

NATIONAL ASSEMBLY

OFFICIAL REPORT

Tuesday, 9th May, 1995

The House met at 2.30 p.m.

[Mr. Speaker in the Chair]

PRAYERS

POINTS OF ORDER

LACK OF QUESTIONS ON THE ORDER PAPER

Mr. Anyona: Mr. Speaker, Sir, there appears to be some kind of confusion in the sense that we do not even seem to have Questions today. I wanted to rise on a point of order to raise an issue that took place here last week.

Mr. Speaker: Order! Order, Mr. Anyona! Just before you go to the second point, you have said that you are surprised about lack of Questions today. Obviously, following certain decisions made by the Sessional Committee last week, we did not send any Questions to the Ministries.

Mr. Anyona: Well, I am mainly concerned with the other issue. The issue that I would like to raise is that of two documents that were tabled here on Thursday by the hon. Shikuku. One relates to the importation of sugar, and as far as I can see from the copy I have, it is hand-written. The second one relates to the importation of maize. The document is typed and it seems to be a document of Kenya Ports Authority. Now, it is a long-standing practice of this House that the House should not be treated to any matter that may not be authentic; any matter, as we say in our prayer, that may not have been brought in good faith. Now, therefore, I was trying to seek the indulgence of the Chair to assist the House not to fall into the trap of discussing a matter that may not, as I said, be authentic because there is a huge amount of money involved in these documents. If that is the case, then it is a matter that this House and this nation must take seriously. So, my request is: Would the Chair, before we commit any errors in discussing this issue in one way or the other, verify these documents, assure the House and confirm to the House that these documents are authentic so that we can make appropriate comments? If you do confirm that these documents are, indeed, genuine, then we are going to demand, one, that the Minister for Finance makes a statement in this House why these amounts of money were not collected, and two, why the Attorney-General has not taken the people involved in fraud to court and three - obviously there must be some Members of Parliament who are involved in this fraud - we have to decide what to do with their privilege in a matter of this kind.

Mr. Speaker: Well, I was hoping that hon. Nyachae was here because he had seen me regarding the same documents. He had something to say, and I cannot see him here. Consequently, I will not speak for him but I want to say one thing because I have seen both documents. The hand-written papers should be done away with because to call them documents really is a misnomer. The hand-written documents that are unsigned are, in fact, not documents. They were pieces of paper, hand-written by somebody, whoever it is, because it is not disclosed and they were tabled here by the hon. Member for Butere to verify the truth of what he was alleging on that part, straightaway, the Chair will consider those documents not to have been accepted as valid documents in the first place, and I will order that they be expunged from the records. As relates to the second lot of documents, I will have to wait to look at them more closely, and also, maybe, hear from the Minister concerned before I make any pronouncements upon that.

OMISSION OF MEMBER'S NAME IN DIVISION LIST

The Vice-President and Minister for Planning and National Development (Prof. Saitoti): Mr. Speaker, Sir, I rise on a point of order in connection with the results of the voting in relation to the Motion of Adjournment last Thursday. I do have here the records showing the hon. Members who were present and voted for the Motion and those who voted against it. There is only one abstention. The embarrassing point is that my name neither appears among the names of hon. Members who voted for the Motion or, for that matter, those who

opposed it. Not even that; I am not even listed among those who abstained. I know, and I am sure that there are many other hon. Members who can bear me witness, I did go through that door and I did tell the Teller there, "please, tick my name" and I expected that to be done.

(Laughter)

Mr. Speaker: Order! Order!

The Vice-President and Minister for Planning and National Development (Prof. Saitoti): Mr. Speaker, there is a very serious omission here. If I had not voted then the assumption would have been that I abstained. I am neither listed as among the "Ayes" nor among the "Noes" or for that matter, even among the "Abstentions". The implication is that I was not in this House. I think the other side of the Bench is treating that matter with the greatest amusement for obvious reasons there is a very serious matter here and it needs to be clarified because the meaning here is that in actual fact the results are completely different from what we were told.

Mr. Speaker: Order! I think we have all passed that stage. You have made your sentiments known but we have passed that issue. The only thing I can make comment on is that anybody elected by the House to be a Teller owes a duty of care to this House to do his duty faithfully. Let us move to the next Order.

BILL

Second Reading

THE HIGHER EDUCATION LOANS BOARD BILL

(The Minister for Education on 3.5.95)

(Resumption of Debate interrupted on 3.5.95)

Mr. Speaker: Was there somebody on the Floor? Yes, Mr. Shikuku, you were indeed, right on the Floor last time.

Mr. Shikuku: Ahsante sana, Bw. Spika. Siku ile nilikuwa hata sijaongea nusu dakika na saa ikaisha. Jambo la kwanza ni kuhusu Wizara ya Elimu. Ninafuraha kwamba Waziri wa Wizara hiyo yuko mbele yangu. Mimi nilimsikia---

Mr. Achieng-Oneko: On a point of order, Mr. Speaker, Sir. Earlier on, we had something about the Ministry of Agriculture, Livestock Development and Marketing, and now that the Minister has arrived, can we revive the issue so that we hear his statement on it?

Mr. Speaker: Order! We have already moved from one Order to the other. However, I understand the feelings of the hon. Member for Rarieda, hon. Achieng-Oneko, on the issue. It is also a matter the House is obviously interested in. But I am also mindful of our practices and Standing Orders. However, in fairness to the House, the hon. Member who feels aggrieved, and the whole nation, before I move on to the next Order of business I will call upon Mr. Nyachae to say what he has to say. For now we continue with the business of the House as it is.

Mr. Shikuku: Bw. Spika, mimi nilimsikia Waziri wa Elimu ambaye yuko hapa, na kumuona katika televisheni akisema kwamba, wajibu wa Wizara yake ni kuwapa watoto wetu elimu ya chuo kikuu na sio kuwapa kazi.

(Mr. Kamotho nodded in agreement)

Naona Waziri akiitikia kwa kichwa chake. Kwa hivyo, maana ya Mswada huu ni kuiwezesha Wizara kuwapa wanafunzi pesa za karo ambazo wangelipa baada ya kumaliza masomo yao. Ni kweli kazi yetu ya kwanza ni kutengeneza sheria, wala sio kuendesha Harambee. Lakini kwa vile Waziri amesema Wizara yake haitahusika na kupata kazi kwa wale watakaosoma wakitumia mikopo kutoka kwa Serikali, je watu hao watailipa mikopo yao kwa njia gani? Tunajua kwamba wale wanaochukua masomo yasiyo ya ujuzi au ya sayansi ni wengi mara tano ya wale wanaosomea ujuzi na sayansi, na hawa ndio wanafunzi ambao hawapati kazi. Huu ndio ukweli na hali Waziri anataka tuipitisha Mswada huu ambao utatumiwa kuwalazimisha watoto hawa kuilipa mikopo yao.

Mimi ningependa kuupinga Mswada huu kwa sababu hauna maana. Ukweli ni kwamba tuna pesa za kutosha, lakini tunaziiba. Ikiwa pesa zote zitokanazo na shughuli za Kenya Ports Authority (KPA) na Kenya Posts and Telecommunications (KPTC)--- Sisi tunajua kashfa ya shirika la posta ambapo pesa "zililiwa". Wakati huo, mhe. Ayah alikuwa Mwenyekiti wa Public Accounts Committee (PAC), lakini kabla ya kuiweka katika Meza hii ripoti ya kamati yake juu ya shirika la posta, mhe. mtukufu Ndolo Ayah aliteuliwa Waziri Msaidizi.

Mr. Obwocha: On a point of order, Mr. Speaker, Sir. Is the hon. Shikuku in order to adversely discuss another hon. Member?

Mr. Speaker: Mr. Obwocha, what did he say? Who was he referring to?

Mr. Obwocha: Mr. Speaker, Sir, he was referring to hon. Ayah, who messed up the PAC sometime back!

Mr. Speaker: Mr. Shikuku, did you do that?

Mr. Shikuku: Bw. Spika, pengine mhe hakifahamu Kiswahili kwa sababu sikusema aliharibu. Nilichosema ni kwamba wakati mhe. Ayah alipokuwa Mwenyekiti wa PAC, kamati yake iligundua wizi mkubwa katika shirika la posta lakini kabla ya ripoti ya kamati yake kuwekwa chini ya Meza hii, mhe. Ayah aliteuliwa Waziri Msaidizi na kwa hivyo ripoti haikuletwa katika Bunge hili.

Mr. Chebelyon: On a point of order, Mr. Speaker, Sir. Is hon. Shikuku in order to refer to hon. Ayah as "mtukufu"?

Mr. Shikuku: Bw. Spika, kila siku tunaongea juu ya "wananchi watukufu". Basi vile ninvyojua, mhe. Ayah in mwananchi wa Kenya, ndiyo sababu nimemuita "mtukufu". Kwa hivyo, ripoti ya PAC haijawahi kuletwa katika Bunge hili. Hata wanachama wa Public Investments Committee wanalijua jambo hili.

Mr. Speaker: Order, Mr. Shikuku. Kwa sasa unaweza kuzungumzia tu pesa ambazo "zimeliwa" na wanafunzi kwa sababu Mswada huu unawahusu wanafunzi na si shirika la posta.

Mr. Shikuku: Bw. Spika, ninasema kwamba hakuna haja ya kuwauliza wanafunzi walipe mikopo na hali pesa "zinaliwa". Tunawataka vijana wawe wakilipa mikopo kwa Serikali hii, na hali Serikali hii "inakula" kodi ya mwananchi. Hakuna haja ya kufanya hivi. Hakuna haja. Watoto wasome. Hawa watoto hawasomi bure. Wanasoma na kodi yetu, na kitu tunachotaka ni kuona kwamba wizi wa kodi umepunguzwa ili watoto wasome bure kutoka darasa la kwanza mpaka chuo kikuu. Ni wizi tu tunafanya na jambo hili linajulikana. Haya mabilioni ya pesa tunazungumzia hapa kuhusu Bw. Pattni na wengine yakitolewa, hakutakuwa na haja ya kulipia chuo kikuu. Hata hii kesi ya Bw. Somaia inahusu shilingi bilioni 4.7, na Mswada huu unasema kwamba Wizara inahitaji shilingi bilioni tano. Somaia peke yake akilipa zile hajalipa, shilingi bilioni 4.7, tutaongeza kidogo tu ili watoto wasome bure. Tunawaambia walipe na tunajua hawawezi kulipa. Kazi hawawezi kupata. Kwa hivyo, hii "exercise" ambayo tuko nayo hapa, Waingereza huiita "an exercise in futility", ambayo haina maana. Na hii ndiyo sababu mimi, kwa miaka hii yote, huzungumza kwa niaba ya wananchi; wale wananchi wadogo na maskini.

Ningependa kuuliza ni Mbunge gani hapa ambaye anaweza kusimama na kusema kwamba yeye alikuwa akizungumza kwa niaba ya wananchi wadogo miaka hii yote? Wananchi si wapumbavu. Wanajua ni nani anayesema maneno yao, na hawa waheshimiwa Wabunge wote wanajua hiyo. Kwa hivyo, mimi ninajua kwamba mdogo hatafaidika. Saa hii, wakubwa wanapeleka watoto wao ng'ambo, na wale wengine wa maskini wanabaki hapa. Kwa hivyo, watakaoumia zaidi kwa sababu ya Mswada huu ni watu wadogo. Tena, wale watoto walio na akili nyingi hutoka kwa maskini, sio kwa matajiri. Matajiri huwa na utajiri na Mungu hawapi akili, na hata mhe. Kamotho anajua hiyo.

Ninataka kuwakumbusha waheshimiwa Wabunge wenzangu kwamba huu ni wakati wetu. Wengine tunaweza kuwa tunacheka hapa lakini wananchi hawacheki huko nyumbani. Hata elimu ya msingi na ya upili, wananchi hawawezi kuigharamia. Wamefilisika na kunyonywa na Serikali hii. Hawawezi hata kulisha watoto wao. Wamekuwa maskini zaidi kushinda wakati ule wa ukoloni kwa shauri ya Serikali hii. Hata saa hii ninapozungumza, ukweli ni kwamba katika Butere na kwingineko katika Kenya, wakulima hawawezi kusomesha watoto wao sasa kwa sababu mahindi yamejaa kila pahali na hawawezi kupata pesa. Hawatapata pesa ya kusomesha watoto wao mpaka chuo kikuu kwa sababu wakubwa ndio wanaleta mahindi, sukari, ngano, mchele na hata maziwa. Hii ni kuangamiza wadogo ili wafilisike kabisa, wasiweze kusomesha watoto. Wakati wa uchaguzi wa mwaka wa 1997, watakuwa wakipewa kilo moja ya mchele ili watoe kura. This is the plan for 1997. Wakishafilisi watu kabisa, mtu hana lolote; atatoa halafu ---

Mr. Rotino: On a point of order, Mr. Speaker, Sir. Hon. Shikuku is referring to the Government as "robbing wananchi". Can he substantiate that?

Mr. Shikuku: Bw. Spika, huyu mhe. Mbunge hana habari. Ninataka kumjulisha. Ni nani anahusika

na juhudi ya kuona kwamba mwananchi anakwenda juu? Ni Serikali. Mara nyingi, nimeshasema katika Bunge hili kwamba fedha zinakwenda nje, ambazo zingelipia hii elimu. Nimesema hii mara nyingi, tangu mwaka wa 1970. Sijui huyu mhe. Mbunge alikuwa bado shuleni na mtoto wangu.

Mr. Rotino: On a point of order, Mr. Speaker, Sir. I may have been in school then, but I am an hon. Member now. Is hon. Shikuku in order to say that money has been going out without substantiating it? He should prove it.

Mr. Shikuku: Bw. Spika, nilisema haya mambo 1973, na huyu mhe. Mbunge alikuwa akisoma na mtoto wangu huko---

(Laughter)

Mr. Speaker: Order! Order! It may be true or it may not be true that some of the hon. Members are as old as other hon. Members' fathers and mothers, but that becomes irrelevant because once you step into this House, you are an hon. Member, subject to the same privileges and everything else. Debating with humour, no doubt, is very welcome, particularly on an afternoon, but let us not overdo it because, humour, when overdone, ceases to be humour. It becomes something else.

Mr. Shikuku: Bw. Spika, mimi ninatoa habari inayonifanya nipinga Mswada huu ni kwa sababu watu wadogo hawana fedha.

Mr. Cheserek: On a point of order, Mr. Speaker, Sir. Since my colleague, Mr. Shikuku, is repeating himself many times, and also, since it looks as if we have exhausted this topic, shall I be in order to call upon the Mover to reply?

Mr. Speaker: Order! Proceed, Mr. Shikuku, but take care of what you have been repeating, probably, for the last many years.

Mr. Shikuku: Bw. Spika, mimi ni mtu wa pili kuzungumza kuhusu Mswada huu, na ikiwa hawa waheshimiwa Wabunge wenzangu watakuwa wakitumia njia hiyo ili kuweza kuzuia maoni ya wananchi kuzungumzwa, basi, huyo mhe. Mbunge huenda nikakosa kumuona wakati mwingine uchaguzi ukija tena. Ninazungumza kwa niaba ya watu maskini kutoka kwa sehemu yake. Nimeshaona wengine, na huenda huyu sitamuona tena.

(Loud consultations)

Mr. Speaker: Order! There is a lot of loud consultation. I must also remind hon. Members not to make an assertion as a matter of fact when you do not know the truth of it. As far as I know about this, hon. Shikuku cannot possibly be the second Member to contribute. There must have been Mr. Makau who seconded. But that not withstanding, Mr. Shikuku is the seventh.

Mr. Shikuku: Bw. Spika, mimi sitachukuwa muda wa Bunge hili bure. Kuna mambo ninataka kuzungumza, na mimi mambo yangu ni kuthibitisha kwamba kuna pesa za kutosha na hakuna haja ya watoto wetu kulipa hii kodi kwa sababu tunaharibu pesa zetu.

Bw. Spika, jambo lingine ni kuhusu hii halmashauri. Ukiangailia ukurasa wa 138, Clause 4, utapata kwamba wale wafanyakazi wa Serikali katika Wizara hiyo ndio wako wengi katika halmashauri hii. Tumeshajifunza kutoka kwa Wizara ya fedha, ambayo tuliaini, tukawapa pesa zote. Wao ndio walikuwa wakifanya mpango wakutuibia sisi kodi yetu.

Walikuwa karibu kusema kwamba Public Accounts Committee ndio imekula pesa na hali fedha zililiwa, na Wizara ya Fedha yenyewe ikasaidia kula hizo fedha kupitia kwa wafanyakazi wa Serikali hii tukufu. Hakuna maneno ya kusema kwamba hiyo haikufanyika. Wengi wa wale wanaoleta mali nchini na kuharibu mipango pesa ziweze kuingia wanatoka upande wa KANU. Kama kuna yeyote upande huu wa Upinzani, mhe. Mbunge atakaposimama atatwambia. Taabu za nchi hii zote zinatoka kwa Serikali hii tukufu.

An hon. Member: Chama "kitakatifu" cha KANU.

Mr. Shikuku: Bw. Spika, hata hizi Kshs6,000 ambazo mtoto anatakikana alipe chuo kikuu kabla kuanza masomo, maskini hawawezi kulipa. Baadaye waheshimiwa Wabunge wanatuambia tumfanyie Harambee. Halafu waheshimiwa Wabunge wa upande wa KANU husema hawataki maneno matupu, bali wanataka vitendo. Siku ya Harambee watasema "mimi na rafiki zangu tumewaletea Kshs250,000, pigeni makofi ya "kilo"

*(Prolonged clapping and foot thumbing
from the Opposition side)*

Mr. Speaker: Order! Order! Order! I think hon. Members do not want order. I do not think the hon. Members are really interested in doing things like that unto themselves. You had better wait to be harmed by others rather than harming yourselves. This is not the behaviour of hon. Members in the House.

(Loud consultations)

Mr. Shikuku: Thank you, Mr. Speaker, Sir, and I appreciate your ruling. Lakini hivyo tumefanya ndio hufanyika kwenye Harambee. Kama mwanafunzi hawezi kulipa Kshs6,000 peke yake, je atakapotoka chuo kikuu, atalipa namna gani mkopo huo, ilhali tumeambiwa hawatapewa kazi? Mhe. Prof. Ng'eno ananiambia huyu mwanafunzi anapata kazi na hali mhe. Waziri wa Elimu amesema wazi hakuna kazi. Sasa ni mheshimiwa Mbunge yupi anayetuambia ukweli; Prof. Ng'eno au mhe. Kamotho?

Bw. Spika, mimi pamoja na wengine wakubwa tunaweza kulipa huu mkopo. Lakini yule maskini wa Bomet na Buret, ambao wanategemea malipo kutoka kwa maziwa, hawawezi kulipa maana Serikali hailipi pesa za maziwa. Watu kama hawa watafanya namna gani na hali KCC imechukuwa maziwa yao? Maziwa hapa Nairobi na kwingineko hatuchukuwi kwa credit; tunalipa pesa taslimu. Je, hio pesa taslimu tonazotoa, zinakwenda wapi? Serikali hii inawaangimiza wananchi, na huku wanajidai eti Serikali yao ni ya wananchi.

An hon. Member: Tell them!

Mr. Sankori: Jambo la nidhamu, Bw. Spika. Ni haki kwa mhe. Shikuku kusema kwamba Serikali hailipi wakulima pesa za maziwa huku akijuwa kwamba ni KCC ndiyo huchukuwa maziwa na siyo Serikali?

Mr. Shikuku: Bw. Spika, kuna mhe. Waziri wa Ustawi wa Vyama vya Ushirika ambaye analipwa mshahara ili aangalie mambo ya ushirika nchini. Huyu ndiye mkubwa wa ushirika. Sasa tutakwenda kwa KCC na Waziri yuko hapa? Ukweli utadumu na ukweli ni Mungu, na huu ndio ukweli. Ni kweli wakulima hawalipwi haki yao.

An hon. Member: Na anaendelea kunona kila siku!

Mr. Shikuku: Bw. Spika, ningependa kuendelea kusema kwamba Mwenyekiti wa Bodi atateuliwa na Mtukufu Rais. Secretary wa Bodi atakuwa Commissioner for Higher Education. Wanachama wengine watakuwa Permanent Secretary, or his representative from the Ministry of Education; Permanent Secretary, Ministry of Finance or his representative. Huyu ni sawa, lakini nikikumbuka vile hii Wizara ya Fedha ilivyofanya, ni Yesu tu ataniambia niwasamehe, lakini siwezi kuwasameha.

Bw. Spika, juzi Wizara ya Fedha ilisema kwamba sisi wanachama wa Public Accounts Committee tulikula pesa ili tuharibu ripoti hii, na hali wao wamekula pesa za umma mwaka wa 1990, 1991, 1992 na 1993. Wakati huo hatukuwa katika hili Bunge. Ni KANU tu ilikula.

Pia ingefaa the Chairman wa Vice-Chancellors wa vyuo vikuu wawe katika hii Bodi. Pia ninakubaliana na representative wa Vice-Chancellors wa private universities na Mkurugenzi Mkuu wa Federation of Kenya Employers wawe wanachama. Kwa nini hawa employers wako tayari kumwajiri Mzungu, Mhindi na hali watoto wetu wako tayari kufanya kazi? Ni kwa sababu wametoa kitu kidogo kwa wakubwa wapeleke kwa Harambee. Niko tayari kuthibitisha nikiulizwa. Wengi wako katika nchi hii na Waziri anayehusika na mambo ya wafanyakazi yuko hapa na anajua kwamba kuna watu wanaofanya kazi hapa ambayo ingefanywa na watoto wetu.

The Minister for Labour and Manpower Development (Mr. Masinde): On a point of order, Mr. Speaker, Sir. Is it in order for the hon. Member to be referring to the Minister for Labour and Manpower Development when he knows that this particular Minister does not issue work permits?

Mr. Shikuku: Bw. Spika, uzuri hakukana. Kile anachokataa ni kwamba, hapeani kibali cha kazi. Anajua hii inafanyika lakini vibali vinatoka mahali pengine. Kile ninajua ni kwamba vibali vinapeanwa na Serikali hiyo, hiyo.

(Applause)

Hakuna mhe. Mbunge wa upande wa Upinzani anatoa work permits; ni hii Serikali. Ubaya ni kwamba Wazungu, Wahindi na Waarabu wanakuja na kupata kazi hapa na hali watoto wetu wanakaa bila kazi. Baadaye, tunaambiwa tukae "hivyo, hivyo, na Mungu atubariki!" Saa ngapi!

(Laughter)

Bw. Spika, kwa nini wageni wanapewa kazi katika nchi hii na hali huko kwao sisi hatuwezi kupewa kazi? Nchi za nje huwaajiri wananchi wao kwanza; mgeni hawezi kuajiriwa kazi. Hii tumeona kwa vile pia sisi

hutembelea nchi kama India na U.K. Nchi ya Kenya ndio "no man's land"; kila mtu anakuja tu, anaingia, na kupewa kazi zetu bora atoe pesa za Harambee. Hii Harambee itatuua. Sasa Harambee imekuwa siasa katika nchi hii; usipotoa pesa za Harambee, unachukuliwa kama huna akili na huna lolote. Na hii ndio imeongeza ufisadi; ndio sababu watu wakubwa wanaleta mahindi na sukari nchini ili wawaumize wananchi. Watu wa Butere wanakufa kwa njaa ilhali watu wengine wanaleta sukari kutoka nje.

An. hon. Member: Bw. Nyachae!

Mr. Shikuku: Bw. Spika, bado sijamalizana na Bw. Nyachae. Ninakubaliana na Mswada kwamba, Mwenyekiti wa Kenya Bankers Association awe member wa Board. Lakini benki nyingine hazina moyo wa kuwasaidia Wakenya baada ya miaka 30 ya Uhuru.

Utapata kwamba benki nyingine haziko tayari kuwapatia wananchi mikopo na ingefaa wabadili nia zao. Hii ni kwa sababu wananchi wakipata kazi kutakuwa na usalama na benki zitakuwa na usalama na kila mtu atakuwa na usalama. Lakini ikiwa wengine watazidi kula hadi kutapika, ilhali kuna wengine ambao wana njaa, kuna siku moja ambapo wale wenye njaa watapambana na wale walioshiba.

Bw. Spika, sehemu ya 4(1) inasema hivi:-

"two other persons appointed by the Minister; and such other persons not more than three as the Board may co-opt from time to time."

Mr. Speaker, Sir, this is vague. Tunataka kugawana keki hii kwa njia ya usawa. Tuna mikoa minane na tunataka kila mkoa uwe na mwakilishi katika hiyo Board. Hii ni kwa sababu tumewahi kuona mambo ya ukabila yakifanyika. Pia katika sehemu hii ya 4(2) Mswada unasema hivi:-

"The members of the Board referred to in paragraphs (e) to (h) shall be appointed by the Minister."

Haya ni madaraka ambayo tunampatia Waziri. Kenya hii itakuwa nzuri ikiwa Mawaziri watakomesha ule mtindo wa kutafuta kura katika nyadhifa zao. Wakati wa uchaguzi wengine wanataka kuwaambia wapinzani wao "Wewe

usinipinge kwa sababu nikichaguliwa na kufanywa Waziri katika Serikali nitakupatia kazi." Hatutaki Mswada huu utumiwe kama chombo cha kuwatafutia kazi marafiki za Mawaziri. Ingefaa tuletewe majina ya wale watakaoteuliwa ili tuweze kuyajadili hapa Bungeni. Hii ni kwa sababu wakati umefika ambaponi lazima Bunge hili liwe likiwakagua wale wanaopewa nyadhifa mbali mbali.

Sehemu ya 5(2) inasema hivi:-

"The Secretary shall hold office for six years and shall be eligible for re-appointment."

Mimi ningependelea huyu Katibu awe akiteuliwa na Board yenyewe wala sio Waziri. Ingefaa ahudumu kwa kipindi cha miaka mitano badala ya miaka sita. Hii ni kwa sababu sisi kama Wabunge tumechaguliwa kuhudumu kwa kipindi cha miaka mitano halafu tunaenda kwa uchaguzi tena. Kwa hivyo, ingefaa huyo Katibu awe akiteuliwa baada ya kila miaka mitano.

Pia, katika Mswada huu, huyo Katibu amepewa mamlaka ya kuajiri wafanyakazi. Lakini siku hizi ukienda katika Idara nyingine utakuta kwamba, ikiwa mkubwa ni Masinde, wale wengine walioko chini yake ni watu wa kabila lake; kama ni Njoroge, wale wengine wote ni wa kabila lake. Ni lazima mtindo huu ukomeshwe. Haifai huyo Katibu kuajiri kazi watu wa kabila lake. Katika Serikali hii kuna ofisi nyingine ambapo watu hawazungumzi lugha ya Kiswahili; watu huwa wanaongea lugha za kikabila kama vile "atiriri" na kadhalika.

Ningependa kukubaliana na maoni ya mhe. Osogo alipozungumza juu ya sehemu ya 9 ya Mswada huu. Si vyema kazi zote za hii Board zikabidhiwe mtu mmoja. Nakubaliana na mhe. Osogo kwamba yafaa kifungu hiki kiondolewe mbali. Tunataka kutoa mamlaka yote kwa Board na wala si kwa mtu mmoja. Tunataka kazi yote ifanywe na Board. Kwa hivyo, yafaa kifungu cha tisa kiondolewe kwa sababu kifungu cha sita kinaeleza wazi wazi kazi za hii Board. Kwa hivyo, si jambo la busara kwa Board kumwachia mtu mmoja jukumu la kukata shauri kwa niaba ya wale wengine.

Bw. Spika, kuhusu mikutano ya Board, kifungu cha 10(1) kinasema hivi:-

"The Chairman shall preside at all the meetings of the Board unless he is absent from a particular meeting, in which case members present shall elect one of themselves to preside at that particular meeting or part thereof."

Pia, inasemekana kwamba hii Board itakutana mara nne tu kwa mwaka. Kuna shida nyingi na haifai kwa hii Board kukutana mara nne peke yake kwa mwaka. Ingefaa wakutane wakati wo wote shida inapotokea. Pia, wanasema kwamba quorum ya hii Board itakuwa wanachama watano. Lakini utaona kwamba Board nzima ina wanachama wapatao 12. Kwa hivyo ingefaa kiwango cha kuiwezesha Board kuendelea na mkutano kiongezwe na kuwa wanachama wanane ili tuwe na watu wa kutosha kuhakikisha kwamba hakuna nafasi ya watu wachache kukutana na kupitisha mambo ambayo si mazuri.

Bw. Spika, ningependa kugusia juu ya mamlaka ya Bodi hii ya kuweka pesa katika benki wanayotaka.

Nalipinga sana pendekezo hili. Hii ni kwa sababu wakati pesa zitakapoanza kuingia hawa watu huenda wakafanya kile kinachofanyiwa pesa za National Social Security Fund. Wasimamizi wa NSSF huchukua pesa za wananchi maskini na kuziweka katika benki wanazozijua na kupata faida kubwa ile hali mfanyakazi akistaafu hawezi kupewa cho chote. Ni lazima Bodi itafute idhini ya Public Investments Committee kabla ya kuziweka pesa hizo katika benki yoyote. Tunataka mashirika ya umma kama vile Kenya Airways, Kenya Ports Authority na Kenya Posts and Telecommunications yawe yakiomba idhini kutoka kwa PIC kabla ya kuziweka pesa zao katika benki yoyote.

Lakini Mjumbe akisema tu kidogo, polisi wanafika. Anatakikana na anatafutwa kwa vyovyote. Hata katika Bunge hii, Meza hii ilikuwa nzito kwao kufungua na kuangalia kilichoko ndani. Hawana habari hakuna kitu hapa katikati. Anatafutwa chini ya kitanda chake na watoto wake wanasumbuliwa. Lakini watu wanaonyonya na kukula pesa za Serikali hii, wanawachiliwa. Lazima Public Investments Committee iseme ni kiasi gani cha pesa kimeliwa na ni katika benki gani pesa hizo zimewekwa kabla hawajasema hivyo.

Bw. Spika, naenda upesi ndio waheshimiwa wengine wapate nafasi ya kuzungumza. Ukisoma Clause 14, ukurasa 144 - "Conditions for Grant of Loans", utapata kwamba, hizi kanuni ni ngumu sana kwa mtu mdogo. Hizi kanuni na taratibu zinginezo katika kifungu hiki, wakiwa na taratibu, wasizifanyie kazi mpaka ziletwe hapa na Waziri wa Elimu, na ziwewe kwa Meza hii ili tuweze kujadiliana. Hii ni kwa sababu sisi ndio tunawakilisha watu. Viongozi wa Baraza wanawakilisha watoto wao na mabibi zao, lakini sisi tunawakilisha watu, na ndio sababu tumeletwa Bunge hili. Naona hapa wana uwezo wa kukataa au kukubali maombi ya mtu yeyote ambaye anaomba mkopo wa kulipia masomo. Lakini ningependa katika lile Baraza - na ninakubaliana na wale waliozungumza mbele yangu - kwamba, kuwe na mtu wa kawaida kama Mwenyekiti wa Parents Teachers Association (PTA), na kuwoko na mwanafunzi. Lakini hii sheria haina mahali popote ambapo inasema juu ya PTA au mwakilishi wa wanafunzi. Imekuwa kama ile pesa yetu hapa ya maskini, ya wasiojiweza. Unapata wale wanaojiweza ndio wamekalia viti, na hakuna mwakilishi wa wasiojiweza. Imekuwaje umejua shida za wasiojiweza kushinda yule asiyejiweza? Hata kule Butere, viwete wananiuliza: "Hizo fedha zitafika hapa siku gani, na ninasikia ziko Nairobi?" Nami huwaambia kwamba, zitafika siku ile Yesu atakuja." Ninawaeleza hivyo kwa sababu ninajua hazitafika. Wakubwa wanakula!

Bw. Spika, lazima tupate watu ambao wanahusika katika kazi hii. Vijana wanaosoma na PTA wawe katika Baraza hili. Kwa hivyo, hii sheria, ikipitishwa vile ilivyo, ni sheria mbovu. Inatakiwa iende iangaliwe tena kwa sababu ya watoto wetu wajao.

Bw. Spika, jambo lingine ni kwamba, ni tajiri gani ataambia Serikali hii, eti fulani aliyetoka kule chuo kikuu ameandikwa kazi hapa na ninataka kukata mshahara wake nirudishie Serikali? Juhudi hizi ni nzuri, lakini kweli zitafaulu? Ukweli ni kwamba hazitafaulu. Watu wengi hawataki kulipa kodi. Hata akipewa huo mkopo, anaweza kufanya mpango na tajiri wake ili Serikali isitambue. Tajiri atajulisha Serikali kwamba ameandika mtu fulani mwaka huu, kumbe alimuandika miaka miwili iliyopita. Serikali hii itajuaje huyu mtu amepata kazi? Hili ni jaribio ambalo litakuwa gumu sana kutekeleza. Hii ni kwa sababu wengine wanapata kazi na wengine hawapati. Watakaopata kazi hawalipii mikopo kwa sababu watu wote wa Kenya wamekuwa wafisadi, hata wanafunzi na walimu ni wafisadi. Kila mtu ni mfisadi. Serikali yenyewe ndio makao makuu ya ufisadi. Basi tutapata hizi pesa namna gani? Ni majaribio ambayo hayatafaulu. Kwa hivyo, kama Waziri hawezi kutwambia vile atapata hizi pesa; hata mtoto akitoka shule na amepata kazi, itakuwa vigumu kwake. Wote wakikosa kazi vile Waziri amesema, tutaokota pesa wapi? Basi kuna maana gani ya kupitisha Mswada kama huu?

Jambo lingine Bw. Spika, ambalo ningipenda kumalizia, ni hili la Inspectorate, katika Ukurasa 147, ambalo linasema:

"Every Inspector appointed under Section 22 shall for the purpose of ascertaining whether the provision of this Act has been complied with within any premises or place, liable for inspection under this section, has power to enter such premises or places at all reasonable times and to examine every person whom he finds therein."

Hili jambo lingefanyika wakati wa kazi, kutoka 8.00 a.m. to 5.00 p.m. Lazima waseme saa, wala sio wakati wowote anaotaka.

Bw. Spika, namaliza kwa kusema hivi. Nimefanya homework kwa kila Kifungu cha Mswada huu, lakini sitachukua muda huu kwa sababu najua leo saa kumi na nusu jioni tutaanza kupambana tena. Wanaume ni kuonana wajuane. Ningependa kusema hivi. Mheshimiwa yeyote katika Bunge hili ana haki ya kuleta makaratasi ambayo yeye anaamini ni ya kweli. Yale makaratasi yaliyowekwa sahihi nilioleta hapa kutoka Kenya Ports Authority (KPA), ni ya kweli. Nilipotazama ile Statement ya mhe. Nyachae, niliona sahihi iliyokuwa katika makaratasi yake ndiyo ile iliyokuwa kwa yale makaratasi ambayo mimi nimeleta; ilikuwa printed au imepigwa chapa.

Mr. Speaker: Order! Order! I thought, Mr. Shikuku, you did your best last time. You put in two sets of papers, one of which I have already ordered to be expunged from the records of the House for the obvious reasons that they were not documents. They were just pieces of paper, hand-written by whoever did it. It was hand-written by an unknown person and you brought it here as a substantiation. I have already ruled on that. That was not a piece of paper that should be brought to this House to substantiate. As for the other central issue, your allegation still stands because Mr. Nyachae has not replied to it. Mr. Anyona raised the issue and he asked me to investigate. Obviously, on my own, I cannot take the initiative unless, of course, I am asked to look into something. Maybe, you weighed them. If Mr. Nyachae agrees with you, maybe, you do not have to say anything. If he disagrees with you, you may have something to say, but in the meantime, I think you had finished with that issue. Now, concentrate on the Bill before the House, because, at least that is absolutely irrelevant to this Bill.

Mr. Shikuku: Bw. Spika, nakubaliana na uamuzi wako. Nimeileta kwa sababu natafuta fedha. Ikiwa wewe na mimi tutalipa kodi bila kupitia njia nyingine, fedha zitakuweco za kutosha kusomesha watoto wetu.

Bw. Spika, ninapozungumza katika Bunge hili sasa, watu wa Butere hawawezi kukata miwa yao kwa sababu sukari imejaa katika maghala kule Mumias. Kwa ajili hii, sitamwacha Bw. Nyachae. Nitamfuata pamoja na wengine ambao wanaleta sukari katika nchi hii ili kuwaua wakulima katika nchi hii.

Kwa hayo machache, ninapinga Mswada huu kwa sababu utawaumiza watu wadogo.

The Assistant Minister for Land Reclamation, Regional and Water Development (Mr. Mokku): Kwanza, Bw. Spika, ninakushukuru kwa kunipatia nafasi hii ili nijiunga na Wabunge wenzangu katika majadiliano ya Mswada huu. Ninampongeza Bw. Waziri kwa kuuleta Mswada huu hapa Bungeni. Hata hivyo, ningetaka kusema kwamba pesa zinazopatiwa wanafunzi katika vyuo vikuu vyetu zinawasaidia sana. Vijana wengi ambao wazazi wao hawangeweza kuwalipia karo, wamepata usaidizi chini ya mpango huu wa mikopo, na usaidizi huo umewawezesha kupata elimu ya kutosha, ambayo imewapatia kazi na sasa wameweza kuwasidia wazazi wao.

Baada ya kusema hivyo, ninayo mawazo matatu ambayo ningetaka yaangaliwe na Wizara. Wazo la kwanza linahusu jinsi vijana wanachukuliwa katika vyuo vikuu. Ningemwomba Waziri afikirie kurudisha ule mpango wa quota system. Nasema hivyo kwa sababu inaonekana kwamba wanafunzi katika sehemu zingine wanapata nafasi chache sana katika vyuo vikuu, hasa sehemu ya Kaskazini ya Kenya. Katika sehemu hii, vijana wachache sana wanaingia katika vyuo vikuu. Kwa hivyo, ombi langu kwa Waziri ni kwamba mpango wa quota uwe unatumiwa ili kila sehemu ipate nafasi sawa katika vyuo vyetu vikuu. Huu ndio mpango unaotumiwa wakati wanachagua walimu wanaoingia katika vyuo vya kuwafunza walimu na ni mpango mzuri sana. Kwa hivyo, tunataka mpango huo huo uwe unatumiwa katika kuwachukua wanafunzi katika vyuo vikuu.

Jambo la pili ni kwamba katika idara mbali mbali za Serikali katika sehemu kama kama Wajir, Isiolo, Moyale na kadhalika, utaona kwamba wakati maofisa wa Serikali wanapelekwa kufanya kazi katika sehemu hizi, hawaendi kwa hiari yao, ni kana kwamba, wanalazimishwa kufanya kazi katika sehemu hizi. Utamsikia mfanyakazi wa Serikali alipelekwa kule Wajir kwa ajili ya kuadhibiwa na Serikali. Hawezi kusema kwamba alipelekwa kule kwa transfer ya kawaida. Kwa hivyo, ikiwa vijana katika sehemu hizi wanapewa nafasi sawa katika vyuo vikuu, wanapomaliza masomo yao na kuhitimu, watakuwa wakipewa kazi kule nyumbani, na watafanya kazi bila wasiwasi wowote. Ningependa Waziri aliangalie jambo hili.

Kuhusu jinsi pesa hizi zinatolewa, tungetaka kuona ile Kamati inyogawa pesa hizi ikifanya kazi hiyo bila mapendeleo yoyote. Kwa wakati huu, nafikiri kuna mapendeleo fulani wakati pesa hizi zinagawa. Nasema hivyo kwa sababu kuna watoto maskini sana ambao wanastahili kupewa pesa hizo, lakini utona kwamba watoto kama hao wanaachwa, na watoto wa watu matajiri wanapewa pesa hizo. Hii pengine ni kwa sababu wanakamati wengine wana marafiki ambao wanawapendelea. Ni lazima kamati hii isiwe inaketi hapa katika makao makuu. Ni lazima kamati kama hizo ziundwe katika kila wilaya. Hatutaki kuwe na kamati moja hapa Jogoo House kwa sababu haitaweza kujua shida za watoto maskini wanaotoka sehemu ya Pokot, Turkana na kwingineko. Lakini kulingana na Mswada huu, inaonekana kwamba kamati hii haitafanya kazi nzuri. Nasema hivyo kwa sababu watoto wengi maskini wataachwa bila usaidizi wowote, na hii ndio sababu ninasema kwamba kamati kama hizi ziundwe kule wilayani, ili watoto maskini katika kila wilaya waweze kufaidika. Nasema hivyo kwa sababu wanakamati hawa watajua ni watoto gani wanaohitaji usaidizi wa mikopo katika vyuo vikuu.

Kuhusu masomo ya vyuo vikuu, ningetaka Waziri ahakikishe kwamba masomo haya yanawawezesha watoto wetu kupata sio tu kazi ya offisi, lakini pia kazi ya mikono. Ni lazima masomo haya yawasaidie watoto wetu kujitegemea kwa sababu tukisema kwamba kila mtoto akimaliza ni lazima apate kazi ya ofisi, jambo hilo halitawezekana. Kwa hivyo, ni lazima masomo katika chuo kikuu yamsaidie mtoto kujitegemea. Mikopo ya vyuo vikuu si lazima iwe ni ya kulipa karo peke yake, lakini lingekuwa jambo la busara kama wanafunzi, baada ya kumaliza masomo, wangepewa mikopo ya kuwawezesha kuanzisha biashara za aina mbali mbali katika jua kali.

Jambo hilo litamwezesha mwanafunzi huyo awaajiri watu wengine kazi, na jambo hili litatuwezesha kupunguza hali ya kutokuwa na kazi hapa nchini. Kwa hivyo, namwomba Waziri pia afikirie kuwasaidia wanafunzi wa chuo kikuu kwa njia hii.

Leo katika vyuo vikuu vyetu, watoto wanagoma mara kwa mara. Ningewauliza wale wanaowachochea wanafunzi katika chuo kikuu wakomeshe jambo hilo mara moja. Nasema hivyo kwa sababu jambo hili linachelewesha kuhitimu kwa wanafunzi katika chuo kikuu. Utaona kwamba badala ya mtoto kumaliza kazi yake kwa miaka mitano, inamchukua muda wa miaka saba. Ikiwa wewe katika Upinzani unafikiria kuwachochea watoto wa chuo kikuu, ni lazima ufahamu kwamba jambo hili linaharibu masomo ya watoto hao. Kwa hivyo, wewe umemkosea mtoto sana kwa kupotezea wakati, na pia umemkosea mzazi na Serikali. Kwa hivyo, ningewaomba wale wanaofanya hivyo, waache tabia hiyo.

Bw. Spika, tunajua kwamba ukipatiwa mkopo, ni lazima ulipe ule mkopo. Nilimsikia Mbunge fulani akisema kwamba, pesa hizo yakitolewa, hazihitaji kurudishwa, lakini kama pesa hizo hazitarudishwa, watoto wengine wanaostahili kupewa mikopo, watapata wapi mikopohiyo? Kwa hivyo, mimi ninamuunga mkono Waziri katika mawazo yake kwamba, ni lazima mikopo hii ilipwe.

[Mr. Speaker left the Chair]

[Mr. Deputy Speaker took the Chair]

Tunataka hii iwe revolving fund ili mtoto mwingine afaidike kutokana na pesa hizo. Pia kuna wale watoto wanaosomea nje katika vyuo vikuu vya ng'ambo. Ningependa Waziri aangalie vile wasichana ama vijana wanavyochukuliwa kwenda kusoma ng'ambo. Scholarships za Serikali hutokea kila mwaka na tunazona kwa magazeti. Kuna sehemu nyingine ambao katika miaka 30 iliyopita hakuna hata watoto watano ambao wamewahi kwenda kusoma ng'ambo kwa hizo scholarships za Serikali. Lakini kuna sehemu nyingine ambao kila mwezi au mwaka, zaidi ya watoto 20 huenda kusoma ng'ambo. Nataka Waziri aangalie jambo hili kwa makini sana, ahakikishe kwamba kila sehemu imepata scholarships zake, lakini siyo eti sehemu moja ipatiwe nyingi zaidi kuliko sehemu nyingine.

Bw. Naibu Spika, nikimalizia, ningependa wale wanaohusika na mambo ya utafiti, waangalie ama wafanye utafiti zaidi katika sehemu kame ama kavu, ambako kwa maoni yangu hatujabahatika zaidi. Pengine huenda tukawa na madini au mafuta ya kutosha katika sehemu hizo. Badala ya kuipoteza muda mrefu hapa katika Jiji la Nairobi, yafaa wanachuo waende katika sehemu hizo wafanye utafiti, ili ile rutuba ambayo iko huko na ambayo bado haijapatikana, ipate kukamilika kwa sababu sehemu zote ni sawa. Tungetaka sehemu hizo zipate maendeleo sawa na sehemu nyingine.

Kwa kumaliza, Bw. Naibu Spika, kwa sababu hii ni Wizara ya Elimu, walimu wanaofundisha walimu wa sekondari, wakati walimu wanachukuliwa katika diploma colleges, kuna sehemu nyingine ambazo hazijapata hata mtu mmoja. Ningemuomba Waziri, kama vile anavyopeana quota intake katika shule za msingi au sekondari, pia apeeane quota intake katika diploma colleges. Kwa mfano, miaka ya jana, hakuna msichana wala mvulana hata mmoja kutoka Isiolo amewahi kuchukuliwa katika vyuo vya diploma colleges. Hii siyo haki hata kidogo!

Kwa hayo machache, Bw. Naibu Spika, naunga mkono.

Mr. Muluya: Thank you very much, Mr. Deputy Speaker, Sir. I rise to support this Bill, but it is unfortunate for our Government to have decided that university students be given loans and the management of those loans be given to a Ministry which is highly inefficient and which is staffed with officers whose interests are not those of the entire Kenyan community.

Mr. Deputy Speaker, Sir, if we look at the relationship between the Ministry of Education and the university academic staff, for a long time it has been very sour. The Ministry does not want to recognise the services rendered by the indigenous Kenyans who are lecturers at our local universities. The Ministry of Education goes to pay an expatriate lecturer an exorbitant salary when a local lecturer is asking for very little increments and very few fringe benefits, but this Ministry does not want to listen to them. It was only very recently when we encountered a long strike by university lecturers just because they want salary increments, but the Ministry does not want to pay them. Most of these lecturers in our universities are locally trained and have attended the same local universities. They have undergone serious training and have decided to work for Kenyans. But when they say that they are not being properly remunerated, then this Government decides not to listen to them. When you hear the Minister for Education say that he is not going to talk to the lecturers who are taking care of these students, it is bad. That is why we are having mass failures in our universities. There is no other worse season in the history of our university, when these students have failed or have had to repeat in large numbers like in the recent years. In fact, 1994 is the year that will be remembered in the university history in this

country when so many students have had to be referred or to sit for supplementary examinations simply because the lecturers did not take their full time in their lectures. They spent most of their time in strikes and having what we call "technical appearances" in the lecture halls. They were not teaching and yet the examination was being set for the full four year academic programme. The result was that we had substandard graduates in this country who were produced under the auspices of hon. Kamotho, Minister for Education---

The Minister for Education (Mr. Kamotho): On a point of order, Mr. Deputy Speaker, Sir. Are you satisfied that the hon. Member is in order to claim that "university graduates are produced under the auspices of hon. Kamotho"? What does the hon. Member really mean by that phrase?

Mr. Mulusya: Mr. Deputy Speaker, Sir, what I really mean is simply that the Minister is in charge of university education, secondary and even primary education. Who else can we blame if we have products from our university, secondary and even primary schools who do not measure to the international academic standards in the world? Who else can we blame apart from the Minister for Education himself? You cannot run away from your responsibility. He was given that responsibility to manage those institutions effectively. We would like the Minister to have time to sit together with the lecturers and academic staff and sort out the problem, because we are all interested in quality education in this country. This country commits loans to the students and yet the lecturers are not prepared to teach. Who are they going to teach?

Mr. Deputy Speaker, Sir, you find that one lecturer is supposed to mark manuscripts for 300 students. You also get 300 students in one lecture theatre. How can that be done? Now, what has happened is that---

The Assistant Minister for Information and Broadcasting (Mr. Nassir): On a point of order, Mr. Deputy Speaker, Sir. Can the hon. Member tell us whether he is talking about primary school or university education? He is mixing up issues here.

Mr. Mulusya: Mr. Deputy Speaker, Sir, you cannot know the difference between university and primary school education if you have not been to both.

What I am saying is that we have had mass exodus of lecturers going to look for teaching jobs in Zimbabwe, Zambia, South Africa, Namibia and Botswana. Our lecturers are going there. Why are they going there when we have shortage of lecturers? It is because they are not paid well. Here, they have an arrogant Minister who cannot talk to them. What we are asking is who we are going to commit this money to if the lecturers are running away? Who are we going to give our children? This country is spending so much money in terms of foreign currency in sending our children to India, Europe, United States of America and Canada, just because we are not encouraging the growth of our university education system. Even our 8-4-4 system of education is no better. Today, it is very difficult for a product of the 8-4-4 system of education to be admitted to other universities outside to take a masters course and other courses.

The Assistant Minister for Agriculture, Livestock Development and Marketing (Dr. Misoi): On a point of order, Mr. Deputy Speaker, Sir. Is it in order for the hon. speaker to mislead this House that it is impossible for the students who have gone through the 8-4-4 system of education and others to be admitted in outside universities? Could he substantiate that because it is misleading the House? We know many people who have gone outside this country for further education and have passed through this system of education.

Mr. Mulusya: Mr. Deputy Speaker, Sir, it is unfortunate that hon. Dr. Misoi, who might have had his training in Russia does not understand what is happening in our country. Maybe he does not have a grown-up child of that academic level, or he does not know what is happening in his local area. Personally, I have a nephew who has been trying---

The Assistant Minister for Agriculture, Livestock Development and Marketing (Dr. Misoi): Mr. Deputy Speaker, Sir, I raised a serious point of order on the insinuations the hon. Member made. He said that students from our schools cannot be admitted to foreign universities, thus implying that our university education is substandard. I asked him to substantiate that, and then he goes round to impute that I might have been trained in Russia. If he does not know where I was trained, then he had better keep quiet.

Mr. Mulusya: I know you were trained in Bulgaria, but that does not make a difference. I was trying to tell the House that I have a nephew who has to sit another examination before he is admitted for a masters course outside this country. He had an Upper Second Class Honours degree from the University of Nairobi. They are not being considered competent graduates---

The Minister for Education (Mr. Kamotho): On a point of order, Mr. Deputy Speaker, Sir. Is it right for the hon. Member to continue misleading this country about the quality of our graduates from our local universities, while we know very well that we have not had any graduation of Kenyans, the group of 8-4-4, from our universities up to this minute? I do not know where the graduate he is

referring to graduated from to warrant going to do a masters degree overseas.

Mr. Mulusya: Mr. Deputy Speaker, Sir, what I am telling the House is this; the whole international community is doubting our educational system. Even the former A-Level students who graduated the other day are not being taken as graduates from our universities. They stayed out for such a long time after they went on strike. They sat for their examinations after such a long time.

The Minister for Education (Mr. Kamotho): On a point of order, Mr. Deputy Speaker, Sir. It is wrong for an hon. Member to tell lies. Sorry, to say untruths---

Mr. Deputy Speaker: Order! Order!

The Minister for Education (Mr. Kamotho): I withdraw the word "lies" and replace it with "untruths". It is wrong for an hon. Member to tell untruths about our own children. I submit to this House that the hon. Member is misleading the House and the nation because we have 30 Kenyan students of the 8-4-4 secondary school educational system in Warwick University, United Kingdom, the fifth best university in United Kingdom.

An hon. Member: Tell him.

The Minister for Education (Mr. Kamotho): Can he produce evidence of a credible university anywhere in Europe or in America where our children have been refused admission?

Mr. Mulusya: Mr. Deputy Speaker, Sir, I am sure the hon. Minister is not a graduate of Cambridge University. Let him, in his own capacity as the Minister for Education, write to the administration of Cambridge University and ask

them the current requirements for admission of present Kenyan students. You have to sit for an examination after you have already graduated. What is that?

If I may continue, what I am saying is that we need---

The Minister of State, Office of the President (Mr. Kalweo): On a point of order, Mr. Deputy Speaker, Sir. Could I kindly ask the hon. Member not to evade the substantiation of what he has already alleged in this House? Can he, please, substantiate that allegation?

Mr. Mulusya: Mr. Deputy Speaker, Sir, I ignore hon. Kalweo because I have already told the Minister in charge of Education to do that practically. He can use his own telephone to talk to the academic registrar of Cambridge University.

The Minister for Health (Mr. Angatia): On a point of order, Mr. Deputy Speaker, Sir. We are seeking guidance from the Chair. An hon. Member has made a categorical statement and instead of substantiating it, he is asking the Minister to write, telephone----

(Loud consultations)

Mr. Deputy Speaker: Order! Order! Can hon. Members please consult quietly? Proceed, hon. Angatia.

The Minister for Health (Mr. Angatia): On a point of order, Mr. Deputy Speaker, Sir. The hon. Member said that students from this country cannot be admitted in any university outside this country. The Minister has confirmed that students from this country

are admitted to any university all over the world. He has been asked to confirm which university had refused to take students from this country and he is going round the subject. He does not know anything in education; so he can only make noise. Can he substantiate that there are people who have been rejected in those universities?

Mr. Mulusya: Mr. Deputy Speaker, Sir, if I have given an example. What more do you need? Earlier on, before I talked about Cambridge University I said that my own nephew has had problems in getting admission and he is not a product of the 8-4-4 system of education. So, what else do you need, and yet I have said that is an example? All I need is the Minister to come to my house and I show him the papers of that person. If he does not want to go, let him come.

An hon. Member: Where?

Mr. Mulusya: Kangundo, of course, I cannot have more than two homes.

What we are saying is that we should not let this country take everything for granted.

Mr. Deputy Speaker, Sir, last year we were promised, during debate on a Motion, that the 8-4-4 system of education was going to be drastically reviewed, come the 1994/95 Financial Year. My Motion, which was calling for a substantial review of the 8-4-4 system, was passed with an amendment by the Ministry. Let the Minister tell us what has happened. Why do we pass a Motion in this House and then the Minister promises the whole world from here that the Motion would be implemented and then nothing happens? I am now going to tell the whole world that the Ministry is singly misdirecting our resources and mistaking what the interests of Kenyans are. We passed a Motion here and the Minister undertook to report to this House on its implementation before

the end of the 1994/95 Financial Year, but so far nothing has come here!

The Assistant Minister for Agriculture, Livestock Development and Marketing (Dr. Misoi): On a point of order, Mr. Deputy Speaker, Sir. The Bill under discussion is on higher education loans. Are you satisfied that the hon. Member knows anything about it? He is talking of all sorts of irrelevancies and it is time he stopped doing so!

Mr. Deputy Speaker: Thank you, Dr. Misoi! I have actually been restraining myself from interrupting him. Mr. Mulusya, I had better remind you of the wording of Standing Order 87. We are not discussing everything on education, but a specific Bill.

Mr. Mulusya: Mr. Deputy Speaker, Sir, we are supposed to set up a board to manage loans to universities! So, why can we not talk about what the students are going to do? Now, granting of loans for university education started during my time at university, but I must say that there is selective repayment of those loans. Students from particular areas are not required to repay the loans, while others are repaying them.

The Minister for Education (Mr. Kamotho): On a point of order, Mr. Deputy Speaker, Sir. Are you satisfied that the hon. Member is not misleading the nation and this House by claiming that students from certain areas are not expected to pay back their loans? This is absolutely misleading and unfair unless the hon. Member can bring any substantiation to that effect.

Mr. Deputy Speaker: Mr. Mulusya, I think that is serious!

Mr. Mulusya: Mr. Speaker, Sir, I beg to withdraw that because I do not want to embarrass the Minister. However, I say that everybody who took a loan must repay it. But we are facing one very major problem. How are you going to collect these loans from students who have not been given jobs? For example, those who did education at Kenyatta University and other universities are supposed to be employed by this same Ministry. What is the Ministry doing to give them jobs so that they can repay their loans? In fact, graduates are now manning matatus in this City. So how is the Minister going to collect loans from those *manamba* graduates? Unless there is a fool-proof system of operating these loans, as has been said before, it is futile to form a body to collect this money. This is because such a body will only be able to collect loans from the few people who will be lucky enough as to get salaried jobs. If I get a job as a matatu conductor in the City, I will be shouting "Murang'a, Kangema; Murang'a, Kangema" and getting money, but how will I repay my loan?

*(Mr. Mulusya demonstrated the art of touting
by shouting and banging on top of the bench)*

This is the kind of job our university graduates are getting!

Mr. Deputy Speaker: Order, Mr. Mulusya!

The Minister for Health (Mr. Angatia): On a point of order, Mr. Deputy Speaker, Sir. Are you satisfied that it is proper for an hon. Member to come and practise his *manambaism* in the House?

Mr. Deputy Speaker: That is why I called him to order.

Mr. Mulusya: Mr. Deputy Speaker, Sir, I speak the truth. It is also the truth that there is no medicine in hospitals, and yet the hon. Minister has the courage to stand here and talk about other Ministries. Why can he not first remove corpses which are lying in hospital wards and put them in mortuaries so that he can talk about education? Let him clean hospitals and provide medicines, and after that he can talk about supporting hon. Kamotho in this Motion! How can he help another Minister to do his work while his work is in shambles? Let him talk about medicines, blankets and linen in hospitals---

Mr. Deputy Speaker: Order, Mr. Mulusya! Now that you have decided to digress to the Ministry of Health, I discontinue your contribution under the wording of Standing Order No.87.

Mr. Ndicho: Mr. Deputy Speaker, Sir, I stand to oppose this Bill because it is asking this House to allow the Ministry to use an amount money to pay for students who are having problems with financing of their education. This Bill is asking this House to give the Ministry this amount of money to enable it to give loans to secondary school leavers, and yet we know very well---

The Minister for Education (Mr. Kamotho): On a point of order, Mr. Deputy Speaker, Sir. Is the hon. Member not misleading the House by claiming that in this Bill the Ministry is asking for money to be passed to students? This Bill is only asking for a legal framework for disbursement and recovery of students loans which they have been receiving for years. I would like to inform the hon. Member that we have 40 Members of Parliament who are ex-university students and who are already paying the loans. In fact, they are up-to-date. Therefore, I do not know what the hon. Member is talking about.

Mr. Ndicho: Mr. Deputy Speaker, Sir, our concern in opposing this Bill---

Mr. Cheserek: On a point of order, Mr. Speaker, Sir. Since we have discussed this Bill for very long, I beg to move that the Mover be now called upon to reply.

Mr. Deputy Speaker: I disallow that. Proceed, Mr. Ndicho.

Mr. Ndicho: Mr. Deputy Speaker, Sir, all I am saying is that Kenyans are entitled to higher education, and parents in this country are ready to pay school fees and to provide funds for education if only the Government pays the farmers for their coffee, tea, milk and all the other monies that are due to farmers in this country.

Mr. Deputy Speaker, Sir, I want to read Clause 13, which says that:

"Every student wishing to be considered for the grant of higher education loan shall make an application to the Board in the prescribed form. Every student who has been awarded a higher education loan shall be issued with a loan identification personal account number by the Board".

We are worried because a lot of money has been given to people by the Government in the form of loans which has never been recovered. We wonder whether these loans will be repaid by these people. The Bill also says that when the student graduates from the institution of higher learning, he shall be expected to repay the money within a period of one year. I think the Minister is not serious because we know very well that there are no jobs. All the Minister is asking for is a lot of trouble. The Bill states that if a student or a guarantor is unable to pay back the loan, then he will be penalised. We are at a loss because we know that all the Ministry is asking is that these people be given loans, and they will have a lot of problems.

The other point has to do with Clause 16 which states that:

"A loanee shall be required, subject to and in accordance to this Act or any regulations thereunder, within one year of completion of his studies or within such a period as the Board decides to recall its loan, or whichever is earlier---".

We are also at a loss because Clause 16 refers to the responsibility of the employer who is supposed to be remitting the money. When these students get employed, this money should be sent to the Board. This is creating a lot of work where there might even be some loopholes.

[Mr. Deputy Speaker left the Chair]

[Mr. Speaker resumed the Chair]

Clause 17 refers to penalties for delayed remittance. This means that there will be a lot of penalties which will result in problems even for the annual returns that the Minister is asking for. Therefore, we are here to oppose this Bill because even if you look at the way the chairman and the members of the Board are to be appointed, it leaves us at a great loss.

Clause 23 talks about the inspectorate of the Board. It says:

"Every inspector appointed as section 22 shall, for the purposes of assessing whether the provisions of this Act have been complied with within any premises or place liable to inspection under this section, have power to enter such premises or place at all responsible times and to examine every person whom he finds therein."

This Board is appointing a lot of officers while all we are asking for is that the children of this country be accorded education through the money that their parents and all Kenyans pay in form of taxes. The hon. Minister challenged the former speaker about the graduation of 8.4.4 students. He knows very well that early this year, there was a graduation of the first batch of 8.4.4 graduates from Jomo Kenyatta University of Agriculture and Technology. Right now, some of these students who come from Juja are coming to me to ask for assistance to get employment, yet they went through a very good institution of higher learning where agriculture is being taught. So, we are wondering what is going to be done about the education system in this country.

Early this year, I was in Europe and I met some students from Kenya who are studying there. They told me, as hon. Mulusya was saying, of the problems that they are undergoing, to be admitted in universities in Europe and also in America. They have been requested to repeat examinations because the 8.4.4 system of education leaves a lot to be desired. The Government is investing a lot of money in this system of education, and yet when these students graduate, they get a lot of problems. So, it is our contention that the Ministry of Education should set good standards and provide for good learning situations in schools and colleges. Teachers are very lowly paid, right from primary schools, secondary schools, to the universities.

Mr. Speaker: Mr. Ndicho, for how long are you going to speak? As I said, I had the view of calling Mr. Nyachae before we move to the next Motion. Are you likely to continue for long? You can even resume from there next time.

Mr. Ndicho: Mr. Speaker, I lost some of my papers where I had written very hard-hitting points. What you are saying is that, what hon. Nyachae is to tell us is very "big" information and we really need it. We have all these papers here and we know how he has messed up agriculture and so, I wish to give him time---

Mr. Speaker: Order! Mr. Ndicho, you are no longer new to this House. If you really want to discuss the conduct of any Member, including his alleged messes of either himself or his Ministry, then you know what to do. You bring a substantive Motion. I will not allow you to do that. Mr. Ndicho, please, can you stick to that guidance from the Chair?

Mr. Ndicho: Thank you, Mr. Speaker, Sir. I wish to continue next time.

Mr. Speaker: Very well. Mr. Nyachae!

PERSONAL STATEMENT

REBUTTAL ON MAIZE IMPORTATION ALLEGATIONS

The Minister for Agriculture, Livestock Development and Marketing (Mr. Nyachae): Mr. Speaker, Sir, I wish to make a statement and also refute some of the things which were said here last week.

During the debate on the Motion of adjournment of this House on Thursday, 4th May, 1995, an hon. Member laid documents before this House disproving the position given in my Ministerial Statement presented to this House on 2nd May, 1995.

Mr. Speaker, I submit that the documents tabled last Thursday were not authentic and contained a lot of fabrications and, therefore, there is need for the Chair to verify and establish the genuineness or otherwise of these documents. Indeed, the signed document which I had tabled in this House on 2nd May, 1995, this same document that has been forged with the fabricated information. I have confirmed that this additional information was not provided by the Kenya Ports Authority (KPA) and yet it was tabled under the signature of the Manager, Conventional Cargo. It can be noted from the document itself that the type-print submitted by the KPA is different from the inserted forgery. In this connection, I table the document which shows the forged typing.

(Mr. Nyachae laid the document on the Table)

Mr. Speaker, Sir, assuming that you would verify the genuineness of this document, I wish, nevertheless, to reiterate that importation of Kabansora Flour Mills Ltd. was only 10,500 metric tonnes which arrived in the country on 1st April, 1994, when the country was facing serious maize shortage. During this period, even the Government was importing maize for famine relief. It is not true that Kenya farmers were harvesting, storing or offering any maize in the market during that period. Kenya Ports Authority, the custodians of the information on the importations arriving through the port of Mombasa have clarified the error appearing on the documents that I tabled in this House last week, and they have confirmed in writing, that Kabansora Flour Mills Ltd. imported 10,500 metric tonnes of maize and not 20,000 metric tonnes.

Mr. Speaker, Sir, last week I was accused of lying to this House about the amount of maize imported by Kabansora Flour Mills Ltd. I wish to table the relevant import documents to support the statement that I made and to disprove the accusation. These documents are:-

1. Letter of the Kenya Ports Authority.
2. Letter from Customs and Excise Department.
3. Invoice of the supplier.
4. Import declaration form.
5. Shipping documents and Packaging list.
6. Certificate of origin.
7. Phytosanitary certificate.
8. Certificate of Mass.
9. Certificate of Quality issue in South Africa.
10. Certification of Fumigation.
11. Export Certificate issued in South Africa.
12. Customs and Excise Import Entry document.

The documents are here.

An hon. Member: Receipt of duty?

The Minister for Agriculture, Livestock Development and Marketing (Mr. Nyachae): Mr. Speaker, Sir, if the receipt of duty is the question that they are asking, here is a letter from the Customs and Excise Department, which clearly says:-

"According to the records held in the office of Customs and Excise Department, it has been established that the white maize was not subject to variable duty as of 31st March, 1994 when the goods cleared at the port of Mombasa"

(Mr. Nyachae laid the letter on the Table)

In the 41 years I have been in business, I have never failed to pay a single penny in way of import duty or any other Government taxes wherever and whenever they are applicable.

Mr. Speaker, Sir, during that period variable duty on grain was based on the difference between domestic reference price and import reference price, but at that time imported maize was more expensive than the locally grown maize - and hence no duty was payable.

I also wish to table documents and customs receipts regarding the sugar imported by San Industries Ltd., to prove that no tax was evaded. The receipts from Customs and Excise Department are contained in-here which total Kshs19,988,293, paid by the company and also Kshs4,138,474.80 paid to the Sugar Development Authority. All these documents are here.

Mr. Speaker, Sir, hon. Members will recall that between 1988 and 1990, I was thoroughly investigated on tax matters covering me personally and all my businesses, following instigation by my political enemies, not KANU, but I was found clean, and I thank those newspapers who call me "Mr. Clean" Should any hon. Member have information contrary to what I have stated, then it should be tabled in this House as a substantive Motion, with authentic supporting documents and not fabrications.

Mr. Speaker, Sir, the hon. Members will recall my disagreement with hon. Shikuku about ten years ago, when I held the post of the Chief Secretary in the Office of the President, while he was also an Assistant Minister in the same office. This had arisen out of his request to have access to classified information on certain senior officers, but I had declined the request citing "the need to know requirement" on classified information. The hon. Member should avoid carrying on this vendetta to these very high levels.

I believe this clarifies the issues raised in the House by the hon. Member. The documents that he tabled should be compared with the ones which I have given.

Mr. Speaker: As the matters raised by the hon. Member require some verification, I have no doubt the House would be interested in getting that verification which I cannot do now. I will ask the House to allow me to do the verification and to report to this House my findings, if any. Meanwhile, we will now proceed to the next Motion.

MOTION FOR ADJOURNMENT
ADJOURNMENT OF THE HOUSE TO A DAY
OTHER THAN THE NEXT NORMAL SITTING DAY

The Vice-President and Minister for Planning and National Development (Prof. Saitoti): Mr.

Speaker, Sir, I be to move:-

THAT, this House do adjourn until Tuesday 6th June, 1995, at 2.30 p.m.

At the very outset, I would like to say that--

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

Mr. Speaker: What is it, Mr. Anyona?

Mr. Anyona: Mr. Speaker, Sir, I would like to raise a matter of procedure in respect of this Motion. I would like to seeK the guidance of the Chair on this matter before the House proceeds on the Motion of Adjournment.

This House, on Thursday last week, did debate a Motion exactly the same as this one in substance and in words, and at the end of the debate the matter was resolved in the negative. As far as I am concerned, to proceed with a similar Motion of Adjournment today would be contrary to the provisions of Standing Order No.42 which says:-

"No Motion may be moved which is the same in substance as any question which has ben resolved (in the affirmative or in the negative) during the preceding six months in the same Session:

"Provided that a Motion to rescind the decision of such a question may be moved with the permission of Mr. Speaker."

Mr. Speaker, Sir, the implication of this is that the Motion of Adjournment, having been defeated last week--- According to Standing Order No.42, this House cannot adjourn for the next six months.

(Applause)

Mr. Speaker, Sir, I am not looking for any applause or clapping. I am trying to resolve a legal problem that the House is faced with. I would, therefore, like to suggest that the correct procedure to follow in this matter is not to proceed as the Leader of Government Business is doing, and he should know better, but to follow the provisions of this Standing Order. I am, therefore, inviting the Government, if they think this is their business though I do not think so, to invoke the provisions of Standing Order No.42 in order to rescind the decision, and resolution of the House on Thursday last week, before we can proceed with the new Motion of Adjournment.

Mr. Speaker: Order! If I may enlighten you, Mr. Anyona, a little better than what you are telling us that---

Mr. Anyona: Mr. Speaker, Sir, let me finish.

Mr. Speaker: Okay. Very well.

Mr. Anyona: Mr. Speaker, Sir, obviously, Standing Order No.42 says that if the House makes a decision, they can also rescind and then proceed. But in this case, I am saying that to proceed with this Motion today would be acting unprocedurally and, indeed, illegally. So, I would like us to save this House that embarrassment by following the correct procedure.

Mr. Speaker: Order! I have indeed addressed my mind to the issues raised by hon. Anyona regarding bringing of a Motion after the same has been either negated or affirmed within the Session or six months whichever will be later. I have addressed my mind to that; I have looked at practices of Commonwealth parliaments and I affirm and do hope that as a matter of fact, a Motion of Adjournment is not governed or regulated by Standing Order No.42. The House may be guided by some extracts from Erskine and May, the latest Edition; 21st Edition. That would be found on page 333 and it states as follows:-

"RESTRICTIONS ON MOTIONS FOR ADJOURNMENT OF THE HOUSE OR OF DEBATE

"When a Motion for the Adjournment of the House or the debate has been negated it may not be proposed again without some intermediate proceedings; furthermore the Speaker has power under Standing Order 34 if he believes that any dilatory Motion is an abuse of the rules of the House, to decline to propose the question on it to the House but to put the question thereof forthwith."

The net effect of this is that a Motion for the Adjournment of the House may be brought back to the House but only after some intermediary business. Hon. Members will recall that this House has been dealing with The Higher Education Loans Board Bill until just three minutes ago and therefore the Leader of Government Business is perfectly in order to move this Motion. The Motion is therefore validly before the House. Proceed, Prof. Saitoti.

The Vice-President and Minister for Planning and National Development (Prof. Saitoti): Thank you very much, Mr. Speaker, Sir.

Let me say that I am bringing this Motion back to Parliament after it was debated last Thursday. I would like to put it on the record that in actual fact we were not actually defeated. What actually happened was that there was a tie. Let me also tell this House that due to an unfortunate error on the part of the Tellers my name was not recorded. If my name had been recorded as a matter of fact we would have carried this Motion. However, be that as it may, I hope that today Members will be able to pass this Motion. I have no doubt that hon. Members on both sides of the House would like to go back to their constituencies so that we can be able to spend some time with our constituents and be able to see the implementation of the issues we have discussed here.

Let me also say that from my own observation virtually every political party which is represented here is carrying out its own business in one way or the other and---

Mr. Munyasia: On a point of order, Mr. Speaker, Sir. The Leader of Government Business has made a serious allegation against the Tellers of that day. He has said that he presented himself but his name was not marked. Could he substantiate that claim?

Mr. Speaker: Order! This issue came up as a point of order much earlier in the day. I made my

comments about it and we disposed of it and I think every Member in the House shall consider that matter as completely put to rest. Proceed!

The Vice-President and Minister for Planning and National Development (Prof. Saitoti): Thank you, Mr. Speaker, Sir. I will not allude to that point any more. But all that I am saying is that I have no doubt that every single political party which is represented here requires---

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

Mr. Speaker: Order! Order! Mr. Mulusya, I am not going to have that issue any more. Can we now have some form of debate? Stick to that Mr. Mulusya please.

Mr. Mulusya: It is a genuine point of order, Mr. Speaker, Sir. For the period I have been here I have known what the Chair requires and I also know the rules. When you made a ruling on the matter which was raised by hon. Munyasia, hon. Obwocha, from his seat, made a statement to the effect that the hon. Vice-President and Minister for Planning and National Development was not marked by the Tellers as being present and voting for the Motion because he was busy seducing hon. Wanjiru!

Mr. Speaker: Order! Order! Order! That is not only a frivolous point of order Mr. Mulusya. First of all you have, by that very statement, insulted very grossly two hon. Members of this House. In my view, what you have just done is worse than gross misconduct. I do not think my sending you away is adequate, but because you have done this at the very end, may be, of our Sitting, I have no option Mr. Mulusya but to order you, first of all to withdraw as a condition to my not asking the House to take any further action and after that you withdraw from the Chamber.

Mr. Mulusya: Mr. Speaker, Sir, I was drawing this House to a serious issue---

Mr. Speaker: Order! Order Mr. Mulusya! I am not going to entertain any debate on this. First of all Mr. Mulusya, I have said from the Chair, more than 100 times that you or any other Member is not a prefect on any other Member sitting in this House. The only business this House is concerned about is what a Member has said audibly to this National Assembly when contributing. It is not what he whispers to you. It is not what you wish to state for the Member. Indeed I think whatever you have said is in fact malicious. You said it with malicious intent. Now you must withdraw, apologise to the Vice-President and Minister for Planning and National Development and the Gracious Lady. In fact I am pained about what you have said about the Gracious Lady. You must apologise.

Mr. Mulusya: Mr. Speaker, Sir, I apologise on behalf of hon. Obwocha.

(Laughter)

Mr. Speaker: Order! Mr. Mulusya! You are responsible for the terrible things you have said in this House and there will not be the beating about the bush, Mr. Mulusya. Order! It is about time some Members grew up in this House. You cannot insult hon. Members with that vulgar language and expect to play it like a child's game. You must apologise first of all to hon. Wanjiru most sincerely, to the Vice-President and Minister for Planning and National Development and to the House. Then I will know what to do next.

Mr. Mulusya: Mr. Speaker, Sir, it is not me who said it. It was said by the hon. Obwocha.

(Loud Consultations)

Mr. Speaker: Order! Order! As the hon. Members think this is a serious issue, I will not ask you to leave the Chamber because it will not cost you much - two hours less. I will reserve my ruling to the next Sitting Day of this House, for me to consider whether

(Applause)

action should only be taken for you to be withdrawn in the remaining of the day or further measures should be taken against you or whether indeed that is a matter fit to be reported to the Committee of Powers and Privileges. May be it is about time.

(Applause)

The Minister for Labour and Manpower Development (Mr. Masinde): Mr. Speaker, Sir, this being a very serious misconduct---

Mr. Speaker: Order! Order! I am indeed subject to have the views of the House on this issue because it is so serious that when hon. Mulusya leaves this House without any reprimand or punishment, having uttered those terrible words against two hon. Members, he may feel he is going to have a very nice sleep and yet have probably what he considers a good newspaper coverage for vulgar words. I don't know what the House thinks about it. Personally I am upset that a hon. Member can stand on the Floor of this House and insult the decency of a Gracious Lady and that of the Vice-President and Minister for Planning and National Development of the Republic of Kenya. I think it is a terrible thing.

(Loud consultations)

An hon. Member: Point of order Mr. Speaker Sir.

Mr. Speaker: Order! Order! One minute please! Yes, Mr. Shikuku. Where is Mr. Shikuku? Did you say anything or you are drinking water?

Mr. Shikuku: I was drinking water but I had a point of order Mr. Speaker, Sir.

Mr. Speaker: What was it?

Mr. Shikuku: The point of order is in connection with this son before us here. When the point of order was raised, it is now been made to stand static. Is that in order? The son to run and the hon.---

Mr. Speaker: Order, Mr. Shikuku. The time taken by the Chair to resolve an issue that is touching the House must certainly be the time of the House and not that of any particular individual Member. I think the matter raised by the hon. Mulusya insults every Member in this House and I think it is time that we resolved it and then we proceed with the other business of the House. I think it is about time Members took seriously this House and the Members of this House.

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

Mr. Speaker: What is it?

Dr. Lwali-Oyondi: My point of order is this Mr. Speaker, Sir. You have just made a ruling that you will give a considered ruling on this matter when we resume. Is it really in order for the Minister to begin---

Mr. Speaker: Order! What in fact I have on reflection, I think my earlier ruling that I will reserve it is actually bad because it will allow Mr. Mulusya, in spite of insulting most grossly two hon. Members of this House, it would allow him to go to the recess scot-free when he ought to have been punished. Yes, Mr. Masinde.

The Minister for Labour and Manpower Development (Mr. Masinde): Mr. Speaker, Sir, what I was saying is, in view of the seriousness of this gross misconduct occasioned by hon. Mulusya, I wish that he be named and be referred to the Powers and Privileges Committee to discuss his conduct.

(Applause)

Mr. Speaker: What did you say? Order! Mr. Masinde, just before you do that, can I hear Mr. Wamalwa?

Mr. Wamalwa: Mr. Speaker, Sir, I agree with you entirely that the aspersions cast by the hon. Member upon the dignity of hon. Gracious Lady and the hon. Vice-President and Minister for Planning and National Development are more serious particularly so on the part of the hon. Gracious Lady. This being the first instance of this kind, may I plead with the Chair that perhaps a severe warning and perhaps a threat of what might happen in future if such gross misconduct is repeated might suffice this time?

(Applause and booing)

Mr. Speaker: Order! Order hon. Members! I am not averse to the sentiments of the hon. Mr. Wamalwa or any other hon. Member pleading on behalf of another hon. Member, but I am sure also in the same breath this House will agree with me that I did avail an opportunity to the hon. Mulusya to apologise to the Gracious Lady, Wanjiru, and to the Vice-President and Minister for Planning and National Development, and he refused. What am I supposed to do?

(Mr. Mulusya stood up)

(Laughter)

Order! Order! Mr. Mulusya, are you now seeing the gravity of this matter and are you prepared, in all honesty and most sincerely, to apologise to the hon. Wanjiru and to the Vice-President and Minister for Planning and National Development and to the House for using a vulgar language? Once you apologise, then, maybe, whatever other consequences we will do will be lighter.

Mr. Mulusya: Mr. Speaker, Sir, I have considered the matter on the basis of the gravity it carries and its effect on the dignity of this House and---

Hon. Members: No! No! No!

Mr. Speaker: Order! Order hon. Members! Every hon. Member in this House should know that the duty to enforce order in this House rests squarely on the Chair. Proceed, Mr. Mulusya.

Mr. Mulusya: Thank you, Mr. Speaker, Sir. **[Mr. Mulusya]**

I was saying before I was interrupted, that from the bottom of my heart, I have decided to sincerely apologize to hon. Wanjiru and the hon. Prof. Saitoti and the entire House, and more specially, to the Chair.

(Applause)

Mr. Speaker: Order! Order, hon. Members! In the tradition of this House, once an hon. Member has apologized, and I particularly take cognizance of the words he has used in conveying the apology, the House must accept that apology.

Mr. Falana: On a point of order, Mr. Speaker, Sir. I rise on a point of order concerning what the Leader of Government business said, regarding the issue raised by hon. Mulusya. I know that once you have ruled on an issue, one cannot revisit the issue, but I would like it to go on record in this House that this is not the first time that hon. Mulusya has made a very outrageous allegation in this House. I remember there was a time he had called an hon. Member of this House some obscene word, and the newspapers referred to that very dirty word as "unprintable", and today he has---

Mr. Speaker: Order! Order, hon. Falana! First of all, no hon. Member is allowed to repeat an obscene word even if it was uttered in a language he does not understand. An obscene word remains so in whatever language it is uttered. Fortunately, the Chair did not understand the word. So, you will escape the blame.

Proceed, Prof. Saitoti.

The Vice-President and Minister for Planning and National Development (Prof. Saitoti): Mr. Speaker, Sir, before I was interrupted, I had just moved the Motion for Adjournment and having set that aside, I would like to make two very important points regarding very serious issues.

I want to inform this House that since Kenya became an independent nation, the Government has, in fulfilment of its own international humanitarian obligations, accepted a number of refugees from several African countries where there have been civil strifes. We have had refugees from Uganda when there were major problems in that country. We have had refugees from Ethiopia, Somalia and from many other countries. However, I would like to emphasize here that the hosting of these refugees in Kenya has a great deal of sacrifice to the Kenyan people.

Mr. Speaker, Sir, let me say that we will continue to fulfil our international obligations, but one thing must be made very clear here and this is in reference to the case of the Rwandese refugees here. Reference has been made in a number of dailies and weekly journals to the effect that the Kenya Government is harbouring a number of Rwandese criminals. I would like to say, in no uncertain terms, that the Kenya Government is not harbouring any criminal that we know of. However, I would like to make it quite clear here that any person who might be masquerading as a refugee in this country and is identified through the international tribunal that such a person is connected with the genocide in Rwanda, the Kenya Government will kick such a person out of this country.

Secondly, Mr. Speaker, Sir, I also want to make it quite clear that we shall not allow any foreigners to use Kenyans as a base for sorting out their own disputes. I am saying this because, of late, we have heard utterances by two Rwandese nationals here casting aspersions on the Kenya Government. We re not going to tolerate those foreigners who come into this country to abuse our Government. I would like this to be made abundantly clear because the Kenya Government is very much concerned about the suffering of the African refugees and we shall never be party to such suffering. What is happening in Rwanda is of great shame to the whole of the African continent, and the Rwanda Government has done the greatest disservice to the continent of Africa today. We hope that other African countries will ensure that we do not further carnage of that nature. It is unfortunate to note that wherever you go in the world today, a black man is held with a great deal of disdain and contempt because of what has happened in Rwanda.

Before I conclude, Mr. Speaker, Sir, I would like to say that the Government has embarked on a very painful process of reform, both political and economical. Let no one under-estimate the pain and the sacrifice that it requires to undertake a major reform such as the one we have undertaken.

Mr. Shikuku: On a point of order, Mr. Speaker, Sir. I notice that the five minutes due to hon. Vice-President are over and the red light has

now been put on twice, but he has continued to speak as if nothing has happened. Is he really in order to do that?

Mr. Speaker: Could you, please, wind up your speech, Prof. Saitoti?

The Vice-President and Minister for Planning and National Development (Prof. Saitoti): Thank you, Mr. Speaker, Sir. I would like to say, finally, that we want to inform Kenyans and foreigners abroad, that Kenya will continue to be committed to these reforms. However, we will have to take care of the interests of our own people.

With those few remarks, I beg to move.

The Minister for Labour (Mr. Masinde): Mr. Speaker, Sir, I rise to second the Motion. As I had mentioned last week, it is definitely important that we, as hon. Members, having worked very hard in Bunge and having passed many important Motions and Bills, it is worthwhile to go on recess so that we get an opportunity to meet with our people, listen to their problems, programmes and together be able to work and formulate whatever we want to do in each constituency. It is a pity that the Opposition seemingly do not wish to go on recess. With the other suggestion that was intended to "kill" the Motion so as to go on debating for six more months, it would have meant that we continue until December. I am sure that the voters are anxious to have us back home in our constituencies so that we can exchange views with them. Let them tell us what they feel we have done for them and what we have not done for them.

Mr. Speaker, Sir, I would like to make a small comment on the formation of the new political party. Those who are responsible for forming up a new party are trying to take Kenyans for a ride. They think that the political parties that exist have not done any good to Kenyans and the only claim is that they want to create a new party in order to bring about the Kenya they want. Kenya we want is here and we are all in Kenya and all the hon. Members here from all the political parties in the country have the responsibility to bring about the type of Kenya they want. There is no way any other group that is standing by will come and work miracles. As somebody rightly asked where are they living? Are they living on the moon? What contributions do they have that they cannot submit to the Government or to the people until they have to create another political party?

With that, I am surprised that some hon. Members who are in the Opposition are also members of this new political party. Probably they are scared to go just simply because they want to continue earning the money until the time is over. I think these hon. Members are being dishonest to the people who elected them because they were elected on a particular party and to be represented in that party. So, they cannot continue deceiving the voters that they are still their representatives when they have run away from the party that brought them --

Dr. Kituyi: On a point of order, Mr. Speaker, Sir. Is it in order for the hon. senior Minister of Government while talking about hon. Members of this House uses the word "deceiving" the voters which is unparliamentary?

Mr. Speaker: I think it is unparliamentary and I would advise the hon. Members that we carry on with the debate without unnecessary acrimony. It is up to you to decide whether you want to go on recess or not, but it does not mean that you have to fight for it. Proceed, hon. Masinde.

The Minister for Labour (Mr. Masinde): Thank you, Mr. Speaker, Sir. Those sort of hon. Members should not continue misleading their voters under the pretext that they are their representatives when in reality they have already deserted them. I call upon the voters to reject those sort of hon. Members who are claiming to be transparent when they are actually not. In fact, they are stealing the taxpayers and the voters money in trying to keep themselves here on the party that they have already disowned.

With those few remarks, Sir, I beg to second the Motion.

(Question proposed)

Mr. Nthenge: Thank you very much, Mr. Speaker, Sir. I am very much delighted to have a chance to say something. When we are adjourning the House, I would like to tell hon. Members that I have some little experience. It pays more to meet an ordinary person who does not even know where Bunge is, but votes for you so that you know his problems and so on.

Mr. Speaker, Sir, I would like to request hon. Members to feel that it is now when they are going for real work when we go on recess. In a constituency, you find every type of a person, both literate and illiterate. So,

they do not read newspapers and they do not know what is going on in the country. But if they meet their hon. Member, they feel educated and well informed. Therefore, I would like to appeal to the hon. Members to be with the public and mix with them.

Another point, Mr. Speaker, Sir, is that, let those in power, particularly Ministers, know that whenever you belittle one hon. Member, you are also belittling all the hon. Members since we are all in one class. Therefore, the dignity of the hon. Members of this House should be preserved at all costs, so that hon. Members are not unnecessarily harassed. The other day I asked the Commissioner of Police why he does not arrest hon. Members by simply telephoning them; he simply telephones an hon. Member and asks him to come in his car. I am sure he will obey. That way, we will respect the House. When we do not respect the hon. Members and the House, we are also not respecting the people who elected us, the voters. If we do not respect the voters, then who are we going to respect? There is no nation without people, and people represent the taxpayers. The allowances we get here are taxpayers' money and, therefore, those are our employers and we should give them the highest respect, whether they are literate or not; whether they are well dressed or not; whether they do manual work or not, and so on. They are very important in our nation.

Mr. Speaker, Sir, in this country we require peace, unity and love. When I joined politics during the colonial days, we had multi-parties. Hon. Members like Sagini, G.G. Kariuki, Towett and so on can bear me witness. We were all friends. But this idea of saying "I am KANU, DP, FORD (K), FORD (A)" and so on should go. We should behave like lawyers who call each other "learned friend" when they are in court, and outside they go for a cup of tea together. So, this idea of "you do not belong to my party" should die. Why should we hate each other? Let us respect each other's idea and be gentlemen who agree to differ.

With those few remarks, Sir, I beg to sit down.

The Assistant Minister for Finance (Mr. Keah): Thank you, Mr. Speaker, Sir, for giving me the opportunity to contribute to this Motion on Adjournment.

I support this Motion. I do so because it does provide hon. Members with the opportunity of going to confer with their constituents, particularly on development matters. This Motion gives me the opportunity to make a few general remarks, particularly about our own conduct as hon. Members. The entire population of our Republic having voted us expect of us, hon. Members, that we shall be people of integrity, people who are responsible both in terms of our contributions here in this august House, as well as outside, and that we shall be leading the way and showing the people where this country is going. I am astonished at the culture which some of us, some of the time, are showing the Kenyan public and, indeed, the world; for example, what happened last week. It amazes me that when I contribute to a debate and show the Kenyan people that we want to go on adjournment, when it comes to voting for that Motion, I vote against it. I know that I can be persuaded to vote against a Motion when the other hon. Members have debated more strongly on it, but what happened last week, in my view, is indeed, a shame which should not be emulated ---

Dr. Lwali-Oyondi: On a point of order, Mr. Speaker, Sir. Is the Assistant Minister in order to begin blaming Members of Parliament for what they passed last week?

The Assistant Minister for Finance (Mr. Keah): Mr. Speaker, Sir, I am very much in order to talk like this in this debate of Adjournment. It gives me the opportunity of making observations of our own conduct here, and that is precisely what I am talking about. It is misleading this nation, and it is also a sign of unreliability and irresponsibility. If I can be voted to speak for a Motion and then vote against it, that to me is malicious and a culture which is very strange indeed. We are teaching Kenyans very strange things these days. We must stand up and be counted in what we seek and say, and the way in which we act, including the way in which we vote. You cannot say one thing and then vote differently. What does the public say?

Having said that, let me say that, unfortunately, many of our hon. Members believe that whenever the donors are around, we can dance around them and show them that we are better than the Government. Last week or two weeks ago, we saw some hon. Members of the Opposition breathe fire in the House simply because a group of donors was around the country and they had an occasion to speak to them. They even went to convince them that we in the Government, are back-tracking on our reforms. I would like to take this opportunity, on behalf of the Government, to say that this Government is not back-tracking in its reforms or in the reform programme. I would like to assure the hon. Members on the Opposition that we are a Government, and we shall not hesitate to govern when that need comes arises.

I beg to support.

Mr. Wamalwa: Thank you, Mr. Speaker, Sir, for giving me this opportunity to oppose this Motion on the Adjournment for a few reasons. First---

An hon. Members: Shame! Shame!

Mr. Wamalwa: Shame is not one of them. First, because it would be rather inconsistent to oppose Adjournment on one Sitting Day and support it on the next Sitting Day without any real reasonable grounds being advanced. Secondly, Members of Parliament are elected to come to Parliament to work for their people. The basic job of a Member of Parliament is to come to this House to debate Bills and Motions, and get the Government to do things for the people. Unfortunately, under the

one party rule it appeared that a good

Member of Parliament is that one who is in the constituency doing Harambees day-in-day-out. I beg to differ from that approach. I believe hon. Members are elected to come to Parliament to debate national issues. For Example, in England, it is not unknown for the House to sit all night. It is not unknown for the House to debate Bills all night, if need be. Before this House is the Children Bill, a very very important Bill that UNESCO has already indicated its support and what it wishes to do to help the children of the world. There is the Chemicals Control Bill, which is a very important Bill especially to our farmers. There is also pending before this House, the Council of Legal Education Bill. There is also the Land Management Bill. There is so much work before this House that to rush to go on recess, as welcome as it might be to some hon. Members, is probably not the most reasonable thing to be expected by our voters at this time.

I would like to take this opportunity to make a few comments on the situation of unemployment in this country and the situation of the worker, especially having listened to the Minister for Labour and Manpower Development second this Motion on the Adjournment. We do realise that this is no bonanza time in this country in economic terms. That the meagre 12 or so per cent salary increase that the Minister granted the workers of this country is nothing short of a vindictive assault against the workers' dignity and expectations. One would like to see the workers get a fair deal than a mere 12 per cent.

It is also interesting that the Assistant Minister for Finance has spoken about donor conditionalities. The fault is not with the Opposition. The fault is within the Government because the Government is speaking with two voices and sending mixed signals to the donor community. A couple of Ministers are on record as laughing at the donor conditionalities, bragging that we are not boys to be dictated to. On the other hand, the Minister for Finance and his Assistant Minister are at great pain to convince the international community that Kenya has, indeed, embraced those conditionalities and is struggling to enforce them. So, where lies the contradiction? It is certainly not on the Opposition side. The contradiction is within the Government side itself.

(Applause)

Mr. Speaker, Sir, these conditionalities were not forced upon us. We mismanaged the economy ourselves. We went to the World Bank and the International Monetary Fund (IMF) and said, "Help us out". If we had run our economy properly, there would never have been need for us to go to anybody and, therefore, attract any conditionalities. I think this is a point that tends to be overlooked in these arguments. We are all nationalists and we would like to see this country do well, but we must be prepared to accept where we are wrong and rededicate ourselves to doing better, rather than looking for people to blame.

Mr. Speaker, Sir, in the country today there are so many things that are begging for solutions! The roads and streets are full of potholes; the farmers have not been paid by the National Cereals and Produce Board; dairy farmers have only been paid up to December, 1994, and they are still owed over Kshs3 billion. There is so much going on that to talk about going home to rest is, in fact, an insult to those people who elected us. This is the people's House, and the people's House must meet to discuss the people's problems, even if it means we do not sleep day and night.

Sir, I beg to oppose.

Mr. Sankori: Thank you, Mr. Speaker, Sir. First of all, may I take this opportunity to apologise to the KANU side of the House and to the Vice-President and Minister for Planning and National Development for not marking his name during last week's division in the House. May I also take this opportunity to congratulate hon. Mwendwa for being the first lady in Kenya to be appointed a Cabinet Minister.

As some of the hon. Members have said, going on recess is just going back to the people who elected us. It is just unfortunate that some hon. Members have nothing to do in their constituencies. Some of us will go back to those who elected us and guide them towards a better life. It does not mean that when you are not in this House, you are doing nothing, nor does it mean that when you are in this House, you are doing the most. These are equally important roles.

Let me say that recess time will give us a chance to know the problems of our people. I am sure that in this House we have hon. Members who have not stepped in their constituencies for the last one month, and yet they expect to know the problems of their constituents. They only read about them in newspapers, or get calls

from their friends and then pretend they know enough about them.

Those of us who come from areas where people live a nomadic life have a lot of problems. A lot of our primary schools are not well staffed. I would like to take this opportunity to ask the Minister for Education to take teachers to rural areas. You will find that some schools in town are overstaffed while schools in rural areas, are understaffed. The same thing applies to the Ministry concerned with water. People in rural areas are suffering due to lack of water. If the new Minister goes round and sees the problems being faced by people in the rural areas, then I will be sure that come 1997, KANU will sweep the board because all people will be having water.

We are a multi-party state and so we must be able to steer ourselves properly. It is unfortunate that some of us have started dancing to the music of foreigners. At one time, when hon. Ntimama was attacking Dr. Leakey, people thought hon. Ntimama was mad. Now they have seen for themselves what he was saying. Unfortunately, some of you have agreed to be colonised after 33 years of Independence.

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

Mr. Speaker: Order, Mr. Mwaura! This is a timed debate! There is nothing earthshaking!

Mr. Sankori: Mr. Speaker, Sir, it is true that we need money but we should not bootlick anybody. We can even survive without donors! If during 1991/92 we did without them even now we can do without them. I will ask the Minister for Finance to go proudly to donors for money and if they do not give it, he can come back here, and we will survive. All hon. Members want peace, but some hon. Members are giving Members of Parliament a bad name by acting as though they were *manambas*. We know there are some people who have no homes and who can fly away any time since they have nothing to lose---

Mr. Shikuku: On a point of order, Mr. Speaker, Sir. Did you hear the hon. Member say we behave like *manambas*?

Mr. Speaker: Order! Mr. Sankori, did you, by any chance, say that hon. Members behave like *manambas*?

Mr. Sankori: Mr. Speaker, Sir, I did not say that.

Mr. Kapten: Thank you, Mr. Speaker, Sir, for giving me this chance to oppose this Motion. As the Leader of the Opposition has said, we have a lot of business pending in this House.

(Prolonged applause as Mrs. Mwendwa entered the Chamber)

I understand that Mrs. Mwendwa has been appointed a Cabinet Minister and I must also thank the Government for being gender sensitive. This has come about because of the Opposition. It is known that the KANU Government has never been gender sensitive---

The Assistant Minister for Energy (Mr. Nang'ole): On a point of order, Mr. Speaker, Sir. The hon. Member has made a serious allegation that the hon. Gracious Lady from this side has been appointed a Minister because of the Opposition. Is he in order to say that?

Mr. Speaker: Order! I do not think that those are the things during a timed debate. Proceed, hon. Kapten.

Mr. Kapten: Mr. Speaker, Sir, it is known that the KANU Government has never been gender-sensitive. It is because of the existence of the Opposition that the Government is recognising the ability of the ladies in this country. That is why the gracious lady has been appointed a Minister.

We, as elected leaders, must be recognised by the Government. For a long time, Members of the Opposition have been treated like children. Any time we want to have public meetings to tell our people what we are doing for them, the Government does not want to license us. It is important that while we recognise the existence of KANU, KANU must also realise the importance of the Opposition in this country.

Coming to the question of security, I want to say that there is a lot of insecurity in this country. People are being killed. Recently, a very senior officer of the police force was murdered and up to now it is surprising that the Government has not been able to bring the killers to book. That is why we are saying that the Government itself was involved in the murder, and that is why it does not want to arrest those murderers.

Mr. Speaker, Sir, recently, there was the "Odongo" issue in this country. The Government alleged that there was somebody called Odongo who was going to overthrow the Government.

The Minister of State, Office of the President (Mr. Kalweo): On a point of order, Mr. Speaker, Sir. I heard hon. Kapten saying that the Government is involved in the murder of one of its officers. Can he, please, substantiate that? This is an alarming insinuation.

Mr. Speaker: Mr. Kapten, did you say that?

Mr. Kapten: Mr. Speaker, Sir, what I said was that a senior member of the police force was murdered, and up to now, nobody has been arrested in connection with this murder. That is why some people are thinking that, maybe, the Government may be involved. It is an opinion.

Mr. Speaker, Sir, when there was the Odongo issue in this country, a Member of the Cabinet of this Government stood up in Kapenguria and Kitale and stated that non-Pokots would be killed if they did not move from West Pokot and Trans Nzoia. That was a very serious statement coming from a Cabinet Minister. Up to now, that Cabinet Minister has not been dismissed. If Members of the Cabinet are involved in uttering such statements and warlike activities, how can we say that the Government is innocent? I would have expected that person to be arrested and charged in court, and then we can say that, perhaps, the Government is serious about the security of this country. So long as this culprit is walking free, my people in Trans Nzoia and Kwanza are saying the Government is not protecting them.

Mr. Rotino: On a point of order, Mr. Speaker, Sir. The hon. Member has made a very serious allegation, that a Cabinet Minister said in Kapenguria that non-Pokots would be killed. If it is true - I was in that meeting and I do not think those words were said - can he substantiate? That is a very serious allegation.

Mr. Kapten: Mr. Speaker, Sir, I spoke in English and I do not think the hon. Member understood what I said!

(Laughter)

The Minister for Health (Mr. Angatia): On a point of order, Mr. Speaker, Sir. I am sure you heard the insult of the Member who has just sat down against his fellow Member of Parliament.

Mr. Speaker: What did he say?

The Minister for Health (Mr. Angatia): He said that the Member who spoke does not understand English. You cannot be in this House if you do not understand English. Is that not going against our own procedure and rules?

Mr. Speaker: Order! I believe, honestly, that a Member can put across his message without necessarily being unkind to his colleagues. I believe the best debater will come out of this House if he has respect for his colleagues, for the Standing Orders, and for the practices of this House. I appeal to all hon. Members to use civil language to each other. If you think it is sweet to insult another Member, please, do not complain to me tomorrow if the same medicine is meted out to you.

The Minister for Research, Technical Training and Technology (Dr. Onyonka): Mr. Speaker, Sir, I rise to contribute to this important Motion of Adjournment, which I support. Currently, a great deal is being said about problems arising from Structural Adjustment Programmes (SAPs). It is rather interesting that every time we are about to meet with donors, we have a lot of excitement. All I would like to say this afternoon is that we know a lot about SAPs. It is not only Kenya which is undertaking SAPs. These programmes have been on in many countries. The important point that I would like to put across is that we appear to have a lot of misconceptions about what is supposed to happen under SAPs. Practically, every country that has undertaken these programmes has had problems. In some sectors, countries have met with success. In others, there have been certain difficulties. When it comes to our country, one gets the feeling that there is a framework within which everything must be done somewhat perfectly, but in the process of implementing these programmes, a lot of practical problems come to light. Matters structural require both the medium and long-term programmes to be able to realise the objectives that we have set for ourselves. So, if there is anyone expecting instant solutions in the immediate short term to some of these issues, that is a simple delusion because structural issues, as that term implies, require that we take time to try and sort out the problems, but in the process, there is ample evidence to show that many problems come to light that were not initially anticipated. Therefore, we have to be somewhat pragmatic in addressing many of these issues. It does not matter whether one is in the Opposition today, and then tomorrow, you are in the Government, implementing these programmes. I want to assure you that you will have the same problem with many of these donors. I am telling you, I have dealt with them, and I know. The truth of the matter is that we have to be realistic, that some of these issues require time to sort out.

Look at what has happened in the farming sector. Enormous problems have arisen which require time to address, but we behave as if, if we sung the same song to every donor, we shall have instant solutions to our problems. That is not true. Look at the fact of the matter with respect to practically all the countries that have undertaken these programmes. There are always areas where the pace of implementation has been slower than, perhaps, expected. However, I think it would be a serious matter if we, as Kenyans, tried to create the impression that over the last two to three years, our Government has done practically nothing, and that the donors are right to

cut down on aid. Well, I would like to say that when I read the statement from the party being formed by Dr. Leakey and others, what comes out very clearly is that, you have here, something like a litany of ills which only they will resolve if they were in power or in control in terms of policy implementation. We know that has been the naivety of a lot of people anxious to get into power and, thereafter, failed to implement what they were talking about.

Mr. Speaker, Sir, I beg to support.

(Mr. Speaker left the Chair)

(Mr. Deputy Speaker resumed the Chair)

Mr. Wamae: Mr. Deputy Speaker, Sir, thank you for giving me this opportunity to contribute to this Motion.

This general feeling has been created mostly by the KANU Government in believing that Kenya is the best country in Africa; the most developed; and which has the highest rate of growth. I would like to tell them that, that is no longer true. Uganda is growing at the rate of 8 per cent. Two years ago, we were growing at the rate of -4 per cent and now we expect to be growing at 3 per cent. We should not try to think that we are the island of peace and prosperity in this part of the world. We are not. Kenyans have been misled and that is why we have lost the way. We must try and follow the right track, where our people can benefit. We must put a stop to corruption. We must be concerned with the welfare of ordinary mwananchi and not only think of ourselves by importing maize, wheat and sugar when our farmers can grow all these and thus save our industry. We must be loyal to our own country by not evading paying duty and taxes as has been said here before. We must be conscious of the development of our country.

Mr. Deputy Speaker, Sir, we must protect our industries. Although we have liberalised our economy, we have not taken into account the effect of that liberalisation. South Africa alone is exporting goods worth over \$3 billion to this country, whereas there is restriction for our exports to South Africa. They are restricting our wines and other goods and the Government is doing nothing about it to ensure that there is balanced trade with other countries. It is as if we are an open market for everybody, and as a result there is over unemployment and a lot of our industries may collapse. A balanced viewpoint is necessary to be done so that we do not kill our industries in trying to liberalise, and I think sooner or later, many of the textile and garment industries created 30 years ago will be in serious problems because of the uncontrolled imports. The importers of these goods evade paying the right duty and VAT. These items are bought at prices lower than the raw materials imported by some of our industries. This is an important point which I think the Government must consider very seriously.

Mr. Deputy Speaker, Sir, we in the Opposition also do not like multiplication of political parties. The only way for the Opposition to defeat KANU is to be united. We must defeat KANU and form a new Government. If we are united, with our 3,400,000 voters, we will be able to remove the KANU Government from power. At the same time, being a democratic person, I believe that any person has a right to form another party purely on a democratic principle. I would like to appeal to my fellow Opposition hon. Members, while condemning the KANU Government, to realise that if we want to remove it from power, we must unite in order to succeed.

An hon. Member: And be transparent.

Mr. Wamae: Mr. Deputy Speaker, Sir, I would like to mention the privatisation programme which is one of the programmes that the Government is planning to embark on. The Government is the most inefficient producer of goods and services as we have seen. As a Government, you can not run kiosks, shops and small-scale industries and succeed. Therefore, I am glad to note that the Minister for Commerce and Industries is listening to me. Let us privatise as quickly as possible all these hotels and industries. Let the private sector buy them on a fair basis and on a most open-market trade and let them pay taxes to the Government. The Government will then concentrate on tax collection rather than trying to run those industries by subsidising them every year. This also should apply to Kenya Posts and Telecommunications Corporation and Kenya Power and Lighting Company and ICDC. The Kenya Posts and Telecommunications Corporation should be dismantled and privatised in stages so that it can serve the public more efficiently, while the Kenya Co-operative Creameries should be returned to the farmers and privatised. All the industries that we started must be sold to the private sector as a way of creating development.

Mr. Deputy Speaker, Sir, with those few remarks, I beg to oppose the Motion.

Mr. Shaaban: Mr. Deputy Speaker, Sir, as much as I support the Motion, I have my fears that I and other hon. Members from Mandera and Wajir may not reach our constituencies probably before the next sitting of

this Parliament. Although we are supposed to visit our constituencies and inspect various development projects and meet our constituents in the various parts of the areas we represent, the road between Garissa and Mandera has been impassable for the last three weeks due to heavy rains. As I speak now, more than 500 students, teachers and civil servants are stranded in various parts of North Eastern Province. Close to 400 students, teachers and civil servants are also stranded in Nairobi. Some of these civil servants carry out very essential services which are badly needed in those parts of the country.

Mr. Deputy Speaker, Sir, for the last three weeks, North Eastern Province has been cut off from the rest of the country. The Minister for Public Works and Housing and his staff have not been able to visit these areas to study the situation and improve it.

(Applause)

I would urge the Government to act immediately, to ensure that North Eastern Province is accessible by people from the rest of the country. I would also like to appeal to the Government to see that these civil servants, teachers and students are transported back to their various districts so that they can carry on with their duties, and the students can resume their classes.

Mr. Deputy Speaker, Sir, even if I and other hon. Members go to our constituencies, we will not manage to reach most parts of those constituencies. As things are now, I will only be able to reach Central Division, which is one of the four divisions within my constituency. The other divisions of my constituency are inaccessible and I will not be able to visit my people there. Once again, I would urge the Minister for Public Works and Housing and his staff to ensure that this problem of lack of transport which we encounter every year is solved once and for all. A permanent solution should be found to end this problem because it affects other sectors of our economy.

Mr. Deputy Speaker, Sir, as I speak here, Mandera Town has no electricity. Those machines cannot be brought to Nairobi for repairs because the roads are impassable. Mandera is near the Kenya/Somalia/Ethiopia border and it is in a very serious security area. Mandera Town has been in total darkness in the last three weeks.

For the last 30 years, the people of North Eastern Province have experienced a lot of problems as a result of poor roads and I urge the Ministry of Public Works and Housing to be kind enough to ensure that the roads in this province are made all-weather roads. This is because the economy of the entire province has ground to a halt because of this transportation problem.

Thank you, Mr. Deputy Speaker, Sir.

Mr. Mwaura: Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity to contribute to this Motion which I would not like to support. As far as I can recall since I came to this Parliament, I think this is the saddest recess we are going to have this time. I say this because last week, when the issue of the withholding of donor assistance to this country was raised in this House, a Government Minister denied that the German Government and other donors had not reduced their aid to Kenya. We read the official statement of the German Government, which gives the reasons which led to the reduction of their aid to this country. I think the Government should not continue to blame our economic problems on SAPs. This is because although the Vice-President and Minister for Planning and National Development has told us that the Government is committed to both economic and political reforms, that cannot be true. The Government has in the recent past been harassing Opposition Members. Hon. Njenga Mungai was put in remand for almost three months. Also, we had hon. Gatabaki being chased around. Why can the Government not take hon. Gatabaki to court instead of harassing him? This kind of harassment of Opposition Members is damaging the name of this country. We must be serious.

The Kenya Shilling has depreciated against the other major world currencies. This is because the donors do not want to give their money to this country and the people who are going to suffer are the ordinary Kenyans, who are the majority. When we talk about stability and security I think we should be very serious. I would hate to see this country becoming another Rwanda, where thousands of innocent people have been killed. The Deputy Leader of Government Business said that Burundians have caused chaos in their own country, but it is not the ordinary Burundians who have caused chaos in that country; it is the leaders in that country who have caused those problems.

Mr. Deputy Speaker, Sir, sycophancy has become a culture in this country. One gets surprised at seeing the reaction of politicians in this country; getting alarmed and behaving like racists in response to a very simple issue of a Kenyan called Dr. Leakey. Dr. Leakey enjoys the freedom of association, but when he does that he is referred to as a foreigner and a white man, when not too long ago his brother was an Assistant Minister in the Kenya Government. During that time nobody ever accused him of trying to introduce foreign ideologies of divide

and rule in this country. So, we should not be taken for a ride. Let Dr. Leakey advocate his own democracy. It does not mean that if Dr. Leakey forms a political party everybody is going to rush to join that party. We should not become racists.

The other area that I would like to touch on is the area of constitutional reform. With constitutional reform I believe that the democratisation process in this country is going to succeed.

With those few remarks, I beg to oppose.

The Attorney-General (Mr. Wako): Thank you, Mr. Deputy Speaker, Sir.

I rise to speak on this very important Motion of Adjournment. This august House will recall that in the course of the debate on the amendment moved by the Minister for Finance, I did inform this House that I had directed the Commissioner of Police to finalise investigations by Monday, 15th May, 1995, and let me have a report. I also informed this august Assembly that in Criminal Case No.46 of 1995, where Kshs5.8 billion was involved, the hearing date was to be fixed the following day. I am pleased to inform this august Assembly that the hearing date of that case was fixed to start from 3rd July, 1995, onwards. If and when this Motion is passed, the date 15th May,

1995, will find this House still in recess and, therefore, I want to take this opportunity to inform this House on the state of investigations on what I would term the original Goldenberg. I want to inform this House that yesterday, I, together with the Director of Criminal Investigations and other persons investigating this matter, had a thorough review of the evidence collected up to this day. I am pleased to inform the House that as far as internal investigations are concerned, substantial progress has been made and the initial investigations are almost complete.

Mr. Deputy Speaker, Sir, this is a case about gold exports and foreign currency earned as a result of those exports. It is a case that involves 230 alleged transactions of export and each transaction has a number of documents attached to it. It is, therefore, necessary to extend the investigations beyond the borders of this country to overseas. I wish to confirm that Interpol has already been requested to assist.

I wish also to confirm that I have written rogatory letters to judicial authorities, investigative agencies and my counterparts as appropriate in Dubai, Switzerland, England, and I am contemplating writing one to Malta, to facilitate the investigations by our officers in those countries. Therefore, shortly, senior officers involved in these investigations will be proceeding to those countries and together with Interpol, will now carry out the investigations in those countries. It is a matter that requires thorough investigations.

It is a thorough investigation that we require on this matter. I wish, therefore, to inform this House that in consultation with the Commissioner of Police and the Director of Criminal Investigations, and looking at the state of investigations internally, they are almost complete, the next stage being the investigations overseas, but I will review the matter with them before the end of this month, on 30th May, 1995. They have been told that they must, at any rate, make their final report on or before Thursday, 15th June, 1995. I thought that since I had informed this House of the date of 15th May, let us go into recess. I should again come to this House and at least inform them of the state of investigations, the seriousness with which the Government is taking this matter, and the fact that the investigations are proceeding. Of course, in due course, when I get this complete report, I should be able to make my own decisions in accordance with the powers conferred upon me by Section 26 of the Constitution.

Mr. Deputy Speaker, Sir, I beg to support.

Mr. Obure: Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity to support this Motion. First of all, I must congratulate hon. Mrs. Mwendwa for having been appointed the Minister for Energy, and I think I am grateful to the President that he has heard the cries of Kenyans, that they appoint ladies to higher positions.

(Loud consultations)

Mr. Deputy Speaker: Order! Order! I can hardly hear what the hon. Member is saying.

The Assistant Minister for Land Reclamation, Regional and Water Development (Mr. Chepkok): Mr. Deputy Speaker, Sir, the hon. Member is misleading the House by congratulating Mrs. Mwendwa for having been appointed the Minister for Energy, yet we know she is the Minister for Culture and Social Services.

Mr. Obure: I have congratulated you, hon. lady very, very much. Secondly, along the same lines, we have able leadership. We have people in this country who deserve to be appointed to positions that can assist to elevate economic activities in this country. In that respect, we need fairness while we are distributing jobs in this country. It is only fair that in this country, we have the following people who deserve to be appointed to positions where they can assist this country. The former Member of Parliament, Mr. Zedekiah Magara, David Kombo,

Chris Obure, David. Onyancha, N. Muturi, Momanyi Otieno, Z. Anyieni, Ted Nyarang'o, S. Michoma, M. Ombese, J. Onsando, S. Omenge, N. Ondieki and Saul Nyareru all come from Kisii, and these staunch supporters of the KANU Government. I think it is high time that we gave consideration to appointing these people into positions of leadership in this country, in order to be fair to this nation.

Mr. Deputy Speaker, Sir, if they are sidelined by the KANU Government, I will call upon these people who come from Kisii District to march to hon. Wamalwa and join him in forming the Government in 1997. The KANU leadership seems to appoint people from some sections of our communities, leaving out others. I think it is only fair for KANU to think about Kisii people when appointing people in positions. These are KANU people. They support the Government, but they have been sidelined. Why can they not be given jobs?

Mr. Deputy Speaker, Sir, the second thing is that the harassment of Opposition Members must stop. We cannot continue harassing Members of Parliament and arresting them, and expect to forge good relationship with this Government. We cannot continue arresting leaders and expect to enhance our economic activities in this country. What is required is for the Opposition and the Government to forge relationship with the Opposition and work together so that we can get this country going again. I am

requesting this Government that there is an outcry from the masses. There was a bumper harvest of maize and this maize is rotting in the farms. Can the Minister, hon. Nyachae, not find some money from somewhere and buy this good food? Let us

get the farmers going. The farmers are going to plant and they need to sell this maize, and get the money to buy the maize seed. The prices of maize seed must be released. How do we expect farmers to plant?

The Minister for Culture and Social Services (Mrs. Mwendwa): Thank you very much, Mr. Deputy Speaker, Sir, for giving me this opportunity of which I am going to take very few minutes because, my colleagues, if I say I am not excited, I will not be truthful.

I want to take this opportunity to thank God and thank the President for giving me the honour to serve as the first lady Cabinet Minister in our country.

(Applause)

It is not a position I can take lightly because I do know it is not easy to play a role model. When you are given a great opportunity, you have got great challenges. I do know I have nobody actually to consult or rely on, but I am not afraid because I do know if I rely on the Lord, I will succeed.

I have dreamt of this opportunity many times, but now that it has come, I must confess I am afraid because there is somebody I do not have, and that is my late husband. It would have been my great desire for me to have Kitili to support me, but I do know Kenya is full of good men and women, and I am going to get the support I need. I do know that a lot of women and girls will be interested in everything I do. I hope the Lord will give me grace so that I do not let them down, and that I will do my job so well that within a very short time, there is going to be another lady Minister.

(Applause)

Do not worry. There are many, many ladies, even Kamba ladies, in this House who are going to support me and, therefore, I am sure God can provide. Therefore, I was just taking this opportunity to express my gratitude to the President and pledge to serve him with integrity and sincerity, so that he does not regret to have appointed me a Minister.

Mr. Deputy Speaker, Sir, as I stand here, I do know, as an African woman, that tradition does not actually augur well for us, but we have been born and brought up in the African culture and tradition, and we are used to it. Women have got to work twice as hard to be thought to be half as good as men, and we do it.

Today, if you went to any gathering, be it a church gathering, a Harambee gathering, a welfare meeting and so on, you would find that the majority in those gatherings are women. One thing you notice about the women in this country is that they serve their nation quietly and without counting the cost involved. It is my hope and prayer that they will continue to do so, and I strongly encourage them in their endeavour to serve and develop this nation. Women leaders in this country fully support them and I would like to assure the women that we shall continue to serve this country along with our male counterparts without fear or favour. I know when we say that we want equal rights, the men may think that we want to rule them, but that is not the case. All we are asking for are equal opportunities in all organizations so that we can work together with men, for the welfare of this nation. We do not ask for the type of equality that is found in the western world where a man is reduced to nothing.

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

Mr. Raila: Thank you, Mr. Deputy Speaker, Sir, for giving me this opportunity to congratulate the hon. Gracious Lady, Mrs. Nyiva Mwendwa, on her appointment as the first lady Minister in the Kenya Cabinet. However, I feel quite sincerely that the hon. Mrs. Mwendwa really deserved to have been appointed to head another Ministry instead of the Ministry of Culture and Social Services. She ought, for example, to have been appointed to head the Ministry of Education or the Ministry of Health. I am saying this because I feel that as an elected Member, she would be much more sensitive to the needs of the people than the current Ministers for Education and Health, who are in this House, not through the mandate of the people of Kenya.

(Applause)

Having said that, I would like to say that I stand here with a very heavy heart due to the plight of farmers in this country. I am speaking as one of the farmers because I happen to be a sugarcane farmer. Today, the sugar industry in this country is threatened with extinction because of importation and dumping of sugar from outside this country, over which, no duty is collected. It is most unfortunate that everything now seems to be blamed on liberalization, but the truth of the matter is that liberalization was meant to introduce competition and hence efficiency in the management of our own industries in the country. Liberalization was not meant to kill the local industries which are now being killed basically because of unfair competition on imported goods. I am speaking like an industrialist and saying our local industries are capable of competing against imported goods if the competition was fair. If duty is properly levied on these imported goods into this country, then we would expect fair competition. However, what we do find today? A lot of sugar is being imported into this country by businessmen who do not pay customs duty, and this is a very serious issue. We know that behind all these people who are importing sugar, maize and second-hand clothing into this country, there is a senior member of this Government behind it. The Minister for Agriculture spoke in this House and said certain things which did not clear the air. He failed to refer to a document which I had tabled before this House twice, and a letter written by the Minister for Finance, in which he was asking for duty waiver on importation of certain quantities of maize, sugar and wheat on the recommendation of the Minister for Agriculture. When the Minister for Agriculture spoke in this House last time, he was trying to apportion the blame for non-collection of duty to the Treasury. However, the evidence that is available shows quite clearly that, in fact, most of the waiver was done on the recommendation of the Minister for Agriculture. Out of the list that was tabled here by the Minister---

The Minister for Agriculture, Livestock Development and Marketing (Mr. Nyachae): On a point of order, Mr. Deputy Speaker, Sir. Is the hon. Member on the Floor in order to mislead the House by saying that most of the recommendations on this waiver has come from the Minister for Agriculture? Could the hon. Member substantiate his allegation by tabling those documents?

Mr. Raila: Mr. Deputy Speaker, Sir, I have a letter here written by the Permanent Secretary to the Treasury in which he says that the Minister for Finance agreed on 23rd of September, 1994, to remit customs duty payable in respect of the following commodities being imported by Messrs. Justan Ltd. for relief purposes on the recommendation of the Minister for Agriculture, Livestock Development and Marketing. I tabled another document here which showed that the Ministry at that time was not even aware of which Non-Governmental Organization was going to benefit from that particular commodity. I do have another document here in which the same consignment was imported into this country for relief food destined for Lodwar under the auspices the International Committee for the Red Cross. However, the International Red Cross has categorically denied ever having imported such commodity. This particular commodity was then seized by the Customs Department and I have a copy of the notice of seizure. However, again, under instructions from above, this particular consignment of sugar has been cleared and introduced into the market.

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

The Minister for Home Affairs and National Heritage (Mr. Lotodo): Thank you, Mr. Deputy speaker, sir, for giving me this opportunity to make a few comments on this Motion. When the Vice-President was moving this Motion on Adjournment, he touched on the question of refugees in this country. I would like to inform hon. Members and the House that last year, the Kenya Government informed the United Nations High Commissioner for refugees to close down the two refugee camps in the Coast Province, namely, Utange and Marafa. I am pleased to report to the House that the two Utange Refugee Camp closed two weeks ago. The refugees from this camp were repatriated to Somalia while some were taken to Daadab Refugee Camp. We still have four small camps in Mombasa Town, namely, Swale Nguru, Hatini and two others to where we intend to repatriate refugees who happen not to be proper Somalis. From there we shall move to Marafa.

Mr. Shaaban: On a point of order, Mr. Deputy Speaker, Sir. There are refugees who have been settled in various parts of North Eastern Province and those who have left have caused a lot of devastation in the area of environment. Can the Minister tell us what he is doing to ensure that those trees and forests which have been devastated are revived back to normal?

The Minister for Home Affairs and National Heritage (Mr. Lotodo): Mr. Deputy Speaker, Sir, we shall move the refugees in Marafa back to Somalia and those who fear persecution will go to Dadaab. From Thika, we have already moved 293 refugees to Kakuma and we still have some to go to Dadaab. Those who wish to fly will go to Libya, Asmara or Addis Ababa or to Kakuma. We shall close Thika completely, just like Utange. We are not going to have refugees anywhere in Nairobi or Mombasa.

With regard to what the hon. Member has just said---

Mr. Munyasia: On a point of order, Mr. Deputy Speaker, Sir. I am seeking your guidance. Is the Minister giving a Ministerial Statement on the position of refugees in the --

Mr. Deputy Speaker: Order, Mr. Munyasia! If you know that this is an adjournment debate, that is definitely a frivolous point of order! Proceed, hon. Lotodo!

The Minister for Home Affairs and National Heritage (Mr. Lotodo): Mr. Deputy Speaker, Sir, I know the hon. Member might not be interested in knowing this matter, but there are other hon. Members who would like to know the position of refugees in the country.

Mr. Deputy Speaker, Sir, with regard to what the hon. Members for Mandera East said in regard to the re-afforestation of the areas destroyed by the refugees while they were here, this is Dadaab, Mandera and Utange, we are waiting for Geneva to give us money for re-afforestating these areas. We shall give the money to the Ministry of Environment and Natural Resources to re-afforestate the areas affected.

Finally, Mr. Deputy Speaker, Sir, I would like to inform the hon. Member for Kwana and Cheranganyi in particular, hon. Kirwa, that we have no intention of kicking out anybody. We have not done it and we would like them to refrain from those horrible utterances.

With those few remarks, Sir, I beg to support.

Mrs. Ngilu: Thank you, Mr. Deputy Speaker, Sir, for giving me the opportunity to contribute to this Motion on Adjournment.

First, I would like to congratulate hon. Nyiva Mwendwa for having been appointed Minister today. While congratulating her, I do think that such as we all have said that this has been timely, it should not have been two-and-half years since the general elections before she was appointed Minister.

Secondly, surely, the traditional Ministry for Culture and Social Services is not befitting for hon. Mwendwa who should have been given any other Ministry, say, Finance, Environment, Health, Education and so on---

Mr. Farah: On a point of order, Mr. Deputy Speaker, Sir. Is it in order for the hon. Member to say that, that Ministry is not befitting for hon. Mwendwa when we have had the only Minister from our province having been in that Ministry for the last two-and-half years, and he is a very able Minister? Why? Why?

Mr. Deputy Speaker: That is another frivolous point of order! Proceed, hon. Ngilu.

Mrs. Ngilu: Mr. Deputy Speaker, Sir, I have just said that for the women of this country, surely, they deserve better than that. If I were in a position to appoint a lady, she, like her Ugandan counterpart, should have been the Vice-President!

Mr. Deputy Speaker, Sir, I would like to say that 52 per cent of the population of this country is---

Mr. Ndicho: On a point of order, Mr. Deputy Speaker, Sir. The House is too noisy, we cannot hear the contribution.

Mr. Deputy Speaker: Order, hon. Members! Hon. Ngilu has a right to be heard!

Mrs. Ngilu: Thank you, Mr. Deputy Speaker, Sir. You can see the kind of support we are getting. They feel so bad that only one lady has been appointed Minister.

However, I would like to make a comment on my constituency. Since the general election, a lot of teachers have been intimidated, harassed and transferred, simply because they supported me during the election. I have taken up this matter with the relevant authority and nothing much has been done. This has been done with the support of the DC and a Nominated Member in this House, who has intimidated them and told them if they do not come back to the ruling party, he will cause them to be sacked. This is the former Member for Kitui Central. This harassment by leaders in Kitui Central must stop because it has already affected the standard of education in the area.

Mr. Deputy Speaker, Sir, development in my area that is being done by the local community is stalling.

We have a notorious Nominated Member in this House who is now going round the area claiming that the projects that I have initiated with the community that he is the one who has started them. In fact, he is the person who has blocked development in the area with the former DC.

Finally, as I said before, Kitui Municipal Council and Kitui County Council are two local authorities that have failed to collect rates and rents from two senior politicians in Kitui District. Others have---

Mr. Deputy Speaker: Your time is over, hon. Ngilu.

(Question put and agreed to)

ADJOURNMENT

Mr. Deputy Speaker: Hon. Members, the House now stands adjourned until Tuesday, 6th June, 1995, at 2.30 p.m.

The House rose at 6.30 p.m.