

# NATIONAL ASSEMBLY

## OFFICIAL REPORT

Wednesday, 8th October, 1997

The House met at 9.00 a.m.

*[Mr. Deputy Speaker in the Chair]*

PRAYERS

## ORAL ANSWERS TO QUESTIONS

*Question No.379*

### CANCELLATION OF NATIONAL BANK OF KENYA DEBTS

**Mr. Deputy Speaker:** Is Dr. Otieno-Kopiyo not here? The Question is deferred for the moment. Next Question.

*Question No.327*

### CONVERSION OF STALLS FROM RENTAL TO TENANT PURCHASE

**Mr. Deputy Speaker:** Is Mr. Ruhiu not here? The Question is deferred for the moment. Next Question.

*Question No.599*

### CONSTRUCTION OF BUMPS AT IGUHU

**Mr. Deputy Speaker:** Mr. Magwaga is not here? The Question is deferred for the moment. Next Question.

*Question No. 368*

### REVIVAL OF THE AFRICANISATION POLICY

**Mr. Deputy Speaker:** Mr. Nthenge is not here? The Question is stood over for the moment. Next Question.

*Question No. 391*

### AMOUNT OF MONEY OWED TO MR. MWANDARU BY NSSF

**Dr. Lwali-Oyondi** asked the Minister for Labour and Manpower Development how much the National Social Security Fund owes Mr. Koine James Mwandaru, P/No 501606, who is a former employee of the Ministry of Public Works and Housing.

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

It is not possible to determine how much NSSF owes Mr. Koine James Mwandaru in terms of benefits unless we are furnished with the membership number.

**Dr. Lwali-Oyondi:** Mr. Deputy Speaker, Sir, the reason for asking this Question was the fact that this particular person worked for various organisations and the amount he has given out is far much more than what he was given at the end of his employment. I admit that in the course of asking the Question the NSSF number was left out,

but I thought that I had given enough details to enable the Assistant Minister get the total amount of Mr. Mwandaru's benefits.

**Mr. Ali:** Mr. Deputy Speaker, Sir, the only details hon. Dr. Lwali-Oyondi gave was that Mr. Mwandaru worked with the Ministry of Public Works. Our inspector visited the Ministry of Public Works and Housing and established that Mr. Mwandaru contributed towards the Widows and Children's Pensions Scheme in which case, he does not qualify in the NSSF programme.

However, if hon. Dr. Lwali-Oyondi would provide further details of the companies he worked for, may be we can be helpful and we would carry out further investigations. But in the meantime, it would be more useful if hon. Dr. Lwali-Oyondi would cooperate and give us the membership number.

**Dr. Lwali-Oyondi:** Mr. Deputy Speaker, Sir, I undertake to provide you with the necessary details. But could the Assistant Minister explain the reason why this particular person worked in the Ministry of Public Works and Housing and the Ministry failed to submit his NSSF contributions to the Fund? It is supposed to be compulsory and automatic.

**Mr. Ali:** Mr. Deputy Speaker, Sir, the policy is that if the member is a contributor to the Widows and Children's Scheme and the Pensions Scheme, then he is not required to be a member of NSSF.

**Mr. Deputy Speaker:** Next Question! Now we go back to hon. Dr. Otieno-Kopiyo's Question for the second time!

**Dr. Otieno-Kopiyo:** Mr. Deputy Speaker, Sir, I beg to apologise to the House for coming late. I was organising *kumi kumi* rally at Kamukunji grounds.

**Mr. Deputy Speaker:** I did not need to know why you were late.

**Dr. Otieno-Kopiyo:** Mr. Deputy Speaker, Sir, I owe the House an explanation.

**Mr. Deputy Speaker:** You have given Mr. Deputy Speaker, an explanation!

**Dr. Otieno-Kopiyo:** Mr. Deputy Speaker, Sir, thank you, very much for your indulgence.

*Question No. 379*

CANCELLATION OF NATIONAL BANK OF KENYA DEBTS

**Dr. Otieno-Kopiyo** asked the Minister for Finance whether he could inform the House how much money was written off as bad debts on behalf of National Bank of Kenya Limited before the public share offer by the bank.

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

No bad debts were written off on behalf of National Bank of Kenya Limited (NBK) before or after the public share offer by the bank.

**Dr. Otieno-Kopiyo:** Mr. Deputy Speaker, Sir, following that very absurd answer from this Assistant Minister, I hope he never becomes full Minister because his answers are very absurd. What happens to the---

**Mr. Deputy Speaker:** Those are the materials of good Ministers.

**Dr. Otieno-Kopiyo:** Mr. Deputy Speaker, Sir, what happened to the Kshs2 billion the Government injected into the NBK on the 13th of April, 1993 of which Kshs1.5 billion were in bad debt? The Government only received share certificates for Kshs500 million. We know, and the public knows that out of the amount of Kshs1.5 billion, Kshs776 million belonged to Mr. Ketan Somaia's companies. You know about that, and this was made public. So, why are you telling me a lie?

**Mr. Deputy Speaker:** Order, Dr. Otieno-Kopiyo!

**Dr. Otieno-Kopiyo:** Why are you telling me an untruth?

*(Laughter)*

**Mr. Keah:** Mr. Deputy Speaker, Sir, first of all, I do not give absurd answers, and I protest to the Chair and to the House in the strongest terms possible to the abuses that hon. Dr. Otieno-Kopiyo has continued hurling at hon. Members of this House.

Having said that, I am aware of the Kshs2 billion he is talking about which he has picked up from the records given that he is a member of the Public Investments Committee (PIC). The Kshs2 billion he is talking about was utilised in the following manner: Kshs500 million was used for the purchase of shares by the Treasury in NBK, and the balance was used to pay off debts owed to the NBK, as he has quite correctly stated, but which debts the Government had an obligation to see relinquished. Of course, the Government does issue guarantees *etcetera* to certain corporations, parastatals and other companies on validly incurred debts.

**Dr. Otieno-Kopiyo:** Mr. Deputy Speaker, Sir, we have come closer to confirming the absurdity of the previous answer by the none other than the Assistant Minister himself. I would want to confirm to the House that, as far as I am concerned, the word "absurd" is not abusive. How could he tell the House previously that there were no debts written off? How does he explain the strange phenomenon now?

**Mr. Keah:** Mr. Deputy Speaker, Sir, Dr. Otieno-Kopiyo is using a technical term, "writing off." In accounting language this term means that an outstanding debt in the books is debited to the profit and loss account and it is not paid off. In this respect, the money was paid by the Treasury to the National Bank of Kenya (NBK), and so there was no question whatsoever of writing it off.

**Mr. Maore:** On a point of order, Mr. Deputy Speaker, Sir. The issue before us, as correctly stated by the Assistant Minister, happens to be pending before the Public Accounts Committee.

**Mr. Deputy Speaker:** Is it before the PAC or the Public Investments Committee?

**Mr. Maore:** There is no way the PIC can have anything to do with the operations of the Central Bank of Kenya (CBK). These are debts which were paid to the NBK by the Treasury directly from its CBK account. From the way the Assistant Minister has answered the Question, first he has pre-empted debate on the PAC Report. Secondly, he is trying to explain something whose complete details he does not have. PAC members got all the details but the Assistant Minister is trying to white wash the issue. With the indulgence of the House, can we suspend debate on the matter? Dr. Otieno-Kopiyo has already given the information he is trying to explain. There is no way the Treasury could have owed private companies, Mr. Magugu and other people all the money we are talking about. There is no way private individuals can access to the Treasury.

**Mr. Deputy Speaker:** Are you saying that the matter is in a Report of the PAC, which has yet to be debated?

**Mr. Keah:** Mr. Deputy Speaker, Sir, I started off by saying that, the information the hon. Member has on the Kshs2 billion is contained in a Report of the PAC or PIC - I do not know which one it is because I have not had the opportunity to look at any of them. However, we are talking about the technical term "write off". I insist that - I stand to be corrected by accountants - there was no issue of writing off anything.

**Mr. Deputy Speaker:** Mr. Otieno-Kopiyo, when you asked this Question did you know that the matter was pending before the PIC?

**Dr. Otieno-Kopiyo:** Mr. Deputy Speaker, Sir, this matter is not before the PIC. Mr. Keah, as an Assistant Minister for Finance he should know the difference between the PIC and PAC!

**Mr. Deputy Speaker:** Dr. Otieno-Kopiyo, are you a member of the PAC?

**Dr. Otieno-Kopiyo:** No, Sir.

**Mr. Deputy Speaker:** Were you aware that this matter is in a report which is coming before the House?

**Dr. Otieno-Kopiyo:** Not at all, Sir. This matter came before the previous PAC and was deliberated on in a previous PAC report and adopted by this House. So, where are we? The matter is only repeated by the current PAC. This does not preclude the fact that the matter came before the House in a previous PAC Report!

**Mr. Deputy Speaker:** Next Question.

**Dr. Otieno-Kopiyo:** On a point of order, Mr. Deputy Speaker, Sir. You cannot dismiss the matter like that!

**Mr. Deputy Speaker:** Order! Order, Dr. Otieno-Kopiyo! I have not dismissed the matter. You know the rules of the House. I understand that in the previous PAC Report the matter was not resolved but was deferred. That is why it is still featuring in the PAC Report which is still pending for debate before the House. Nonetheless, I think you have had ample time to ventilate on the matter. For now, I think we should respect our own rules and leave the matter for debate later, instead of anticipating that debate. By any account, you have had seven minutes on the Question. That is more than equitable time per Question.

**Mr. Maore:** On a point of order, Mr. Deputy Speaker, Sir. The Assistant Minister has been asked how much money was written off. Debate on this Question will not interfere at all with what is in the PAC Report.

**Mr. Deputy Speaker:** Order, Mr. Maore! Once I have called the next Question I do not like the manner in which you want me to swallow my words and re-open debate on the Question. I know what the Assistant Minister was asked and what he said in answer. Mr. Ruhiu's Question for the second time.

**Mr. Ruhiu:** Mr. Deputy Speaker, Sir, I am sorry for having come in late.

*Question No.327*

CONVERSION OF STALLS FROM  
RENTAL TO TENANT PURCHASE

**Mr. Ruhiu** asked the Minister for Local Government:-

- (a) whether he was aware that business in Nairobi's Umoja I Market stalls has greatly improved; and  
 (b) if the answer to (a) is in the affirmative, and in view of the high income generated from these stalls, whether he could consider converting the stalls from rental to tenant purchase and giving those currently occupying them priority to purchase them.

**The Minister for Local Government (Mr. F.P.L. Lotodo):** Mr. Deputy Speaker, Sir, I beg to reply.

(a) I am aware that business in Nairobi's Umoja I Market has improved.

(b) Umoja I Market was built in 1981 with funds borrowed from the World Bank under the USAID Housing Estate Scheme. The repayment of the loan will be completed by the year 2005. Nairobi City Council will, therefore, consider conversion of the market stalls from rental to tenant purchase after the completion of the loan repayment.

**Mr. Ruhiu:** Mr. Deputy Speaker, Sir, In 1981 a committee of the Nairobi City Council passed a resolution requiring the City Treasurer, in conjunction with the Town Clerk and the Chief Valuer, to implement the Tenant Purchase Scheme of Umoja I Market. On 13.10.95 the same Ministry gave the following answer to a Question which I had asked:-

"The resolution of Minute Two of USAID Umoja Housing Estate Committee of 9.7.81 could not have been implemented then because of income from the repayments for the construction of the market and other infrastructures within the project. However, in view of improved business in the market the Council intends to revisit the matter soon."

The year 2005 is a long way off. Is it not possible for the Minister to enhance a little bit the monthly rent payments of these stalls, so that the tenants can pay for them in instalments?

**Mr. F.P.L. Lotodo:** Mr. Deputy Speaker, Sir, the loan has to be completed first before we convert the stalls into the scheme which the hon. Member wants, but it is not possible to do it now. We will wait until the loan is repaid fully; that will be in the year 2005. There is no short cut!

**Mr. Ruhiu:** Mr. Deputy Speaker, Sir, if I may borrow the same statement from the Minister, I wish to emphasize "most vertically" that the stall holders in the same market are requesting the Council to increase rent so that they can purchase these stalls quickly not during the year 2005. That is not soon. That is a long way from now!

**Mr. F.P.L. Lotodo:** Mr. Deputy Speaker, Sir, according the City Council terminology, "soon" means the year 2005.

**Mr. Maundu:** Thank you, Mr. Deputy Speaker, Sir. In view of the very positive answer that the Minister is trying to give, despite the fact that the year 2005 is soon, could he allow the tenant, the City Council, to enter into an agreement right away, to show utmost good faith that, these tenants who are occupying the premises are the ones who will be allocated these stalls when this time is due to avoid a situation where they will be evicted and new people given these stalls? Could he allow these tenants to enter into an agreement while waiting for the time when these stalls will be sold by the Council?

**Mr. F.P.L. Lotodo:** Mr. Deputy Speaker, Sir, hopefully, if I will be there that time, I will give the priority to those who will be there at that time. I am hoping that the same people will continue to be there until the year 2005 but, I am not prepared to enter into an agreement with them now.

**Mr. R.K. Mungai:** Thank you, Mr. Deputy Speaker, Sir. I think this is a very important Question. Hon. Ruhiu is asking whether it is possible for the tenants to be given a rent increase so that they can pay off the loan quickly. Why is it not possible because the tenants are offering to pay more so that they can clear the loan next year?

**Mr. F.P.L. Lotodo:** Mr. Deputy Speaker, Sir, the answer is that, not all of the tenants are ready to do what the hon. R.K. Mungai is suggesting. I am not in any hurry to do that.

**Mr. Ruhiu:** Mr. Deputy Speaker, Sir, I am the elected Member of Parliament for that area and I know the stall owners of this market and their feelings. I have had a lot of discussions with them and they are of the opinion that they can pay high rents so that the Council can meet their commitments with the World Bank. Now that he has the knowledge that all the stall holders in this market are willing to pay increased rent, could he tell us whether before the end of this year, he will facilitate a tenant purchase scheme for this market?

**Mr. F.P.L. Lotodo:** Mr. Deputy Speaker, Sir, I answered that question when it was asked by another hon. Member; that until the year 2005, I am not prepared to do anything.

**Mr. Magwaga:** Mr. Deputy Speaker, Sir, I apologize for coming late.

*Question No.599*

CONSTRUCTION OF BUMPS AT IGUHU

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

(a) if he was aware of the black spot on the road between Ikolomani District Officer's office and River Yala Bridge;

(b) if he is further aware that despite repeated recommendations by the District Development Committee, Kakamega, for bumps to be constructed in the said section, none has been constructed; and,

(c) if the answers to parts "a" and "b" above are in the affirmative, when bumps will be erected on this section to safeguard pedestrians.

**Dr. Kituyi:** On a point of order, Mr. Deputy Speaker, Sir. I am seeking guidance from the Chair. Hon. Khalif, the Secretary of SUPKEM, is a registered treasurer of the Green African Party which was registered the other day, and we have not heard any statement from him contradicting the inclusion of his name as an official of that party. On the basis of that, does he qualify to sit in this House? Is he not a stranger in this House?

**The Assistant Minister for Public Works and Housing** (Mr. Khalif): Mr. Deputy Speaker, Sir, I would like to say that I have nothing to do with the registered "Green African Party" or "Green Black Party"; whatever it is. I am a staunch member of KANU and I was elected into Parliament on a KANU ticket and, I am still there.

**An hon. Member:** But who is Ahmed M. Khalif, a member of the new registered Green African Party?

**The Assistant Minister for Public Works and Housing** (Mr. Khalif): Mr. Deputy Speaker, Sir, I do not know. There are many Ahmed Khalifs.

**Dr. Kituyi:** Mr. Deputy Speaker, Sir, the hon. Khalif, has had occasion to be the secretary of FORD, and at that time we did not forge his signature. Could he vouch before this House that the signature which appeared under his name in the Green African Party, is not his signature or he has redefected to KANU?

**Mr. Nthenge:** Re-defect to KANU!

**The Assistant Minister for Public Works and Housing** (Mr. Khalif): The fact that I defected to KANU is a matter of public knowledge. I did so in November, 1992, before the General Elections and I came into this House on a KANU ticket. What do you want more than that?

**Mr. Deputy Speaker:** Mr. Minister, could you go on answering the Question?

**The Minister for Public Works and Housing** (Prof. Ng'eno): Mr. Deputy Speaker, Sir, this is quite puzzling because this is Question Time and somebody is talking about something else which is not---

**Mr. Deputy Speaker:** I think, he is perfectly in order to raise it at that stage.

**The Minister for Public Works and Housing** (Prof. Ng'eno): Mr. Deputy Speaker, Sir, I beg to reply.

(a) I am aware that the section of the road between Ikolomani District Officer's office and River Yala Bridge has claimed many lives.

(b) I am aware that the Kakamega District Development Committee has recommended that speed limit bumps be erected at the black spot, between the District Officer's office and River Yala Bridge.

(c) The Ministry has plans to erect bumps and appropriate road signs at the spot during this Financial Year, at a cost of Kshs400,000

**Mr. Magwaga:** Mr. Deputy Speaker, Sir, I feel very encouraged the Minister's answer to part "c", but I wonder why the Ministry waited for people to lose lives. We have passed recommendations about the improvement of this section of the road in the DDC many times since 1994, and children from Maghogo Primary and Secondary Schools have been killed. Moreover, people walking along the road have also been killed. A very important educationist, Mr. Joseph Arthur Ijembe, was killed on the same spot. Could the Minister tell this House when they are starting the construction of these bumps? This is because this Financial Year may pass without any work being done there.

**Prof. Ng'eno:** Mr. Deputy Speaker, Sir, I am very sorry for the loss of lives because of lack of attention to this problem in the past, but as I have said, we have set aside Kshs400,000 which will go towards the erection of bumps on this spot and, I will give orders for the work to start as soon as possible.

**Mr. Achieng-Oneko:** Mr. Deputy Speaker, Sir, will the Minister ensure that work on this road is started without delay and also ensure that flat bumps are constructed instead of high ones which may kill people on the roads? Apart from that, will the Minister consider erecting signs to warn motorists instead of leaving them to use the road without any warning signs, which may also be a cause of accidents and loss of lives?

**Prof. Ng'eno:** Mr. Deputy Speaker, Sir, that is what I had exactly intended to do. In fact, this plan is very important. We do not intend to erect bumps to cause difficulties but simply to slow the traffic. We will also put road signs to show that there are bumps ahead so that motorists are warned in advance so that they can slow down.

**Mr. J.N. Mungai:** Mr. Deputy Speaker, Sir, if you travel around the countryside, you will find that most of our major roads do not have road signs to indicate where there is a bend, dangerous bridge or a black spot so that the

users of the roads would be more cautious. In view of the fact that most of the same roads are now being recarpeted countrywide, which is a very good job being done by the Minister, can he make sure that all those road signs that are no longer existing are put back in place?

**Prof. Ng'eno:** Mr. Deputy Speaker, Sir. Yes, we will do that and I want to say for the benefit of the Members that we now have a team of inspectors going through all these roads and paying attention to these matters which are being raised by hon. Members.

**Mr. Magwaga:** Mr. Deputy Speaker, Sir, I am requesting the Minister to confirm to this House that the bridge which is across River Yala and whose signs have been "eaten off" is also dangerous to motorists. Can he consider to repair it in the course of time when he is erecting the bumps?

**Prof. Ng'eno:** Mr. Deputy Speaker, Sir, this question of the bridge is a new question. I would have liked the Member to put a separate Question and then I can reply to it when I have the facts whether money has been set aside for it.

**Mr. Magwaga:** On a point of order, Mr. Deputy Speaker, Sir. It is not a different question because River Yala is mentioned and that is where the danger is because the road signs have been "eaten". Is the Minister in order, therefore, to mislead the House that this is a new question?

**Prof. Ng'eno:** Mr. Deputy Speaker, Sir, the Questioner wanted to know whether we would install bumps and I have said, "yes". He is now asking: "Shall we erect the bridge?" I am not aware that there is no bridge across the Yala River. If that is the case, I would like to be made aware and then I will look into the provisions in the Ministry and be able to answer the Question with facts.

**Mr. G.I. Ndwiga:** Mr. Deputy Speaker, Sir, you heard the hon. Minister say that they have set aside Kshs400,000 for the bumps. I believe Kshs400,000 is a lot of money and yet the Government says that it has no money to pay the teachers. How much does it cost to erect a bump so that the Ministry can spend a whole Kshs400,000? How many bumps are going to be erected? Why can they set aside a portion of this money to construct the bridge?

**Prof. Ng'eno:** Mr. Deputy Speaker, Sir, bridges, depending on the size of the river, could cost up to Kshs3 million and that is why I am saying that I would like the Member to put a separate question dealing with the bridge and then I can answer in the normal way.

**Mr. Nthenge:** Mr. Deputy Speaker, Sir, I beg to apologise for arriving late. May I ask Question No. 368.

**An hon. Member:** Do not do that again!

*Question No.368*

REVIVAL OF AFRICANISATION POLICY

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

- (a) if he was aware that the policy of Africanisation of employment mooted in 1965 has been abandoned by both the private and public sector; and,
- (b) if the answer to "a" is in the affirmative, if he could consider reviving it to enable indigenous Kenyans benefit.

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

(a) The policy of Africanisation of employment is obsolete. Its prominence diminished in the late sixties after achieving the key objectives.

(b) Africanisation policy has been replaced by Kenyanisation policy which is administered by the Ministry in collaboration with the Immigration Department. It is primarily focused on regulation of work permits.

No consideration is being made to revive this defunct policy because it would undermine the cosmopolitan nature of the nation populace and militate against the current liberalisation policies.

**Mr. Nthenge:** Mr. Deputy Speaker, Sir, does the Assistant Minister realise that there is a lot of dissatisfaction among those looking for jobs and jobs which are being done by the wrong kind of people as far as citizenship and residency is concerned?

**Mr. Ali:** Mr. Deputy Speaker, Sir, yes, we do realise that, but the current development of the foreign investors employing two foreigners against 200 Africans does not do much harm.

**Mr. Sambu:** Mr. Deputy Speaker, Sir, the Assistant Minister has said that we do not want to be discriminatory in our policy of employment because we have also liberalised employment. Did this Government liberalise the economy or did it liberalise the employment of people? There is so much unemployment affecting our people. How should we liberalise our employment policies just to allow communities to import cooks, *yayas* and watchmen? How does he explain the situation that we have liberalised the labour sector when our people are suffering

from acute unemployment?

**Mr. Ali:** Mr. Deputy Speaker, Sir, as I said earlier, when the objectives of the Kenyanisation policy was liberalised everything was put at par. Employment is part of the economy and we cannot say that it is only the economy that is bringing money because the labour force is also part of the economy.

**Mr. Sambu:** On a point of order, Mr. Deputy Speaker, Sir. My question was: "Did we liberalise the employment sector?" That is what we simply want to know. The Government now allows for the importation of labour as well. We liberalised the economy and we did not liberalise the employment sector.

**Mr. Ali:** Mr. Deputy Speaker, Sir, yes, it is a two-way process. Even currently Kenyans are also free to seek employment outside as opposed to previous policies and vice-versa. Others may come in depending on the services required.

**Mr. Nthenge:** Mr. Deputy Speaker, Sir, does the Assistant Minister think that this policy will help the country or does he think it will be to the disadvantage of Kenyans?

**Mr. Ali:** Mr. Deputy Speaker, Sir, may the hon. Member frame his question properly so that I may give a proper answer?

**Mr. Nthenge:** Mr. Deputy Speaker, Sir, did you hear the Assistant Minister say that I did not frame my question properly? He may not have understood it. I framed it properly and can he answer my question. If he did not understand me, let him say so.

**Mr. Ali:** Mr. Deputy Speaker, Sir, I did not hear his question very well.

**Mr. Nthenge:** Mr. Deputy Speaker, Sir, does the Assistant Minister think the policy is advantageous to Kenyans?

**Mr. Nthenge:** On a point of order, Mr. Deputy Speaker, Sir. If a question is specific, should it not be answered specifically? I asked him if this is to the advantage of Kenyans. Could he answer that question?

**Mr. Ali:** Mr. Deputy Speaker, Sir, I said earlier that the objective has been met and when foreign investors employ two or three expatriates against two hundred Kenyans, that does not cause much harm.

**Mr. Angwenyi:** On a point of order, Mr. Deputy Speaker, Sir. Is the Assistant Minister in order to say that it is a two-way traffic to import labour to Kenya? Even economies as strong as the United States of America cannot import labour! They restrict importation of labour and yet our country, which has the highest unemployment level, is importing cheap labour; cooks, or even people who are sweeping the streets of Nairobi!

**Mr. Ali:** Mr. Deputy Speaker, Sir, I am not aware of the importation of cooks.

**Mr. Nthenge:** Mr. Deputy Speaker, Sir, now that the Assistant Minister has been made aware that it is not technology or experts who are being imported, but ordinary workers, what is the position of the Government?

**Mr. Ali:** Mr. Deputy Speaker, Sir, that needs to be investigated. As for ordinary workers, I do not know what the term "ordinary workers" means. This also needs to be investigated.

**Mr. Deputy Speaker:** Let us move on to the Question by Private Notice. Hon. Mulu Mutisya--- I beg your pardon, hon. Joseph Mulusya!

*(Laughter)*

**Mr. Mulusya:** Mr. Deputy, Sir, I would have originally expected an apology from the Chair for calling me "hon. Mulu Mutisya".

**Mr. Deputy Speaker:** I apologise profusely to hon. Mulusya. I meant to call hon. Mulusya.

**Mr. Mulusya:** Yes, there is a world of difference between Mulu Mutisya and hon. Mulusya. The former is illiterate and the latter is very highly educated.

*(Laughter)*

### QUESTION BY PRIVATE NOTICE

#### KILLING OF MUKAMUKUU RESIDENTS BY HIPPOS

**Mr. Mulusya:** Mr. Speaker, Sir, I beg to ask the Minister for Tourism and Wildlife the following Question by Private Notice.

(a) Is the Minister aware that from 8th September, 1997, to date three people have been killed and seven others seriously injured by marauding hippos at Mukamukuu area of Kianzabe Location of Kangundo Constituency?

(b) If so, what action has the Minister taken to eliminate this menace and compensate the victims?

**Mr. Deputy Speaker:** Any body here from the Ministry of Tourism and Wildlife? Well the Question is deferred.

**Mr. Mulusya:** Mr. Deputy Speaker, Sir, I have a copy of the answer to this Question which was given last week. This answer was rejected by this House and the Minister was ordered to go and do further investigations. The answer which was given last week is the same answer we have here. Now, would I be in order to declare before this House that the Minister is doing nothing about this issue? He is not interested in the welfare of the people of Kangundo Constituency, and therefore, there is no need of this Question being asked again if this is the answer we are going to get when the Minister comes. There is no need for this Question to be asked again because the Government simply wants the people of Kangundo and Kianzabe to be obliterated from the face of this world by these Hippos. Would I be in order to---

**Mr. Deputy Speaker:** You would be out of order to do so because there is no answer before the House. The Question remains deferred.

*(Question deferred)*

### MOTIONS

#### CONSTRUCTION OF NAIROBI-MOMBASA DUAL CARRIAGE WAY

THAT, while appreciating the Government plan to do reconstruction work on the Nairobi-Mombasa Road; considering that there is an increase in traffic by both heavy and light vehicles on this road, and since there is need to reduce accidents and time wastage on our roads; this House urges the government to construct, if necessary in phases, dual carriage way from Nairobi to Mombasa.

*(Mr. Nthenge on 1.10.97)*

*(Resumption of debate interrupted on 1.10.97)*

**Mr. Deputy Speaker:** Who was on the Floor?

*(Mr. F.P.L. Lotodo stood up in his place)*

Were you on the Floor Mr. F.P.L. Lotodo?

**The Minister for Local Government** (Mr. F.P.L. Lotodo): No, Sir. But I would like to lay something on the Table.

**Mr. Deputy Speaker:** But you are late!

**The Minister for Local Government** (Mr. F.P.L. Lotodo): I was asked to do it today, Sir.

**Mr. Deputy Speaker:** You can do it in the afternoon. Who was on the Floor?

**The Assistant Minister for Finance** (Mr. Keah): Mr. Deputy Speaker, I was on the Floor.

When the House rose last time, I had categorically supported the Motion and I have no cause to change my mind. I said that this Motion came at the right time. Indeed the Nairobi-Mombasa Road is an economic lifeline for this country and indeed the dual carriage way will speed up delivery of imports inland as well as speed up the export of our goods. I touched upon the quality of workmanship of road construction and I urged the Ministry to look into research and do all that is possible to ensure that the construction of our roads is of a high quality standard such that roads, once constructed, be it murrum or to bitumen standard or tarmac, are not eroded within a couple of months. We have seen, time and again, the aspect of our roads having been tarmacked and no sooner is the work completed, than in two or three months time, the road is washed away. Therefore, quality workmanship is of essence. I am also calling for proper research which will help reduce the cost of construction of our roads. The average construction of a bitumenized road at the moment stands at an average of Kshs15 million per kilometre. I think this is a little on the higher side, and ways and means---

**An hon. Member:** Kshs20 million!

**The Assistant Minister for Finance** (Mr. Keah): The hon. Member has corrected me. He is saying it costs Kshs20 Million. I believe that it could be even cheaper than this if we did proper research and we were able to reduce this cost. If we did that we would be able to construct more roads than we have currently. I have also said that we



need to open up the rural roads. In many areas there are no new roads. No new roads have been constructed, either of bitumen standard or murrum since Independence and yet we are developing. I cited my own constituency, for example, where roads which used to be maintained by the County Council in the previous years have now been left to Harambees which I consider rather too inefficient. I would urge that we should have the Rural Access Road Programme to cover all the roads in the rural areas. One point that I ended up with and which I would like to emphasise again is that we should look into ways and means of utilising the Fuel Levy Fund whose uses are currently limited to the repairs of the roads and road maintenance. We should look into ways of enhancing the fuel road fund so that we could have a capital element in it which will be used for the construction of permanent roads because we are fully aware of the fact that we have financial constraints. The donor community seems to be very hostile to Kenya these days as far as the availability of finances is concerned. So we should try our own home-grown recipe of sourcing finance for capital construction of our roads and the only avenue that is available at the moment, in my view, is the Fuel Levy Fund. So we should introduce an element of change in the usage of the Fuel Levy Fund for providing capital construction of roads. I did say that we should not only look into the construction of a dual carriage way between Mombasa and Nairobi, but also from Nairobi to Malaba on the other side of the border.

While on this, I would like to emphasise to the Minister once again that Road 107, which is the Mariakani-Kilifi Road should be tarmacked. I hope the Minister has heard me.

With those these few remarks, I support the Motion.

**Mr. Kiliku:** Bw. Naibu Spika, barabara ya Nairobi hadi Mombasa ilitengenezwa kutumiwa na malori ya mizigo yenye tani 15. Lakini kwa sasa, malori yanayotoka bandari ya Kilindini kuelekea sehemu za bara za Kenya na nchi zingine kama vile Congo, Sudan na Rwanda yako na uzito wa zaidi ya tani 40. Ikiwa barabara ilitengenezwa kubeba uzito wa tani 15, itadumu namna gani ikiwa inatumiwa kubeba uzito wa tani 40? Wakati umefika kwa Serikali za Kenya, Uganda, Congo, Sudan, Rwanda na Burundi zinazoitwa "Northern Corridor" zikae chini zizungumze kuhusu barabara inayotoka Mombasa hadi Malaba. Hata barabara hiyo ikitengenezwa leo, na malori yawe ni yale yale ya tani 40, na iwe haikutengenezwa kubeba malori hayo, haiwezi kudumu kwa siku nyingi.

Pia, wizi mkubwa katika nchi hii unapitia katika tenda za barabara. Barabara inapowekwa lami, lazima iwekwe leya tatu. Inawekwa murrum, mawe, kokoto na lami juu yake. Lakini ukienda kuangalia barabara wakati wanapomaliza kutengeneza, utakuta hakuna leya tatu, na labda ni mbili. Utapata murrum na mawe kidogo ya hali ya chini, na pesa zinaenda. Huo ndio wizi. Hii ni kwa sababu ukipewa tenda, lazima ueleze pesa zitatumika kufanya nini. Ndipo watu wanatumia pesa kidogo na Serikali haitajua walitumia pesa ngapi. Italipa kulingana na makubaliano ya kwanza. Na hapo, wizi unatokea. Baada ya siku kidogo, barabara inaanza kufura kama mahamri.

Barabara ya Nairobi hadi Mombasa ilianza kutengenezwa miaka mitano iliopita, mpaka sasa. Lakini sasa, wanatengeneza kilomita tano kwa mwaka mzima. Barabara zikiwa mbili zitatusaidia kwa kitu kimoja. Kwanza, ajali zitapungua. Watu wengi wanapoteza maisha yao katika barabara hii ya Mombasa mpaka Malaba, kupitia Nakuru. Lakini nikizungumzia madereva kutoka Burundi ambao hawatumi mtindo wa Kiingereza na wanatumia mtindo wa "left-hand drive" wa Kifaransa, wakati wanaendesha malori ya tani 40 upande mbaya kwa sababu hawajui sheria za nchi hii, wanasababisha ajali. Inatakiwa kwamba madereva kutoka nchi jirani wawe na kongamano hapa kwetu ili wafundishwe sheria za barabarani. Wao ndio wanatumalizia watu wetu.

Zamani, kulikuwa na mtindo hivi kwamba dereva akichukua gari kutoka Mombasa, analifikisha hadi Malaba.

Kutoka Malaba, gari hilo linachukuliwa na dereva mwingine wa huko. Lakini siku hizi, madereva wa huko wanakuja kuchukua magari kutoka Mombasa wenyewe.

Wakati kama huu wa siasa ndiyo wakati wa kupewa ahadi nyingi na Serikali. Serikali ikienda mahali, inasema barabara za huko zitategenezwa. Ilitangazwa mwaka jana kwamba barabara ya Mombasa hadi Nairobi itatumia bilioni nyingi kutoka Serikali ya Uingereza. Lakini badala ya kutumia pesa hizo kufanyia marekebisho, kwa nini wasitumie pesa hizo kutengeneza barabara ya Mombasa hadi Nairobi zikawa mbili? Hii ndiyo barabara inaleta pesa. Pesa za Road Maintenance Levy zinazotoswa kwa mafuta zinatakiwa kupewa Wizara inayohusika itengeneze barabara. Tunasikia kwa umbali, sijui kama ni ukweli kwamba kampuni fulani - sijui Kenya Power and Lighting Company (KPTC) na Kobil - wamechukua milioni Kshs800 ili watengeneze mtambo wa kuleta gesi ya LPG kule Mombasa. Hakuna haja ya kuwa na mradi kama huo huko Mombasa kwa sababu kuna mradi mwingine kama huo unaotengenezwa na Oil Refineries, na unagharimu Kshs300 milioni. KPTC na Kobil wamechukua hizo pesa na wanataka kuzitumia kwa mradi kama huo unaogharimu Kshs800 milioni. Pesa hizo si za KPTC ama Kobil! Hata kama tunasikia pengine Benki ya Dunia imekataa na pesa hizo, tunataka pesa hizo zipewe Wizara ya Ujenzi na Makao ili iweze kutengeneza barabara. Hizo ni pesa tulizozipitisha katika Bunge hili, ili mtu akinunua mafuta, akatwe pesa kidogo ili zipelekwe kwa Road Maintenance Levy. Hakuna haja ya kuweka mtambo mwingine wa gesi ya LPG kwa vile kuna mtambo mwingine kama huo, na uko karibu kukamilika. Katika sehemu ninayoiwakilisha Bungeni, tunataka kuwa na miradi mingi. Lakini miradi ambayo itakuwa ikila pesa ovyo ni ulanguzi. Kama ni ulanguzi, ni kwa nini mtu asilangu upande mwingine na analangu mahali ambapo pesa si zake? Pesa hizo zilichukuliwa kutoka

kwa Kenya National Oil Corporation kwa idhini ya Treasury. Pesa hizo lazima zipewe Wizara ya Ujenzi na Makao ili ziweze kutengeneza barabara.

Pesa zilitolewa za kutengeneza barabara mijini kama Mombasa. Kazi ya Mombasa ilipewa M.S. Mehta kwa Kshs60 milioni na Municipal Council. Hizo pesa "wamelalia" na sijui walipeleka wapi. Barabara hazikutengezwa mpaka sasa. Nafikiri wakati utafika ambapo badala ya Waziri kujibu maswali hapa, atakuwa akijibu pamoja na Accounting Officer wake hapa. Atakapokuwa akijibu swali, Katibu wake wa Kudumu awe ameketi hapa. Wakati mwingine Mawaziri wanaandikiwa majibu ambayo hayalingani na vile mambo yalivyo. Itafika wakati Waziri atakuwa akija na maafisa wake kujibu maswali hapa. Hakuna haja ya kungojea Public Accounts Committee ama Public Investments Committee ambazo zinachukua mwaka, huku pesa zinaibiwa tu. Wakati ripoti za Kamati hizi zinaletwa Bunge, maafisa waliohusika wanapandishwa vyeo au wanapelekwa mahali pengine ambapo hawawezi kupatikana. Ni vizuri Waziri achukue hatua kwa Kshs800 milioni ambazo nimetaja. Lazima achunguze ikiwa ninayoyasema ni sawa. Ikiwa pesa hizo ziko, ni kwa nini zisichukuliwe na hali ni za umma?

Zamani, Serikali ilitoa amri kuwa malori makubwa yatakuwa yakiendeshwa mchana peke yake, ili watu wasiuawe nayo. Lakini sasa, wacha kule kuendesha usiku. Hata malori yakiharibika, yanaegeshwa kando ya barabara na kuachwa hapo. Mtu ambaye anaendesha gari lake hana habari, anashukia amepata ajali. Hii ni kwa sababu barabara zetu ni mbaya. Malori yote yanatakiwa kuendeshwa mchana peke yake kama vile Serikali ilikuwa imesema, ili tupunguze ajali barabarani. Hii ni kwa sababu ajali nyingi hutokea usiku.

Kwa hayo machache, naunga mkono.

**The Minister for Public Works and Housing** (Prof. Ng'eno): Mr. Deputy Speaker, Sir, I want to contribute on this Motion and, as you know, my contribution is in the form of a Ministerial Statement on the position of the Government with regard to this Motion.

Mr. Deputy Speaker, Sir, the Mombasa-Nairobi road is a very important road to the economy of this country, as well as, to the economies of our neighbouring countries - Uganda, Congo, Rwanda and other countries that lie along this Great Trans-African Highway. It is, therefore, a fact that the Government appreciates the spirit of this Motion by the hon. Member who brought it to the House.

Mr. Deputy Speaker, Sir, the Mombasa-Nairobi road is 487 kilometres long. To construct a dual-carriage way on this entire road, would cost approximately Kshs8,766,000,000.00. At present, the Government does not have the kind of money that is needed to carry out a dual-way project throughout the entire length of the road. The Government is, however, aware traffic along this road has increased, as confirmed by everyday traffic centres both at Athi River and Mariakani stations. The daily figures are 3,457 and 2,041 for Athi River and Mariakani centres respectively.

Mr. Deputy Speaker, Sir, arising from the heavy traffic, the Government is aware of the consequent need to reduce accidents and time wastage along the road in question.

The drivers and the pedestrians would greatly improve the situation on Mombasa-Nairobi road, as well as elsewhere in the country, if they could strictly adhere to traffic regulations. For instance, they should observe speed limits, non-overtaking zones and pedestrians should avoid careless crossing on the road in dangerous points and walking on the road. These habits greatly contribute to the accidents on our roads and cannot be controlled by construction of a dual carriage way alone. To get a solution we need to educate Kenyans on the dangers that result from their actions.

Mr. Deputy Speaker, Sir, I would like to appeal to hon. Members to assist my Ministry by educating people within their constituencies on this matter. At present, with a view to reduce the problems which are the subject of this Motion, the Government has planned to re-construction the worst sections on the Mombasa-Nairobi Road totalling to 269 kilometres, at a cost of approximately Kshs4.4 billion. These sections will comprise of Bajuma Gate-Mutitu Andei which is 145 kilometres in length, whose construction work is to start very soon, at a cost of Kshs2.4 billion. It is being funded by the World Bank. Then we shall construct the Sultan Hamud-Mutitu Andei section which covers a distance of 124 kilometres, being funded by the European Union (EU), at an estimated a cost of Kshs2 billion. The Government has also requested the EU to consider funding the construction of sections lying between Chagamwe and Bajuma Gate to dual carriage way standard. Efforts are also being made to solicit donor support in the construction of a dual carriage way on the Nairobi-Machakos section.

Mr. Deputy Speaker, Sir, once the re-construction of two sections whose funding is available are completed, traffic problems along this road will be fairly minimised. Further, the Government is hopeful that in the long term, it will succeed in its efforts to solicit funds to facilitate the construction of a dual carriage way on both Chagamwe-Bajuma Gate and Nairobi-Machakos section.

Mr. Deputy Speaker, Sir, it is for this reasons that the Government accepts the Motion, as moved by the hon. Member.

Mr. Deputy Speaker, Sir, I am happy with the contributions to this Motion made by hon. Members, although

some hon. Members have referred to rather questionable practices. One hon. Member, for instance, talked about the process of building and murraming roads. I think he wanted to talk about the first process of compacting, then putting on murram and so on, until we reach bitumen standard. He said that if we were to check, we might discover that instead of the contractor putting the required layers as intended, we might find that he has put less layers. This does not happen at all because we have resident engineers working with the construction engineers who must observe the proper rules. In fact, before the road is accepted by the Government, it must be inspected at various random points to ensure that no cheating has been done. So, I want to disabuse anyone who may think that this is happening.

**Mr. Ruhii:** On a point of order, Mr. Deputy Speaker, Sir. Did you see what I saw? Hon. Kiliku walked from the other side of the House, to the middle and bowed without going to the bar.

**Mr. Deputy Speaker:** Mr. Kiliku, if you did that and you know it is actually out of order, I order you to do what you ought to do.

**The Minister for Public Works and Housing (Prof. Ng'eno):** Mr. Deputy Speaker, Sir, while accepting the Motion without amendment and being thankful to hon. Members who have contributed, we will do everything possible.

With these few remarks, I beg to support.

**Mr. Kiliku:** On a point of order, Mr. Deputy Speaker, Sir. I have made a mistake after realising that there was nobody on the KANU side. So, I thought I was alone!

**Mr. Deputy Speaker:** Order! That is a frivolous point of order!

**Dr. Lwali-Oyondi:** Thank you, Mr. Deputy Speaker, Sir, for giving me this chance.

Firstly, I must thank the Minister for having accepted this Motion as it is. Roads are like sitting-rooms of a country. However, dirty one is, at least, he should make his sitting room slightly presentable because everybody is welcome there. Our roads should be the first sign of our development.

Mr. Deputy Speaker, Sir, we cannot over emphasize the need for a dual carriage way. The Minister has just told us that it will cost about Kshs8 billion to construct.

Mr. Deputy Speaker, Sir, having lost a lot of money due to unscrupulous people stealing from the public coffers, Kshs8 billion in Kenya is not a lot of money. If we can forego everything else to make this road a dual carriage way in order to save lives, I think it is worth it. We have lost billions of shillings through corruption. I did some calculation and I think, we lost about Kshs100 billion through theft in various sections of the public sector. If we could only have taken Kshs8 billion out of it, I think that would have done us good. When the Minister confirms to us that he is going to ensure that the road is constructed into a dual carriage way, he should consider the possibility of making the road from Kisumu to Malaba a dual-carriage way before the year 2002, if possible. Secondly, we would like roads to be made in such a way that, they carry the heaviest loads. There is no need for us to make roads which will carry 20 tonnes, when we know that they will be used by lorries which weigh upto 50 tonnes. So, we must make our roads to accommodate heavy lorries.

Mr. Deputy Speaker, Sir, another thing which we would like to take into consideration is our cyclists, both in the urban centres and in the countryside. When we make roads, we assume that there are no cyclists. For example, in Ahero which is a flat place, people use many bicycles and the roads have no particular sections for the cyclists. They have to compete with cars on these narrow roads and the cyclists are killed as a result of road accidents. Therefore, when we are making our roads, we should not discriminate against cyclists who are also road users. We should have a side of the road which can be used by cyclists and also make sure that there is enough space for parking lorries.

Mr. Deputy Speaker, Sir, we would also like our road engineers to see to it that when roads are being made by contractors, they are done to the best standards. The contractors are just like hands to the engineers. They are not supposed to do all the job. It is just like when one puts up a house for you; you make sure that he does it to your specifications. Therefore, we cannot blame the contractors for making bad roads. We should blame our engineers who are technically qualified to see to it that the road is made in the way they would like. The engineers should look upon themselves as the actual contractors of the road and the road constructor is just like a helping hand. It is just like if one had an army; one is assumed to be the commander and the soldiers are his hands. Therefore, when one gets defeated, it cannot be said that the army was defeated. It is the commander who was defeated. When one is victorious, that cannot be attributed to the army but the commander. Therefore, when our roads are badly done in the urban centres and in the countryside, it is the mistake of the engineers. It is either that they are not qualified, dishonest or both. So, they are the ones to see that whatever amount of money the Government has disbursed is put to good use.

Mr. Deputy Speaker, Sir, I would also like to talk about the maintenance of the road. The Minister has just said that the World Bank is going to provide money for constructing the Nairobi-Mombasa Road. There is no need for us to construct a beautiful road and then we do not maintain it. It is just like somebody who buys good clothes and nice watches but cannot maintain them. One has to clean his clothes and his body in order to maintain his good clothes. There is nothing that will exist without maintenance and, therefore, when we put up our roads, there must be

continuous maintenance and this should be done using the Petroleum Levy Fund. I am afraid the Petroleum Levy Fund is being misused and it is not well accounted for. Some people think that it is money meant for their own enjoyment and they can use it for various things. We need proper accounting for that money, so that we can know how much we have received and how much has been spent. That money should be used for the maintenance of the roads.

Mr. Deputy Speaker, Sir, although this does not concern the Minister for Public Works and Housing, I would like to say that we should rehabilitate our railway system. Our railway system has remained the same since 1890s when it was constructed by the Wazungus. We have completely done nothing about it. We cannot even put the normal ballast that used to be there. Therefore, we should not only maintain the present railway line, but we should also have a dual railway line going down to the Coast. That would speed up rail usage, particularly for heavy loads and therefore, save our roads from carnage and damage.

*[Mr. Deputy Speaker left the Chair]*

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

Mr. Temporary Deputy Speaker, Sir, tourists bring a lot of money here. The road to Maasai Mara was hell. I once drove on it and it was a terrible experience. In fact, it damaged my car completely and I used a lot of money to mend it. The same applied to the Nairobi-Mombasa Road. I once went to Voi and I had to bend my alloy rims because of potholes. Therefore, our tourist roads should be maintained by both the Ministries of Public Works and Housing and Tourism and Wildlife, respectively. We should re-plough the money into the tourism sector, because that is just like any other business. By so doing, we shall get more from such an investment.

Mr. Temporary Deputy Speaker, Sir, while thanking the Ministry of Local Government for re-carpeting the roads in Nakuru, we also hope that the Ministry of Tourism and Wildlife will be giving us money, because we have many tourists coming to Nakuru to see the birds and other wildlife in Lake Nakuru. We are entitled to 25 per cent of the earnings which may go a long way in keeping our roads in good shape.

With those few remarks, I beg to support.

**Mr. Rai:** Asante sana, Bw. Naibu Spika wa Muda kwa kunipa nafasi ili nitoe maoni yangu machache kuhusiana na Hoja hii ya barabara. Ni wazi kwamba, kujenga barabara ni gharama na kutojenga barabara ni gharama kubwa zadi. Kwa hivyo wakati tunapozungumza juu ya jambo hili, inafaa tuzingatia sehemu zote mbili, ikiwa tujenge barabara ama tusijenge. Kwa sababu, kujenga ni gharama na kutojenga ni gharama zaidi.

Bw. Naibu Spika wa Muda, barabara ya kutoka Mombasa hadi Nairobi, hadi kufikia hivi sasa, imekuwa kama lango la kifo. Kila kukicha maisha ya watu yanapotea na magari ya watu yanaharibika katika njia hii. Wakati kama huu inafaa tuwe na sheria ili ikiwa gari la mtu litharibika, Wizara ya Ujenzi na Nyumba iweze kuchukua gharama fulani katika kurekebisha magari ya watu. Kwa sababu inaonekana hakuna vikosi maalum vya kuangalia hali ya barabara. Kwa mfano, Shirika la Reli lina kile kigari kidogo kinachoitwa kiberenge ambacho huzunguka wakati wote kwenye reli na kuangalia hali ya reli. Lakini, Wizara yetu ya Ujenzi na Nyumba inaonekana haina kikosi kama hiki cha kuangalia hali ya barabara zetu. Shimo ndogo huwa kubwa sana kiwango cha kuweza kuingiwa na gari nzima, huku hakuna mtu anayeshughulika kujua jinsi ya kuondoa matatizo haya.

Bw. Naibu Spika Wa Muda, barabara ya kutoka Mombasa hadi Maungu imeharibika na ni shida hasa wakati wa usiku kwa sababu mabas yanaposafiri inakuwa shida kwa magari madogo kwa sababu wakati wote, magari madogo yanalazimika kutoka nje ya barabara kwenye pembe ya barabara ambako kumefukuka kiasi ya kwamba magari haya madogo huharibika barabarani. Inafaa tutafute suluhisho la kudumu. Ukimaliza mlima nambari 10 hadi Mikindani, ninakubaliana na mhe. Kiliku aliposema kwamba, babara hii imekuwa kama mahamri. Imefurafura katika sehemu fulani ilhali, barabara inatakikana iwe kama chapati; ilainike. Lakini ikiwa barabara itakuwa kama mahamri, magari yatapita vipi? Imekuwa kwamba, kila siku exhaust pipes za magari ya watu zinakatika. Inafaa Waziri wa Ujenzi na Nyumba, kama inawezekana, tuweke sheria. Waziri ni mzee ninayemwamini, lakini inafaa asiruhusiwe kusafiri kwa ndege katika nchi hii. Yeye asafiri kwa barabara peke yake ili ajue ni matatizo gani yanayowakumba wanaosafiri kwenye barabara hizi. Hata maofisa wake pamoja na Katibu wa Kudumu wasiruhusiwe kusafiri kwa ndege ili wajue sababu za wananchi kupoteza maisha yao na ni kwa nini magari ya watu yanaharibika. Ninajua kwamba ni haki yao kusafiri kwa ndege kwa sababu wako huru, lakini inafaa tuwe na sheria kama hiyo ili wazingatie matatizo ya watu.

Bw. Naibu Spika wa Muda, unapotoka Mombasa, ukipita Changamwe ambapo tumesema kwamba barabara imeharibika, hadi Mariakani karibu na weigh bridge, pembe zote za barabara zimekatikakatika. Na inakuwa dhiki ama shida kupishana na gari kubwa. Naamini kwamba, barabara hii imeletea nchi hii faida kubwa sana kwa kutegemea

Bandari la Kilindini. Na kama barabara hii ndiyo lango la uchumi, ni lazima kuwe na mipango maalum. Ni lazima tumshukuru mheshimiwa Mbunge aliyeileta Hoja hii. Ingawa hatoki Mombasa, lakini aliangalia shida ya Mombasa na akajua kwamba hii barabara ni muhimu na hali yake siyo nzuri.

Bw. Naibu Spika wa Muda, wakati tunapozungumza juu ya swala hili, tunamshukuru Waziri kwa sababu amekubali kwamba, kuna haja. Ni kweli hakuna pesa, lakini ushuru unaolipwa na watu wenye magari ni pesa nyingi sana. Tunatozwa ushuru kupitia leseni na mafuta. Inafaa tuwe na kikosi maalum cha kuchunguza hizi barabara kila baada ya wiki moja ili kutambua sehemu ambazo zimeharibika. Ni lazima tuliweke wazi jambo hili ili liwe dhahiri. Inafaa Waziri atuambie ni watu wangapi wanaopoteza maisha yao katika barabara ya Mombasa-Nairobi kila wiki. Hivi ninavyozungumza, jana tulimpoteza mtu pale Samburu na anazikwa leo.

*(Prof. Ng'eno walked out of the Chamber)*

Bw. Naibu Spika wa Muda, ninasikitika Waziri anaondoka, lakini naamini kwamba ameacha mtu wa kusikia maoni yetu.

**An hon. Member:** Bw. Nassir yuko!

**Mr. Rai:** Bw. Naibu Spika wa Muda, ni lazima tujue kwamba, wakati ushuru unapotozwa, mwananchi anatarajia kuona barabara safi. Tunapofika Samburu - Samburu ni kupita Mariakani, kabla hujafika Mackinnon Road na Maungu. Maanake nikisema Samburu labda kuna wengine wanaotoka sehemu ya Samburu, lakini hii ni ile Samburu ya kutoka Mariakani hadi Maungu - sehemu ya chini kuna hospitali, na ningependa kuomba Wizara iweke bump moja ama mbili pale Samburu kama vile walivyoweka Mariakani. Kwa sababu, pale, watoto na akina mama wanavuka kuenda hospitalini na shuleni. Kila tukiuliza Wizara tunaambiwa kwamba, hii ni njia kuu na haiwezi kuwekwa bumps. Lakini ikiwa maisha ya watu yanapotea kiasi hiki, ni gharama kubwa. Ningependa kuomba Wizara ya Ujenzi na Nyumba iweke bumps kule Samburu ili kuokoa maisha ya wale watoto wanaoenda shule na hospitali, pamoja na akina mama wajawazito.

Bw. Naibu Spika wa Muda, jana mama mmoja alikuwa akivuka kuenda hospitalini, na gari lilingia kwenye shimo na kutoka kwenye barabara hadi nje na kumuua mama huyo ambaye anazikwa leo na watu wake. Je, Serikali inafanya nini kuhusu swala hili la kuweka bumps sehemu kama hii? Tunapoambiwa kwamba, haiwezekani kwa sababu, hii ni njia kuu, huwa tunatatizika. Wananchi walioko kule ni wa nchi hii na wanastahili kulindwa vilivyo.

Bw. Naibu Spika wa Muda, kuhusu hali ya magari kuenda kasi, ningependa kuomba Wizara hii iweke ilani fulani ili wenye kuendesha magari wajue kwamba, mbali na kwamba ni njia kuu na ni haki yao kuenda kasi, inafaa magari yaendeshwe kwa mwendo fulani. Hatuwezi kuyaruhusu magari yetu yaendeshwe ovyo ovyo na baadaye watu wanapoteza maisha. Ni lazima tutafute suluhisho kwa sababu, tunapoweka ilani kwamba, kwa mfano, magari yaendeshwe kwa mwendo wa kilomita 80 kwa kila saa, askari pia watakuwa wamepata nafasi ya kuwaadhibu wanaovunja ilani hii. Pia, kuna haja ya Wizara hii kuzungumza na maofisa wa polisi wa traffic ili wahakikishe kwamba, hatua zinachukuliwa kwa madereva wanaoendesha magari kasi katika barabara. Haifai polisi kuchukua hongo na kuwaacha madereva kuendesha magari kwa kasi. Ni lazima tutafute suluhisho la kudumu. Kama hawa askari wa traffic hawawezi, labda Wizara iruhisiwe kuweka kikosi chao maalum cha kuhusika na watu wanaoendesha magari kasi barabarani. Hatuwezi kukubali kuendelea kupoteza maisha ya watu wetu kwa sababu ya madereva ambao haja yao ni kutajirika ama kutafuta mambo fulani ambayo hayatusaidii.

Bw. Naibu Spika wa Muda, kwa sababu nchi hii inaendelea mbele, na barabara ya Mombasa-Nairobi ndiyo barabara ambayo inaunganisha Bandari ya Kilindini na bara, wakati umefika ambapo ni lazima tuonyeshe mfano mzuri wa barabara yetu kwa watalii wanaopitia barabara ile. Tunapozungumza habari ya uchumi, ni lazima tuangalie maisha ya watu na watalii wanaopitia barabara ile. Ni lazima tutafute suluhisho la kudumu ili tujue ni vipi tunaweza kusuluhisha tatizo hili, ili tuweze kuonyesha sura nzuri kwa wale wageni wanaokuja. Inafaa wajue kwamba, wakisafiri usiku au mchana barabara ni safi kwa sababu inaangaliwa vizuri. Si lazima ajali 40 zitokee ndiposa tuzibe mashimo na kwenda zetu.

Bw. Naibu Spika wa Muda, tunayiomba Wizara itafute suluhisho la kudumu juu ya barabara ambayo itawaokoa wale watu wanaopitia Likoni. Badala ya kuenda mpaka Likoni, inafaa kuwe na barabara ya kutokea Mazeras hadi sehemu za South Coast ili watalii wasikumbane na matatizo kama haya wanayoyapata. Ukiingia Mombasa wanasema kwamba, hiyo siyo barabara ya Manispaa ya Mombasa. Huko ndiko mashimo yamezaliwa. Kwa hivyo, badala ya kuwapitishia watalii kwenye mji wa Mombasa inafaa tuwe na njia nyingine ya kutoka Mazeras, kuingia South Coast ili watalii waweze kuenda kule na kurudi na wasikose ndege.

Kwa hayo machache, ninaunga mkono.

**Bishop Njeru:** Thank you very much, Mr. Temporary Deputy Speaker, Sir, for giving me this chance to also contribute to this very important Motion concerning the Mombasa-Nairobi Road. It will be very unusual for an hon. Member like me to come here and oppose this Motion when everybody is demanding for the repair and

construction of our roads. But I want to highlight a few important issues before I support this Motion.

Mr. Temporary Deputy Speaker, Sir, we are all aware that the present roads in Kenya are in a very pathetic condition because, they are not maintained. When we support a Motion, pass a Bill or the Budget here, it has turned out to be one way of looting our nation. Our people wait until we come to Parliament so that they can have an opportunity to loot our economy. There are construction works going on, on the Nairobi-Thika Road via Embu-Mwea Road. Already, the construction is going on, but the section which has been tarmacked, is impassable. We are wondering why we should sit here and support the Motion or pass a Bill which cannot be implemented.

Mr. Temporary Deputy Speaker, Sir, if there are any rich men in this country, they are the officials of the Ministry of Public Works and Housing. They become rich because, once they are given the money to construct a certain road, they go on negotiating for the commission and it is paid before the contractor goes to the site. The Minister goes and loots 10 per cent of the total money that is set aside for the construction of that road.

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

He is aware and that is how he became rich!

**The Assistant Minister for Information and Broadcasting** (Mr. Nassir): On a point of order, Mr. Temporary Deputy Speaker, Sir. My colleague is speaking right from his heart that he has seen people who receive bribes from the contractors. The hon. Member is a leader of this country and if he knows anybody who has received bribes from any contractor, he should name him so that he can be prosecuted.

**Bishop Njeru:** Mr. Temporary Deputy Speaker, Sir, you are aware that hon. Nassir has been in the Government since Kenyatta era. That is how they looted money with Kenyatta. That is their work and even now, he is enjoying the same thing--

**The Assistant Minister for Information and Broadcasting** (Mr. Nassir): On a point of order, Mr. Temporary Deputy Speaker, Sir. I wish to inform the hon. Member who is on the Floor that I did not amass any wealth during Kenyatta's era, but there are people who looted money and if he wants me to name them, I can name them. My days of being afraid are over. Is he in order to say that I looted money during Kenyatta's era when he knows very well that it was people like him who looted the economy of this country?

**Bishop Njeru:** Mr. Temporary Deputy Speaker, Sir, I wish you could allow me to contribute since I am on the Floor. The roads---

**Mr. Busolo:** On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for hon. Nassir to say that he is aware of some people who looted the economy of this country during the Kenyatta's era, and yet, he is not naming them? Could he be compelled to name them?

**The Assistant Minister for Information and Broadcasting** (Mr. Nassir): Mr. Temporary Deputy Speaker, Sir, I spoke in English very clearly that it is him who knows these people.

**Bishop Njeru:** Mr. Temporary Deputy Speaker, Sir, I hope you will give me more time because they have taken part of my time. Most of the accidents and deaths that have taken place on the highways are caused by the poor state of the roads in Kenya. Our people are dying every day. If we look at the death rate on our highways; Nairobi-Mombasa, Nairobi-Nakuru-Kisumu and Embu-Nyeri, it is evident that these roads are in pathetic conditions and the Government needs to maintain them. It should not only construct the roads, but also maintain them in order to save our peoples' lives because they are dying due to the poor state of our roads. One cannot drive at high speed, especially when one is driving to Mombasa because of potholes. One would have to slow down his vehicle to avoid these potholes. It is like what hon. Kiliku said, that the roads are like mandazi. It is true. Even in Nairobi, roads are like mandazi, yet FORD(A) has the largest following in the Nairobi City Council, and these are the people who are supposed to maintain the roads here. Also, they are the same people who are saying that they want reforms. We do not want to give reforms to people who cannot even manage a single road within their jurisdiction. It is unbelievable.

Mr. Temporary Deputy Speaker, Sir, I am suggesting that before we embark on the construction of any road, we must be told how much money is set aside for the contract, how much is left and is reserved for maintenance. If we only give money for construction without retaining a reserve to maintain that road, then there is no way we can say we have done any work. If we look at the roads that were constructed before I was born, by the colonial Government, some of those roads are very stable because during those days, the officials of the Ministry ensured that the contractor used the right material. If the hon. Minister for Public Works and Housing, hon. Prof. Ng'eno, was here, I would have asked him to tell us why the people who are constructing the road towards Mwea are mixing the ballast and cement with soil. Maybe, to him, according to the school he attended, that is a good mixture, but to me, I have never seen ballast or hard cores being mixed with soil to tarmac the road. That is why I am saying that there is no need even now to give this Government money.

I am suggesting that the Nairobi-Mombasa highway should be constructed after the reforms have been fully

effected. It is only then that we will know which Government will be responsible for the construction of that road. If we go the way we are doing now, we will not get far. We realise that the roads are impassable and not maintained, yet the money has been voted by this Government. But when you ask where this money is going, you will never know where it is going. I am happy that the hon. Minister is here---

**Mr. Manoti:** On a point of order, Mr. Temporary Deputy Speaker, Sir. It is not my intention to interrupt my colleague, Bishop Njeru, but is he in order to mislead this House that no work should be done until the next Government is formed? Does he know when the next Government is going to be formed?

*[The Temporary Deputy Speaker  
(Mr. Moiben) left the Chair]*

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

**Bishop Njeru:** Mr. Temporary Deputy Speaker, Sir, the NCEC should be allowed now to continue with their mission because the IPPG has failed us. They were compromised. I have seen we are hitting a wall somewhere at the end. There is no way we are going to give the present Government money to construct that road until we allow Mr. Kibwana to take over this Government. He is the only right man who can lead this nation at the moment.

*(Applause)*

That is why I am saying that the time of hypocrisy is gone. Where is the money, which should be maintaining roads in the City? Where is the money for the last five years? There is no single road one can smoothly "pass" through in Nairobi, because when we pass the money here, it goes into the pockets of Ministers. That is why hon. Members of KANU are so rich, because they loot the money through contracts.

*(Applause)*

**Mr. Temporary Deputy Speaker** (Mr. Ndotto): Order! Order! Order! Yes.

**The Assistant Minister for Information and Broadcasting** (Rev. Ommani): On a point of order Mr. Temporary Deputy Speaker, Sir. Is it in order for the hon. Member to stand here and mislead this House and the country, that Prof Kibwana should be allowed to form a government?

**Bishop Njeru:** Mr. Temporary Deputy Speaker, Sir, it is true that Prof. Kibwana should be allowed to exercise his right now, because the IPPG and those who are in Ford-(A), did not even support the IPPG; they are not even supporting anyone. What I am saying is that they should allow ---

**Mr. Temporary Deputy Speaker** (Mr. Ndotto): Order Order! Order! We are not debating about NCEC or Prof Kibwana. I think you are getting out of the way. Can you go back to the Motion.

**Bishop Njeru:** Mr. Temporary Deputy Speaker, Sir, I beg to support the Motion by saying that we should suspend the money until the next government is formed.

Thank you.

**Mr. Temporary Deputy Speaker** (Mr. Ndotto): Mr. Nassir!

**The Assistant Minister for Information and Broadcasting** (Mr. Nassir): Bw. Naibu Spika wa Muda, ninafurahi kwa kunipa nafasi hii. Kwanza, ninataka kumsifu yule aliyeleta Hoja hii kwa sababu aliileta kama Mkenya. Hii barabara si ya Nairobi/Mombasa, bali ni ya Mombasa, Afrika ya Mashariki na Afrika ya Kati. Barabara hii ni ya Wakenya wote, lakini wakati wa kuzinduka na kufikiria wale viongozi ambao wanafikiria mambo wanayohitaji wananchi---. Si rahisi sana kutengeneza barabara ya Mombasa vile watu wanavyofikiria. Kuijenga sio kitu, bali kuiweka barabara hii katika hali nzuri ndio kitu kikubwa. Barabara hizi zilijengwa wakati wa mkoloni, na leo zapitiwa na malori ya tani karibu 70 au 50 na zinaharibiwa kweli kweli. Ikiwa ni barabara haswa, lazima iwekwe katika hali nzuri. Na wakati makandarasi wanapewa kazi ya kutengeneza barabara, ni vizuri waidhamini kwa miaka fulani.

Bw. Naibu Spika wa Muda, inafaa sisi viongozi wote kushirikiana katika mambo ya nchi, lakini si kutoleana maneno. Kushirikiana, kuangalia taabu ziko wapi, na ikiwa taabu ni barabara, itafutwe njia ya kusaidiwa. Mimi ninashukuru kwa sababu katika mwaka huu, haza mwezi huu, tumeona viongozi wengi ambao wamejitolea, wakisema tuache mambo ya fujo, na tukazane kujenga nchi. Viongozi leo wanasema tuheshimiane kama viongozi wa Kenya. Hilo lilikuwa ni jambo kubwa, na hata jana nililala na furaha kubwa kabisa, kwa kuwa leo tunajua kiongozi hawezi kuwa kiongozi mpaka amheshimu kiongozi mwenzake. Hiyo ilikuwa ni furaha kwa Wakenya na ndio mambo kama

haya ya barabara yaweza kuwa mazuri. Hatutaki porojo za kuonyesha mtu ni hodari kwa kusema. Hawe kiongozi hodari wa kuleta manufaa kwa wananchi. Barabara hii imewaua watu wengi, na haya si makusudio ya Wizara ya Ujenzi na Nyumba, bali ni kwa sababu magari yanayoitumia ni mengi. Hata kama ingekuwa ni barabara ya chuma, ingeharibika tu kwa sababu magari yanaoitumia huwa yametoka ni ya Rwanda, Sudan, Uganda, Zaire na kila pahali. Na hayo si malori ya tani tano au 15. Kama nilivyosema haya ni malori makubwa sana. Kwa hivyo, Wizara ikiwa inafikiria kufanya kidogo kidogo kila kipande, ni sawa. Lakini ikifanywa, iwe ni kazi nzuir. Yafaa yule kandarasi aidhamini, na kama barabara hii haiwezi kudumu kwa miaka fulani, yeye atalipa hasara ya barabara hii, na tena aijenge upya.

Bw. Naibu Spika wa Muda, hayo yote yatawezekana katika Kenya hii kwa watu kupendana. Ninasikitika, sitaki kusema jambo la nidhamu kwa vile watu hakuna, nasema tu. Tutajulikana katika Kenya hii, kama wale ambao wanajitolea kusaidia nchi. Tulipigiwa kura, si kwa kuteta, bali ni kuja kufanya kazi kama hii. Leo tunasikitika kwa sababu ya wale watu ambao ni hodari kwa kusema; watu ambao wana uhodari wa kujua na watu wenye elimu ya kutosha. Wanaona barabara ya Mombasa-Nairobi sio ya maana kwao. Sijui niwaambie ndugu zangu wa Pwani walie au wafanye nini; hawapati watu wa kuwasaidia. Lakini, barabara hii si ya watu wa Pwani, bali ni ya Wakenya wote. Kila Mbunge hapa hutembea kwenye barabara hiyo. Watu wote yafaa waizungumzie, waitoe, lakini sijui, labda kuna election fever. Watu ndio hao hawataki Bunge, bali wanakwenda kutafuta kura. Lakini ni wajibu wetu, kumaliza wakati wetu kwa kuweza kufanya kazi za wananchi. Siongei juu ya barabara hii, si peke yake; Mombasa yenyewe, haina barabara za kuenda kwenye kiwanja cha ndege, Bamburi, na kwingineko. Yafaa Wizara ya Ujenzi na Nyumba irekebishe barabara kwa mpango, kwa sababu pesa wanazopewa si nyingi sana. Kama tujuavyo, sisi katika Kenya hatuna madini ya dhahabu na hatuna mafuta. Wale wanaoendesha Serikali yafaa wajue, na pia Waheshimiwa, kwamba Serikali yetu ni ya maskini. Ni lazima tuende kwa ule mwenendo wetu. Ikiwa wewe baba ni maskini na watoto wanataka kukukimbia kwa sababu ya umaskini, inakuwa ni hatari kubwa sana. Kwa hivyo, ni lazima sisi wenyewe tufanye bidii, kwa kutoa maoni na kuwaeleza wananchi kwamba hii Kenya itajengwa na Wakenya wenyewe. Yafaa wajue kwamba nchi hii haina mafuta wala madini. Pesa za kukopa kila siku kutoka kwa IMF na wapi---. Siku hizi watu wamekuwa na siasa. Na mimi ninasema zile Serikali ambazo zapenda Kenya, zisaidie kutupa pesa za kusaidia kujenga nchi, na si kulipa pesa za kisiasa. Siasa tuwaachie wenyewe na wasitutenganishe sisi Wakenya. Nataka kuziambia Serikali za kigeni kwamba, hata zitupe pesa vipi, nataka kuzihakikishia kwamba Wakenya hawatateta, hawatauana, hawatapigana na ikiwa ni fujo ndogondogo, tutazikomesha sisi wenyewe. Lakini wasipoteze wakati wao na pesa zao kwa kukipatia chama fulani, ili kuipinga Serikali. Tunataka watusaidie katika mambo kama haya ya barabara, madaktari, walimu na mengineyo; wasituletee pesa za kutugawanya sisi Wakenya.

Bw. Naibu Spika wa Muda, watu wengi walitaka Hoja hii ipitishwe na Bunge hili ili pesa zitolewe haraka kwa Wizara ya Ujenzi na Nyumba ili kuiwezesha kutoa huduma. Ninamshukuru Mungu kwa sababu katika majuma wawili yaliyopita, Kenya imebadilika. Wale wanaofikiri kuwa hakutokuwa hivi au vile wanajidanganya. Wakenya wote wanayasema mambo ya kupendeza. Viongozi halisi na wazalendo wa nchi hii ni wale wanaotoa maneno ya kuwapendeza wenzao. Hawa ni watu wanaoyatumia maneno yasiyo na fujo au matusi. Watu watapata uongozi kwa vitendo, na si kwa kumchambua mtu mwingine.

Kwa hayo machache, Bw. Naibu wa Spika wa Muda, ningependa kuunga mkono mjadala huu.

**Mr. Mbeo:** Thank you, Mr. Temporary Deputy Speaker, Sir. I would like to commend the Mover of this Motion, which is a very important one in our lives today.

**The Temporary Deputy Speaker (Mr. Ndotto):** Hon. Mbeo, I want to draw your attention to the fact that you have only five minutes. So, you can summarise your points.

**Mr. Mbeo:** Mr. Temporary Deputy Speaker, Sir, when we speak of roads, a lot of things come into our minds. We think of the number of vehicles on our roads; we think of ways of expanding our roads so as to make them usable. It is so interesting that while we talk of many vehicles on the roads today, statistics show that we have only 700,000 vehicles on our roads. These are very few vehicles to warrant any road management in the country. We should start to think about what we call "Bills, Operate and Transfer (BOT)". These are systems which allow private road maintenance contractors to build roads, charge levy on them and recover their costs in that way.

These things need to be encouraged in this country now. We need to lower tariffs on vehicles, so that we can increase the traffic and be able to expand the roads. This is one thing that we expect the Ministry of Public Works and Housing to undertake very seriously. We expect the Ministry to start looking into ways of convincing the Government to lower the tariffs on vehicles, so that we can import more vehicles, allow their use on our roads and bring in more private road contractors, who will be able to take charge of some of the roads we are talking about.

In Nairobi, we see heavy traffic every morning and every evening. We would like to encourage the Government to think about ring roads within Nairobi. These roads should be privately managed under the BOT system. When talking about situations like this one, we are talking about business. Management of roads is a business in other parts of the world. We should not keep on looking upon the Government to construct roads. If we can



construct houses in Nairobi, Mombasa and other towns, we can also construct roads, charge levy on them and make money within a given time. We believe that monies that are being given as grants and loans, just as my Democratic Party of Kenya (DP) counterpart said here, are being completely misused. Every time you turn around you find that these grants are being "eaten" by those in positions of authority, especially in the Ministry of Public Works and Housing. We now see that, for example, the ADB gave Kenya a loan and a grant to build a road in South Nyanza in Homa Bay District, and they themselves had to come and manage the money. This is embarrassing to Kenyans.

**The Temporary Deputy Speaker** (Mr. Ndotto): Hon. Mbeo, your time is up.

**Mr. Mbeo:** With these few remarks, Mr. Temporary Deputy Speaker, Sir, I beg to support the Motion.

**Mr. Deputy Temporary Speaker:** It is now time for the Mover, Mr. Nthenge, to reply.

**Mr. Nthenge:** Thank you very much, Mr. Temporary Deputy Speaker. I would like to thank every hon. Member who stood up and supported this Motion.

Mr. Temporary Deputy Speaker, Sir, the Minister for Public Works and Housing also accepted the Motion on behalf of the Government. I would like to give him this plan for his consideration. It represents about 500 kilometres of the length of this road. I was impressed when he said that the construction of a dual carriageway is being started from Mombasa towards Nairobi and also from Nairobi towards the Machakos turn-off. However, I would like him to realise that if we build 100 kilometres of the road every year, in five years' time the whole of Mombasa-Nairobi road will be a dual carriageway.

I am going to tell him where the money should come from. The funds raised from the road levy and road licences for the many vehicles which use this road should be set aside and used each year to tarmac 100 kilometres of this road. In this way, in five years' time we will have tarmacked the whole dual carriageway. Planners and thinkers know that one has to have a plan and see or think ahead. He has to think of the resources which are available if they have not been stolen.

One way of doing these things is by using the Russian way. When I was in Russia in 1962, I found that anyone who was suspected of embezzling public funds did not have to be taken to court. He was only observed and then told what he had been doing. Also, if a woman owned a lot of dresses and shoes when she was known to have insufficient income to enable her to purchase all those items, she would be told that she had got the extra money through prostitution. She would, therefore, be punished for the offence. She would be asked to say how she had got the many shoes and dresses. Since she would be unable to give an acceptable explanation she would be told: "We do not have to waste time by taking you to court. You are a culprit of prostitution. Therefore, you are punishable". Similarly, we can tell our engineers, civil servants and politicians that they own too much compared to their salaries. We can ask them: "We know your salary is Kshs30,000 per month. How come that you have been spending Kshs60,000 or Ksh100,000 every month? You are obviously a thief!"

In this way, people will get frightened and toe the line. We should employ each one among ourselves to supervise the other. In this way nobody will break the rules since everybody will be watching to see what his friend does.

Mr. Temporary Deputy Speaker, Sir, there is too much laxity and freedom is also wrong. If I know that you are a thief, and I do nothing about it, it is bad. I should tell you not to be a thief and you tell me the same, and this country will be in order. We have enough money to convert that road into a dual carriage way without a problem, and even to very high standards, if only we could be fair. But if a few members on the higher side are being unfair, then we are encouraging everybody to be unfair. Let us start cleaning up our society right from the Cabinet and this House, and from there, everybody will be straight forward. Let us ensure that everybody acts in a fair way so that we get things done for the benefit of everybody. Once a road is good, it is not just good just for the Minister alone or for me; not even for the rich because those who travel in buses will also have a very good and safe road. So, anything good becomes good in totality. When the hospitals are good, they benefit everybody.

Mr. Temporary Deputy Speaker, Sir, the Nairobi-Mombasa Road is an important road. All tourists who come to Kenya tend to use that road to go to Mombasa and back to Nairobi. So, let us make it a good road for the good of our own economy and people. When you go to Mombasa, you find there is a lot of time wasted these days, because there are many lorries coming to and fro, and the final average speed is so lowered that you waste a lot of time when we know that time is money. Every intellectual who wastes an hour should know that an hour is worth a lot of money. Many intellectuals are held up between Nairobi and Mombasa because our roads are bad and the road is a single carriage way. If it were made a dual carriage way so that on-coming vehicles do not meet with down-coming ones, the movement will be faster and time and even lives of human beings will be saved. So, it is very important, and I am happy everybody has seen the importance of this. Now, when it comes to bumps, I have my beliefs that wherever there is too much security or care required, there should be signs. Drivers should be trained to slow down when they see such signs. We should station the police there so that the drivers either obey these signs or they are arrested. That is how it is done internationally. You do not need to have bumps! Bumps are primitive! We are advancing, we are not

moving backwards. These bumps are only required in public places like, inside a school or a hospital, not on highways.

The other alternative is fly-overs which are usually constructed on roads where there are many pedestrians crossing. For example, on Haile Sellasie Avenue, you find a fly-over where people go to the Post Office, and they do not have to cross the highway. Let us use fly-overs for those people who want to cross instead of constructing bumps.

Even at night, the bumps are there, when there is no traffic or people to use the road. It is silly and primitive. If it was right, why are other people in the world not using them? Roads are international things, they are all over the world. Bumps are primitive. We should have road signs; that is how these things are done. We should have road signs because even if a driver is not educated, he would know what a sign like "Go Slow" means. But now, 99 per cent of the world drivers are educated and, they can find out whether to slow down near a school, hospital or something like that, but let us not go back to bumps. It is primitive. It is also communal punishment. You are punishing every driver because two to three matatu drivers have made a mistake. Such punishment goes up to the Minister, even a doctor who is going to save people's lives just because some drivers have broken the rules. Communal punishment is wrong. We should punish the person who has made the mistake.

This common idea that every traffic officer must be bribed as "we cannot do anything" is also silly. Let us go back to correct the thing. Pay the police well so that they do not have to induce people to give bribes and that drivers do not have to fear them. Drivers should know the police are there to take corrective measures and to get things done in a proper way. When we get Mombasa road constructed in such a good way that it becomes safe and fair, even our guests will also become happy to see that we have got good roads. It is a road that can make us get a good name all over the world because, almost everybody who comes to this country tends to drive to Mombasa in order to see the sea and enjoy our coastal facilities and then come back again. So, they will go back and report that Kenya has very good roads, although they will not have seen all the roads.

Mr. Temporary Deputy Speaker, Sir, there is need to do things the right way, and constructing fly-overs is one way of solving this problem. With these remarks, I thank everybody and beg to move.

*(Question put and agreed to)*

REMITTANCE OF TURKWEL DAM REVENUE  
TO POKOT COUNTY COUNCIL

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

THAT, while appreciating the Government's efforts in socio-economic development of the disadvantaged districts; bearing in mind the limited sources of revenue by those districts and noting that local authorities find it extremely difficult to run the councils, because of financial constraints, and bearing in mind the limited resources available to the exchequer, this House urges the Government to remit five per cent (5%) of the total revenue earned from the sale of power generated from Turkwel Dam, owned by Kerio Valley Development Authority (KVDA) to Pokot County Council.

Mr. Temporary Deputy Speaker, Sir, this Motion has a lot to do with Pokot and Turkana because this dam serves or is situated on the border of these two districts. Electricity is very vital to the economy of any country. We are moving towards the year 2020 when this country is supposed to be industrialized, but no country can get industrialized without electricity. Power is very important for any development. But the local authority and its people must be taken care of because that dam was built on a ground that was owned by certain people. It was not an empty land, it was a land that some people must have been displaced from. It is very important that those people must be considered. The local authority used to earn certain revenue because there were economic activities in that particular area before the dam was built.

Mr. Temporary Deputy Speaker, Sir, first, the Pokot and Turkana people depend on livestock for their livelihood. They live basically on livestock and bee-hives and this is their financial base. When this dam was put up, their cash flow was affected. Their source of revenue was affected because the dam took a certain part of the area. When there was bush clearing, a big chunk of land was cleared, hence displacing many people. Therefore, peoples' grazing land was lost.

The local authorities of Pokot and Turkana used to have local market centres where the livestock farmers used to bring their animals for sale. There were very many sale yards in those particular areas on market days. But when this dam was put up, all these activities were stopped and the whole area was submerged in water. This is what this Motion intends to do. It intends to request the Government that only 5 per cent of the total revenue that is being collected from Turkwel Dam be ploughed back into the area so that the revenue that was lost by the local authority

could go back to help the Authority. As I speak, the councillors and the activities of the local authorities of West Pokot and Turkana have suffered. For example, they do not have money. Even though they have new buildings, these buildings cannot be maintained because of lack of revenue. The councillors have not earned their salaries and allowances for many months. This is because of the loss of revenue which was being accrued from the market centres in those areas. The Kenya Power and Lighting Co. (KPLC) collects more than Kshs500 million monthly from the sale of power in Turkwel Dam. Turkwel Dam has two turbines and each produces 56 Megawatts, which totals up to 102 Megawatts. The KPLC gets a lot of money from the sale of power and we are only asking for 5 per cent of the Kshs500 million collected as an appreciation of our displaced land. We are asking for this 5 per cent so that the county councils and the councillors, who do a lot of jobs, are compensated or assisted with some money to run their activities. Those who have gone to Turkana or Turkwel recently will agree with me that now there is no water from river Turkwel that reaches Lake Turkana. A lot of activities used to take place along the river as we go towards Turkana. The green vegetation which used to be there and the eco-system has been destabilised. The green vegetation along the River Turkwel, where during the dry spell the farmers used to take their livestock for grazing have all been affected, hence, reducing the number of livestock the people used to keep in those areas. All these things amount to the loss of revenue to the local authority. That is why this Motion intends to assist the local authority to get revenue.

Mr. Temporary Deputy Speaker, Sir, there is a game reserve in that area where there is a certain acreage of game reserve, both in Turkana and West Pokot. Between 1983-85 when the construction of the dam was taking place, a lot of animals were displaced because of the noise that was there. Many animals migrated from the area, hence, the species of the animals which used to be found in that area of Turkwel was lost. Many of them migrated to different areas, and many of them died because of the commotion and noise that was prevalent in that area at that particular time. This affected the revenue that is collected by the authority. It is very important for the Ministry of Energy to consider that what the local councils used to collect from market centres in Nasolot, Sarmaj and part of Kong'elany was all lost. This is the season that many people used to sell honey. There was once a refinery in Kodich which is not functional now because the beehives which were along the Turkwel are no longer there. As a result of the construction of Turkwel Dam, many people were displaced and many lost revenue. We generate a lot of power from Turkwel Dam and many times we have brought several Questions in this House asking the Ministry to consider supplying power to West Pokot and Turkana districts.

Turkwel Dam has displaced a lot of our people, but the locals do not benefit. Only Kapenguria and Lodwar have electricity. I would like to add here that the power in Lodwar is through a generator. So, it is only Kapenguria that has electricity, yet there is no power along the road where the power line passes. On various occasions, we have asked the Ministry to consider extending the Rural Electrification Programme to West Pokot along Ortum, Marich pass, Kainuk, Sigor, Lormut through Elgeyo Marakwet to Tot, where the power line passes because this directly affects the revenue that is supposed to be collected by the local authority.

We are talking about liberalisation of power and you find that we, as a district that surrounds the Turkwel Gorge, are going to be really affected by that liberalisation. We are pleading with the Ministry too that when time for liberalisation comes, consideration should be given to the local people who have the financial ability to buy shares in that power. This will go along way in helping us to sustain the authorities.

As I said earlier on, we have raised several Questions concerning this issue. The World Bank gave KVDA a project called Swamp Catchment to enable rehabilitate and take care of the siltation programme of the dams. This project never took off and more than Kshs30 million was spent on it. It was supposed to employ people to rehabilitate their lost land. It has really affected the activities of the area. I would like the KVDA to explain to the people of the Valley, especially the people of West Pokot, how much money, out of the revenue that is being collected by KPLC and the money that is being apportioned to KVDA, has been invested in the Swamp Catchment Project and how much money has been spent in West Pokot District?

How much of that money has been ploughed back? Many roads in West Pokot which are supposed to be maintained by the local Authority and the county councils have not been maintained. Salaries of the nursery school teachers which are supposed to be sponsored and supported by the local authority, are not being taken care of because the authority has no revenue. A lot of money which used to accrue from the sale of animals and taxes that were being collected by the local authority are no longer there, while KVDA gets Kshs40 million for doing nothing in West Pokot.

Mr. Temporary Deputy Speaker, Sir, since KVDA took over Turkwel, they have not done anything there and yet they get Kshs40 million.

**An hon. Member:** It is Kshs45 million for doing nothing!

**Mr. Rotino:** In fact, they get Kshs45 million for doing nothing. The Managing Director (MD) sits here in Nairobi. Mr. Chemweno sits in Nairobi throughout and he does not know how Kerio Valley or West Pokot looks like. When he goes to Chepkono he thinks that, that is Kerio Valley. Eldoret is not Kerio Valley. Uasin Gishu falls under

the jurisdiction of the Lake Basin Development Authority and yet it is the headquarters of Kerio Valley Development Authority. What is the headquarters doing in Eldoret, if the Managing Director (MD) of Kerio Valley Development Authority has not even visited there? He only visited it once, two years ago when he was appointed as the MD. He gets money in terms of night-out allowances for sitting in Nairobi. His duty station is in Eldoret but, any time he is in Nairobi, he gets his night-out allowances. For 21 days in a month, he gets night-out allowances while our people are suffering. I am appealing that this MD be sacked because he is not benefiting the Kerio Valley people, the Authority is our brainchild and it is supposed to help us. If you go to the headquarters of Kerio Valley Development Authority (KVDA), all the officers of the Authority are doing nothing, they are idling around the offices. For the last four to five years, they have not travelled, they do not even go to the field due to lack of money while the MD sits in Nairobi earning night-out allowances. This is very unfair while our land was taken over by the Authority's dams and we do not get anything from there. It is just like holding a cow when somebody else is milking it. This is unfair.

Mr. Temporary Deputy Speaker, Sir, we want the MD of KVDA to be sacked and somebody who has some relationship with KVDA or somebody who hails from the Kerio Valley be given that post because he knows the problems which Kerio Valley people face. It is very unfair that the headquarters is in Eldoret and nothing is being done in the Valley. The Government thinks that it has done something wonderful for the people of West Pokot and Turkana, yet there is nothing which our people get. We do not get power, water for irrigation in our farms and grazing land is lost, yet KVDA is paid Kshs40 million. This is very surprising and I would appeal to the Minister to consider terminating the services of the MD because he is the root cause of these problems. How many times has he visited the Valley or gone to visit Turkwell Projects? He goes there when there is money.

With those few remarks, I beg to move and ask hon. Mulusya to second the Motion.

**Mr. Mulusya:** Thank you, Mr. Temporary Deputy Speaker, Sir. This is a very burning issue virtually, in all areas where power is being generated. When KVDA was established, it took away land from the local people to create room for the construction of the dams. That land which, was taken away, was being used by the local people to rear their cattle because they are pastoralists. Now, land was taken away from pastoralists and they were not compensated. There was no land which was given to those pastoralists. The compensation rates which were paid by the Commissioner of Lands during the acquisition period, were so low that they were not beneficial to the locals. Today, those people have lost and they will never gain. So, this is the reason why the KVDA should be forced to implement the power generation agreement in full. The problem here has been that the Kenya Power and Lighting Company (KPLC) has not been paying KVDA for the power which KVDA is supplying to the KPLC.

There has been a collusion between the Permanent Secretary, the MD, KPLC and a former Minister in the Ministry of Energy, who is a Cabinet Minister today; to the effect that, because of disagreement between the people who were managing both KVDA and TARDA at that particular time, power sold to KPLC by the two Authorities--- The KVDA and TARDA were given grants directly from Treasury although this is not what was supposed to have been the case. These institutions are supposed to be profit-making institutions, but because they are not being paid for the power, it becomes very difficult for them to honour their obligations to pay local authorities some money so that they carry out some activities like environmental conservation. There has to be a consistent tree planting programme managed by KVDA, TARDA and KPLC. This is not the case, because the Government has been directly robbing the locals where this power generating companies are situated; particularly, Masinga, Kindaruma, Kiambere, Kamburu and then Turkwell. What should be done is that, when an on-lending agreement has been signed, all the conditions and the terms in that agreement should be fulfilled to the letter. But the Government, through collusion of those particular officers that I have mentioned, has been robbing the local people who should benefit from such projects.

Mr. Temporary Deputy Speaker, Sir, Lake Turkana has almost dried up because its water catchment has been regulated through Turkwell Dam. When rain falls in the catchment areas, water does not drain into Lake Turkana making life difficult for people who should be benefiting from Lake Turkana. Very soon, Lake Turkana is going to dry up. What is the Government proposing to make sure that there is steady flow of water released through the Turkwell into Lake Turkana, because you cannot have a project which is creating environmental problems for the people?

Mr. Temporary Deputy Speaker, Sir, when power is generated from these areas, Ukambani and most of the North Eastern Province have been victims of this policy. Those areas through which these high voltage power national line passes, should be able to benefit from the power which is being generated. Why have people in Turkana and Pokot not been supplied with electricity today? These people are told every year when the General Elections is approaching: "Nyayo!" "Nyayo!" "Chagua Jogoo!" "Chagua Jogoo!" and yet they see electricity passing and yet they cannot be supplied with electricity. For how long are these people going to be subjected to this type of sucking? We need to see those people benefitting from the national resources that are being tapped where they live.

I am very sad to note that people in Embu, Mbeere, Ukambani, Turkana and Pokot have not benefitted at all from the huge power resources which have been tapped from their areas. These people will never forgive the present Government and they will never even support any programme that comes up until they are able to be provided with

electricity. None of these areas has any locally-based industries. You cannot talk about industrialisation and try to revert the movement of population from the rural area to urban areas. If those areas which have these type of resources are not benefiting from the resources, the Government should come up with a programme so that is able to identify certain areas which should benefit from these resources.

Mr. Temporary Deputy Speaker, Sir, it is very sad that the only the road which leads to the Turkwel Gorge Hydro-electric generating project has been tarmacked. The other roads are impassable. They are in a very awkward situation and yet these areas are expected to be able to grow and develop. How do you encourage the locals if you cannot give them good roads?

Mr. Temporary Deputy Speaker, Sir., the other problem is that this project in itself was a rip-off by certain individuals in this country. This project would have been able to construct another four equivalent projects of this nature if the pricing of this project was done by people who have the interests of this country at heart. Out of the billions which were stolen, Kshs1.2 billion would have been sufficient to start a project to generate not less than 109 megawatts. When you look at the cost of the project at that time, it was four times what it should have been and yet the Government still allows those people to fly flags, everywhere with four wheel government vehicles and yet the people themselves have not benefitted. As we approach the General Elections, we are going to see a stream of Government vehicles going to Pokot and Turkana to tell them to vote KANU back. The KANU Government should be able to assist those people now because it is in power. It should be able to tell those people what it has done for them now and in the past and not what it is going to do for them in the future because those are empty promises and these people are not going to live on empty promises anymore. Cattle rustling in this area must also be stopped and it is the responsibility of the Government and not the locals to stop cattle rustling.

With those few remarks, I beg to second.

*(Question proposed)*

**Mr. Kiliku:** Thank you very much, Mr. Temporary Deputy Speaker, Sir.

When we talk about marginalised or disadvantaged districts, we should say why they are disadvantaged. They are disadvantaged because these districts lack infrastructure and also because the Government has not been taking seriously its development policies. We are now having the Sessional Paper on industrialisation by the year 2020. You cannot industrialise the country unless and until you provide electricity.

Mr. Temporary Deputy Speaker, Sir, if the Turkwel Project does not benefit the indigenous people around it, then I do not know why it should benefit others and yet these indigenous people and others are one and the same people of this country. The five per cent being requested by this Mover is very minimal. They are just asking for five per cent.

Mr. Temporary Deputy Speaker, Sir, the political power of the last Government and this Government has denied the disadvantaged districts development. This is because of the fact that despite the Government having very good development policies in our books, politics have interfered very much in the influencing of implementation of these policies. If you have no power broker in your districts, then you lack almost everything.

Mr. Temporary Deputy Speaker, Sir, I do not know how we are going to develop this country if we do not have a Minister who is feared by the Government. If there is no Minister in your district who is feared by the Government, you cannot have development in your district. If you do not have a power broker somewhere who can be listened to in State House, you cannot have development. Why can we not leave development free from politics and give the people development? This is because, for example, in 1963 all the districts in this country were poor, but now you will find that there are so many districts that have everything. All roads in those districts have been tarmacked. But some districts lack almost everything and yet we are in the same Parliament. That is the problem and that is why we have tribalism in politics. If your brother says he wants to be President, you say: "This is now our time". Why? This is because development has been following the power brokers wherever they are.

Let us develop our country, regardless of our political influences. We cannot accommodate more people in towns now. The towns are over-crowded with a lot of unemployed people. We have to hold the people in the rural areas. You cannot hold the people in the rural areas, unless we establish industries there. Let the Government tell the investors in this country to invest in the rural areas. They should start industries in the rural areas to reduce the rural-urban migration seeking for paid labour. There can be no development in the rural areas unless we have electric power. Everything is concentrated in towns. There are some districts which do not have a single kilometre of a tarmacked road. In the whole of Kitui District, we have only 28 kilometres of tarmacked roads. There are other districts which have nothing, like Makueni District. I think Makueni District does not have a single kilometre of tarmacked road. There are also other districts. Why is that? We want development in this country, for the benefit the people wherever they are.

Even before this Motion was brought here, the Government should have come earlier and said that it has decided to give five per cent of the total project earnings to the local people. If you give the people the five per cent, you are giving it to Kenyans, so that they know the project is in their area. But you may find that those earnings, instead of going to development, end up into very wrong hands like those of Pattnis, Patels and others through tenders and other misappropriations.

Mr. Temporary Deputy Speaker, Sir, let the people who talk about majimboism ask themselves: If they got it today, what do they have in their districts? They have nothing and they are calling for majimboism! Instead of pressing the Government to give them development projects, they are talking about majimboism, as if majimboism will give them airports, ports and projects. They should ask for factories in their own districts. Majimboism will not bring anything. We are just going to have some districts isolated with their poverty.

A Motion like this should be supported by everybody. For example, if we have majimboism now, and I do not know whether Members of Parliament from Coast Province who advocate majimboism are here, we do not have any university. Where are we going to take our children? We have no universities and other important institutions in Coast and Eastern Provinces. Let us forget about majimboism and talk about development in every district. In that way, you may find the people are fighting for nothing. This may incite the people to fight. What are we gaining now through fighting and tribal clashes? Who has gained in Likoni from where everybody has ran away? Nobody has gained! We are going to lose Kshs3 billion between September and December this year from tourism.

Mr. Temporary Deputy Speaker, Sir, if I am threatened with failure today, I would not tell the people to fight. Let me fail honourably, go and sit down, and let other people come forward and lead. We should let the country to continue forward. We can have development if there is unity. In Somalia and other African countries where we have conflicts, there is no development going on there. If we want development, let us preach unity wherever we are, and be honest to each other.

Let the people get five per cent because it is their right. They should not just get the cash, but they should get it through development. The earnings of that project can make those people have very good educational institutions. They can assist the local people to have jua kali projects in the area. Once development is realised in such an area, we are all going to benefit.

Let us not use the people during the campaign period and dump them when it is over, only to come back later and give them sweet empty promises.

With those few remarks, I beg to support.

**Mr. Imana:** Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to support his very important Motion.

But before I continue, I would like to move a small amendment. At the end of the sentence with the words: "Pokot County Council", to insert the following, "Turkana and Trans Nzoia County Councils".

This is so, because the water coming to the Turkwell Gorge is from Mt. Elgon, which is in Trans Nzoia District. At the same time, the water ends up in Lake Turkana, thus giving the people of Turkana an opportunity to fish.

It has been mentioned by one speaker that due to water being regulated in the dam, Lake Turkana is being affected. Since the inception of this dam, no provision was given to the local people of Trans Nzoia and Turkana County Councils, in terms of compensation. When you talk about Turkwell Dam, it occupies a very big area. The people who were living in the place were told to move away together with their livestock. In one way or the other, they were displaced.

During the inception, Norconsult, which is a consulting company, was appointed to carry out the study of the impact of the Turkwell Dam on the local people. But their findings, which were very good and pointed out very good things, were shelved and Sorvea(?), the contractors of the dam were given the consultancy. So, some factors which the local people wanted to know have not been made public up to today. We do not know the effects of the Turkwell Dam to the local communities. What we are only asking is five per cent of the revenue, which will go to the three county councils. This will enable the county councils to rehabilitate the vegetation which has already been affected. I brought a Question to this Parliament, as to what provision was given to the affected environment because of the impact of the Turkwell Dam. It is seven years since the project was completed and there has never been a proper provision or consideration of the budget to be given. The environment is being affected every time, because of regulating water. If you now walk along the Turkwel river, you will find that the environment has been affected. For example, trees have been affected; some are drying up and so on. This is revenue which would help these local authorities to plant the indigenous trees. Mr. Temporary Deputy Speaker, Sir, the KVDA is getting about Kshs40 million every month and yet, not even a single cent is given to these local authorities. This is why we are very concerned and we are asking for this allocation from this provision.

Mr. Temporary Deputy Speaker, Sir, recently, I brought a Question in this Parliament requesting the

Government to provide electricity to Kainuk which is a fast growing centre, about 20 kilometres from Turkwel Gorge. We are told that it is going to cost about Kshs20 million which Treasury does not have. Now, if West Pokot, Turkana or Trans Nzoia County Councils are not going to benefit from that power from Turkwel Gorge, then it is meaningless to us, the residents who live next to it. That is why we are asking for only this negligible amount of five per cent, because we want to develop these areas. What is happening now is that, urbanisation of several centres is taking place in West Pokot, Turkana and Trans Nzoia. These areas have not been developed.

Mr. Temporary Deputy Speaker, Sir, the Sessional Paper in which we have been talking about Kenya being industrialised by the year 2020, is a dream to Turkana and Pokot communities because they are not going to benefit from this.

Mr. Temporary Deputy Speaker, Sir, Turkana, West Pokot and Trans Nzoia county councils are among the poorest councils in Kenya. Employees have not been paid for two years. This revenue can save the situation by funding the industries that we want to put up there, because we have enormous livestock and so on. We want to put up industries with this revenue, if at all, we are not going to get power which we also feel we must get, like any other Kenyan.

Mr. Temporary Deputy Speaker, Sir, all we know is that, the power from the Turkwel Gorge is going to the national grid here in Nairobi. It is not only Nairobi that should benefit from this project. We also want to develop our areas. In that regard, we still urge the same Ministry of Energy to consider Turkana, West Pokot and Trans Nzoia county councils when distributing power.

Mr. Temporary Deputy Speaker, Sir, the Mover of this Motion mentioned that the indigenous people of that area have been displaced, simply because when they were employing people at that dam site, the local people benefited only during the clearing of the bushes as casual labourers. But now, we are not benefiting from the dam in terms of employment. We are now asking for an opportunity to get this revenue to start industries, so that we can also employ our people.

Mr. Temporary Deputy Speaker, Sir, I would like Mr. Moiben to second the amendment.

With those few remarks, I beg to support.

**Mr. Moiben:** Mr. Temporary Deputy Speaker, Sir, this Motion is very important, because the area that this Motion talks about has a lot of poverty. People in that area are the poorest in the Republic, most of them are pastoralists. However, some of them have only one cow or two due to the prevailing harsh climate.

Mr. Temporary Deputy Speaker, Sir, if this Motion is passed, it will go a long way towards alleviating poverty prevailing in the area. For example, if the Minister can stay in Lowdar Town for a day, I think he would understand the "harshness" of the climate. From sun rise to sun set, people have to sweat. The amount of respiration can lead one to be terribly dehydrated. So, the request for five per cent is on the lower scale. Although the Mover of the Motion requested for five per cent, I feel that we should request for ten per cent. The people of the area depend on river Turkwel for their survival. All this water has been harnessed to generate electricity.

Mr. Temporary Deputy Speaker, Sir, in these areas, namely: Trans Nzoia, West Pokot and Turkana, pupils in primary schools are in "darkness", not to mention that, most of them sit on stones, instead of desks, because of poverty.

It is no wonder that in those areas, most of the pastoralists preoccupy themselves in cattle-rustling, as a way of survival. We feel that this injection of five per cent will also curb cattle-rustling, because people will have other avenues to generate resources.

Mr. Temporary Deputy Speaker, Sir, most of the centres along the road, apart from Kitale town, have no electricity. There is nothing on the way, apart from "darkness" and yet, we know that darkness breeds evil. This is associated with "satan".

The KVDA should wake up and do that. Indeed, this authority needs to be injected with new blood. The officers managing that Authority must wake up to reality. None of the officers who manage the KVDA comes from Trans Nzoia, West Pokot or Turkana. They only live in Eldoret, Keiyo and Marakwet. The KVDA officials must understand that, they are part of Kenya and it is high time they did something for us.

Mr. Temporary Deputy Speaker, Sir, West Pokot and Turkana country councils are the most undeveloped. Incidentally, the cool climate prevailing in Mt. Elgon and the fertile soil found in the area, helps to generate some income.

It is very important for the Minister to realise that, there is need for the people of those areas to take off economically. There is no way they can do it in darkness. They must have light and resources.

Mr. Temporary Deputy Speaker, Sir, I second the amendment as proposed by hon. Imana that the five per cent be limited to West Pokot, Turkana and Trans Nzoia county councils as a way of alleviating poverty. In those county councils, it is not safe for employees to stay for three to four months without getting their salaries, because the councils cannot pay and yet, we have large rivers and electricity is being generated there. I feel that KVDA should not concentrate on generating electricity alone, but it should also be concerned with lives of people, so that they can

improve their livestock, bee-keeping, irrigation and so on. You will be surprised to learn that, water that flows from Mt. Elgon can irrigate the whole of Trans Nzoia, Bungoma and Kakamega districts without depending on rains. We have over 132 rivers flowing into lakes Turkana and Victoria. Nobody even imagines how we can tap that water for irrigation.

Mr. Temporary Deputy Speaker, Sir, it should have been a priority for the Kerio Valley Development Authority (KVDA) to begin irrigation projects around Tans-Nzoia and West Pokot districts on a large scale upto Turkana, so that we can export our produce through the Eldoret International Airport. I do not know what we are going to export through that airport, because the KVDA is so silent. Unless we try to improve the lives of our people, we as leaders will one day be blamed for not giving guidance. We should get our priorities right and I suggest that, the KVDA should heed this and become leaders in improving the living standards of our people.

With those few remarks, I beg to second the amendment.

*(Question, that the words to be added  
be added, proposed)*

*(Question, that the words to be added  
be added, put and agreed)*

*(Question of the Motion as amended proposed)*

**Mr. Mwaaura:** Thank you very much, Mr. Temporary Deputy Speaker, Sir, for giving me this chance to contribute on this important Motion.

Mr. Temporary Deputy Speaker, Sir, after so many years, this country has shown that despite the planning and many issues passed by this Parliament, no meaningful development is really initiated, despite the fact that we pass many Motions in this Parliament. The hon. Member for Sigor has said that he will be happy if this Motion is passed by this Parliament, because he hopes that the people of his area will benefit. Much as we support and pass this Motion, I am not sure that the people of West Pokot and Turkana will benefit. I do not believe that the 5 per cent that will be approved here will be initiated, in order to help the poor people of that area.

Mr. Temporary Deputy Speaker, Sir, when the Turkwel Dam was constructed many years ago, it was expected that by this time, it should have transformed that area through irrigation. The Ministry of Commerce and Industry brought here, a Sessional Paper which indicated that, this country is set to be an industrialised country in the year 2020. I cannot see how we can really be an industrialised country, if we are not going to develop our rural areas where most of our people live. I say this, because most of the time, we do not plan our priorities. Most of the time, we undertake projects without proper feasibility studies. I believe that there were feasibility studies that had been taken when we constructed the Turkwel Dam. Irrigation should have been one of the major priorities, apart from power generation. This way, many people within the area would have been assisted.

Mr. Temporary Deputy Speaker, Sir, in Maragwa District, we have the Ndakaini Dam which was constructed by using over Kshs2. billion and that dam, apart from bringing water to Nairobi, it has not helped the people in that area, except the compensation they got. We have continued to request the Government to ensure that people within the area get water.

Mr. Temporary Deputy Speaker, Sir, recently, we discussed constitutional reforms. There have been other people who have said that we should also discuss economic reforms that will affect the common people in this country.

Otherwise, I do not think we shall be doing anything of benefit to our country. Therefore, I suggest that in future, some of the major reforms which we must really tackle in this country, are economic reforms that touch on the common people. I am one person who believes in constitutional reforms and I should not be misunderstood as not supporting the reform process. But we should go beyond constitutional reforms and address other reforms that will affect our people. We should not advocate for reforms by inciting Kenyans to create civil strife in this country. We should not deprive majority of our people a way of earning a living. We have seen from the recent Likoni violence and the tribal clashes which rocked parts of Rift Valley Province in 1992, that it is the common man who is affected. We should be wary of those who advocate for civil strife, because they are interested in achieving individual power. For example, Somalia wanted to remove a dictator called Siad Barre but in that process, the advocates of reform destroyed Somalia. Therefore, whenever we advocate for reforms, we should know what we want.

Mr. Temporary Deputy Speaker, Sir, I am glad to see the Minister for Local Government here. While we advocate that the local authorities from these areas should be given a 5 per cent of the income from the Turkwel Dam, I believe that one of the failures which we have witnessed in our country is the performance of the local authorities. The local authorities are poorly managed by those who are entrusted to run them. The employees and the councillors



are engaged in corruption, instead of development of the local authorities. The sale of plots and mismanagement of resources in the local authorities has become the order of the day. We urge the Minister for Local Government to ensure that, he streamlines the local authority management, so that whatever resources we get from the central Government are properly utilised in order to benefit the local people.

Mr. Temporary Deputy Speaker, Sir, we are requesting the Government to give five percent of the total revenue earned from the sale of power generated from the Turkwel dam, because the money that was used to repay the loans given to the Kenya Government to build it was raised by taxpayers. It is not only the local people who paid off the Kshs3 billion which we borrowed, but all the taxpayers. Therefore, that project and many others must really be properly managed, in order to ensure that the taxpayers benefit. That can only be done through transparency and accountability, which has lacked in this country for many years.

Mr. Temporary Deputy Speaker, Sir, I hope the next Parliament will ensure that Bills that are brought into this House are implemented. We should not just pass motions in this House. We should also ensure that they are implemented.

With these few remarks, I support the motion.

**The Minister for Local Government** (Mr. P.L. Lotodo): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute to this Motion. I happen to be one of the MPs from Pokot District, and the Turkwel Dam is situated between two constituencies namely: Kapenguria which I represent and Kacheliba which is represented by hon. Nang'ole who happens to be an Assistant Minister in the Ministry of Energy. Fortunately or unfortunately, I happened to be one of the Assistant Ministers when this Ministry of Energy was formed in 1979.

Mr. Temporary Deputy Speaker, Sir, it is true as hon. Imana said and amended the Motion, that River Suam starts from somewhere in Trans-Nzoia, goes through West Pokot down to Turkana. Therefore, the three districts should benefit from the revenue accrued from the power generated from this dam.

Mr. Temporary Deputy Speaker, Sir, before the dam was constructed sometime back in 1984, the area where the dam is, contained alluvial gold which thousands of Pokots used to mine. There were shambas, manyattas and beehives around. These people who were benefiting from these, were removed to pave way for the Kenya Power and Lighting dam called the Turkwel Gorge Dam.

Mr. Temporary Deputy Speaker, Sir, the KVDA which is supposed to represent the people of the area agreed to pay Pokot County Council for the Trust Land lost to the tune of Kshs19 million. Todate, only Kshs7 million has been paid and it has not been possible for the West Pokot County Council to get the remaining Kshs12 million. We do not know why this has happened. The KVDA is an institution whose reason for existence we do not know, nor for whose benefit it exists.

Mr. Temporary Deputy Speaker, Sir, when Turkwel Dam was constructed, the Minister for Energy that time was hon. Biwott. I asked him why the cables from that plant had to go all the way from West Pokot, over Marakwet District, all the way to Keiyo District and then, westwards to where the transformer is in Nandi Hills, instead of going directly from Turkwel Gorge through Kapenguria, straight to Eldoret and then to Nandi Hills. The Minister told me that because of the uneven terrain, the Kenya Power and Lighting Company would have used more cables, compared to those they would have used, if they had gone to Tambach and then to Nandi. There is no logic in this.

**The Minister of State, Office of the President** (Mr. Biwott): On a point of order, Mr. Temporary Deputy Speaker, Sir. Is it in order for the Minister to mislead the House and the entire nation in this particular aspect? It is true he asked me why that transmission line left Turkwel Gorge all the way to Lessos. My answer was that, that is a high tension cable which must go to Lessos where all the power is integrated into the grade. As concerns the areas he wanted this transmission line to pass through, I told him that, that can be stepped down from Turkwel itself and then connected to all those areas. So, that is the truth and nothing but the truth.

**The Minister for Local Government** (Mr. F.P.L. Lotodo): Mr. Temporary Deputy Speaker, Sir, I am happy the Minister has confirmed some statements that I made.

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

**The Temporary Deputy Speaker** (Mr. Ndotto): Disallowed! I am sorry Mr. Lotodo has only a few minutes left! Proceed!

**The Minister for Local Government** (Mr. F.P.L. Lotodo): Thank you, Mr. Temporary Deputy Speaker, Sir, for protecting me from Mr. Kiliku.

Mr. Temporary Deputy Speaker, Sir, people in Sigor need the power and there is no way the Kenya Power and Lighting Company will avoid taking those cables back to where it started from. So Mr. Biwott cannot avoid accepting the fact that it was either because of poor planning or a deliberate move to deny the people in Sigor, Lomut, Chesegon, including Tot. There is no point of having a project in West Pokot, if the Pokot people cannot benefit.

Mr. Temporary Deputy Speaker, Sir, I have listed over 25 centres---

**The Minister of State, Office of the President** (Mr. Biwott): On a point of order, Mr. Temporary Deputy

Speaker, Sir. I think orderliness should be the order of the day and the truth shall prevail. That transmission line had to go there, because that was designed from the word go. It had to take the most logical direction to Lessos and it had nothing to do with the distribution network done on rural electrification. That point has to be very clear and any body who wants to look at it can look at the actual feasibility study that designed the whole project and the basis on which it was created.

**An hon. Member:** That is a point of information.

**The Minister for Local Government** (Mr. F.P.L Lotodo): Mr. Temporary Deputy Speaker, Sir, what we need is the power. It does not matter which way you say it.

(Applause)

From 1984 to date, it is about 13 years. The power has not been taken to the 25 trading centres apart from Kapenguria. The remaining 24 trading centres have not been supplied with electricity. What is the problem?

Mr. Temporary Deputy Speaker, Sir, what will this Government lose by giving the Pokot County Council this five per cent? The Kerio Valley Development Authority (KVDA) which is headed by somebody from Keiyo, does not take care of West Pokot. What is the use of KVDA? I am told that it gets Kshs45 million every month. Where does all this money go? We had a camp at a place called Kisiaunet and because that camp did not serve any purpose to the Pokot community and, it did not employ the locals, I had to kick it out.

Mr. Temporary Deputy Speaker, Sir, time has come when people in an area should benefit from a project which is in their area. We have so many power generating dams like Kindaruma, Masinga and I do not know whether those communities living near them get anything from the Kenya Power and Lighting Company. If they do not get power, there is no reason why they should not get this five per cent from the amount accrued. We are buying the power in Nairobi and other places everywhere. Why can those people where the power is generated from, not get at least some percentage? Why can they not construct a few dispensaries to benefit the locals? I have just said that out of 25 trading centres in West Pokot, District only one, Kapenguria, is supplied with power. When will the rest be supplied with power?

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

**Mr. Gichuki:** Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute to this very important Motion. The people served by the KVDA deserve to benefit from the project. I happen to have been involved in the initial construction of Turkwel Gorge, especially during the time when a feasibility study was being carried out. We used to call it "hydrometeorological survey of Turkwel Area." By then, I was working in the Ministry of Land Reclamation, Regional and Water Development. We were doing it with NORCONSULT through NORAD. And NORAD was supposed to get the actual project of the construction of the dam, but somehow in the process, the whole process was hijacked by a French company. I think that explains why the whole project was exaggerated.

We were doing sedimentation analysis of the area where this was going to involve the environmental impact of the project after construction of the dam, but when the project was hijacked, this was not considered. That is why, as we are talking now, there is quite a bit of environmental impact, especially downstream of the project and the downstream of the dam. As the Mover of this Motion rightly puts it, the people in the area require to benefit from the generation of electricity from this dam. He said that the KPLC gets about Kshs500 million every year from the generation of electricity from this dam. If we calculate, five per cent of this money is about Kshs25 million. Personally, I would propose that they should get 10 per cent of that amount. That is about Kshs50 million divided amongst the three county councils and each county council will get about Kshs17 million. I believe that this money will assist the count councils in terms of rendering services to their areas.

Mr. Temporary Deputy Speaker, Sir, it is sad to get electricity from this dam and most of the centres do not have electricity, as the Minister for Local Government who comes from the area has said. We are talking of industrialisation by the year 2020, but if we do not consider such factors, then I cannot see how we are going to realise this goal. We have centres like Chepareria, Sigor, Kacheliba, Ortum, Kakuma and Kalakol. I know them because I used to work in the area. It is sad because only one centre has electricity, that is, Kapenguria. All the others do not have electricity. It is a shame to this Government that all those centres do not to have electricity. If they had electricity, it would go along way in assisting the Jua Kali industries and, maybe, the money that should be given to the county councils and the county councils would in turn, supplement health facilities, road network and so on. It is high time---

**Mr. Moiben:** On a point of information, Mr. Temporary Deputy Speaker, Sir. You heard the hon. Member say that he was personally involved right from the planning stage to the implementation stage of the Turkwel Gorge, until the project was hijacked from him. Could he give us more information on how it was hijacked from his hands?

**Mr. Gichuki:** Mr. Temporary Deputy Speaker, Sir, the point I was saying is that---

**The Temporary Deputy Speaker (Mr. Ndotto):** Order! Order, hon. Moiben! I think you should not hijack the debate. That is not a point of information. Proceed, Mr. Gichuki.

**Mr. Gichuki:** Mr. Temporary Deputy Speaker, Sir, it is high time we had a policy in this Government. There should be a policy where the local people should be beneficiaries of such projects. We have many cases such as Turkwel Gorge Dam and Malewa Dam which takes all the water to Nakuru and Gilgil, leaving Ol Kalou without water. The water for that area comes from Nyandarua. We have Sasumua Dam in Kinangop and it brings its water all the way to Nairobi and the people in that area do not benefit from that project. It is imperative that---

**The Temporary Deputy Speaker (Mr. Ndotto):** Mr. Gichuki, you will continue from there next Wednesday.

#### ADJOURNMENT

**The Temporary Deputy Speaker (Mr. Ndotto):** Order! Hon. Members, it is now time for the interruption of Business. Therefore, the House stands adjourned until this afternoon at 2.30 p.m.

The House rose at 12.30 p.m.