

NATIONAL ASSEMBLY

OFFICIAL REPORT

Wednesday, 9th July, 1997

The House met at 9.00 a.m.

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

PRAYERS

Dr. Otieno-Kopiyo: On a point of order, Mr. Temporary Deputy Speaker, Sir. In view of the activities that took place at the All Saints Cathedral, could this House consider suspending prayers for a week to protest that very absurd activity by the police?

The Temporary Deputy Speaker (Mr. Wetangula): Dr. Otieno-Kopiyo, that shall not be done!

ORAL ANSWERS TO QUESTIONS

Question No.224

PERMITS FOR MANUFACTURE OF GUNS

The Temporary Deputy Speaker (Mr. Wetangula): Since I understand that hon. Busolo is not here, this Question is deferred.

(Question deferred)

Question No.268

MINISTER'S ORDER TO HEADTEACHERS

The Temporary Deputy Speaker (Mr. Wetangula): Dr. Kituyi is not here? We will move on to hon. Ruhiu's Question.

Question No.117

REPAIR OF INFRASTRUCTURE IN CITY ESTATES

The Temporary Deputy Speaker (Mr. Wetangula): Mr. Ruhiu's is also not here? We will move on to Mr. Nthenge's Question.

Question No.353

PROVISION OF SANITARY AMENITIES AT GIKOMBA MARKET

Mr. Nthenge asked the Minister for Local Government what plans he has for providing adequate sanitary amenities for traders at Gikomba Market.

The Temporary Deputy Speaker (Mr. Wetangula): Is there nobody here from the Ministry of Local Government? Mr. Ndicho's Question.

Question No.399

RESEALING OF MAKUTANO-SAGANA-NYERI ROAD

The Temporary Deputy Speaker (Mr. Wetangula): I can see that Mr. Ndicho is not yet here, and we will move on to Mr. Obwocha's Question.

Question No.455

HARASSMENT OF MAGURA ESTATE EMPLOYEES

Mr. Obwocha asked the Minister for Labour and Manpower Development:-

(a) whether he is aware that employees of Magura Estate (Kipkebe Tea Company Limited) are being harassed by the General Manager with regard to the 200 acres of farmland given to them by the Estate Management; and,

(b) if the answer to (a) above is in the affirmative, whether he could take the necessary steps and instruct the management to stop harassing the workers.

The Temporary Deputy Speaker (Mr. Wetangula): Is there anybody here from the Ministry of Labour and Manpower Development? Let us have Mr. Anyona's Question.

Question No.142

REHABILITATION OF WATER PROJECTS
IN KITUTU-MASABA

The Temporary Deputy Speaker (Mr. Wetangula): Mr. Anyona is not here? Mr. Kiliku's Question.

Question No.458

NON-DISBURSEMENT OF LOANS BY POSTA SACCO

The Temporary Deputy Speaker (Mr. Wetangula): Mr. Kiliku is also not here? Dr. Kituyi's Question for the second time.

Question No.268

MINISTER'S ORDER TO HEADTEACHERS

Mr. Munyasia, on behalf of **Dr. Kituyi**, asked the Minister for Education what the reason was for the order given by the Minister during a meeting with headteachers in Western Province on 3.3.97 to the effect that they should not co-operate with Opposition Members of Parliament.

(Dr. Kituyi rushed into the Chamber)

The Temporary Deputy Speaker (Mr. Wetangula): Mr. Munyasia, did you have authority to ask the Question? I can see hon. Kituyi rushing into the Chamber!

Dr. Kituyi: Mr. Temporary Deputy Speaker, Sir, I can confirm that I had instructed hon. Munyasia that if Nyayo forces delay my arrival, he should ask the Question for me.

The Temporary Deputy Speaker (Mr. Wetangula): Well, the manner in which you rushed in indicated that you had not delegated anything. Is there anybody here from the Ministry of Education? Mr. Ruhiu's Question for the second time.

Question No.117

REPAIR OF INFRASTRUCTURE IN CITY ESTATES

The Temporary Deputy Speaker (Mr. Wetangula): Mr. Ruhiu is still not here?

Mr. Maore: On a point of order, Mr. Temporary Deputy Speaker, Sir. Given the fact that there are riots around the University of Nairobi, many hon. Members may not be able to make it here on time. Even the Ministers

are not here. Can I ask that this Question be deferred?

The Assistant Minister for Lands and Settlement (Mr. Sumbeiywo): On a point of order, Mr. Temporary Deputy Speaker, Sir. It is true that there are some students who are rioting, but I managed to come through. Riots do not mean that hon. Members are prevented from coming here.

The Temporary Deputy Speaker (Mr. Wetangula): Order! Riots are not part of the business of this House this morning. Since Mr. Ruhui is not here, we will have Mr. Nthenge's Question for the second time.

Question No.353

PROVISION OF SANITARY AMENITIES
AT GIKOMBA MARKET

Mr. Nthenge asked the Minister for Local Government what plans he has for providing adequate amenities for traders at Gikomba market.

The Temporary Deputy Speaker (Mr. Wetangula): We still have nobody here from the Ministry of Local Government, and will move on to Mr. Ndicho's Question for the second time.

Mr. Ndicho: Mr. Temporary Deputy Speaker, Sir, first all, I apologise for coming late.

Question No.399

RESEALING OF MAKUTANO-SAGANA-NYERI ROAD

Mr. Ndicho asked the Minister for Housing Public Works:-

- (a) whether he is aware that Makutano-Sagana-Nyeri Road is in a deplorable condition; and,
- (b) what urgent measures he is taking to re-seal the numerous potholes in this road so as to reduce road accidents.

The Temporary Deputy Speaker (Mr. Wetangula): Since there is still nobody here from this Ministry, we will go on to Mr. Obwocha's Question for the second time.

Question No.455

HARASSMENT OF MAGURA ESTATE EMPLOYEES

Mr. Obwocha asked the Minister for Labour and Manpower Development:-

- (a) whether he is aware that employees of Magura Estate (Kipkebe Tea Company Limited) are being harassed by the General Manager with regard to the 200 acres of farmland given to them by the Estate Management; and,
- (b) if the answer to (a) above is in the affirmative, whether he could take the necessary steps and instruct the management to stop harassing the workers.

Mr. Ndicho: On a point of order, Mr. Temporary Deputy Speaker, Sir. Due to the information we are getting from outside, can I seek the indulgence of the Chair for the House to suspend its business for 15 minutes so as to wait for Ministers and hon. Members to come in?

The Temporary Deputy Speaker (Mr. Wetangula): Under what Standing Order do you want us to do that?

Mr. Ndicho: The Chair has discretion under Standing Order No.1

The Temporary Deputy Speaker (Mr. Wetangula): Order! The Chair can only indulge you through the Standing Orders. I can see that there is still nobody here from the Ministry of Labour and Manpower Development, but I will take the unusual step of going through the Questions for the third time.

Mr. Obwocha: On a point of order, Mr. Temporary Deputy Speaker, Sir. My colleague, hon. Anyona, is involved in the preparation of the show in Kisii. Could the Chair allow me to ask, on his behalf, Question No.142, since I can see the Minister in the House?

The Temporary Deputy Speaker (Mr. Wetangula): Mr. Obwocha, the Chair has no authority to give you. You either get authority from the Questioner or you do not.

Mr. Busolo's Question has been deferred at the request of hon. Sifuna. Dr. Kituyi, we will have your Question for the third time. Or, is Mr. Munyasia still holding brief for you?

Dr. Kituyi: Mr. Temporary Deputy Speaker, Sir, notwithstanding my knowledge that hon. Kamotho has

been ducking this Question for three weeks, I will ask it again.

Question No.268

MINISTER'S ORDER TO HEADTEACHERS

Dr. Kituyi asked the Minister for Education what the reason was for the order given by him during a meeting with headteachers in Western Province on 3.3.97 to the effect that they should not co-operate with Opposition Members of Parliament.

The Temporary Deputy Speaker (Mr. Wetangula): Since there is still nobody here from the Ministry of Education, this Question will be deferred.

(Question deferred)

Let us have Mr. Ruhii's Question for the third time.

Question No.117

REPAIR OF INFRASTRUCTURE IN CITY ESTATES

The Temporary Deputy Speaker (Mr. Wetangula): If Mr. Ruhii is still not here, his Question will be dropped.

(Question dropped)

Question No.353

PROVISION OF SANITARY AMENITIES

AT GIKOMBA MARKET

Mr. Nthenge asked the Minister for Local Government what plans he has for providing adequate amenities for traders at Gikomba Market.

*(Hon. Kamuren rushed into the Chamber
and walked to the Table to reply
to the Question)*

The Temporary Deputy Speaker (Mr. Wetangula): Order, Mr. Kamuren! You and all other Ministers must know that the business of the House on Wednesday starts at 9.00 a.m. We are going through the Questions for the third round, and this is when you are rushing in. Anybody who is from the Office of the President should inform fellow Ministers that we need them here at 9.00 a.m. on Wednesdays.

The Assistant Minister for Energy (Mr. Nang'ole): On a point of order, Mr. Temporary Deputy speaker, Sir. While I appreciate your order, would you also make it to the hon. Members on the other side?

Hon. Members: We are here!

The Temporary Deputy Speaker (Mr. Wetangula): Order, hon. Members! The greater responsibility lies with the Government, not with the ordinary hon. Members.

(Applause)

The Assistant Minister for Local Government: (Mr. Kamuren): Mr. Temporary Deputy Speaker, Sir, I beg to apologise. On my way to Parliament, I found it was very difficult for me to come through the University Way. I had to take another route to come into town.

The Temporary Deputy Speaker (Mr. Wetangula): Order, hon. Kamuren! I passed through the same place. Carry on.

Hon. Members: No reforms, no reply!

Mr. Kamuren: So, I should not reply?

An hon. Member: He is confirming.

The Assistant Minister for Local Government (Mr. Kamuren): Mr. Temporary Deputy Speaker, Sir, I beg to reply.

Plans are underway to construct a perimeter fence at Gikomba market. The plans have incorporated adequate sanitary amenities comprising of two toilet blocks to cater for traders.

Mr. Nthenge: Mr. Temporary Deputy Speaker, Sir, since the people are very many there and it is easy for diseases to spread when sanitation is poor; would the Ministry make sure that the matter is hurried up so that these amenities are ready for use?

Mr. Kamuren: Mr. Temporary Deputy Speaker, Sir, we will do it very fast as we continue with the meetings in the office.

Mr. Maore: Mr. Temporary Deputy Speaker, Sir, this is an area where I am sure, the Assistant Minister may not have been for the last 15 years to know what goes on there. The question of sanitary amenities is very crucial to any urban centre in this country or in the world. What are the future plans for providing adequate sanitary amenities generally in this area of Eastleigh, Gikomba area or what is generally known as Majengo? It is not unusual to have raw sewage flowing in the furrows in many parts of this area. What is the Ministry doing about this?

Mr. Kamuren: Mr. Temporary Deputy Speaker, Sir, I thought I said that plans are underway and the Ministry is going to move in very fast to ensure that this problem does not arise any more. Then from there, we will move into the other parts of the city.

Prof. Ouma: Thank you, Mr. Temporary Deputy Speaker, Sir. What happens at Gikomba is a sign of what happens in many other markets. Why should it take the Government so long to realise that it is essential to make sanitary provisions? What does the Assistant Minister say they will do to ensure that other places get similar provisions so that we do not have dangers to the environmental health of the people? Why I say so is because food is sold in many markets---

(Loud consultations)

Dr. Lwali-Oyondi: Mr. Temporary Deputy Speaker, Sir. There is too much consultation.

The Temporary Deputy Speaker (Mr. Wetangula): Hon. Obwocha and your group, hon. J.N. Mungai, if you have nothing to do here, please, do it elsewhere.

Mr. Obwocha: On a point of order, Mr. Temporary Deputy Speaker, Sir. Mr. J.N. Mungai is briefing us about his trip to Kabarak.

The Temporary Deputy Speaker (Mr. Wetangula): Out of order!

(Laughter)

Prof. Ouma: Mr. Temporary Deputy Speaker, Sir, can I start all over again? There was so much noise that I do not think the Assistant Minister heard what I was saying.

Mr. Temporary Deputy Speaker, Sir, all I am saying is; it is essential for the Government to look into the health of the people, and market places are centres from which diseases can be transported into homes, especially when sanitary provision is inadequate. Why does it take the Government so long until a Question is asked in Parliament before they can realise that a place like Gikomba, steaming with thousands of people, needs sanitary provisions? What next will they do to ensure that other markets will get provisions without questions?

Mr. Obwocha: That is the Minister for Environment from FORD(K).

Mr. Kamuren: Mr. Temporary Deputy Speaker, Sir, earlier on I said that Gikomba is one market that we will now look into very fast. Regarding the other markets, provisions are being---

Prof. Ouma: Mr. Temporary Deputy Speaker, Sir, what we need is just a straight forward answer. All I am asking my hon. friend is: Why does it take so long? Let him answer that first. The next question is, what will they do for other markets?

The Temporary Deputy Speaker (Mr. Wetangula): Prof. Ouma, you cannot ask him a question and dictate on how he should answer it. There are many ways of skinning a cat, maybe, that is his way.

Prof. Ouma: Mr. Temporary Deputy Speaker, Sir, let him answer that very clearly.

The Temporary Deputy Speaker (Mr. Wetangula): Carry on, Mr. Kamuren.

Dr. Otieno-Kopiyo: On a point of order, Mr. Temporary Deputy Speaker, Sir. Are you satisfied that Prof. Ouma is properly dressed for Parliament?

The Temporary Deputy Speaker (Mr. Wetangula): Prof. Ouma is absolutely properly dressed.

Mr. Nthenge: He is not a young man any more.

(Laughter)

Prof. Ouma: On a point of order, Mr. Temporary Deputy Speaker, Sir. Are you satisfied that it is not an affront for one to ask me whether I am properly dressed when I have got my jacket on and, my pullover because I am feeling cold, and I have got my tie on? What is missing?

The Temporary Deputy Speaker (Mr. Wetangula): Prof. Ouma, I said you are properly dressed.

Prof. Ouma: Mr. Temporary Deputy Speaker, Sir, I think it is an affront and I do not take it kindly.

Mr. Kamuren: Mr. Temporary Deputy Speaker, Sir, the question by Prof. Ouma is quite straightforward, and I would answer it as follows. The provisions are already there to move into it, and immediately we finish with Gikomba market, we will move to other markets. What caused problems previously is lack of finances.

Mr. Nyagah: Mr. Temporary Deputy Speaker, Sir, I would like to remind the Assistant Minister, just in case he may have forgotten, that it is essential for us to use this facility. The call of nature is one that we must answer to. What does the Government intend to do with regard to those sanitary facilities that have been given out to people? I have in mind one that was given to Wandondo in Kariakor and another one that was given to him in Westlands. Would the Government consider repossessing them back, as opposed to giving them to people who are only going to make money by selling those properties?

Mr. Kamuren: Mr. Temporary Deputy Speaker, Sir, I do not know of any such facilities that have been given to individuals. If they are there, then we will investigate.

Question No. 399

RESEALING OF MAKUTANO-SAGANA-NYERI ROAD

Mr. Ndicho asked the Minister for Public Works and Housing:-

- (a) whether he is aware that Makutano-Sagana-Nyeri Road is in a deplorable condition; and,
- (b) what urgent measures he is taking to re-seal the numerous potholes in this road so as to reduce road accidents.

The Temporary Deputy Speaker (Mr. Wetangula): Is there anybody here from the Ministry of Public Works and Housing? The Question is deferred.

(Question deferred)

Mr. Obwocha's Question, for the third time!

Question No.455

Mr. Obwocha asked the Minister for Labour and Manpower Development:-

- (a) if he is aware that employees of Magura Estate (Kipkebe Tea Company Limited) are being harassed by the General Manager with regard to the 200 acres of farmland given to them by the Estate Management; and,
- (b) if the answer to "a" above is in the affirmative, whether he could take the necessary steps and instruct the Management to stop harassing the workers.

The Temporary Deputy Speaker (Mr. Wetangula): Is there anybody here yet from the Ministry of Labour and Manpower Development? The Question is deferred.

(Question deferred)

Mr. Obwocha: On a point of order, Mr. Temporary Deputy Speaker, Sir. I already have an answer here. Could any Minister of Government read it?

The Temporary Deputy Speaker (Mr. Wetangula): Order! Next Question.

Question No. 142

REHABILITATION OF WATER PROJECTS IN KITUTU

Mr. Obwocha, on behalf of **Mr. Anyona**, asked the Minister for Land Reclamation, Regional and Water Development:

- (a) if he could give a detailed account of the current operational status of Manga, Tombe, Nyambaria, Keroka and Birongo water projects as well as Kembra (Ekerubo), Gesima, Rigoma and other shallow water wells in Kitutu Masaba; and,
- (b) what urgent steps he will take to rehabilitate all these water projects.

The Assistant Minister for Land Reclamation, Regional and Water Development (Mr. Ligale): Mr. Temporary Deputy Speaker, Sir, I beg to reply.

An hon. Member: Apologise first!

The Assistant Minister for Land Reclamation, Regional and Water Development (Mr. Ligale): No, I have no apology.

The Temporary Deputy Speaker (Mr. Wetangula): He has been here all along!

The Assistant Minister for Land Reclamation, Regional and Water Development (Mr. Ligale): (a) The current operational status of the water supply projects mentioned is as follows:

(i) Manga: This particular one has not been operational since 1995 since its power engine was stolen. However, another engine is being rehabilitated for installation at the water supply project.

(ii) Tombe: This one is operational following the installation of a new stand by pumping site which was installed at the cost of Kshs580,000 to ensure continuous water supply.

(iii) Nyambaria: This one is currently operational with an output of 1,500 cubic metres of water per day, which is higher than the demand currently at 900 cubic metres of water per day.

(iv) Keroka: This is operational with an increased output of 200 cubic metres water per day from 113 cubic metres since 1991 after provision of three pumps and carrying out of general rehabilitation works.

(v) Birongo: This one is operational and serves consumers both in Nyamira and Kisii Districts.

(vi) Kembra: This one is a proposed water project at design stage.

(vii) Gesima: This one is not operational. It does require an estimated Kshs17.2 million for pumps and general rehabilitation works for it to be operational.

(viii) Rigoma and other shallow water wells in Kitutu-Masaba: These are being developed in Rigoma and Manga divisions under the on-going Kenya Netherlands Rural Domestic Water Supply and Sanitation Programme. The programme has already dug 23 shallow wells and there are plans to dig another 30 and also drill 10 boreholes at an estimated cost of Kshs15 million during the third phase of the programme.

(b) My Ministry is seeking funds to rehabilitate those projects that are in operational and to expand the operating ones in order to cover their full limits of supply.

While my Ministry is pursuing these measures, I would like to advise the hon. Member for Kitutu-Masaba to urge his constituents to restrain from vandalising these water supply installations as they are meant for their communities.

Mr. Obwocha: Mr. Temporary Deputy Speaker, Sir, arising from the reply the Assistant Minister has given, in respect of Manga Water Project, the engine pump was stolen in 1985, if I got him well. Now, looking at the vote of the Ministry of Land Reclamation, Regional and Water Development, over Kshs600 million has been given to one district which is Baringo and yet this project needs only a pump which would cost approximately Kshs200,000.

Now, could the Assistant Minister tell this House when he could provide a pump for the stalled water projects of Manga and Gesima which are the two projects which are not operating now?

Mr. Ligale: Mr. Temporary Deputy Speaker, Sir, I do not know why the hon. Member drags in the question of Baringo, but I would like to confirm that the water project for Manga is being looked into. The water pump is actually under rehabilitation now. We are hoping to get it installed next month.

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

Mr. Ligale: But I have not finished yet. Why are you in a hurry?

Mr. Temporary Deputy Speaker, Sir, in respect of Gesima Project, this one as I did indicate, requires approximately Kshs17.2 million. Part of this money has been provided for in the current financial year and work will start, but the rest will probably be provided in the next financial year.

Mr. Omino: Mr. Temporary Deputy Speaker, Sir, from what the Assistant Minister has said, it seems that the problem is lack of pumps. Would it not be a lot cheaper in the long run for the Ministry concerned to electrify the pumping of these water schemes as opposed to providing pumps on site as a solution not only to the water problem in Nyamira, but countrywide?

Mr. Ligale: Mr. Temporary Deputy Speaker, Sir, where electricity is in proximity, we obviously are able to

supply the power. But where the power may be very far and it is likely to cost a lot more, then we would prefer to provide pumps.

Mr. Magwaga: Mr. Temporary Deputy Speaker, Sir, could the Assistant Minister tell the House what his Ministry has in plan to rehabilitate projects which have been lying idle all over the country and have not been provided with money during this financial year? For instance, we have Shitoli Water project which stalled long time ago.

Mr. Ligale: Mr. Temporary Deputy Speaker, Sir, I have to confess that I do not have first-hand information on Shitoli Water Project, but if the Member wants me to check on it, I can do that and supply the information.

Mr. Ndicho: Mr. Temporary Deputy Speaker, Sir, is the Assistant Minister aware that most of the problems facing these water projects all over the country are caused by the district water engineers who arrange to have equipment vandalised and sold with their knowledge so as to create a situation where, in the event of the pumps being stolen, money is provided to buy new ones and then they share the proceeds? It is your officers in the field who are causing hardships to people so that they can get some money. Are you aware of that? If you aware of this behaviour, I will give you more information in your office.

Mr. Ligale: Mr. Temporary Deputy Speaker, Sir, clearly, I am not aware of any situation of that type.

Mr. Obwocha: Mr. Temporary Deputy Speaker, Sir, the last question.

The Temporary Deputy Speaker (Mr. Wetangula): Order, hon. Obwocha. I did not give you the Floor. You cannot take advantage of the fact that I was conferring with your colleague and then hijack my eye. Next Question.

Mr. Ndicho: On a point of order, Mr. Temporary Deputy Speaker, Sir. I want to ask the Chair to consider asking the President to discipline the Minister for Co-operative Development and his Assistant Minister because they do not take their work seriously.

Mr. Temporary Deputy Speaker (Mr. Wetangula): Order, hon. Ndicho. Next Question.

Question No.458

NON-DISBURSEMENT OF LOANS BY POSTA SACCO

Mr. Kiliku, asked the Minister for Co-operative Development:-

- (a) whether he is ware that Posta Savings and Credit Co-operative Society (SACCO) has failed to give co-operative loans to its Members throughout the country; and,
- (b) could he order the Posta Co-operative Society to immediately start giving loans to all its members who have applied for loans.

(Mr. Munyi walked into the Chamber amid laughter)

The Minister for Co-operative Development (Mr. Munyi): Mr. Temporary Deputy Speaker, Sir, before I reply, I would like to apologise for coming late, but I had gone to the airport. I now beg to reply.

I am aware that the Posta Savings and Credit Co-operative Society (SACCO) had given a loan of Kshs284,783.81. That money has already been given.

Mr. Kiliku: Mr. Temporary Deputy Speaker, Sir, could the Minister say how many members were given their loans since last year because I have copies of loan applicants who have not been given up to this moment?

Mr. Munyi: Mr. Temporary Deputy Speaker, Sir, the hon. Member wanted to know whether the money has been given. It has been given. If he has got people who did apply for loan and have not been given money then he can tell me who they are and I will take action.

Mr. Kiliku: Mr. Temporary Deputy Speaker, Sir, all the members who applied for loans from Mombasa District have not been given since last year. Could the Minister tell us who he is talking about as having been given loans?

Mr. Munyi: Mr. Temporary Deputy Speaker, Sir, the hon. Member asked about the whole country. But if he is now talking about Mombasa District in particular, I will look into that matter.

Mr. Kiliku: Mr. Temporary Deputy Speaker, Sir, could the Minister agree with me that loan applicants from Mombasa have not been given their money? Could the Minister assure this House that if I bring names of the loan applicants, their applications will be processed and applicants given their money?

Mr. Munyi: Mr. Temporary Deputy Speaker, Sir, that is what I said. I will do that!

Mr. Maore: Mr. Temporary Deputy Speaker, Sir, given the very expensive adventures of the Posta SACCO regarding their big building they built and there have been a lot of problems, is the Minister going to confirm to this House whether the said co-operative society has not been having credit liquidity problem and that is why they were not

able to give loans to members?

Mr. Munyi: Mr. Temporary Deputy Speaker, Sir, indeed, I want to tell the hon. Member that even during Ushirika Day on 4th July, 1997 when I was a guest of honour, I had discussion with the Chairman of Posta SACCO about that building.

The Temporary Deputy Speaker (Mr. Wetangula): My special discretion for Mr. Ruhiu to ask his Question.

Mr. Ruhiu: Thank you, Mr. Temporary Deputy Speaker, Sir. I am sorry for coming late, but this is due to a traffic jam caused by university students. However, may I ask Question No.117.

Question No.117

REPAIR OF INFRASTRUCTURE IN CITY ESTATES

Mr. Ruhiu asked the Minister for Local Government since the entire infrastructure in Dandora, Kayole, Umoja, Tena, Doonholm and Green Fields has broken down, if he could direct that roads, sewerage, street lights and drainage be repaired to make these estates habitable.

The Assistant Minister for Local Government (Mr. Kamuren): Mr. Temporary Deputy Speaker, Sir, I beg to reply.

All the projects, Kayole, Umoja and Dandora Estates were site and service schemes whereby the infrastructural services were provided in advance of construction of the houses. Consequently, beneficiaries of the schemes haphazardly stored their construction materials and overburdened the roads, footpaths and drainage systems thereby blocking flow of storm water with the resultant effect of the storm water pooling on the roads and destroying the same.

Initial street lighting installations in Dandora, Umoja and parts of Kayole Estates suffered vandalism and the installations had to be suspended till the estates were fully occupied. At present, the Council is in the process of providing street lighting installations in Kayole Estate, according the instructions given to them by the Ministry of Local Government.

Roads in Dandora and Kayole Estates totalling to about 54 kilometres require upgrading at an approximate cost of Kshs260 million while roads in Umoja Estate totalling to about 41 kilometres require rehabilitation at an approximate cost of Kshs200 million.

However, the above mentioned infrastructural services in Tena, Doonholm and Green Field Estates were to be provided by private developers in fulfilment of subdivision conditions and services have not been adopted by the City Council. Thus, the Council is not currently responsible for maintenance of the same services and it has taken up the matter with the developers of these estates to ensure that the works are installed to the standard required for adoption.

Mr. Ruhiu: Mr. Temporary Deputy Speaker, Sir, I am not satisfied with that answer because during the colonial days, the so-called "African Republic" has been discriminated for many years. This trend has continued until this day with this Government, whereas, the other parts of Nairobi are all developed. Can the Assistant Minister direct that the physical infrastructure in these estates be rectified so that these estates can be made habitable by our African residents?

Mr. Kamuren: Mr. Temporary Deputy Speaker, Sir, that is a very good question. We were having a meeting this morning with officers concerned and we will make sure that it is habitable because these are our people. It will be made habitable before the next general election.

Mr. Maore: On a point of order, Mr. Temporary Deputy Speaker, Sir. If you remember very well what the Assistant Minister stated when he stood up here, he said he had to use a different route from home because the university students were rioting. Now, is telling us that this morning, he had a meeting with officers. Do we know whether it was in his office or where because his experience of 30 plus years in politics has taught him how to get away with these Questions by answering very straight and nicely without actually getting to the substance? Is he not misleading the House by saying that he had a meeting this morning?

The Temporary Deputy Speaker (Mr. Wetangula): Mr. Assistant Minister, were you held up in the jam as you came from home or you had a meeting in your office or both?

Mr. Kamuren: Mr. Temporary Deputy Speaker, Sir, when I deviated from Uhuru Highway, I came through Hurlingham and I did manage to get into the office with security officers and I had a meeting. We had already concluded our meeting because I want to take care of that particular area. I do not say what I have not done. I had a meeting this morning and that is why I came late.

Dr. Lwali-Oyondi: On a point of order, Mr. Temporary Deputy Speaker, Sir. I think the Assistant Minister is telling us stories. He was late because of this crucial meeting and not because of the traffic jam. The traffic jam is secondary to the meeting. Is he, therefore, in order to give us this long story?

Mr. Kamuren: Mr. Temporary Deputy Speaker, Sir, I am very much in order because if I happen to come through the shortest route and got to the office, I could have had a meeting and come to the House.

The Temporary Deputy Speaker: Mr. Assistant Minister, just own up; you have been caught on the wrong foot!

(Laughter)

Mr. Magwaga: I want to ask the Assistant Minister a supplementary question that is specifically on Tena Estate. The infrastructure in this estate has never been done by the developer. Can the Assistant Minister tell us what the Ministry is thinking about the people of Tena Estate, who have never seen a good road?

Mr. Kamuren: We will look into that one seriously.

Dr. Lwali-Oyondi: I would like the Assistant Minister to tell us what happened to the famous World Bank loan which was to be used to mend all the roads from September last year. What happened to the millions of shillings that were supposed to mend all the roads in the urban centres?

Mr. Kamuren: Even if that money was there, and it is there, the whole country would not be done over a night. It has got to be done systematically.

Mr. Maore: The question of roads and street lights shows a measure of negligence on the part of the Ministry. Can the Assistant Minister give an answer as to why his Ministry, through the City Council of Nairobi, has been able to abandon, or break all the by-laws in the said areas of Kayole, Dandora, Umoja, Tena, Donholm and even the Green Fields Estate, whereby the original plans that were meant for the drainage and the sewerage cannot contain the massive extensions which amount to more than five times the intended usage? Why has the Ministry abandoned its responsibility of maintaining the original structures of these estates?

Mr. Kamuren: There is no time that the Ministry has ever abandoned its responsibilities. We are working along with the City Council to make sure that all these things are back to normal.

The Temporary Deputy Speaker (Mr. Wetangula): By special dispensation again, let us have hon. Obwocha's Question.

Mr. Obwocha: Thank you very much! Now that the Assistant Minister has come, I wish to ask this very important Question.

Question No. 455

HARASSMENT OF MAGURA ESTATE EMPLOYEES

Mr. Obwocha asked the Minister for Labour and Manpower Development:-

(a) whether he is aware that employees of Magura Estate (Kipkebe Tea Company Limited) are being harassed by the general manager with regard to the 200 acres of farmland given to them by the Estate Management; and,

(b) if the answer to "a" above is in the affirmative, whether he could take the necessary steps and instruct the management to stop harassing the workers.

The Assistant Minister for Labour and Manpower Development (Mr. Ali): Mr. Temporary Deputy Speaker, Sir, first of all, I would like to apologise for being late. Secondly, I beg to give the following reply.

(a) I am not aware of any harassment of employees by the general manager. The employees are grateful to the management for allocating them parcels totalling to 200 acres. The workers are happy planting an assortment of vegetables and legume.

(b) In view of the answer given in part (a), part (b) does not arise.

Mr. Obwocha: Mr. Temporary Deputy Speaker, Sir, Magura Estate is at the border of my constituency with North Mugirango. The workers there have been tea pickers for many years, and that is where they earn their livelihood from. As tradition has it in that estate, and like Parliament, they have been given some land by the estate to be planting vegetables and such crops like maize and so on.

Recently, the general manager who is a white man told them to move out of that land. Could the Assistant Minister tell us who this General Manager is, and when they are going to Africanise that position? We should have an African general manager, and one who will not be harassing those employees.

Mr. Ali: First of all, let me make it clear to the hon. Member that the workers do not own the parcels of land. Once their services are terminated, the benefit of being given the parcels also lapses. As to who the general manager is, that is a different question and I am not in a position to tell who the general manager is. Whether he is a white man, Asian or an African, that is besides the point.

It is true that the policy of the company does not allow growing of tall trees or maize. But other plants like vegetables and legumes are permitted.

Mr. Achola: Could the Assistant Minister be kind enough to inform the House as to who the owner of this estate is?

Mr. Ali: The owner of this estate is Kipkebe Tea Company Limited, which is registered as the proprietor of the Magura Estate.

Mr. Obwocha: But who is he?

The Temporary Deputy Speaker (Mr. Wetangula): That is public knowledge and you can go to the Registrar of Companies and look for the names. Do you have another question?

Mr. Obwocha: Yes! Although you have ruled that this is public knowledge, I want to ask a different question.

The Temporary Deputy Speaker (Mr. Wetangula): Look at Standing Order No. 37!

Mr. Obwocha: If the management has given these people the land to cultivate whatever crops they deem fit---

The Temporary Deputy Speaker (Mr. Wetangula): You know, hon. Obwocha, your question is very vague! Had the land been set aside for the use of the workers? Had it been given to them? Do they have title deeds? You should also be specific to be helped, and it is up to you!

Mr. Obwocha: I am specific! This land has been given to the employees who are there, and he is talking about employees who have left employment in that estate!

Mr. Ali: As I said, the employees who are still employed in the company are privileged on humanitarian grounds. But they are not allowed to grow tall trees. Once somebody does that, he is violating the company's policy.

The Temporary Deputy Speaker (Mr. Wetangula): Since hon. Obwocha is now satisfied, let us move to the next Order.

MOTIONS

UNBANNING OF KENYA CIVIL SERVANTS UNION

THAT, in view of the fact that the public service glory has waned and morale of its employees extinguished beyond redemption when the Government banned the Kenya Civil Servants Union, the only voice on public workers grievances, this House urges the Government in the spirit of being mindful of others' welfare to restore the dwindling morale and glory by effecting the following with immediate effect:-

- (a) implement the resolution of the House made on 13th October, 1993 by lifting the ban on the Kenya Civil Servants Union;
- (b) pay competitive salaries and benefits commensurate with the tasks;
- (c) provide medical and general insurance cover against foreseeable and unforeseeable occupational risks;
- (d) provide decent habitable shelter and affordable mortgage to potential home owners;
- (e) provide transport to and from work to junior category of civil servants; and,
- (e) subsidise education for the children of such dedicated employees in the face of economic hardships.

(Mr. Nyagah on 2.7.97)

(Resumption of Debate interrupted on 2.7.97)

The Temporary Deputy Speaker (Mr. Wetangula): Who was on the Floor? Is hon. Dennis Akumu here? He is not here. Can you proceed, hon. Manga?

The Assistant Minister, Office of the President (Mr. Manga): Thank you, Mr. Temporary Deputy Speaker, Sir, for allowing me to---

The Temporary Deputy Speaker (Mr. Wetangula): Are you the official respondent?

The Assistant Minister, Office of the President (Mr. Manga): Mr. Temporary Deputy Speaker, Sir, I am proposing an amendment.

The Temporary Deputy Speaker (Mr. Wetangula): Yes I know, but are you the official respondent, so that we can give you the time that you deserve?

The Assistant Minister, Office of the President (Mr. Manga): Yes, Mr. Temporary Deputy Speaker, Sir.

I wish to propose an amendment to this Motion. The Motion by itself is very good and I recall that in 1993, part of this Motion came to this House and was passed. I just wanted to propose a few amendments to this Motion as follows:-

We delete all the words appearing after; "THAT, in view of the", up to the words; "with immediate effect", in the fifth line, and substitute them with the following words:-

"need to boost the public service glory and morale, this House urges the Government, in the spirit of being mindful of others welfare, to effect as soon as possible, the following within the budgetary and financial constraints":-

The rest of sections (i), (ii), (iii), (iv), (v) and (vi) remain unamended.

We want to amend the Motion because we do not want the Motion to appear to be underrating what the civil servants have been doing. The civil servants have been doing a very good job for this country despite the problems they have been facing. In 1993, I said that the welfare of the civil servants should be looked into. I would like to take this opportunity to thank all the civil servants for their good work and the hon. Member who has brought this Motion to this House. Everybody wants to lead a good life. There is a saying that you eat where you work. That means that your needs must come from your job. This is true, but because of financial constraints this might not be realized immediately. We have to make do with what is available.

From the resolution made by this House in 1993, it was agreed that the Kenya Civil Servants Union would be revived as soon as possible. The Government is in the process of doing that. We have no quarrel with that.

Coming to the issue of medical benefits for the civil servants, I would like to say that there is a committee which is looking into the matter. That is not a question that needs to be addressed now because the matter is in the process of being looked into.

With regard to general insurance cover against foreseeable and unforceable occupational risks, the Government enrolled with the Intra-Africa Assurance Company after the collapse of the Kenya National Assurance Company. This will provide general cover for the civil servants.

The amendment is not meant to kill the Motion, but it is important to understand that without finances, it is not possible to promise to implement all what the Motion is asking for immediately. Therefore, I want to propose those amendments and after the hon. Members have given their views I will give my reasons for amending the Motion.

The Temporary Deputy Speaker (Mr. Wetangula): Mr. Minister, there is no provision for you to speak part of your time and come back to speak. Either you have material to speak on and exhaust your time or I move on.

The Assistant Minister, Office of the President (Mr. Manga): Mr. Temporary Deputy Speaker, Sir, I thought that after the hon. Members have contributed on the amendment, I will come back to reply.

The Temporary Deputy Speaker (Mr. Wetangula): That is not the procedure.

The Assistant Minister, Office of the President (Mr. Manga): Mr. Temporary Deputy Speaker, Sir, then I will go right away to the actual contribution.

Mr. Munyasia: On a point of order, Mr. Temporary deputy Speaker, Sir. Is it in order to have this Assistant Minister giving the official Government response now when we have many other important points to raise which he has accepted to respond to? Would it not be in order to give us time to give those points so that the amendment comes later?

The Temporary Deputy Speaker (Mr. Wetangula): For the guidance of the House, in future, if you have amendments, bring them early in the Motion so that Members can have enough time to debate the amended Motion. You have come so late. In 15 minutes, the Mover will be replying.

The Assistant Minister, Office of the President (Mr. Manga): Mr. Temporary Deputy Speaker, Sir, I am sorry about that. What we are saying is that we had 40 minutes to discuss today's Motion. I thought that by bringing the amendment, I would give the hon. Members a chance to react to it and then, finally, reply. What I was going to say is that basically, the Government is not against this Motion. We accept it, but with those amendments because currently we are facing financial constrains.

I also want to comment on the item on subsidized education for the children of civil servants. It is the policy of this Government to subsidize education to everybody and not civil servants only. Education is already being subsidized through provision of bursaries. However, if there is enough money, it will be appropriate to consider civil

servants.

On the issue of providing transport to and from work to junior category of civil servants, it would not be appropriate to discriminate civil servants. It should cover both senior and junior categories of civil servants. But this is only possible when finances are available. When it comes to benefits, there should be no discrimination. All categories of employees should benefit equally. I know that those officers who get higher salaries can live within their income, but they also have more commitments. The Government will not discriminate civil servants when it comes to benefits. The Government is here to ensure that the civil servants benefit according to what they get.

Mr. Temporary Deputy Speaker, Sir, as concerns housing allowance, the Government is already giving some housing allowance and---

Mr. Boy: How much?

The Assistant Minister, Office of the President (Mr. Manga): Mr. Temporary Deputy Speaker, Sir, maybe we do not need those details, but the Government is already giving those housing allowances which are known to the civil servants, but it is also looking into the improvement of that housing allowance related to the expenses and the rents that are being charged right now.

Mr. Temporary Deputy Speaker, Sir, the Members well know that there is a Presidential Commission looking into the Civil Service benefits in this country and very soon, there will be a report on this one.

Mr. Nyagah: On a point of order, Mr. Temporary Deputy Speaker, Sir. Since the Assistant Minister has said that there is this Commission that has been appointed by the President, would he be kind enough to tell this House why it has not made its report, as it was supposed to finish its findings on 30th March, this year?

The Assistant Minister, Office of the President (Mr. Manga): Mr. Temporary Deputy Speaker, Sir, it is true that the Commission has completed its report. But its report cannot just be given out without comparing and going through the budgetary constraints. It is being studied with a few amendments being made. Therefore, it will need time to come up. Because when it comes up, it will be a document that we have got to adopt. So, that is why it has not come up.

Mr. Temporary Deputy Speaker, Sir, I do not want to say much, since I want to give time to the mover to come up with his comments on this one. But in general, the Government does not reject the Motion. We accept the Motion in totality.

The Minister for Co-operative Development (Mr. Munyi): Mr. Temporary Deputy Speaker, Sir, in seconding this Motion, I would like to say that this is a very good Motion. The views which have been expressed by the Assistant Minister, Office of the President are good.

I would only like to say that we would not like to have any discrimination between civil servants who earn more salaries and those who earn less. There should not be any discrimination, because I do recall the time when the Civil Servants Union was active, it was actually dealing with the affairs of all the civil servants. I would like to say that as soon as the report of the Commission which was appointed by His Excellency the President, comes out, civil servants including the police, prison service officers, GSU and others who protect our country's security will have a salary boost.

Dr. Lwali-Oyondi: On a point of order, Mr. Temporary Deputy Speaker, Sir. The Minister is completely in order to speak in a low voice. I would congratulate him and let him continue doing so, because he normally speaks too loudly.

The Temporary Deputy Speaker (Mr. Wetangula): Then why are you inciting him to speak loudly?

The Minister for Co-operative Development (Mr. Munyi): Mr. Temporary Deputy Speaker, Sir, Members who contributed to this Motion last week, make very good contributions. As the Assistant Minister has already explained, the Government would like this civil servants union to be revived so that the good work which was being done by the Civil Servants Union should continue.

Mr. Temporary Deputy Speaker, Sir, like in the Co-operative movement as I did say earlier on, about Posta Sacco, Harambee Sacco and the rest, they do look into matters concerning the problems of the members. Therefore, I am sure that when we approve this Motion through the amendments, it will be for the good of Government employees and civil servants in general. We have no problem with the union because we want to benefit from the civil servants services, so that the benefits go to all civil servants who are doing a good job.

Mr. Temporary Deputy Speaker, Sir, I would also like to say that some of the points hon. Nyagah raised when he was moving the Motion were very good.

With those few remarks, I second the amendment.

COMMUNICATION FROM THE CHAIR

VISITING MEMBER FROM TANZANIA

The Temporary Deputy Speaker (Mr. Wetangula): Hon. Members, before I propose the question, I wish to inform you that we have the honour to have a distinguished colleague from the Parliament of the United Republic of Tanzania in the Speaker's row, the hon. Sophia Simba. The gracious lady has been visiting our Parliament since 7th Monday, and on behalf of you all, I wish her a fruitful and pleasant stay in our country and our Parliament.

*(Resumption of Debate on Motion)
(Question of the first part of the amendment,
that the words to be left out be left out, proposed)*

The Temporary Deputy Speaker (Mr. Wetangula): Sorry, I will now put the Question straightaway because of the time constraint.

*(Question of the first part of the amendment,
that the words to be left out be left out,
put and agreed to)*

*(Question of the second part of the amendment,
that the words to be inserted in place
thereof be inserted, proposed)*

*(Question of the second part of the amendment,
that the words to be inserted in place thereof
be inserted, put and agreed to)*

(Question of the Motion as amended proposed)

Mr. Munyasia: Thank you, Mr. Temporary Deputy Speaker, Sir. The first thing I want to say on this Motion is that, we are happy that the Government has accepted it. The problem with this Government is one of credibility.

On 13th, October, 1993, this House passed a Motion, which was supported by the Government side, requesting that the Civil Servants Union be revived; only to be told, in 1997, that the Government is in the process of reviving this Union - It is hard for us to believe. What process does it involve? It is only a question of saying that; "let there be a Civil Servants Union" and the civil servants will organise themselves and have the elections. They already have their constitution and so on. So, it is something that has been existing. What process does it entail for this to be revived? It does not need any financial expenditure from the Government; it would be the members themselves who will be contributing on a check-off system. So, when they say that they are in the process of reviving this, for me, it is beyond my comprehension and it beats me.

Mr. Temporary Deputy Speaker, Sir, it is true that the morale of the civil servants has been very low and many of them are sitting in the offices frightened. Some of them are even frightened when some of the Opposition Members enter their offices.

Mr. Boy: What are you going to do there?

Mr. Munyasia: Yes, that is it; the Chief Whip on the KANU side knows it. They ask what the Opposition Member of Parliament goes to do in their offices because disciplinary measures can be taken against them for any flimsy reason.

In Bungoma, for instance, we have four young men in the Ministry of Public Works and Housing who were dismissed from their jobs merely because they had flashed the two-finger salute to greet us when they were passing in their Ministry's lorry. These people have got no one to speak on their behalf. If there had been a Civil Servants Union, I am sure the Government would have been pressed to explain reasons for such dismissals. So, this is---

The Assistant Minister, Office of the President (Mr. Manga): On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the hon. Member in order to say that it is wrong to punish a civil servant who becomes partisan when they are demanding that civil servants should not be partisan?

Mr. Munyasia: Mr. Temporary Deputy Speaker, we have never complained when PCs and DCs are told: "Tingisha, tingisha" and they show the one-finger salute.

The Temporary Deputy Speaker (Mr. Wetangula): Mr. Munyasia, at the beginning of this Parliament, the Speaker ruled that no Member is allowed to display party symbols on the Floor of this House. If you are 'tingisharing', it is out of order.

Mr. Munyasia: No, but he did it, Mr. Temporary Deputy Speaker, Sir. I was explaining that civil servants have lost their jobs merely because of showing up the two-finger salute.

Mr. Temporary Deputy Speaker, Sir, you heard what was said here last week, that all civil servants have had deductions made on their salaries for the Harambee for women groups. We were even told that the senior civil servants spoke on behalf of the whole civil service. What authority did they have? The Government, as the employer, knows that it is only a union of the workers that could have urged the employer to deduct money from their salaries. That could only have been effected after a legal notice had been issued by the Minister for Labour and Manpower Development. This is what happens with all the workers. But where you have the employer himself being represented by the senior officers in the Civil Service---

With those few remarks, I beg to support the Motion.

Dr. Lwali-Oyondi: Thank you very much, Mr. Temporary Deputy Speaker, Sir. First of all, I must thank the Minister concerned for having been good enough to accept this Motion. It would have been embarrassing because I have a lot of documents here which could have committed the Government; right from the President downwards. It would have been very embarrassing for documents to be read around. The problem is that the Government is not looking into it; but it forgot. That is the truth about the matter. We have no implementation committee to implement the Motions we pass here. They are passed and put in the archives until somebody reminds the Government and I think it is a high time that the Government had a person or persons to look into this issue. Parliament should also reactivate the implementation committee.

Mr. Temporary Deputy Speaker, Sir, now that the Minister has accepted the Motion, we want the following: That, the Minister should state where the properties of the Union are; the houses in various estates including Langata and the big house in town. Where are they? Do the civil servants still own this property? Where is the money usually paid in the form of rent going? They should state that and the civil servants should have their money and the interest accruing thereon returned to them and that would be in billions of shillings which I hope our civil servants will be able to enjoy. After having accepted this, the Government should also stop harassing the Interim Civil Servants Union officials. They have a General Secretary called Mr. Kiniti. They have even suspended him and one Minister called him very ugly names here in Parliament. So, Mr. Kiniti should be reinstated to continue with the interim Civil Servants Union, according to Section 80 of our Constitution which allows people to unite and form associations the way they like. Harassment of civil servants should stop. There was money which was being paid by civil servants every month but it was confiscated by the Government. We want to know where it is and where it was banked and if possible, it should be returned to the civil servants.

The civil servants have asked us, and they have staged a demonstration to ask the Government to stop deductions from their salaries, which are extremely small. Some earn as little as Kshs2,000 per month. Still they are being asked by senior civil servants, who are famous for corruption, to give a portion of their salary of Kshs2,000 to women who have not received the money, just like the youth.

The Minister for Co-operative Development (Mr. Munyi): On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for the Member on the Floor to talk about something as if he does not know it? He is aware of what was agreed during the Women Congress which took place in Beijing and we are following such programmes like other nations in the world? He should know it.

Dr. Lwali-Oyondi: Mr. Temporary Deputy Speaker, Sir, that is not a point of order.

Another thing which I would like to touch on is that, actually this Union is supposed to have been banned or dissolved, but that had never been gazetted. This ban was decreed in a public gathering, but was never gazetted. That would have been one of the embarrassing things on the part of the Government if it had not accepted this Motion.

With those few remarks, I beg to support.

The Temporary Deputy Speaker (Mr. Wetangula): Mr. Nyagah, it is your time to reply.

Mr. Nyagah: Mr. Temporary Deputy Speaker, Sir, let me take this opportunity to, first, thank all those hon. Members who have so effectively contributed to this Motion. Secondly, let me thank the Government for having accepted the Motion. I appeal to the Government to ensure that what we have done this morning will be demonstrated in reality. What we have done should not turn out to be a cosmetic thing.

In situation like this one, where the Government and everybody else have spoken very positively of the Motion, I should have very few things to say. But I still have the following things to say. I will borrow the words of the Minister of State in the Office of the President to the effect that you eat where you work. I will say that we want the Government to realise that civil servants have had a raw deal for too long. It should ensure that they eat three square meals in a day. This means implementation of all that is requested by this Motion.

It is useless to pass this Motion if the Motion passed by this House on 13.10.93 is not implemented. Its passage will be useless if we do not go by a circular that was sent out by the Head of the Public Service two years ago. It will be useless if we do not follow the directive given on 1.5.92 at Uhuru Park by the President. If all these forms of

instruction are not taken into consideration, we will not be doing any service at all to this nation.

Lastly, I will be unfair if I do not touch on what goes on in this Parliament. I would urge the House to make use of a Motion it passed on 9.6.93 to select a Committee of five members to implement that Motion. I want to speak on behalf of civil servants who work for this House. I believe that they do a lot of work that is not done by civil servants in other Ministries. For instance, they work late hours: When we sit late they stay with us. In Zanzibar senior staff members of the National Assembly are allowed to own vehicles. They also get proper staff housing. The residence of every senior staff of the National Assembly is known, in case of any emergency. Let us try and incorporate those things into the service of this House.

It takes very little effort for an hon. Member to know the problems civil servants who work for this House go through. We urge the Government to give the House enough members of staff to cater for the needs of hon. Members. A certain English writer said that a Member of Parliament works seven times more than his elector. In fact, I would say he works much more than seven times. We are required to do a lot of research work. How can we provide efficient representation of our electorate? The answer is that we can do this if we get efficient service in the House. If we get it then we will give the electorate out there what it wants.

Having said so, let me take this opportunity to thank the Government immensely for accepting to support this Motion. We have no quarrel with the Government amendment because it has not in any way affected what is needed in the Motion.

With those few words, I beg to move.

*(Question of the Motion as amended
put and agreed to)*

Resolved accordingly:-

THAT, in view of the need to boost public service glory and morale this House urges the Government in the spirit of being mindful of the welfare of others to effect as soon as possible the following within the budgetary and financial constraints:-

- (i) implement the resolution of the House made on 13.10.93 by lifting the ban on the Civil Servants Union;
- (ii) pay competitive salaries and benefits commensurate with the tasks;
- (iii) provide medical and general insurance cover against foreseeable and unforeseeable occupational risks;
- (iv) provide decent habitable shelter and affordable mortgage to potential home owners;
- (v) provide transport to and from work to the junior category of civil servants; and,
- (vi) subsidise education for the children of such dedicated employees in the face of the economic hardships.

ENHANCEMENT OF COUNCILLORS' ALLOWANCES

Mr. Rotino: Mr. Temporary Deputy Speaker, Sir, I beg to move the following Motion:-

THAT, while appreciating the Government's efforts in assisting the local authorities to run their day-to-day activities and bearing in mind that councillors do a lot of work in the locations/wards, and while noting that the cost of living in Kenya has risen three fold since 1992; this House urges the Government to increase councillors' allowances from the current Kshs3,600 per month to Kshs15,000 and backdate them to July, 1996.

I did move a Motion like this one sometime before the Omamo Commission was appointed. In reply, the Government said that it was waiting for the recommendations of the Omamo Commission. After I gave notice of this Motion, the Government decided to increase the allowances from Kshs3,600 to something like Kshs7,000. All of us here do appreciate the work done by councillors in locations and wards. We know that they do a lot of work in locations. We hon. Members may represent 10 locations or 20 wards but we get reports from councillors. We also depend on councillors during campaigns and when we are organising meetings and Harambees.

Mr. Temporary Deputy Speaker, Sir, it is pathetic to see the way councillors live in rural areas. Every month when they go to their local authorities' offices they are told that enough money for payment of their allowances has not been collected. This is disturbing. This is why this Motion urges the Government to increase councillors' allowances and pay them promptly. The officers who work in the local authorities like the Town Clerk earn a lot of money, and their money comes from the Ministry, and these people are the ones who carry out services for these Councillors. So,

the Councillors feel humiliated when, at the end of the month, they do not get any salaries and they have to go and plead for any small amount of money from the local authorities while they are supposed to be doing the day to day activities. Even paying the Councillors their travelling allowance when they come for various meetings is a problem. The Councillors are supposed to be paid a certain token to cater for their meals and other needs. This is not being met by the local authorities and it is due to the financial problems within the authorities. We might ask ourselves; why is it that local authorities do not get this revenue which they are supposed to collect? Services are supposed to be given in line with the contributions the taxpayers give. When you visit various markets, when you travel along the Kitale-Eldoret road, or go through a bus park, you find askaris who sit there charging every matatu that passes an agreed fee which may be Kshs10 or even Kshs50. This money goes into the pocket of the authority to enable it to meet the allowances of the Councillors. But you find that the funds that are given to the local authorities by the local people through payment for licences or rents are not well utilised because the services are not really provided. For example in Kitale, you find that the roads are not being repaired and water facilities are not being provided, while all these are supposed to be provided by the local authority. But the local authorities are not able to carry out these services because the little money that they get goes into paying their allowances and their normal running expenses in the offices. This is a cycle that goes on, round and round. They use the little money that they collect to pay the councillors' allowances. As a result, they are not left with anything to enable them to provide the services that are supposed to be provided, and this keeps the local authorities at a very low standard. For example, a new building was put up in Kapenguria County Council not even ten years ago, but the building is completely collapsing because no repairs are being carried out. In some cases, you find that a new building was put up, a new carpet installed, but because the Councils have no money to enable them maintain those buildings, they are collapsing, and even the City Hall is not spared. Most buildings of local authorities are in a very poor state and this is why we should improve the infrastructure within the local authorities so as to give good services, hence, collect enough money to pay for the council services.

Mr. Temporary Deputy Speaker, Sir, I would now like to look at the services that the councils are supposed to provide to the community. When you look at what was there before Independence, when local authorities were de-centralised, services were given within the local authorities. Services like nursery schools that are supposed to be maintained by local authorities to the community were provided. In the recent past, for example, in West Pokot, I think 95 per cent of all the nursery school teachers were laid off because local authorities are not able to meet their salaries. They get hardly Kshs1,000, but the local authorities are not able to pay this money. This gives the community a bad picture about the local authorities.

Many people might not opt to be Councillors because of the problem that is there. So, we have to facelift the picture that has been painted about Councillors in the local authorities. In this way, we will be able to help our Councillors to be better people in our society. Right now, as I speak, so many locations and districts have been increased. This means increasing councillors, and this will lead to a need for more money. We need more money. But where does this money come from? This money must come from the taxpayer and the revenue that the local authority collects through its officers from the markets. The markets cannot function very well because of the poor infrastructure. For example, most of the sale yards are not being maintained while people pay money. Ask yourself; where does this money go? This money in turn goes only to meet the recurrent costs of running the local authorities.

Mr. Temporary Deputy Speaker, Sir, if you drive along the roads in all our towns, you will observe that all the towns are getting dirty. Nobody is disposing of the refuse that should be collected. Why? Because the Councils have no facility to do this. This paints a very sad picture of the local authorities. Therefore, this Motion intends to increase the salaries of the Councillors, not to Kshs7,500 but to Kshs15,000. For example, if a Councillor in Nairobi gets Kshs7,500 which was the increment given by the Ministry recently, which house will he live in? Do you want him to go and live in Mathare or in a place not of his standard? Even in small towns in this country, the house rents have increased. The cost of fuel has gone up more than four times since 1992. Increasing the Councillors' salary to Kshs7,500 is not sufficient because we want them to lead a decent life; a life that is worth a councillor, and a life that is worth a person who represents a group of people. Councillors have big followings and I know that in this House, there are many hon. members of Parliament who were Councillors before they became hon. Members of Parliament and they have a big following which must be respected. That following must be given honour by ensuring that their councillor lives in a decent house which is well furnished and that he lives very comfortably. Otherwise, if he lives in the shanties of Mathare or shanties of a small area in one of the villages, it is not going to augur very well for the community and for his voters. Many councillors got as many as 20,000 to 30,000 votes, which is even more than what some hon. Members of Parliament got. So, that large following must be respected by giving our Councillors good status.

Mr. Temporary Deputy Speaker, Sir, every weekend, we have harambees and I tell our Councillors that they must come with me, but they have no money to donate. They have to go and borrow; they live a life of begging

everyday. They have to wait for the hon. Member of Parliament to come and give them handouts. This does not reflect very well on the local authorities. So, it is important that the salary of Councillors be increased to Kshs15,000 and not Kshs7,000, which is the increment that was given by the Ministry. We should also make sure that the money is promptly paid.

Mr. Temporary Deputy Speaker, Sir, my Seconder appears to want to contribute, but I have one more point to make. The Ministry of Local Government should consider leaving out the DC because at the moment the DC is one of the councillors. I want to plead with the Ministry to relieve the DC of the role of being a councillor. Why? I say this with a lot of concern because many times the Provincial Administration has become a stumbling block to councillors. They have become people who intimidate others when they sit in those meetings. They do so in such a manner that the councillors feel that if they do not favour the DC or if they do not talk very well of the DC, next time when they go to ask him to give them two bags of famine relief food, he will not give them. So, the DCs play what we call an intimidation role when they sit in those councils. It is my strong feeling therefore, that the Ministry should consider seriously banning DCs from sitting in those committees.

With those few remarks, I beg to move.

Mr. Shidie: Mr. Temporary Deputy Speaker, Sir, I stand to second this Motion.

It is said that there is no taxation without representation. Kenyans have been saying that for a long time. For example, they have been paying cess to the local authorities and this kind of thing. But you find often that this tax or cess collected does not come to the expectation of most Kenyans. In the first place, it has never been useful to them. Worse of all, even the money collected does not accrue up to pay the salaries of the councillors. In this Motion, we are talking about increasing the salaries of the councillors, but that is not even the point. The point is that the little that they are supposed to get, they are not getting. There is an adage which says that: "If you pay peanuts, you will catch monkeys." It appears that we are almost catching monkeys now. The councillors have become monkeys. They are not paid anything and it appears that they are good for nothing. They struggle and campaign hard. They want to provide services and help the counties. However, you do realise that the councillors themselves are not being paid.

Mr. Temporary Deputy Speaker, Sir, go across the country and you will find that the entire local authority system has totally collapsed. The councillors and the workers are not paid. The offices are never opened. I am telling you that when you go to the offices, you wonder whether these are ghost offices or what they are all about. This is a very sad thing in this country. We should not take it lightly. If we take this issue lightly, the local authority system which is the power and the grassroots will collapse, and this will mean that even us MPs cannot provide any services. If it means that they are going to wait for the MPs to give them hand-outs to make them mobile, then surely what are we going to do? It will appear that we are doing things at the top and yet on the ground things have collapsed.

Mr. Temporary Deputy Speaker, Sir, there are several reasons why the local authorities system has collapsed in this country. First and foremost, the local authorities have been sub-divided. We used to have maybe one council in South Nyanza, but today we have several councils, including urban councils, town councils, municipalities which are bankrupt. The council subordinate staff workers lack even the basic rudiments. They do not have even a broom to clean the streets. What are we talking about? We are talking about a system that has gone down the drain. It has collapsed. We cannot be in business when we spend maybe 90 to almost 100 per cent of our income on salaries and yet the people that you pay do not deliver. This is the sad story about local authorities in this country.

Mr. Temporary Deputy Speaker, Sir, if we are also serious, the councillors must be literate. There is no way you can have people who are illiterate to lead you. There must be a minimum level of literacy. At least, we should have people who have gone to school; people who can understand; people who can conceptualise; people who have vision; people who can understand things and people who are knowledgeable. Education is power. It empowers people. It emancipates people. When you have illiterate councillors or people who are herdsmen being appointed councillors to stand on the podiums and speak to educated people, that one does not make sense. There must be minimum literacy levels for those aspiring to become councillors. At least, we should have people who are literate and can speak some good English and Kiswahili. This is because in Kenya, most of the articles or letters are written in English and if a councillor cannot read English, then it is a pity. Even people who are not qualified to become audiences are today leading others. This is because if I stand on a podium and speak Kiswahili and the people do not understand, one member of the audience who interprets what I may say is then made a councillor for that ward. We must have educated people.

Mr. Temporary Deputy Speaker, Sir, the other thing is duplication. The central Government provides a certain service while the local authority does the same. We must inter-marry these services. If we are not going to inter-marry these services, we are going to run two parallel systems which are not compatible. That is why a situation arises where, if it is the case of roads, you will find that the Ministry of Public Works and Housing is working on them while at the same time the local authority is working on the same roads again. If we were to inter-marry the service of the local authority and the services provided by the central Government, at least, there will be no duplication of services.

Mr. Temporary Deputy Speaker, Sir, the other nightmare about the local authority machinery is that we have chief officers who should be elected. The clerks to the councils and municipalities must be elected so that they will be sensitive to the people's needs. If they are not elected, what they will do is gerrymandering or muzzling the whole local authority for their own sakes. Today, the local authority system is an epitome of mismanagement, corruption, and nepotism. It is really sad that the local authority system is run through patronage. If I want to become a clerk to the council, I just have to see some big fishes or big wigs. If the local authorities are going to be run properly, we must have chief officers, who are elected by the people and by the councillors themselves. At least, they will be sensible to the people's needs. But if these chief officers are never elected, they will have no interest whatsoever in the local authorities. Their role will be to get some money and pocket it. They will have totally no effect on the people.

Mr. Temporary Deputy Speaker, Sir, today, the infrastructure, has collapsed, garbage is piling all over and the Nairobi you see today does not even look like a capital city. It has collapsed.

With those few remarks, I beg to second.

(Question proposed)

Prof. Anyang'-Nyong'o: Mr. Temporary Deputy Speaker, Sir, I rise to support this Motion.

There is no way whatsoever by which councillors can live on Kshs3,600 per month, even were that amount of money to be given to them simply to support their transport. It cannot happen. This is why county councils are in such a mess. You will find, for example, the County Council of Kisumu District where I come from, has not been properly run because councillors are looking for handouts from people who can buy council land or do under-hand business with clerks to the County Council. So, the whole of the representation at that level has collapsed and we should not pretend that we have democracy in this country when at the grassroots, from the sub-location to the district level, there is absolutely no democratic representation. During the colonial times, we had location councils to which people were elected. These institutions were removed with Independence. I think it is ironic that with Independence we should reduce democratic participation among our people. I, therefore, support this Motion fully.

But further, Mr. Temporary Deputy Speaker, Sir, were we to add Kshs15,000 to councillor's allowances and still burden this country with Harambee, we are not going to get anywhere. I want to submit to this House that whoever introduced this Harambee to this country, may have had good intentions, but since then the whole thing has been corrupted and has been used for the mismanagement of this society. We must, therefore, stop the cancer of Harambee from eroding the productive and innovative potential of our people.

Mr. Temporary Deputy Speaker, Sir, it is because of Harambee that the KANU Government is so corrupt. At this point in time, the NSSF has given a contract to some Asian tycoons in Kitsuru to put up expensive houses at a cost of Kshs2 billion. This contract is being given now simply for KANU to raise money for their campaign.

At the same time, precisely because there is no proper policy on salaries and allowances, the same Government is giving every person who is intending to run in KANU election Kshs1 million a week. Where are these resources coming from? This is one of the reasons why we are having poor democratic participation in this country.

Mr. Temporary Deputy Speaker, Sir, in 1992 because of this kind of Harambee approach to everything, this KANU Government gave every potential candidate 20 citizenship forms to sell to Asians at Kshs500,000 to raise money for campaign. This is all wrong! Instead of trying to use the resources of this nation to pay people who represent wananchi like councillors, all these things are used for all these corrupt ways.

Mr. Temporary Deputy Speaker, Sir, I am proposing one of the things that we must do is to clean up our Acts.

Clean up our Acts and make sure that institutions that govern society are properly run. Such institutions are to do with municipal and county councils. About three years ago, we had meetings in Nairobi and Kisumu. The Nairobi we want convention, the Kisumu we want convention. These made good proposals on how local Government can run, how resources can be used for Local Government running, how workers in Local Government Authorities should be properly remunerated. These things are in the public realm. Further, the Government went ahead and commissioned the Omamo Commission which wrote its report. This report is with the Government. It has taken donkey months for this report to be released to the public or to come to this Parliament for adoption so that there can be change in local governance in this country. It is this idea of the Government always dragging its feet on necessary reforms that is causing crisis in this country.

Mr. Temporary Deputy Speaker, Sir, one of the crisis we noticed yesterday or two days before. Today, in the newspapers, the headline reads: "Four Students have died." One of those students, I know very well, Mr. Andrew Oganda who was actually walking from the examination room to his aunt's house at the YWCA when the soldiers sprang on him with two of his other friends and beat two of them unconscious. They fell on the ground, they were later picked up by another student taken to Kenyatta Hospital and today, Mr. Andrew Oganda is dead. This is because this Government never wants to take initiatives in bringing proper reforms in time and hence this wasting of resources

both human and natural.

Mr. Temporary Deputy Speaker, Sir, we must move with God speed and bring proper reforms to this country so that we do not let our people suffer the way they are suffering.

Mr. Temporary Deputy Speaker, Sir, let us look at the logic by which Mr. Rotino has come to fixing Kshs15,000 as salaries for local Government workers. One of the things that happen with the local county councillors is that they live in rural areas and attend meetings in towns. In Nairobi, it is different, the councillors live in their own wards and hence they do not have to move from one place to another to attend a meeting.

One of the things that has to be done is that there must be some differential in terms of transport allowances for councillors who serve wards in rural areas. It is very unfair to expect a councillor coming from 20 or 30 miles away from a town where he is serving as a councillor to be given the same allowance as somebody who lives in town who does not need that length of transport to cover before they attend a meeting. So, whereas I agree in spirit and principle with this Motion, I would like the Government to consider, and I hope this can be rewritten in Mr. Omamo's Commission, that like Parliamentarians, councillors should also be given transport allowance to attend meetings. That is very important.

But further, Mr. Temporary Deputy Speaker, Sir, at the moment, retirees who have been working in the Civil Service have had their pension improved through a Bill that we people passed in Parliament recently.

The Local Government Superannuation Act has, however, not been amended in line with what we did a few weeks ago. The Local Government Superannuation Fund provides how local Government employees should be pensioned when they retire. At the moment, the pension that local Government retirees earn is peanuts. These are people who serve this nation very well, but they are not looked after properly. I would urge the Government in the same manner in which the retiree's fund in the Civil Service was revised recently, that something be done about local Government Superannuation Fund so that the retirees who work with local Government Authorities also can get their pension improved like civil servants.

This is very important because unless somebody knows that when they retire they will be looked after properly, unless, somebody is assured of that life, that person will be tempted to be corrupt when they are in office. They will be tempted to keep something aside for later years. In order to avoid that, let us have proper pension schemes which make somebody know that when they retire, they will live a life that they are used to. So, you do not need to divert public funds to build so many houses which become your insurance. At the moment, one of the reasons you will find that in the Civil Service and in the Local Government there is corruption is because that is one of the ways by which these lowly-paid civil servants or Local Government workers are trying to secure their future. We want to eliminate that corruption, but securing their future through proper pension schemes. This is very important, but we shall not have proper pension schemes, unless, Government funds are used properly. Here NSSF is important.

I want to emphasise that the manner in which the NSSF is now investing those funds is not in the interests of Kenyan workers and the Kenyan public. If the NSSF is going to be used as kitty for underwriting the expenses of a ruling party, this is national crime and must stop forthwith. I would like the Minister responsible to come to this House and explain to this House why the NSSF is spending that Kshs2 billion in Kitsuru. I would also like the Minister to come to this House to explain how the NSSF is selling those houses in Mountain View and whether that money is going to the proper kitty. I want the Minister responsible to explain to this House: Why is it that part of that money is going the wrong direction, to finance KANU in the coming election? This has been proven and it is in the public domain. This must be stated in this House because this money is workers' money and hon. Kariuki knows that and he cannot deny it. I wonder whether hon. Kariuki is capable of coming to this House and substantiating this thing on my behalf. It is extremely important that public funds are used for a public cause, and that we should pay our civil servants and local Government officers properly.

With those few remarks, I support the Motion.

Mr. Badawy: Ahsante sana, Bw. Naibu Spika wa Muda, kwa kunipatia nafasi hii, ili niunge mkono Hoja hii muhimu sana. Nina hakika kwamba kila kiongozi aliyeko hapa, na ambaye ana ushirikiano mzuri na anatambua ile kazi inayofanywa na madiwani, kama ilivyoielezwa na aliyeleta Hoja hii, hatakuwa na sababu ya kukataa madiwani watazamiwe maslahi yao. Hivi leo, ijapokuwa malipo wanayoyapata madiwani huitwa councillor's sitting allowance, ukweli ni kwamba kazi ya udiwani ni ya masaa 24. It is a full time job. Wanafanya kazi mfululizo kabisa. Ule wakati madiwani walikuwa wanangojewa tu kuhudhuria full council meeting mara moja kwa mwezi, au pengine awe mwanakamati wa mojawapo ya ad hoc committee ya baraza, ulikwisha. Leo, kuna mabadiliko makubwa sana. Diwani ni mwanakamati wa zile kamati za maendeleo ambazo zinafanywa mijini ambazo huitwa sub-DDCs. Mbali na hayo, ni mwanakamati wa locational development committee na sub-locational development committee. Wengine ni wanakamati wa district education boards na wengine ni wanakamati wa liquor licensing boards, na wanawakilisha vikao tofauti tofauti vya maendeleo katika sehemu za mabaraza yao. Hii inawafanya wao wawe watu wanaotegemea

kazi ya udiwani peke yake. Hata wameacha mashamba yao. Pia, kuna watu waliokuwa na biashara zao na sasa zimelala na kufungwa sasa, kwa sababu wanahitajika kushughulika na kazi ya uwakilishi ya udiwani kwa wakati wote.

Kwa sababu hiyo, kile kiwango ambacho kimependekezwa ni kwamba waongezewe mishahara. Badala ya kuitwa "allowance", lazima uitwe mishahara kwa sababu vile ninavyojua, diwani akikosa kukaa katika kikao fulani, anayimwa allowance yake ya kikao hicho. Kwa hivyo, huu ungekuwa ni mishahara kuambatana na kulingana na kazi anayoifanya kwa wakati wote.

Bw. Naibu Spika wa Muda, nimesikia maoni ya viongozi walionitangulia, na ni kweli kwamba maisha sio tu kwamba ni magumu, lakini kama vile Prof. Anyang'-Nyong'o ameeleza, kuna shida ya usafiri. Mimi namjua diwani ambaye anakaa katika lokesheni moja huko ambaye, akitoka kwake kuja Full Council Meeting inamchukua wiki mbili kurudi kwake. Ni nani anayemlipia chakula chake cha mjini pale wakati familia yake inamtazama? Ni nani anayemlipia gharama za malazi huko mjini? Anatakiwa atoe gharama hizo kwa mishahara wake wa Kshs3,600! Mbali na hivyo, gharama ya usafiri kutoka kwao mpaka Kilifi County Council na kurudi kwake Chakama ni Kshs200. Ikiwa atakuja vikao vitatu, inaonekana pesa zake zote zinaingia katika usafiri.

Kwa hivyo, kuna haja sana ya kibinadamu, kwa Bunge hili kupitisha madiwani waongezewe mishahara kwa kiasi kilichopendekezwa na mhe. Rotino, cha Kshs15,000. Waliozungumza hapa pia wameeleza yale matatizo ya kifedha yanayoyakumba mabaraza mengi. Hii ni kwa sababu njia za kujipatia ushuru kwa mabaraza haya ni chache. Lakini kwa mengine, kuna kiwango kikubwa sana cha matumizi mabaya ya pesa. Uporaji wa pesa katika mabaraza umezidi sana. Ushahidi wangu ni kwamba hata Waziri mwenyewe alisema hapa kwamba kuna mabaraza mbayo hayajafanya final submission ya final accounts kwa miaka 20. Hii ni kuonyesha kwamba mafisa fulani katika mabaraza mengine wameachiwa uhuru wa kupora mali na kuharibu pesa. Hii ndiyo sababu mafisa wengine na madiwani hawalipwi kama tunavyosikia hapa.

Mimi najua ulifika wakati ambapo aliyekuwa mwenyekiti wa Lamu County Council aliambiwa auze mtumbwi wa baraza ili apate recovery ya allowance zake. Wale madiwani wengine hawakupata kitu. Mimi najua kwamba katika baraza hilo pia, mafisa wameambiwa wafuate land rates. Mahali wanajua kuna arrears, wanachukua na kukata kabisa na ndiyo mishahara yao. Kama hatutaangalia maslahi ya madiwani na kuwaongezea mishahara yao, wao kama viongozi wa mashinani na wanaostahili heshima kama sisi Wabunge, wataendelea kudharauliwa na mafisa wakuu. Hiki ni kitu kinajulikana kabisa. Mbali na kusema ati kwa sababu ya kiwango chao cha elimu wanadharauliwa, ukweli ni kwamba, ni sababu ya mapato yao. Ni watu ambao wako chini ya huruma ya maofisa wakuu kama katibu wa baraza au mweka hazina wa baraza. Wanaenda kwao kuomba allowances na advances ya mishahara saa zote. Ni juzi tu ambapo tulikuwa na Harambee ya akina mama Malindi. Wadiwani wengi walishindwa kuja kwenye harambee kwa sababu hawakuwa na pesa. Wakati waliomba kupatiwa advance ya allowances zao chache ili wapate kutoa michango yao, Katibu wa Baraza alisafiri na kuwaacha. Walibaki kuomba omba na ndipo walishindwa kujitokeza kama viongozi ili kuja kuchanga katika harambee.

Shida zinazowakumba katika nyumba zao na maisha yao ni kubwa zaidi. Kwa hivyo, mimi napendekeza kwamba, kwa vile mabaraza mengi yako na nyumba, kwa muda ambapo madiwani huwa katika kazi yao, watafutwi nyumba. Hata kama wanawahudumia watu katika vijiji, lakini kwa siku ambazo wako mijini katika shughuli zao za kikazi, wawe wakikaa katika jumba zao wakiwa na familia zao ili waepukane na zile gharama za matumizi.

Jambo la heshima ni kitu kikubwa sana. Ikiwa diwani hatadharauliwa kwa kuomba na kukopa kila siku na ana madeni hapa na pale, itakuwa bora. Jambo hili linawafanya watumiwe vibaya na mafisa wakuu. Hivi ninavyozungumza, madiwani wanashawishiwa wakubali kuuza ploti moja muhimu sana huko Malindi, ambayo inatumiwa na maskini kuuza mitumba na wafanya biashara ndogo ndogo. Mafisa wakuu wana njama ya kuwaondoa watu hao pale. Hata wamewapata watakaonunua ploti hiyo hapo na madiwani wanaambiwa wakikubali, watapata kitu katika njama hiyo.

Hii ndiyo sababu mara kwa mara kunakosekana amani na uongozi wa kudumu, na mara nyingi unasikia mameya wanapinduliwa na kubadilishwa. Hii ni kwa sababu mara nyingi, mameya si watu wa kufuata sheria na uongozi wa sawa sawa. Wanatumia madiwani na maafisa fulani wa mabaraza kuwafanya wakubali kuingia katika irregular allocations and transactions.

Ikiwa wataendelea kulipwa haya malipo madogo, madiwani watakuwa wanadharauliwa na mafisa wakuu siku zote, na watakuwa ni watu maskini. Watashindwa kujitokeza kama viongozi. Hii ndiyo sababu machifu na manaibu wa machifu wanawadharau.

Kwa hivyo, jambo kama ili lataka liangaliwe kwa roho ya kibinadamu. Lazima waangaliwe kama wanadamu na watu wanaokabiliwa na maisha mazito na gharama za kimaisha kama sisi watu wengine. Sisi tulipitisha hapa na tukafurahia kuongezewa allowance zetu sisi Wabunge. Ongezeko hilo liligawanywa katika vikundi ya mishahara, sitting allowance, constituency allowance, travelling allowance na nyinginezo. Pia, iko haja kwa hawa madiwani kufikiriwa namna hiyo.

Mimi nashangaa kuona kwamba mhe. Rotino ambaye amelea pendekezo hili, badala ya kusema ongezeko

hilo lirudishwe hadi Julai, angependekeza lirudishwe nyuma hata zaidi. Pia kwa pendekezo la Kshs15,000, tungekuwa makini na kugawanywa katika vifungu vya mishahara, sitting allowance, travelling allowance, housing allowance na kadhalika. Tungekuwa makini zaidi lakini kiwango kisiwe chini ya Kshs15,000 zilizotajwa.

Nasisitiza zaidi kuwe na haja ya pesa za mabaraza kuchunguzwa kwa makini sana. Kuchunguzwa zaidi ni hivi kwamba madiwani lazima wapatiwe nafasi zaidi kufanya upekuzi katika zile annual accounts. Lazima ziwekwe mbele ya mabaraza ili wajue ni kitu gani kinachoendelea. Ikiwa sababu ni kwamba ati madiwani wetu hawana elimu, vipi tunataraji watu ambao wana kiwango kizuri cha elimu cha Form IV, Form VI au chuo kikuu watajitokeza kugombea udiwani ikiwa mishahara ni Kshs3,600 peke yake? Ni lazima tuongeze kiwango cha mishahara. Mimi sikubaliani na msemu kuwa yule hakuenda shule au hana shahada ya chuo kikuu au kidato cha nne hana hekima. Hekima na elimu ni vitu tafauti. Tuna viongozi wazee ambao wana busara na hekima, na ndiyo wengine tuko hapa kutokana na hekima, busara na maarifa ambayo tumepata kutokana na wazee kama hao.

Kitu ambacho tungefanya ni kuwa na quality na calibre ya wale viongozi ambao tunafikiria ndio wangeweza kuendesha mabaraza. Lazima tuongeze mishahara ili kumfanya mwalimu au wakili badala ya kustaaifu na kupigania kiti cha Ubunge, apigania kiti cha udiwani. Hii itakuwa hivyo ikiwa malipo na mapato yatakayokuwa yakilipwa na mabaraza yatakuwa ni sawa.

Suluhisho ni kwamba, ikiwa tunakubali zote kwamba mabaraza mengine yaliundwa pasina kuzingatia kwamba rates ziko za kutosha, ukweli ni kwamba sasa wananchi wamefinywa sana na licences mbali mbali za mabaraza.

Serikali lazima ijitokeze na itoe pesa kutoka kwa Exchequer kuwalipa madiwani, ili wajulikane wako na pesa zao maalumu zinazotoka kwa Serikali, na siyo ikiwa leo pesa za wachuuzi au licence fulani hazijakusanywa, madiwani, mafisa, wafagiaji hawatalipwa. Hapana! Ikiwa local authorities ni mkono wa central Government, iko haja kama vile Wizara zingine zinavyotengewa pesa kutoka kwa Exchequer, pia wao watengewe.

Kwa hayo machache, naunga mkono.

*(Mr. Nassir and Mr. Cheserek moved and sat on
the Opposition Benches)*

Mr. Muite: Mr. Temporary Deputy Speaker, Sir, I take this opportunity to welcome the Member for Mvita and also hon. Cheserek to the Opposition Benches. They can remain permanently there. They are most welcome.

I support this Motion. It matters little that the Motion is brought by an hon. Member from the other side of the House I support it on merit and I would further ask that even the recent moderate increments that were given by this Government should be backdated to the time the councillors took office. If they are going to be paid this enhanced allowance with effect from now, when Parliament is about to be dissolved, that increment is not going to be of much benefit to the councillors who have been struggling since 1992. I would request that the moderate increments that were given recently by the Government be back-dated to 1992 so that the current councillors can benefit from that increment. If this Motion is passed, it would be a good idea to back-date these allowances to 1992.

I would like to say that even if these increments are given, they are only going to provide very temporary relief to the councillors. This is like treating the symptoms rather than treating the disease. If a human being is suffering from diabetes, one will notice some wounds on the skin. It does not matter what treatment you give to that wound, it is not going to heal until you diagnose and know that the cause for the wound is diabetes. You will then need to treat it so that that wound can heal. These temporary increases do not mean much. Even if today we were to give the councillors Kshs50,000, it is like treating the symptoms and not the disease. The disease is addressing the legal, constitutional, economic, and social situation in this country and come up with restructuring of those orders so that the amounts of allowances that the councillors are then going to be given will be adequate and in consonance with the legal, economic, social and constitutional order in the country. That is what needs to be addressed.

When we have been calling for reforms, one of the major reforms that are absolutely fundamental and critical is the Local Authorities Act. That has to be restructured in order to return power to the local authorities. We keep blaming the Mayor of Nairobi or the chairmen of various town councils. They have absolutely no power because of the provisions of the Local Authorities Act. This is what we need to restructure. We need to pay more attention to democratizing the economic power, not even the political powers. Today, given the provisions of the Local Authorities Act, the economic power is wielded by the Minister for Local Government. Who appoints him? It is the President. The councillors have absolutely no power. The officers of the local authorities are appointed by the Minister for Local Government and so their loyalties are not to the elected councillors. The real power in the local authorities is wielded by the chief officers who are not answerable to elected councillors. They are answerable to the Minister for Local Government and, through him, to the President. This is the legal order. I am submitting that unless we change this, in the end it does not matter how much allowances we give to the councillors. It is only going to be for a time. Very

soon, those enhanced allowances will be found to be inadequate. Unless we address the economic situation in this country, those allowances are not going to be adequate.

This nation is in a very major crisis. I feel quite confident that a majority of the hon. Members on that side of the House appreciate the gravity of the crisis which is gripping this nation today. The only people who do not appear to appreciate this is a small clique of the advisors of the President and the President himself. We must sit down together as a nation---

The Assistant Minister, Office of the President (Mr. Shamalla): On a point of order, Mr. Temporary Deputy Speaker, Sir. Is hon. Muite right in attempting to put us in the company of those claiming to be dissatisfied with whatever is going on in the country? Is he right to put me in his company?

Mr. Muite: Mr. Temporary Deputy Speaker, Sir, that is hardly a point of order. But the Member for Shinyalu is perhaps part of this small clique that I was referring to. It gives me no pleasure to go to Kamukunji and run into angry, unemployed young men and women, who ask me whether I know that the name of President Moi is no longer Moi, but 'Moi-Butu'. This is what they tell me.

Mr. Sankori: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for hon. Muite to drag the name of the President into this Motion when we are supposed to be discussing the local authorities?

Mr. Muite: I am saying that we are in the middle of a severe crisis and the only way out is not for us to be told to keep quiet. Even if we keep quiet, we who are calling for reforms, the explosion is still going to come. It will come sooner than we think. I am not supporting that explosion. I am saying the choice for avoiding that explosion lies squarely on the President and his close circle of advisors. What they have to do is to immediately start dialogue on the reforms that must be undertaken before the elections. That dialogue must be started now and not tomorrow. If the President does not want piecemeal reforms he should understand that the minimum reform agenda is simply geared towards ensuring that the next elections are going to be free and fair. If that is unacceptable to this Government, let them bring a constitutional amendment in this House to simply extend the life of Parliament by two years. This has been done before. It was done in 1966. In this way, comprehensive reforms can then be undertaken in those two years. We agree that if we are going to have comprehensive reforms, we need two years. It is up to this Government to entirely choose which option they want.

Therefore, the only way through which changes can come in this country is through violence. That is the political message that this Government is sending to Kenyans. That is the political message that this Government is sending to those of us who have been agitating for peaceful reforms in this country. Those who have been advocating for peaceful changes in this country do not have the power to enact any of those three options this country is going to undertake. That choice is entirely up to that side of the House, with the President and his close circle of advisors. I would like to repeat that, I know and we know that a majority of the KANU Members of Parliament do in fact, support the reform agenda, they do not want any violence in this country, they see the crisis we are in, but the blame is on this small circle of advisors and the President must take responsibility for it. There is absolutely no way in which the blood that has been shed in the last two, three days and continues to be shed--- Today, universities are still in a crisis. They are still beating students and storming into examination rooms. These are not matters that can be ignored.

The Assistant Minister for Information and Broadcasting (Mr. Nassir): Bw. Naibu Spika wa Muda, mimi naunga mkono Hoja hii kwamba madiwani waongezwe mishahara. Nina maneno mengi zaidi lakini kwa sababu nina wakati mwingine saa nane, nitakuja kuyazungumzia kama vile mshimiwa anavyozungumza.

Ukweli ni kwamba, madiwani hujilipa wenyewe. Hii ni kwa sababu kutokana na vile wanavyopata pesa ndivyo wanavyoweza kujilipa, halafu sisi tumwambie Waziri sasa umefika wakati Madiwani wana taabu kwa sababu nchini Kenya, ni lazima tufanye Harambee ili tusaidiane. Kila nyumba ina taabu. Asubuhi wanaendewa kama vile Mbunge anavyoendewa kuhusu karo ya shule na kadhalika.

Bw. Naibu Spika wa Muda, lakini jambo kubwa si kuongezewa mshahara kwa madiwani. Inafaa mwendo wa nchi yetu ufuatwe. Mwendo wa nchi yetu katika hiyo Katiba itakayogeuzwa, tutageza mambo mengi. Kwa mfano, namna ya kuishi kwa uzuri kwa Wakenya. Wakati huu tunaishi kama sisi sio binadamu. Hatupangi maisha na hatujui tutaenda wapi. Watu wanazunguka ovyo ovyo, bila kujua la kufanya. Wengine wamekuwa kama wezi. Inafaa tufanye marekebisha kila mahali tuliko. Inafaa kila Council ijue njia ya kuendesha shughuli zake. Inafaa marekebisha yawe kila pahali. Katika mikoa za Katikati, Nyanza na kwengineko. Watu wasiachwe na taabu. Yafaa madiwani waongezwe mishahara na kutazama hali za watu; haswa wale waliotupigia kura ambao ni matajiri wetu. Haifai Mhe. Muite nami kuwa na ekari 10,000 ilhali mtu akitaka kulima hata pale barabarani, tunamfukuza.

Mr. Muite: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for hon. Nassir to say that he and I have got 10,000 acres of land each, when I absolutely do not have 10,000 acres of land? I have got 400 acres of land and I do not want an acre more. That is the ceiling I have set for myself.

The Temporary Deputy Speaker (Mr. Wetangula): Mr. Muite, the Chair is not interested in what you and hon. Nassir own, neither is this House.

The Assistant Minister for Information and Broadcasting (Mr. Nassir): Bw. Naibu Spika wa Muda, nilikuwa natoa kwa mfano tu. Ikiwa mimi nina shamba la ekari 10,000 na ndugu yako hana ekari hata moja, basi inafaa tufanye mpango kule nyumbani tuwatengenezee mahali pa kuishi. Lakini hali hiyo ya kufukuzana italetta taabu katika Kenya nzima. Badala ya kutaka kubadilisha Katiba peke yake, inafaa tubadilishe mambo mengi. Haifai mtu kuwa na ekari 20,000 ama 50,000 na mwenziwe hana chochote; anazunuguka tu na taabu. Haifai kubadilisha Katiba peke yake, inafaa tubadilishe hali ya maisha ya watu. Kwa sababu taabu si wewe kuwa mkubwa. Wakati huu katika Serikali ya Kenya, hatuna haja na siasa. Siasa ilifaa ule wakati watu walipokuwa wakitaka kumtoa Mbeberu, lakini leo kila mtu anataka kiti, bendera na ukubwa. Lakini akiona jamaa zake anawadanganya kwamba wakimfanya kuwa Rais, basi mambo yao yote yatakuwa mazuri. Je, wale wengine, huwataki? Kwa hivyo, tusidangayane. Tujaribu kusaidiana kwa ukweli. Tusimdanganye mtu kuja upande wako kwa sababu ni wa kabila lako, eti akija upande wako mtachukua bendera na Serikali itakuwa mikononi mwenu, na mtachukua kila kitu. Haiwezekani. Yaliyopita mwaka ule yameshapita na huo ndiyo mwisho wake. Sasa ni wakati wa watu kusaidiana. Inafaa shughuli za Serikali ziendeze sawa sawa na tupeane heshima kwa kila mtu.

Bw. Naibu Spika wa Muda, hapa nchini Kenya kuna viongozi ambao inafaa waheshimiane. Sisi tuliokuwa viongozi tangu mwanzo, na Rais wetu, tulimheshimu kabisa. Lakini inafaa kila mtu nchini, awe Rais ama Waziri, aheshimiwe. Ukimvunjia heshima kwa sababu si wa kabila lako, nasi ambao si wa kabila lako, hatutawapa heshima pia. Yale yaliyotokea kwingineko yatatokea hapa pia. Heshima ni jambo la muhimu sana. Tumekubali demokrasia, lakini mtu akishapata uongozi halafu kwa sababu si wa kabila lako unamfanyia dharau, haifai. Kwa wale walio wengi na wale walio wachache, kwake mheshimiwa ni majority. Lakini kwa mwingine, majority ni kwako na minority ni kwa wenzio. Hata mtu akiwa na bibi watatu siyo kwamba kila bibi ni wake, ila tu wale watatu wako nyumbani. Kuna mambo mengi ambayo inafaa turekebisha nchini Kenya kabla ya uchaguzi. Inafaa kuwe na marekebisho juu ya heshima. Isiwe kwamba mimi nikimtukana mhe. Muite ndipo nitakuwa mwanasiasa shujaa. Huu ni ufidhuli, ujeuri na kukosa adabu. Lakini kama tunaheshimiana na kumheshimu yeyote atakayechaguliwa, nchi yetu itakuwa na amani. Lakini huu mwendo tunaokwenda sasa--- Kama nilivyosema, mambo mengi nimeyaweke kama akiba ya leo jioni. Niliyasema jana, lakini sikuyamaliza. Nitasema tena leo.

Bw. Naibu Spika wa Muda, haya mambo yote yanatokea kwa sababu kila mtu anafikiria kabila lake zaidi. Mungu mwenyewe alipenda watu wa makabila na dini tofauti tuishi nchini humu na tuheshimiane.

Hawa wanaotoa makosa kutoka mbele tunataka wapewe pesa. Lakini ni lazima tutafute njia ya kupata pesa kwa sababu nchi yetu haina dhahabu wala mafuta. Vitu vidogo ndivyo vinavyotuwezesha kusaidiana.

Ninaunga mkono Hoja hii, nikisema kwamba yafaa madiwani wapewe pesa. Na si madiwani pekee; hata mimi mshahara wangu bado ni mdogo. Ikiwa ni kuongezwa, Mungu akinijalia niingie katika Bunge hili kwa mara nyingine--- Wale wengine wanajua kuwa hawaji hapa tena na ndiyo sababu wanapiga kelele.

Mtu akifa, huwa kuna vilio vingi sana katika nyumba ile. Wengine hulilia kwa nguvu hivi kwamba maiti huwa karibu kutoka. Kwa hivyo, hawa ndugu zangu wanalia sana, yule maiti yuko karibu kutoka.

Kwa hayo machache, ninaunga mkono.

The Assistant Minister for Local Government (Mr. Kamuren): Mr. Temporary Deputy Speaker, Sir, having taken the sentiments expressed by Members of this august House on this Motion, I stand to move the following amendment: That the Motion be amended by deleting all the words immediately after the figure "Kshs15,000" which appears in the fifth line, and inserting the following words in place thereof: "with effect from 1st June, 1997."

Therefore, the Motion as amended will read as follows:-

THAT, while appreciating the Government's efforts in assisting the local authorities to run their day-to-day activities and bearing in mind that the councillors do a lot of work in the locations/wards and while noting that the cost of living in Kenya has risen three-fold since 1992; this House urges the Government to increase the councillors allowances from the current Kshs3,600 per month to Kshs15,000 per month with effect from 1st June, 1997.

Mr. Temporary Deputy Speaker, Sir, all of us came to this House through elections.

An hon. Member: Not all of us!

The Assistant Minister for Local Government (Mr. Kamuren): Except the nominated ones. We bear similar responsibilities to those carried out by the councillors from the councils. We sympathise with the situation in which councillors are, in so far as the allowances they had been previously given, of Kshs3,600 per month, are concerned. It is true that the situation at the moment is not a situation that would reflect those years when we attained our Independence; when life was not the way it is today. I quite agree with the Mover of the Motion, hon. Rotino, because he saw it and he had a vision and he has councillors within his own constituency as we ourselves do. Having brought this Motion to this House, if hon. Members would agree with me on that amendment, we would only assist the councillors to get what has been shown and that has been pointed out in this Motion.

Mr. Temporary Deputy Speaker, Sir, when we are at home during recess, we do see the difficulties that

councillors encounter, particularly, because Kenya is a country that needs Harambee from time to time to assist the most needy ones. The councillors participate so much. Sometimes when we are in Nairobi we do get a bit of time to rest, when we are in this august House, as Members of the National Assembly. But not the councillors who live among wananchi from 1st January to 31st December. These people are surrounded by wananchi however small the areas they represent are. They are surrounded by difficulties from wananchi, as they do surround us when we do home for the weekends.

Mr. Temporary Deputy Speaker, Sir, some districts were created when we came into this House, in 1992. There are new districts with new councils and having elected councillors into those county councils within the new districts, those councillors encounter a lot of difficulties in terms of economic power. Their allowances had been raised from Kshs1,200 per month previously to Kshs3,600 per month but that is more or less nothing and it is very little money. Therefore, the Ministry of Local Government does sympathise with the councillors in so far as the increment they were given is concerned. However, this Motion has been overtaken by events because you will now find a chairman of a county council has got an increment from what they were earning, Kshs6,000 per month, to Kshs11,000 per month. A councillor within any county council in this Republic, who was getting Kshs3,600 per month, is now able to earn Kshs7,700 per month.

Mr. Temporary Deputy Speaker, Sir, since some councils are sustainable, if they can collect enough revenue to create sustainability, then there is no point why this Motion should not go the way it is so that they will be able to get better salaries even though that cannot be enough; looking at the responsibilities they are having today in their respective county councils. Because of the sympathy that we have for them this Motion as amendment, should be left that way and be supported by hon. Members of this House the way it is. This is because I have taken the sentiments expressed by my hon. colleagues in respect to the difficulties that councillors are encountering today in the Republic of Kenya.

Mr. Temporary Deputy Speaker, Sir, in fact, as we go for the elections, you will be surprised to see a councillor who is a life member of the ruling party KANU having no money to use for campaign because that amount of money given to him or her per month in terms of allowance is not enough at all. But the money which is being increased now, with effect from 1st June, 1997, will assist them. Previously, when councillors went out overnight, they used to be paid very little money or nothing at all but today when a chairman of a council goes out of the station, he is given a daily allowance of Kshs2,000 and the vice-chairman of a committee within a council is also given night-out allowance if he has to remain or spend a night elsewhere on council duties. He has to be given Kshs1,500 and a councillor has to get Kshs 1,000 each per night wherever they are. They only have to produce evidence of expenses to the council clerk when they go back in order to get payment.

Mr. Temporary Deputy Speaker, Sir, I hope that hon. Members will accept my amendment. Once the Motion is passed my Ministry will look into it very seriously so as to alleviate problems being faced by councillors today in this country. I would like to ask hon. Osogo to second the amendment I have introduced to the Motion.

With those words I beg to move.

The Assistant Minister for Agriculture, Livestock Development and Marketing (Mr. Osogo): Thank you, Mr. Temporary Deputy Speaker, Sir, for allowing me to second this amendment. I would like to begin by thanking the hon. Mover for having brought this Motion here at this time. Hon. Members will appreciate the fact that if we pass the Motion in its original form we will be burdening local authorities which are already overburdened. Most of them have run bankrupt and are not able to pay the allowance of Kshs3,600 per month to the councillors. That is why the Assistant Minister has moved an amendment to request that the new allowances be paid with effect from 1.6.97. Indeed, the Minister for Local Government had already increased councillors' allowances in a circular sent out to the local authorities. Using section 150 of the Local Government Act he had already increased, for example, the allowances of county council chairmen and the Mayor of Nairobi to Kshs17,000 per month. This amount is over above the Kshs15,000 which this Motion is requesting for.

If hon. Members have read the Finance Bill, they will remember that it contains some elements for assisting local authorities to cope with this type of a thing. The Finance Bill, which is still being debated by this House has provisions which allow local authorities to collect trade licence fees which have been going to the Ministry of Commerce and Industry. The same Bill provides for part of the Road Maintenance Levy Fund proceeds to progressively go to the authorities. This will enhance the income of local authorities and enable them to pay the allowances which are being requested for without undue pressure on their financial base, which is very weak at the moment.

We are requesting the House to accept the amendment moved by the Assistant Minister. The essence of the Motion is that we have appreciated the financial difficulties in which the councillors are. I was listening very keenly when hon. Anyang'-Nyong'o was speaking. His contribution reminded me of 1956 when I was a councillor, together with another councillor from his constituency, the late John Ouko. At that time we were only being refunded bus fare

from one's home to Kisumu; I was a councillor in the then Kisumu African District Council. Our night allowance was Kshs50. The hotel rooms we used at that time would cost about Kshs45 per night.

The late Ouko was a very intelligent teacher and was teaching at Maseno at that time. He came from Hon. Anyang'-Nyong'o's constituency. He used to come to the council on a tractor in order to claim vehicle mileage allowance. He did not have a car, but I think his father had a ploughing tractor. He used to remove the ploughs from the tractor and drive the tractor from Seme Location to Kisumu and then claim mileage allowance. Very few people had cars at that time. I think that is why this intelligent man used his father's tractor to get more money.

So, Mr. Temporary Deputy Speaker, Sir, these problems still persist: Councillors are not able to own cars to use in going for meetings. They still have to be reimbursed bus fare and get sitting allowance in addition to other allowances. As my colleague, the Assistant Minister has said, there is also an increase in the night out allowance for the councillors. I think we should thank the Government for having appreciated that when councillors go out they should not sleep in back-street lodges. They should be able to go to decent places. Since the Minister, in his own wisdom, has given new allowances we should accept his effective date of 1.6.97 so as to avoid burdening local authorities with payment of arrears from 1996.

With these remarks, I strongly support the amendment.

(Question of the first part of the amendment, that the words to be left out be left out, proposed)

Mr. Mulusya: Thank you, Mr. Temporary Deputy Speaker, Sir. I want to support the Assistant Minister's amendment. In effect, the amendment gives what the Mover of the Motion wanted to be given. More often than not, it is not necessary that a Motion be carried in its original form, so long as its substance is not changed. Councillors are very important persons in the administration of local authorities. But in the past they have been treated in a demeaning manner. At this stage, we are still talking about paying a councillor Kshs3,600 per month. This just makes him a beggar when he is supposed to assist the needy.

You will find most councillors in this country running after their Members of Parliament to look for hand-outs in the same manner Members of Parliament, especially from the opposite side, go and queue at State House to get hand-outs for donating in Harambee meetings on Fridays, Saturdays and Sundays---

The Assistant Minister, Office of the President (Mr. Shamalla): On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it really in order for the hon. Member to continue indulging in what is nonsense?

The Temporary Deputy Speaker (Mr. Wetangula): Mr. Shamalla, what is your point of order?

The Assistant Minister, Office of the President (Mr. Shamalla): All right, I withdraw the word nonsense. But is it in order for him to make the allegation that hon. Members from this side do queue at State House on Thursdays and Fridays? Is it also in order for hon. Muite to be whispering to Mr. Mulusya what to answer? Is he unable to speak for himself?

The Temporary Deputy Speaker (Mr. Wetangula): Order, Mr. Mulusya! If you want to discuss hon. Members of this House, where they queue and where they do not queue, within the meaning of Standing Order No. 73, bring a Motion. Otherwise, you are out of order, and you are ordered to desist from that line of argument.

Mr. Mulusya: Mr. Temporary Deputy Speaker Sir, I want to desist and I will steer clear of that.

The Assistant Minister, Office of the President (Mr. Shamalla): *(Inaudible)*.

Mr. Mulusya: Mr. Temporary Deputy Speaker, Sir, you can hear the hon. Member provoking me and I do not want to ask him why he, together with hon. Magwaga, received Kshs100,00, on Thursday last week.

(Applause)

The Temporary Deputy Speaker (Mr. Wetangula): Order, hon. Mulusya!

The Assistant Minister, Office of the President (Mr. Shamalla): Mr. Temporary Deputy Speaker, Sir, are you going to continue tolerating this particular gentleman disregarding your instructions, repeating what you have prohibited him from doing, when he even undertakes to refrain and he does not? Could he substantiate that hon. Magwaga and I received whatever he claims we received?

The Temporary Deputy Speaker (Mr. Wetangula): Mr. Mulusya, simply withdraw those allegations against your colleagues and carry on.

Mr. Mulusya: Mr. Temporary Deputy Speaker, Sir, I withdraw. But let the hon. Member not provoke me.

The Temporary Deputy Speaker (Mr. Wetangula): Mr. Mulusya, as an hon. Member of this House, you should be above petty provocation and carry on with your points.

Mr. Mulusya: Mr. Temporary Deputy Speaker, Sir, this is what I am going to get to. Now, I will ignore him.

Mr. Temporary Deputy Speaker, Sir, we are talking about the culture of hand-outs, where a leader is known to portray his loyalty to his seniors by how often he goes to look for hand-outs. This applies to situations where councillors look for hand-outs from an hon. Member of Parliament, or hon. Members of Parliament look for hand-outs from the Chairman or President of the party. This culture should go, and it can only go by giving appropriate remunerations to those elected leaders. First, they spend a lot of hours working for the people who elected them and they want to be seen to reflect a status of leadership. They cannot give that reflection unless they are taken to be leaders at that level by the Government which they serve and for which they collect taxes from the electorate.

When we get back to an authority like the Nairobi City Council, we have heard that the mayor's official car has been withdrawn from him, and this is being done with instructions from the Minister for Local Government. We must have the Local Government Act amended to give total autonomy to the local authorities and make the chief officers to be subservient to the elected authorities. You will find a town clerk who is selected on ability to pledge loyalty frequently on weekly basis, to those people in power. He is the one who is giving instructions to a mayor, who is elected.

The Assistant Minister for Local Government (Mr. Kamuren): On a point of order, Mr. Temporary Deputy Speaker, Sir. I think that is a very wild allegation by the hon. Member on the Floor.

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

The Assistant Minister for Local Government (Mr. Kamuren): Mr. Temporary Deputy Speaker, Sir, could the hon. Member substantiate, beyond reasonable doubt, the fact that the Minister dictates to the councils? The clerks of the councils are employed while the councillors are elected by people in those respective areas. There is no way the Minister for Local Government can dictate anything in the councils.

The Temporary Deputy Speaker (Mr. Wetangula): Mr. Kamuren, are you introducing a new dimension to substantiation? I am not aware of any substantiation beyond any reasonable doubt. But hon. Mulusya, be that as it may, could you substantiate?

Mr. Mulusya: Mr. Temporary Deputy Speaker, Sir, it is a fact that the mayors and the chairmen of local authorities have no powers to sack their town clerk or the chief officers of their areas.

The Temporary Deputy Speaker (Mr. Wetangula): Order, Mr. Mulusya! If I got Mr. Kamuren right, I think what he wanted you to substantiate was the allegation that the chief officers pledge weekly loyalty to the Minister or something to that effect.

Mr. Mulusya: Mr. Temporary Deputy Speaker, Sir, in the case of the Nairobi City Council, the Town Clerk pledges loyalty to the Head of State at State House directly. The chief officers, like the Treasurer and the Town Planner, all have to see the Minister on a weekly basis so that he can be able to know what is happening in the City of Nairobi and they get instructions directly from there. They do not use their professionalism and their ability to work. They even go outside the Civil Service Regulations.

The Temporary Deputy Speaker (Mr. Wetangula): Order!

(Question of the first part of the amendment, that the words to be left out be left out, put and agreed to)

*(Question of the second part of the amendment,
that the words to be inserted in place
thereof be inserted, proposed)*

*(Question of the second part of the amendment,
that the words to be inserted in the place
thereof be inserted, put and agreed to)*

(Question of the Motion as amended proposed)

The Assistant Minister, Office of the President (Mr. Sunkuli): Mr. Temporary Deputy Speaker, Sir, I stand in support of the Motion. I would like to say that there is the need for us to recognise the need to have the councillors being paid better. This is because the cost of life in our country has become very high. The demand on the leaders of this country have become very high. Many of us have to develop this country recognising the fact that we cannot develop this country through taxes alone. We have got to get self-help initiatives. We have got to use the Harambee spirit since our people look upon us and the councillors of this country as people who should develop this country.

Mr. Muite: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for this House to continue debating for the second day running when the public is kept in the streets while they want to come and listen to the proceedings of this National Assembly? Is it not the duty of the Speaker to direct the Serjeant-at-Arms and the staff, including the Clerk of this august House, to permit the public to come in and listen to the deliberations by hon. Members?

The Temporary Deputy Speaker (Mr. Wetangula): When did you notice the absence of the Members of the public, Mr. Muite, since you have been here since morning?

Mr. Muite: Mr. Temporary Deputy Speaker, Sir, I have just noticed the absence of the members of the public after noticing the presence of three or four members of the Special Branch whom I know by their faces.

The Temporary Deputy Speaker (Mr. Wetangula): Mr. Muite, you know very well that members of the public come to the Galleries at the total pleasure of Mr. Speaker and it is not their right.

Proceed, hon. Sunkuli.

The Assistant Minister, Office of the President (Mr. Sunkuli): Mr. Temporary Deputy Speaker, Sir, can I, therefore, support the sentiments of one of my colleagues that in order to be able to sustain this particular move, the councillors must make policies that will enable their various councils to earn revenue. Most of us come from councils that have the potential of earning a lot of money especially from Maasai Mara Game Reserve. I must say that those who run the Maasai Game Reserve should run it in such a way that the councils can be able to pay their salaries, develop their districts and be able to pay the allowances of the councillors. That is just the minimum requirement.

Mr. Temporary Deputy Speaker, Sir, in 1995, I was lucky enough to visit one of the councils in the United States in Kansas and Oklahoma States and I realised that the primary duty of the councillors should actually be policy-making so that they can concentrate not on the practical running of the councils. They should concentrate on the policy-making so that the councils can be run by the civil servants so to speak of the councils. The councillors should concentrate on the policy and then there will be no clash between the councillors and the chief officers of the councils. In that way, everybody will do his job and there will be no question of too many rats digging one hole.

Mr. Temporary Deputy Speaker, Sir, the question of local Government must continue to be reformed slowly by slowly so that it can attain its real character in order that democratisation gets down to the grassroots. I think that is very crucial. Speaking on this question of reforms because I intend to give some of my time to some of my colleagues here, it is one thing that would make me to say that majority of the KANU members, indeed, as hon Muite has said, require reforms on the Constitution. We all are for the reforms. I think where the problem comes in is the question of timing. Some people are saying that reforms should be held now. Hon. Muite is saying that the reforms must be held now regardless of the opinions of others. Others are saying that the reforms should be held after the general elections. So, all of us have agreed in principle that there is a need for reforms. I think this is a very important thing to note. This is because what some people are saying is that the removal of certain sections of our Constitution amounts to minimum reforms. I attended a symposium with hon. Anyang-Nyong'o in Sweden two weeks ago and I heard him make a speech to Kenyans who live in Sweden. I was at that meeting and the kind of reforms I heard being propagated and suggested do not amount to minimum reforms. Those are thorough-going reforms. I must say this before I dwell into the question of thorough reforms and I am not trying to be petty. But who are these people proposing reforms?

An hon. Member: Two-thirds of Kenyans!

The Assistant Minister, Office of the President (Mr. Sunkuli): That is right. If that is the case, for instance, I have no quarrel with hon. Mbeo who came here recently, but just imagine the former Vice-President of this country also acting like a reformist. When did he start being a reformist; hon. Kibaki going into a Protestant church on a Monday and saying that the church should not be invaded when, in fact, that amounted to an invasion? Who are the visionary leaders of this country who can tell us today that they are genuine reformists? The former lawyer of parastatals of this nation sits here in front of me---

Dr. Lwali-Oyondi: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for the hon. Assistant Minister to state that it is bad to go to church on Monday when people go to church every day? Even today, at 7.00 p.m., the Catholic Church is having mass?

Mr. Muite: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for hon. Sunkuli to point a finger at me when he refers to a former lawyer of parastatals sitting opposite him when he knows, or ought to know, that I have been agitating for reforms since 1976?

The Assistant Minister, Office of President (Mr. Sunkuli): Mr. Temporary Deputy Speaker, Sir, therefore, what is the urgency?

We are saying that if we want the Constitution to be the document on which this country should stand, it should not be connected to the next elections. It should not be seen as a document for election. It is a document on which this country should stand.

(Applause)

Mr. Temporary Deputy Speaker, Sir, the only part that I see that is relevant to the election is 25 per cent rule and that is not a minimum reform. It is a fundamental reform because what we are saying is that if we remove that then, for instance, his tribe will continue ruling Kenya forever and ever. It is not a minimum reform that one, but it is a fundamental reform. All the other reforms can be made after the next election without jeopardising the results of the next election because there is no other phrase that I know of today that is actually connected to the next election.

Mr. Temporary Deputy Speaker, Sir, I had some people in that Swedish meeting say that they want the Chief's Authority Act to be repealed and we say maybe. But that is not the Constitution. Some of these things that are being stated are legislative amendments which should be brought to the legislative authority of this country which is the National Assembly of this country for the consideration and approval or disapproval thereof by this Assembly.

The new trend that we take things that are meant for this House to "hypnotise and mesmerise groups of young people" in the streets and expect that Kenya should make a decision upon what is not justified at all. I know that hon. Members would like us to dissolve this House into a constituent assembly. That itself has its own consequences. If we do not have faith anymore in the representative capacity of our Parliament, then we should be able to say so and we will be able to write in the next Constitution what we would like to have as a Parliament next time.

I know that there are so many people who wear robes and say that they are representing whatever they are representing. Inside those robes does not lie a vision at all; inside that robe people belong to their tribes and they wear those robes in name of God to perpetrate tribalism. It is wrong because I know today that if a Maasai priest went into those robes, he would not say the same thing, or if another priest went into that robe, he would not say that. Why are we trying to trample on our good country like this and use the word "reform" to destroy what we have achieved so far?

Are we really caring for this country or have we become so much obsessed with our idea of going into the high office that we have forgotten that this beautiful country of ours lies on the precarious hands of these leaders?

Mr. Muite: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for the hon. Assistant Minister in the Office of the President to continue insinuating as if the reforms are being demanded by members of the Kikuyu community alone when it is all the tribes in Kenya who are demanding these reforms? Who is a tribalist, him or those who are demanding reforms?

The Temporary Deputy Speaker (Mr. Wetangula): Your time is up. Dr. Lwali-Oyondi, you have five minutes.

Dr. Lwali-Oyondi: Thank you---

The Temporary Deputy Speaker (Mr. Wetangula): No! You have your full ten minutes.

Dr. Lwali-Oyondi: Ahsante sana, Bw. Naibu Spika wa muda, kwa kunipa nafasi hii niseme machache kuhusu Hoja hii ya madiwani.

Kwa kusema kweli, tungependa hawa madiwani wapate mshahara wa kutosha. Tukiangalia mji kama Nairobi, utapata kwamba watu wengi ambao wangechukua nafasi hii kwenda kwa uchaguzi wa madiwani wamekataa kwa sababu haina maana na mtu anapatiwa mshahara wa Kshs3,800. Mshahara huo hautoshi kuweka mafuta kwa gari. Mji kama huu ambao una mali nyingi unataka watu wenye uwezo wa kuendesha mambo yake.

Kwa mfano, ikiwa mtu alikuwa manamba na anasimama kwa uchaguzi wa udiwani kwa sababu watu wote wengine wamekataa. Akichaguliwa kuchunga mali na sehemu za mji huu kama Lavinton na Muthaiga, ukimwambia kuna shimo huko Muthaiga Road, anasema ni vizuri kwa vile mahali anaishi huko Kawangware, watu wanatembea na mguu. Ukitaka kutumia chombo chochote, unatumia punda! Mshahara wake pia hauko. Sasa, hata hizi Kshs15,000 wanasema ni kidogo sana. Inatakiwa mtu ambaye anakalia kiti kama hiki cha udiwani apate kama Kshs70,000. Na yule ambaye anakaa kwa mji mdogo kama Nakuru apate Kshs50,000. Hii ni kwa sababu gharama ya maisha imepanda na vitu vimekuwa ghali sana.

Kwa sababu ya maneno ya Harambee, watu walipora pesa na zikapoteza thamani. Hata Kshs70,000 ni kama Kshs7000 hapo zamani. Hazina maana kwa sababu ni pesa tu, kwa mfano. Hata Wabunge walio hapa hawana pesa. Hata wewe, Bw. Naibu Spika wa Muda, unajua hivyo. Ukitaka kujua, nenda usome mishahara ya Wabunge katika ofisi ya mishahara hapa Bungeni. Watu wanapata Kshs1,500, na niliona mmoja anapata Kshs235.50. Ie ofisi ya mishahara iko hapa Bungeni na unaweza kwenda kuangalia. Hawa hawana pesa hata kwa mishipa yao! Ule mshahara wanaopata unatakiwa kuwa wa madiwani.

Wakati huu, hawa Wabunge ndio viongozi katika Kenya hii. Wangepata mshahara sawa na wakuu wa makampuni, ambao wanapata Kshs350,000 hivi, na kusomeshewa watoto bure, na wana magari ya kampuni na kadhalika.

Wasipofanya hivyo, ndio wanafanya mlolongo kila mahali. Watu wanaenda kumsumbia hata Mtukufu Rais huku wakitaka Kshs20,000 na Kshs10,000. Wengine wanaenda hata Ofisi ya Makamu wa Rais na Waziri wa

Mipango na Maendeleo ya Kitaifa, naye ikiwa anazo. Tena utajiuliza; watu kama Makamu wa Rais na Waziri wa mipango na Maendeleo ya Kitaifa wanapata wapi pesa? Hata Rais mwenyewe anapata wapi pesa? Hapo ndipo ufisadi huanzia. Lazima watoe pesa hizo kutoka Treasury. Ukitoa pesa kutoka Treasury, basi hakuna mahospitali, mabarabara na kitu kingine chochote.

Hawa madiwani wakipata hizo pesa, tutakuwa na watu wenye akili za kutosha za kuendesha mabaraza haya. Isitoshe, niliona Waziri msaidizi, Ofisi ya Rais, akisema kwamba alikuwa mahali pengine ambapo madiwani walikuwa wanatoa mwongozo. Utatoaje mwongozo ikiwa huna elimu ya kutosha? Hiyo ndiyo sababu tunasema kwamba ni lazima Local Government Act irekebishwe. Tukifanya hivyo, utapata kwamba meya na watu wake wakikata shauri, town clerk na wafanyakazi wake wataitekeleza. Jambo la meya kuwa tu kama ceremonial figure haliwezekani. Kwa sababu ya mshahara wa chini wanaopata huko Nakuru, diwani mmoja ameua shule za upili za Afraha na Langalanga. Hata jambo hili lilikuwa katika magezeti yetu. Wazazi waliingilia jambo hili hadi Mkuu wa Wilaya ya Nakuru akasimamisha uuzaji wa shule hizi. Naibu wa meya wa jiji la Nakuru pia ameua kituo cha kungojea magari. Amenyakua sehemu hiyo na kujenga nyumba na kisha kuiuza. Mambo kama hayo yanasababishwa na watu wanaopata mishahara ya chini. Wengi wa hawa madiwani wanapata mishahara baina ya KShs.600 na KShs3,600, na hali wanaendelea kufura matumbo. Hii ni kwa sababu wana njia nyingi za kupata pesa kama vile kuuza ardhi ya umma.

The Assistant Minister for Local Government (Mr. Kamuren): Jambo la nidhamu, Bw. Naibu Spika wa Muda. Je, umemsikia mhe. Dr. Lwali-Oyondi akisema kwamba madiwani wanafura tumbo?

An hon. Member: Labda wana minyoo!

The Assistant Minister for Local Government (Mr. Kamuren): Kwa vile yeye ni daktari, pengine angetuelezea kama ugonjwa wa kufura tumbo umezuka katika jiji la Nakuru.

Dr. Lwali-Oyondi: Nina maana kwamba wamenenepa sana hadi matumbo yao yanakuwa makubwa. Sisi Wabunge tulikuja hapa na matumbo makubwa lakini sasa yameisha. Sasa ni wazi kwamba kuna unyakuzi mwingi sana wa ardhi katika serikali za wilaya. Hiyo ndiyo sababu utaona kwamba watu wengine wanauza nyumba zao ili wafike huko. Tungependa kupitisha hapa kwamba diwani alipwe mshahara mzuri. Mkuu wa wilaya ana kazi nyingi sana. Husuluhisha jambo lolote katika wilaya yake.

Kwa hayo machache, naunga mkono.

Mr. Ndilinge: Ahsante sana, Bw. Naibu Spika wa Muda. Kwanza ningependa kutoa shukrani zangu kwa mhe. Rotino kwa kunipa nafasi ya dakika tano ili nichangie Hoja hii.

Madiwani ni watu muhimu sana katika Serikali yetu kwa sababu wanaishi na wananchi kule nyumbani. Madiwani ni watu ambao wanatumia kueleza msimamo wa Serikali. Wengi wao lazima wazunguke huku na kule ili kutafuta kioski za kuuza. Mambo mengi yamesemwa hapa kwamba Nairobi City Council haishughuliki na hali ya barabara hapa. Si kupenda kwao. Mishahara ni haba. Kama hawa madiwani wangekuwa na mishahara ya kutosha, ingewatosha na hapo wangepata nafasi ya kufikiria matakwa ya wananchi.

Bw. Naibu Spika wa Muda, mambo ya vyama huwa wakati mwingine yanatatiza viongozi wa mabaraza. Ile kasumba kwamba mimi ni diwani wa KANU, FORD(A) ama DP huku wanasahau kwamba, walipopelekwa kwa lile baraza, walitakikana wahasike tu na mambo ya wananchi. Ningeomba hata Wabunge msahau mambo ya vyama vyenu tunapoingia Bungeni. Kwa sababu unaweza kumwona Mbunge akitenda jambo ambalo silo la haki na ataunga ama apinge, hata akiona halifai kwa mwananchi. Ningeomba pande zote mbili za Bunge kwamba, tulianza kufanya siasa zamani. Na siasa huja na kupita. Sasa wengine wetu wamesikia harufu ya kura. Mwananchi wa Kenya hatakupigia kura kwa sababu ulitukana na mtu wa upande wa Upinzani au wa KANU, ataangalia yale uliomfanyia alipokuchagua. Kwa hivyo, uwe upande wa KANU au Upinzani, inafaa ujue kwamba, mwananchi wa Kenya anapoteseka hatambui chama chako. Mwananchi huangalia kile ulichomfanyia kama Mbunge wake. Wakati umefika ambapo sasa utaenda kuvuna yale uliopanda na yale uliopalilia. Na hautawaambia wananchi kwamba kwa sababu nilimtukana Mbunge wa KANU sana au wa Upinzani, nichagueni. Wananchi kule nyumbani wanatungojea sana. Wanataka kujua walipokutuma Bungeni au katika Council uliwafanyia nini.

Bw. Naibu Spika wa Muda, jambo kuhusu mishahara ya madiwani siyo jambo la kupinga. Ni jambo linalotuhusu sisi wote, kwa maana bila madiwani, hatuwezi kuwa na Wabunge. Madiwani ndio nguzo za Wabunge. Na wakiwa wamejitosheleza, Wabunge hatutakuwa na kazi nyingi kule nyumbani, maanake madiwani watashughulika na mambo ya kule.

Bw. Naibu Spika wa Muda, jambo lingine ni kuhusiana na yale yaliyotajwa na Dr. Lwali-Oyondi kuhusu wakuu wa wilaya. Inafaa jambo hilo lirekebishwe kwa sababu DC anapokuwa diwani, yeye pia ndiye atarudi kuwa District Plot Allocation Committee Chairman. Kwa hivyo, hata asipokuwa diwani pia atajiingiza hapo tu.

Bw. Naibu Spika wa Muda, madiwani wetu wengi huwa wana sehemu kubwa sana za kuwakilisha katika baraza zao na hali hawana magari. Ningeomba kwamba, jambo la car loans kwa madiwani yaangaliwe ndipo waweze kutembelea sehemu hizo zote ili atoe huduma kwa watu wote anaowakilisha.

Bw. Naibu Spika wa Muda, ningependa kusema kwamba, baraza nyingi ambazo hazifanyi kazi zimeingiliwa na Wabunge. Kwa hivyo, inakuwa vigumu kwa diwani kufanya kazi yake kwa maana Mbunge yuko hapa Bungeni na jicho lingine liko kule nyumbani kwenye baraza lake. Anajua ni nani atakayechaguliwa mwenyekiti hata ikiwa hana mguu mmoja kwa sababu anataka yeye amhudumie. Ningependa kuwaomba Wabunge kwamba, ingawa hata hamsikizani na diwani yeyote na ndiye anayeongoza baraza, inafaa aungwe mkono ndipo baraza hilo liendelee.

Bw. Naibu Spika wa Muda, kwa hayo machache, namrudishia asante mwenzangu na kuunga mkono Hoja hii.

Mr. Rotino: Thank you, Mr. Temporary Deputy Speaker, Sir, for having keenly listened to this Motion. I would like first of all, to thank all the hon. Members who have contributed to this important Motion very positively too.

Mr. Temporary Deputy Speaker, Sir, it is good we have seen and heard that the work of the councillors in the wards and locations is very vital, even our coming back to this House. All of us got support from councillors because they are the grassroots people. They are the people who really matter in our campaigns and our day to day activities in the constituencies.

Mr. Temporary Deputy Speaker, Sir, there are various issues which the Minister has to look at seriously. For example, one of the problems my colleague has talked about is the car allowance. Some of the locations are very big and some of the wards are so complicated that, the councillors need security and cars to travel from one point to another.

The Pension Scheme is also very necessary for councillors when they retire. For example, if you are here for two terms, you might get a pension. A scheme should be established to take care of councillors after retirement. If you see councillors who have left the council, after being in the local authority for 10 or 15 years, they live miserable lives and they are not sure of their future. Things like that should be taken care of.

Mr. Temporary Deputy Speaker, Sir, people talk about corruption within the local authorities. You can imagine what makes the people within the local authority corrupt; it is because of the poor salaries they get as if they are working in the Civil Service. Civil servants sometimes engage in malpractices due to the salaries they get. So, something should be done. As we talk about increasing salaries of the civil servants, policemen, administration police and other people, councillors should also be considered because that will reduce such malpractices. Officers should be loyal to their Ministries. Councillors have been made to look very small. They have the political power, but political power should go together with economic power because economic independence is equal to political independence. So, let us make our councillors economically independent as we also continue to cry for ourselves. Members of Parliament should get enough money. So let us fight for the councillors so that they can be able to have economic power in order, that the officers who are loyal to the Ministry will not look down upon them all the time. They should have enough money.

It is really important, as we go for our elections that we become fair to everybody. It is good that when we go for elections some people should not be barred from getting licences to hold meetings. I say this with a lot of honesty because I had applied for licences to have meetings next week in my own constituency, as a Member of Parliament, but I got a telephone call that I have been denied a permit.

An hon. Member: Why?

Mr. Rotino: The DC wrote a letter which was dictated to me and the DC says that my opponents, have organised meetings and that I should join them. I am a Member of Parliament and I am entitled to talk to my people, but not after my opponents have talked to my people. If the Minister, Mr. Lotodo, is involved in that, he should desist from interfering with my constituency because I am an independent Member of Parliament representing my people. Hon. F.P.L. Lotodo comes from Kapenguria while I come from Sigor. I was told that he visited my opponents and had a meeting with them. That is why he tells the DC not to give me the permit, but instead I should go there with them. I am an independent Member of Parliament; I am entitled to have my meetings

Mr. Muite: Reforms! Repeal the Public Order Act!

Mr. Rotino: From Monday, certainly, I am going to have my meeting

An hon. Member: With or without licences!

Mr. Rotino: With or without a licence.

I should not be intimidated by anybody at all because I am a Member of Parliament, elected by my own people and I should go and address them. If the Minister wants to join my meeting, he should come to my constituency. I have never had a meeting in his constituency.

Mr. Maundu: On a point of order, Mr. Temporary Deputy Speaker, Sir. I have a lot of good respect for my hon. friend, who I know is aware of the Standing Orders of this House. Much as he is greatly aggrieved, I do not think it is fair for him to drag the name of Mr. F.P.L. Lotodo as such into this debate without bringing a substantive Motion about the matter. If he may refer to him as so-and-so, he can get away with it. I agree that we should follow our Standing Orders.

The Temporary Deputy Speaker (Mr. Wetangula): Indeed, Mr. Rotino, if you want to discuss hon. F.P.L. Lotodo, bring a substantive Motion.

Mr. Rotino: I am not discussing hon. F.P.L. Lotodo but he should not interfere with my constituency. With those few remarks, I beg to move support the Motion.

*(Question of the Motion as amended
put and agreed to)*

Resolved accordingly:-

THAT, while appreciating the Government's efforts in assisting the local authorities to run their day-to-day activities and bearing in mind that the councillors do a lot of work in the locations/wards and while noting that the cost of living in Kenya has risen three-fold since 1992; this House urges Government to increase the councillors' allowances from the current Kshs3,600 per month to Kshs15,000 per month with effect from 1st June, 1997.

ADJOURNMENT

The Temporary Deputy Speaker (Mr. Wetangula): Order! Hon. Members, it is now time for the interruption of business. The House is, therefore, adjourned until this afternoon, at 2.30 p.m.

The House rose at 12.30 p.m.