

NATIONAL ASSEMBLY

OFFICIAL REPORT

Tuesday, 5th April, 2011

The House met at 2.30 p.m.

*[The Temporary Deputy Speaker
(Prof. Kaloki) in the Chair]*

PRAYERS

PETITION

STATUS OF PETITIONS ON KIBOROA
SQUATTERS AND MAU MAU
FREEDOM FIGHTERS

Mr. Wamalwa: Mr. Temporary Deputy Speaker, Sir, last year in July, hon. Dr. Bonny Khalwale presented a Petition on behalf of Kiboroo squatters in Trans Nzoia. The Speaker issued directions that the Petition be referred to the Departmental Committee on Lands and Natural Resources. We visited Trans Nzoia where we met the squatters. However, whereas the directions were that this Petition be dealt with within 21 days, it is now almost a year and the Kiboroo squatters are worried that it has not been disposed of. They are even worried that Dr. Bonny Khalwale is not in the House even though we believe and hope that the good people of Ikolomani will return him to this House. I ask for further directions.

Mr. Temporary Deputy Speaker, Sir, I had communicated this to your office early in the morning. Also, apart from the Petition on behalf of the Kiboroo squatters, there is a second one I had presented on behalf of the Mau Mau freedom fighters. Up to now, the Petition has similarly not been disposed of. I urge that I be given further directions on the disposal of these petitions.

The Temporary Deputy Speaker (Prof. Kaloki): Mr. Wamalwa, that particular Petition is already being handled by the Departmental Committee on Lands and Natural Resources.

Mr. Wamalwa: Mr. Temporary Deputy Speaker, Sir, I was only reminding the Chair that, under the Standing Orders, the Petition should be handled within 21 days. It is almost going to a year now! I was only urging for further directions that the Committee expedite the disposal of that Petition for the sake of Kiboroo squatters and the freedom fighters.

The Temporary Deputy Speaker (Prof. Kaloki): We will check on that and get back to you on the status of that particular Petition which is before the Departmental Committee on Lands and Natural Resources.

QUESTIONS BY PRIVATE NOTICE

SHOOTING OF LTEKANA LERETE BY BRITISH ARMY SOLDIERS

Mr. Letimalo: Mr. Speaker, Sir, I beg to ask the Minister of State for Defence the following Question by Private Notice.

(a) Under what circumstances was one Mr. Ltakana Lerete shot and seriously injured by British Army soldiers while herding his cattle at Olkanjao area near Archers Post in Samburu East District on 16th March, 2011 and what is his current condition?

(b) Why are the soldiers using aircraft to arrest herders and chase away livestock grazing outside the gazetted military training area?

The Assistant Minister, Ministry of State for Defence (Mr. Musila): Mr. Temporary Deputy Speaker, Sir, I beg to reply.

(a) On 16th March, 2011 the Range Marshall at the Olkanjao Training Area in Archers Post was met by two boys seeking medical attention for their colleague who they said had been shot. The Range Marshall mobilized his team and quickly moved to Grid 611057 inside the gazetted training area. They found a youth by the name Ltekana Lerete with gunshot wounds on his right hand. They then evacuated him to the British main operating base within Olkanjao area for First Aid and then to Archers Post Hospital for further treatment.

After treatment at the district hospital he was taken by the police for their own investigations. The incident was booked at the police station as OB. No.11 of 16th March, 2011. He was then issued with a P3 Form. As to his current condition, the Ministry of State for Defence is unable to tell his condition because according to the police he has never returned the P3 Form.

(b) The military training at Archers Post either by the British Army or the Kenya Defence Forces is conducted strictly within the gazetted area. However, in the past, there has been an influx of populations into the gazetted training area which is dangerous as live ammunition is fired during the training. There is no evidence whatsoever of any military aircraft being used to chase cattle or arresting herders as it is alleged. There are nevertheless choppers used from time to time within the training area to monitor training exercises.

Mr. Letimalo: Mr. Temporary Deputy Speaker, Sir, this is not the first time that we are raising issues about the atrocities committed against Kenyans in that area. Every other time the Government has denied this. In this particular case, the Samburu pastoralists who are based in that area know the boundaries of the military training area just as the Government does. We know for sure that they have now gone beyond the gazetted military training area. Why should the Government allow the British soldiers to go outside military training area and harass the pastoralists? These are difficult times for those people. They have driven their animals to places they can get pasture and water. They are, indeed, operating without the military training area. Why is the Government harassing these people? For how long are we going to continue seeing our people being harassed by military troops and the Government?

Mr. Musila: Mr. Temporary Deputy Speaker, Sir, indeed, this is not the first time this matter is coming before this House. Last year, I issued a detailed Ministerial

Statement at the request of hon. Letimalo on the issue of this gazetted area. I want to make it very clear that this area is a gazetted military training area. The maps are there and I made them available to the House and the hon. Member. Therefore, it is not true to allege that the British are leaving the area that is reserved for training. In any case, we should leave the British Army out of this because this is an area reserved for military training of Kenya's Defence Forces, but through an agreement between the Government of Kenya and the British Government, the British are allowed access to that area.

The British Army never goes to that area without our own liaison officers. As I speak, we have 130 military personnel training along with the British. Therefore, the question of getting out of the gazetted area does not arise.

The Temporary Deputy Speaker (Prof. Kaloki): Order, Mr. Musila! The issue here is that somebody was shot. Did you find out the circumstances surrounding the shooting? Was he trespassing the area?

Mr. Musila: Mr. Temporary Deputy Speaker, Sir, I mentioned that Mr. Ltakana Lerete was within the training area where live ammunition was being fired. He was shot on the arm and he was not seen until the following day when his friends called to say that he needed medical attention. He was picked and taken to hospital. As we speak now we are waiting for him to return the P3 Form that was issued by the police in order to ascertain the degree of the injury.

The Temporary Deputy Speaker (Prof. Kaloki): So, we can say that was accidental shooting.

Mr. Musila: Yes, Mr. Temporary Deputy Speaker, Sir. It was accidental shooting and I have already alluded to that.

Mr. Chanzu: Mr. Temporary Deputy Speaker, Sir, the third paragraph of the answer is both misleading and ambiguous. This is because the Assistant Minister says that after treatment this person was taken over by the police for their own investigations. Lastly, he says that he has never returned the P3 Form. Does the Assistant Minister know the condition of the person? Is the Government going to meet the cost of this treatment?

The Temporary Deputy Speaker (Prof. Kaloki): Order, Mr. Chanzu! Can you, please, be specific? What is your question now?

Mr. Chanzu: The Assistant Minister should clarify the condition of this person and also tell us if the Government is going to meet the cost of this treatment.

Mr. Musila: Mr. Temporary Deputy Speaker, Sir, the victim of this shooting was shot by a stray bullet. It could have come from the people who were training or anywhere. That is why this matter was handed over to the police for investigations and they are doing so.

With regard to the degree of injury, we are waiting for the P3 to be returned to the police – not us – so that they inform us the findings of their investigations.

Mr. Lang'at: Mr. Temporary Deputy Speaker, Sir, is it in order for the Assistant Minister to take us round in this matter? He said that the victim was shot within the training area and yet he still tells us that he doubts whether the victim was shot by the military personnel, or a bullet from elsewhere. Is it in order for him to mislead this House that there could have been other people with guns within the military training area?

Mr. Musila: Mr. Temporary Deputy Speaker, Sir, I want to inform the House that within that gazetted training area, people have been found illegally armed with suspect weapons such as L16 and AK 47 assault rifles. These are civilians who have intruded into

the training area. So, it could be the British Army was training, or it could as well be some of these people who are moving around the area with illegal arms.

Mr. Letimalo: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for the Assistant Minister to mislead the House when we know for sure that there are Somali transitional federation youth, being trained in these military camps? These are the people who carry illegal firearms. Could he confirm?

Mr. Musila: Mr. Temporary Deputy Speaker, Sir, this is totally a false allegation. We do not have people from Somalia being trained in this area.

The Member had rightly questioned the presence of the British Army officers who are currently training with our own forces there, with the Government's approval. So, I am not aware of the question of other people being trained within the area. We have evidence and the police can confirm that they have arrested people with illegal arms in the area. These are civilians carrying M16 and AK 47 rifles.

The Temporary Deputy Speaker (Prof. Kaloki): Hon. Letimalo, please ask your final question!

Mr. Letimalo: Mr. Temporary Deputy Speaker, Sir, I wish you could have allowed the House to exhaust this question, because it is a matter of life and death.

The Temporary Deputy Speaker (Prof. Kaloki): Order, hon. Letimalo. Could you, please, ask your final question?

Mr. Letimalo: Thank you, Mr. Temporary Deputy Speaker, Sir. This victim was actually shot by the British Army. This man was transferred to the Archers Post Health Centre. However, his condition deteriorated and he was transferred to Wamba Mission Hospital.

We can even see from the Assistant Minister's answer that they were not concerned about the condition of this victim. Could he take responsibility, on behalf of the British Army or the Government, to pay for the cost of the hospitalization of this victim?

Mr. Musila: Mr. Temporary Deputy Speaker, Sir, I very well understand the emotions of the hon. Member.

Mrs. Leshomo: Jambo la nidhamu, Bw. Naibu Spika wa Muda. Ni wazi kwamba Waziri Msaidizi hajawahi kufika huko ili aelewe shida ya watu wetu ambayo imeletwa na wanajeshi wa Uingereza. Wanawake wengi hunajisiwa na wanajeshi hawa. Pia watu wengi wamepoteza maisha yao na wengine kujeruhiwa.

The Temporary Deputy Speaker (Prof. Kaloki): Mheshimiwa Leshomo, tafadhali uliza swali lako!

Mrs. Leshomo: Bw. Naibu Spika wa Muda, ningependa Waziri Msaidizi atembelee eneo hilo ili athibitishie vile hali ilivyo. Hakuna haja ya kuja hapa na kujibu Swali kabla ya kuzuru eneo hilo. Hali ni mbaya sana!

The Temporary Deputy Speaker (Prof. Kaloki): Waziri Msaidizi tafadhali jibu swali la mhe. Leshomo.

Mr. Musila: Bw. Naibu Spika wa Muda, hilo si jambo la nidhamu, bali hilo ni swali!

The Temporary Deputy Speaker (Prof. Kalok): Lakini jibu swali hilo ili mhe. Leshomo anufaike!

Mr. Musila: Bw. Naibu Spika wa Muda, mimi ninaielewa nchi hii kikamilifu kwa sababu nimeitumikia Jamhuri yetu kwa miaka mingi. Eneo hili ninalifahamu kabisa. Hiki ndicho kisa cha kwanza cha mtu kujeruhiwa kwa risasi wakati wa mazoezi.

Kuhusu unajisi, pengine mhe. Leshomo anaweza kuuliza Swali Maalum na tutalijibu kikamilifu.

The Temporary Deputy Speaker (Prof. Kalok): Now proceed and conclude, Mr. Assistant Minister.

Mr. Musila: Mr. Temporary Deputy Speaker, Sir, I very much sympathise with hon. Letimalo.

As I said, last year I issued a Ministerial Statement and clarifications were sought in this House. It is not a matter of the British Army. This is a matter of a gazetted area for the Kenya defence forces. With an agreement, the British Army is allowed to train there, but not alone. They do so, with our own military personnel who ensure that they do the right thing. They confine themselves within the boundaries as per the gazette notice.

On the issue of the cost of treating, it is not an issue, because the police will establish who shot the victim. As of now, the police are still investigating.

I want to make an appeal through the hon. Member that this is a gazetted area. It is a dangerous area. I want to appeal to him to prevail upon his constituents to avoid this area when live ammunition is being fired. We have continued to alert the Provincial Administration, politicians and elders to inform these people whenever we start training. It would be of much help to the Government and also the community, if the area residents ensure that they keep away from this area during the training period.

The Temporary Deputy Speaker (Prof. Kaloki): Next Question, Mr. Njoroge Baiya.

REPAIR OF FLUOROSCOPY X-RAY MACHINE AT KNH

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

(a) Is the Minister aware that the only fluoroscopy X-ray machine at Kenyatta National Hospital (KNH) broke down in early March, 2011 and why are there no contingent measures to cater for the breakdown?

(b) What stop-gap measures has the Government taken to ensure detection and treatment of cancer at the facility and when will the machine be repaired or replaced?

The Assistant Minister for Medical Services (Mr. Kambi): Mr. Temporary Deputy Speaker, Sir, I beg to reply.

(a) The Kenyatta National Hospital (KNH) has an X-Ray screening unit model D15 acquired in 1992, which has been in use for general fluoroscopic procedures, mainly radiological examinations of the alimentary canal, general urinary systems and vascular systems. This machine broke down on 8th March, 2011, and the hospital maintenance unit is unable to repair it. This is because spare parts are no longer manufactured as the machine's technology is now obsolete. It requires replacement. Towards this end, the hospital has factored Kshs30 million in the 2011/2012 Budget to procure a new machine.

However, the hospital has a newer machine, MD- Eleva Model, acquired in 2007, which had, until breakdown of the old machine, been dedicated to the performance of

sophisticated diagnostic and therapeutic procedures. The machine is in good condition and is on a comprehensive maintenance contract with the dealer in line with the hospital policy of putting all medical equipment below 5 years, under maintenance contracts. The newer machine is now being used to address both general and sophisticated service needs, as the hospital mobilizes funds to procure a replacement for the old one. Of course, these arrangements pose challenges for the hospital mainly relating to the heavy workload in the X-Ray department.

(b) A fluoroscopy machine is not used for detection and treatment of cancer. There is, therefore, no connection between the breakdown of the fluoroscopy machine acquired in 1992 and cancer detection and treatment, which is done using different equipment.

Mr. Baiya: Mr. Temporary Deputy Speaker, Sir, my response to the answer given by the Assistant Minister is that the issue and the challenge we are raising is that the KNH is a referral institution. It handles cases basically referred from other Government institutions. Some of which involve Kenyans who cannot afford treatment in private hospitals. Is it proper for the Ministry to have allowed this hospital to use an outdated machine which is now 19 years old, until it reaches the point of breakdown? When it comes to replacement, you have not taken any urgent measures to replace this equipment. He wants Kenyans to wait for these services until next year's Budget? This is very serious!

Mr. Kambi: Thank you, Mr. Temporary Deputy Speaker. I think I was very clear. I said that the machine was procured in 1992. However, its spare parts are not available locally. We have procured a modern digital machine which is working right now. For cancer treatment, we have other modern machines which are based at the Kenyatta National Hospital. Since that machine is not only used to treat cancer, people suffering from other diseases are catered for. The cobalt machine is now working as we speak.

Dr. Kones: Mr. Temporary Deputy Speaker, Sir, I would like to know from the Assistant Minister: What is the basic equipment that we should have in district and provincial hospitals? We have several patients suffering from heart and renal diseases and yet, in most district and provincial hospitals, we do not have machines to treat those kinds of patients. What is the Ministry doing to ensure that every district hospital has some basic equipment?

Mr. Kambi: Mr. Temporary Deputy Speaker, Sir, for a hospital to be called a district hospital; it must have several wards, a theater, a women's ward, a children's ward and a men's ward, among other facilities. But due to budget constraints, the Ministry could not purchase equipment for all the district hospitals which were upgraded last year. However, we have factored in some money to procure equipment during this financial year.

Mr. Linturi: Thank you, Mr. Temporary Deputy Speaker, Sir. The prevalence of cancer in this country is rising. It is very unfortunate that the Minister for Medical Services is a victim of cancer. Considering that the Kenyatta National Hospital is the only national referral hospital that we have in this country, it is very sad to note that, that machine has been down for the last one month and there are no clear measures being taken to have it repaired. I am not satisfied with the answer that Kshs30 million will be factored in the 2011/2012 Budget to repair the equipment. That means that it will take six months before patients can get assistance. What is the Ministry doing, since this matter is

emergency in nature, to make sure that another machine is brought for purposes of trying to screen cancer in this country? That is because we need, at least, five cancer screening machines at the Kenyatta National Hospital?

The Temporary Deputy Speaker (Prof. Kaloki): Hon. Assistant Minister, if you can, just be clear on the policy regarding replacement of old machines throughout the country. Do you have any policy because the equipment has broken down even in my hospital - Makindu Hospital? Do you have any policy to address the problem?

Mr. Kambi: Mr. Temporary Deputy Speaker Sir, the machine that the hon. Member is talking about is not a cancer detecting machine. We have machines at the Kenyatta National Hospital which detect cancer cells. We treat cancer patients.

Dr. Monda: On a point of order, Mr. Temporary Deputy Speaker, Sir. You have heard the Assistant Minister tell the House that the machine that we are talking about is not meant for cancer detection. He has also alluded to the fact that the machine is used on the alimentary system, the urinary system and the cardiovascular system. What is the machine used for, if it is not used to x-ray those areas? What would we be looking for? Is he not misleading the House?

The Temporary Deputy Speaker (Prof. Kaloki): Hon. Assistant Minister, just be clear. Then we sum it up.

Mr. Kambi: Mr. Temporary Deputy Speaker, Sir, I am very clear. I said that the Kenyatta National Hospital has an x-ray screening unit model D15 which was acquired in 1992. However, a fluoroscopy machine is not used for detection and treatment of cancer. Therefore, there is no connection between the breakdown of the fluoroscopy machine acquired in 1992 and the cancer detection treatment which is done using different equipment.

Mr. Baiya: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for the Assistant Minister to mislead this House that the fluoroscopy machine is not used for detection and treatment of cancer? What is it used to screen?

Mr. Kambi: Mr. Temporary Deputy Speaker, Sir, I am not misleading the House. I am very clear. I think the hon. Member was not listening to me when I was giving the answer. That machine is normally used for other purposes apart from detecting cancer illness. It is used mainly on radiological examination of the alimentary canal, general urinary systems and vascular systems. It is not used for detecting cancer.

The Temporary Deputy Speaker (Prof. Kaloki): Hon. Olang!

Mr. Olago: Thank you Mr. Temporary Deputy Speaker, Sir. With all due respect, may I, kindly, suggest that you invest more time in knowing hon. Members by name? That would make us stand up faster.

The Temporary Deputy Speaker (Prof. Kaloki): Proceed!

Mr. Olago: Mr. Temporary Deputy Speaker, Sir, medical research indicates that the areas around Lake Victoria Basin are much more hit by cancer than other areas. The only machine for early detection of cancer is available at the Kenyatta National Hospital and nowhere else in the country. In the whole of Nyanza and Western provinces, patients who have cancer problems either go to Nakuru or come to Nairobi at the Kenyatta National Hospital for cancer treatment. Under those circumstances, what is the Ministry doing to ensure that Nyanza Provincial Hospital, being the biggest in that area, will have a machine for early detection and treatment of cancer?

The Temporary Deputy Speaker (Prof. Kaloki): Assistant Minister, are you prepared to answer that question because it is probably a different Question?

Mr. Kambi: Mr. Temporary Deputy Speaker, Sir, two satellite oncology cancer clinics have been established, namely, one at the Coast and one at the Nyanza Provincial General Hospital. Both are functional. We are also in the process of training eight medical doctors and other technical staff, namely, medical physical therapy technologists. This will increase the number of specialized oncology personnel, who then will be seconded to other peripheral cancer centres countrywide.

Mr. Baiya: Mr. Temporary Deputy Speaker, Sir, given the fact that this is an equipment whose lifespan, the procedure for replacement and the time span are known, how does the hospital operate without preparations to replace an equipment once it has expired or broken down, like has happened now? Does the Assistant Minister have to wait until he budgets for the equipment again, therefore, causing suspension of the services the machine was offering to Kenyans?

Mr. Kambi: Mr. Temporary Deputy Speaker, Sir, these are old models whose spare parts are not available locally anymore. However, the new machine that we have purchased, which is working right now, is serviceable and is on a five-year contract.

NON-PAYMENT OF ELECTRICITY BILL FOR
NYAKACH WATER SUPPLY

Mr. Ochieng: Mr. Temporary Deputy Speaker, Sir, I beg to ask the Minister for Water and Irrigation the following Question by Private Notice.

(a) Is the Minister aware that electricity supply at the Nyakach Water Supply Works has been disconnected due to non-payment of an outstanding electricity bill of Kshs1,266,892 to Kenya Power and Lighting Company (KPLC)?

(b) Could the Ministry urgently settle the bill to enable water pumping to resume?

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

(a) Yes, I am aware that electricity supply to Nyakach Water Supply Works was disconnected for non-payment of an outstanding electricity bill of Kshs1,266,892 to the KPLC.

(b) You will recall that on 24th February, 2011, my Ministry paid an outstanding bill of Kshs1.9 million to the KPLC being part payment for the electricity bill. An outstanding bill of K shs533,220 was to be paid by the water company, which they never did. My Ministry is in the process of clustering water companies in the same county, so that the economies of scale can be enhanced. I have further requested the Lake Victoria South Water Services Board to review the performance of this company with a view to overhauling the management.

Mr. Ochieng: Mr. Temporary Deputy Speaker, Sir, my people have gone without water for the last three weeks, which has even forced some schools to close a bit early for lack of water. I have schools which have more than 1,000 students, who have been in school for the last few weeks without water. Could the Minister promise when this amount will be cleared, so that pumping of water can resume for my people to receive water?

The Temporary Deputy Speaker (Prof. Kaloki): Hon. Minister, are you able to assist that particular constituency?

Mrs. Ngilu: Mr. Temporary Deputy Speaker, Sir, I cannot promise when the money can be paid. In fact, we cannot pay. You will realize that the Ministry paid Kshs1.2 million in February and now there is an outstanding bill.

Mr. Ochieng: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for the Minister to confirm that they cannot pay while my people have already paid their bills to the Ministry? My people do not owe this water company any outstanding amount in form of bills. Why is she saying that she cannot pay?

Mrs. Ngilu: Mr. Temporary Deputy Speaker, Sir, that is not the position. It is Nyasani Water Company which has not been paying its bills. I am aware that there is a management problem in this company. I am going to ensure that the Lake Victoria South Water Services Board puts the right management in place, so that there is no mismanagement. For now, we cannot say that we will pay because if we do so, it will be encouraging people to consume water without paying for it.

Dr. Kones: Mr. Temporary Deputy Speaker, Sir, the Minister has admitted that there is some management problem within this company. Apparently, it looks like these management problems are common in most of the water supply bodies. In my view, this arises from the provisions of the Water Act. The Water Services Board does not seem to have enough capacity and power to supervise the water supply companies. What is the Ministry doing to make sure that these bodies are streamlined, so that services are offered to the common mwananchi?

Mrs. Ngilu: Mr. Temporary Deputy Speaker, Sir, that observation is correct. We are still implementing the Water Act of 2002, and it is true that a lot of these water companies have capacity problems, including the Water Services Boards. We have put our act together to ensure that we co-ordinate and harmonize the Water Act with the current Constitution. That is true and we are doing that.

The Temporary Deputy Speaker (Prof. Kaloki): But Minister, how long will it take to solve the problem and supply water to the people? We seem to have an emergency situation on the ground. Is it two weeks, three weeks or a month?

Mrs. Ngilu: Mr. Temporary Deputy Speaker, Sir, I need to check whether the Lake Victoria South Water Services Board has some money to pay. Meanwhile, we can also speak to the KPLC to see whether they can reconnect power, so that the people can get water. But I want to ask the hon. Member and all the other Members to encourage their communities to pay their water bills. It is not commercial really. It is just to serve people, but people must pay something small and manage the companies properly, so that they access clean water.

The Temporary Deputy Speaker (Prof. Kaloki): Minister, you are doing well. Do you think you need a month to settle the problem?

Mrs. Ngilu: Mr. Temporary Deputy Speaker, Sir, I would rather come back to the hon. Member to inform him because I need to check with the Board whether they have money or not.

Ms. Karua: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for my good friend, the Minister, to say that she will check with the Board, when we know that she has a discretionary Fund as the Minister? Could she use that discretionary Fund for this very needy situation?

The Temporary Deputy Speaker (Prof. Kaloki): Minister, indeed, you can do some undertaking here.

Mrs. Ngilu: Mr. Temporary Deputy Speaker, Sir, I cannot make an undertaking because really, you can see that hardly two months ago, we paid for this water company Kshs1.2 million. Surely, if I make another undertaking today, those people, wherever they are, are just listening and saying that this is what the Minister will be doing. Let me not make an undertaking. Let us see what we can do and maybe even change the management to ensure that these people take their own responsibility also.

Mr. Ochieng: Mr. Temporary Deputy Speaker, Sir, I am still not satisfied. From the Minister's answer, it is like my people have not been clearing their bills, yet this water company has been collecting Kshs600,000 from my people every month. So, when they fail to pay the electricity bill, whose responsibility is it? Is it for the people of Nyakach or the Ministry which introduced the management of the water project in my constituency?

The Temporary Deputy Speaker (Prof. Kaloki): Hon. Minister, you want to be more lenient?

Mrs. Ngilu: Mr. Temporary Deputy Speaker, Sir, I am persuaded, but on condition that I am promised that when we change the management, I will not have another Question here on the issue. That is what is happening. Every time we change the management, we are asked why we are changing the management and then it becomes political. Otherwise, we all need to understand that water has to be paid for. It is not expensive. We are doing everything possible to supply water. In some places, it is very expensive because we are using power to pump water, but where it is by gravity, it is cheaper. We will see how we can agree. I cannot say that I am going to pay the full Kshs1.2 million, but we will pay something, so that water is reconnected.

Mr. Olago: Mr. Temporary Deputy Speaker, Sir, water companies act as agents of the Ministry because they are appointed by the Water Services Board. Therefore, the Ministry, as the principal, must be prepared to take responsibility for their acts. So, if wananchi agree and the agents appointed by the principal are not prepared to work properly, then the Ministry must come forward and take charge by paying the bills and re-managing the positions. So, under these circumstances, is it in order for the Minister to ask for an undertaking from the water companies when it is the responsibility of the Ministry to take charge?

The Temporary Deputy Speaker (Prof. Kaloki): Order, Mr. Olago! The Minister has already taken responsibility. So, she should be able to source some funds and assist the situation on the ground. I think she has already committed herself to doing something about the situation. Is that true, Minister?

Mrs. Ngilu: Mr. Temporary Deputy Speaker, Sir, that is true. I have undertaken to do that.

The Temporary Deputy Speaker (Prof. Kaloki): Thank you!
Next Question, hon. Mwaita!

MURDER OF JOSEPH CHEPTARUS

Mr. Mwaita: Mr. Temporary Deputy Speaker, Sir, I beg to ask the Minister of State for Provincial Administration and Internal Security the following Question by Private Notice.

(a) What are the circumstances surrounding the murder of Joseph Cheptarus, a former Assistant Commissioner in charge of Investigations and Enforcement at the Kenya Revenue Authority, who was at the time actively investigating, among other cases, the illegal transportation of 2.5 tonnes of gold worth Kshs.8 billion from Eastern Congo?

(b) What is the status of the investigation?

(c) What security arrangements have been made to KRA officers who have investigative roles?

However, I have not been supplied with a written answer.

The Minister of State for Provincial Administration and Internal Security (Prof. Saitoti): Mr. Temporary Deputy Speaker, Sir, I have had an opportunity to go through the answer that has been provided to me. I have to admit that the details given to me are inadequate. For that reason, I would wish to be given time to be able to get all the necessary details and answer this Question on Thursday.

The Temporary Deputy Speaker (Prof. Kaloki): Hon. Mwaita, is that okay with you?

Mr. Mwaita: Mr. Temporary Deputy Speaker, Sir, that is okay.

The Temporary Deputy Speaker (Prof. Kaloki): Very well! The Question is deferred to Thursday.

(Question deferred)

Next Question, Mr. Muturi Mwangi!

ORAL ANSWERS TO QUESTIONS

Question No.810

CAUSES OF DEATHS OF JOHN KAMURI AND PETER IRUNGU

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

(a) whether he is aware of the disappearance and subsequent deaths of two brothers, John Kamuri and Peter Irungu of Yamugwe Village, Githagara Location, Kahuro District on 28th December, 2010, and that the two were handed over to policemen by the matatu crew of vehicle number KBK 334J at Ruiru and, if so, whether he could provide the names of the driver and conductor;

(b) whether he could also provide the identities of the police officers contacted by the matatu crew to pick up the brothers at Ruiru; and,

(c) who are responsible for the deaths and when he will charge them with the offence.

The Minister of State for Provincial Administration and Internal Security (Prof. Saitoti): Mr. Temporary Deputy Speaker, Sir, hon. Muturi and I have had a

discussion during which it was agreed that, subject to your endorsement, I answer this Question tomorrow morning.

The Temporary Deputy Speaker (Prof. Kaloki): Hon. Muturi Mwangi, what is your reaction?

Mr. Mwangi: Mr. Temporary Deputy Speaker, Sir, this would be the third time this Question will be appearing on the Order Paper.

The Temporary Deputy Speaker (Prof. Kaloki): Hon. Muturi Mwangi, is that the agreement you have with the Minister?

Mr. Mwangi: Mr. Temporary Deputy Speaker, Sir, is he committed to make sure that he answers the Question as promised? The Speaker had previously given an order that the Question be answered, but it has appeared on the Order Paper three times ever since.

The Temporary Deputy Speaker (Prof. Kaloki): Hon. Mwangi, you have agreed that the Minister answers the Question tomorrow. Is that right?

Mr. Mwangi: Mr. Temporary Deputy Speaker, Sir, I agree if he is committed.

The Temporary Deputy Speaker (Prof. Kaloki): The Questioned is deferred to a later date and especially tomorrow.

(Question deferred)

Next Question, hon. Peter Kiilu!

Question No.469

NON-PAYMENT OF WORKMAN COMPENSATION
BENEFITS TO KELVIN MUTUKU MUTUA

Mr. Kiilu: Mr. Temporary Deputy Speaker, Sir, before I ask the Question, I would like to inform you that I have not received a written answer to it.

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

(a) why the workman compensation benefits amounting to Kshs.1,871,520.00 due to Mr. Kelvin Mutuku Mutua (APC No. 20060559976), who died on 2nd August, 2008, have not been paid to the next of kin; and,

(b) when the benefits will be paid.

The Minister of State for Provincial Administration and Internal Security (Prof. Saitoti): Mr. Temporary Deputy Speaker, Sir, let me, first of all, inform the hon. Member that, indeed, I have his copy with me here, which he ought to have received much earlier. I apologise.

I beg to reply.

(a) The work injury benefits of Mr. Kevin Mutuku Mutua have not been paid to his next of kin because Treasury has not provided the necessary budgetary resources to fund this expenditure.

(b) The next of keen will be paid as soon as the Ministry of Finance responds with funding to a request of work injury benefits computed claims as per letter Ref. No.TSTAD20/1, dated 18th November, 2009.

Mr. Kiilu: Mr. Temporary Deputy Speaker, Sir, this officer died at a very tender age, when he joined the service. It has been traumatising for the next of kin when seeking the compensation. Why has the Minister taken so long to compensate this young man, who died in an unfortunate situation?

The Temporary Deputy Speaker (Prof. Kaloki): Minister, you can even take time and share with the House the policy on making sure that such dues are paid on time.

Prof. Saitoti: Mr. Temporary Deputy Speaker, Sir, first of all, I said that the reason as to why the claims have not been paid is that we have not been able to get the appropriate response from the Treasury on these payments. The Ministry wrote way back in November, 2010, advising that this money should be paid. It is not my Ministry which pays this money. The Fund is operated by the Treasury.

Mr. Shakeel: On a point of order, Mr. Temporary Deputy Speaker, Sir. This is part of normal expenditure of the Ministry, just like paying salaries and other compensations. These are expenditures which are always planned and budgeted for every year. Is the Minister in order to say that they have asked Treasury for money? Have they budgeted for it, so that they can be sourcing it from their own budget? If the Ministry has not budgeted for this money and money for other compensations, the Minister should be clear and say that he will budget for it in financial year 2011/2012 and stop blaming Treasury for something which should be dealt with within the Ministry's normal planning and budgeting function.

Prof. Saitoti: Mr. Temporary Deputy Speaker, Sir, I would just like to expound the fact that before the Ministry's case, such funding has to be approved by Treasury. I am stating here that no such approval has been granted for us to be able to pay.

The Temporary Deputy Speaker (Prof. Kaloki): Order, Minister! When will you be able to compensate the late Kevin Mutuku Mutua?

Prof. Saitoti: Mr. Temporary Deputy Speaker, Sir, without stating the actual date, I would like to make an undertaking to personally get in touch with the Minister in charge of the Ministry of Finance to ensure that this matter is expedited. That is the much I can do.

Mr. Letimalo: Mr. Temporary Deputy Speaker, Sir, the compensation that is being claimed here is only Kshs1.8 million. I do not think this is a lot of money for Treasury to approve. The Minister has said that his Ministry's approval was made two years after the death of this particular victim. This is not the only case. Is he confirming that there is a problem of processing pension compensation of this kind in his Ministry?

The Temporary Deputy Speaker (Prof. Kaloki): Minister, do you have a problem handling such claims?

Prof. Saitoti: Mr. Temporary Deputy Speaker, Sir, first of all, let me make one clarification. I am sure that hon. Members are aware that pensions are paid from the Treasury. That is one thing which is very clear.

Secondly, I am sure that all the hon. Members are aware that before---

(Loud consultations)

The Temporary Deputy Speaker (Prof. Kaloki): Order! Order, hon. Members! Please, let us lower the level of consultation.

Proceed, Minister!

Prof. Saitoti: Mr. Temporary Deputy Speaker, Sir, I just want to shed some light on one fundamental fact that is well known in this House. Before an Accounting Officer makes a charge on finances, he must ensure that such finances have been approved by this House. In the event that it is not, even if we make quite a number of requests, the Accounting Officer has no power to effect any payment unless it is approved here or, for that matter, the Accounting Officer must get permission from the Treasury. That is the permission which has not been provided up to now. As I said, I will move to ensure that at least the Treasury does respond to our letter.

Mr. Kiilu: Mr. Temporary Deputy Speaker, Sir, you have heard the Minister blame the delay in paying this compensation on his colleague in the Treasury. Could he state how many other cases are pending that need to be compensated if he is a slave to the Ministry of Finance?

Prof. Saitoti: Mr. Temporary Deputy Speaker, Sir, it is not only the case that the hon. Member has raised. There are several other pending cases. The request to get the necessary resources has already been lodged with the Treasury. Personally, I raised the matter with the Treasury. I hope that this matter will be expedited as soon as possible. It is not only this case by the hon. Member, but there are several cases which are being addressed by the Treasury.

Question No.782

FUNCTIONS OF NCWS AND AWSB

The Temporary Deputy Speaker (Prof. Kaloki): Mr. Jamleck Irungu Kamau not in the House? We will come back to this Question later.

Question No.751

WATER HYACINTH MENACE IN NYATIKE DISTRICT

Mr. Anyanga asked the Minister for Environment and Mineral Resources:-

(a) whether he is aware of the proliferation of “water hyacinth’ and other vegetation that has encroached on the entire shores of Lake Victoria in Nyatike District thereby blocking all beaches; and,

(b) what the Government is doing to ensure that the shores at Nyatike as well as all other areas affected by the weeds and vegetation are cleared in view of the limited access to the lake.

The Assistant Minister for Environment and Mineral Resources (Mr. Kajembe): Mr. Temporary Deputy Speaker, Sir, I beg to reply.

(a) Yes, I am aware that water hyacinth and accompanying vegetation has drifted back and temporarily paralyzed transport and fishing operations in some beaches of Lake

Victoria. Some parts of Nyatike District are affected, particularly Luanda K'Onyango Beach at the Kuja River estuary.

(b) My Ministry is in the process of engaging the beach communities in manual removal of water hyacinth at the shores of Lake Victoria, covering the Winam Gulf and other areas that are badly affected by water hyacinth, including Nyatike District. However, to protect the degradation of the shoreline we are not encouraging the clearance of vegetation along the shore.

It should be noted that manual removal of water hyacinth in the Lake Victoria is a temporary measure. Other water hyacinth control measures include biological and mechanical control. These measures will be part and parcel of a strategy that is being developed currently by the regional governments, spearheaded by the Lake Victoria Basin Commission (LVBC) secretariat in Kisumu.

Water Hyacinth Management Strategy which is expected to be completed in a year's time is a long-term measure aimed at controlling water hyacinth in the lake to a non-nuisance level. It is developed under the Lake Victoria Environment Management Project, Phase II, a programme co-ordinated by my Ministry and funded by the World Bank and the Government of Kenya.

In conclusion, for effective and sustainable control of the water hyacinth and other infestations of Lake Victoria, and other water bodies in the region and, indeed, the entire country, it is the responsibility of every leader to encourage their constituents to jointly participate in the protection and conservation of the environment and in addressing any problem that affects them.

The Constituencies Development Fund (CDF) could be used for such activities which contribute directly to community's socio-economic and livelihood improvement. There is also need to sensitize all the communities living near riparian reserves to engage in sound agricultural land use practices in order to cut down on sedimentation load and flow of fertilizers into water bodies and subsequently to Lake Victoria. This will in turn reduce the pollution load in the lake, thus reducing proliferation of water hyacinth, which derives its food from deposited nutrients.

Mr. Anyanga: Mr. Temporary Deputy Speaker, Sir, I want to thank the Assistant Minister for this elaborate answer. It is true that the Assistant Minister has confirmed that the Kuja River Estuary that feeds the Lake Victoria is blocked. I think that is an emergency. Could he tell this House when the emergency funds will be availed to handle this catastrophe?

Mr. Kajembe: Mr. Temporary Deputy Speaker, Sir, the project is in its fourth year period under adjustable programme. It will cost a total of Kshs182,704,000 to control this menace. Out of this amount, Kshs121,600,000 will be used for manual removal of the hyacinth. Part of this money will be used for short-term interventions in addressing this current situation in the lake. It is expected that by the conclusion of the project, the water hyacinth and other infestations will have been removed.

Mr. Ogindo: Mr. Temporary Deputy Speaker, Sir, you have heard the Assistant Minister trying to mislead the House by saying that CDF money could be used to remove water hyacinth from the lake. He is a Member of this House and he knows the rules governing disbursement of CDF money.

Be that as it may, could he clarify to this House the breakdown of the amount that has been allocated for physical removal of the water hyacinth? I would want to know

how much will be used to remove the hyacinth from Homa Bay Beach, Kisumu Beach all the way up to Nyatike Beach. Could he give a breakdown and a timeline on when this money will be disbursed?

Mr. Kajembe: Mr. Temporary Deputy Speaker, Sir, this is an exercise which is done collectively with the other East African States. That is why I said earlier on that our share for Kenya is Kshs182,700,000. Our programme is meant to clear all the shores. In order to do that---

Mr. Mwangi: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the Assistant Minister in order to keep on reading an answer instead of stating the policy that is required to handle this water hyacinth problem which has covered all the water in our lakes?

Mr. Kajembe: Mr. Temporary Deputy Speaker, Sir, maybe it is because I held the papers in my left hand. However, let me say that here we are talking of hyacinth along the shores of Lake Victoria and not the Republic of Kenya the way the hon. Member is putting it. I want to be very serious on this one by saying--

Mr. Ogindo: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the Assistant Minister in order to deflect my question which was dealing with beaches in Kenya, out of the allocation which was given to Kenya? Can he give a breakdown?

The Temporary Deputy Speaker (Prof. Kaloki): Mr. Assistant Minister, are you prepared to give that breakdown?

Mr. Kajembe: Mr. Temporary Deputy Speaker, Sir, I am very much prepared. I said Kenya is getting Kshs182 million like other African states from the World Bank. The other programme is to clear this hyacinth along the shores of Lake Victoria including---

The Temporary Deputy Speaker (Prof. Kaloki): Order, Assistant Minister! Just to get it right, is the Kshs182 million the total budget for the clean up?

Mr. Kajembe: Yes, Mr. Temporary Deputy Speaker, Sir.

The Temporary Deputy Speaker (Prof. Kaloki): Can you break it down? That was why I was asking whether you are prepared to do that today or you need additional time.

Mr. Kajembe: Mr. Temporary Deputy Speaker, Sir, it is not done that way.

The Temporary Deputy Speaker (Prof. Kaloki): All right!

Mr. Kajembe: Mr. Temporary Deputy Speaker, Sir, I said it in the House in the past that I will convene a meeting of all those Members of Parliament - There are five constituencies - so that we can go to the sites and come up and say: "so much will be allocated to this constituency and so much in this other constituency". We will then clear the weed; that is, water hyacinth.

The Temporary Deputy Speaker (Prof. Kaloki): I think that is clear.

Mr. Mbadi: Mr. Temporary Deputy Speaker, Sir, it is sad that this Government has systematically embarked on a mission to make sure that they kill the economies of those regions around Lake Victoria. That is why the Migingo issue has never been addressed to date and now the water hyacinth. The Government is deliberately coming up with the Economic Stimulus Package (ESP) programmes to develop ponds in other areas so that the economy of our region which depends on fish is completely wiped out. Could the Assistant Minister instead of putting money on these ponds which I am told nowadays mosquitoes and snakes breed in, instead use this money to remove the hyacinth from

Lake Victoria and you will get three times more fish that you are chasing from these unnecessary ponds?

The Temporary Deputy Speaker (Prof. Kaloki): Order, hon. Mbadi! I think the Assistant Minister has already addressed that.

Mr. Mbadi: No, he has not, Mr. Temporary Deputy Speaker, Sir

The Temporary Deputy Speaker (Prof. Kaloki): He has even talked about getting hon. Members around the lake to sit down and be able to come up with a policy on the clean up exercise.

Mr. Mbadi: Mr. Temporary Deputy Speaker, Sir, hyacinth is not just something which came up yesterday. We have been with this hyacinth problem for years now and the Government has not done anything. Could the Assistant Minister divert these funds that he is wasting on these unnecessary ponds to clear Lake Victoria so that we can get enough fish from that region?

The Temporary Deputy Speaker (Prof. Kaloki): That is very clear, hon. Mbadi! Yes, Mr. Assistant Minister!

Mr. Kajembe: Mr. Temporary Deputy Speaker, Sir, we cannot put this money in any other kitty because this is an agreement of the five East African states and we have agreed on the mode of clearing water hyacinth. However, I want to assure the hon. Member that this programme will be very successful. This money which I have talked about here is not transferable to any other kitty.

Mr. Shakeel: On a point of order, Mr. Speaker, Sir. He is misleading the House.

The Temporary Deputy Speaker (Prof. Kaloki): Order!

Mr. Anyanga: Mr. Temporary Deputy Speaker, Sir, I am happy that the Assistant Minister has confirmed that he is happy to call a stakeholders meeting. Could he be ready to accompany me to Nyatike so that we can go and assess the situation there?

Mr. Kajembe: Mr. Temporary Deputy Speaker, Sir, I had already signaled to him that I am going to convene a meeting of all the Members of Parliament who are experiencing this problem. We will go to these areas and we will make a decision together. I would have convened the meeting much earlier but I had gone out of the country.

The Temporary Deputy Speaker (Prof. Kaloki): Mr. Assistant Minister, will it be within one or two weeks?

Mr. Kajembe: Mr. Temporary Deputy Speaker, Sir, I will convene a meeting within three weeks.

The Temporary Deputy Speaker (Prof. Kaloki): Very well! Next Question, Dr. Monda!

(Loud consultations)

Dr. Monda: Mr. Temporary Deputy Speaker, Sir, the Members are consulting loudly.

The Temporary Deputy Speaker (Prof. Kaloki): We are hearing you. Proceed!

Question No.749

ESTABLISHMENT OF INDUSTRIES IN KISII COUNTY

Dr. Monda asked the Minister for Industrialization whether he could apprise the House on the progress made in setting up industries for soapstone, sugar and bananas in Kisii County.

The Minister for Fisheries Development (Mr. Kingi): Mr. Temporary Deputy Speaker, Sir, I beg to reply.

The Ministry has undertaken resource mapping of the county. There are five various industries that can utilise raw materials from Kisii County. Some of these industries include the ceramic industry, the chalk manufacturing and glass making industry. These can be set up to utilize soapstone as one of the raw materials. These industries have been given priority in the national industrialization policy as the Government will encourage public-private partnership in developing them. Besides, the Ministry intends to partner with the Kenya Investment Authority (KIA), other relevant institutions and communities to hold a forum that will facilitate the private sector to set up industries in the region.

On soapstone, the Ministry will hold investments forums throughout the country every financial year. One of the forum was held at Tabaka dubbed “Gusii Investment Forum” in August 2008. The aim of the forum was to showcase opportunities in the areas and particularly in the soapstone industry. More than 20 private sector institutions and 300 persons from the entire Gusiiland---

(Loud consultations)

The Temporary Deputy Speaker (Prof. Kaloki): Order, hon. Minister! Hon. Members, lower your levels of consultations! I know that you have issues to talk about and consult especially with what is happening. Remember the time and the dignity of the House. Please, focus on what has brought us here so that we focus on this particular Question.

Proceed, Minister!

The Minister for Fisheries Development (Mr. Kingi): Thank you, Mr. Temporary Deputy Speaker, Sir. More than 20 private sector institutions and 300 persons from the entire Gusiiland attended the forum. Other participants included Government agencies, financial institutions, private institutions and technology providers. The Kenya Industrial Estates (KIE) and my ministry are providing a document on transforming the soapstone industry to adopt the latest technology in the field.

On bananas, the Ministry, through the Kenya Industrial Research and Development Institute (KIRDI), is working with the Ministry of Agriculture to promote value addition on bananas. The Ministry had donated a building at Kisii Agricultural Training Centre which KIRDI is renovating in order to install a banana processing equipment worth Kshs5 million. The kitty is already in Kisii awaiting installation. The centre will be used as a demonstration centre for value addition in bananas and other regional crops. After successful development of the banana products, an investor will be identified to put up a banana plant.

Mr. Temporary Deputy Speaker, Sir, on the sugar sector, establishment of sugar industries is part of the Government’s industrialization policy aimed at strengthening local production. Similarly, the Ministry is forging close ties with the Government

agencies and the private sector to promote sugar subsector industries. Alongside this, availability of energy, land and other infrastructure will be required to leverage the establishment of the sugar industry in the region.

Dr. Monda: Mr. Temporary Deputy Speaker, Sir, while I thank the Minister for the elaborate answer that he has given on the establishment of industries in the Kisii County, I would like to know from him whether there are any private investors who have shown interest in soapstones, bananas and sugar. When will the partnership with the Government in directing the local communities to invest in those industries start?

Mr. Kingi: Mr. Temporary Deputy Speaker, Sir, I have just stated that a document is being prepared as a result of the forum that was held in Gusiiland. The document will contain all the investment opportunities in Gusiiland. That is the document that will be circulated to investors who will identify the area they are willing to invest in Gusiiland. I believe that once that document is packaged and is ready, it is only then that we will know those investors keen to invest in Gusiiland.

Mr. Oyongo Nyamweya: Mr. Temporary Deputy Speaker Sir, the Minister has given a very elaborate answer. He has said that we will wait for the paper to be prepared. Is he saying that if investors want to invest now, they will not be allowed to start? Secondly, the forum was held in 2008 and we are now in 2011. I happen to come from where the soapstone is mined and our people are being exploited. The soapstone is transported in big lorries to Uganda and Mombasa and yet the community or people around do not benefit from these economic activities. As you may also be aware, in 1964, a factory to manufacture chalk was established in the area but nothing has happened to date to promote the same. We want a deliberate effort, action or step to be taken so that these economic activities can pick up.

Mr. Kingi: Mr. Temporary Deputy Speaker, Sir, investors should not wait until this blueprint is out. Indeed, the Government has created a forum where investors can know the relevant investment opportunities that are available. This is through the Kenya Investment Authority (KIA) which is a one-stop shop in as far as investment is concerned. As we try to develop our blueprint, as a Ministry, there is already a Government agency that is mandated to woo investors and show them the potential that this country has.

Mr. Temporary Deputy Speaker, Sir, again, as a Ministry, we are partnering with JICA to come up with a project called “One village, one product project”. In this project, we want to make sure that the communities are given technical knowhow so that they can begin to utilize the raw materials available within the areas so that they can empower themselves economically. This project is still at infancy stages and I believe that once we roll out with the support of JICA, we should be able to empower a number of communities including those living around the soapstone rich areas.

The Temporary Deputy Speaker (Prof. Kaloki): Very well. Dr. Monda, ask the final question.

Dr. Monda: Mr. Temporary Deputy Speaker, Sir, the Minister has talked about a document that is being developed by KIA. The document will advice or inform investors to go into the region to partner with the local people and the Government to set up these industries. When will that document be ready considering the fact that its writing started in 2008 but up to now, it is not ready? When will it be ready so that people can use it to improve the economy of the Kisii County?

Mr. Kingi: Mr. Temporary Deputy Speaker, Sir, this document should be ready within the year so that we can begin to utilize its recommendations. However, I just want to encourage the people of Gusiiland not to sit and wait for investors to either come from outside the county or outside the country. They themselves can take advantage of those investment opportunities and invest in that county. As a Ministry, we have financial institutions that lend small loans to investors especially local ones. They can get loans from the Industrial Development Bank (IDB) under the Ministry and the Kenya Industrial Estates (KIE) to set up those industries as opposed to waiting for investors to come from outside the county.

The Temporary Deputy Speaker (Prof. Kaloki): Next Question, Mr. Mbau!

Question No. 651

STATUS OF ECONOMIC STIMULUS PROGRAMME

Mr. Mbau asked the Deputy Prime Minister and Minister for Finance:-

(a) whether he could update the House on the achievements and/or implementation status of the Economic Stimulus Programme considering that Kshs.22 billion was spent in the 2009/2010 Fiscal Year; and,

(b) what plans are there to ensure the sustainability and continuity of the programme.

The Assistant Minister, Office of the Deputy Prime Minister and Ministry of Finance (Dr. Oburu): Mr. Temporary Deputy Speaker, Sir, I beg to reply.

(a) The achievements and implementation status for Economic Stimulus Programme (ESP) project is at different levels of completion. In view of the length of the answer, I hereby wish to table the detailed update of the programme.

(Dr. Oburu laid the document on the Table)

(b) To ensure sustainability and completion of the projects that were started in the 2009/2010 Financial Year, I laid the framework of ESP Phase II in the 2010/2011 Budget. This framework includes completion of the Phase I projects. Structural and operational challenges that impeded the smooth flow of implementation during the initial launch of the ESP Phase I were resolved.

Mr. Mbau: Mr. Temporary Deputy Speaker, Sir, the Assistant Minister has just laid part of the answer on the Table. That means that I have little insight as to what is contained in that document. In part "a" of my Question, I wanted the House and the public to know the status of implementation. This money was set aside in the 2009/2010 Financial Year. I really wanted us to know where we are two years down the line particularly on the projects which were being overseen by the Ministry of Public Works. So, how can I be able to inquire if part of the answer is being laid on the Table now? How can Members and the country also know this? I propose, with the indulgence of the Chair, that the Assistant Minister comes after we have had time to interrogate the answer.

This is because the projects are in every constituency and hon. Members would like to know their status.

The Temporary Deputy Speaker (Prof. Kaloki): Dr. Oburu, would you like to have additional time to provide the information to the hon. Member?

Dr. Oburu: Mr. Temporary Deputy Speaker, Sir, the ESP is actually not implemented by the Office of the Deputy Prime Minister and Ministry of Finance. This programme is implemented by various Ministries. This House is fully informed because the Constituencies Development Fund (CDF) Committee has summoned Permanent Secretaries and Ministers from all the implementing Ministries who have provided them with full details of the implementation status of each of this component. Our role, as the Office of the Deputy Prime Minister and Ministry of Finance, was the disbursement of funds which is not a big report that requires a lot of time to read through. It is only that I could not read through it because the answer would have been a bit long.

The Temporary Deputy Speaker (Prof. Kaloki): Dr. Oburu, ESP falls under the Office of the Deputy Prime Minister and Ministry of Finance. Am I right?

Dr. Oburu: Mr. Temporary Deputy Speaker, Sir, the money was voted under the Ministry of Finance but various components of the programme were implemented by various Ministries.

Mr. Mwangi: On a point of order, Mr. Temporary Deputy Speaker, Sir. Now that the Assistant Minister has accepted he is unable to answer the Question, can I suggest that it be directed to the Prime Minister, so that he answers it across the board?

Dr. Oburu: Mr. Temporary Deputy Speaker, Sir, I think that is provocation. I have just answered the Question; what is now remaining is for Members to interrogate it. He is refusing to interrogate it and saying that it should be referred to the Prime Minister. I think this is a provocation.

Could you, Mr. Temporary Deputy Speaker, Sir, protect me from such provocative hon. Members?

The Temporary Deputy Speaker (Prof. Kaloki): Assistant Minister, you are protected. Please, proceed.

Dr. Oburu: If he does not have any supplementary question, he should shut up!

The Temporary Deputy Speaker (Prof. Kaloki): Order, Assistant Minister! I know you are upset. You used some words like, "shut up". Is that what I heard from you? I think that is unparliamentary. Could you withdraw those words?

Dr. Oburu: Mr. Temporary Deputy Speaker, Sir, I wish to withdraw and apologize. However, I wish to ask you to also ask him to withdraw that reference to the Prime Minister, which was offensive.

Mr. Mbadi: Mr. Temporary Deputy Speaker, Sir, these were Economic Stimulus Projects (ESP) but besides that the Government gave some projects specific names like "Centres of Excellence". The allocation that has been given cannot make them centres of excellence. What guarantee do we have from the Government that in the coming Budget the Ministry is going to allocate more funds to these centres, so that they are developed to be real centers of excellence, and do not turn into white elephant projects?

The Temporary Deputy Speaker (Prof. Kaloki): Assistant Minister, do you have any plans out there to continue funding these particular programmes, especially the centres of excellence for education?

Dr. Oburu: Mr. Temporary Deputy Speaker, Sir, the ESPs were introduced during the world economic downturn. These projects were meant to stimulate the economy so that the country could recover from the economic downturn which affected it. This country was affected in three very serious areas. One was the very serious drought which affected the country in 2008. The other one was the post-election violence, and then, of course, the world economic downturn. Economic stimuli by their nature are meant to be temporary. They are not meant to be a lasting feature of planning in a country.

Mr. Temporary Deputy Speaker, Sir, because of this, in the current Budget we re-voted the monies which were not spent in the last financial year. Therefore, there are no funds available in the current Budget---

An hon. Member: On a point of order, Mr. Temporary Deputy Speaker, Sir.

Dr. Oburu: Mr. Temporary Deputy Speaker, Sir, can I just complete answering the question? If the hon. Members feel very strongly that the funds allocated to this particular aspect of the ESP were not sufficient, the Ministry is ready to consider that aspect but not the whole ESP.

Mr. James Maina Kamau: Mr. Temporary Deputy Speaker, Sir, earlier on the Assistant Minister admitted that the source of the funds was the Ministry of Finance. However, he was not able to follow up how the money was spent by the Ministries to which they were disbursed. Is it that he is not following up the money he disbursed, or that he does not know anything about them?

Dr. Oburu: Mr. Temporary Deputy Speaker, Sir, we are following up, and the report I have just tabled here shows that we know the exact status of every project to which we disbursed the money. What we did not give here, but which we know, are the details of every programme. We are not the implementing Ministry. We cannot say we are not able to follow up on the programme, otherwise we would not have been able to bring an answer to Parliament this afternoon.

Dr. Nuh: Mr. Temporary Deputy Speaker, Sir, the Assistant Minister's assertion that the Ministry of Finance was to provide budgetary space to the ESP is misleading. This is because I am aware that the Ministry of Finance went ahead even to procure bicycles and motorbikes, which were part of the ESP. More importantly if the Assistant Minister says that the view of the ESP was to stimulate the economy, the economy cannot be stimulated with ghost projects, or projects that cannot deliver services like the "Centres of Excellence". If you have a two-classroom secondary school replicated across the country, it cannot stimulate the economy, unless our knowledge of stimulating the economy is of something different. Could the Assistant Minister undertake to complete these structures that they call "Economic Stimulus Package"?

Dr. Oburu: Mr. Temporary Deputy Speaker, Sir, as I have said, the creation of a centre of excellence like one secondary school per constituency needed Kshs30 million. Other hon. Members put these projects in existing schools. So they improved the existing schools and did not start new schools because it is very difficult to start a completely new school using Kshs30 million. I have said that if hon. Members started new schools and the structures are not complete - we have had some petitions from hon. Members to this effect - the Ministry is ready to consider this particular aspect of the ESP. I do not know why I am being asked to repeat the same answer which I have given.

The Temporary Deputy Speaker (Prof. Kaloki): Actually Assistant Minister, you were very clear on the issue of where there are new schools. An amount of Kshs30 million cannot complete such structures, and the Assistant Minister has undertaken that he will consider special cases.

Mr. K. Kilonzo: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the Assistant Minister in order to say that he will consider the issue if new schools have been started, yet when these schools were being identified the Ministry of Education, in conjunction with the Treasury, agreed on the schools which should be funded and the modalities of doing so? Could he be clear? If they are going to complete them, in which financial year will they do so? He should not leave the matter hanging!

Dr. Oburu: Mr. Temporary Deputy Speaker, Sir, I even want to clarify further that only those projects that have already been started, and are incomplete. We are ready to consider only those ones. When I say we are ready to consider them, I mean that we will do so in the next financial year. As I said from the beginning, this current financial year we do not have those projects in place.

The Temporary Deputy Speaker (Prof. Kaloki): You are very clear, Assistant Minister! Mr. Mbau, your final question on this!

Mr. Mbau: Mr. Temporary Deputy Speaker, Sir, with all due regard to the Minister, my Question sought to ask how Kshs22 billion was spent and the status of implementation of the various projects under the various sectors. What the Minister has laid on the Table is only on the component of buying computers that was to cost Kshs980 million. So, the rest of the other components being implemented by various Ministries and departments are not explained in terms of the status of implementation. Therefore, the Minister has not given an answer at all. This is because computers is only one component, yet there are very many components. So, the answer is incomplete.

Dr. Oburu: Mr. Temporary Deputy Speaker, Sir, there were two documents. I think maybe he has only the one which deals with computers, which came late, and that is why it is separate from the others. The other paper which I want to table here actually contains all the projects and their status. If you look at what I have said about the food component, I have given the breakdown of the targeted acreage, the acreage which was achieved, the bags produced and so on. So, I have given each and every component of the implementation status in summary. The detailed reports are with this House through the Committee on Constituencies Development Fund (CDF).

Dr. Kones: On a point of order, Mr. Temporary Deputy Speaker, Sir. The Minister has not laid the other paper. I am the one who took the two papers and they were copies of the same document, just showing disbursements on Information and Communication Technology (ICT).

The Temporary Deputy Speaker (Prof. Kaloki): Minister, how many documents did you lay on the Table?

Dr. Oburu: Mr. Temporary Deputy Speaker, Sir, it is an oversight. I tabled my copy and left the one which was meant for the hon. Members.

(Dr. Oburu laid the document on the Table)

The Temporary Deputy Speaker (Prof. Kaloki): Can I see the document which has been tabled?

*(The Temporary Deputy Speaker
(Prof. Kaloki) perused the document)*

Hon. Mbau, you will get copies of the documents which the Minister has tabled.
Next Question, hon. Yakub!

Question No.660

FAILURE TO PROCESS TITLE DEED FOR ALI CHITI

Mr. Yakub asked the Minister for Lands whether he is aware that Mr. Ali Chiti was allocated land in Mombasa vide Ref. No 2811/1/MN and File No. 263737 and, if so, why the Ministry has declined to process the title deed even after the owner accepted the special condition of paying the legal fees and charges of Kshs.55,620 on April 21, 2008.

The Minister for Lands (Mr. Orenge): Mr. Temporary Deputy Speaker, Sir, I beg to reply.

I am aware that Mr. Ali Chiti was allocated land in Mombasa vide letter of allotment, the particulars of which are 61093/9 of 6th March, 2008. That title deed for Plot No.MN/1/2811 has not been processed because the cheque forwarded by the allottee became stale before it was received. The said cheque No.014978 dated 21st April, 2008 was released to Ibrahim Ahmed, whose identity card number is 2531333006 for replacement on 18th October, 2010 and replacement is being awaited. As soon as that is done, the title can be processed.

Mr. Yakub: Mr. Temporary Deputy Speaker, Sir, with all due respect to my very good friend, the Minister, the letter of allotment was issued on 6th March, 2008. The cheque was issued on 21st April, 2008. Why did the Ministry take almost three years to reply to the owner of this plot?

Mr. Orenge: Mr. Temporary Deputy Speaker, Sir, I think there were two issues. There was contestation by two other people. So, there had to be determination of the proper letter of allotment. As you know, we had this problem at some point. Then, the allottee died and, therefore, it became very difficult now to issue or process a title deed in the name of the deceased. After discussions which have followed since and the Public Trustee became the administrator of the estate, we now found that it is possible on replacement of that cheque. In fact, the initial cheque was given by the Public Trustee. If they send a replacement cheque, the title deed will go to the estate of the deceased and we thought that was a good compromise.

Ms. S. Abdalla: Mr. Temporary Deputy Speaker, Sir, I do not understand why the Minister should say that the cheque became stale when it was written on 21st April, 2008 and was received by the Ministry of Lands on 29th April, 2008. How could the cheque be stale within six days?

Mr. Orenge: Mr. Temporary Deputy Speaker, Sir, I think we have to determine what was the date of that cheque. This is because some people get these cheques from the banks and prepare them well in advance before the Ministry is ready and willing to

receive them. So, I would agree with the hon. Member if she has the date of the cheque. I am prepared to get the blame, but I do not think that the cheque was dated 6th March, but I stand to be corrected on the issue.

The Temporary Deputy Speaker (Prof. Kaloki): Last question, hon. Yakub!

Mr. Yakub: Mr. Temporary Deputy Speaker, Sir, according to the Minister's answer, the same cheque was released to Ibrahim Ahmed for replacement on 18th October, 2010 and replacement is being awaited. I would like to inform my very good friend that the cheque has been paid and I have the receipt from the Ministry of Lands. I can table it to prove that the cheque has already been sent. When will the title deed be issued---

The Temporary Deputy Speaker (Prof. Kaloki): Could you table that document?

(Mr. Yakub laid the document on the Table)

Mr. Yakub: Mr. Temporary Deputy Speaker, Sir, when will the Ministry release the title deed to the owner?

The Temporary Deputy Speaker (Prof. Kaloki): Hon. Yakub, I have the document which you have tabled. It does not show the date of the cheque.

Mr. Yakub: Mr. Temporary Deputy Speaker, Sir, I have just said that this is the new cheque which the Minister was waiting for. It has already been paid and that is the receipt from the Ministry of Lands.

The Temporary Deputy Speaker (Prof. Kaloki): Mr. Minister, could you, please, approach the Chair.

(Mr. Orengo consulted the Chair)

Alright, Mr. Minister!

Mr. Orengo: Mr. Temporary Deputy Speaker, Sir, all cheques that are accepted on account of allotment must be bankers' cheques. This cheque is received from Ali. We have just agreed that he is deceased. I do not know whether the cheque is from the Public Trustee, who are the administrators. Once we have received the cheque, then there is an account that we have to check with the Central Bank of Kenya if it is valid for purposes of this payment. So, it is not a cheque that you would pay, you are receipted and everything moves forward like instant coffee. We have an account. We must make sure that, that cheque, indeed, has been honoured in the appropriate account. So, when he paid this cheque there must have been some supporting documents for this. However, since this cheque was paid a month ago, we can walk with the hon. Member to my office. There should really be no problem if the payment has been received. It is in my interest that he gets services as quickly as possible.

The Temporary Deputy Speaker (Prof. Kaloki): Hon. Sheikh, your final word.

Mr. Yakub: Thank you, Mr. Temporary Deputy Speaker, Sir.

The Temporary Deputy Speaker (Prof. Kaloki): Very good. Hon. Benjamin Washiali.

Question No.795

RECRUITMENT OF MANAGEMENT TRAINEES BY MSC

Mr. Washiali asked the Minister for Labour:-

- (a) how many management trainees were recruited in the recent exercise by Mumias Sugar Company and how many of them are from Mumias Sugar Zone,
- (b) what criteria the company used in identifying the trainees, and,
- (c) what steps he will take to ensure that the company considers the locals for such opportunities.

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

(a) Mumias Sugar Company recruited 35 management trainees for various positions in the company. All those who were recruited are Kenyans who met the minimum requirements specified by the company.

(b) The position was advertised in the print media on various dates in August, 2010, in which the minimum requirements for the positions were specified. The applicants who met the minimum qualifications were taken through various interviews, which included oral, written, psychometric and aptitude tests. At the end of the process, successful applicants were recruited as management trainees in various functions of the company.

(c) The Ministry encourages all employers in carrying out recruitment to give priority to locals when recruiting semi-skilled and skilled workers. For skilled and managerial positions, employers are encouraged to circulate vacancies widely so that all Kenyans with requisite qualifications can compete for given positions.

The Member is, therefore, asked to encourage his constituents to gain the necessary qualifications to enable them compete favourably for vacancies in the company, whenever they are advertised.

Mr. Washiali: Mr. Temporary Deputy Speaker, Sir, I would like to thank the Minister for the answer, although it has fallen short of being satisfactory. Part “a” of this Question asks him to tell this House how many of the management trainees were recruited from Mumias zone.

The Temporary Deputy Speaker (Prof. Kaloki): Order, hon. Washiali, what is the question?

Mr. Washiali: Mr. Temporary Deputy Speaker, Sir, I was forming the basis of my question so that the Minister can respond.

The Temporary Deputy Speaker (Prof. Kaloki): Please, be specific.

Mr. Washiali: Mr. Temporary Deputy Speaker, Sir, I do not know what the people of Mumias zone have done to the management of Mumias, and for that matter his Ministry. These local people are the ones who produce raw material for this factory. It is a pity that there is no single manager or head of department in the company from Mumias Zone.

The Temporary Deputy Speaker (Prof. Kaloki): Hon. Washiali, do you have a specific question.

Mr. Washiali: Mr. Temporary Deputy Speaker, Sir, if the Minister does not have proper information, I would request him to accompany me to the company, so that he

gets proper information. We are discriminating against people. I would not wish that Mumias people are also discriminated against.

The Temporary Deputy Speaker (Prof. Kaloki): Hon. Washiali, do you have a specific question to the Minister.

Mr. Washiali: Mr. Temporary Deputy Speaker, Sir, my question is very clear: How many of these management trainees have been recruited from Mumias zone?

Mr. Munyes: Mr. Temporary Deputy Speaker, Sir, it is difficult to understand that question because this community is multi-cultural. From the information I got, they advertised for skilled management trainees and they got 3,000 applicants. From this number, they vetted 500 who qualified for those jobs. They went through the test and 35 were recruited. It is difficult to know whether the name "Were" is from Mumias or Nyanza. I do not want to get into that. I know that this is a highly reputable company. It practises equal opportunity with highest ethical standards on human resource management. I know they undertook that exercise to get the best. As I said, this is a multi-cultural community. All communities around Mumias live together and enjoy those services together.

The Temporary Deputy Speaker (Prof. Kaloki): But Minister, are you not able to give the number of locals in that district?

Mr. Munyes: Mr. Temporary Deputy Speaker, Sir, the policy is very clear, if it is unskilled and labourers, then the policy says you can get them locally. But with skilled, you compete nationally. That is what the policy says.

Mr. Mbadi: Mr. Temporary Deputy Speaker, Sir, many times organizations and even Government corporations have used the excuse of skills and technical know-how to discriminate against other communities. We are sure that in this country skilled labourers can be found anywhere and everywhere in this country. Does the Ministry have a deliberate policy to make locals, where this particular organization is situated, to also have a presence in the management? You know that you can also get technical know-how and skills from the locals. What deliberate policy do you have as a Ministry to ensure these areas also feel represented in companies which are situated in their regions?

Mr. Munyes: Mr. Temporary Deputy Speaker, Sir, the policy of fairness is embroiled in the Employment Act. There is also the aspect of corporate social responsibility which means that you must work with the community around you. However, on this particular matter, the company was seeking for specific talents. Therefore, mine is to encourage the Member to sensitize his community.

Mr. Washiali: On a point of, Mr. Temporary Deputy Speaker, Sir. Is this Minister in order to say that we do not have skilled labour in Mumias zone?

The Temporary Deputy Speaker (Prof. Kaloki): Order, Minister! We need a breakdown of the management trainees who were recruited from Mumias District. This Question is specific because we do not want all the employees to come from other districts without considering the locals. If you do not have that information, you can request the Chair to defer the Question, so that you get all the information.

Mr. Munyes: Mr. Temporary Deputy Speaker, Sir, I was discussing that with my friend, Ben, and got the understanding that he wanted to know whether his community was represented in the list of 35 names. I want to say that Mumias Sugar Zone is multi-cultural. That does not mean that we do not have Luhyas and Kikuyus among other tribes. The 35 were from that zone.

Mr. Mbadi: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for the Minister to evade the Question even after you have clarified it to him? The question that the Questioner has asked is not about ethnic communities. People from Mumias are multi-cultural. We are aware of that. Could he tell us how many people came from Mumias Zone? They could be Luos, Luhyas, Turkanas and Mijikenda, among others. However, they should come from Mumias Zone.

Mr. Munyes: Mr. Temporary Deputy Speaker, Sir, I will make it very simple. I will lay on the Table the list of the 35.

The Temporary Deputy Speaker (Prof. Kaloki): When?

Mr. Munyes: Next week on Tuesday.

The Temporary Deputy Speaker (Prof. Kaloki): Mr. Minister, I will defer that Question. You will then go back to your office and get all the information. I will allow you additional time to go, conduct research and compile an answer that will satisfy hon. Ben Washiali. He had a specific Question and it is important that we address it.

Mr. Munyes: Mr. Temporary Deputy Speaker, Sir, let me understand you. What do you want me to indicate? Do you want me to indicate where the 35 came from and their tribal inclinations or what?

The Temporary Deputy Speaker (Prof. Kaloki): Mr. Minister, I want you to deal with Parts “a”, “b” and “c” of the Question. You should carry out adequate research to answer the Question. I will defer the Question to---

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

The Temporary Deputy Speaker (Prof. Kaloki): Order! Mr. Minister, when do you think you will be ready with the answer?

Mr. Munyes: Mr. Temporary Deputy Speaker, Sir, let me understand you. What, specifically, should I produce before this House? Should I table a list? What is required?

The Temporary Deputy Speaker (Prof. Kaloki): The issue here is about Mumias Sugar Company. You know where the company is located and how many employees, either in management or on casual basis, are employed from that area. That Question is specific!

Mr. Munyes: Mr. Temporary Deputy Speaker, Sir, that is a different question!

The Temporary Deputy Speaker (Prof. Kaloki): It is not different!

Mrs. Shebesh: On a point of order, Mr. Temporary Deputy Speaker, Sir. In addition to the instructions you have given, hon. Mbadi has asked a very critical question. What is the policy of the Ministry of Labour? We cannot go back all the time to the companies in different regions. The Ministry of Labour should be having, by now, a policy that allows for equal opportunities for people who are within. So, could he also bring the policy of the Ministry in relation to ensuring that equal opportunities for women and different communities are respected when it comes to recruitment?

The Temporary Deputy Speaker (Prof. Kaloki): Fair enough! In your answer, you should also give us the company policy. However, there is an issue here which seems to be a different question.

Mr. Munyes: Mr. Temporary Deputy Speaker, Sir, it seems to be a different question but I will cover it.

The Temporary Deputy Speaker (Prof. Kaloki): Just take it up. I think it will be fair.

Mr. Washiali: Mr. Temporary Deputy Speaker, Sir, I want to inform the Minister that, for him to identify someone from the zone, his father or parents must have had some ownership of land in that area. That is how you identify them. I do not expect employees of Mumias Sugar Company who are not from Mumias but have their sons and daughters working for the company to be referred to as people from that zone.

The Temporary Deputy Speaker (Prof. Kaloki): Order, Mr. Minister! You will not use that criterion. There are other ways to determine that matter. When will you be ready?

Mr. Munyes: Mr. Temporary Deputy Speaker, Sir that will be a very dangerous route to take in this country.

The Temporary Deputy Speaker (Prof. Kaloki): Mr. Minister, we have already agreed on that issue.

Mr. Munyes: Mr. Temporary Deputy Speaker, Sir, okay, I will be ready on Tuesday next week.

The Temporary Deputy Speaker (Prof. Kaloki): The Question is deferred until next week on Tuesday.

(Question deferred)

Next is Question No.782 by hon. Jamleck Irungu Kamau. Is he in the House?

Hon. Members: No!

Question No.782

FUNCTIONS OF NAIROBI WATER COMPANY/ATHI WATER BOARD

The Temporary Deputy Speaker (Prof. Kaloki): That Question is dropped. Let us move to the next Order.

(Question dropped)

POINTS OF ORDER

ESCALATION OF FOOD PRICES

Dr. Kones: Thank you, Mr. Temporary Deputy Speaker, Sir. I rise to seek a Ministerial Statement from the Minister for Agriculture on the rising food prices.

The global food prices have steadily been increasing for the past couple of years now. The statistics indicate that from October last year and January this year, the food price index has increased by 15 per cent. Those food prices have affected several food items such as wheat, maize, sugar, edible oils and rice. With the increasing population, the situation is getting even worse. Could the Minister tell this House what approach the Government will be using to reduce food prices and what policies will be undertaken in co-operation with international financial institutions to encourage investments in agriculture to help prevent the chronic food insecurity? More specifically, could he also clarify the following:-

The measures he has taken to encourage the public and private sector investments to invest in productivity in agriculture and the various measures the Government has put in place to alleviate the negative consequences of increased food prices on poor communities. He should tell us whether the Government has access to the World Bank's facility on the global food crisis response programme and how much help we will get.

Fourthly, I would like to know the risk management programmes the Government has put in place to increase capacity to respond to future price increases and to stabilize food price volatility.

We should also know if the Ministry has put in place taxation measures to reduce speculation in commodity markets and what emergency finances the Ministry and Government in general have set aside to take care of the poor communities in the country.

The Temporary Deputy Speaker (Prof. Kaloki): Do we have any Government Minister around? The Deputy Leader of Government Business is here. He will give an undertaking.

The Minister for Transport (Mr. Kimunya): Mr. Temporary Deputy Speaker, Sir, could we provide the Statement on Thursday next week?

The Temporary Deputy Speaker (Prof. Kaloki): It is alright! That will be given on Thursday next week. Do we have any other Statements?

UNSUITABLE BUS SERVICES IN KISUMU AIRPORT

Mr. Shakeel: Mr. Temporary Deputy Speaker, Sir, I rise to seek a Ministerial Statement from the Minister for Transport in respect of Kisumu Airport. We have upcountry buses, specifically buses used by Bukinya Bus Service that transport passengers from the old to the new terminus. Those buses are totally unsuitable for transferring passengers because they are literally upcountry buses and have a very small entry. Disabled people are greatly disadvantaged and all passengers at large. It is a total disgrace that, after we have spent millions of shillings, we are using scrap buses for transporting passengers. When I discussed this matter with the Chief Executive, I was told that the service was tendered. The question is: Did you tender for those upcountry buses which are totally unsuitable for Kisumu Airport? Why did you not tender for buses whose doors open at the center and they are not steep? Why are we not using the National Youth Service (NYS) buses for that purpose? How long will we suffer the indignity of being shoved into upcountry buses to be transferred to the plane?

The Temporary Deputy Speaker (Prof. Kaloki) Mr. Minister, will you give an undertaking on that?

The Minister for Transport (Mr. Kimunya): Mr. Temporary Deputy Speaker, Sir, if the hon. Member is prepared, I could answer him right now.

The Temporary Deputy Speaker (Prof. Kaloki): Proceed!

MINISTERIAL STATEMENT

UNSUITABLE BUS SERVICES IN KISUMU AIRPORT

The Minister for Transport (Mr. Kimunya): As the hon. Member may be aware, Kisumu Airport is still under construction of a new runway and terminal. We have

provided a transition point as the new terminal and runway are being developed and a new infrastructure is being put into place. We are providing passenger comfort in terms of migrating from the old to the new terminal while awaiting the formal completion of the whole process. I have explained directly to the hon. Member and others and told them to bear with us as we try to finish up the construction of the airport.

People were willing to test the new facilities. The Kenya Airports Authority (KAA), as a temporary measure, advertised for people to provide bus services for moving passengers from the planes to the new terminal which is a distance and the aprons have not been done. I would like to plead with the Member and, indeed, all the travellers to Kisumu, to just give us some time to finish all the works and then we will put in the infrastructure to accord the new status of the new airport. That is what I would state, even if I was to respond tomorrow. It is just a matter of time and we will then put the right infrastructure, means of transport and logistics in place to be in tune with a fully completed airport. Right now, work is still in progress.

Mr. Shakeel: Mr. Temporary Deputy Speaker, Sir, there is no doubt that, this is a continuing process. The question was not why we are using buses. It was why we are using buses which are totally unsuitable to carry passengers. They have narrow and steep entrances. Why can we not get suitable buses? Tomorrow, you will start using *boda bodas* and say that works are in progress. I think the Minister needs to be very clear on this issue. If he is not aware and I think his Chief Executive is also not aware, he should say that he is going to check. If we can get the National Youth Service (NYS) buses at a 24 hour notice and throw away those matatus and Mbukinya country buses, this can be done very quickly.

The Temporary Deputy Speaker (Prof. Kaloki): Minister, can you modernize that operation at the moment?

The Minister for Transport (Mr. Kimunya): Mr. Temporary Deputy Speaker, Sir, following a discussion I had with the Member, and I wish to thank him for having brought it to my attention earlier, I consulted with the KAA and they told me that they are looking into the matter. Obviously, the issue of using the NYS buses does not arise because we are now talking of taking away from them the buses they use for their core-work to provide on a totally different operation. There are provisions for the provision of passenger services and comfort. That is being looked into. All I am asking is for the Members to bear with us for sometime as we go through the inconvenience of construction. It is still a construction site. It has not even been handed over. All we are saying is that people were very keen to start using the new terminal and we allowed them to test it, but it will be worked on.

The Temporary Deputy Speaker (Prof. Kaloki): Order, Minister! I think the question is specific. With the current buses on the tarmac there, can you do something to modernize particular buses at the moment as you do all the works and take time to complete the airport and even the tendering process for the right buses to arrive? Can you do something at the moment?

The Minister for Transport (Mr. Kimunya): Mr. Temporary Deputy Speaker, Sir, like I said, that is being looked into in terms of how to modify. There is already a contract that came out of a tender process. It is being looked into to see what can be done to make it better.

The Temporary Deputy Speaker (Prof. Kaloki): How long will that process take?

The Minister for Transport (Mr. Kimunya): Mr. Temporary Deputy Speaker, Sir, within the next one or two months, we should have resolved the matter, but some patience is required. We are still operating under a construction site. I would like the Members to appreciate that fact. We are testing and piloting the transport and the logistics, but the Kisumu Airport has been designed and is being constructed as an international airport and will have services commensurate with that status.

Mrs. Shebesh: On a point of order, Mr. Temporary Deputy Speaker, Sir. The Minister has clearly said that works are in progress and we appreciate the work that he is doing. However, the concern of the Member for Kisumu Town East is the inconvenience, especially to people with disabilities. I have been in those buses and I can tell you that a person with a disability will not be able to get onto that bus without being inconvenienced highly. I also know that an expectant mother will have a problem climbing onto that bus and even enduring the ride from the terminal to the new one. As the Minister is modernizing the airport, is it possible for him to get, at least, one of the vehicles being friendly to people with disabilities and expectant mothers?

The Minister for Transport (Mr. Kimunya): Mr. Temporary Deputy Speaker, Sir, that is exactly the kind of instructions we give to the KAA. So, I thank the Member for reiterating the same. All those things will be looked into to ensure that all the passengers are accorded the necessary comfort to move and transit the airport in the different conditions that they are in, namely; the aged, the disabled and those who may not be able to use the current facilities. It is being looked into. Let me just ask for patience. It will not happen today, even with the best of intentions because we will still need to look for all those facilities. Give us some time and we will provide that.

The Temporary Deputy Speaker (Prof. Kaloki): Let us take one point of order from the Questioner. The Minister has already made it very clear.

Mr. Shakeel: Mr. Temporary Deputy Speaker, Sir, he has not answered the question. Can I just help him out? The current contract expires in two weeks time. Could he assure us that this current contract will not be renewed and we will look for suitable buses, whether the NYS buses or from wherever else, but suitable low entry buses?

The Minister for Transport (Mr. Kimunya): Mr. Temporary Deputy Speaker, Sir, like I said, within a month or two, we will do that. Even as the current contract expires, unless you want us to short-change the procurement process, which we do not want to, we will still need to go through a process to identify the right person to supply that kind of vehicles or if the KAA will have to buy them itself. So, just give us some time. To me, it does not matter who provides the service, but what matters is whether we have the right service available for the passengers at the airport. If we concentrate on the principle, then within the time we need, we will have that service.

DESTRUCTION OF MENENGAI FOREST

Mr. Kiuna: Mr. Temporary Deputy Speaker, Sir, I would like to request for a Ministerial Statement from the Minister for Forestry and Wildlife regarding the Menengai Forest. I would like to know whether the Minister is aware that the forest has been invaded and all the trees destroyed. Secondly, the Minister should confirm whether

he is aware of a certain gate entering into the forest and whether he has authorized some officers to collect cess from all the visitors who are visiting the forest. Is that money accounted for? I have been there and I have seen---

*(Dr. Wekesa consulted
with Mr. Nanok)*

The Temporary Deputy Speaker (Prof. Kaloki): Minister, Dr. Wekesa, I hope you are paying attention because that question is being directed to you. Hon. Kiuna, complete your question, so that the Minister can undertake to respond!

Mr. Kiuna: Mr. Temporary Deputy Speaker, Sir, I wish to request for a Ministerial Statement from the Minister for Forestry and Wildlife regarding the Menengai Forest. The forest has been invaded and all the trees destroyed. What measures has he taken to stop the destruction because we will have no forest? Secondly, a cess is being collected by officers from the Ministry without giving any receipts. They promise the visitors that they would get their receipts as they come down from the crater but when they go down, they do not get any receipts.

The Temporary Deputy Speaker (Prof. Kaloki): Minister, when will you be ready with the answer?

The Minister for Forestry and Wildlife (Dr. Wekesa): Mr. Temporary Deputy Speaker, Sir, I was actually engaged by the Assistant Minister who was making a point to me and I did not hear hon. Kiuna asking for the Statement. I will be ready on Thursday next week with a Statement. Is that okay?

The Temporary Deputy Speaker (Prof. Kaloki): Very well! Hon. Kiuna, is that okay with you?

Mr. Kiuna: Mr. Temporary Deputy Speaker, Sir, it is okay.

The Temporary Deputy Speaker (Prof. Kaloki): Fine! Thank you, Minister!
Next Order!

Mr. Mbadi: On a point of order, Mr. Temporary Deputy Speaker, Sir. This country is very anxious and we are very eagerly waiting to discuss the various Bills that would help this country in implementing the new Constitution. So, this House expects the electoral law Bills, the various Bills on Judicial reforms, devolved systems of Government, and the various Bills regarding the reforms in the security sector.

So, I want to ask the Chair to direct the Leader of Government Business that this coming Thursday, this country should be entitled to progress on where these particular Bills are. As you are aware, we have at least 10 Bills to pass urgently. You remember that when His Excellency the President addressed this House, he was very categorical and urged this House that, within three months, we need to pass about 25 legislations. At the rate at which we are moving, this country is becoming more and more anxious.

I also happen to sit in the Constitution Implementation Oversight Committee of this House, and we got a report from the Constitution Implementation Commission (CIC). Concern is shared with the CIC that even after they passed the Bills, which have gone through the processing, those Bills have not reached the Floor of this House.

Mr. Temporary Deputy Speaker, Sir, finally, I just want to refer to Standing Order No.38, which is very clear that the Government shall have the right to have its business placed on the Order Paper in such sequence as it may determine. Therefore, on that basis,

I would want to urge that when the Government presents its Week's Business Schedule here on Thursday, through the Leader of Government Business, he goes a step further to tell us the state of the various Bills that are supposed to be brought to this House for implementation of the new Constitution.

The Temporary Deputy Speaker (Prof. Kaloki): Deputy Leader of Government Business, you can make that undertaking; just to appraise the House whether those Bills are ready and when they will be coming here for debate.

The Minister for Transport (Mr. Kimunya) Mr. Temporary Deputy Speaker, Sir, there are several components to the request. The Government should bring business to the House until the Bills are ready for submission to the House. As the hon. Member would be aware, there is a process involving the formulation of the Bill to its publication and maturity before it can even be put on the Order Paper. We got ourselves into a very complicated law-making mechanism where it is not just the Government originating the Bills from the Cabinet and bringing them to the House, but they all have to go through all the stakeholders before they eventually get to the Government and then brought to the House. Today we approved two Bills, which will hopefully be published in the course of this week and we will have them brought to the Floor of the House.

The other Bills are still being worked on by the various stakeholder groupings. So, in the interest of an all-inclusive stakeholder consultative process, it is taking longer for those Bills to get to the Floor of the House. What I can assure the House is that there will be no Bills which should be here, which will be waiting in Government. For those Bills which are ready, once we go to the House Business Committee, obviously, we will be prioritising in terms of business as and when they have already been linked between the Government and the House.

Mr. Temporary Deputy Speaker, Sir, I am not sure what we will be reporting on Thursday but, obviously, within our usual reporting, we will keep the House as up-to-date as possible in terms of where we are and in terms of the business as has already come to the House. However, I would not want to tell the House that in the next three weeks, we anticipate a Bill to go to Cabinet. I would only want to confine myself to what will be coming to the Floor of the House within the next one week as agreed within the House Business Committee.

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

The Temporary Deputy Speaker (Prof. Kaloki): Order! Order, hon. Mbadi! I do not want this to be a debate. You did ask a specific question pertaining to the Bills, and the Minister did make the necessary undertaking. Do you have something different?

Mr. Mbadi: Mr. Temporary Deputy Speaker, Sir, you will recall that the Leader of Government Business has two roles: He is the Chair of the House Business Committee, which is supposed to prioritise the various issues that are supposed to come to the House; but he is also the Leader of Government Business in Parliament. Based on those roles, on any Government activities, including even those which have not come to Parliament, the Leader of Government Business has a responsibility. I was just asking because it appears that the Leader of Government Business is trying to evade this Question by addressing only those issues which have been processed. He can liaise with

even the Minister for Justice, National Cohesion and Constitutional Affairs, so that when he comes here on Thursday, he can give a total overview. He is aware of the Bills which are supposed to be passed within 12 months and those which are supposed to be passed a little later.

So, what I am asking for is an overview of all the Bills which are supposed to be presented to this House urgently. I would like the Leader of Government Business to address all of them on Thursday and give this country a brief on progress made, because the country is anxious. There is talk out there, condemning Parliament. People are saying that Members of Parliament are not doing their work, and yet Members of Parliament cannot originate these Bills.

That is what I am trying to cure, Mr. Temporary Deputy Speaker, Sir.

The Minister for Transport (Mr. Kimunya): Mr. Temporary Deputy Speaker, Sir, when His Excellency the President addressed this House, he gave us a full list of the Bills which are expected to be passed during this sitting. So, that is our programme. Our commitment is to have all those Bills coming to the Floor of the House. So, repeating the same on Thursday would be repeating the Presidential Address to this House, which we discussed and agreed on. Our Standing Orders basically limit the Statement to be issued on Thursday to the Government Business for the next week, and not the Government Business for the next so many weeks. We will continue sizing the Business and presenting it to this House. So, I would like to urge hon. Members to relax. I can see their anxiety to do business. They will have enough on their plates very soon.

The Temporary Deputy Speaker (Prof. Kaloki): Hon. Members, we will defer Order No.8

BILL

Second Reading

THE WILDLIFE (CONSERVATION AND
MANAGEMENT)(AMENDMENT) BILL

(Bill deferred)

MOTION

ADOPTION OF REPORT ON
123RD ASSEMBLY OF IPU

The Temporary Deputy Speaker (Prof. Kaloki): Hon. Members, the Chair has information that the Leader of Delegation is away. So, we are going to defer this particular Motion as well.

(Motion deferred)

ADJOURNMENT

The Temporary Deputy Speaker (Prof. Kaloki): Hon. Members, there being no further business to transact, the House stands adjourned until tomorrow, Wednesday, 6th April, 2011, at 9.00 a.m.

The House rose at 4.55 p.m.