, probably, it was during the provision of some equipment. It might have been stolen but not necessarily within the constituency.

Mr. Chanzu: On a point of order, Mr. Deputy Speaker, Sir. The Assistant Minister is reading about contract awards and post-election violence. That is what the

Government is relying on. Could he confirm that? Is he just relying on what the contractor is writing or he is confirming what is on the ground? Is he in order?

Mr. Nguyai: Mr. Deputy Speaker, Sir, this was presented to a committee within the Ministry. The Committee then provided the minutes to give the additional Kshs100,000. That is what I have as post-election but, more importantly is the point of---

Mr. Gaichuhie: On a point of order, Mr. Deputy Speaker, Sir. Is the Assistant Minister in order to mislead this House that the equipment was stolen, while it is still there even today? The equipment has been there for four years and it is still there. However, it is not functioning.

Mr. Deputy Speaker: Hon. Assistant Minister, in the first instance, you cite a letter which has been written and the deliberations of a committee that used post-election violence as a reason for the contractor not to accomplish his contractual obligations. The hon. Questioner has stood up and said that there was no post-election violence in that particular area. That is a very powerful statement of fact. Are you sure you have your facts right?

Mr. Nguyai: Mr. Deputy Speaker, Sir, I would like to ascertain the facts on that one issue before I proceed further. That is because I do not have documentary evidence over here.

Mr. Deputy Speaker: Fair enough! Under the circumstances, the Chair directs that this Question appears on the Order Paper on Wednesday morning. Hon. Gaichuhie, are you okay with that?

Mr. Gaichuhie: Mr. Deputy Speaker, Sir, I am okay. I wish the Assistant Minister would verify the facts on the ground. Could he also inform the House why they paid Kshs1 million out of a contract sum of Kshs1.4 million and the guy has done 70 metres and not 200 metres?

Mr. Deputy Speaker: Fair enough! Mr. Nguyai, have you heard the issues?

Mr. Nguyai: Mr. Deputy Speaker, Sir, I am most obliged.

(Question deferred)

Mr. Deputy Speaker: Next Question by hon. Chepkitony!

Question No.812

STATUS OF KVDA PROJECTS IN KEIYO DISTRICT

Mr. Chepkitony: Mr. Deputy Speaker, Sir, I beg to ask the Minister for Regional Development Authorities:-

(a) whether he could state the status of all projects being undertaken by the Kerio Valley Development Authority (KVDA) within the larger Keiyo District, indicating the budgeted cost of each project; and,

(b) why KVDA has delayed in implementing the said projects and when they will be completed.

The Minister for Regional Development Authorities (Mr. Gumo): Mr. Deputy Speaker, Sir, I beg to reply.

(a) The status of the projects being undertaken by the KVDA within the larger Keiyo District and the budgeted cost of each project is as follows:-

The list is too long. I do not know whether you want me to read or I table it.

Mr. Deputy Speaker: You can table it if, indeed, the hon. Questioner has a copy.

The Minister for Regional Development Authorities (Mr. Gumo): Okay. I will do that.

Mr. Deputy Speaker, Sir, the said projects are being implemented and are on schedule. Most of them have been completed. The few that are on-going will be completed by the end of June, 2011.

Mr. Chepkitony: Mr. Deputy Speaker, Sir, I would like to thank the Minister for the elaborate answer that he has given. If you look at the answer, there are some dams which he says are awaiting construction. It is known that those dams have not been designed and surveyed. When are those dams going to be designed and surveyed and yet, the financial year is about to end?

Mr. Gumo: Mr. Deputy Speaker, Sir, it is true that some dams have not been surveyed. But we now have got the money to survey all the dams that were supposed to be surveyed. I am sure that, before the end of this financial year, all of them will be surveyed. We shall include them in our next financial year so that the construction can begin.

Mr. Ethuro: Mr. Deputy Speaker, Sir, I want to thank the Minister because, since he came to the Ministry, KVDA has actually implemented a number of projects in the catchment area. Could he inform the House what he is doing to ensure that all the areas that fall under KVDA are served with projects on the basis of need, including the proposed secondary school between Turkana and Pokot counties?

Mr. Gumo: Mr. Deputy Speaker, Sir, that secondary school should have been constructed by now. But I request the hon. Member to talk to the hon. Member for West Pokot and agree. That is because they are fighting amongst themselves and we have not been able to build that school. Each one of them is saying that it should be built in his area and none of them knows where the border is. So, let them talk. We are ready to develop that area.

Mr. Shakeel: On a point of order, Mr. Deputy Speaker, Sir. I am yet to hear of a constituency called West Pokot. Could the Minister tell me exactly where that constituency is?

Mr. Gumo: Mr. Deputy Speaker, Sir, I am not talking about constituencies; I am talking about counties, that is Turkana and West Pokot. You must be aware that there have always been conflicts of boundaries. The boundaries in that area are usually imaginary. So, I am asking the leaders in that area to agree and tell us where we can build that secondary school because the money is already there.

Mr. Ethuro: On a point of order, Mr. Deputy Speaker, Sir. I want to confirm, first and foremost, that we are on very cordial terms with our neighbouring Members of Parliament. What the Minister is saying is good. But I would like to propose that he actually chairs that meeting so that he can bring all the leadership together and dispose of the matter quickly.

Mr. Gumo: Mr. Deputy Speaker, Sir, I am ready to do that immediately. I will talk to the leaders concerned because they are always around here. So, they can organize their local leaders so that we can meet and agree on where the school will be built.

Mr. Chepkitony: Mr. Deputy Speaker, Sir, some of the projects which were started in 2008/2009, 2009/2010 and 2010/2011 are still ongoing. How come the projects of 2008/2009 and 2009/2010 are still ongoing? Should they not have been completed within that financial year?

Mr. Gumo: Mr. Deputy Speaker, Sir, there are cases where we have had problems with contractors but the moment the money is allocated to the Regional Development Authorities, it is never returned to Treasury. So, those projects will definitely be finished. I am going to follow up the issue personally to make sure that they are done.

Mr. Deputy Speaker: Next Question by Mr. Linturi!

Question No.820

PHASING OUT OF 14-SEATER MINI VANS

Mr. Mbadi: On a point of order, Mr. Deputy Speaker, Sir. I am aware that Mr. Linturi is out of the country on official duty.

Mr. Deputy Speaker: Under the circumstances, the Question is deferred to a time when he will be here. Is it official Government duty or parliamentary duties?

Mr. Mbadi: Mr. Deputy Speaker, Sir, I am aware that he is out of the country with the Prime Minister of the Republic of Kenya in the United States of America (USA).

Mr. Deputy Speaker: Fair enough! The Chair directs that this Question be deferred to a time when Mr. Linturi is in the country to ask it.

(Question deferred)

Next Question by Mr. Yakub!

Question No.661

NON-PAYMENT OF SALARIES TO EMPLOYEES OF M/S EASTERN INDUSTRIAL WORKS LIMITED

Mr. Deputy Speaker: Is Mr. Yakub not here? Is he out of the country or in the country on any parliamentary business?

That Question is dropped.

(Question dropped)

Next Order!

POINTS OF ORDER

PROVISIONAL REPORT ON INVESTIGATIONS INTO THE DISAPPEARANCE OF THE DRC GOLD

Mr. Sirma: Mr. Deputy Speaker, Sir. I wish to seek a Ministerial Statement from the Minister of State for Provincial Administration and Internal Security. It reads as follows:-

Following the visit by the President of the Democratic Republic of Congo (DRC), His Excellency, Mr. Joseph Kabila to Kenya on 3rd March, 2011 in search of his lost gold, could the Minister give a provisional report on the investigation of the lost gold and the names which the President of the DRC gave to the President of Kenya as possible suspects of his lost gold.

Secondly, considering that the late Joseph Cheptarus, an investigation officer with the Kenya Revenue Authority (KRA) died while investigating the same and so far no action has been taken, could the Minister explain what action, if any, he is considering to take in investigating his death and also explain to the House why the District Criminal Investigation Officer (DCIO) Lang'ata was hurriedly transferred after this death.

Mr. Deputy Speaker: Mr. Ojode, when will the Ministerial Statement be ready?

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): Mr. Deputy Speaker, Sir, before I go to that, first, I wanted to indulge the Chair to give a clarification if indeed, it is important for me to give a Ministerial Statement, while last week, I managed to answer the Question asked by Mr. Mwaita so exhaustively. If there is anything new out of what I answered last week, then he should zero in on the new dimension but not what I answered last week. Is the Chair authorizing this while I had answered it in the form of a Question?

Mr. Deputy Speaker: Indeed, the institutional memory of the House here does indicate that the Ministerial Statement that is sought here now is a lengthy Statement that also touches on the gold but the Question that you answered was on the death of the officer. I think you will have to issue that Ministerial Statement. Could you give an undertaking as to when you will have it ready?

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): Mr. Deputy Speaker, Sir, can I answer it by 15th of next month?

Mr. Deputy Speaker: Mr. Ojode, are you serious?

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): Mr. Deputy Speaker, Sir, the whole thing is under investigations, unless you want me to come up with a provisional report.

Mr. Deputy Speaker: That is what he sought.

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): Mr. Deputy Speaker, Sir, if he wants a provisional report, then I could issue the Ministerial Statement on Wednesday next week.

Mr. Deputy Speaker: Fair enough! It is the provisional report on the investigations. The Chair directs that, that Ministerial Statement be issued on Wednesday morning next week.

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): Most obliged, Mr. Deputy Speaker, Sir.

Mr. Deputy Speaker: Next!

MEASURES TO IMPROVE SECURITY
IN TURKANA CENTRAL DISTRICT

Mr. Ethuro: Mr. Deputy Speaker, Sir. I also rise to seek a Ministerial Statement from the Minister of State for Provincial Administration and Internal Security.

Considering that a businessman Nicholas Nyagah Johana was killed in Kalokol Trading Centre in Kalokol Division, Turkana Central District on Sunday night, 10th April, 2011, what specific measures has the Government taken to improve the security in those areas, especially deploying more security personnel like police, administration police and the Kenya Police Reservists? Further, what action, if any, did the police take during this particular robbery and how does he account for the laxity of the Officer Commanding Station (OCS) from Lodwar not to pursue the killers who were actually being trailed by *wananchi*?

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): Mr. Deputy Speaker, Sir, I will respond to this particular request on Wednesday morning.

Mr. Deputy Speaker: Fair enough! The Chair directs that it be issued on Wednesday afternoon. Wednesday morning cannot be overloaded by many Ministerial Statements because it is a Private Member's Day and we want to give as much time as possible to Private Members' motions. So, let it be issued on Wednesday afternoon. Is that okay with you?

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): It is okay.

Mr. Deputy Speaker: Ms. Karua!

Ms. Karua: Mr. Deputy Speaker, Sir. I am waiting for a Ministerial Statement from the Minister of State for Provincial Administration and Internal Security regarding the deaths in Mwea.

MINISTERIAL STATEMENTS

INSECURITY IN KIRINYAGA COUNTY

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): Mr. Deputy Speaker, Sir, on Tuesday, 1st March, 2011, the hon. Member for Gichugu, Ms. Karua while standing on a point of order sought a Ministerial Statement on insecurity in Kirinyaga County. In the Statement, the hon. Member sought clarification on the state of security in Mwea, Kirinyaga County, following the murder of five people in Kajiji Village two days earlier and also regarding the previous incidences of insecurity throughout the country. She also requested to be told what measures the Ministry was taking to ensure security of the people of Kajiji and the entire Mwea and Kirinyaga County in general.

I beg to state as follows:-

Security in Mwea and, indeed, the entire Kirinyaga County is under control. However, in the recent past, some isolated incidences have taken place, leading to loss of innocent lives. On the night of 27th and 28th February, 2011, a gang of four people armed with AK47 rifles attacked Jane Kariana who is the proprietor of Kajiji Bar within Kajiji Village which is about 20 kilometres from Wanguru Police Station and robbed her of cash amounting to Kshs12,000 and a mobile phone.

[Mr. Deputy Speaker left the Chair]

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

She raised an alarm which attracted one Michael Mwangu Njuguna, who rushed to her rescue. Unfortunately on his way, he came across the three gangsters who shot him dead.

Shortly thereafter, the same gang confronted four *boda boda* operators who were coming from Kimbimbi Hospital after visiting a colleague, who had earlier been involved in an accident. The gang shot them dead and robbed them of mobile phones and their two motor cycles, which they used to escape. The four are the following: Benard Murimi Waweru aged 21 years, Francis Tewa Kega aged 27 years, Samuel Chomba Maria aged 26 years and Peter Kariuki Gichobi aged 25 years.

Mr. Temporary Deputy Speaker, Sir, the police visited the scene and an attempt to track the robbers bore no fruit. The following are incidents of robbery and murder reported in the whole of Kirinyaga County since the year 2009. In 2009, there were 11 murder cases. In 2010, there were 18 murder cases and in 2011, there are six murder cases.

In 2009, there were three robbery cases reported. In 2010, there were eight cases of robbery and in 2011, three cases. You can see the trend shows that the incidents of both murder and robbery are going down.

During the year 2010, there was a rise in the number of murder incidents, which can be attributed to numerous disputes and fraudulent leasing of rice farms. However, the situation is currently under control and crime has been brought down to manageable levels.

Mr. Temporary Deputy Speaker, Sir, despite very low levels of co-operation by the locals and the fact that Wanguru Police Station covers a vast area with high population, the following measures have been put in place to ensure security in the area:-

- (i) enhanced patrols by both Regular Police and Administrative Police;
- (ii) regular barazas are being held in the affected areas through the Provincial Administration to urge people to co-operate with security agencies to help fight crime in that particular area;
- (iii) posting a Chief and three Assistant Chiefs to the affected area of Ngariama Settlement Scheme.
- (iv) I have also ordered the establishment of an AP camp at Kajiji;
- (v) I also have plans to establish more police patrol bases and posts in the areas of Kagio, Ngariama, Kariti and Kiangwaci.

Mr. Temporary Deputy Speaker, Sir, if all the above are effected as we are proposing, the crime level will be manageable or minimized, if not wiped out completely.

Thank you.

Ms. Karua: Mr. Temporary Deputy Speaker, Sir, while thanking the Assistant Minister for the Ministerial Statement, he has talked of posting chiefs. The incident was in Kajiji and not in South Ngariama. However, we are grateful for the administrative measures taken in South Ngariama. Is the Assistant Minister aware that Kajiji has no

Assistant Chief, the Assistant Chief having been suspended? That meant that on the night of the multiple murders, the nearest person would normally have been the Assistant Chief and his APs. If a place has no Assistant Chief, then it is only the police, who are far off, who can act. What measures is he taking to ensure that Kajiji has all the administrative officers as is necessary? What is the Assistant Minister doing to ensure that the many unresolved murders, not just in Mwea but also in Kirinyaga Central around Kerugoya Town for the past one year and elsewhere in the district, are resolved?

The Temporary Deputy Speaker (Mr. Ethuro): Assistant Minister, why do you not wait for a few more clarifications, so that you can respond to them at once?

Mr. Mbadi: Mr. Temporary Deputy Speaker, Sir, I believe that the Government cannot fight insecurity just by mere force of the gun. Instead of over-emphasizing on patrols and police use of guns, can the Government employ more of intelligence gathering network? Five people dying in a night in one area, to me, is too much for a country. Why can the Government not invest more on intelligence gathering network to ensure that these things are pre-empted before they occur?

Finally, I wanted to ask the Assistant Minister if he can rule out police involvement in some of these murders, especially in the murder that happened in Kajiji Sublocation. Chances are that the police officers could have been involved.

Mr. Gitari: Mr. Temporary Deputy Speaker, Sir, I want to take this chance to thank the Assistant Minister for the Statement. Looking at the data he has given us, in 2009, there were 11 murders; in 2010, there were 18 murders and 2011, we have had six murders. Is the Assistant Minister aware that both the DCIO and the OCPD do not have a vehicle that they can use to do surveillance or use to go round, especially in Kerugoya Town? In case of an emergency, they are forced to get a vehicle from somewhere else.

Mr. Baiya: Mr. Temporary Deputy Speaker, Sir, the Assistant Minister says that efforts to do investigations did not yield any results. Given that this is an incident where five Kenyans lost their lives, what does that show about the investigative capacity of our police? They could not even pick some leads, including following up on mobile phones and so on. How satisfactory is that situation where five people are murdered and the investigative mechanism of the Government is completely unable to find any trace of who did it? The criminals were left at large to commit similar crimes?

The Temporary Deputy Speaker (Mr. Ethuro): Assistant Minister, you may respond.

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): Mr. Temporary Deputy Speaker, Sir, indeed this is a very grave matter. For Ms. Karua, the Assistant Chief was suspended as a result of these kinds of incidents. I want to assure this House that I am going to look into this matter in order for us to either fast-track the disciplinary case against the Assistant Chief, reinstate him or go for a new Assistant Chief.

It is true that there are some cases which have not been resolved as a result of lack of leads. We are going to ask the PCIO together with the DCIO, to resolve some of these murders immediately.

Mr. Mbadi wanted to know whether we are doing intelligence gathering. Yes, we have actually put in more personnel for intelligence gathering within that area. I want to confirm to this House that there was no police involvement at all. The issue of Ngariama, as you can recall, is not new. It has been there for some time. I want to confirm to this

House that the Government is going to do all that it takes to bring normalcy and sanity within Ngariama.

Mr. Gitari was asking for vehicles for the DCIO and the OCPD. Yes, I am aware we have a shortage of vehicles. However, the OCPD has a vehicle. I will make sure that once we get the new vehicles we are going to purchase, at least every DCIO is given a new vehicle.

Mr. Baiya asked whether we have got some leads. Yes, we have so far arrested some people with regard to these incidents of murder. We are questioning them. There were some names which were floated, but later on when we went for the real people, we found that those whose names had been given out had not been involved in the murders.

Murder is not an issue which is ordinary and we have to do a professional job in order to get the person who was involved in the murder. I beg that my colleagues bear with us so that we do a professional job in order to zero-in on the person who murdered.

Thank you, Mr. Temporary Deputy Speaker, Sir.

The Temporary Deputy Speaker (Mr. Ethuro): It is now another run for you to give your contribution on the same matter.

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

The Temporary Deputy Speaker (Mr. Ethuro): Let matter rest there.

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

The Temporary Deputy Speaker (Mr. Ethuro): You cannot change another round to a point of order! Obviously, you have already informed the Chair that it is not a point of order.

(Laughter)

Yes, Prof. Kamar!

The Assistant Minister for Environment and Mineral Resources (Prof. Kamar): Thank you, Mr. Temporary Deputy Speaker, Sir. I rise to give a---

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

The Temporary Deputy Speaker (Mr. Ethuro): Order, Prof. Kamar! What is it, Ms. Karua?

Ms. Karua: Thank you, Mr. Temporary Deputy Speaker, Sir. I heard the Assistant Minister's answer, but he did not go far enough to confirm that there are vehicles in all the four districts of the larger Kirinyaga County, and whether he has posted District Criminal Investigations Officers (DCIOs) in all the four districts. Is he in order to leave that part of the answer?

The Temporary Deputy Speaker (Mr. Ethuro): That is correct! Mr. Assistant Minister, Mr. Gitari specifically sought a clarification on the vehicles and you did not respond to the matter.

Proceed, Mr. Assistant Minister!

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): Mr. Temporary Deputy Speaker, Sir, I did. I can repeat what I said. I said that we are in the process of buying some vehicles. In the areas where the DCIOs do not have vehicles, we will make sure that they have them in order for them to---

The Temporary Deputy Speaker (Mr. Ethuro): Order, Mr. Assistant Minister! You need to be accurate because they are being specific!

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): Mr. Temporary Deputy Speaker, Sir, I can only be accurate once I have been given money.

Mr. Temporary Deputy Speaker, Sir, you know, I have to give hope. I cannot say that I will give the vehicle tomorrow and yet, the money has not been released by the Treasury. However, I do sympathize with my colleague's sentiment. I confirm here that I will give priority to the larger Kirinyaga County because of the incidences of murder. The insecurity in that area was a bit high then but with the meager resources which we have had, we have brought it down to a manageable level. However, I do sympathize with my friend. I will do something in order for insecurity to be wiped out completely.

Thank you, Mr. Temporary Deputy Speaker, Sir.

The Temporary Deputy Speaker (Mr. Ethuro): Well done, Mr. Assistant Minister!

Yes, Prof. Kamar?

DEATH OF FOUR FAMILY MEMBERS IN A QUARRY IN THIKA

The Assistant Minister for Environment and Mineral Resources (Prof. Kamar): Thank you, Mr. Temporary Deputy Speaker, Sir. I rise to give a Ministerial Statement in response to a request by Mr. Kabogo, the Member for Juja. He had requested a Ministerial Statement on an accident in which four members of a family were buried alive at the quarry in Umoja Area in Thika Municipality.

Mr. Temporary Deputy Speaker, Sir, the accident under reference occurred at Umoja Quarries which are situated within Thika Municipality on Monday, 21st February, 2011. It involved a woman and her three children aged eight months, seven years and nine years, who were buried alive by the loose debris of about three meters high which collapsed on them while they were digging loose hard rocks underneath for manual crushing of ballast. The locality of the accident was a poorly rehabilitated disused quarry. It is one of the quarries in Umoja Area which have been in existence since the 1980s either under continual renewal of land leases or new agreements. The site has attracted the neighbouring Umoja informal settlement whose inhabitants are mainly women who engage in producing ballast for sale to support their families.

As I indicated to this House on 29th March, 2011, upon receipt of the news from the hon. Member on the death of four innocent Kenyans who were trying to make a living, my Ministry took drastic measures with a view to ensuring that no more lives are lost in the same manner in that area. These measures include:-

(i) The three licensed operators of the sites were stopped from their operations until such a time when safety measures will have been put in place in their quarries to the satisfaction of the area District Environmental Committee.

(ii) The three licensed operators were instructed to carry out environmental audits and submit their reports to the NEMA before they can resume their operations. The audit will tell us exactly what has been going on and what precautions they take.

(iii) The owner of the parcel of land where the tragedy occurred has been advised not to allow small-scale quarrying without proper supervision. In cases where the quarry

has been abandoned, proper land rehabilitation should be undertaken to the satisfaction of the NEMA.

In addition to the above, I have instructed my officers on the ground to implement the recommendations contained in the report of the Task Force on the Management of Quarries in Kenya. These recommendations are to ensure that quarrying activities in Kenya are sustainably carried out in a safe and secure environment.

Mr. Temporary Deputy Speaker, Sir, as I conclude, I wish to inform the House that the dangers related to disused quarries is a national problem. It ranges from rock harvesting for various uses to sand harvesting.

Please allow me also, Mr. Temporary Deputy Speaker, Sir, to take this opportunity to appeal to hon. Members whose areas are affected to play a leading role in sensitizing their constituents on the dangers of the quarrying sites. This is a menace which must be tackled jointly by all stakeholders. I also want to say that it has been reported that another incident took place yesterday in Eldoret, where a woman threw a child into a quarry before jumping into the same quarry with another child strapped to her back. So, these are very dangerous spots that all of us must be wary of and we should be addressing them together.

In the meantime though, I would like to assure the hon. Members that my Ministry will continue with its core mandate of co-ordinating all the lead agencies in the sustainable management of the environment, especially in the quarrying activities.

Thank you, Mr. Temporary Deputy Speaker, Sir.

Mr. Kabogo: Thank you, Mr. Temporary Deputy Speaker, Sir. As I appreciate the Statement from the Assistant Minister, you are aware that there are laws that govern the management of quarries. One of those requirements is to back-fill these quarries. The Assistant Minister has said---

The Temporary Deputy Speaker (Mr. Ethuro): Order, Mr. Kabogo! Your job is to seek clarifications and not to make another statement.

Mr. Kabogo: Mr. Temporary Deputy Speaker, Sir, I was just building on the clarification that I require. Is the Assistant Minister aware that those laws are in existence? I know she is aware of this and yet we have all these quarries that are death traps. The Assistant Minister's Statement suggests that we should now start telling our communities to be wary of the dangers and yet they are open. Would I be in order to ask the Assistant Minister to be a little bit more serious on this matter? The quarries should be covered. When will they be covered?

The Temporary Deputy Speaker (Mr. Ethuro): Hon. Assistant Minister, just take a few more.

Mr. Wamalwa: Mr. Temporary Deputy Speaker, Sir, it is very sad that most of the victims are women and young children. I did not hear the Assistant Minister cover the aspect of compensation. What is the Government doing because it has a duty of care to its citizens?

Mr. Gitari: Mr. Temporary Deputy Speaker, Sir, while appreciating the answer from the able Assistant Minister, I want to seek clarifications.

I have heard that these quarries have existed since 1980, and now we are in 2011. I think it is a requirement of law that before you do any quarry, you do an environmental impact assessment report, which is to be followed every year by an audit report. The audit report tries to look at the mitigation measures, whether they were implemented.

I want to seek clarification whether the audit has been done and whether it has checked on the environmental impact assessment.

Mr. Baiya: Mr. Temporary Deputy Speaker, Sir, the facts of these accidents speak for themselves that through the process of quarrying, the Ministry, as a regulatory agency, is actually allowing erection of death traps for Kenyans. The law is very clear in terms of sustainable management of the environment that he is supposed to continuously enforce this, to ensure that the deaths do not arise. It is the Ministry's failure that is clearly responsible for this.

The Assistant Minister for Environment and Mineral Resources (Prof. Kamar): Mr. Temporary Deputy Speaker, Sir, it is true that backfilling is part of the process of using a mining area. A mining site at the point of exit must be backfilled to the required standards. I mentioned on 29th, when I was giving a report of my visit to Thika, generally, because we have hundreds and hundreds of disused mining areas that we have to compile a report to capture all these disused areas. I gave in my report last time that when we went to the area, we realized that actually, there was no backfilling in most of the quarries. Many of them are not safe.

So, it is true that there was laxity at some point. Currently, there is a report that is going to give us an extensive inventory of what is active and what is not active in the whole district. I also mentioned that it is not just in Thika because we have quarries in most parts of the country that have been abandoned in a very bad way. So, I must agree that there was laxity. Right now, we are working with National Environment Management Authority (NEMA) staff to ensure that this cannot be allowed. The issue of compensation is not within the law, except where compensation is coming out of an activity within the quarry.

When somebody signs for a quarry, he also signs for compensation of people who are hurt when they are on duty. What we do not have is the one that is disused. The assumption was that quarries that have been abandoned, must be backfilled. That report will raise a number of issues. We visited the site with NEMA members. We are conscious of the fact that there are a number of quarries that were abandoned and nothing was done.

An environmental impact assessment is done at the beginning, before any license is issued. The licensing of a quarry has the complication that we give a licence, but also the owner can give an authority to somebody who wants to do the quarry. I do note what the Member said about women being affected. This is a case where a woman with her children was fending for their life. They went to quarries that had been abandoned with the owner's knowledge. So, the owner had allowed, just as we would allow anybody who does not need a contract, but who wants to get something little from the quarry. But again, we have closed that down. In the recommendation that I have referred, we cannot even allow the owner to re-lease a used quarry to anybody without supervision being done. So, unless, it is being supervised, it cannot be used, because the supervision will require that the compensation should come from the owner who has actually allowed children into the pit and use it.

It is true that we require audit to be done periodically. However, normally, there is an exit clause after you have used a quarry, an audit is done and a closure is done. A closure of a quarry is another process that requires NEMA to also supervise. This is where we mentioned that we need to get the report come out. I know that in Thika, we

only had one member of staff. We realized that they suffer from staff issues. Where we have active quarries like we did, that could have been an area which could have attracted more members of staff and a vehicle to supervise the activities. That is something else we have noted, and we will look into. We are considering having a vehicle sent to the place, and the District Environmental Officer to be facilitated to do the supervision, because it is a main quarry that is being used by Nairobi. Yes, these have been death traps and we are working on them. I want to assure the House that we are paying a lot of attention. It was an eye-opener for us when we visited it. We will make sure that we pay more attention to that.

Thank you.

The Temporary Deputy Speaker (Mr. Ethuro): Next order!

(Mr. Ojode stood up in his place)

The Chair is not aware of your Statement!

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): Mr. Temporary Deputy Speaker, Sir, I have another Statement to make before we dash to another Order. Could I give it?

The Temporary Deputy Speaker (Mr. Ethuro): Proceed, Mr. Assistant Minister! But you should have approached the Chair, so that the Chair can see what time to allocate you.

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): Mr. Temporary Deputy Speaker, Sir, I did and it was noted that I have two Ministerial Statements to make today. So, I was going by what we agreed on with the Clerk.

The Temporary Deputy Speaker (Mr. Ethuro): Proceed!

REQUIREMENT FOR PRODUCTION OF CERTIFICATE
OF GOOD CONDUCT DURING POLICE RECRUITMENT

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): Mr. Temporary Deputy Speaker, Sir, on Thursday, 7th April, 2011, the hon. Member for Gwassu constituency, while standing on a point of order requested for a Ministerial Statement on requirement for production of certificate of good conduct, during regular and administration police recruitments. He sought clarification on how the applicant would be facilitated in case it was going to be a final requirement, given that the issuance is centralized in Nairobi. Further, he wanted the Minister to clarify whether he was aware that it costs Kshs1,000 and why was this burden being transferred to job seekers.

Mr. Temporary Deputy Speaker, Sir, I beg to reply as follows. After consultations, a decision has been made that a re-advertisement be done in the local dailies to revoke the requirement of production of certificate of good conduct at the recruitment centres, among other requirements. However, vetting of the recruits will be done, at the police training institutions at no cost to the recruits by taking their fingerprints or thumbprint, which will be forwarded to the Principal Criminal Registrar at the CID headquarters for verification and search.

If, during the search, any recruit is found to have a criminal record, his or her training will be discontinued and he or she will be prosecuted. Vetting of police recruits is a normal practice as per the Force's Standing Orders in Chapter 19, Section 14 which provides for the creation of the Police Act, Cap.84 of the Laws of Kenya.

Mr. Mbadi: Mr. Temporary Deputy Speaker, Sir, I want to thank the Assistant Minister for that consideration by his Ministry. I want to thank him also for taking his work seriously. This is one of the Assistant Ministers who really work hard although sometimes he gives us promises about vehicles which we never receive. However, at least, he takes his work seriously and I thank him for considering these young poor Kenyans.

Mrs. Shebesh: Mr. Temporary Deputy Speaker, Sir, I am not sure I heard very well what the Assistant Minister said. Did he say that the certificate of good conduct will not be necessary? If we are talking about police officers who provide security and we know that there must be a vetting process, why not waive the fee for obtaining a certificate of good conduct rather than do away with it? This is because we know that the certificate of good conduct ensures that we have well-vetted people in the forces.

Mr. Koech: Mr. Temporary Deputy Speaker, Sir, I also want to sincerely thank the Assistant Minister for that very clear directive. I hope it will be implemented to the letter. If I got him right, he said that in case one is found to have committed some criminal offence after being selected, they will be disqualified. We are aware that recruitment of officers is based on constituencies. If ten people are to be recruited from Mosop and then, say, five people are disqualified based on that, could he consider recruiting another five people from the same constituency? This will ensure that there is proper and clear balancing of recruitment.

Mr. Yakub: Mr. Temporary Deputy Speaker, Sir, I want to thank the Assistant Minister for his bold move to help the youth in Kenya who have for so long been discouraged to join the disciplined forces because of the Kshs1,000 required as fees for every certificate of good conduct. How is the Assistant Minister going to ensure that this particular instruction is implemented at the district level?

Mr. Gaichuhie: Mr. Temporary Deputy Speaker, Sir, I also want to thank the Assistant Minister for considering a waiver of that certificate of good conduct. However, it is also in the public domain that those who want to be recruited should have birth certificates. As you are aware, most Kenyans were ignorant about this. Could he also consider a waiver on this for the time being?

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): Mr. Temporary Deputy Speaker, Sir, let me start with the clarification sought by Mrs. Shebesh. I said clearly that for purposes of recruitment on 27th April, 2011, having a certificate of good conduct will not be mandatory. However, once we have the recruits, upon reaching the college, their fingerprints will be taken and they will be vetted. In case we find out that we recruited a criminal, that criminal will be sent home. This will be after we have taken the fingerprints.

The Temporary Deputy Speaker (Mr. Ethuro): Mr. Ojode, let us just understand this. You are basically saying that the certificate of good conduct will be there, but after you have already been taken. It is not a requirement before.

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): Exactly, Mr. Temporary Deputy Speaker, Sir.

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

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): Why do you not let the Assistant Minister explain so that you know what is happening?

The Temporary Deputy Speaker (Mr. Ethuro): Order, Mr. Ojode! The point of order is determined by the Chair and not you. The Chair will allow the hon. Member an opportunity to raise his point of order so that you may respond. Proceed, Dr. Nuh!

Dr. Nuh: Mr. Temporary Deputy Speaker, Sir, the Assistant Minister in his answer said that in the event we find out that we recruited a criminal, he will be sent away. Does it mean that when they go to do the search, they search for people who have been previously convicted? Once you are convicted and freed, you do not remain a criminal. You were only a criminal sometime back.

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): Mr. Speaker, Sir, those are semantics. I said that, first, you must have this and that requirements in order for you to be at the centre of recruitment. Mr. Mbadi said that the recruits might have difficulties in getting the Kshs1,000. That, of course, is true.

Secondly, since we have not decentralized the process of fingerprinting and vetting so that each and every district can benefit and for ease of reference, we said that it would take a long time and some of the recruits might not get the required item in order for them to be recruited. We decided – after consultation – that we will not require the certificate of good conduct. That, however, does not necessarily mean that recruits' fingerprints will not be taken to check whether we are recruiting a good person or a bad one. It is all because we want to get rid of criminals of any nature in our reformed Police Force.

Mrs. Shebesh: Mr. Temporary Deputy Speaker, Sir, my question was very specific, but the Assistant Minister has not answered it. What has proved to be difficult for most Kenyans with regard to acquiring the certificate of good conduct is how much it costs to get one. Why not waive the cost of getting a certificate of good conduct rather than say that one can be recruited without it?

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): Basically, we do involve in that---

Mr. Gunda: On a point of information, Mr. Temporary Deputy Speaker, Sir.

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): No! No! I have the information. Allow me to finalize. I want to explain this so that my colleagues should know what to tell their constituents.

Since we have not decentralized the mechanism of getting the fingerprints done at the district level, it will take ages for those who want to be recruited time to get recruited. What I have experienced is that they will issue a receipt for payment of the money required for one to get the certificate of good conduct. But you know that is not a certificate of good conduct. It is just a receipt that shows that you have paid so that you could be vetted and then get a certificate of good conduct.

So, it is better for us to allow everybody to go for the recruitment exercise, but upon reaching the college, we will take fingerprints and vet the recruits so that we check whether or not they are good people. I want to encourage that even within other departments---

The Temporary Deputy Speaker (Mr. Ethuro): Order, Assistant Minister! What the Chair does also not understand and I want to believe that is why you are inviting a lot of points of order is the issue of vetting at the college. Now, is the vetting at the college the same thing as acquiring a certificate of good conduct or are they different?

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): Mr. Temporary Deputy Speaker, Sir, once it is done at the college, we will issue them with the certificate of good conduct. It will be for those who are good. That is what I have said.

The Member for Mosop asked what would happen if later on a recruit is disqualified. Yes, indeed, those are some of the areas we are going to look into. This is because we will go by the districts. That is a very valid question which we need to answer appropriately. I undertake to check on that. In the event, say, five people from Mosop are disqualified, what are we supposed to do? Are we supposed to go back there for recruitment again? What I know is that if you are slotted, say, ten or 15 of you, we can have another five names of standby recruits so that in the event there are disqualifications in the manner I have described, then we can go to the next names.

Mr. Yakub asked---

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

Temporary Deputy Speaker (Mr. Ethuro): Hon. Members, time is not really on our side. However, hon. Baiya, proceed!

Mr. Baiya: Mr. Temporary Deputy Speaker, Sir, maybe, the Assistant Minister is giving a tentative position. We will ask for that position to be kept aside. Could he go and pursue the undertaking that he gave, just as he did with the certificate of good conduct so that, every region or constituency can be assured that their slots will be intact? That way, the process will not be convoluted by taking the wrong people with a view to removing them through vetting.

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): Mr. Deputy Speaker, Sir, I want to clarify the following. Just like the recruitment of teachers by Teachers Service Commission (TSC) and the Medical Training College (MTC) graduates, once we have agreed that we will go for a "C" and we take 10 people from Mosop Constituency--- But Mosop Constituency has 20 slots, we will give 10 positions to Mosop. You can still go ahead and get the names of another five or four, assuming that in the process of vetting, you will get two or three people---

Temporary Deputy Speaker (Mr. Ethuro): Order! The hon. Member is asking you to confirm whether that is the correct position. The programme is out there.

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): Mr. Deputy Speaker, Sir, that is the only way you can get a replacement after one or two recruits have been disqualified. With regard to how we will notify the people concerned, a notice will be sent out. We are going to re-advertise the positions. The teams that will carry out the recruitments will know what to do. Otherwise, I thank you very much. Is there any other questions?

(Laughter)

Temporary Deputy Speaker (Mr. Ethuro): Order! Order, Mr. Assistant Minister!

Mr. Gaichuhie: On a point of order, Mr. Temporary Deputy Speaker, Sir, the Assistant Minister did not take into consideration my concerns about the birth certificates.

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): Mr. Temporary Deputy Speaker, Sir, the issue of birth certificates was coming in to ascertain the age. However, identity cards will still serve the same purpose. Any person who wants to join the Police Force must come with an original identity card.

Temporary Deputy Speaker (Mr. Ethuro): Order! Mr. Assistant Minister, the Chair would like to encourage you, after you have heard from hon. Members--- We are now talking about a reformed Police Force. If you allow the issue of vetting at the college, you may just be according more opportunities for other practices that may not be desirable with your reforms. You should feel at liberty to come back to the House and give a comprehensive Statement on the issues that hon. Members want to consult about.

The Assistant Minister, Ministry of State for Provincial Administration and Internal Security (Mr. Ojode): Mr. Temporary Deputy Speaker, Sir, I think that if there are more issues, I am available. I will be clarifying them as we continue with the exercise. I am always here at the Chamber to give clarifications.

MOTIONS

ESTABLISHMENT OF FERTILIZER FACTORY IN KENYA

THAT, being aware of the need to establish a fertilizer factory in the country, noting the efforts made, so far, by the Government both nationally and regionally in setting up such a factory, conscious of the suffering of farmers for lack of readily accessible and affordable agricultural inputs especially fertilizer, appreciating the need to enhance productivity in order to ensure national food security; this House resolves that the Government takes immediate and urgent steps to establish a fertilizer factory in Kenya as soon as is practically possible

(Mr. Wamalwa on 23.2.2011)

(Resumption of Debate interrupted on 30.3.2011)

Temporary Deputy Speaker (Mr. Ethuro): Order! Hon. Members, this Motion has a balance of 33 minutes and you know ten minutes will be allocated to the Responder. Therefore, we have 23 minutes for any other person to contribute. You will also realize that the Government Responder has already done his bit. Therefore, we are ready to conclude debate on the Motion.

The Assistant Minister for Education (Prof. Olweny): Thank you, Mr. Temporary Deputy Speaker, Sir. I would like to support this Motion. This is a good Motion and I congratulate the hon. Member who came up with the idea that we should put up local factories to manufacture fertilizers. Kenya is a food deficient county. We have serious food insecurity in this country. The incidences of Kenyans dying of hunger

are always with us. One of the factors leading to food insecurity is low crop yields. Low crop yields are also caused by lack of inputs and high cost of inputs. Those are inputs that are commonly used like chemical fertilizers and herbicides to control weeds, insecticides and fungicides, among others. All those inputs could be manufactured locally. For example, let us take the issue of fertilizer, which is the subject matter in this Motion.

Fertilizers are important. Organic fertilizers are imported. They cost us a lot of money. The foreign exchange that we spend in the importation of those fertilizers could be saved if only we manufactured them locally. They are expensive and they are not imported on time. They are not available when farmers need them. Even when they are imported, the amount that is imported is not sufficient. The fertilizer is not available at the places that it is needed; that is in the rural areas. It is not available at the right time. I believe that there are locally available materials that can be used to manufacture inorganic fertilizers. We have phosphate which is available locally.

If you go to a factory like the Molasses Complex in Kisumu, the by-products of sugar-cane can be used to manufacture urea. That could lower the cost of producing fertilizers for our use. That is because of the availability of the required raw materials that could be used to manufacture the chemicals that the farmers dearly need. If we established factories to manufacture fertilizers, we would lower the cost of food production. We will lower the price of fertilizers if we manufacture them locally instead of importing them. The price of importing inorganic fertilizers is very high.

If we established factories to manufacture them locally, we would create employment for our youth. That is because importation is a market for the importers. It creates employment for a few people who import fertilizer at a very high cost. So, creating local factories would create employment, save on foreign exchange and, at the same time, make inputs - in this case the fertilizers - cheaply available. Farmers would not have a problem getting them as it is the case now, when we are importing. By the time the farmers need them during the planting season, the fertilizers are not available. They are yet to be imported. We also have inorganic materials that could be processed into less bulky soil components. We have the by-products of coffee, sugar and tea industry. All those organic materials could be processed into fertilizer.

That way, we will make the work of the farmer easier because we will be having organically produced materials for use as fertilizer. Today, the by-product of the sugar industry called "mark" is used as fertilizer the way it is. It is so bulky. It takes so long to disintegrate and change the soil. So, if we could come up with a factory to process it into less bulky material that amends the soil conditions much faster, it would be to the advantage of farmers. So, we have all these opportunities. We have organic and inorganic materials, which could be used to manufacture fertilizers locally and make agricultural production much better and reduce food insecurity in this country.

With those few remarks, I beg to support and congratulate the Mover.

The Temporary Deputy Speaker (Mr. Ethuro): Hon. Members, since there seems to be a bit of interest on this Motion and time is limited. I will encourage you to limit yourselves to about five minutes.

Mr. Koech: Mr. Temporary Deputy Speaker, Sir, let me, first of all, sincerely thank my good friend, hon. Wamalwa, for bringing this Motion to the House. I want to fully support the Motion.

As a country, we keep on saying that agriculture is the backbone of our economy. We are talking of Vision 2030, by which we want to ensure that our economy grows from 7 per cent to 10 per cent. Therefore, there is need for us, as a country, to look at the farmer and the multinationals, who ensure that we are able to produce more. Fertilizer is a very important input in the agriculture sector. Tea, coffee, maize, horticulture, pyrethrum and other crops need fertilizers.

I want to say that having a factory of our own is long overdue. Therefore, this Motion is timely. We must ensure, as a country, that fertilizers are readily available to farmers at the right time. In the Rift Valley, currently, where farmers are supposed to be growing maize, you will find very long queues of farmers who want to buy fertilizer. You may think that fertilizers are being given for free. This is because of lack of enough fertilizers, because we rely on importation of the same. So, by establishing our own factory, we shall ensure that fertilizers are readily available at the right time.

*[The Temporary Deputy Speaker
(Mr. Ethuro) left the chair]*

*[The Temporary Deputy Speaker (Mrs.
Odhiambo-Mabona) took the Chair]*

Madam Temporary Deputy Speaker, while we want to ensure that we have enough fertilizers, we should also look into the issue of affordability of the same. Due to transportation costs, imported fertilizers are naturally very expensive. Therefore, I want to believe that by establishing our own factory, we shall be able to ensure that fertilizers become affordable, and that the farmer will use very little resources to put into farming and, therefore, make some profits. Today, our farmers, especially maize farmers, just do maize farming for the sake of it. There is very little profit they can make out of it.

Thirdly, by establishing our own factory, we will ensure that our youth will get employment opportunities. Again, this is a very important way of creating employment for our youth. It is important that, as a country, we focus on establishing factories and industries within our country to ensure that we address this problem. As a country, we spend a lot of money in foreign exchange when we import fertilizers. If we establish our own fertilizer factory, we shall, as a country, be able to save on foreign exchange.

Madam Temporary Deputy Speaker, we are talking of sovereignty, which is about a country which should be independent from external forces. We can only ensure our independence if we plan our programmes on our own. By establishing our own fertilizer factory, we will actually be moving towards the independence we have always talked about.

The Motion indicates that the Government should establish the factory as soon as is practically possible. I hope that the Government does not interpret “as soon as possible” to mean ten or 15 or 30 years. The Government should be able to establish this within one year. Even if it means building two or three factories for a start, we will appreciate because it will really help to revamp the agriculture sector in our country.

With those remarks, I beg to support.

The Temporary Deputy Speaker (Mrs. Odhiambo-Mabona): Hon. Members, I would want to encourage you, in the interest of other hon. Members, if you could, please, be brief.

Yes, Mr. Kinyanjui!

The Assistant Minister for Roads (Mr. Kinyanjui): Madam Temporary Deputy Speaker, I want to take this opportunity to thank the Mover of this Motion, hon. Wamalwa, for bringing this wonderful Motion to this House, which I must say is long overdue.

I want to start by saying that any country which hopes to solve the problem of unemployment must clearly consider the issue of industrialisation. As we are all aware, unemployment continues to be one of our biggest challenges. It is, indeed, a time bomb. It is said that every year, we have over 500,000 young people who join the job market, but who cannot be absorbed. It is unfortunate that a product like fertilizer, whose demand is readily available within the country and regionally, continue to be imported and, therefore, making the cost of agricultural production high and denying young Kenyans the opportunity for employment.

Madam Temporary Deputy Speaker, I must also add that fertilizer is a key input in agricultural production. Therefore, when the cost of fertilizer is high, the cost of production of all our crops will be higher. You will appreciate that our good farmers are the leading exporters of some of the key products like flowers and other horticultural products to Europe and many other countries. Therefore, when the cost of fertilizer is high, it means that our products will not be competitive on the international market.

Looking at the budgetary interventions we have had to undertake to meet the shortfalls in food production, you will appreciate that they are sometimes far in excess of what it would take to put up a fertilizer factory locally. Last year and in previous years, we had to cut the budgets of all the Ministries to ensure that we provided Kenyans with food. So, if we can do mitigation at this stage and make sure that the costs of fertilizers reduce, it will mean that, with the current acreage, we will be able to increase the food output by over 30 per cent and, therefore, enhance our food security.

Madam Temporary Deputy Speaker, funds for investment in this particular initiative should not be an issue. Every time we have had an IPO, especially in the last four years, we have had over-subscription from Kenyans who wanted to invest in viable ventures. Therefore, we should be able to raise the required funds through a Government bond or budgetary provision, or through any other possible means; to ensure that we have what it takes to do this.

In closing my contribution, I would like to appreciate the fact that there are very many areas which will be able to benefit from the introduction of a fertilizer factory in Kenya. One of them is the area of solid waste management. As we all know, solid waste in our urban centres has not been processed. Therefore, if we are to come up with a fertilizer factory, it will benefit from waste arising from solid waste processes, which will be used as an input in the fertilizer factory.

Madam Temporary Deputy Speaker, lastly, allow me to appreciate the fact that all the efforts that have been made by the Government before in terms of coming up with a fertilizer factory have not yielded any fruits. I hope that this time round, the Government will be able to come up with tangible measures to ensure that a fertilizer factory is put in place and that the cost of production of our crops is brought to a manageable level, so that

Kenyans can benefit from agricultural activities and ensure that food security is ensured throughout the year.

With those remarks, I beg to support.

Mr. Pesa: Madam Temporary Deputy Speaker, I thank you for giving me time to contribute to this very important Motion on establishment of a fertilizer factory or industry in this country. I also want to thank the hon. Member who has come up with this very noble idea.

It is very sad that although Kenya is an agricultural country, one of the inputs we use in our agricultural sector, which is fertilizer, is not locally produced. As hon. Members have highlighted, farmers in the country are complaining because we are importing fertilizers from other countries. If we were producing our own fertilizers locally, the problems that we are experiencing in this country would not have arisen.

Therefore, it is very important that farmers' interests are taken care of by creating possibilities of having a fertilizer industry here in Kenya. I know very well that Kenyans have inputs that are required to come up with this factory. The solid wastes, as one of the Members has just mentioned, we have them in abundance and the fertilizer is not being used locally.

Madam Temporary Deputy Speaker, if you look at the cost of our produce, especially the crops that we export outside Kenya, because of the cost of the fertilizer that we import, our exports are not competitive in the world market because they are produced at very high prices. If we have locally made fertilizer, I am very sure that the cost of production of the food crops, the crops which we import and others would be cheaper and, therefore, they would compete very effectively in the world market. We would create employment in Kenya if we had a fertilizer factory as opposed to creating a market for a few people who import fertilizers. Not many Kenyans get engaged in that importation market. Therefore, only few people benefit when we import fertilizer and sell it at very high price to our farmers. Kenyans would want that we do well in the agricultural sector and we can only do that if the seeds, the fertilizer and our land give us low cost of production in this country.

I want to end by supporting this Motion which is very timely.

Mr. Gaichuhie: Madam Temporary Deputy Speaker, I also rise to support this Motion. I want to thank the Member who brought it to the House because it is very timely. I want to say that this is not a new idea because I believe we had a factory known as KenRen but due to corrupt practices that have been normal in this country, we were not able to establish that factory. I want to believe that this time, since the Motion has been brought to Parliament, the factory is going to be established very soon.

Because Kenya relies on agriculture, it has been very expensive to produce. Once we have a factory here, I believe that we will have the inputs which will be readily available. I also want to believe that the factory will be homegrown and, therefore, they will know our soil samples and produce the right kind of fertilizer, so that our produce will be homegrown. We have been having a problem. If you go to all the National Cereals and Produce Board (NCPB) depots, you will find that people are queuing for the subsidized fertilizer, which is never timely. Therefore, with the establishment of this factory, I want to believe that fertilizer will be readily available throughout the year or as and when it is required. There are always very many people who want to go into farming, but because of the cost of the inputs, they are not able. This factory will create jobs

directly because people will be employed in the factory and also indirectly because very many people will go into farming. Therefore, we will create more jobs and engage our youth, whose problem is a time bomb.

Having a fertilizer factory here will take care of our solid wastes. I believe that since we are going to be integrated soon, any other materials that may be required in the factory will be readily available within East Africa. Therefore, this idea of having a fertilizer factory here in Kenya is very timely. I want to thank the Mover for having thought about this.

Due to time and I can see my fellow colleagues wanting to contribute, I beg to support the Motion.

The Temporary Deputy Speaker (Mrs. Odhiambo-Mabona): Hon. Baiya, you have three minutes.

Mr. Baiya: Thank you, Madam Temporary Deputy Speaker. I also rise to support this Motion. I wish to thank the Mover for bringing this very important Motion. Given that our country, as has been pointed out by other Members, is an agricultural country, the demand for fertilizer in this country runs into huge volumes to support the various crops such as tea, coffee, maize, wheat, pyrethrum, horticulture and sugar-cane. It is not an issue for debate whether the demand is there. The truth is that it is a testament of mismanagement that over the years, this country has not come up with its own fertilizer factory. Indeed, we have neighbouring countries, such as Mauritius, a small country with a much less demand for fertilizer which is able to support a fertilizer factory.

If we set up this kind of a factory, it will give us an opportunity to make use of the raw materials which would be readily available, not necessarily in Kenya, but even within our neighbouring countries like Tanzania, Uganda and even Sudan which has oil, some of which become inputs in the fertilizer manufacture. This is an idea which is extremely timely. One of the biggest challenges that we have been experiencing as a country as a result of relying on imported fertilizer is that we get fertilizers which are designed for other regions with different types of soils. If we brought in our own capacity to produce fertilizers, we will tailor-make the products to specific types of soils in specific areas. We will also make sure that it is tailor-made to fit specific crops, therefore, enhancing productivity. We also know that some of the fertilizers that we use have very negative impact on our soil basically because their production has not taken into account our soil types and the challenges in our soils. A local fertilizer factory will integrate our local needs in terms of mitigating some of the negative effects of fertilizer use on our soil.

Indeed, we also need to bear in mind the strategic significance of this fertilizer project from our history. For instance, in one of the Controller and Auditor-General's reports, we had cases of debts which were incurred, fraudulently, of course, way back in 1974, where some external experts had been recruited to come and look into the issue of setting up a fertilizer factory.

With those remarks, I beg to support.

The Temporary Deputy Speaker (Mrs. Odhiambo-Mabona): Hon. Members, I now call upon the Mover to respond.

Mr. Wamalwa: Thank you, Madam Temporary Deputy Speaker. I think there were several Members who had requested for two minutes each. May I start with the Chairman of the Agricultural, Livestock and Co-operatives Committee, hon. Mututho. I

will give him two minutes, with your permission, then hon. Ngugi, two minutes, my good neighbour, hon. Murgor, two minutes and hon. Nyambati two minutes. I will have two minutes to conclude.

The Temporary Deputy Speaker (Mrs. Odhiambo-Mabona): That is in order!

Mr. Mututho: Madam Temporary Deputy Speaker, fertilizer needs in the country were fully established and the Ministry of Agriculture took the appropriate action way back in the 70s and we had KenRen Fertilizer. Shockingly, until now, KenRen Fertilizer has been used as a gatekeeper to any further development towards the establishment of a sustainable fertilizer factory. That is not the end of it. I also suspect foul play because fertilizer by definition is just about adding ingredients to the soil towards a certain goal. There is liquid fertilizer, which is concentrate and does not have the buffer. There is no reason why we should not do that now. If this Government is, indeed, serious about establishing a fertilizer factory, we should start there. That does not require a very big lay out and complications.

Madam Temporary Deputy Speaker, the other thing is that they gave this contract to the infamous man who does the clearing at Mombasa. I do not want to name him now. That contract gave somebody express authority to offload from the shipping bulk; bulk handling. That has not been revoked. As such, a Kenyan farmer pays an extra US\$6 for every tonne of fertilizer to that man, for a contract that was never executed. That adds to the cost.

Finally, it is basic science that fertilizer is so critical to our soils and use of inadequate or misuse of it, ends up in a disaster in crop production.

I support.

Mr. Ngugi: Thank you, Madam Temporary Deputy Speaker. Let me start by congratulating Mr. Wamalwa for bringing this Motion on this very important subject. The establishment of a fertilizer factory in this country will not only benefit the farmers, but it will really cut costs. The amount of money that we use in importing fertilizer is enormous. We will be able to cut costs by half or even more than half if we were to establish a factory here and produce our own fertilizer.

Countries like Zimbabwe, Mauritius and others, are able to set up their own factories and the cost of producing their crops in those countries is much less than ours.

Madam Temporary Deputy Speaker, when we import fertilizer, we only benefit a few people who are the ones who import this fertilizer. If we were to set up a fertilizer factory here, the benefit will spread to all Kenyans.

Let me also say this in respect of this fertilizer that the Government imports and subsidizes: It is only benefitting certain regions. In places like the County of Nyandarua, we do not benefit. We would ask the Ministry of Agriculture, in particular National Cereals and Produce Board, to ensure that the Government's subsidized fertilizer reaches every corner of the country where there are farmers.

Madam Temporary Deputy Speaker, with those few remarks, I wish to support this Motion. Thank you, very much.

Mr. Nyambati: Thank you, Madam Temporary Deputy Speaker. I also wish to support this Motion. First of all, I wish to congratulate the Mover of this Motion because it is very timely.

There is no question that Kenya is an agricultural country. It is incumbent upon us to ensure that the kind of agricultural products that we produce are of good quality and sufficient.

If we are to have food sufficiency in this country, I think it is important that we start thinking of urgently ensuring that we have this fertilizer factory in this country. This factory will not only assist our farmers and the country, but it will also be a major player in the region. This is because in the entire East and Central African region, we do not have this kind of factory. This factory will assist the farmers to produce more in their farms.

So, it is extremely important that we ensure that the Government puts in place systems to ensure that this factory is in place, so that our farmers will now start to benefit. It will also bring down the cost of production and improve the quality of products.

In terms of food sufficiency and agricultural exports to other countries, I think this is important and it will play a major role.

Madam Temporary Deputy Speaker, I beg to support.

Mr. Murgor: Thank you, Madam Temporary Deputy Speaker. I rise to support the Motion and I thank the mover, Mr. Wamalwa. It is sad that after 45 years of Independence, we do not have a fertilizer factory knowing that ours is an agricultural country.

The starvation we have experienced and even the problems we have had of poor crop yields, are as a result of not having our own fertilizer factory. Having a fertilizer factory will create food security and stability for us in the country, so that we can no longer face starvation because it will increase productivity. Farmers will produce in large quantities to feed the whole nation.

A fertilizer factory will help us to feed the nation. As a result, we will have a healthy nation. Even if a farmer is running short of any other food commodity or clothing, he will be able to feed his children and concentrate on other things. Therefore, it is very essential to have such a factory in the country.

Economically, this nation will be stable. We will be to export agricultural produce to other nations.

With those few remarks, I beg to support.

The Temporary Deputy Speaker (Mrs. Odhiambo-Mabona): Mr. Wamalwa, you were actually on the Floor. You had just donated your time.

Please, proceed.

Mr. Wamalwa: Thank you, Madam Temporary Deputy Speaker, for allowing my colleagues to contribute to this Motion. I just have two minutes. Mine is to say that by passing this Motion, we will be making a policy statement. We do know that we are still at the policy statement level of the budget process.

This Government can make a decision as a matter of policy to ensure that we put to rest the ghost of KenRen. In the 1970s, we did actually resolve to have a fertilizer factory in this country, but for reasons known to all of us, 30 years later, we do not have a fertilizer factory and yet, Kenyans still continue paying for a non-existent fertilizer factory called KenRen. The time has come when we can now establish a fertilizer factory to ensure our national food security.

We do have a seed company; that is the Kenya Seed Company. We look forward to having a fertilizer factory that will supply fertilizer and seeds to the region.

With those few remarks, I beg to move.

(Question put and agreed to)

The Temporary Deputy Speaker (Mrs. Odhiambo-Mabona): Next Order!

DEVELOPMENT OF SCHEME OF SERVICE FOR NON-TEACHING
STAFF IN PRIMARY/SECONDARY SCHOOLS

THAT, acknowledging that non-teaching staff in primary and secondary schools play a critical role in the development and success of the institutions that they serve and, as such, warrant a separate scheme of service; noting that the main objectives of a scheme of service for officers is to attract people with the appropriate ability, ambition and integrity by offering a well defined career structure, this House urges the Government to develop a scheme of service for non-teaching staff of both primary and secondary schools in order to prescribe realistic qualification requirements and also to maintain professional standards.

The Temporary Deputy Speaker (Mrs. Odhiambo-Mabona): Hon. Members, I have received information that the honourable Mover of this Motion is not ready to move it now. So, we will proceed to the next Order.

(Motion deferred)

WAIVER OF MORTUARY FEES IN PUBLIC HOSPITALS

THAT, noting that according to the Kenya Integrated Household Budget Survey (KHBS) of 2005/6, it was estimated that 17.5 million people or 46 per cent of the Kenyan population live in absolute poverty and live on less than one dollar a day; aware that the Government has been unable to provide them with free medical facilities to ease their burden; conscious that many families have had their bodies of their loved ones not released for burial in various public and private morgues for lack of money to clear various fees and charges; mindful that every Kenyan family would wish to accord their departed a decent burial at a place of their choice; this House urges the Government to waive mortuary fees in all public hospitals for bodies claimed within 21 days and those not claimed become a subject of disposal by the hospital authorities in accordance with the law.

Mr. Mututho: On a point of order, Madam Temporary Deputy Speaker. Hon. Mbau is the Chairman of the Budget Committee. We are now doing the budgetary policy statement and all the chairmen and the Minister for Finance are hustling and bustling about this policy. While it is of top priority to move the Motion here, he is also chairing the other meeting on the other side. The other meeting is also a parliamentary function.

The Temporary Deputy Speaker (Mrs. Odhiambo-Mabona):

The Temporary Deputy Speaker (Mrs. Odhiambo-Mabona): Thank you for informing me. In light of that information, I am forced to interrupt the business of the House.

(Motion deferred)

ADJOURNMENT

The Temporary Deputy Speaker (Mrs. Odhiambo-Mabona): There being no other business, the House stands adjourned until this afternoon, Wednesday, 13th April, 2011 at 2.30 p.m.

The House rose at 12.01 p.m.