

# NATIONAL ASSEMBLY

## OFFICIAL REPORT

Wednesday, 27<sup>th</sup> June, 2012

The House met at 9.00 a.m.

*[Mr. Deputy Speaker in the Chair]*

### PRAYERS

### QUESTIONS BY PRIVATE NOTICE

ERECTION OF ILLEGAL STRUCTURE ON L.R.  
NAIROBI/BLOCK/93/1418

**Mr. Deputy Speaker:** Question No.1 by Private Notice. The hon. Member for Ikolomani, Dr. Khalwale!

**(Dr. Khalwale)** to ask the Minister for Local Government:-

(a) Is the Minister aware that an individual has put up an illegal structure (car wash facility) on land L.R. NAIROBI/BLOCK/93/1418 which is between Plainsview Estate and Shell Petrol Station along Mombasa Road?

(b) Is the Minister further aware that the Minister for Lands accompanied by officers from the City Council of Nairobi demolished some illegal structures in 2010 on the same land and declared that the land was a road reserve?

(c) Could the Minister demolish the illegal structure forthwith and allow the residents of Plainsview Estate South 'B' to fence the area in order to avoid construction of such structures?

**Mr. Deputy Speaker:** Question No.2 by Private Notice! Dr. Otichilo!

DISREGARD OF NEMA RECOMMENDATION  
ON CONSTRUCTION OF SOUTHERN BY-PASS

**Dr. Otichilo:** Mr. Deputy Speaker, Sir, I beg to ask the Minister for Forestry and Wildlife the following Question by Private Notice.

(a) Could the Minister confirm that the Government has approved the de-gazettement of parts of Nairobi National Park for the construction of Nairobi Southern By-Pass Road against the recommendation of NEMA?

(b) Is the Minister aware that the de-gazettement of any National Park in the country is prohibited by law without the approval of Parliament?

(c) Is the Minister further aware that implementation of the proposed de-gazettement will set a dangerous precedent for demands for de-gazettement of various parts of National Parks in the country by the local communities and could the Minister assure the House that the proposed de-gazettement will not be implemented and, instead, the earlier planned road reserve

will be repossessed from illegal allottee(s) and developer(s) who may have encroached on the same?

**Mr. Deputy Speaker:** Minister for Forestry and Wildlife! He is not in! Question No.3 by Private Notice. Hon. Gitari Joseph!

#### RECOGNITION/HONOUR TO KENYAN SOLDIERS IN SOMALIA

**(Mr. Gitari)** to ask the Minister of State for Defence:-

(a) What arrangements, if any, has the Government made to recognize and honour the Kenyan soldiers deployed in Somalia under the auspices of AMISOM following the successful capture of Afmadow Town?

(b) What assistance will the Government extend to those soldiers who have been injured while on duty in that peace-keeping mission?

**Mr. Deputy Speaker:** The Minister is not here! Ordinary Question No.1616 by hon. Moses Lessonet!

#### ORAL ANSWERS TO QUESTIONS

##### *Question No.1616*

#### FINANCIAL STATUS OF TOURISM TRUST FUND

**Mr. Deputy Speaker:** The hon. Member is not in. Let us move on to Ordinary Question No.1352 by hon. Eng. Nicholas Gumbo.

##### *Question No. 1352*

#### PRESENTATION OF CELLULAR MOBILE PERFORMANCE ASSESSMENT REPORT

**Mr. Deputy Speaker:** The hon. Member is not in! Let us move on to Question No.1227 by hon. Chachu Francis Ganya!

##### *Question No. 1227*

#### UTILIZATION OF WIND ENERGY IN BUBISA LOCATION

**Mr. Deputy Speaker:** The hon. Member is not in! Let us move on to Question No.1558 by hon. F.T. Nyammo.

##### *Question No.1558*

#### IRREGULAR ALLOCATION OF GRANTS

TO TWO DIPLOMA TEACHERS TRAINING COLLEGES

**Mr. Deputy Speaker:** Let us move on to Question No.1453 by hon. Mohamed Sirat.

**Mr. Sirat:** Mr. Deputy Speaker, Sir, it is Question No.1423

*Question No. 1423*

UTILIZATION OF DONOR FUNDS

**Mr. Sirat** asked the Minister for Finance:-

(a) how much in debt does the country owe donors since 2003 and whether the Minister could provide details of the donors and state how the Government will repay those loans;

(b) whether he could provide details of the projects that were funded using the loans, indicating the respective cost of each project; and,

(c) whether he could confirm that the funded projects using the donor funds are prioritized and distributed evenly in the country.

**Mr. Sirat:** Mr. Deputy Speaker, Sir, I have not been supplied with the answer. I have not been supplied with the details of the projects funded.

**Mr. Deputy Speaker:** Do you wish to proceed on with prosecuting this Question or you want to acquaint yourself with the content of the answer so that you can prosecute.

**Mr. Sirat:** Mr. Deputy Speaker, Sir, I wish to ask that my Question be asked called again after a few more Questions.

**Mr. Deputy Speaker:** Well, you can look at the answer during the moment we have between now and end of Question Time. If you still feel you can prosecute it, you will proceed. If not, then you still have the option of asking for this Question to be listed on the Order Paper on another day. Let us move on to Question No.1320 by hon. Ethuro.

*Question No.1320*

ANNUAL ENROLLMENT OF STUDENTS  
IN SECONDARY SCHOOLS IN ASALS

**Mr. Deputy Speaker:** The hon. Member is not in. Question No. 1407 by hon. Muoki Issack

*Question No.1407*

STATUS OF KENHA ROADS  
IN KITUI COUNTY

**Mr. Deputy Speaker:** Question No. 1508 by hon. Yusuf Chanzu. I am aware that hon. Chanzu has given an indication that he will be coming late.

*Question No.1508*

MATATU MENACE IN NAIROBI

**Mr. Deputy Speaker:** Let us go back to Question No.1 by Private Notice. It is by Dr. Khalwale. Is he out of the Chambers on any official parliamentary business? Question dropped.

**QUESTIONS BY PRIVATE NOTICE**

ERECTION OF ILLEGAL STRUCTURE ON  
L.R. NAIROBI/BLOCK/93/1418

**(Dr. Khalwale)** to ask the Minister for Local Government:-

(a) Is the Minister aware that an individual has put up an illegal structure (Car wash facility) on land L.R. NAIROBI/BLOCK/93/1418 which is between Plainsview Estate and Shell Petrol Station along Mombasa Road?

(b) Is the Minister further aware that the Minister for Lands accompanied by officers from the City Council of Nairobi demolished some illegal structures in 2010 on the same land and declared that the land was a road reserve?

(c) Could the Minister demolish the illegal structure forthwith and allow the residents of Plainsview Estate South 'B' to fence the area in order to avoid construction of such structures?

*(Question dropped)*

**Mr. Deputy Speaker:** Dr. Wilbur Otichilo, the Minister for Forestry and Wildlife is not in. I direct that this Question be listed on the Order Paper tomorrow afternoon. Is that okay with you, Dr. Otichilo?

**Dr. Otichilo:** Yes, Mr. Deputy Speaker, Sir.

DISREGARD OF NEMA RECOMMENDATION  
ON CONSTRUCTION OF SOUTHERN BY-PASS

**(Dr. Otichilo)** to ask the Minister for Forestry and Wildlife the following Question by Private Notice.

(a) Could the Minister confirm that the Government has approved the de-gazettement of parts of Nairobi National Park for the construction of Nairobi Southern By-Pass Road against the recommendation of NEMA?

(b) Is the Minister aware that the de-gazettement of any National Park in the country is prohibited by law without the approval of Parliament?

(c) Is the Minister further aware that the implementation of the proposed de-gazettement will set a dangerous precedent for demands for de-gazettement of various parts of National Parks in the country by the local communities and could the Minister assure the House that the proposed de-gazettement will not be implemented and instead the earlier planned road reserve will be repossessed from illegal allottee(s) and developer(s) who may have encroached on the same?

*(Question deferred)*

**Mr. Deputy Speaker:** Is hon. Gitari in the House to deal with Question No.3 by Private Notice? Is he out of Parliament or chambers today on any official parliamentary business? Any communication from hon. Gitari? Question dropped.

RECOGNITION/HONOURS TO KENYAN SOLDIERS IN SOMALIA

**(Mr. Gitari)** to ask the Minister of State for Defence:-

(a) What arrangements, if any, has the Government made to recognize and honour the Kenyan soldiers deployed in Somalia under the auspices of AMISOM following the successful capture of Afmadow Town?

(b) What assistance will the Government extend to those soldiers who have been injured while on duty in that peace-keeping mission?

*(Question dropped)*

ORAL ANSWERS TO QUESTIONS

**Mr. Deputy Speaker:** Question No.1616 by hon. Moses Lessonet. Likewise, any communication from hon. Moses Lessonet? Question dropped.

*Question No.1616*

FINANCIAL STATUS OF  
TOURISM TRUST FUND

*(Question dropped)*

**Mr. Deputy Speaker:** Eng. Nicholas Gumbo. I think Eng. Gumbo has not been feeling very well.

**Mr. Midiwo:** Yes, he is indisposed.

**Mr. Deputy Speaker:** Okay. I direct that this Question be listed on the Order Paper at a time when Eng. Nicholas Gumbo is in the House and is able to prosecute it.

*Question No.1352*

PRESENTATION OF CELLULAR MOBILE  
PERFORMANCE ASSESSMENT REPORT

*(Question deferred)*

**Mr. Deputy Speaker:** Question No.1227 by hon. Chachu Ganya! Any information on the whereabouts of hon. Chachu Ganya that can convince the Chair not to drop this Question? Question dropped.

*Question No. 1227*

UTILIZATION OF WIND ENERGY IN BUBISA LOCATION

*(Question dropped)*

**Mr. Deputy Speaker:** Hon. F.T. Nyammo! Question No.1558. Anything on hon. FT Nyammo? Question dropped.

*Question No.1558*

IRREGULAR ALLOCATION OF GRANTS  
TO TWO DIPLOMA TEACHERS TRAINING COLLEGES

*(Question dropped)*

**Mr. Deputy Speaker:** Question No.1423. Hon. Mohamud Sirat, do you wish to still proceed?

**Mr. Sirat:** Yes, Mr. Deputy Speaker.

**Mr. Deputy Speaker:** Proceed.

*Question No.1423*

UTILIZATION OF DONOR FUNDS

**Mr. Sirat** asked the Minister for Finance:-

(a) how much in debt the country owe donors since 2003 and whether the Minister could provide details of the donors and state how the Government will repay those loans;

(b) whether he could provide details of the projects that were funded using the loans, indicating the respective cost of each project; and,

(c) whether he could confirm that the funded projects using the donor funds are prioritized and distributed evenly in the country.

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

(a) As at the end of October, 2011, the total external debt (owed and guaranteed) by the Government of Kenya between 2003 and 2011 amounted to Kshs304,284,000,000. This amount was obtained from a number of creditors, including the World Bank, the International Monetary Fund and the Government of Japan. The repayment of loans is charged on the Consolidated Fund Services commonly known as CFS.

(b) I hereby table a schedule providing details of the projects that were funded and the respective cost of each project.

*(Mr. Githae laid the document on the Table)*

(c) I confirm that the funded projects using donor funds are prioritized in the line with the country's development agenda, and that they are distributed evenly in the country as can be clearly seen from the table. There is no region which is favoured.

**Mr. Sirat:** Mr. Deputy Speaker, Sir, according to the list provided by the Minister, the Minister is not saying it right. The regions are not balanced.

Mr. Deputy Speaker, Sir, also, a sum of Kshs304 billion is not much. I thought it was more than that. So, has the Minister included all debts or has he left some of them out?

**Mr. Githae:** Mr. Deputy Speaker, the Question is about the projects that were funded using loans. This is the list of donor-funded projects. But, obviously, we even have local borrowing funded projects which we have not been asked about. So, these are only donor-funded debts and not local debts.

**Mr. Sirat:** Mr. Deputy Speaker, the Minister says these projects are evenly distributed in the country. Could he tell us whether there is any project for North Eastern Province funded using the loans? Next year, we will have county governments in place. Who will pay for these loans? Will the people of Marsabit County, for example, pay for a loan borrowed for the construction of a road in Thika or a project in Nyandarua County?

**Mr. Githae:** Mr. Deputy Speaker, it will take a lot of parliamentary time for me to go through this list. For example, if you look at Arid Lands Resources Management (ARLM) in North Eastern Province---

**Mr. Washiali:** On a point of order, Mr. Deputy Speaker. Given the importance of this Question and now that it is also addressing all parts of the country, could I be in order to request the Chair to defer it to this afternoon, so that we have adequate time to see which areas have benefited from these donor-funded projects? We have not had time to really look at the answer---

**Mr. Deputy Speaker:** Order! Order! Mr. Washiali, the Ministers or the Government side is under no obligation to furnish answers to every hon. Member of Parliament. The tradition is that they furnish it to the hon. Member who has asked the Question and who has the interest. But if you wish to prosecute it, then you better get close to the same hon. Member and see if you could add anything. But as of now, we have not heard the full disposition of this Question for the Chair to rule whether it has been adequately addressed or not. We are just at the beginning of it. But if you want to contribute, then you could sit next to the hon. Member and share the material that he has.

Proceed, Mr. Minister.

**Mr. Githae:** Thank you, Mr. Deputy Speaker. If you just look at number four on the list, you will find that it is on the ALRMP. It has been allocated Kshs83 million. We also have the rehabilitation of Mai Maahiu-Narok Road, which is in the ASAL area, it has been allocated more than Kshs18 million. The northern corridor road transport has been given Kshs134 million. It is also in the ASAL area. The ASAL Based Livestock and Rural Development has been allocated of Kshs18 million. Again, the northern road corridor going to Ethiopia has been allocated Kshs13 billion.

Mr. Deputy Speaker, there are many projects from the ASAL areas. Now, coming to whether counties will be required to pay for these debts, the answer is "no". These amounts are borrowed by the Kenya Government and that is why they are charged on the Consolidated Fund Services (CFS). So, counties will not pay for these loans. These loans were borrowed by the Kenya Government. There is only one Kenya Government; there are no two Kenya governments; others are just counties. However, the amounts that the counties will borrow subject to the approval from the Central Government, they will have to pay for themselves. So, as I said,

Nyandarua County, Wajir County and Mandera County will not be required to pay these amounts on behalf of the Kenya Government.

**Mr. Njuguna:** Mr. Deputy Speaker, Sir, this is a critical Question. I would request the Minister to inform the House clearly what measures the Government is taking to make sure that internal debts are really reduced, so that the country will not experience what the European countries are currently experiencing. We do not want to see this country mortgaged or suffer the way Greece is suffering.

**Mr. Githae:** Mr. Deputy Speaker, Sir, our debt is still manageable and sustainable. We, as Treasury, give ourselves a maximum of 50 per cent of the total Gross Domestic Product (GDP) debt. We are now at 47 per cent. So, we still have about 3 per cent more to achieve the 50 per cent. We believe that any amount above 50 per cent may not be sustainable. That is what has caused the crisis in the Euro Zone. When the debts for Greece, Spain and Ireland were more than 100 per cent of their GDP, they could not manage and sustain them. That is a situation we want to avoid here.

Again, Mr. Deputy Speaker, Sir, even on budget deficit, ours is still low; it is at six per cent at the moment. Germany had its budget deficit at nine per cent. They had been authorized by the European Union Bank up to 25 per cent deficit, but I think they exceeded. That is why they went into problems.

Mr. Deputy Speaker, Sir, I would like to take this opportunity to reassure this House that our debt is manageable and sustainable and that we shall not incur any reckless borrowing.

**Mr. Washiali:** Mr. Deputy Speaker, Sir, the Minister says these projects have been fairly distributed all over the country. The list he has given me is written in small letters and it is also lengthy, therefore, I have not been able to go through it. Is he able to tell us which project was given to the people of Mumias?

**Mr. Githae:** Mr. Deputy Speaker, Sir, I think that is a different Question specifically for Mumias. But if he is talking about western region, there are very many. The list is there in front of him. He can go through it and he will see there are very many projects being carried out in western Kenya.

Mr. Deputy Speaker, Sir, I would like to assure this country that the development under the administration of President Kibaki has been spread out evenly throughout the country. There is not a single region without a project. I challenge somebody to show me a region without any project and I will confirm---

**Mr. Sirat:** On a point of order, Mr. Deputy Speaker, Sir. Is the Minister in order to mislead this House that President Kibaki's Government has fairly and equally distributed resources in the country? We know that these projects are mainly concentrated in other areas. In my constituency, it is only one location which has electricity. In Lagdera Constituency, no location has electricity or dam. There are no dams in the North Eastern Province? Is he in order to mislead the House when I know that there are only 10 kilometres of tarmac road in the entire North Eastern Province? Is he in order to mislead the House that KeNHA has fairly and equally distributed resources in the country?

**Mr. Githae:** Mr. Deputy Speaker, Sir, I am actually shocked by the question from the hon. Member. Since Independence, we have been trying to get a tarmac road all the way to Moyale.

**Mr. Sirat:** When?

**Mr. Githae:** Mr. Deputy Speaker, Sir, for the first time, we are now funding a road to Moyale. We are already more than three-quarters of the way. When that is done, it will open up



that area.

Mr. Deputy Speaker, Sir, we also have the Lamu Port Southern Sudan-Ethiopia Transport Corridor (LAPSSET) Project where, again, we are planning to do a road to open up that area. We now have funding for the Dongo Kundu project in Mombasa that will open up the area around Kwale and the Southern part of Kenya. These projects are evenly distributed. I would like somebody to challenge me because there is this feeling that there are certain regions which are being favoured.

Mr. Deputy Speaker, Sir, with regard to electricity, all constituencies get money for the Rural Electrification Programme (REP). So, I am surprised; where does that money go to in his constituency? I am surprised to know that there is no electricity in his constituency. This is very serious! We need an investigation to find out where the money allocated for REP in that constituency goes to.

**Mr. Magwanga:** Mr. Deputy Speaker, Sir, allow me to thank the Minister for his answer. However, in 1968 the Kenya Government gave out relief food to some countries. In the 1970s Kenya was in a position to give loans to some countries. We were also promised in the 1970s and 1990s that by the year 2000 we should get clean water and proper services. What major projects is the Ministry undertaking in Homa Bay County using these loans?

**Mr. Deputy Speaker:** Order! Order! By and large, the Minister should answer Questions as they are framed. You cannot ask a macro question and expect the Minister to come up with the answer. If you wanted him to give you specifically the kind of projects that have been implemented in Homa Bay for the last 40 or 50 years, for God's sake, hon. Magwanga, put in a Question. For now, ask a question in line with the way it is worded here, that is, whether or not it is evenly distributed in the country; how much the figure is and the kind of projects that were implemented. The Question is there in three parts.

Yes, Mr. Magwanga.

**Mr. Magwanga:** Mr. Deputy Speaker, Sir, I thought that I was actually a bit clear. What major projects have been undertaken using these loans in Homa Bay County? For example, we were promised a clean water system by 2000.

**Mr. Deputy Speaker:** Order! Order! The Minister has a list of probably 200 projects. You do not expect him, in a matter of seconds or half a minute, to go through all that. For God's sake, put in a Question on Homa Bay.

Proceed, hon. Pesa.

**Mr. Pesa:** Mr. Deputy Speaker, Sir, I quite agree with the Minister that we must rely on these loans because of former mismanagement of our economy. But I would like the Minister to tell this House and Kenyans whether out of these projects cited here, some have actually stalled and failed.

**Mr. Githae:** Mr. Deputy Speaker, Sir, these are current projects and so far, none has stalled. I think the hon. Members will recall that during the first five years of the administration of President Kibaki, he gave instructions that all the abandoned and stalled projects must be completed. So, for the first five years, President Kibaki did not begin any new project. Instead, he completed the famous Nyanza Provincial Headquarters, which was there 32 years. The National Youth Service (NYS) houses opposite Utalii Hotel, which were there for more than 25 years, have also been completed. So, most projects have been completed.

Mr. Deputy Speaker, Sir, speaking about Homa Bay, we went to the funeral of our dear friend, the late Orwa Ojode, by road and it was tarmacked. Regarding Homa Town, I have received a request that the road just passes through the town but there are no roads done inside

the town. I have received that request and we are considering it. Surely, that shows that there is development. Imagine travelling by road from here all the way to the late Orwa Ojode's house on tarmac road! Does that not really show that development is evenly spread out?

**Mr. Mwangi:** Mr. Deputy Speaker, Sir, I think the Minister is being a little bit humorous. However, while he is committed to doing what is supposed to be done, it is on record that we have projects under the Economic Stimulus Programme which have stalled? Could you---

**Mr. Deputy Speaker:** Order, hon. Mwangi! Read and understand the Question.  
Yes, Eng. Rege!

**Eng. Rege:** Mr. Deputy Speaker, Sir, I really have confidence in this Minister, to help us move the projects that were dead. I would like to ask him if he has any idea of big loans that were given to this country. It was a mixture of grants and loans. In particular, I am concerned about the loan that was given to the Kenya Broadcasting Corporation (KBC) to purchase medium wave radio equipment that was massive and could fill buildings, when at that time, people were moving into the latest technology of FM radio stations.

**Mr. Githae:** Mr. Deputy Speaker, Sir, it is true that the Government got a loan from Japan and it was supposed to be used to modernize KBC. But KBC has never remitted a single cent to the lender. So, it is the Government of Kenya which has been paying for them. In fact, now we have received a request that we convert this into a grant, because KBC is not paying. It is really a waste of time trying to ask KBC to pay this loan, because it will never be able to pay.

**Eng. Rege:** Mr. Deputy Speaker, Sir, it is not a question of KBC paying, but this Government paying Japan.

**Mr. Githae:** The Government is doing it!

**Eng. Rege:** Mr. Deputy Speaker, Sir, I know that the Government is doing it, but was it a grant or loan?

**Mr. Deputy Speaker:** How do you pay back a grant? A grant is free money.

**Eng. Rege:** Mr. Deputy Speaker, Sir, he is paying it as a loan, but we suspect that--- There is no way the Japanese Government could have stuck Kenya to such a big loan at a time when the whole world was going for FM radio stations, and dumped heavy equipment into this country.

**Mr. Githae:** Mr. Deputy Speaker, Sir, that is one of the very sad episodes in this country. When countries were going FM, we were getting a loan from the Japanese for a medium wave facility. Basically, in my view, I think they just dumped all the equipment that they did not need. But, surely, we do not blame the lender. We blame the borrower for not being careful enough not to buy obsolete equipment. The KBC has been unable to pay a single cent. It is the Government of Kenya which has been paying and we have now received a request that really, we are pretending that KBC will ever be able to pay. So, we are thinking of converting that into a grant to KBC, so that the Kenya Government now fully takes over the loan. It is really sad that we bought obsolete equipment, but we do not blame the lender. We should blame ourselves, especially the people who made that decision at that time.

**Mr. Deputy Speaker:** In any case, Eng. Rege, on such matters, under your Committee, you can carry out the requisite scrutiny yourself, to find out exactly why the Japanese Government would dump its obsolete equipment on us at that time and why the Kenya Government accepted it. Maybe there is a lot of information that is underlying that you need to investigate as a Committee and bring a report to Parliament, both for the benefit of Parliament as well as the bigger public.

**Eng. Rege:** Mr. Deputy Speaker, Sir, through our Committee, we have requested the Ministry to kindly talk to the Japanese Government to write off this loan. That has been our request throughout the last three years. I think it would be prudent for the Kenya Government to request Japan---

**Mr. Deputy Speaker:** Have you prepared a report as a Committee?

**Eng. Rege:** Yes, Mr. Deputy Speaker, Sir.

**Mr. Deputy Speaker:** Have your tabled that report on the Floor of the House?

**Eng. Rege:** Yes, Mr. Deputy Speaker, Sir.

**Mr. Deputy Speaker:** When did you table it?

**Eng. Rege:** Mr. Deputy Speaker, Sir, we tabled that report about three weeks ago.

**Mr. Deputy Speaker:** Has it been debated and deliberated on?

**Eng. Rege:** Mr. Deputy Speaker, Sir I am glad that you are asking that question because the report that we tabled has been negated by the Standing Orders; that we simply table the report and that is it.

**Mr. Deputy Speaker:** If you give a notice of Motion on the same report then, clearly, the House Business Committee--- I do not know where the Leader of Government Business or Deputy Leader of Government Business are now, but on matters like that, there is a lot of interest. It is important for Kenyans to know why we are paying a huge debt on obsolete equipment.

Last question, hon. Sirat!

**Mr. Sirat:** Mr. Deputy Speaker, Sir, I agree with the Minister that this debt will be paid by citizens of the Kenyan Government including the Minister and I. It will be paid using our taxes. However, I am not satisfied with the Minister's answer on prioritizations, fair and equal distribution of the resources. I would have been much happier if the Minister gave me a breakdown of how much has been borrowed region by region. As it is, it is mixed up and for North Eastern Province, there is not a tangible project, for example, tarmac road, dams or irrigation projects which are basic needs. Having not been satisfied by the answer given by the Minister, I will request that you refer this Question to the relevant Parliamentary Committee or ask the Minister to do for me either county by county or region by region; the eight provinces.

Thank you, Mr. Deputy Speaker, Sir.

**Mr. Deputy Speaker:** Could the Chair be furnished with a copy of the written answer?

*(The Clerk-at-the-Table handed a document  
to Mr. Deputy Speaker)*

**Mr. Githae:** Mr. Deputy Speaker, Sir, formally, we were not showing that county by county but from this year's Budget, it is now possible to know how much will go to each county. However, previously it was not. For example, the Isiolo-Mandera-Moyale Road falls under a number of counties. Where do you assign it? The road from Isiolo to Turbi and then to Merille River is done. Surely, that is in North Eastern Province. We are fully funding this and we have received money from Kuwait for the Wajir-Modogashe Road. So, I would like to assure this House that we are now on the affirmative action. Any area which did not have roads and water are the ones being given priority. Even more, we now have the Equalization Fund and these areas are being targeted under this Fund. I assure this House that there will be equal development in this country within the next five years.

**Mr. Sirat:** On a point of information Mr. Deputy Speaker, Sir.

**Mr. Deputy Speaker:** Who do you wish to inform? Mr. Minister, do you wish to be informed?

**Mr. Githae:** Mr. Deputy Speaker, Sir, there is no monopoly of knowledge.

**Mr. Sirat:** Mr. Deputy Speaker, Sir, may I inform the Minister that the Moyale–Merille–Marsabit Road is in Eastern Province and I was asking about North Eastern Province. For your information, North Eastern Province covers Garissa, Wajir and Mandara. For the last 40 years, we have been asking for a road from Garissa to Mandera to be tarmacked. Will the Minister consider giving me a dam or at least carrying out irrigation on both sides of Uwaso Nyiro River?

**Mr. Deputy Speaker:** Order, Mr. Sirat! The Minister has already told you that he has funded the Garissa–Modogashe Road. This is a national project. When you say that the education sector supported project, it is a national project. When you say Garissa sewerage project, this is clearly in North Eastern Province. When you talk about the telecommunications infrastructure, which, of course, the Chair is aware of because the fiber optic has gone all the way to Garissa, it cuts across all these regions. Unless you want to ask a question on a specific project that you know was to be undertaken and why it has not been undertaken or a generality, I am inclined to believe that the green zones development support and the KPLC Grid Development Projects are national projects that cut across all regions. The Northern Corridor and the energy sector covered projects, Education I and Education III and the Arid Lands Resource Project which I am sure you have benefited a lot from, just like I have--- Unless you want to ask what mega dam project has been undertaken in North Eastern Province, then, of course, he will come up with an answer, and why, if they have not done it. You better ask specifics on some of these questions. However, on generalities, the Chair is satisfied.

With regard to the NSIS, the Chair has seen something here and the presumption is that this is a national body. There is also the Ciala Systems Incorporation which will cost Kshs947 million. All these are national projects which are essentially not regional projects. But nonetheless, I will give you one more opportunity to ask the last question on this so that we can proceed with Question Time.

**Mr. Sirat:** Thank you, Mr. Deputy Speaker, Sir. It seems Garissa County is satisfied and the Chair is also satisfied with the allocation of national resources. But may I---

*(Applause)*

**Mr. Deputy Speaker:** Order! Hon. Sirat, the Chair has a responsibility to make sure that business is transacted in a manner that is civilized; that essentially also brings us information as requested. But if you try to bring the Chair into the debate itself, it is an issue that the Chair will never accept or condone. For it to become a very good lesson for every Member of Parliament, the Chair demands that you will be out of the House for the remainder of the day. The Chair directs that you get out!

*(Mr. Sirat withdrew from the Chamber)*

Hon. Members, the dignity of the House must be protected hon. Members!

Next Question by Mr. Ethuro!

*Question No.1320*

ANNUAL ENROLLMENT OF STUDENTS

IN SECONDARY SCHOOLS IN ASALS

**Mr. Deputy Speaker:** Is Mr. Ethuro not here? That Question is dropped!

*(Question dropped)*

Let us move to the next Question by Mr. I. Muoki.

*Question No.1407*

STATUS OF KENHA ROADS IN KITUI COUNTY

**Mr. Deputy Speaker:** Is Mr. I. Muoki not here? That Question is dropped!

*(Question dropped)*

*Question No.1508*

MATATU MENACE IN NAIROBI

**Mr. Deputy Speaker:** The hon. Yusuf Chanzu has communicated to the Chair, and the Chair directs that this Question be listed on the Order Paper for tomorrow afternoon.

*(Question deferred)*

**BILLS**

*First Readings*

THE PUBLIC BENEFIT ORGANIZATIONS BILL

THE NATIONAL DROUGHT MANAGEMENT AUTHORITY BILL

*(Orders for First Readings read – Read the First Time and ordered to be referred to the relevant Departmental Committees)*

**DEFERMENT OF COMMITTEE OF THE WHOLE HOUSE**

THE RATIFICATION OF TREATIES BILL

**Mr. Deputy Speaker:** Hon. Members, the Mover of Order No.10 is not in. The Chair defers this Order.

*(Committee of the Whole House deferred)*

Proceed to Order No.11. Is hon. Jakoyo Midiwo here?

*Second Reading*

THE TRAFFIC (AMENDMENT) BILL

*(Mr. Midiwo on 16.5.2012)*

*(Resumption of debate interrupted on 20.6.2012)*

**Mr. Deputy Speaker:** There is no hon. Member willing to contribute to the Traffic (Amendment) Bill! Where is the Mover?

Order, hon. Members! This is a very important Bill. Could we have somebody from the Government side to contribute? Hon. Jakoyo Midiwo, I had called upon the Mover to reply. Could you, please, proceed and reply?

**Mr. Midiwo:** I am sorry, Mr. Deputy Speaker, Sir. Let me apologize. I, first of all, want to thank hon. Members for supporting the Traffic (Amendment) Bill. The Minister for Transport has been gracious enough to agree that before the Third Reading of this Bill, we are going to negotiate and try to marry my proposals and those of the Government, so that we do not duplicate our efforts.

Mr. Deputy Speaker, Sir, as you realize, we appreciate the effort of the Government to rein in the lawlessness on our roads. We also have to be realistic and know we have to deal with constitutional Bills, and we have very few more weeks for legislation remaining. So, if we are to accomplish anything in terms of reducing the road carnage, we think going my way would be the most appropriate.

We have a lot of stakeholders. I am going to be calling meetings of stakeholders. We realize that there are people who have interest in this matter. These are people who deal with road safety. We also have concerns from the police. There are also concerns by the Government. My purpose was to ignite debate on the safety on our roads. The number of Kenyans dying every day on our roads as a result of carelessness is something that we cannot ignore, as a country. We have to do something. Parliament and, parliamentarians in general, have a duty to come in if there is laxity on the part of the Government. I am open and ready. I am going to have communication from very many stakeholders. I will be contacting them in the next few days, so that we can have a proper and more comprehensive amendment package to try and stop the trend of carelessness on our roads.

With those few remarks, I beg to move.

*(Eng. Rege stood up in his place)*

**Mr. Deputy Speaker:** Order, Eng. Rege! He has replied already. You had a chance to contribute, yet you did not. The Mover has been called upon to reply; before he did so, the Chair called out, time and again, for at least one person to stand up and contribute to the Bill.

*(Question put and agreed to)*

*(The Bill was read a Second Time and committed to a Committee of the Whole House tomorrow)*

**MOTIONS**

ESTABLISHMENT OF CONSTITUENCY WATER COMMITTEES

THAT, recognizing the disastrous effects of climate change on environments as shown by the devastating effects of the current famine ravaging the country; noting that this has led to acute water shortages in many parts of the country and especially in Northern Kenya and other Arid and Semi Arid Lands; conscious that water is life and essential to human survival; appreciating the government efforts to improve water availability and sanitation in the country; further appreciating that the Government has failed to realize its objective of providing water to all through water services boards; aware of the inequalities in the resource mobilization and allocations to districts and constituencies, this House urges the Ministry to allocate 10% of its budget to all constituencies in equal proportion and another 10 per cent to Northern Kenya and ASAL constituencies, and further that constituency will have a Constituency Committee comprising of the following membership, one representative of the Provincial Administration; Water Engineer responsible for water matters in that Constituency or his designated representative, five representatives of the Constituency Development Fund Committee, and one representative each for youth and women respectively, and that the chairmanship of the committee shall be from category 3 of the membership and category 2 shall be the secretary of the Committee.

**Mr. Deputy Speaker:** Hon. Members, Ekwe Ethuro is not around to move this Motion. The Motion is, therefore, deferred.

*(Motion deferred)*

#### ESTABLISHMENT OF MEN ENTERPRISE FUND

THAT, noting that the Youth Enterprise Fund, established in 2006 with the sole purpose of reducing unemployment among the youth within the age bracket of 18 to 35 years, has done a commendable job; concerned that whereas women have the Women Enterprise Fund to fall back on upon attaining the upper age bracket, and that men have no agency to assist them, this House urges the Government to establish a Men Enterprise Fund (MEF) to increase economic opportunities for, and participation by, vulnerable Kenyan men in nation building.

**Mr. Deputy Speaker:** Is Mr. Clement Wambugu in? He is not present. This Motion is also deferred.

*(Motion deferred)*

#### ADJOURNMENT

**Mr. Deputy Speaker:** Hon. Members there being no other business on the Order Paper to transact, the House stands adjourned until today, Wednesday, 27<sup>th</sup> June, 2012 at 2.30 p.m.

The House rose at 9.45 a.m.

