

NATIONAL ASSEMBLY

OFFICIAL REPORT

Tuesday, 29th April, 1997

The House met at 2.30 p.m.

[Mr. Speaker in the Chair]

PRAYERS

PAPERS LAID

The following Papers were laid on the Table:-

Annual Report and Accounts of South Nyanza Sugar Company Limited for the year ended 30th June, 1995 and the Certificate thereon by the Auditor-General (Corporations)

Annual Report and Accounts of Horticulture Crops Development Authority for the year ended 30th June, 1994 and the Certificate thereon by the Auditor-General (Corporations)

Annual Report and Accounts of the National Cereals and Produce Board for the year ended 30th June, 1995 and the Certificate thereon by the Auditor-General (Corporations)

Annual Report and Accounts of Mumias Sugar Company for the year ended 30th June, 1995 and the Certificate thereon by the Auditor-General (Corporations)

*(By the Minister for Agriculture, Livestock
Development and Marketing)*

Annual Report and Accounts of the Nursing Council of Kenya for the year ended 30th June, 1995 and the Certificate thereon by the Auditor-General (Corporations)

*(By the Minister for Agriculture, Livestock Development
and Marketing on behalf of the Minister for Health)*

ORAL ANSWERS TO QUESTIONS

Question No. 082

ARREST OF MR. WARUI'S KILLERS

Bishop Kimani asked the Minister of State, Office of the President:-

(a) to tell the House whether the killers of Mr. Simon Warui, who was shot dead with arrows in Gatongu Farm in Kabazi Location have been arrested; and,

(b) whether he is aware that the late Warui's family has been threatened and that they no longer live on their piece of land in Gatongu.

The Assistant Minister, Office of the President (Mr. Awori): Mr. Speaker, Sir, I beg to reply.

(a) The killers of the late Mr. Simon Warui are still at large and are unknown to the police. Therefore, nobody has been arrested. However, Bahati File No. 64/96 is still pending under investigations.

(b) I am not aware.

Bishop Kimani: Mr. Speaker, Sir, it is very sad for the Assistant Minister to say that these people have not been arrested. We know the police are very active in this country and they do quite a lot of things. Why is it that these people are not arrested? They are known by the chief and the area administration. The neighbours also talk about them. So, I do not believe that these people have not been arrested. There must be a cover-up.

However, the family of the late Mr. Warui are still outside. They are just being sheltered by other people, and the Assistant Minister says that he does not know. Does it mean that the administration down there does not tell

him the truth? These people are still outside! Could he ensure that they are returned to their land and given proper security? He should also ensure that the people who committed this crime are arrested.

Mr. Awori: Mr. Speaker, Sir, the deceased was a victim of cattle rustlers, who attacked the home at about 2.00 a.m. in the morning. Mr. Warui woke up to find out what was happening and raised the alarm. These people shot him without taking any of his belongings. It is difficult to know who these cattle rustlers were. It would be very difficult for the State to provide security for everyone who has been attacked by cattle rustlers. That does not mean that we do not care for the family at all.

Mr. Mwaura: Mr. Speaker, Sir, the Assistant Minister has told the House that the deceased was killed by cattle rustlers. The Assistant Minister is obviously aware that the threat of cattle rustling in Marakwet and various areas in Kenya has increased with a lot of lives lost. Can the Assistant Minister tell the House what security measures the Government is taking to ensure that cattle rustling is eliminated in this country?

Mr. Awori: The Government increases its personnel as far as security is concerned, and it also increases patrols in areas known to be infested by cattle rustlers.

Dr. Kituyi: Mr. Speaker, Sir, the Assistant Minister has replied that the persons who killed Mr. Warui did not steal anything, and the Government does not have any lead to establish the identity of these people so that they can be arrested. How did the Government establish that they were cattle rustlers?

Mr. Awori: Mr. Speaker, Sir, when a home which has got livestock is attacked at night by a number of people, in an area where it is known that there are cattle rustlers, we automatically take that they are cattle rustlers.

Mr. Kamuyu: Mr. Speaker, Sir, I am not sure whether the Assistant Minister heard what hon. Bishop Kimani told him; that the killers are known by the area chief. Therefore, I would have expected the Assistant Minister to ask for assistance from bishop Kimani. Can the Assistant Minister give a directive through the DC, DO and the chief that if these people are, indeed known, and we believe the hon. Member that they are known, then the Government should move speedily to arrest them.

Mr. Awori: Mr. Speaker, Sir, I will do so.

Question No. 131

ASSISTANCE TO DISABLED PERSONS

Mr. Speaker: Question No. 131 is deferred until Thursday, next week.

(Question deferred)

Question No. 030

PERFORMANCE OF TEA FACTORY
MANAGEMENT COMMITTEE

Mr. Michuki asked the Minister for Agriculture, Livestock Development and Marketing:-

- (a) whether he is aware that the Management Committee of Kanyenyaini Tea Factory has not met since 1st of March, 1996;
- (b) why the Committee has not met since then; and,
- (c) how many times the committee is expected to meet in a year.

The Assistant Minister for Agriculture, Livestock Development and Marketing (Mr. Osogo): Mr. Speaker, Sir, I beg to reply.

- (a) I am not aware that the Kanyenyaini Tea Factory Committee has not met since 1st March, 1996.
- (b) The Committee met three times since the date in question.
- (c) The Committee is expected to meet four times in a year.

Mr. Michuki: Mr. Speaker, Sir, I got the information from the tea-growers themselves in the area particularly after visiting a number of collection centres. In fact, what the Assistant Minister has just said is not what this reply says, because it says they met three times in 1996 and yet he has written here a number of times. Could he take the advice of the local people which is within the context of this Question in order to answer this Question properly rather than take Managing Director's reply where he is running a board which has expired?

Mr. Osogo: Mr. Speaker, Sir, I said that the committee met three times from 1st March, 1996 and I have got the dates when they met and the minutes recorded of those meetings. It also met in January, 1997 for a fourth time

and if the hon. Member is interested, I will read out the dates. On 30th January, 1996, the committee met and those who were present and those in attendance were recorded. On 23rd April, 1996, the committee again met and those who were present and those who were in attendance were recorded. On 24th June, 1996 at 10.00 a.m., the committee met and those who were present and those who were in attendance were recorded in the minutes. The last time they met was on 24th September, 1996 at 10.00 a.m. and those present and those in attendance were also recorded.

Mr. Michuki: Mr. Speaker, Sir, as I have stated, the tea collection centres which are around the area where the factory is located, during the last recess, everywhere I visited people said that this committee has not met. The Assistant Minister is answering from here in Nairobi instead of going to the spot to find out what I am saying is true or not. He is now telling us that they have met when the tea owners and the owners of the factory continue to say that they did not meet. So, where did the Assistant Minister get these fictitious dates?

Mr. Osogo: Mr. Speaker, Sir, it was the committee that was meeting not the tea pickers or tea planters and it is not said that they were to ring a bell to the tea pickers announce that they were meeting!

Mr. Gatabaki: Mr. Speaker, Sir, as a representative of tea-growing area I share the concern of hon. Michuki. It is not only this particular tea factory where the management has not met, but it is the KTDA itself. The management of KTDA has expired---

Mr. Speaker: Order! Mr. Gatabaki, if you want to talk about KTDA, bring a Question about KTDA. For now, concentrate on the Question by Mr. Michuki that is what we want to get rectified. Would you like to comment on Kanyenyaini?

Mr. Gatabaki: Mr. Speaker, Sir, we are talking about tea. How does the Assistant Minister expect the management of this particular factory to meet when the powerful management of the KTDA which owns this factory is in office illegally? It has expired! It expired last year. So, not only has the management expired, but the management of KTDA itself, the body which owns this has expired.

Mr. Speaker: Well, that is irrelevant!

Mr. Michuki: Mr. Speaker, Sir, the Assistant Minister says that no bell is rang when a meeting is summoned. The committee that runs the tea factory is elected by the local people and there is no way they can go to a meeting without those members knowing. They are elected not by the Ministry, but by the local people and they come from villages around the factory. So, is he really fair to ask a question like that when he knows that the farmers are better informed than the Assistant Minister himself as to when the committee has met or when it has not met?

Mr. Osogo: Mr. Speaker, Sir, I quoted dates on which this committee was meeting plus the people who attended the meeting as committee members. What the hon. Member should ask is that I give him the minutes that I have just referred to so that he can satisfy himself whether what the Ministry is saying is the truth or not because I do not live in the area, but I have got minutes from the committee members who attended and people who were in attendance who are members of the society.

So, the only thing I can do, probably to help the hon. Member is to give him the minutes so that he can go and verify whether this committee met or not. I have got the minutes.

Mr. Michuki: On a point of order, Mr. Speaker, Sir. Could the Assistant Minister read out to this House because this Question belongs to this House, the names of the people who attended this meeting because the local people ought to know who actually attended this meeting? In their own views, there have been no meetings. So, can he read out so that we can go and check?

Mr. Speaker: He can table the minutes, but not read them.

(Mr. Osogo laid the document on the Table)

Mr. Achola: Mr. Speaker, Sir, I have not got a written reply, but nevertheless, let me ask Question No.051.

Question No.051

GRANTS TO UNIVERSITY'S
ENGINEERING DEPARTMENT

Mr. Achola asked the Minister for Education:-

- (a) how much money the Government has spent on grants to the University of Nairobi's Engineering Department for research projects; and,
- (b) what benefits, if any, the country has enjoyed from such projects.

Mr. Speaker: Is anyone here from the Ministry of Education? We will come back to it.

Next Question, Mr. Mumba.

Question No.020

PAYMENTS OF BENEFITS TO MR. SARO

Mr. Speaker: Mr. John Mumba is not here. Next Question, Mr. Onyango.

Question No.031

MAINTENANCE OF ROADS IN NYATIKE

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

- (a) when the Government will gravel Masara-Karungu Road to make it passable; and,
- (b) how much money the Ministry has spent in Nyatike Constituency for the maintenance of roads during the last two years.

Mr. Speaker: Is anyone here from the Ministry of Public Works and Housing?

Next Question, Mr. Murungi.

Question No.063

IMPLEMENTATION OF ROADS 2000 PROGRAMME

Murungi asked the Minister for Public Works and Housing:-

- (a) when the Government will implement the much-talked-about roads 2000 programme;
- (b) what is the total amount earmarked for this programme; and,
- (c) which districts will benefit from the programme and how much will be allocated to each district.

Mr. Speaker: Is anyone here from the Ministry of Public Works and Housing? Next Question.

Mr. Ojode: On a point of order, Mr. Speaker, Sir. Is it true that the Minister for Public Works and Housing is in "Arusa" as being alleged by hon. Kamuyu?

Mr. Ruhui: On a point of order, Mr. Speaker, Sir. Can hon. Ojode tell us where "Arusa" is?

Mr. Speaker: Order, Members! Like Mr. Henry Ruhui, I am totally lost as to where "Arusa" is.

(Laughter)

Mr. Murungi: Mr. Speaker, Sir, in view of the written answer which has been given to me in this House, and the Question is the property of the House, is there no Minister on this side who can read this written answer in the doctrine of collective responsibility?

Mr. Speaker: Order, Members! Actually, the hon. Murungi is right. Any Minister can answer if they are prepared. Let us see whether we will get them.

Question No.101

COLLECTION OF FUNDS FROM WEIGHBRIDGES

Mr. Obwocha asked the Minister for Transport and Communications:-

- (a) how much money has been collected from the Embakasi and Mariakani weighbridges for the years 1994,1995,1995 and the period from January 1996 to-date; and,
- (b) how many people have been prosecuted for offences relating to any misappropriation of funds referred to in "a" above.

Mr. Speaker: Is there anybody here from the Ministry of Transport and Communications? We will leave this Question until the end then. Next Question, Mr. Ruhui.

Question No. 036

RELOCATION OF QUARRIES

Mr. Rubiu asked the Minister for Environment and Natural Resources:-

- (a) whether he is aware that about 16 quarries adjacent to Kayole, Doonholm, Green Field, Sunrise, Continental, Tena, Fedha, Avenue Park and New Doonholm estates are causing enormous damage to the houses within these estates due to vibrations caused by frequent blasts of dynamite;
- (b) whether he is further aware that the white dust emitted from these quarries is both a health and environmental hazard to the residents of these estates and the surrounding areas; and,
- (c) if the answers to "a" and "b" above are in the affirmative, will he ensure that they (the quarries) are re-located with immediate effect to avoid environmental catastrophe.

Mr. Speaker: Anybody from the Ministry of Environment and Natural Resources? We will leave the Question until the end.

Next Question, Mr. Imana.

Question No.001

RECEPTION OF TV TRANSMISSIONS IN TURKANA

Mr. Imana asked the Minister for Information and Broadcasting:-

- (a) whether he is aware that people of Turkana District have not received television transmission since Independence; and,
- (b) if the answer to "a" above is in the affirmative, whether he could ensure that the Kenya Broadcasting Corporation television transmissions are received in Turkana so that the local people are made aware of what is happening in other parts of the Republic.

The Minister for Information and Broadcasting (Mr. Makau): Mr. Speaker, Sir, I beg to reply.

(a) I am aware.

(b) Plans are underway to provide the area in question, that is Turkana Districts with a transmitter nearby to enable the TV signals to reach the people of Turkana. Apparently, the only transmitter that is available is in Timboroa and it is impossible for the signals to reach the area in question because of the radius that transmitter covers is 120 kilometres. But the Kenya Broadcasting Corporation has a Modernisation Scheme Phase II which is for the provision of television transmission. We have completed Phase I of the scheme, but Phase II which was supposed to be completed in 1998 was affected by the pressure from the Opposition by urging donors to withhold aid to KBC and this is making many wananchi suffer.

Mr. Polo: On a point of order, Mr. Speaker, Sir. Is the Minister in order to blame the Opposition for an apparent inefficiency in his Ministry in trying to serve Kenyans since Independence? The Turkana people have got the right to watch television like everybody else in this country.

Mr. Makau: Mr. Speaker, Sir, I have stated that they have the right to watch television and we are doing all that is possible to ensure that TV signals reach Turkana District. But I have stated that KBC Modernisation Scheme Phase I, which comprises of radio transmission stations and radio signals now reaches more than 95 per cent of all Kenyans. Phase II covers TV transmission stations and we had negotiated for finances from overseas financiers. But the soft loan that we are supposed to get was affected by the pressure of the Opposition to make sure that those donors do not fund the project and this Phase II was one of them.

Mr. Imana: Mr. Speaker, Sir, I am so surprised by the answer given by the Minister because the electorate of all honourable Members who are seated in this House are enjoying watching TV transmission since Independence, that is 30 years ago. Now, could this be one of the reasons why Turkana people, on their way down to the other parts of Kenya, say that they are going to Kenya? This could be one of the reasons why they say so because they do not know even what the TV is. Secondly---

Mr. Murungi: On a point of order, Mr. Speaker, Sir. Is the hon. Imana in order to mislead this House and the country that the people of Turkana District have never seen President Moi on TV?

(Laughter)

Mr. Imana: Mr. Speaker, Sir, I think he is wasting my time. So, I am not ready to answer to his question. I beg to ask the Minister this question: He has given the answer that the nearest transmitter is in Timboroa which is far from Turkana District. Given that the residents of Marsabit District are getting their transmission from the Nyambene

transmitter which is almost the same distance, is it logical for him to tell this House that Turkana District cannot get this TV transmission because it is too far from Timboroa?

Mr. Makau: Mr. Speaker, Sir, as I stated, we have a programme that we are implementing. Recently, we installed a new transmitter at Mazeras to enable the people in that area to get the TV signals. We have also installed a transmitter in Nakuru. Now, I have stated that in the Modernisation Programme, we are trying to cover all the areas in the country. The Kenya Broadcasting Corporation has set aside funds with which it plans to buy more transmitters and in the course of time, we are going to cover the whole country.

Mr. Gatabaki: On a point of order, Mr. Speaker, Sir. Is it in order for the hon. Minister for Information and Broadcasting to mislead this House about funds his Ministry is spending on the KBC, when the money that his Ministry is spending on for propaganda and lies to the people of Kenya?

Mr. Makau: Mr. Speaker, Sir, if there is any propaganda which one should refer to is the one published in the *Finance* magazine. That is actually the cheapest propaganda, yellow journalism and it is trash.

Mr. Gatabaki: On a point of order, Mr. Speaker, Sir!

Mr. Speaker: Order, Mr. Gatabaki! He is responding to you. Proceed Minister.

Mr. Makau: I was answering the supplementary question from the hon. Imana.

Mr. Speaker: Order! By the way, hon. Members, can we give Mr. Imana a chance to know if it is ever possible for the Turkana people to ever watch TV?

Mr. Makau: Mr. Speaker, Sir, I am guaranteeing the people of Turkana District that we are very confident that under the programmes that we have, they will be able to watch TV. They are not the only people affected and, I would like to clarify one point. The point is that television signals in the country reach only 40 per cent of the Kenyans. We are working on the remaining 60 per cent and that is why I talked about Phase II which was supposed to cost Kshs6.3 billion; to install the remaining transmitter after getting that soft loan that would have enabled about 65 per cent of the country to have television signals. It is not every part that can receive television signals currently.

Mr. Mak'Onyango: Mr. Speaker, Sir, arising from that answer, it is clear that the majority of Kenyans are yet to receive our television signals. Can the Minister tell this House within what time-frame he hopes to achieve this goal, that is to reach the 60 per cent that are yet to be reached by television signals? Does the Minister also know that not only television signals, but even the radio reception in this country is poor in many parts of this country? What is he doing about this?

Mr. Makau: Mr. Speaker, Sir, I would like to guarantee the people of Turkana, and even most of our people to have better reception by 1998; but then the 60 per cent he is talking about, we would be able to achieve it in the year 2008.

Mr. Maundu: On a point of order, Mr. Speaker, Sir. This Question is very important not only to the Turkanas, but to Kenyans in general. Actually, closer places like Makueni where the Minister hails from cannot even receive television signals. The issue here is: Can the Minister tell the Turkanas when they are going to "see" for the first time on their screens somebody appearing, is it tomorrow, two years or 30 years from now?

Mr. Makau: Mr. Speaker, Sir, I would like to correct the statement that my hon. friend has stated that people in Makueni do not receive television signals. It is only in Kibwezi which is affected because of the depression and we are working on it for the people of Kibwezi to receive television signals. But other areas in Makueni are receiving television signals because I come from there. Having said that---

Mr. Maundu: On a point of order, Mr. Speaker, Sir.

Mr. Speaker: Order! Order! I suppose this is really an argument as to whether Makueni receives television signals or not. I think the two of you over the week-end can go and test there!

(Laughter)

Mr. Maore: On a point of order, Mr. Speaker, Sir. Is the Minister going to tell the House---

Mr. Maundu: On a point of order, Mr. Speaker, Sir. I did not ask a question about Makueni, but I was really commenting. When would the Turkanas "see" the first picture on their screens?

Mr. Makau: Mr. Speaker, Sir, I was asked by hon. Mak'Onyango to talk about the programme and I had given the year 2008.

As far as the plans for Turkana is concerned, I would like to guarantee the Member of Parliament that by the year 2000, the transmitter that we are intending to instal would enable the Turkanas to receive television signals.

Mr. Maore: On a point of order, Mr. Speaker, Sir. The Minister did actually sound like he was reading from his written text an issue to do with the donors cutting of aids and that is why they cannot help the Turkanas to receive television signals. Can he state which donors because we only that it is only Japan and France that do not

listen to the democratic demands; but usually have no problem with funding KBC? Which donors was he talking about?

Mr. Makau: Mr. Speaker, Sir, KBC Modernisation Scheme Phase I, we got a soft loan from Japan Kshs2.3 billion and Phase II of which the feasibility studies have been finished and the programmes put, that loan was withheld of Kshs6.3 billion. But we have been looking for others and France is one of the countries that have promised that they might come to our aid.

Mr. P.N. Ndwiga: On a point of order, Mr. Speaker, Sir.

Mr. Speaker: Order! Order, hon. Ndwiga! We must now get out of this Question. Hon. Members must agree that when Members bring their Questions to this House, they are desirous of getting an answer. I think, in all fairness, most of Mr. Imana's Question has been taken on points of order which are not strictly speaking points of order.

Mr. P.N. Ndwiga: On a point of order, Mr. Speaker, Sir. Is it in order for the Minister to mislead this House that the people of Turkana cannot receive television signals because funds have been withheld by donors due to pressure from the Opposition when it is common knowledge that it is corruption within the Ministry and the soft loans he is talking given---

Mr. Speaker: Order! Order! You had better put your point of order, it is not a point of argument. What is your point of order?

Mr. P.N. Ndwiga: Is he in order to mislead this House that funds have been withheld because of pressure from the Opposition when the truth is that there is so corruption in this Ministry, that the soft loan given by Japan to train technicians here nobody knows what happened to it. If you watched football match on the screen the other day, it was not even clear. It is as if it is being operated by amateur cameramen. Is he in order, therefore, to mislead this House?

Mr. Speaker: You have made your argument. There was no point of order in the first place.

Mr. Makau: Mr. Speaker, Sir, I am surprised. If there is any loan or monies given to this country that has been used transparently is the loan of OCF of Kshs2.3 billion. In fact, the Japanese themselves have stated that money was properly utilised because the people that actually came to do Phase II were the Japanese themselves and their companies and so, there was transparency.

Mr. Speaker: Order! Order, Mr. Minister! We have totally left the Question of Mr. Imana and I will not accept this.

Mr. Imana: Mr. Speaker, Sir, the answer that has been given by the Minister is confusing because, first of all, he had given the years 1998 and 2000. Which is which?

Mr. Makau: Mr. Speaker, Sir, what I was answering first was hon. Mak'Onyango's supplementary question where I stated the programme because we are not dealing with just tomorrow, but long-term programme that came out of the Presidential Working Party that recommended the modernisation. I was referring to the plan. When it comes to Turkana, I said that the transmitter that would enable the Turkanas to receive television signals would be in operational when we extend that signal by the year 2000.

Mr. Speaker: For the second time, Mr. Owino Achola's Question.

Question No. 051

GRANTS TO UNIVERSITY'S ENGINEERING DEPARTMENT

Mr. Achola asked the Minister for Education:-

- (a) how much money the Government has spent on grants to the University of Nairobi's Engineering Department for research projects since 1993; and,
- (b) what benefits, if any, the country has enjoyed from projects.

Mr. Speaker: Is there anybody from the Ministry of Education? The Question is deferred.

(Question deferred)

Mr. Speaker: For the second time, Mr. Mumba's Question.

Question No.020

PAYMENTS OF BENEFITS TO MR. SARO

Mr. Speaker: Mr. Mumba not here? The Question is dropped.

(Question dropped)

Mr. Speaker: For the second time, Mr. Tom Onyango's Question.

Question No.031

MAINTENANCE OF ROADS IN NYATIKE

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

- (a) when the Government will gravel Masara-Karungu Road to make it passable; and,
- (b) how much money the Ministry has spent in Nyatike Constituency for the maintenance of roads during the last two years.

Mr. Speaker: Is there anybody from the Ministry of Public Works and Housing? The Question is deferred.

(Question deferred)

Mr. Speaker: For the second time, Mr. Murungi's Question.

Question No.063

IMPLEMENTATION OF ROADS 2000 PROGRAMMES

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

- (a) when the Government will implement the much-talked-about roads 2000 programme;
- (b) what is the total amount earmarked for this programme; and,
- (c) which districts will benefit from the programme and how much will be allocated to each district.

Mr. Speaker: Is there anybody from the Ministry of Public Works and Housing?

Mr. Murungi: Mr. Speaker, Sir---

Mr. Speaker: What is happening? Mr. Murungi, you were supposed to have asked the Question and sat down? Why are you waiting there standing?

Mr. Murungi: Mr. Speaker, Sir, I want to assist the House.

Mr. Speaker: Order! Order! To the best of my knowledge, there is nobody known as "Assistant Speaker"! If you want to address this House, you must come through an orderly fashion through the Standing Orders!

Mr. Murungi: On a point of order, Mr. Speaker, Sir. I rise to bring to the attention of the House some gross disorderly conduct. An Assistant Minister of this House for Public Works and Housing is in the Members Room. I went to see him to inform him that I have a written answer from his Ministry and that the Question had been called out. He told me that he was not willing to come and answer this Question. In view of Standing Order No. 88, which requires that legitimate Questions be answered, and that any hon. Member who behaves in a manner which is detrimental to the orderly procedure of the House be named, could I invite The Chair to name this Assistant Minister?

Mr. Speaker: Where is he?

Mr. Murungi: He is in the Members' Room.

Mr. Speaker: Order, Mr. Murungi! "Disorder in the House" means disorder within the Chamber. It does not mean disorder within the lobby, or Television Room or in the Dining Room. The Standing Orders of this House regulate the business within this Chamber. So, you are totally out of order.

Mr. Kamuyu: On a point of order, Mr. Speaker, Sir. In view of the fact that so many of these Questions have been deferred due to the deliberate absence of Ministers from the KANU Front Bench, may I request that the Chair issues a statement to appropriately reprimand the Ministers?

They are sabotaging the operations of this House!

(Question deferred)

Question No. 101

COLLECTION OF FUNDS FROM WEIGHBRIDGES

Mr. Obwocha asked the Minister for Transport and Communications:-

- (a) how much money has been collected from the Embakasi and Mariakani weighbridges for the years 1994, 1995 and the period from January, 1996 to date; and,
- (b) how many people have been prosecuted for offences relating to any misappropriation of funds in (a) above.

The Assistant Minister for Transport and Communications (Mr. Ahmed) Mr. Speaker, Sir, first of all I, apologise for being late. Secondly, I would like to apologise to the Hon. Questioner because I do not have the answer with me. He will get it as soon as possible.

Mr. Obwocha: Mr. Speaker, Sir, I filed this Question one year ago. You can notice that it talks of "1996 to date", which means I filled it last year. This is also the second time I have filed it.

Can he precisely say when he will reply to this Question?

Mr. Speaker: Well, I will tell him what to do. In all fairness, we must take the business of the House seriously.

All hon. Members must take the business of the House seriously. I believe that the Assistant Minister, and all Ministries, are supplied with the Order Paper and the work programme of the House for the whole week.

I hope that next time everybody will seriously look at what is coming up in the House, which concerns him or her. I will direct that the Question be placed on the Order Paper tomorrow afternoon for an answer.

(Question deferred)

Question No. 036

RELOCATION OF QUARRIES

Mr. Ruhii asked the Minister for Environment and Natural Resources:-

- (a) whether he is aware that about 16 quarries adjacent to Kayole, Doonholm, Green Field, Sunrise, Continental, Tena, Fedha, Avenue Park and New Doonholm estates are causing enormous damage to the houses within these estates due to vibrations caused by frequent blasts of dynamite;
- (b) If he is further aware that the white dust emitted from these quarries is both a health and environmental hazard to the residents of these estates and the surrounding areas; and,
- (c) if the answers to (a) and (b) above are in the affirmative whether he will ensure that the quarries are relocated with immediate effect to avoid an environmental catastrophe.

The Minister for Environment and Natural Resources (Mr. Kosgey): Mr. Speaker, Sir, I beg to apologise for coming late

Mr. Speaker, Sir, I beg to reply.

(a) Yes, I am aware that there are 15 ballast quarries adjacent to the above mentioned estates, but I am not aware that ground vibrations from these quarries are causing enormous damage to the houses within the estates.

(b) I am not further aware that dust from these quarries is causing both health and environmental hazards to the residents of these estates and the surrounding area, because no study has been done to establish these facts.

(c) Ballast quarries are not entirely the responsibility of my Ministry as ballast is actually classified as a common mineral. These quarries are licensed by the Nairobi City Council (NCC). Ballast quarries do not, therefore, fall under the Mining Act, Cap 306 of the laws of Kenya.

However, this particular problem has been pointed out in the past and several meetings have been held between my Ministry, the NCC and several interested parties with a view to relocating of these quarries from that area.

This exercise is currently in process. A site has been identified at Athi River and letters of allotment have been given to the quarry owners. But the hitch is that services are not available in that new area.

Mr. Mak'Onyango: On a point of order, Mr. Speaker, Sir. We would like to get some guidance from the Chair. In answering this Question, the Minister first said that he was not aware of what is asked. He has then gone on to give an answer which totally contradicts his earlier answer. I do not know which is which!

Mr. Kosgey: Mr. Speaker, Sir, if the hon. Member could be patient, he will probably understand what I am

talking about. I said that I am aware that there are 15 quarries, but I am not aware of the health hazards mentioned in the Question. This is because, as I said, no study has been done. Therefore, I cannot precisely answer that part of the Question.

Mr. Nthenge: How do you know that no study has been done?

Mr. Kosgey: Mr. Speaker, Sir, I know that there has not been any study. If the hon. Member wants to ask a supplementary question, he may wish to catch the Speaker's eye.

I was saying that currently, there are no services in the area identified for the quarries in Athi River. As soon as the services like water, electricity and so on have been supplied to that area we hope that--

Mr. Ogeka: On a point of order, Mr. Speaker, Sir.

Mr. Speaker: He is responding to a point of order!

Mr. Kosgey: Mr. Speaker, Sir, allow me to finish. I am not reading anything: I am just supplying information--

Mr. Speaker: Mr. Kosgey, I think there is justification in the complaint. I think you have to be brief in your answer so that hon. Members have time to question you. Can you finish? Just be very brief now.

Mr. Kosgey: Mr. Speaker, Sir, I said that we have held several meetings with the parties concerned with a view to moving these quarries to Athi River.

Mr. Ruhiu: Mr. Speaker, Sir, it is obvious that the Minister is confused. The answer he has given is, to say the least, very insulting to the intelligence of this House. In part (a) of his answer he said:-

"Yes, the Ministry is aware that there are 15 ballast quarries adjacent to the mentioned estates, but it is not aware that ground vibrations from these quarries causing enormous damage to houses within these estates".

It is a fact that I have a list of residents in this area whose houses are now about to collapse down because they are full of cracks because of the vibrations. Is the Minister saying that because no study has been carried out, then the dust from the quarries is not causing both health and environmental hazards? If he is saying so, why?

Mr. Kosgey: Mr. Speaker, Sir, I said that "blast" is a common mineral and as such, does not fall under the Mining Act.

Mr. Ruhiu: On a point of order, Mr. Speaker, Sir.

Mr. Speaker: Order, hon. Ruhiu! We cannot transact business if we continue the way we are. Every time now an hon. Member is about to say something, some hon. Member is interrupting on a point of order. If hon. Members are not interested in their Questions, we will then go straight to Business of the House. Can we, at least, get the gist of what somebody is saying before you stand on a point of order?

Mr. Kosgey: Mr. Speaker, Sir, I am not misleading the House. If the hon. Members could be patient, I would explain. These quarries are licensed by the City Council, but under the Mining Act, we are responsible for explosives, and we have come in to advise these quarry owners in modern technology so that minimum noise, dust and vibrations can be generated from these quarries. In the meantime, we have also come in to assist the City Council in relocating these quarries, simply because of the sentiments expressed by the hon. Member, and there is no study to prove what he is saying. Therefore, when I say, "I am not aware", I mean there has not been any factual study. We can only go by a layman's observations.

Mr. Ruhiu: On a point of order, Mr. Speaker, Sir, I think the Minister is under-estimating the intelligence of this House. He should be aware that here, we have chemical engineers, physicists, including nuclear physicists. Can he now tell the House, whether a common mineral is not part of natural resources? If not, what then is natural resources?

Mr. Kosgey: Mr. Speaker, Sir, I am not trying to evade the Question. I am answering. This technology of common mineral is not my classification. You said you are an engineer of some sort, so you should know what a common mineral is.

Mr. Kamuyu: On a point of order, Mr. Speaker, Sir. As of now, these blasts have become environmental hazards. The Minister is fully aware that when these blasts go off, obviously, the people living in the neighbourhood breathe this stuff and the dust. So, can he, together with the City Council of Nairobi, carry out a proper investigation, because there seems to be an overlap here? They should stop the operations forthwith while looking for relocation.

Mr. Kosgey: Mr. Speaker, Sir, we cannot carry out an impact study, but as I said, we are trying to remedy the effects of these quarries on the residents of the underlying estates by relocating these quarries. I went further and said that an area has been identified in Athi River and letters of allotment have been issued to these 15 quarries. What is preventing these people from moving to the new site now is that services are not available in those areas currently.

Mr. Wamae: On a point of order, Mr. Speaker, Sir. The hon. Minister stated that they have been allocated land in Athi River, but they are waiting for services to be provided. It is for the industrialists to go and pay for the

services to be brought to the site. Otherwise, whom does the Minister expect to take those services of water and electricity to the site? Has he paid?

Mr. Kosgey: Yes, Mr. Speaker, Sir, it is for these industrialists to pay for the services. However, the amount quoted for supply of power is a little bit on the higher side, and the industrialists have disputed this. So, I think in due course, we will find a solution.

Mr. Speaker: Next Question!

QUESTIONS BY PRIVATE NOTICE

REHABILITATION OF SUGARCANE FARMS

Mr. Ogeka: Thank you, Mr. Speaker, Sir. May I have the honour to ask, for the second time, due to lack of a satisfactory answer by the Minister during the previous---

Mr. Speaker: Order, Mr. Ogeka! I have called you for the first time. So, can you just ask your question?

Mr. Ogeka: Mr. Speaker, Sir, I beg to ask the Minister for Agriculture, Livestock Development and Marketing the following Question by Private Notice.

(a) Is the Minister aware that during the last prolonged drought, many sugarcane farmers suffered accidental fires which burnt down several hectares of sugarcane?

(b) If the answer to "a" above is in the affirmative, could the Minister consider providing the affected farmers with the means to rehabilitate their farms and suspend interest on unpaid loans until the canes are rehabilitated?

The Minister for Agriculture, Livestock Development and Marketing (Mr. D. M. Mbela): Mr. Speaker, Sir, I answered this Question, but undertook to go and get additional information on the possibility of the insurance for the sugarcane for the farmers.

I am advised that there was a joint meeting between the farmers' representatives and the millers, at which the Kenya Sugar Authority (KSA) was requested to look for a possible company that would underwrite this risk. So far, the local companies are willing to underwrite the risk, but I have advised the Chief Executive of the KSA to borrow a leaf from the Mauritius Sugar Authority who insure against cyclones. He is attending a meeting on 26th of May, 1997, and I expect to get some good replies.

Dr. Otieno-Kopiyo: On a point of order, Mr. Speaker, Sir. The Minister is referring to what might happen in the future. But the Question is asking about the last prolonged drought, an event which has already occurred and has affected the farmers.

Mr. D.M. Mbela: Mr. Speaker, Sir, the sugar was not insured.

Mr. Ogeka: Thank you, Mr. Speaker, Sir. The Question is really very explicit. It is referring to a national disaster, where 7,750 hectares, according to the Minister, are down under fire. What action is the Government taking to rescue the helpless farmers, who have not delivered their cane to the factory, cannot maintain their farms and are dying with loans unpaid, including the interest? Is he just calling it a day and walking freely without concern for the affected farmers?

Mr. D.M. Mbela: Mr. Speaker, Sir, I answered that part and explained that the Kenya Sugar Authority had released funds to the factories that requested to be funded to assist the farmers to be able to continue with the sugarcane farming.

Dr. Oburu: Mr. Speaker, Sir, most of the farmers who lost their sugarcane during the burning did not manage to get their cane to the factories, and this resulted in a total loss to the farmers. In view of the fact that these farmers are suffering due to the current famine, what assistance is the Ministry giving in form of funds to rehabilitate these farms, rather than loans because they already have loans on the sugarcane which was burnt? What assistance is the Government considering to give these farmers? Otherwise, it will be a vicious cycle, they will never be able to repay the loans. Instead of giving them famine relief you should assist them to rehabilitate their farms.

Mr. D.M. Mbela: Mr. Speaker Sir, this is a national catastrophe and the Government does not have any free money to give to anybody. What I have said, and I said it the first time I answered the Question, was; money is available for the farmers who are interested in borrowing the money to be able to continue with the farming of sugarcane.

Mr. Shikuku: Mr. Speaker, Sir, the Minister has had no time to grow even one sugarcane, to have a rough idea of what sugarcane means. Could the Minister take into account the suffering of these sugarcane farmers whose children cannot go to school because they have no school fees? They cannot buy food because their sugarcane has not been crashed and the stores are full of imported sugar. On humanitarian grounds, what is he having in mind to help these sugarcane farmers, forgetting his Ministerial status which will soon vanish when we go to elections?

Mr. D.M. Mbela: Mr. Speaker, Sir, the question by the hon. Member is lacking facts particularly regarding my experience in sugarcane farming. I did say earlier on that only 70 per cent of the sugarcane was affected by fire was lost, the rest was harvested, taken to the millers, and got milled. If they have not been paid, they will be paid in due course. If the money is available for them to continue sugarcane farming unlike other types of farmers who are unable to get credit, I do not know what else can be done.

Mr. Ogeka: Thank you, Mr. Speaker, Sir. The Minister is accepting that the burning of sugarcane is really a catastrophe and that is exactly accepting the need to come to the assistance of the affected farmers. What is the Government doing, particularly as part of its policy in the form of giving some relief is to tell farmers to take loans on already over-loaned investments because these are additional loans? This is just like telling the farmers to write-off sugarcane farming hence giving room to importation of sugar. Currently, although this matter may not be seen as having an adverse effect, if left alone without offering some kind of rescue, this country will go without sugar. Could the Minister tell this House in no uncertainty, what action the Government is taking to bail the farmers from the expected catastrophe? None of the out-growers delivered cane to the factory. The little that went to the factory was from the nucleus estates and, therefore, the Kenyan masses and the farmers are suffering and these are the people whom you are supposed to assist. Are you putting them off from growing sugarcane by telling them to go for loans over others loans? Can the Minister sincerely address this catastrophe in the sugar sector?

Mr. D.M. Mbela: Mr. Speaker, Sir, I have so far avoided commenting on the catastrophe that the hon. Member is taking about. I would like this House to know that burning of sugarcane has been done by the farmers themselves in order to undermine the harvesting programme put forward by the factories. I believe, I have been able to answer the Question and I am quite convinced that the Government is trying as much as it can to assist these farmers.

Mr. Otieno: Mr. Speaker, Sir, the Minister knows that he has a large Sugar Development Fund under the Kenya Sugar Authority in his Ministry. Insurance is only a Fund and here is a case where he has the Fund and the terms under which the Fund disburses any money is within his powers. The Fund is bigger than so many other insurance companies in this country. Can the Minister trace his innovative imagination, if he really wants to help the sugarcane farmers? Efforts to burn sugarcane so that it may be harvested, are due to failure in the policy on the sugar sector. Since we have small scale-farmers whose sugarcane fields have been burnt down sinking money in preparing the land, planting the cane, weeding it, and their cane is lost since it was not crashed - I am not talking about the farmers whose cane was crashed, I am talking about the farmers who lost everything -Can he think of a policy right now, on how to salvage the small-scale farmer? We are challenging his attitude on the sugarcane farmer in this country. Can he stretch his powers to give these farmers some money so that they can prepare new cane for the next harvest so that they are not finished?

Mr. D.M. Mbela: Mr. Speaker, Sir, the correct solution to this problem is to provide insurance. I would ask the hon. Member who is raising the question, being an owner of an insurance company, to come forward and we shall give him business to insure the sugarcane farmers instead of coming up with the hypocrisy. With regard to other part of the question; we shall not make the money available free of charge.

Mr. Otieno: On a point of order, Mr. Speaker, Sir. The Minister is diverting my question. I have been told that the Fund under control is bigger than what three quarters of the insurance companies have in this country and can even be ten times bigger than what those insurance companies own. He should not ask me to insure the sugarcane farmers. If he wants me to advise on how to convert the Fund into an insurance scheme for sugarcane farmers, I will do so in few hours. Can he undertake to help the farmers so that we can then advise him on how to do it, if he is willing to?

Mr. D.M. Mbela: Mr. Speaker, Sir, I am willing to learn, but I am not willing to instruct that the money should be given free of charge to any of the farmers who face a risk. The risk in farming is faced by every farmer in Kenya and it is not the sugarcane farmers alone.

PAYMENT OF PENSION BENEFITS
TO FORMER KNAC EMPLOYEES

Mr. P.N. Ndwiga: Mr. Speaker, Sir, I beg to ask the Minister for Finance the following Question by Private Notice.

(a) Is the Minister aware that the former employees of Kenya National Assurance Company have not yet been paid their pension benefits?

(b) Is he further aware that the official receiver has threatened to auction their houses for failing to keep up with mortgage repayments?

(c) If the answers to "a" and "b" above are in the affirmative, what urgent steps is the Minister taking to

alleviate their suffering?

Mr. Speaker: Anybody from the Ministry of Finance?

An hon. Member: Not in!

Mr. Speaker: Very well, Question deferred.

Mr. P.N. Ndwiga: On a point of order, Mr. Speaker, Sir. This Question was subject to a point of order in this House before we went for recess. The former employees of Kenya National Assurance Company are suffering and their children are not going to school. This House is concerned and---

Mr. Speaker: Order, hon. Ndwiga! I think, sometimes hon. Members just rise unnecessarily on a point of order. Hon. Members do not expect me to answer Questions! I have already expressed my displeasure if Questions are not answered. I have already made that sentiment known and I do not think there is much I can do about it. I will now postpone this Question to tomorrow afternoon, hoping that there will be somebody to answer it.

(Question deferred)

Dr. Oburu: On a point of order, Mr. Speaker, Sir. While the Minister was answering a Question, he imputed improper motive on another Member by using the word "hypocritical". Is it Parliamentary to use the word "hypocritical" while answering a question asked by hon. Otieno? He stated that the attitude was "hypocritical". Is it Parliamentary to use that word? Is it not imputing improper motive on another hon. Member?

Mr. Speaker: We have already passed that Question, and if you gave me the HANSARD, I may be able to address myself to it. Mr. Ndwiga, we will have your Question tomorrow, afternoon. I think that is the easiest I can do for you.

Next Question!

MAINTENANCE OF EMALI-WOTE ROAD

Mr. Maundu: Mr. Speaker, Sir, I beg to ask the Minister for Public Works and Housing the following Question by Private Notice.

(a) Is the Minister aware that due to the current flush floods in parts of Makueni, the road and bridge linking Emali Market and Wote District Headquarters have since been washed away?

(b) Could the Minister take quick remedial action to make the said road passable?

Mr. Speaker: Is the Minister for Public Works and Housing in the House?

Mr. Maundu: On a point of order, Mr. Speaker, Sir. I have got an answer which is signed by the Minister. I have seen one of the Assistant Minister's here, but when he discovered that there was some job for him to do, he disappeared from here as quickly as possible to go to "Arusa". "Arusa" means the lobby. I have found some of them there and they do not want to come to the House. What action do you take in circumstances that appear purely peculiar?

Mr. Speaker: Anyway, I will defer your Question to tomorrow afternoon.

(Question deferred)

SACKING OF KENSALT EMPLOYEES

Mr. Kiliku: Mr. Speaker, Sir, I beg to ask the Minister for Labour and Manpower Development the following Question by Private Notice.

(a) Is the Minister aware that the Management of Kensalt Limited, Mombasa, has sacked 74 employees without notice?

(b) Why were the employees not paid their terminal benefits?

(c) Could the Minister take urgent action to have these employees reinstated with full benefits?

The Assistant Minister for Labour and Manpower Development (Mr. Ali): Mr. Speaker, Sir, I beg to reply.

(a) I am not aware that the management of Kensalt Limited, Mombasa, sacked 74 employees, but I know that it has stopped 45 workers and retained only 25 in employment.

(b) The employees were paid wages commensurate with the days worked, that is, three weeks on their stoppage of services.

(c) No action is going to be taken at the moment.

Mr. Kiliku: Most of these employees had worked for more than five years on this plant. Could the Assistant Minister tell this House why these people were laid off?

Mr. Ali: Mr. Speaker, Sir, it is not true that these people worked continuously for five years. This employment is based on weather condition.

Mr. Ndilinge: Mr. Speaker, Sir, can the Assistant Minister tell the House whether these people were employed on permanent or temporary basis?

Mr. Ali: Mr. Speaker, Sir, as I said earlier on, they had worked for only three weeks purely on casual basis.

Mr. Ndicho: Mr. Speaker, Sir, the day after tomorrow we will be celebrating Labour Day where we remember workers in the world. Many Kenyans who are working in such factories owned by Asians are constantly being sacked without any compensation paid to them. The 74 employees from Kensalt Limited had been employed on casual basis for three months after which they were relieved of their duties. This is what the Asians in this country have been doing. They employ Kenyans for three months, terminate them, employ them for another three months, terminate them, employ them for three months, terminate them and eventually they end up nowhere. Can the Assistant Minister ensure that workers in Kenya are employed on permanent basis and that Asians stop exploiting our people? This is very serious.

Mr. Speaker: By the way, I would like a little clarification so that the Assistant Minister may answer your question. "Terminating" employees means "killing" them. Are you saying that they are being killed or that their services were terminated?

Mr. Michuki: On a point of order, Mr. Speaker, Sir. The Member on the Floor repeated three times that employees in these factories "get terminated". Does the Member realize that "to terminate" is "to kill" and that you can only terminate employment and not individuals employed?

Mr. Speaker: That is what I was asking him to tell us.

Mr. Ndicho: Mr. Speaker, Sir, terminating the services of a Kenyan is like terminating his life and many of them are getting terminated.

Mr. Speaker: Well, I suppose the House can only take the sense that only services are terminated.

Mr. Ali: Mr. Speaker, Sir, I have not got specific case from Mr. Ndicho regarding the termination of workers employment after three months, however, there is no law that forces the employer to keep his workers permanently.

Dr. Lwali-Oyondi: Mr. Speaker, Sir, could the Assistant Minister tell this House what steps his Ministry is taking to effect job security for Kenyans for it would appear that nobody now is secure in his job?

Mr. Ali: Mr. Speaker, Sir, security of job is a two-way traffic. It involves the employer and employee.

Mr. Kiliku: Mr. Speaker, Sir, the Assistant Minister has misled this House by misquoting the law. He has said that there is no law which empowers the employee to employ people permanently. If you look back at the law, you will find that if workers work for three consecutive months, automatically, they must be termed as permanent employees. However, Kensalt is a salt processing plant and I do not understand what the Assistant Minister means by saying that the employment of these people depends on weather?

Mr. Ali: Mr. Speaker, Sir, in the first place, I agree that after working for three continuous months an employee must be regarded as employed on permanent basis, but I do not agree with the idea that we can force an employer to employ people on a permanent basis.

Hon. Kiliku comes from Coast and he understands what I am talking about. During rainy season, the harvest of salt normally drops.

Dr. Lwali-Oyondi: On a point of order, Mr. Speaker, Sir. Is the Assistant Minister in order not to answer my question? I asked him what policy the Government has in place on job security. His answer that job employment is a two-way traffic is unsatisfactory.

Mr. Speaker: Question Time is over. It would take three hours to read the Government policy on employment which we do not have.

I think we have finished now. Next Order.

MINISTERIAL STATEMENT

SECURITY SITUATION IN WEST POKOT AND MARAKWET DISTRICTS

The Minister of State, Office of the President (Mr. Kalweo): Mr. Speaker, Sir, on 22nd February, 1997, hon. Philip Rotino expressed concern over the security situation in West Pokot and Marakwet Districts following a

series of incidents of cattle rustling between the residents of the two districts. In this connection, I would like to take this opportunity to put the record straight and enlighten the House on the action taken by the Government to avert the confrontation between the Pokots and the Marakwets.

On 8th March, 1997, a Mr. Lotu Dometeba alias Kamarikore Ruto, a Pokot by tribe and a known illegal fire arms dealer, travelled to Barkelat Sub-Location, Endo Location of Marakwet District allegedly to collect some money owed to him by his "customers". Nothing was heard of Mr. Ruto, until when he was found by Marakwet herdsmen dead and buried in a shallow sand grave. The Marakwet herdsmen made a report to the Police in connection with the incident. Afterwards, Marakwets arrested one Julius Kilimo Yabatum aged 27 years and escorted him to the police, claiming that he was the one who murdered the deceased. The police took over the matter, carried out investigations and the suspect was charged with murder. This murder caused tension between the two communities.

Mr. Speaker, Sir, on 13th March, 1997 the West Pokot and Marakwet District security committees met and agreed that the DCs beef up the security of the area. On 2nd April, 1997, hon. Philip Rotino reported that his 300 head of cattle were stolen and his herdsboy shot and injured by Marakwets. Fearing imminent reprisal, the Marakwets organised themselves and managed to recover 12 head of cattle which were returned to hon. Rotino. Nevertheless, hon. Rotino claimed that his stolen animals were 300 and that piecemeal recoveries were unsatisfactory. Subsequently, failure to recover the alleged remaining animals created a tense atmosphere between the Marakwets and the Pokots.

Mr. Speaker, Sir, on 15th April, 1997 at about 15.30 hours a security patrol team comprising the General Service Unit, Administration Police and general duty police officers was at Chesezon Trading Centre, when they heard gun shots at the Marakwet and West Pokot border. The security team split into two groups whereby one group headed towards Sambalat where the shooting was intense. On reaching Sambalat, the security team came into contact with about 100 armed bandits that were suspected to be Pokots, who were burning houses belonging to Marakwets. One group of bandits engaged with the security personnel in an exchange of fire, as the rest drove the cattle and goats away. The bandits escaped to West Pokot District.

Mr. Speaker, Sir, the security team pursued the bandits through Liter Centre and caught up with them as they were approaching Chesezon Centre. An exchange of fire ensued, the bandits were overwhelmed and they fled. On 16th April, 1997, it was confirmed that one Murkomen Sokoromo Peiteket, a Marakwet was shot dead by the rustlers while a Mr. Chelang'a was injured and rushed to Endo Mission Hospital. Fifteen houses belonging to Marakwets were burnt down. The rustlers reportedly went away with about 20 cattle and 100 goats.

Mr. Speaker, Sir, the Marakwets retaliated and set ablaze an unknown number of houses belonging to Pokots and injured one Pokot man. Earlier reports of an abducted child were found to be untrue. On 18th April, 1997 at about 5.00 hours, a group of Pokot raiders invaded Sibow Sub-location near Chesiwach Primary School, but they were engaged in an exchange of fire by Marakwet tribesmen. One Marakwet namely John Kilimo was killed, while one Pokot named Meringole Aringonyang was also killed. Fourty goats were stolen by the raiders. As of 18th April, 1997, security forces had recovered 27 goats and seven sheep which were identified and handed over to the owners.

On 24th April, 1997 at about 12.30 a.m., about 100 armed Pokot tribesmen attacked the GSU camp at Sangach area in Endo Location. As one group engaged the GSU officers, another raided the area and stole livestock. Two sections of GSU personnel were on patrol and were later dispatched to follow, but no recovery was made.

Mr. Speaker, Sir, the security forces have blocked all the escape routes and are combing the area thoroughly. To date, a total of 54 head of cattle and 143 goats and sheep have been recovered and will be handed over on 29th April, 1997 to the Marakwets, while the security forces pursue the return of another 122 head of cattle and 540 goats and sheep.

Mr. Speaker, Sir, I would like to appeal to all leaders and elders from both communities to uphold law and order and further restrain their youths from acts of cattle rustling, to surrender all illegal arms as already several firearms have been recovered by security forces and continue to co-exist in peace as good neighbours. Both communities must avoid being misused to further personal ambitions by self seekers to foment insecurity. Mr. Speaker, Sir, once again I call upon the leaders to preach and practice peace. Inciting communities to acquire illegal arms or engage in illegal activities will not benefit anyone.

Mr. Speaker, Sir, the print and electronic media too, must check available facts and avoid sensational reporting.

Mr. Speaker, Sir, the Government is doing everything possible to bring normalcy to the West Pokot and Marakwet districts. I am therefore, appealing to all wananchi in those districts to desist from taking law into their own hands, as this will only lead to more attacks and counter-attacks. The Government has beefed up security in the volatile areas with instructions to promptly deal with all those who engage in unlawful activities, regardless of their ethnic background or social standing. In addition, the Government has organised a reconciliation good neighbourliness meeting on 5th May, 1997 at Chesogon, West Pokot.

Mr. Speaker, Sir, peaceful co-existence is a prerequisite to the maintenance of law and order and it is in the

interest of the Government and all parties concerned that peace and tranquillity prevail at all times. Thank you.

Mr. Cheserek: On a point of order, Mr. Speaker, Sir. It is appalling that the Minister is giving a very false report to this House.

Mr. Speaker, Sir, Marakwets have become beggars and refugees on their own soil. We have been reduced to beggars because of a private army in the name of homeguards. For the last two weeks, Marakwets have been killed and looted. Four Marakwets have been killed, over 9,000 sheep and cattle have been taken away by the Pokots and over 2,000 head of cattle have been taken away.

Mr. Speaker, Sir, it is surprising that the Government has lost control of the security of this country.

(Applause)

I would like to ask the Government to tell the Marakwets that if it cannot provide protection for us, then we will go it our own way to look for arms. What business has the Government in arming the Pokots and leaving the Marakwets unarmed?

Mr. Speaker, Sir, the meeting which the Minister has talked about will not be attended by anybody - until the Marakwet livestock have been returned. A few minutes ago, I talked to the DC, Marakwet District and DC, West Pokot District and no livestock have been recovered. Why should the Minister mislead this House?

Mr. Speaker, Sir, schools will re-open next week and Marakwet children will not be able to attend classes - because Marakwet children have been killed before by Pokots who invaded those schools. There will be no food for these children because the means of livelihood has been taken away. Can this Minister tell us what business he has, talking about security when he has surrendered almost 60 per cent of North Eastern Province, Samburu and Marsabit districts to cattle rustlers? Does he have any business being in office? You should tell us! If you cannot guarantee the security of the Marakwets and other Kenyans, then you have no business being in this Government. So, we would like to see the Marakwet cattle returned and security of the Marakwets guaranteed, especially now that schools are opening. Failure to do this, we do not want to see again, a KANU fellow coming to ask for votes down there.

The Minister of State, Office of the President (Mr. Kalweo): Mr. Speaker, Sir, I am neither a Pokot nor a Marakwet. The hon. Member should know that while other communities are engaged in stealing and fighting for money, they are fighting for cattle and that is a primitive practice.

Mr. Cheserek: On a point of order, Mr. Speaker, Sir.

Mr. Speaker: Order! Order, Mr. Cheserek. There are rules in this House and every Member shall obey them. He is responding to a point of order and you should listen to him without interruption.

The Minister of State, Office of the President (Mr. Kalweo): Mr. Speaker, Sir, I have said that we have blocked all the escape routes in that area in order to recover those stolen cattle. The moment we recover them, we shall return them to the owners. On 5th May, 1996 there will be a meeting which will be held at Chesegeon to discuss ways and means of good co-existence.

Mr. Cheserek: Mr. Speaker, Sir, it is pathetic that the Minister is saying that there will be a meeting to resolve this issue. The Minister is mis-leading this House. The normal rustling which used to be there is no longer there. The present one has been turned into a commercial activity. What business has this Minister to tell us this, while Marakwet cattle are ferried from West Pokot to Dagoretti Market for sale? If he was serious, he should have stopped the transportation of cattle from the rustling areas where they were stolen. Why is he cheating us that he is going to have meetings when in actual sense, he is giving a leeway to have the cattle sold? Who are you misleading, Mr. Minister?

Mr. Kalweo: Mr. Speaker, Sir, I am not misleading. He is the one misleading.

Mr. Shikuku: Jambo la nidhamu, Bw. Spika. Hili ni jambo la kuhuzunisha. Sisi wengine tumewahi kutembea katika pahali hilo. Tanajua taabu ya Wamarakwet na pia tunajua taabu ilioko baina yao na ndugu zao Wapokot.

Bw. Spika, nilienda huko siku moja na nikaleta maneno haya katika Bunge hili. Nilishukuru Serikali iliwanayang'anya Wapokot bunduki na mambo haya yakapoa. Mimi ningetaka kuuliza Bw. Waziri swali hili: Hawa Wapokot walipataje bunduki tena za kutumia kuwashambulia wenzao Wamarakwet ambao wana pinde na mishale na wanapigana na watu wenye bunduki aina ya AK47. Anaweza kuthibidhisa katika Bunge hili kwamba atafanya juhudi ya kuwanyang'anya Wapokot hizo bunduki zote? Na ikiwa kuna wawili au watatu katika Marakwet wenye hizo bunduki wanyang'anywe pia, ili tupate amani katika sehemu hiyo?

The Minister of State, Office of the President (Mr. Kalweo): Bw. Spika, tunafanya hayo mhe. Shikuku amesema. Wapokot wengine walinyang'anywa bunduki hizo kwa sababu kuna silaha zilizopatikana kwa njia isiyo halali katika mikononi mwa wananchi huko. Kwa wakati huu, kuna maofisa wa usalama huko na wanaendelea katika

vijiji huko wakitafuta hizo silaha ili wananchi wasiwe na silaha kinyume cha sheria.

Mr. Kapten: Mr. Speaker, Sir, the point raised by hon. Cheserek is a very serious one. We have had this problem of Pokots for a long, long time. The people of Trans-Nzoia District have had this problem of their cattle being stolen, their children raped and their houses burnt and yet, the Government has taken no positive steps to stop this menace.

Mr. Speaker, Sir, on the northern side, the Turkanas; on the southern side the Luyias and the Nandis and on the western side, the Marakwets are all crying about the Pokots. And in Uganda, the Karamojong are crying about the Pokots. How come that just one tribe called the Pokot is harassing everybody in this country and yet, the Government is not taking any steps to stop it? The Minister says that the Pokots have been disarmed. That is not true because in Kwanza Constituency where I come from, when the President visited that area, he ordered that all those possessing guns in the name of homeguards should be disarmed. They were disarmed and two weeks later, the local administration returned all the firearms to the Pokots. The Government should tell us whether the DCs are working against the Government, or if they are with it. If they are with it, then we have no business having the DCs in this country.

Mr. Speaker, Sir, the other day, the President said that the Pokot-Marakwet problem came about because hon. Wamalwa visited Marakwet District. That is not true. It is very sad that the Head of State can say such a thing, when people are actually dying. The Minister must take active steps by going to the ground to assess the situation, so that he can find out how to deal with this Pokot menace. Otherwise, if this problem is not eradicated once and for all, there is going to be a big problem in this country and it is going to start in Pokot.

The Minister of State, Office of the President (Mr. Kalweo): Mr. Speaker, Sir, history can tell. Just a few years ago, the Pokots had proved to be ruthless and the Government became more ruthless and even choppers were used to deal with them. So, the Government is in charge and I promise the House that we are going to disarm them.

Mr. Speaker: Next order!

BILL

Second Reading

The CUSTOMS AND EXCISE (AMENDMENT) BILL

*(The Assistant Minister for Finance
(Mr. Keah) on 17.4.97)*

(Resumption of Debate interrupted on 24.4.97)

Mr. Speaker: Order! Order! What is disturbing you, hon. Shikuku? What is all this business about FORD(K)?

Mr. Shikuku: Bw. Spika, wengine wetu wanakaa katika Bunge hili kutoka saa nane na nusu mpaka saa kumi na mbili na nusu. Tunapokaa hapa, tunaona ni nani anayezungumza na anatoka kwa chama gani. Sasa, imekuwa sisi kutoka vyama vingine hatuwezi kuzungumza jumba hili, na imekuwa ni FORK(K) pekee? Wamezungumza zaidi ya watu watano!

Mr. Speaker: Order! Can I just say a few things? First of all, it is the total discretion of the Chair to appoint who takes the Floor. It is absolutely wrong for any hon. Member to try to interfere with that discretion. But of course, that discretion must be exercised judiciously and fairly.

But it is also wrong, as a matter of fact, and on this particular Bill, that the majority of hon. Members who have spoken, are from FORD(K). My record is as follows: On the 23rd of April, 1997, three hon. Members spoke. These are: The hon. Muhika Mutahi of DP, The hon. Osogo of KANU and The hon. Dr. Lwali-Oyondi of FORD(A).

On the 24th of April, 1997, seven hon. Members spoke. They are as follows: The hon. Dr. Lwali-Oyondi (continued) of FORD(A), The hon. Masinde of KANU, The hon. Mulusya of DP, The hon. Mbela of KANU, The hon. Ogeka of FORD(K) - for the first time - The hon. Makau of KANU, The hon. Prof. Anyang' Nyong'o of FORD(K) - as the second hon. Member of FORD(K).

Now, it is absolutely wrong for hon. Shikuku to imply, as he tried to do, that FORD(K) had been given much more than they should have been given. In any case, even within all the various political parties, there are different fields of interest, which the Chair must take into account. If you are from KANU and you are in the Northern Province of Kenya, your problems are not the same as those of people from Kericho. Therefore, the Chair must balance even within KANU, where they come from.

So, please, will you leave that discretion to the Chair? The Chair takes that with absolute unkindness. Proceed, hon. Muite!

Mr. Muite: Mr. Speaker, Sir, I thank you, and as judges would say when they agree "so entirely" with a draft judgement by one of the other judges, I so much agree with the way that the Chair has really addressed this issue, that I have absolutely nothing useful to add, and I thank you.

Mr. Speaker, Sir, this Bill as drafted causes a lot of anxiety. It is a very short Bill, but one would notice that there is no time limit which is imposed by this Bill. It says: "Notwithstanding the provisions of Sub-Section (1), the Minister may by order in the Gazette, decrease the rates of duty on maize, wheat, sugar, milk or rice by an amount during periods of civil strife, national disaster or calamity, declared under any written law for the time being in force".

Mr. Speaker, Sir, what follows is very significant. It says:

"And may upon revocation of the declaration, increase the rates of duty by such amount as may be necessary to restore the rates prevailing immediately before the declaration".

Mr. Speaker, Sir, you will recollect that when the Minister was moving the Bill, he made it quite clear that these amendments to the Act are based on the national disaster, in respect of the drought that has been affecting the country, and it was necessary, in order to encourage the importation of sufficient quantities of foodstuffs, for the Minister to be given leeway to waive duties beyond the current prescribed limits of 30 per cent.

[Mr. Speaker left the Chair]

[Mr. Deputy Speaker took the Chair]

If that is so, one would expect to see a time dimension, during which these amendments will be in force. But that time limit is not given in this Bill at all. It is dangerous to rely on the good sense of the chief executive, that he may wish to revoke the notice under which he declared a national disaster. This is because as long as that notice has not been revoked, we will be giving the Minister for Finance a blank cheque - so to speak - to waive duty if he so wishes, indefinitely. If the intention of the Government is to facilitate the importation of foodstuffs only---

The Minister of State, Office of the President (Mr. Koech): On a point of order, Mr. Deputy Speaker, Sir.

The hon. Member is misleading this House. This Bill has got specific dates which specify when it will be revoked. So, the Minister for Finance does not have--- I mean it specifies the time.

Mr. Muite: Mr. Deputy Speaker, Sir, with all due respect to the hon. Minister, he previously used to talk a lot of sense, but since he was elevated to the Cabinet, a lot of things he now says do not make sense.

Mr. Deputy Speaker, Sir, can I ask through you, for the Minister to show me where in this Bill, a date is given? When is it going to expire?

The Minister for Labour and Manpower Development (Mr. Masinde): On a point of order, Mr. Deputy Speaker, Sir. The hon. Member can check in the previous HANSARDS and read what was said by the Minister. When he was moving the Bill, this issue was raised and the Minister confirmed that it should be up to 30th June only.

Mr. Muite: Mr. Deputy Speaker, Sir, I am glad to hear the statement that it is up to June. With due respect, the point I am making is different. What the Minister says in the HANSARD is not law. What this House passes is what is law. I am saying that this Bill requires amendments to say that it will cease to have the force of law on the 30th of June or any other applicable time. As it is, without a limitation in the Bill itself, we are giving an open-ended blank cheque to the Minister to do whatever he wants in future.

Mr. Deputy Speaker, Sir, this is done deliberately. This is a loophole. If this Government has already abused the 30 per cent limitation as it did with the Goldenberg, are we not compounding the position, by now giving the Minister permanent power to exempt duty up to 100 per cent, if he so wishes? I am saying that he should introduce an amendment---

The Minister of State, Office of the President (Mr. Koech): On a point of order, Mr. Deputy Speaker, Sir.

Before the hon. Member continues misleading the House, I want to assure the House - although the Minister for Finance is not here - but there is somewhere, where it is confirmed either by an amendment later, that it is going to be 30th of June, 1997. So, it is for a definite period and not a blank cheque. Thank you.

Mr. Muite: Mr. Deputy Speaker, Sir, I take it that the hon. Minister is giving an undertaking to this House, that during the Committee Stage, the Government will introduce appropriate amendments to this Bill and not mere promises in the HANSARD. They should bring appropriate amendments in the Committee Stage on this Bill, to show that it is going to be in force up to the 30th of June. If the intention was only to facilitate the importation of foodstuffs, as a result of the drought and the current famine, then what this Government needs to do during the Committee Stage, is to introduce an amendment to this Bill. If they do not do it, I give notice that I will do so, Mr. Deputy Speaker, Sir. This is because it is not enough for promises to be made from the Floor of this House. What is going to become law is

this Bill. This Bill does not have the limitation that the Minister is mentioning. I take it that the Minister is giving---

The Minister of State, Office of the President (Mr. Koech): On a point of order, Mr. Deputy Speaker, Sir. The Legal Notice specifies that this is going to end on 30th June, 1997. So, I want to assure the House that what the hon. Member is saying is not valid because this has got a definite time period.

Mr. Shikuku: Jambo la nidhamu, Bw. Naibu Spika. Kawaida, tunajua ya kwamba tunapozungumza juu ya Mswada, mambo yote yaliyo [**Mr. Shikuku**] katika huo Mswada ndiyo yatakuwa sheria na wala si Taarifa ya Waziri au jambo lingine lolote. Jambo ambalo litapitishwa hapa ndilo litakuwa sheria na wala si jambo lingine ambalo mhe. Waziri ametuambia. Pamepitishwa hapa ya kwamba Mswada wo wote na mambo yaliyo katika Mswada huo ndio yatakayokuwa sheria na wala si Legal Notice na kadhalika. Hapa tunazungumza juu ya Mswada huu na akiweza kutuonyesha katika Mswada huu ni kifungu gani ambacho kinasema hayo anatwambia, basi tutakubaliana naye. Hatutaki kupitisha Legal Notice or Ministerial Statement.

Mr. Muite: Mr. Deputy Speaker, Sir, I am grateful to hon. Shikuku because he makes the position very well clear. This is what we are asking, but it is not what was in the Legal Notice because that was issued under the provision of collection of taxes. That is the Legal Notice that will remain in force up to 30th June, 1997. All we are doing here is passing a law that indefinitely gives the Minister power to exempt duty for all the time in future. That is dangerous.

Mr. Deputy Speaker, Sir, that is why I am urging the Government to give an undertaking that during the Committee Stage, it will introduce a suitable amendment to make it clear that this Act of Parliament will cease to have effect on 30th June, 1997 after they have imported all the foodstuffs that they want. The way the Bill is worded, at the moment, does not have that limitation. In fact, to make it worse, even if the President revokes the Legal Notice under which he declared national disaster, the Minister does not have to increase the rates of duty merely because the President has now declared that we are no longer in a national disaster. The word which is used here is that the Minister "may" upon revocation of the declaration. He "may", if he so wishes, increase the rates of duty to what they were before the declaration of state of emergency.

Mr. Deputy Speaker, Sir, all that I am saying is that if this Government is genuine and it is not seeking to give the Minister of Finance the right to legally waive duty up to 100 per cent as and when he wishes, then the word "may" should be replaced with the word "shall". That is one of the amendments that should be introduced. The way that the Bill is worded, at the moment, even if the President tomorrow revoked the declaration that he made through the Legal Notice, that revocation by itself does not legally oblige the Minister to now revert to the old rates of duty.

Mr. Deputy Speaker, Sir, the port of Mombasa at Kilindini or the Kenya Ports Authority is, perhaps, the biggest "single source of corruption" in this country. That is why this House would be most reluctant to give these sort of powers to the Minister. The importation of goods without duty being paid is what is ruining commerce and industry in this country.

Mr. Deputy Speaker, Sir, most of the manufacturers, even the big ones today, are "crying." The East Africa Industries is "crying". The reason why East Africa Industries is "crying" and it is unable to compete is because many manufacturers, I do not want to be a racist by saying that most of them are Indians or whatever--- There are very many manufacturers who are now importing raw materials like palm oil and manufacturing detergents, soaps, cooking fat and so on, without paying duty. Therefore, they are able to "undercut" in the market the other manufacturers who pay duty when they import the raw materials which they use to manufacture goods. Even the Kenya Breweries Limited is "crying" because beer is imported from South Africa, Germany and Holland. And when you go and buy that beer in various supermarkets that are there all over the country one is paying less than one would pay if you bought the same beer in a shop in Holland or in a bar in South Africa because this tinned beer has been brought here without duty paid. Even the small manufacturers in the Kenya Industrial Estates, have distorted the market because one manufacturer is able to bring in his raw materials without paying duty and the other manufacturer is paying duty. The one paying duty cannot compete with the one who is not paying duty.

Mr. Deputy Speaker, Sir, some of the individuals who are running the Kenya Ports Authority by remote controls are Nominated hon. Members, they are appointed Assistant Ministers and this is the "milk-cow". This is the single most destructive source of corruption, ruin and even of famine in this country.

Mr. Deputy Speaker, Sir, most hon. Members have contributed about sugar, but even maize has been ruined because of cheap maize being imported in this country without duty being paid. Therefore, the farmer who is growing maize cannot compete. It is the same story with rice, wheat and so on.

Mr. Deputy Speaker, Sir, this Government appears to have confused liberalisation with the need to protect local manufacturing industries and the local agriculture. Even the European Union today, one of the thorniest issues in terms of agreeing on their common market, is agriculture. There is no country anywhere in the world where agriculture is not protected. And we have got variable duty to protect local agriculture. So that each year, if the

Minister is satisfied that to produce one sack of maize, wheat or whatever is costing the Kenyan farmer so much, then the duty should vary, so that any person who wishes to import pays duty in a manner in which it is slightly more expensive to import than it would cost for maybe, millers to buy wheat or maize from the local farmers. Agriculture has got to be protected because the primary duty of any nation is to produce enough food for its own citizens. That is why Japan protects its agriculture. America does the same. Each nation in the world does that too. What this Government needs to do is to come up with policies on maize, wheat and rice that encourages more efficient farming methods but also encourages the farmer to make profits.

Mr. Deputy Speaker, Sir, on whether the National Cereals and Produce Board should operate, each year, the National Cereals Board should be a buyer of the last resort. And what that means is that each year, the National Cereals and Produce Board should work out what in that year it costs the farmer to produce a tonne of maize. And then the Board should fix a price that gives a farmer 10 to 15 per cent profits based on the cost of production. And then tell the farmer: "You do not have to sell to the Board; If you can get somebody who is going to offer you a better price, by all means go and sell to that person even if it is to export". If the farmer is able to get more for his maize by selling the maize out of the country, he should be free to do so. But in case he is not able to get a buyer who will give him a better price than the National Cereals and Produce Board, then he knows that he can always go and sell to the Board and make 10 or 15 per cent profit. In that way, the farmer will always produce more and more and more, so that during periods of scarcity when there is no food, the National Cereals and Produce Board would have stored cereals which can then be released. In case, the cost of the grain in the market is so high, the Board should then release enough foodstuffs to the market in order to stabilise and bring the prices down.

Mr. Deputy Speaker, Sir, these are the policies that this Government should be coming up with. This is because this Bill, apart from the criticism that I levelled against it, it is attempting to treat the symptoms; it is not treating the disease. And if we want the real cure for agriculture and the economy in this nation---

(Mr. ole Ntimama walked out laughing loudly)

An hon. Member: Order, Mr. Ntimama!

Mr. Muite: Mr. Deputy Speaker, Sir, if we want to get the economy of this nation back on the trail, we must learn to identify and diagnose a disease and come up with policies that are going to treat the disease rather than the symptoms. This Bill is merely treating the symptoms. The real disease is why we are not producing enough rice in this country. That is what we should be addressing rather than giving the Minister the power to waive duty 100 per cent, so that we can import rice into the country. And if you take rice, for example, simply the reason why we are not producing enough rice and we can grow enough rice in Kirinyaga, Mwea, parts of Western Province, and Nyanza, is the manner in which the National Irrigation Board (NIB) is running the rice growing in this country. They are the ones who dictate things. First of all, the farmers in Mwea, upto now, do not own the land on which they are growing rice. They are merely tenants. And when they grow that rice, and it is their own sweat used in growing the rice, they are then ordered that they must sell it to the Board. And it is the Board that fixes the price at which the rice must be sold to it by the farmer. And, that rice and, bearing in mind the fact that Mwea grows very high quality rice, is then made available to the politically well-connected who then export the very high quality rice which is grown in Mwea, thus making tremendous profits which they stash in their own pockets. The farmer gets nothing and these politically well-connected persons suck the blood and sweat of these poor farmers in Ndia.

Mr. Deputy Speaker, Sir, at the end of the day, the farmer finds that he is not making any profits to talk of. And, therefore, he is not motivated to grow more rice. We have got to democratise and decentralise this command sort-of-way of managing agriculture in this country. We have got to give the farmers the right to determine and make decisions on the growing of the rice and to even borrow money. We have got to enable Kirinyaga County Council to be truly in charge of the growing, milling and the marketing of the rice. We should make it possible for the farmers to benefit. If we do that, we will grow enough rice to feed this country and, in fact, even for export. And what I am asking the Government to do is to come up with specific policies on rice that are going to encourage the rice farmer. We should come up with specific policies on maize; policies that are going to encourage the maize farmer to grow enough for Kenya and for export. And you can only do that if you motivate the farmer and you make it possible for him to get a decent profit from the maize and the rice. Let us come up with policies on sugar and this country will produce enough sugar for the region and for export. We should come up with similar policies on wheat. This country will grow enough wheat. We have got a lot of unopened grounds; land which is suitable for growing wheat. We can turn this country round in terms of agriculture inside five years if we came up with the correct policies.

Mr. Deputy Speaker, Sir, the root cause of the famine is not the drought. It is the bad policies of this Government. A drought is foreseeable. Israel now exports oranges, flowers and everything and how much rain does Israel get? But they have got agricultural policies that make it possible for the farmers to make a profit. I want a

situation where we know what we could grow between Nairobi and Mombasa. The whole of Ukambani which has always been targeted by this Government for famine relief is the most productive area of this country. Because of heat, growth is very fast and look at what is happening at the moment. People are drowning in seasonal rivers that are overflowing because of the rain. Animals are being drowned. Houses are being swept by these floods. But do we have any policies for harvesting this rain water? And yet, what Ukambani needs is not this Bill to import maize in order to go and bribe them to vote for KANU in the next General Election. What Ukambani requires, and many other areas of this country, is to be empowered to be economically viable as a people and as an area. What they need is the right environment. What they need is for this Government to harvest the rain water. This is because if you go to Ukambani today, you will find that those seasonal rivers that are completely dry during the dry season have now turned into huge rivers. What we need in this country are not the Turkwell gorges. What we need are much smaller scale dams which can be constructed at next-to-no cost in all the seasonal rivers; so that we can first of all prevent the top soil from going to the Indian Ocean and secondly, these small dams should be used to irrigate 1,000 to 2,000 hectares in a particular area. Further down the river another dam should be built. If we were to do it this way, we would turn the whole of the country into a granary. That is what we require in this country.

Again, if you go to Baringo and other areas that are dry, what those people want is not electricity and telephones because, in any case, a majority of them go into their little huts and they sleep hungry at 7.00. o'clock. They do not need that electricity, but I am not saying that eventually, we should not take those things there. All I am saying is that let us have our priorities right. What they require in Baringo is income-generating projects.

In this country today, if this Government had people in charge who had the welfare of Kenyans at heart, truthfully and sincerely, not just by *payukaring* that they are thinking about the common man when they are not; instead of spending millions and millions of shillings to take electricity all over these areas in Baringo and tarmacking roads which they do not need because the majority of the people do not have vehicles, and in any case, even during the rain season, the roads because of the nature of the grounds, are still passable. What they need are graders. Tarmac is not a priority.

The priority for people in Baringo and, if I was the Member of Parliament for Baringo, this is what I would do, starting with agriculture. We have today in this country strains of sorghum and millet that do not require much rain and are high yielding. If, for example, the Government was to come with policies and extension officers to go and guide the people in Baringo, and they started growing millet and sorghum, you would have given those people a cash crop, and whether tomorrow or the day after, the person who is President is no longer from that area, you have enabled those people permanently to have a cash crop. This is where the priority ought to be and one can take it further and say that in a country like Kenya where there is a lot of competition, as far as the animal feeds are concerned, between animals and human beings on maize, it is not the correct policy in this country to make maize the basic raw commodity for the manufacture of animal feed. That can be replaced by sorghum and millet which is much more nutritious in terms of proteins. We would be able to cut down on the cost of animal feeds by over 50 per cent if these sort of policies were adopted.

What I am saying is that this Government needs to look at how we can diagnose the real disease that is afflicting this nation and treat the disease rather than the symptoms. It is a shame that we, as Kenyans, pride ourselves as being an agricultural country, where we say that over 85 per cent of our people are supported economically by agriculture. We are an agricultural country and yet we cannot feed ourselves. We are never able to go for three years without importing food and we are supposed to be an economy which is based on agriculture, where 85 per cent of the people are directly supported by agriculture.

Mr. Deputy Speaker, Sir, in the other economies, if more than 3 per cent of the population is engaged in agriculture, then that agriculture is very inefficient. In a lot of countries, one or two per cent of the population is able to feed that nation and to export. So, how is it that we, where 85 per cent of Kenyans, the economy is directly based on agriculture, we cannot be able to feed ourselves? The answer is that there is no planning or policies. This Bill is intended to treat the symptoms and as long as we are treating the symptoms only, we will always be poor.

This Bill is not an answer and it is not going to achieve the intended purpose because of corruption. No solution is likely unless and until the issue of corruption is addressed by this Government, addressed in a manner in which this Government will show political commitment towards containing corruption. One is not even asking them to eradicate corruption, but one is asking them to contain it, not to "institutionalise corruption" the way it is institutionalised here. This Bill is not going to achieve the intended purpose because what it is going to do is merely to give the Minister for Finance a licence to select who is going to import what goods without paying duty. That is going to further worsen the situation of the farmer in this country and the situation of the economy of this country. So, before a Bill like this one is brought here--- The Member for Shinyalu only finds his voice when the Member for Kikuyu has spoken.

The Assistant Minister, Office of the President (Mr. Shamalla): On a point of order, Mr. Deputy Speaker,

Sir. Not just that, but always when you run away!

(Laughter)

Mr. Deputy Speaker, Sir, is the hon. Member in order to allege that there is licensing of importers of various commodities when he ought to know that under the liberalisation policies and programmes we now follow, there is no more licensing to import any commodity?

Mr. Muite: Mr. Deputy Speaker, Sir, I noticed the Member for Shinyalu was dosing. I think he woke up and missed what I had said earlier on. I am talking about people who import foodstuffs without paying duty and, as long as that loophole is not closed, we are going to continue destroying agriculture in this country and we are going to continue destroying the economy of this country. What I am saying is that a Bill like this one is a dangerous weapon to place in the hands of the Minister for Finance because he is going to exempt duty to the politically-correct persons and, as long as that is the position, it is not the poor-hungry people who are going to benefit; it is the importers who are going to import without duty who are going to benefit. Let this Government address the issue of corruption first, before they can bring a Bill like this one.

With those few remarks, Mr. Deputy Speaker, Sir, I beg to strenuously oppose the passage of this Bill at this point in time, unless suitable amendments are brought on the lines that I have indicated. I do hope that at Committee Stage, the Minister will keep his words and bring the amendments he promised. Thank you.

The Assistant Minister, Office of the President (Mr. Shamalla): Thank you, Mr. Deputy Speaker, Sir. I shall not be very long. I think a lot has been said and one dreads repeating oneself. But I want to commend the Minister and the Government by responding very urgently to the famine situation in the country. We are aware that we have had maize seeds and other seeds in time for this season's crop. We also have had some food not only in the traditionally famine-stricken-areas, but also in areas like Kakamega, Western Province, which is normally self-sufficient in food; but which has experienced famine for many reasons. Some of the reasons are failure of the rains last year, improper seeds that were planted and so on.

However, the Government should not think that what has been done is enough and has alleviated the suffering, particularly from the famine point of view. If I recall about two weeks ago, Kakamega District received 1,000 bags of maize which were distributed in the 14 divisions, which roughly worked out to 17 bags of maize per division. From my Constituency, that is roughly 100 bags of maize, a very, very inadequate figure, indeed. This is a very inadequate figure, indeed. It is one which I think should be quickly revised. I am glad that the Minister in charge of the famine situation is right here. I am telling him what I would want to repeat later. The situation in Kakamega, from the point of view of famine, is very critical. We would like his attention drawn to that fact, so that adequate maize is made available, particularly for those who cannot afford to buy even the little that is available at a high price. That is an appeal I would like the Minister to attend to as urgently as possible.

Mr. Deputy Speaker, Sir, I would like to as well join my colleagues in urging the Government to look more seriously at ways of permanently combating famine in the country. It is not enough that we prepare to look for donations and funds to feed hungry Kenyans when famines occur. I do concur with my colleagues who have spoken before me, including Mr. Muite, with whom I very rarely agree, that it is important for us, as a country, to come out with a clear policy as far as the food situation is concerned. We cannot tackle the food situation without a clear policy as far as overall agricultural practices are concerned. No country in the developed world, in Europe and North America, can be said to have had industrial development without first and foremost taking care of its agricultural sector. It is important that we feed everybody in our country before we can think of doing anything else.

Unfortunately for Kenyans, we have had almost no policy whatsoever. We have moved from a year of prosperity; a year of very good and high production into a year of utter famine and then back into high production and so on. I want to remind those responsible for agricultural policy that until we come out with a clear policy that will assure the farmer of fair returns every year--- There is no way we are going to guarantee good production unless the farmer knows that every time he produces a bag of maize, wheat or so many killogrammes of milk he will be guaranteed his payment for it. If we leave this to the whims of market forces I am sorry to say that agricultural production is not the same as production in the industrial sector. In the United States and Europe farmers are well protected. Farmers produce is, to an extent, guaranteed, as far as selling it is concerned. But should he over produce he will have to dump his extra production. But, in terms of income, that farmer does not do so at a total loss. That is why in those countries farmers wield a lot of strong power in so far as voting or government policy is concerned. Many governments in Europe and the Unites States do lobby very strongly the vote of the farmers in return for which they do undertake to protect the interests of the farmers. They undertake to protect them when it comes to losses incurred because of bad weather or when they cannot sell what they produce. This is a policy that we in this country should begin to address as soon as possible. In this way the farmer will take an interest in producing

what he produces for the country. This will be better than the farmer producing merely for himself and for sale when he can sell and for loss when he cannot sell.

Mr. Deputy Speaker, Sir, famine should not be combated through provision of free maize that is available to us to be supplied to famine areas. I think that, as a Government, we should also actively try to ensure availability of essential commodities - here I am again referring to maize - at affordable prices. Even for those who can afford it, its price should be in tune with prices of other commodities in the country. Right now I am informed that in Kakamega a bag of maize is selling for Kshs1,700. Two or three months ago, a bag of maize was selling for as little as Kshs1,200, and even less soon after the harvest. In the years when we did not have the experience of famine that we are going through now, we have had maize sell, at the very highest, at Kshs1,500 a bag. That has happened immediately before the harvest, in the months of April and May. If maize is selling at Kshs1,700 a bag in April it is very likely that by June it will be selling at a price close to Kshs2,000, a range, out of the reach of many Kenyans. We should also consider that the majority of Kenyans survive on maize. So, the idea of having maize at a price that can be afforded by many Kenyans is another priority, quite apart from having to meet the needs of those who need it free of charge.

Mr. Deputy Speaker, Sir, I want to touch very briefly on an area that is important in so far as the administration of the Customs and Excise Act, and particularly this specific Bill, is concerned. This also refers to the Public Order Act that has been cited here and there. I do not want to revive the subject that we disposed of. That is the need, or otherwise, of regulation under the Act for the effectiveness of this amendment. What I am about to say is from the point of view of having to clarify little doubts that may be lingering in the minds of a few hon. Members. Hon. Anyona, who is not in here, did vigorously argue for the need, or otherwise, for regulation of the Customs and Excise Act, in so far as its application in a state of an emergency is concerned. In this regard, reference was made to the regulation of Customs and Excise Act, which also provides for provisions of regulations that may be made for the administration of that Act. In particular, there was reference to whether or not the existence of such regulations renders the Act valid or not valid. I am saying this--- In fact, it was on Friday, if I am not wrong; some of you would recall reading a reported constitutional reference. But it was merely being reported and it was making reference to the same subject, that is, the existence or otherwise, of regulations to validate the Act or invalidate the Act. Here, I am saying it for the benefit of the record and for those who may have followed this particular argument as far as hon. Anyona is concerned. I want to remind those of my colleagues--- I cannot see any of them here, but I have in mind hon. Orenge and hon. Muite when he does choose to listen--- This is a matter that has come around very many times before our courts of law. The courts have frequently held the view that the existence of regulations, particularly as far as the Public order is concerned, has no legal force and strength in validating the Public Order Act as such. With extension, I would like to add, at least for the record purpose, that the Customs Bill, as we have it, whether or not the regulations are in place,--- and there are none in place,--- is still valid under our laws. I would like to touch briefly on the question of corruption that---

Dr. Lwali-Oyondi: On a point of order, Mr. Deputy Speaker, Sir. Hon. Shamalla should realise that when we say 'point of order', he sits down immediately. Is the hon. Member on the Floor in order to mislead the House that regulations had a part to play in validating or invalidating a given law? They were only to limit the extent to which that particular law is to be applied. Is he, therefore, in order to mislead the House?

The Assistant Minister, Office of the President (Mr. Shamalla): Mr. Deputy Speaker, Sir, if I was carrying out some post-mortem on a cow, I think I would understand the hon. Member. The person whom I addressed this issue to, and remains quite satisfied, was hon. Orenge and one, hon. Muite, who happens not to be here. It has nothing to do--

Dr. Lwali-Oyondi: On a point of order, Mr. Deputy Speaker, Sir.

The Assistant Minister, Office of the President (Mr. Shamalla): Mr. Deputy Speaker, Sir, as I said, I would like to touch on the question of corruption which was the subject of my--

*(Both Dr. Lwali-Oyondi and
Mr Shamalla remained standing)*

Mr. Shikuku: On a point of order, Mr. Deputy Speaker, Sir. Kuna kanuni katika Bunge hili ambazo lazima zifuatwe na waheshima Wabunge. Na kama mheshimiwa hazifuati, huondolewa katika Bunge hili. Ni haki kuwa na Wabunge wawili wakisimama, mmoja anasema 'On a point of order', na mwingine anaendelea kuhutubu? Hii ni haki? Kanuni No.68, inasema:

"Mheshimiwa akisema 'point of order', yule anayezungumza ni sharti aketi chini mara moja."
Ni haki kwa huyu kusimama kama ngamia?

(Loud consultations)

The Assistant Minister, Office of the President (Mr. Shamalla): Mr. Deputy Speaker, Sir, this is not going to be a family affair.

Dr. Lwali-Oyondi: On a point of order, Mr. Deputy Speaker, Sir. First of all, the hon. Speaker, on the Floor is quite unruly this afternoon. Secondly, is he in order to say that he is only addressing a particular hon. Member of Parliament instead of addressing the House?

The Assistant Minister, Office of the President (Mr. Shamalla): Mr. Deputy Speaker, Sir, I am interested in those who are listening, not those who are out to stand on pretexts of points of order, and this seems to be an "Oyondi speciality." I would request hon. Shikuku to spend a bit of time tutoring his brother on the validity of points of order.

(Laughter)

Mr. Deputy Speaker, Sir, many hon. Members have spoken on the issue of corruption loudly and clearly, and I think nobody sympathises with corrupt practices, regardless of wherever they happen to come from.

[Mr. Deputy Speaker left the Chair]

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

I think those of us on the Government side have got that very clearly. But let us also not forget that corruption is not a one way affair, it is many ways. If I were to ask: "Which hon. Member on the other side has never been involved in a measure of corruption?"; how many of you will raise up their hands immediately? None. Except the rough ones, the ones who want to continue arguing.

*(Mr. Shikuku and Dr. Lwali-Oyondi
raised their hands)*

The Temporary Deputy Speaker (Mr. Wetangula): Why are you raising your hands?

(Laughter)

Mr. Shikuku: Mr. Temporary Deputy Speaker, Sir, the speaker on the Floor asked us to raise our hands. So, we obeyed.

The Temporary Deputy Speaker (Mr. Wetangula): Order, hon. Shikuku. The request by hon. Shamalla was illegal and your act was even more illegal.

The Assistant Minister for Land Reclamation Regional and Water Development (Mr. Ligale): On a point of order, Mr. Temporary Deputy Speaker, Sir. In fact, the hon. Member on the Floor did not ask them to raise their hands. He said; "If he was to ask," that does not mean that he was asking them to raise their hands. I do not know why they are getting agitated.

Mr. Achieng-Oneko: On a point of order, Mr. Temporary Deputy Speaker, Sir. The hon. Member is making an innuendo and also imputing improper motives against hon. Members on this side. Could the Chair care to just ask him to withdraw those words? There are people on this side who can stand up to that challenge, and I am one of them.

The Assistant Minister, Office of the President (Mr. Shamalla): Mr. Temporary Deputy Speaker, Sir. I did not suggest that the hon. Members on the other side are more unholy than those on this side. All I was saying is that they are all the same, with the probable exception of hon. Achieng-Oneko. If you recall the story---

The Temporary Deputy Speaker (Mr. Wetangula): There is no Standing Order in this House that requires any raising of hands.

The Assistant Minister, Office of the President (Mr. Shamalla): Mr. Temporary Deputy Speaker, Sir, it reminds me of one thing, about King Solomon with the two women, each claiming to be the mother of the live kid. When they were asked to hold the baby so that the child could be cut into two halves, the one telling lies quickly ran and held the head and said, that; "I will take the head." But the real mother said; "No, spare the kid." So, when I see one raising the hand, I think I know what conclusion to draw. Be that as it may---

An hon. Member: You are Solomon inside-out!

The Assistant Minister, Office of the President (Mr. Shamalla): Mr. Temporary Deputy Speaker, Sir, I have been with those gentlemen and I would not say what I cannot substantiate. However, the issue of corruption, I do agree, has eaten at the heart of the economy of this country and it is for all of us from both sides, Government and the Opposition, not just to be content by pointing out or by criticising, but to go a step further in trying to stamp it out. On the question of accountability, how much of it is shown on the Opposition side in their undertakings and dealings and how they handle party affairs and so on? So, it is the same; the difference may only be the magnitude. I am thinking against that principle. The issue of corruption in the importation of commodities into the country, licensing of exportation of commodities out of the country, is a finished matter. It is no longer there; that is why we have liberalisation. If hon. Dr. Lwali-Oyondi wants to import maize let him go ahead, nobody will stop him; if anybody stops him I will be the first person to support him. Why should he be stopped? If you want to export, go ahead and export because that is what we mean by liberalisation. I think, I have covered as much as I could.

With those few remarks, I support the Bill.

Mr. Shikuku: Asante sana, Bw. Naibu Spika wa Muda, kwa kunipatia nafasi hii.

Jambo la kwanza katika Mswada huu ni kwamba Mswada una ukurasa mmoja, ukiungalia kwa makini sana ni "hatari" sana na babake anaitwa "danger", na baba yake anaitwa danger kwa sababu unataka tuwe tukiishi tukingojea misaada kutoka kwa nchi nyingine. Wale wakubwa ambao mhe. Shamalla alikuwa akizungumzia na walio katika Serikali, ikiwa tutalinganisha uovu wa Serikali na uovu wa wale wako upande huu, uzito utakuwa katika upande ule mwingine, na hiyo si siri. Hata Rais wa nchi hii, balozi wa Marekani na wale katika nchi zile nyinge ambazo tunaomba wanajua hivyo na wanatambia hivyo wakati wa mchana. Wakati tunapoenda kuwaomba, wanatambia; "ninyi acheni ufisadi".

Hata wale wanaoleta rasilimali zao hapa, hawawezi kuleta kwa sababu ya ufisadi. Ni nani ataleta pesa zake katika nchi ambayo imejaa ufisadi? Katika nchi hii, tuliambiwa na Waziri mmoja katika Serikali hii tukufu, kwamba kiwango cha ufisadi sasa kimefika asilimia 40. Kwa mfano, mtu akiwa na nyama, na akijua kuwa kuna fisi katika Hifadhi za Wanyama wa Pori, hataweka nyama huko. Akifanya hivyo, akili yake haitakuwa nzuri. Hiyo haiwezekani.

Huwezi kufunga mbuzi katika Hifadhi za Wanyama wa Pori na useme kuwa umemfunga mbali hali kuna fisi karibu; akili yako haitakuwa nzuri. Kwa hivyo, rasilimali haiwezi kuletwa hapa Kenya kwa sababu ya ufisadi kutoka juu mpaka chini. Ufisadi huu unaletwa na viongozi wa nchi hii na hii ndiyo sababu hawako tayari kusema. Ninasema viongozi; sio wafanyabiashara.

Ninataka kuzungumza juu ya viongozi wa nchi hii, sio wale wanaoongozwa. Makao makuu ya ufisadi yako katika Bunge hili. Mpaka Wabunge walio katika Bunge hili wakubali na waeleze wazi mali walionayo waliyapata namna gani. Hapo ndipo tutaanza kuchukua hatua ya kwanza.

Mr. Mak'Onyango: Jambo la nidhamu, Bw. Naibu Spika wa Muda. Sijui kama umesikia mhe. Shikuku akisema kuwa makao makuu ya ufisadi yako katika Bunge hili. Anaweza kuthibitisha?

Mr. Shikuku: Asante sana, Bw. Naibu Spika wa Muda. Hii si mara yangu ya kwanza kusema kuwa makao makuu ya ufisadi yako katika Bunge hili; ninafikiri hii ni mara yangu ya 20. Nimeanza kupigana na ufisadi tangu 1963, wakati mhe. Mak'Onyango alikuwa shuleni. Kiongozi yeyote ambaye hakubali kutaja mali aliyonayo na aeleze jinsi alivyoyapata, basi yeye ni mfisadi. Katika Bunge hili, kuna Wabunge waliobaki kama mhe. Towett, ambaye hayuko sasa hivi, na mimi Shikuku, ambao tumewahi kutaja mali yetu.

An hon. Member: What about hon. Achieng-Oneko.

Mr. Shikuku: Katika kamati ya ufisadi, Achieng-Oneko alikuwako na ni sisi wawili tuliowahi kutaja kuhusu mali yetu na vile tulivyoyapata. Tulikuwa katika ile kamati ya kuangalia habari ya ufisadi, upendeleo na mambo mengine maovu. Wengine hawataki na kwa hivyo wao ni wafisadi.

Bw. Naibu Spika wa Muda, tunakata serikali za nchi za kigeni zitusaide kufichua mali ambayo viongozi katika Afrika wanachukua kutoka nchi zao na kuyaweka katika nchi za kigeni na hali watu wao hawana kazi; wana njaa. Tunataka international community itusaide kufanya kazi hiyo kwa sababu hii habari ya ufisadi ni hatari sana. Hapa Kenya tuko na bilionea zaidi ya 100. J.M. Kariuki alisema kuwa kulikuwako na mamilionea kumi na watu milioni kumi maskini. Sasa wamekuwa bilionea mia moja na wasio na kitu ni zaidi ya 20 milioni. Hii ni hatari kwa sababu hao bilionea hawawezi kulala vizuri. Juzi walitukana walenzi na wanahitaji kuchunga sana. Mlinzi atawaachilia wezi waingie na usingizi wao sasa utakuwa mchache sana.

Bw. Naibu Spika wa Muda, tungeletewa mwongozo wa chakula. Ukurasa wa pili wa Mswada huu, unasema hivi:-

"The Minister may by order in the *Kenya Gazette* amend the first, fourth or fifth Schedule by increasing any rate of import duty by an amount not exceeding 30 per cent of the rate set out therein.

Provided that--

"(i) In case of maize, sugar, milk, rice, beans or used clothing, the rate of duty maybe increased by an

amount not exceeding 74 per cent of the prescribed rate."

Hapa ndipo kuna maneno. Mashamba ya Kenya yanaweza kutoa mahindi ya kutosha kulisha watu wa Kenya na pia kupeleka katika nchi za ng'ambo. Kwa nini tuna upungufu wa mahindi? Hii ni kwa sababu Serikali hii haina mwongozo madhubuti kuhusiana na kilimo katika nchi hii. Juzi tu, tuliambiwa na mhe. Nyachae kwamba nchi hii ilikuwa na mahindi ya kutosha. Hatukumaliza hata mwezi mmoja kabla hatujasikia kutoka kwa waheshimiwa Wabunge kutoka Ukambani - sitawasahau maishani mwangu - kwamba kulikuwa na janga la njaa. Ninafahamu vyema kwamba adui wa hawa Wakamba ni Mawaziri kutoka Ukambani. Waheshimiwa Kiluta, Maundu na Ndilinge walipiga kelele sana wakasema kwamba kulikuwa na njaa Ukambani na ilhali tulikuwa tumeambiwa na Waziri wa Kilimo wakati huo kwamba kulikuwa na chakula cha kutosha nchini. Mawaziri kutoka Ukambani walipomtembelea Mtukufu Rais walisema, "Mtukufu Rais, hawa vijana wanataka kuharibu jina la Serikali kabisa". Baada ya siku chache tukasikia kupitia kwa redio, katika habari za saa saba kwamba

(Hon. Shikuku mimicked KBC News Broadcast)

Mr. Orenge: Jambo la nidhamu Bw. Naibu Spika wa Muda, umesikia vile mhe. Shikuku amesema? Je, watu wetu wa HANSARD wataandikaje mambo hayo?

Mr. Shikuku: Mhe. Mbunge anafahamu ninasema nini. Haya mambo hayawezi kuandikwa lakini redio ya KBC ikileta habari yake utafikiria kwamba mvua inanyesha. Inasifu Serikali tukufu sana. Ilitangaza kwamba Bw. Maundu alikuwa ameachishwa kazi yake mara moja. Hata sijui mhe. Maundu alikuwa anakula nini saa saba. Kama hakuisikia habari hiyo, pengine aliambiwa. Kisa na maana, anachochea dhidi ya Serikali tukufu kwa kusema kwamba hakuna chakula. Mawaziri wengine walienda kwa Mtukufu Rais na kumweleza kwamba hawa Wabunge walikuwa tayari kupindua Serikali yake. Wakaendelea kumwambia kwamba huko Ukambani kulikuwa na chakula cha kutosha na watu huko hawakuwa na wasiwasi wowote bali tu walikuwa "wanang'alang'ala."

(Laughter)

Bw. Naibu Spika wa Muda, hayo ni maneno ambayo yalisemwa na wananchi wakasikia. Wiki mmoja hata haikupita kabla hatujasikia Mtukufu Rais akitangaza hali ya hatari kwa sababu ya njaa na hali hapo mbeleni alikuwa akielezwa na Mawaziri wake kwamba kuna chakula tele.

An hon. Member: Na hali mtu fulani huko Ukambani alikula mbwa.

Mr. Shikuku: Ninasema kwamba kama wale Waheshimwa Wabunge kutoka Ukambani wana utu wangejiuzulu kazi zao. Pia, ninastajaabu jinsi huyu Mtukufu Rais alivyo na roho nzuri. Mimi nikiwa Rais na Waziri anidanganye kwamba kuna chakula tele na ilhali kuna njaa, huyo Waziri ataacha kazi yake. Hii ndiyo ajabu iliyoko. Wale waheshimiwa Wabunge hawana aibu wakisema uongo na huku wanaendelea kufanya kazi? Ninafahamu kwamba Wakamba--

Mr. Orenge: Jambo la nidhamu, Bw. Naibu Spika wa Muda. Ninashangaa kwamba mhe. Shikuku anasema kwamba haoni ni sababu gani iliyowafanya wenzetu wasiachishwe kazi na hali yeye mwenyewe wakati fulani aliachishwa kazi kwa kusema ukweli. Hapa ukisema ukweli unaachishwa kazi, mbona unashangaa?

Mr. Shikuku: Ninashukuru sana kwa kunikumbusha kwamba ukisema ukweli basi wewe ndio mbaya.

Bw. Naibu Spika wa Muda, sisi wengine hatujachoka kusema ukweli. Hasa mimi sitachoka kusema ukweli. Nimesema ukweli kwa miaka 45 kutoka hapo mwaka wa 1952 hadi leo. Siwezi kubadilisha mwendo wangu kwa sababu sasa ninaelekea kule babu na baba yangu, Oyondi, walienda. Kwa hivyo, sina haja ya kugeuza mwendo.

Hili ni jambo ambalo limeletwa na sisi wenyewe. Kwanza mahindi yetu yalipelekwa nje na ndio sababu tukapata janga la njaa. Hapa tunataka mahindi yaletwe bila kutozwa ushuru lakini unajua nani atafaidika? Ni wakubwa walio katika Serikali hii ambao wako tayari kuleta mahindi zaidi. Wengine wanaleta mahindi hapa na hali wao hata hawali ugali. Wahindi wanaleta mahindi na hawali ugali. Sasa pia wanataka kuagiza maharagwe kutoka nje na hawayali. Huu ni Mswada wa kuhalalisha ufasadi--

(Hon. Orenge and Prof. Mzee hugged each other)

Dr. Lwali-Oyondi: On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for the two hon. Members to hug in the House?

The Temporary Deputy Speaker (Mr. Wetangula): Hon. Orenge and Prof. Mzee, you are grossly out of order.

Mr. Shikuku: Sijui mapenzi gani haya! Tunataka kuzungumzia habari ya mahindi. Nchi hii inaweza

kupanda mahindi ya kutosha. Hakuna haja ya kuagiza mahindi kutoka nchi za nje. Pia ikiwa haya mahindi yanaletwa ili kupatiwa watu walio na njaa, basi ni jukumu la Serikali hii kufanya hivyo bali si watu binafsi. Hii ni njia moja ya kupanua njia ya ufisadi miongoni mwa wakubwa katika Serikali hii. Watayaleta hayo mahindi kisha wayauze kwa bei ya juu sana na kwa njia hii kuumiza watu wadogo. Kama kuna njaa, ni wajibu wa Serikali kuleta chakula wala si mtu mwingine. Kwa nini wanauliza watu binafsi kuleta mahindi bila kulipa kodi? Ni kwa sababu wakati wa uchaguzi karibu unafika. Wanataka kuleta mahindi hapa ili wapate chakula---

The Assistant Minister for Research, Technical Training and Technology (Mr. Kagwima): On a point of order, Mr. Temporary Deputy Speaker, Sir. Tender bids by National Cereal and Produce Board were being closed today and it was open to everybody, and they are going to import 80,000 metric tonnes of maize. I thought it is meant to feed wananchi! If he is not aware, he should withdraw the fact that the Government is not bringing in food to feed wananchi.

Mr. Shikuku: Bw. Naibu Spika wa Muda, Waswahili wanasema kwamba: "Ukimwashia kipofu taa, ni kuharibu mafuta". Kwa sababu, hata ukipanguza chini namna gani, haoni.

Jambo ninalosema ni kwamba, kuna njaa na huu Mswada unahusiana na hatari ya njaa. Ninasema kwamba, ni wajibu wa Serikali kuona kwamba watu wake wanapata chakula. Iwe ni wajibu wa Serikali kuleta mahindi na wala siyo kumpa mtu binafsi kama mimi kuleta mahindi hayo, ili niongeze bei kufinya wananchi. Inafaa Serikali yenyewe ilete mahindi wala siyo Bw. Bawazir, mhe. Kagwima ama mhe. Shikuku. Inafaa Serikali yenyewe ilete mahindi kutoka ng'ambo, ya kutosha kulisha watu wake. Pia, wakati chakula hicho kinapoingia, inafaa Serikali ikitoe kwa watu wa makanisa ili wagawie wananchi. Nchini Kenya kupata mtu asiye na dini ni vigumu sana kwa sababu kuna dini nyingi. Wakati huu wanagawa kilo mbili za mahindi, eti, atumie kwa mwezi mmoja, na huku ana familia ya watoto wanane. Je itawatoshia? Serikali inasaidia nini ikiwa hii ndiyo hali?

The Assistant Minister for Research, Technical Training and Technology (Mr. Kagwima): On a point of order, Mr. Temporary Deputy Speaker, Sir. I like the explanation he has given, but I am very unhappy with the word "kipofu" that he has used. Is he implying that I am blind? He should withdraw, unless he has a way of proving that I am one.

The Temporary Deputy Speaker (Mr. Wetangula): Bw. Kagwima, huo ni msemo wa Kiswahili na sioni shida yoyote kwa tamshi hilo, maanake hajakuita kipofu.

Mr. Shikuku: Bw. Naibu Spika wa Muda, sijamwita kipofu na wala sitamwita kwa sababu ninamuona akiwa na macho mawili. Nikimwita hivyo nitakuwa sijui Kiswahili. Huo ni msemo. Kama msemo uko, halua haina makombo. Huo ni msemo mwingine pia.

Bw. Naibu Spika wa Muda, mimi siwezi kushukuru Serikali hii kwa kuleta chakula au kujaribu kulisha watu kwa sababu, kile chakula kinachopewa watu hakina maana hata kusema juu yake. Kumpa mwenye familia ya watoto wanane kilo mbili za mahindi na huku anatakikana aitumie kwa majuma matatu ndipo apewe mahindi mengine, haifai. Na ni vizuri mhe. Koech yuko hapa, ili asikie. Huu ni mchezo. Hii Serikali haijali maslahi ya watu inayotawala.

The Minister of State, Office of the President (Mr. Koech): On a point of order, Mr. Temporary Deputy Speaker, Sir. Hon. Shikuku who I respect very much, because he knows the standing orders of this House is actually, misleading the House and politicising issues of great concern. We are not just giving people little food, we are giving what we can afford depending on the severity of the famine.

Mr. Shikuku: Bw. Naibu Spika wa Muda, sijui kama mheshimiwa huyu amepata nafasi yake ya kuzungumza juu ya Mswada huu? Angojee apate nafasi yake ili aongee vile anavyoongea, lakini aniachie nafasi yangu niseme yale ninayosema. Lakini ninajua kwamba tukienda kwake kule nyumbani, na aseme kwamba kilo mbili zinatoshia familia ya watu wanane kwa mwezi mmoja, ataona aibu sana. Lakini, uzuri ni kwamba, wananchi wanamsikia na hivi karibuni atakaporudi kule, atakiona kile kilichomfanya punda asimee pembe.

Bw. Naibu Spika wa Muda, ninasema kwamba, kile chakula kinachotolewa hakitoshi. Wananchi wa Mkoa wa Magharibi na hasa Wilaya ya Kakamega, watu wako na shida ya chakula. Kuna wananchi maskini kule ambao hawawezi kununua mahindi kwa bei ya wakati huu ambapo mahindi ya kilo mbili yanauzwa kwa Kshs50 au Kshs55. Mahindi yako, lakini yule maskini hana kazi wala hatumaini kama atapata kazi hawezi kunua mahindi *gorogoro* moja kwa Kshs55. Kwa hivyo njaa inamuuma zaidi kwa sababu anaona mahindi na hana pesa ya kununua. Ni wajibu wa Serikali kuona kwamba, hawa watu maskini ambao hawana kazi wapewe chakula ili wasije wakafa kwa sababu ya njaa. Lakini Serikali hii haina huruma wala imani. Ni Serikali ya watu ambao wako tayari kusema uongo wakati wowote wanapotaka.

Bw. Naibu Spika wa Muda, nikimalizia hili swala la mahindi, Serikali lazima ilete muongozo ili mahindi yapandwe katika pahali panapofaa na ngano pia zipandwe pahali panapofaa ngano. Mtama unaweza kuongezwa pia katika orodha hii. Lakini hii hali ya kupanda mahindi popote hata pahali pasipofaa, haifai. Kwa mfano, ukienda Timboroa kuna watu ambao wamechukua pale pahali palipokuwa pa kupandwa ngano na Wazungu, sasa wanapanda mahindi na ndio sababu mahindi yanachukua karibu miezi minane kukomaa kwa ajili ya baridi nyingi iliyoko kule.

Tena yanakuwa madogo sana. Ikiwa Waziri wa Kilimo, Ustawi wa Mifugo and Uuzaji yuko hapa, inafaa atilie mambo haya maanani maanake tumesema haya mambo mara nyingi na hatuoni mabadiliko. Sijui tutamwita Mohammed S.A.W Wasaalam na Bw. Yesu Kristo warudi ili wamwambie huyu waziri ndipo asikie. Inafaa wakuzaji wa mahindi watengewe nafasi yao maalum ya kukuza mahindi haya na pia wapewe mbolea ikiwezekana kwa nusu bei, ili wakuze chakula kingi. Wakikuza mahindi mengi, bei itakuja chini na yakiwa machache inakwenda juu. Huna haja ya kuenda chuo kikuu ili ujue mambo haya. Tukikuza mahindi tele bei yenyewe itarudi chini. Chuo kikuu kinasaidia kidogo, lakini ili mtu ajue kitu cha kwenda tumboni, hahitaji kwenda chuo kikuu. Hata haifai mtu aende chuo kikuu ili ajue kwenda choo au aweze kupumua. Kwa hivyo hii ni simple economics. Jambo muhimu ni Serikali kulisha watu wake. Inafaa wapewe mbolea ili tukipanda, tutavuna mahindi mengi na hatutakuwa na njaa tena.

Bw. Naibu Spika wa Muda, jambo lingine ni kuhusu magala. Mahindi ambayo Serikali hii inaweka katika magala hayawezi kukaa kule zaidi ya miaka miwili. Wakati huu yale mahindi ambayo yanatoka kwa National Cereals and Produce Board yameoza. Hata nguruwe yule ambaye amelishwa vizuri kama yule nguruwe alikuwa wa Mzungu hawezi kula haya mahindi yanayotoka kwa National Cereals and Produce Board wakati huu. Hii ni kwa sababu haya mahindi yameoza na yanauziwa watu. Hivi karibuni, nitaleta hapa ushahidi. Haya mahindi yameoza kwa sababu hayajawekwa kwa njia nzuri. Serikali hii tukufu haijafikiria kutenga pesa za kujenga magala yanayoweza kuhifadhi chakula zaidi ya miaka kumi. That is what this Government should do! Haifai kusema tu amani, mapenzi na mengine mengi. Je, mapenzi yatakuwepo bila chakula? Headquarters ya mapenzi ni tumbo na wale wa upande ule mwingine wanajidai hawajui. Ukitafuta msichana mzuri na umwambie unampenda sana, na kazi yako ni kutaka tu---

The Minister of State, Office of the President (Mr. Koech): On a point of order, Mr. Temporary Deputy Speaker, Sir. While I appreciate hon. Shikuku talking to me, I have noted this point, but he should be addressing the Chair rather than addressing me directly.

Mr. Shikuku: Bw. Naibu Spika wa Muda, lakini sijamtaja mhe. Koech. Nimeangalia huko tu, na anaanza kutetemeka na kusema nimeamtaja. Yeye ni nani kwangu?

Bw. Naibu Spika wa Muda, jambo la maana ni kwamba Serikali ni lazima iangalie hayo maneno ya uhifadhi ili tuweze kuweka chakula hata kwa miaka 20. Mimi naamini kwamba Serikali hii ikiuliza nchi fadhili kuwasaidia kujenga ghala kama zile za kwao, watasaidiwa. Hii ni kwa sababu donor countries are tired and fed up kwa kuombwa misaada kila siku. Ni mwanaume gani anaombaomba na tena amekuwa katika Serikali kwa miaka 34. Je, wewe ukiwa na mtoto wa miaka 34 wa kiume na hajui bibi anaweza kula namna gani au yeye hupata watoto namna gani, unaweza kusema huyo mtoto ni sawa? He is a zombie! Kama una mtoto wa miaka 34 na hajui bibi anapelekwa namna gani, yeye ni ujinga!

Prof. Mzee: Jambo la ufahamisho, Bw. Naibu Spika wa Muda. Ninataka kumpa habari niliyoipata nikiwa Hajji. Hii ni habari muhimu sana kwa sababu inasema: "Serikali ambayo haiwezi kulisha watu wake, haifai kuitwa Serikali."

Mr. Shikuku: Ahsante sana. Hata mwanaume ambaye hawezi kulisha bibi yake na watoto wake hana haki ya kuitwa mwanaume. Na hii Serikali si Serikali. Hii ni Serikali zombie. Hiyo itakuwa, kwa sababu nchi fadhili wamechoka kusaidia huyo mtoto kwa miaka 34. They are fed up! Mimi ni bwana nyumbani kwangu na bibi na watoto wako chini ya ulinzi wangu. Simba akija kwangu, mimi nitakuwa wakwanza kupambana na huyo simba. Hii Serikali ni kama baba, na inaenda kuomba wanaume wengine? Ukizidi kuombaomba hivyo, utaonekana kama mwanamke kwa sababu ya kuomba kila siku. Watakuambia: Safari hii, toa suruali.

Tumechoka na Serikali hii na kwa hivyo, tufanye "zoning." Mahindi yakuzwe kwenye sehemu ambazo yanakua vizuri. Wakati huu, naona wameandika hapa ngano. Hii ni njia moja ya kuwapa wale waagizazi wa ngano nafasi ya kuleta ngano hapa ambayo inaweza kukaa hata kwa miaka 60. Na watu wetu watakula nini? Zamani, mtu akiwa anatoka Nairobi kuenda Nakuru, akifika Nakuru, ile njia ya kuenda kule kwa Rais na akiangalia kwa mkono wa kushoto upande wa Ngata Farm, yote ilikuwa inapandwa ngano. Mahindi hayakuwa yanakuzwa huko. Wakati huo pia, sehemu ya Timboroa yote ilikuwa ni pahali pa kupanda ngano lakini siku hizi, wakulima huko wameacha kupanda ngano na wanapanda mahindi. Wheat areas should be left for the growing of wheat and maize areas should be left for the growing of maize. Ukipatikana ukipanda mahindi katika sehemu za ngano, ni sharti ushtakiwe na vile vile, ukipanda ngano kwenye sehemu za mahindi. Hii ni kwa sababu tumechoka na kuomba. Sisi wengine ni wanaume na hatupendi kuombaomba. Hakuna Mbunge hata mmoja hapa ambaye nimeenda kuomba pesa ya harambee. Ukishakuwa muombaji, heshima yako inarudi chini, hata ukiwa mwanaume mwenye masharubu kama ya mhe. Criticos ambaye masharubu yake mazuri, unaweza kufikiria ameweka fertiliser na unaenda kuomba. Ukifanya hivyo, masharubu hayo hayana maana tena. Mhe. Criticos anakubaliana na mimi. Lakini wewe na ndevu zako na masharubu yako na unaenda kuomba, basi uume wako umerudi chini. Hata Wabunge hapa sikuhizi--- Hapo 1963, mhe. akipitia pahali watu walikuwa wanasimama. Siku hizi, hata ukipitia pahali watu wanakutazama tu, kwa sababu wanajua wewe ni muombaji. Hatuna heshima tena. Sisi ni wahishiwa sasa na wala si waheshimiwa tena. Maana ya MP siku hizi ni "Miserable Person". Kwa hivyo hatutaki uombaji.

Sasa ningependa kuongea kuhusu sukari. Juzi tuliambiwa na Makamu wa Rais kwamba kiwango cha ukosefu wa kazi kimekwenda juu. Mimi ninataka kuzungumza kinaganaga kuhusu sukari. Nafasi hii ambayo tunataka kupeana tena kwa kisheria ili sukari iletwe kutoka nchi za nje, wale watu kama mhe. Sajjad ambaye ni Naibu wa Waziri katika Serikali hii ya Kenya na Bawazir wanaleta sukari hapa, na watu wetu kutoka Western Province ambako miwa inakuzwa hawawezi kupata kazi ya kukata miwa kwa sababu stores za Mumias, Chemelil, Sondu na kila mahali zimejaa sukari ya wakulima wa huko na hawajalipwa kwa sababu sukari haijauzwa. Wale wanaokata miwa hawana kazi. Where are we going? Unanyima watu wako chakula kwa sababu ya kuleta sukari? Hata kwa wakati wa ukame, kwa nini sukari imewekwa hapa? Mtu anaweza kufa kwa sababu hajakunywa chai? Ukisema mahindi au ngano ninaweza kufahamu, ijapokuwa wenye kula chapati ni wachache sana na wako huko Mombasa. Lakini nani anaweza kufa kwa sababu sukari hakuna? Hii imewekwa ili wale wakubwa waagize. Ninapozungumza sasa, sukari hii imeshaletwa na iko huko Mombasa. Wanangojea Mswada huu upitishwe ili wailete. It is already in Mombasa. It is not going to be imported because it is already there, imported by Mr. Sajjad and Bawazir na wale wenzao wakubwa hapa. Nasikia kwamba yule mwenyekiti wa KPA ameweka kifuli na anachimbwa sasa na wakubwa, kwa sababu yeye ni mkali sana na amefungia sukari huko. Sasa Mswada umeletwa haraka na tukishapitisha tu, kile kifuli chake ambacho ameweka juu ya vifuli viingine, kitakatwa na sukari itamwagwa hapa. Lakini ninataka kutoa onyo kwamba tumepata taabu nyingi na watu wetu hawana chakula na watoto hawasomi kwa sababu miwa haiwezi kukatwa na sukari yao imejaa Mumias! Sajjad na Bawazir wajue ya kwamba hawakai mbinguni. Hatutaendelea kupata taabu.

Hata nyoka ana haki ya kunywa maji. Na saa zote wewe ukienda mtoni, hujui kuna nyoka kwa sababu anajua penye unachota maji. Yeye haji hapo, lakini anakwenda kule chini. Hata chui anakunywa maji huko chini lakini siku ile utafunga maji na wakose kuyapata, watatoka kule chini kuja kujua ni kitu gani kimezuia maji, na hapo ndipo utaona nyoka ambayo hujawahi kuona. Alikuwa huko, lakini hukuwa na habari kwa sababu alikuwa anakunywa kule kwake. Lakini wakati unapofunga maji, hao wanyama watakuja kutafuta ni kwa nini maji hayaji. In the process, that is the time you will be bitten. Wanapofanya hivyo, utafika wakati wataona cha mtema kuni. Sasa, wanafungia wananchi mto, na wakubwa wanataka kunywa asilimia mia moja ya maji hayo. Wataona nyoka, simba na chui ambao hunywa huko chini wakija juu kutafuta ni kitu gani kinachozuia maji. Wakikupata, ni lazima uone Mungu. Huwezi kuona Mungu mpaka ufe. Utakuwa maiti. Ikiwa mtindo wao ni kuzuia wananchi wasipate, angalau, hata kidogo, wajue wakati utafika ambao tutapanda huko juu. Wakati huo hauko mbali. Wananchi watakuja kutafuta ni nani anafunga mto. Wakati sisi binadamu tunakunywa maji katika sehemu fulani, nyoka hawaji hapo. Inaenda huko chini pamoja na chui na simba ili wakuachie nafasi uchote hapo. Hata hujui wanaishi hapo. Lakini ukifunga maji, watakuja huko juu. Nawapa onyo---

The Assistant Minister for Foreign Affairs and International Co-operation (Mr. Muchilwa): Jambo la nidhamu, Bw. Naibu Spika wa Muda. Sikutaka kumharibia rafiki yangu, mhe. Shikuku, maneno, lakini ana haki ya kufananisha wananchi wa Kenya na nyoka?

Mr. Shikuku: Bw. Naibu Spika wa Muda, sikufananisha wananchi wa Kenya na nyoka. Nimetoa mfano tu. Mto, kwa kawaida huenda kutoka juu kuelekea chini.

The Temporary Deputy Speaker (Mr. Wetangula): Hiyo ni methali tu!

Mr. Shikuku: Hiyo ni methali tu, na nitaendelea. Lakini ikiwa yeye ni mmoja wa wale wanaozuia maji kuteremka kwa wadogo, aombe Mungu wake!

Bw. Naibu Spika wa Muda, hakuna kitu kinachoweza kuendelea milele. Ukisoma kitabu cha Muhubiri katika Biblia, kinasema kila kitu kina mwisho wake. Kitu chochote kilicho chini ya jua kina mwisho wake. Huo mwisho ndio watu wanaogopa sana. Hata "nyayo" ina mwisho. Mimi sina chuki na wale wakubwa. Lakini nina chuki na mtu yeyote ambaye anazuia mdogo kupata chakula. Kula chako cha ukubwa lakini mwachie mdogo naye apate cha udogo wake, ili mtoto wake aende shule, na yeye mwenyewe apate chakula. Yeye hataki mercedez au nyumba yako kubwa ya vyumba vinane au kumi. Wengine wanatembea nyumba zao na hawajui mlango fulani unaenda wapi. Kwa hivyo, wachia wengine wapate. Lakini ikiwa mnataka asilimia mia moja, na mnaambia watu amani, mapenzi na umoja---

Bw. Naibu Spika wa Muda, Kenya inaweza kujilisha au kujitosheleza kwa sukari. Kwa hivyo, haja kubwa ya Serikali hii ni kuona mkulima wa sukari anasaidiwa kwa mbolea ya bei nafuu, na kuona kwamba miwa yake haimwagiki barabarani na kupoteza tani nyingi. Ukienda katika sehemu za Butere na Mumias, unaweza kufikiri kuna lami kwa sababu miwa inaangushwa makusudi. Motokaa inapokanyanga, maji ya miwa inashika vumbi. Sasa, vumbi katika Butere hakuna. Unaweza kufikiria kuna lami. Hii ni kwa sababu maji ya sukari imeshika vumbi ikawa nyeusi kama lami. Na ni nani anapoteza mali hayo? Ni mkulima. Hii ni kwa sababu, kandarasi ya Mumias Sugar Company inasema kwamba, miwa ikiwa katika shamba la mkulima wa sukari, ni mali ya kampuni. Huwezi kukata miwa kumi au ishirini uende ukaiuze. Ni mali ya Mumias Sugar Company.

Kwa hivyo, Bw. Naibu Spika wa Muda, miwa ikianguka njiani ni hasara kwa mkulima. Ikifika kwa ratili ya Mumias Sugar Company huwa ni miwa ya Mumias Sugar Company. Je, mnaona jinsi kandarasi hiyo inavyowaumiza

wananchi? Hii ni kandarasi ya upande mmoja tu. Miwa ikiwa shambani huwa ni mali ya Mumias Sugar Company, ikishakatwa na kupakiwa kwa trakta huwa ni ya mkulima na inapofika kwa ratili ya Mumias huwa ni mali ya Mumias Sugar Company. Jambo hili ndilo linaloleta umaskini. Ninafikiri Serikali hii inafanya mambo hayo makusudi ili watu wafilisike kabisa na wakipewa "gorogoro" moja ya mahindi wanapiga kura bila kuuliza swali lolote. Lakini, mwisho wa haya yote utafika kwa sababu mhubiri katika biblia anasema "kila kitu kina mwisho wake". Siasa hizi zitakwisha siku moja wakati wananchi watakapojua "wanaumwa" wapi, na nani. Wataimaliza Serikali hii!

Bw. Naibu Spika wa Muda, ninachukua fursa hii kumshukuru Meneja wa Mumias Sugar Company kwa kukubali maoni yangu. Nilikuwa kizuizini wakati kiwanda cha Mumias kilipoanzishwa ingawa niliyatoa maoni hayo mwaka 1963 na Dr. Kiano ambaye alikuwa Waziri wa Biashara na Viwanda aliyakubali. Jambo hili lingeleta maendeleo sana lakini kwa wakati huu nilipozungumza na Meneja wa Mumias Sugar Company aliniambia, "Bw. Shikuku, ninayasikia maoni yako, lakini ujue wale wanaosafirisha miwa ni watu wa kandarasi nyingine. Tunataka wakati huu tuwe na taksi moja hata kama ni ya tani sita au ikiwa tunaweza kuwa na taksi tano ambazo zinaweza kubeba tani 30 za miwa, ni sawa. Ikiwa miwa itafika hapa na tupate kuona ni tani 25 basi hatutamlipa mbebaji tani hizo tano ila tutamlipa mkulima." Niliona jambo hilo ni sawa, na kwa hayo ninashukuru. Hii ndio njia ya kipekee ya kumwezesha mkulima aweze kujilisha kutokana na ukulima wa miwa.

Jambo lingine, Bw. Naibu Spika wa Muda, miwa inachukuwa muda mrefu kukua. Miwa inatakiwa ikatwe baada ya miezi 18 lakini kiwanda cha Mumias wanakata baada ya miezi 41. Wakati huu miwa huwa imekua kiwango cha kuota maua na ikikatwa haina maji ndani yake. Ni nani anayepata hasara? Ni mkulima! Mkulima ni mtu "mdogo", na wanasema hii Serikali iliyochaguliwa na wananchi! Hii ni taabu kwa wakulima kwa sababu watoto wao hawasomi. Na kila siku, Serikali hii huwa imekalia bomu. Na mimi pia nimekalia bomu hiyo na ubaya ni kwamba, itakapolipuka nitakufa bure na waliokula ni wengine. Ni wawa hawa wanaonitazama na wakati ninapopata nafasi huwaambia maneno ya kweli. Ajabu ni kwamba shirika la utangazaji la KBC haliwezi kutangaza maneno yetu hapa. Kuna wakati mmoja ambao KBC itanyamaza hata ingawa inazungumza sana.

Mr. Orengo: Jambo la ufahamisho, Bw. Naibu Spika wa Muda. Ninaomba kumwambia mhe. Shikuku kuwa yote ambayo ameyasema ni kweli na tutakuwa na mkutano muhimu sana siku ya Jumamosi tarehe 3 Mei, 1997 wa kitaifa ambao utafanyiwa katika uwanja wa kihistoria wa Kamukunji. Shirika la utangazaji la KBC limekataa kuutangaza na kila mtu atakuwa huko. Na hata wafuasi wa KANU watakaopenda kuhudhuria wamekaribishwa. Asante sana kwa kunipa nafasi hii nitangaze mkutano huo muhimu hata kama mhe. Waziri wa Habari na Utangazaji yuko hapa.

(Laughter)

Mr. Shikuku: Naona Waziri wa Habari na Utangazaji yuko hapa. Anacheka tu! Anacheka kwa sababu yeye yuko katika Serikali. Lakini nakumbuka tulipokuwa katika Bunge lile lingine wakati huo mhe. Achieng-Oneko alikuwa Waziri wa Habari na Utangazaji. Mimi nilikuwa katika Upinzani kama kawaida. Tulikuwa tukilia, watu wa KADU wakati huo, kwamba hii ABS, yaani, Africa Broadcasting Service --- Sisi tulikuwa tukiuliza kama kwamba sisi tuliokuwa katika Upinzani si Wafrika na ni kwa nini maneno yetu hayatangazwi? Siku moja mhe. Oneko akasimama na akasema "Yafaa ujue hii redio iko hapo kuendeleza maneno ya Serikali na si ya Upinzani." HANSARD iko na inaweza kuthibithisha hayo matamshi. Unajua dunia hii ni duara. Mambo yaliendelea hivyo hivyo na mwishowe mhe. Oneko akajiunga na Upinzani. Dunia ni mviringo. Hayo yote yamo katika HANSARD. Mhe. Oneko alipokuwa katika KPU kama Mbunge akasimama na akasema "hii KBS ni Kanu Broadcasting Service." Nasema ukweli. Na mimi nikakumbuka yale aliniambia. Waswahili husema "mambo ni mkangaja; huja yakaja." Na mhe. ambaye amekaa mbele ni bora atumie KBC vile anavyotaka. Alihimiza lakini ajue kuna siku katika siku za usoni ambapo atakuwa akisikia KBC iko na yeye hatakuwa Waziri. Na inshalla atakuwa upande huu akilia pia kama vile mhe. Oneko alivyolia. Na tunatoa ushuru kuendeleza hii KBC.

The Temporary Deputy Speaker (Mr. Wetangula): Lakini Bw. Shikuku, KBC si chakula. Huu ni Mswada wa chakula.

Mr. Shikuku: Ndio, Bw. Naibu Spika wa Muda. Lakini hawataki kutangaza maneno ambayo tunasema kuhusiana na hicho chakula. Maoni ambayo nimetoa hayatatangazwa na ni ya chakula. Hayatangazwi kamwe! Na hata wananchi wanataka kusikia maoni ya Wabunge wa FORD(A), FORD(K), KANU na kadhalika, kwa sababu tunatoa ushuru. Si wanachama wa KANU ambao wanaendesha KBC. Ni ushuru wetu sisi sote ambao unaendesha KBC.

The Minister for Information and Broadcasting (Mr. Makau): On a point of order, Mr. Temporary Deputy Speaker, Sir. I am surprised that hon. Shikuku, unless he sleeps very early that is between 9.30 and 10.00 p.m--- The KBC airs reports from Parliament. Are you not surprised? It could be that you sleep very early because of your age.

Mr. Shikuku: Hilo si jambo la nidhamu. Pengine lingekuwa jambo la ufahamisho. Lakini ukweli ni kwamba wananchi wanasema KBC inaleta matangazo "leo katika Bunge" kama wengi wameshalala. Wanaleta muziki

hadi saa nne na saa tano na hawataki kurudia kipindi cha leo katika Bunge wakati wa asubuhi.

The Minister for Information and Broadcasting (Mr. Makau): On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for the hon. Shikuku to mislead this House and the nation.? The programme "Today in Parliament" starts at 9.30p.m in English and sometimes the Kiswahili version of the same programme starts at 9.30 p.m.

Mr. Shikuku: Bw. Naibu Spika wa Muda, anasema "sometimes". Sisi tunataka haki. Wote wanaohusika na utayarishaji wa vipindi hivyo yafaa wajue kwamba sisi sote tunatoa ushuru. Sina maneno na wale wadogo. Nasema haya mambo kuhusu wale wakubwa; kwamba watastaafu na watakaa hapa na tutakutana na wao katika streets. Hata Waziri wa Habari na Utangazaji huenda nikamwandikia kadi ya kuingia hapa siku moja.

Bw. Naibu Spika wa Muda, nimewahi kuona Wabunge wakiingilia mlango ule na kutoka. Sisi tunataka haki, hatuombi. Ni haki yetu kwa sababu tunatoa ushuru na rekodi zikichunguzwa vizuri, utapata kwamba watu wa Upinzani ndio wanaotoa ushuru zaidi. Kufuatana na matokeo ya kura ya mwaka 1992, wananchi waliopigia Upinzani kura walikuwa 3.4 milioni na waliopigia KANU ni 1.9 milioni. Kwa hivyo, tuna haki kusikizwa katika redio. Kwa hivyo, wanaongoza KBC wachunge sana. KBC itanyamaza siku moja na ilinyamaza wakati mmoja! Ninakumbuka vizuri sana kwamba KBC ilinyamaza kidogo halafu ikaanza kucheza nyimbo za aina nyingine!

(Laughter)

Mhe. Waziri ni sharti ajue hayo na wakati huo, aliambiwa waende karibu kwa chifu na polisi wavue sare zao, wawe raia. Hayo yalitangazwa na redio hiyo.

The Assistant Minister for Lands and Settlement (Mr. Sumbeiywo). On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for hon. Shikuku to keep on dwelling on KBC and the police being ordered to remove their uniforms when we are dealing with the Customs and Excise Bill, in relation to exemption of duty on goods being imported?

Mr. Shikuku: Bw. Naibu Spika wa Muda, ni lazima redio itangaze juu ya mambo yanayotokea. Sasa ninataka kuzungumza juu ya maziwa. Pia Mswada huu unataka idhini ya kutotoza ushuru maziwa, lakini mvua imeanza kunyesha na wakati tutakapopitisha Mswada huu tutakuwa na maziwa mengi humu nchini. Maziwa haya yanaletwa kwa nini? Tukifika Committee Stage, maziwa yaondolewe na nimezungumza na wale Wabunge ambao wanatoka sehemu zinazofuga ng'ombe kwa wingi na wako hapa; wakati wa kiangazi hakukuwa na nyasi, kwa hivyo kulikuwa na upungufu wa maziwa. Lakini tukiupitisha Mswada huu vile ulivyo, itakuwa makosa kwa sababu mvua imenyeshwa, kuna nyasi nyingi na maziwa yatakuwa yanatiririka. Why must we import milk now?

Na hata wale watoto wa Nyayo ukiwaambia, kitendawili, watakwambia "tega", wanajua kwamba maziwa yatakuwa yakitiririka. Hatuna haja katika Bunge hili kutoa idhini kutotoza ushuru maziwa ambayo yanatoka nje. Maziwa yetu tutayapeleka wapi? Hii inaleta manufaa kwa wafugaji mifugo na watoto wao hawana karo. Pia hawakupewa msaada wowote. Kwa hivyo, itakuwa makosa kuupitisha Mswada huu ikiwa maziwa pia yatawekwa hapo. Ninatumaini kuwa Waziri anayehusika, tutakapofika katika Committee Stage, neno "Milk" litaondolewa.

Maharagwe ambayo Waziri ametaja kwamba yataongezwa katika Mswada huu, hakuna haja kwa sababu maharagwe ile tumepanda sasa itakuwa tayari katika miezi mitatu ijayo kama haitaharibiwa na mvua nyingi. Pia ninataka kuzungumza juu ya mchele; hatuna haja kuleta mchele kutoka nje. Inafaa Serikali ijishughulisha na mipango ya kukuza mpunga huko ya Mwea, Ahero, Bunyala na Yala Swamp. Serikali ikifanya hivi, tutapata mchele wakuwatosha watu wetu. Hatuna haja ya kuwa na mchele mwingi sana kwa sababu Wakenya wengi hula ugali. Zamani ugali ulikuwa unaliwa na Wajaluo na Waluhya. Siku hizi makabila yote yameanza kula ugali. Wamaasai, Samburu, Wakamba, Dorobo na Wakalenjin wameanza kutumia ugali.

Bw. Naibu Spika wa muda inafaa tujishughulisha na vyakula vya watu wetu. Mimi ninailaumu Serikali hii - na jambo hili liandikwe katika rekodi ya nchi hii kwa sababu itasomwa na wajukuu wetu - kwa sababu haiyajali maisha ya watu inaowatawala. Wezi ambao wanaviingiza vyakula humu nchini siku hizi wanatumia kuwekwa huru kwa uchumi kama ngao. Wanatumia liberalisation ili wanyakue mali ya nchi hii. Ikiwa unatumia liberalisation ili "kuwaua" watu wengine, inafaa ujue kwamba siku moja watu watakuu. Ikiwa watu wakubwa wanatumia liberalisation kuwaumiza watu wengine, inafaa wajue kwamba wao na watoto wao siku moja watauaua. I am speaking bluntly. You cannot get away with it!

Hatuwezi kukaa na kukuangalia wewe na watoto wako mkila, na huku ukitoa michango mikubwa ya kama Kshs200,000 katika mikutano ya Harambee na kupigiwa makofi ya "kilo". Inafaa ujue kwamba tutachoka kupiga makofi ya "kilo" na kukupiga makofi ya kinywa. Pesa zinazotolewa katika mikutano ya Harambee zimeibwa kutoka kwa wananchi. Hata Bw. Pattni, ambaye alizinyakuwa pesa za nchi hii, sasa anasema kwamba anataka kuwasaidia watoto maskini, na hali ni yeye aliyewafilisisha wazazi wa watoto hao.

The Assistant Minister for Research, Technical Training and Technology (Mr. Kagwima): On a point

of order, Mr. Temporary Deputy Speaker, Sir. We want to follow the contribution by hon. Shikuku. Can he tell us who has stolen money and now wants to feed street children?

Mr. Shikuku: Bw. Naibu Spika wa Muda, sijui kama mhe Kagwima alipita mtihani wa Kiswahili.

The Assistant Minister for Research, Technical Training and Technology (Mr. Kagwima): On a point of order, Mr. Temporary Deputy Speaker, Sir.

The Temporary Deputy Speaker (Mr. Wetangula): Order, Mr. Kagwima! You raised a point of order and so you will let him respond. Then, if you have further complaints to make, you will stand on yet another point of order.

Mr. Shikuku: Ahsante sana, Bw. Naibu Spika wa Muda, kwa kumfundisha mhe. Kagwima hiyo sheria. Lakini nilikuwa ninasema hivi, na nilikuwa nikisema kwa Kiswahili---

(Hon. Kagwima interjected)

Sijamaliza. Mimi ninasema nilisema kwa Kiswahili, na nikasema; "Pattni". Na yeye anauliza kama alichukua pesa na Ripoti ililetwa hapa na kila mtu akaisoma. Serikali ilikuwa inasema; "Oh, Public Accounts Committee (PAC) inataka kumwongeza huyu aliyekula pesa za Serikali pesa zingine." Si huyu alikuwa kwa Serikali au alikuwa hajafika hapa Bunge?

An hon. Member: Alikuwa kwa Serikali.

The Assistant Minister for Research, Technical Training and Technology (Mr. Kagwima): On a point of order, Mr. Temporary Deputy Speaker, Sir. On the first one, I would like to make it clear that I am not a friend of Pattni. I only wanted to know who he was talking about, and I am happy he has clarified that. But you will remember that hon. Shikuku, being a member of PAC, brought into this House, among other hon. Members, a request for the Government to pay a further Kshs2.3 billion to Pattni, and he was part and parcel of that Committee. I was not a member of that Committee.

Unless hon. Shikuku has proof, he should know that I did all examinations, including those in the University, covering English and Kiswahili. I would request that he withdraws the allegation that I did not pass Kiswahili. I also undertook a proficiency test and, I would not be in this Parliament if I did not pass Kiswahili.

Mr. Shikuku: Ahsante sana. Bw. Naibu Spika wa Muda. Nilisema `sijui kama alipita'. Ukisema `sijui', si kusema `hakupita', nilisema `sijui'. Na sasa ananifahamisha kwamba alipita. Na kama alipita, inakuwaje hawezi kuelewa Kiswahili kama changu hiki?

(Laughter)

Tena mimi sisemi kile Kiswahili cha Mombasa, ninasema cha bara. Pili, nilizungumza katika Bunge hili kwa siku mbili kuhusu hiyo Ripoti ya PAC. Na nikaeleza wazi mambo ya kuhusiana na Pattni, na nikawapatia hata verbatim report. Bw. Mwenyekiti ndiyo anaweka sahihi kwa ripoti ya PAC. Kweli mimi nilikuwa huko, na akiangalia HANDARD, maneno niliyo sema hapa, haikuwa ikiuinga Bw. Pattni, ilikuwa kumuumiza Bw. Pattni. Mpaka Serikali yenyewe ikanyamaza. Nilipotoa ile agreement aliyofanya na Treasury, kwa niaba ya Serikali, walinyamaza. Mtu kama huyo ambaye amefilisi baba ya watoto hawa, na akitoka ziara zake huko Germany na America anasema: "Numekuja na pesa za kusaidia watoto maskini." Na yeye ndiye alifanya baba yao kuwa maskini, na Sekali hii inamuunga mkono na kusema; "We want development conscious people." Serikali gani hii? Ninamshukuru Mwenyezi Mungu kwa vile yale tunayosema yanaandikwa, na wajukuu watayasoma na watajua ni nani alikuwa nani, na hasa wale wengine ambao hawajapata taabu nchii hi kwa niaba ya watu, hawawezi kujua taabu ya watu. Wengi wao wako hapa, na hawajawahi kuingia hata seli kwa siku mbili kujua ile taabu mwananchi anapata. Wanavuna ile hawakupanda. Bibilia inasema: "Anayevuna ile hakupanda ni mwizi."

An hon. Member: Seli ni ya wahalifu.

Mr. Shikuku: Bw. Naibu Spika wa Muda, mhe. mmoja anasema kwamba seli in ya wahalifu. Wengine tumetolewa Bunge hili tukapelekwa kizuizini. Nilikuwa nimeshika bibi ya mhe. Angatia ndipo nikapelekwa kizuizini? Yeye anasema seli ni ya wahalifu. Nilipopelekwa kizuizini, redio ilitangaza kwamba Shikuku alishikwa na bibi ya Angatia? Huo ndio uhalifu. Nilikuwa ninazungumza maneno kuhusu wananchi.

(Loud consultations)

Bw. Naibu Spika wa Muda, katika ukurasa No.2, kuna: Used Clothing. utunaulizwa hizi katika hali hii ya njaa na tunatakiwa tulete nguo kuu kuu. Nani atakula nguo kuukuu? Mtu akishiba anaweza kulala bila blanketi.

Lakini akiwa na njaa, hata umletee blanketi ya subu, hatalala. Wabunge wengi hapa hawajapata taabu hiyo. Katika upande wa Serikali, ukiangalia wote ni mmoja tu, mhe. Lotodo, ambaye anaweza kujua taabu ya binadamu ni nini. Na hao ndio wanataka kuongoza nchi.

An hon. Member: Na huko?

Mr. Shikuku: Ukiangalia upande huu katika laini hii yote, kuna mhe. Nthenge ambaye alionja hili taraha 16, Novemba mwaka wa 1991. Wengine hawajaona.

Kama mtu hajapata taabu ni hatari sana kuongoza watu kwa niaba ya wananchi.

Dr. Otieno-Kopiyo: Jambo la nidhamu, Bw. Naibu Spika wa Muda.

Mr. Shikuku: Pia mhe. Dr. Otieno-Kopiyo, juzi tulipoenda kwa mkutano kule Mombasa--- Waziri Msaidizi, Bw. Shamalla, alionja hiki kitu kwa wiki tatu, tulipokamatwa tarehe 16, huko Kakamega. Lakini wengine, ni kwenda tu. Wanasema; "twataka uongozi, twataka uongozi!" Hawana lolote ambalo wamelifanya. What have you given Kenya? Nothing! But you want a lot from Kenya.

An hon. Member: Hata Bw. Angatia hajapata!

Mr. Shikuku: Bw. Angatia hajaona hata polisi. Yeye alichukuliwa juu juu na Youth Wingers wa KANU.

An hon. Member: Hata mhe. Lotodo ameona taabu!

Mr. Shikuku: Bw. Lotodo ni mwanaume. Nimesema katika laini ya mbele upande wa Serikali, ni yeye tu. Bw. Naibu Spika wa Muda, Col. Kiluta, nilipokuwa nikipigania Uhuru wa nchi hii, alikuwa katika Jeshi au alikuwa mtoto.

An hon. Member: Alikuwa na chupa ya maziwa!

Mr. Shikuku: Alikuwa na chupa ya maziwa? Lakini sasa Uhuru umekuja, ni kama mvua ikinyesha--- Wakati wa kiangazi, hukuwa ukisikia chura wakipiga kelele. Lakini sasa hii, kwa vile mvua imenyeshwa, unasikia; "kwaaa, kwaaa---"

Mr. Obwocha: On a point of order, Mr. Temporary Deputy Speaker, Sir. It is interesting that hon. Shikuku is saying all this. But how would the HANSARD record that croaking of a frog?

Mr. Shikuku: Katika ripoti ya HANSARD watatia "---". Kwa hivyo, nguo kuu kuu, inaonekana kwa wakati huu wa njaa, zinatumiwa kufungua mlango wazi kila mtu afanye kile anachotaka.

Bw. Naibu Spika wa Muda, ninataka Wakenya wasiojiweza na waliofilishwa na Serikali hii wasaidiwe. Hakuna anayepata nguo mpya hasa kwa wale wadogo, ni sharti waende kununua *mitumba*. Ninajua hiyo, kwa sababu mimi nimekuwa mtetezi wa wadogo kwa miaka hii yote kwa sababu ninajua shida yao. Nani analeta nguo kuukuu hapa nchini? Ni wakubwa katika Serikali hii ili wafaidike. Je, nyinyi wakubwa mtaenda na hizi pesa mbinguni?

The Minister for Local Government (Mr. Lotodo): Jambo la nidhamu, Bw. Naibu Spika wa Muda. Mhe. Shikuku amesema kwamba watu wakubwa katika Serikali hii ndio wanaleta nguo kuukuu katika nchi hii. Mimi ni mmoja wa watu wakubwa katika Serikali hii. Anaweza kudhibitisha jambo hilo na kutaja jina la huyo mtu mkubwa?

Mr. Shikuku: Bw. Naibu Spika wa Muda, mhe. Lotodo ni rafiki yangu sana na siwezi kumtupia kijembe kwa sababu anayoyasema ni ya ukweli. Kama kuna Mawaziri ambao wanasema ukweli, huyu ni mmoja wao. Hata akijibu hapa swali huwa ana mambo ya ukweli. Ninashangaa sana kusikia akiuliza wakubwa hawa ni akina nani na hali anaketi nao katika Serikali hii. Saa hii nimetaja jina la mhe. Sajjad.

Bw. Naibu Spika wa muda, hizi nguo haziletwi kwa manufaa ya watu wadogo bali ni kwa manufaa ya wakubwa ambao wanawanyanyasa watu wadogo. Wanataka kuleta hizi nguo hapa nchini bila kutoa ushuru ili wapate faida.

The Assistant Minister, Office of the Vice-President and Ministry of Planning and National Development (Mr. Noor): On a point of order, Mr. Temporary Deputy Speaker, Sir. Hon. Shikuku is a very senior Member in this House and he is always reading Standing Orders to us. He is misleading the House and the Nation at large. There is no way textiles have been imported duty-free under the Relief Emergency Act. Can he really prove that?

Mr. Shikuku: Bw. Naibu Spika wa Muda, huyo mhe. Mbunge ni rafiki yangu lakini taabu yake ni kwamba hasomi. Kabla sijaliangalia jambo la nguo kuukuu, nilisema tuangalie Ukurasa 2 wa Mswada, na hata hivi tunavyozungumza, huyu mhe. hana Mswada huu. Anafikiria yuko Mandra. Hapa hatusemi maneno ya ngamia.

An hon. Member: Hajauona huo Mswada.

Mr. Shikuku: Basi, kumwashia kipofu taa ni kuharibu mafuta. Bw. Naibu Spika wa Muda, jambo hili halijakusudiwa kuwasaidia wananchi wadogo. Ni muhimu sana kufahamu kwamba tunatumikia watu wadogo. Sisi ni wakubwa lakini lazima tukumbuke tumetoka wapi. Watu wengine wakishapata ukubwa, wanasahau wametoka wapi na wanaanza kunenepa ovyo. Hawafahamu watu huko nje wana taabu gani. Hata hawajui kwamba miaka mitano huisha haraka sana. Mimi hupata taabu sana baada ya Uchaguzi Mkuu. Unaona mtu anakuja na kukuambia, " Mimi ni

mheshimiwa fulani na ndiye niliangusha mhe. Angatia", na hajui kwamba Angatia alikuwa rafiki yangu. Ninaumia sana rohoni mwangu nikisikia hivyo. Sioni ni kiwaona wengi wetu hapa mwaka ujao. Tumezoeana sana. Mtu kama huyu akiniambia hivyo, ninampa hongera lakini rohoni mwangu, ninaumia sana.

ADJOURNMENT

The Temporary Deputy Speaker (Mr. Wetangula): Hon. Members it is now time for the interruption of business. The House is, therefore, adjourned until Wednesday, 30th April, 1997 at 9.00 a.m.

The House rose at 6.30 p.m.