

# NATIONAL ASSEMBLY

## OFFICIAL REPORT

Wednesday, 11th October, 1995

The House met at 2.30 p.m.

*[Mr. Speaker in the Chair]*

PRAYERS

## ORAL ANSWERS TO QUESTIONS

*Question No.658*

### ARREST OF 'FERA' ACTIVISTS

Maximum Prison, kept in solitary confinement for one week at the age of 86, was charged?

**Mr. Awori:** Mr. Speaker, Sir, I have no idea.

**Dr. Kituyi:** On a point of order, Mr. Speaker, Sir. Is the Assistant Minister in order to come to this House and in one breath say that all people arrested for being FERA activists have been charged in a court of law and when he is given evidence of a concrete case of a person who was arrested and asked if he was a FERA activist and was not charged, he says he has no information? Is he doubting the answer he gave at first or he is just showing incompetence?

**Mr. Awori:** Neither, Mr. Speaker, Sir.

**Mr. Kapten:** Mr. Speaker, Sir, the Assistant Minister is not being serious. We have people who were arrested and kept in custody for over a month. The laws of this country require that, once a person is arrested, he should be taken to a court of law within 24 hours or 14 days if it is a capital offence. Some people have been in custody for two months now. Could the Assistant Minister tell us why this Government is keeping people in custody without taking them to court? Have they introduced detention through the back door?

**Mr. Awori:** No, Mr. Speaker, Sir! Where there was no evidence those people were released and those who were found to have a case to answer were charged and the cases finalised.

**Mr. Munyasia:** Mr. Speaker, Sir, a number of those people who were arrested were on charges of being involved in FERA activities but when they denied those charges they were substituted with charges of murder on account of which they were held then for some seven months. Could the Assistant Minister tell us how many of those who were charged with murder have their cases being continued against them because I know there are about seven still in Kodiaga Prison if he does not know?

**Mr. Awori:** Mr. Speaker, Sir, I do not have that information.

*Question No.401*

### POPULATION CENSUS EXERCISE

**Dr. Lwali-Oyondi** asked the Minister of State, Office of the President:-

(a) whether he is aware that the chiefs of Lari, Kihingo, Kiambogo, and Miti Mingi locations are purportedly carrying out population census in the locations and;

(b) if the answer to "a" above is in the affirmative, for what purpose this census are being carried out.

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

(a) I am not aware. What I am aware of, however, is that chiefs were compiling registers of the people who required famine relief food in the locations.

(b) Arising from my reply to "a" Part "b" does not, therefore, arise.

**Dr. Lwali-Oyondi:** Mr. Speaker, Sir, arising from the answer just given by the Assistant Minister, could he explain why the chiefs were marking the so-called non-indigenous people in that area; those who are non-Kalenjins or non-Kikuyus? If they were compiling registers of people who required famine relief food, was it necessary to mark

people according to their ethnic origins?

**Mr. Awori:** No one was ever marked according to the place of his or her origin. The compilation of registers was simply to ensure that there was fair distribution of famine relief and that no one got more than his or her fair share.

**Mr. Nthenge:** Mr. Speaker, Sir, could the Assistant Minister tell us how he got his information? Did he get it from the culprits; the people who were being accused because it is not normal for people to own up?

**Mr. Awori:** Mr. Speaker, Sir, there are no culprits here and there was nobody really being accused.

**Dr. Otieno-Kopiyo:** Could the Assistant Minister confirm to this House whether, with the ethnic cleansing, like in Yugoslavia, they intent to remove none-Kalenjins from the Rift Valley or not?

**Mr. Awori:** Mr. Speaker, Sir, there is no parallel between this country and Yugoslavia. There is no ethnic cleansing anywhere in Kenya.

**Dr. Lwali-Oyondi:** Having stated that the census was for the purpose of distributing famine relief, is the Assistant Minister aware that during the famine relief food supply, the supplies were extremely discriminatory against certain ethnic groups?

**Mr. Awori:** No, Mr. Speaker, Sir.

**Mr. Speaker:** Next Question, by Mr. Mwiraria!

*Question No.567*

INTRODUCTION OF GRAPE GROWING

**Mr. Speaker:** Is Mr. Mwiraria not here?

Next Question, by Mr. Obure!

*Question No.708*

AWARDING OF CERTIFICATES

**Mr. Obure** asked the Minister for Education:-

(a) whether he is aware that students of Riokindo, Kenya and Igorera Secondary Schools in Bomachoge Constituency were not awarded certificates, despite their excellent performance in the Kenya Certificate of Secondary Education (KCSE) examination in 1994; and

(b) whether he would then, direct the Kenya National Examinations Council to award the certificates to the candidates without any further delay.

**Mr. Speaker:** Anybody here from the Ministry or Education?

Next Question, Mr. Achola!

*Question No.458*

SALE OF TRADE BANK CENTRE

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

(a) whether he is aware that the Trade Bank Centre was sold at a throw-away price; and

(b) who the new owners and directors of the Centre are.

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

(a) I am not aware that the Trade Bank Centre was sold at a throw-away price.

(b) The new owners are M/s. Revak Ltd.

**Mr. Achola:** Unfortunately, Mr. Speaker, Sir, that was the same answer that I was given last week and which did not satisfy the Minister who was present then and he opted to postpone the Question to this morning for a proper answer.

I do not think I can accept that. Could the Assistant Minister come back with a reasonable answer?

**Mr. Keah:** Mr. Speaker, Sir, I am sorry I was not here last week but I believe my reply to part (a) is satisfactory because I am not aware. In answer to part (b), the only missing information is who the directors are and I do not have the names of the directors of Revak Ltd. That will be investigated and the information brought here.

**Mr. Obwocha:** On a point of order, Mr. Speaker, Sir. Your guidance is required here because it is the Chair that ruled on this Question and I think the Assistant Minister is taking this House for a ride. Mr. Koech agreed

to go and get a proper answer for this Question because the Centre has been sold and this Assistant Minister should not say that he is not aware.

**Mr. Speaker:** Mr. Obwocha, I would like to correct you; that there was no answer given to this House last time. What the Assistant Minister Mr. Koech, did when the Question was called, is that he said he did not have a satisfactory answer and, therefore, he wanted more time to answer it. Anyway, what is your reaction to part (b), Mr. Keah? Who are the new owners and directors of the Centre, explicitly?

**Mr. Keah:** Very explicitly, the new owners are M/s. Revak Ltd. I do not have the names of the directors of Revak Ltd. and I said that this can be investigated from the Registrar of Companies and brought here. As simple as that!

**Mr. Obwocha:** Mr. Speaker, Sir, Trade Bank was one of the banks that defrauded money from the Central Bank of Kenya; the others being Postbank Credit and Exchange Bank to the tune of Kshs2.1 billion. Could the Assistant Minister give a proper answer because the Central Bank of Kenya sent people to value this Centre which was valued at Kshs500 million and it was given away at Kshs271 million? Could the Assistant Minister go and investigate because these are public funds going down the drain? There are many people who had saved their money with the Trade Bank and they have not been paid. Could the Assistant Minister assure this House that he will go back and get a proper answer?

**Mr. Keah:** Mr. Speaker, Sir, I think there is a little confusion here. If the proper answer relates to the directors of Revak Ltd. and if that is what he means by "proper answer", then I have given an undertaking to go and investigate and bring the answer. If he is looking for further information as to the price, which he is now asking, I am prepared to give him that. For example, because it was not asked, the Trade Bank Centre was, in fact, advertised. There were three bids; Revak Ltd. who bid at Kshs271 million, Credit Finance Corporation of Kenya Ltd who bid at Kshs236 million and the Prime Bank Ltd. who bid at Kshs90 million. On noting the above offers were far below the market price, the Board directed the liquidation agent; Messrs. Deloitte and Touche to re-tender the property by repeating the advertisement in the Press. That was done and, in the re-tendering, the Board met again on the 17th May, 1994 and the new tenders were as follows; Credit Finance Limited had improved their offer to Kshs220 million, Lion Insurance Corporation came up with Kshs160 million and Prime Bank Ltd. improved their tender to Kshs120 and this still left Revak Ltd. at Kshs271 and being the highest bidder, they were awarded the sale of the Centre.

**Mr. Nthenge:** Could the Assistant Minister, therefore, tell us which day of next week he would like to bring us the answer so that we can make thorough investigations and also to find out the market value of the place?

**Mr. Keah:** Mr. Speaker, Sir, the market valuation done by Tysons and Lloyd Masika on the Trade Bank Centre in September, 1993 was an estimated figure of Kshs400 million. Next Wednesday will come the rest of the answer.

**Mr. Speaker:** Very well. Next Question, Mr. Ruhii.

*Question No.275*

TOWING OF VEHICLES

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

- (a) whether he is aware that towing of vehicles within the City of Nairobi and other urban centres is causing extensive damage to them and that owners have to spend a lot of money to have these vehicles repaired; and
- (b) if the answer to "a" is in the affirmative, whether he will then design another method of deterring the motorists from yellow line parking and obstruction.

**The Assistant Minister for Local Government** (Dr. Wameyo): Mr. Speaker, Sir, I beg to reply.

- (a) Yes, I am aware.
- (b) The Council currently is in the process of introducing a new method of using clamps. This is safe and does not damage vehicles.

**Mr. Ruhii:** Mr. Speaker, Sir, I am doubtful of his answer because, of late, I saw three vehicles being towed around Kenyatta Avenue. Most of us have been victims of this business of car-towing which is a very expensive undertaking as far as the City Council and urban centres are concerned. Your car reaches the destination when it has no handbrakes, the alarm is faulty, the bumper is dented and the vehicle costs you a lot of money. Could the Assistant Minister give instructions to the Nairobi City Council and other urban centres that from today, there will be no more towing of cars and that a different method will be introduced to immobilise vehicles so that motorists can come and find their vehicles intact instead of getting their vehicles damaged?

**Dr. Wameyo:** Mr. Speaker, Sir, I have already accepted that I am aware and, as I had said, we are in the process of using a method called clamp.

**Mr. Nthenge:** Mr. Speaker, Sir, the question now is: When? That is what the hon. Member asked. Could the Assistant Minister do it today? Can he give instructions now? When does he want to give these instructions so that they stop damaging the cars they tow?

**Dr. Wameyo:** Mr. Speaker, Sir, we are in the process.

**Mr. Ndicho:** Mr. Speaker, Sir, the owners of the small Land Rovers and Toyota Land Cruisers which are used to tow these vehicles belong to very senior people in the local authority here and some senior police officers. The question I would like to put to the Assistant Minister is: In view of that, could he consider banning the towing of vehicles immediately until the measures that he has promised are implemented?

**Dr. Wameyo:** Mr. Speaker, Sir, I am not aware that the vehicles of very important persons, including police officers and workers in the City Council, are the ones that are being used to tow these other vehicles. If that is the case, I will investigate and put a stop to it.

**Mr. Ndicho:** On a point of order, Mr. Speaker, Sir. That was information I gave to the Assistant Minister. It was not the question. Let him not try to evade to answer that question. The question is: Could he consider immediately banning the towing of vehicles until the measures are implemented?

**Dr. Wameyo:** Mr. Speaker, Sir, there will be no need to ban what is going on at the moment if people kept to instructions and observed the law.

**Mr. Speaker:** Next Question, Dr. Wako.

*Question No.612*

WILDLIFE MENACE IN ISIOLO

**Dr. Wako** asked the Minister for Tourism and Wildlife:-

- (a) what specific measures the Ministry is taking to contain wildlife menace in Kinna, Rapsu and Garfasa; and,
- (b) what specific measures the Ministry is taking to contain the overgrowing population of hyenas in Isiolo District.

**The Assistant Minister for Tourism and Wildlife** (Mr. Kisiero): Mr. Speaker, Sir, I beg to reply.

- (a) The Ministry is taking the following measures to contain wildlife menace in Kinna, Rapsu and Garfasa.
  - (i) Two rangers have already been stationed at Kinna to operate within Rapsu and Garfasa with instructions to control animals and stop them from destroying crops.
  - (ii) Rangers stationed in Meru have been instructed to move in and assist when these areas are faced with a major invasion by wildlife.

- (b) The Warden in Isiolo District has been instructed to reduce hyena menace through capture and shooting. This is expected to contain the ever-growing population of hyenas in Isiolo District.

**Dr. Wako:** Mr. Speaker, Sir, I would like to tell the Assistant Minister that there are only two rangers who are stationed at Kinna. There is none stationed at Rapsu which is ten kilometres away and Garfasa which is about 100 kilometres away. Moreover, I do not expect the two rangers in Kinna to take care of Rapsu and Garfasa. In that case, we need at least two rangers to be stationed in Rapsu and Garfasa.

**Mr. Kisiero:** Mr. Speaker, Sir, as I have said, we have also instructed our rangers in Meru to move in and assist. As my colleague has already asked for some more of these rangers, we will do everything possible to ensure that the whole area is covered.

**Mr. Sankori:** Mr. Speaker, Sir, is the Assistant Minister aware that the population of hyenas, especially in the nomadic areas, has increased very much? I would like to bring to his attention the fact that in my constituency, at Amarti and Girgiri, hyenas are eating animals as early as nine O'clock in the morning. We have tried to poison them but, unfortunately, we ended up killing nine lions instead, as a result of poisoning. Could the Assistant Minister take note of the fact that unless they move in to protect our animals, we will use all possible means to defend them?

**Mr. Kisiero:** Mr. Speaker, Sir, I have already said that in the case of hyenas in Rapsu, we have already instructed our rangers to kill them or trap them. However, as to the killing or poisoning of lions, I hope that my friend knows that it is illegal to kill lions or any other protected animals in the way he has already mentioned.

**Mr. Ruhiu:** Mr. Speaker, Sir, since hyenas are known to be the best scavengers among animals, will the Assistant Minister consider getting that population of hyenas to Nairobi so that they can clear garbage, instead of killing them?

**Mr. Kisiero:** Mr. Speaker, Sir, I fear that if we introduced hyenas in Nairobi, they may start by eating up my honourable friend, Mr. Ruhii.

*(Laughter)*

**Mr. Speaker:** We have heard enough of hyenas!  
Next Question, Mr. Magwaga!

*Question No.650*

PAYMENT OF WORKMAN'S COMPENSATION

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

(a) whether he is aware that Mr. Alphonse Alukondi, P/No.587894, an employee of the Ministry, got burnt by tar while on duty at Kapsait Camp in 1977 and qualified to receive Kshs75,000 as Workman's Compensation, which he has not received to date; and,

(b) if the answer to "a" above is in the affirmative, when the employee will be compensated.

**The Assistant Minister for Public Works and Housing** (Mr. Mwamzandi): Mr. Speaker, Sir, I beg to give the following reply.

(a) Mr. Alphonse Alukondi was an employee of my Ministry and on 27th May, 1977, he [**The Assistant Minister for Public Works and Housing**] was involved in an accident which was reported to the Ministry of Labour and Manpower Development as required by the Workman's Compensation Act, Cap. 236.

Mr. Speaker, Sir, subsequently, we were informed by the Ministry of Labour that since Mr. Alukondi did not suffer permanent incapacity as assessed by a medical practitioner, he was not eligible for compensation.

Consequently, the officer was informed, vide letter Ref.No.WP/RV/4699/47 of 7th August, 1978 that he did not qualify for any compensation. I am, therefore, unaware that the officer qualified for any compensation.

Part (b) does not, therefore, arise.

**Mr. Nthenge:** On a point of order, Mr. Speaker, Sir. Could we know who of the two hon. Members is right?

**Mr. Speaker:** Mr. Magwaga, may I know whether you are right or not?

**Mr. Magwaga:** Mr. Speaker, Sir, I think I am right.

**Mr. Speaker:** And Mr. Mwamzandi, are you also right?

**Mr. Mwamzandi:** Mr. Speaker, Sir, I am also right because I have a letter here from the Ministry of Labour and Manpower Development, to the PS, Ministry of Public Works and Housing Nairobi. The Workman's Compensation Act, Cap. 236; Mr. Alphonse Alukondi, it has a form attached to and it reads as follows:-

"The medical practitioner has certified on the reverse of form LD/104/1 that the above named workman has suffered no permanent incapacity as a result of the injuries he sustained on 27th May, 1977 while in your employment."

Paragraph two states:-

"In view of this Mr. Alukondi is not eligible for workman's compensation under the Workman's Compensation Act and as such I would like to confirm that I have closed my case file on this subject. Please inform the workman concerned accordingly".

I will lay a copy of the letter on the Table.

*(Mr. Mwamzandi laid a copy of  
the letter on the Table)*

**Mr. Speaker:** Mr. Magwaga, what is it that you said?

**Mr. Magwaga:** Mr. Speaker, Sir, I do not understand what the Assistant Minister is saying because I have two letters here, written in 1993, while he is talking of 1978. These letters were written from his Ministry's Kakamega office, where Mr. Alukondi is now working. The letters are asking the headquarters to consider Mr. Alukondi for payment of Kshs75,000/- as compensation. So, the two letters from the Ministry of Labour and Manpower Development are not consistent with the Assistant Minister's letters.

Mr. Alukondi did not receive the letter the Assistant Minister is talking about and he continued to receive

treatment. In fact, Mr. Alukondi was incapacitated by the tar burns. I do not know whether the Assistant Minister can inform the House about the extent of Mr. Alukondi's incapacitation. His skin was completely burned and so he suffered. This is why he was supposed to be paid compensation.

**Mr. Mwamzandi:** Mr. Speaker, Sir, first of all I would like to correct the impression that Mr. Alukondi is still working. He retired from the Service with effect from 1.7.94. With regard to the confusion we are having right now, I would be grateful if the hon. Member could furnish my office with the information he has. The only information I have is contained in the letter I have laid on the Table.

**Mr. Nthenge:** On a point of order, Mr. Speaker, Sir. Do you not think that the House is entitled to ask the two hon. Members to get together and then thereafter inform the House of the truth of this matter, because their documents are not matching, so that later the House is aware of the truth?

**Mr. Speaker:** Order! I suppose that the documents from the Ministry of Labour and Manpower Development laid on the Table by hon. Mwamzandi conclude this issue.

We will go back to Mr. Mwiraria's Question.

*Question No.567*

INTRODUCTION OF GRAPES GROWING

**Mr. Speaker:** Mr. Mwiraria is still not here? His Question will be dropped.

*(Question dropped)*

Mr. Obure's Question for the second time.

*Question No.708*

AWARDING OF CERTIFICATES

**Mr. Obure** asked the Minister for Education:-

(a) whether he is aware that students of Riokindo, Kenya and Igorera Secondary Schools in Bomachoge Constituency were not awarded certificates, despite their excellent performance in the Kenya Certificate of Secondary Education (KCSE) examination in 1994; and

(b) whether he would direct the Kenya National Examinations Council (KNEC) to award the certificates to the candidates without any further delay.

**Hon. Members:** Apologise first!

**Mr. Speaker:** Order! He has nothing to apologise for. It was the Ministry that was not represented here.

**The Assistant Minister for Education** (Mr. Komora): Mr. Speaker, Sir, I would like to apologise for my delay in coming in here. I was checking the facts contained in my answer.

Mr. Speaker, Sir, I beg to reply.

(a) It is true that some students of Riokindo, Kenya and Igorera Secondary Schools in Bomachoge Constituency have not been awarded certificate for the KCSE, 1994.

(b) Students who do not qualify for the award of the KCSE certificates in accordance with the KNEC regulations do not get them.

**Mr. Obure:** Mr. Speaker, Sir, let it be known by this Government that I do not ask Questions to play games with it. I am sent here by the people to represent them and when I ask Questions I need proper answers. The answer I have been given here is, as the House has witnessed, sketchy and lacking in substance. This is a serious matter, where students have been denied their rights. They passed very well in their examinations but they were not awarded certificates. This is because there was an allegation that one subject--

**Mr. Speaker:** Order, Mr. Obure! You are no longer asking a question. You are now giving a speech!

**Mr. Obure:** Mr. Speaker, Sir, I am building the question!

**Mr. Speaker:** Could you now ask the question?

**Mr. Obure:** Mr. Speaker, Sir, it is alleged that the students cheated in mathematics, but in all the other subjects they qualified with very high marks and the Assistant Minister knows it. What prevents the students from being awarded certificates given that they did very well in other subjects?

**Mr. Komora:** Mr. Speaker, Sir, this Government gives appropriate replies in accordance with the Questions

which are asked and the facts available to us. The hon. Member may wish to know that, in Riokindo Secondary School, students cheated as follows:- eight in Mathematics Paper 1; 73 in Mathematics Paper 2; 24 in Chemistry Paper 2 and 32 in Physical Science Paper 3(b).

Mr. Speaker, Sir, in Igorera Secondary School the students cheated as follows:- 88 in Mathematics Paper 1; 38 in Mathematics Paper 2, nine in Chemistry Paper 2 and 51 in Physical Science Paper 3(b). In Kenya Mixed Secondary School the students cheated as follows:- 132 in Mathematics Paper 1; 110 in Mathematics Paper 2 and 32 in Physical Science Paper 3(a). In accordance with the regulations when students cheat their results are cancelled.

**Mr. Ndicho:** Mr. Speaker, Sir, if, as the Assistant Minister alleges, these students cheated in those subjects and given the fact that they are Kenyans - we cannot kill them because of what they did - could the Assistant Minister consider forgiving them and allowing them to resit the examination - if he forgives them they are not going to cheat again because they have suffered enough - this year so that they get certificates to proceed with their education and get employment?

**Mr. Speaker:** Order! Just before Mr. Komora answers, it is out of order for any hon. Member to ask any other people to assist in wrong doing! Anyway, Mr. Komora, what would you like to say?

**Mr. Komora:** Mr. Speaker, Sir, I would like to say that it is part of education to discipline the students and to keep to regulations.

**Mr. Obure:** Mr. Speaker, Sir, the truth of the matter is that these schools are in an Opposition area. Bomachoge Constituency is the only Constituency which is in Opposition in Kisii District. Of course it is in the new district now. This was really calculated to victimise parents. These schools have been doing very well over the years until we were in the Opposition and were victimised. How come only these three schools cheated in the examinations? How come when the examination was leaked in Nairobi the examination papers flew all the way, skipped schools in other KANU constituencies and only landed in schools in Bomachoge?

**Mr. Komora:** Mr. Speaker, Sir, may I advise the hon. Member to assist the Government by insisting on proper adherence to regulations because this Government has no interest in penalising students. After all, we are not going to penalise people who are going to be KANU voters in future.

**Mr. Obure:** On a point of order, Mr. Speaker, Sir.

**Mr. Speaker:** Order! We are out of time for this Question. Next Question!

*Question No.591*

SALE OF TRADE BANK CENTRE

**Mr. N. Nyagah** asked the Minister for Finance:-

- (a) why he did not find it prudent to advertise the sale of Yaya Centre, previously owned by Trade Bank, yet other smaller assets for sale were advertised;
- (b) how many people/groups indicated their willingness to purchase Yaya Centre; and,
- (c) how much each group tendered for the same and who the current owner of Yaya Centre is.

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

(a) Yaya Centre could not be advertised for sale because there is an existing injunction issued by the High Court of Kenya prohibiting sale of the property until the suit relating to the property pending before the court is heard and determined.

(b) In the view of the fact that the matter is *sub judice*, as indicated in my reply above, the property has not been put up for sale.

(c) In view of the answers to I have just given, this Question does not, therefore, arise.

**Mr. Speaker:** What is the case number, if you know?

Mr. Keah: I do not know!

**An hon. Member:** Then it is not in the court!

**Mr. N. Nyagah:** Mr. Speaker, Sir, part of my Question is very clear. It reads as follows: "Who is the current owner of the Yaya Centre?" Whether the case is in court or not it has an owner. Would the Assistant Minister be open enough to tell us the case number and the parties pertaining to the suit before I ask further questions?

**Mr. Keah:** I am sorry, Mr. Speaker, I did not bring with me the case number.

**Mr. Speaker:** Before I go on, just in the event that the matter is really *sub judice* which means that we would not continue with it, and since I have no evidence that it is *sub judice*, it would be fair if all parties could give the Assistant Minister time to bring the case number, if he has it, by Tuesday. If he does not have, then the Question will proceed as listed.

**Mr. N. Nyagah:** No objection!

**Mr. Speaker:** Very well. The Question is deferred to Tuesday.

*(Question deferred)*

### MINISTERIAL STATEMENT

#### CLARIFICATION ON GOLDENBERG -RELATED PAYMENTS

**The Assistant Minister for Finance (Mr. Keah):** Mr. Speaker, Sir, I seek your indulgence to make the following Ministerial Statement. As the hon. Members are aware wide publicity has been given to the Report by the Controller and Auditor-General on the Appropriation Accounts of the Republic of Kenya for the financial year ended 30th June, 1994. In particular, attention has been given to paragraphs 8 and 34 which relate to the Paymaster-General's Accounts. In these paragraphs it is stated that a total of Kshs14.7 billion was irregularly paid.

Mr. Speaker, Sir, the issues raised in the paragraphs are of extraordinary national concern that have to be addressed urgently. While, it is normal Parliamentary practice and procedure for the Government to respond to the issues said in the Controller and Auditor-General's Report under the umbrella of the Public Accounts Committee after the submission of the Committee's Report to the House, the Government feels obliged to clarify the nature of payments as well as the action that it has taken to deal with them.

The correct position on the payments are as follows:-

(i) Goldenberg related payments amount to Kshs5.8 billion (ii) The payments relating to the transactions in the Ministry of Finance under recurrent and development expenditure amount to Kshs8.9 billion. I am going to lay this document on the Table, Mr. Speaker, Sir.

Mr. Speaker, Sir, the first amount of Kshs5.8 billion in this respect is in respect of export compensation and the matter is already in court, and therefore, it is not a new matter. With regard to Kshs8.9 billion, Kshs2 billion relates to a payment to the National Bank of Kenya in respect of capital and Kshs2.9 billion relates to the amount written-off against the Consolidated Fund Services and can be cross referenced in the audited accounts of the Central Bank of Kenya for 1992/93 Financial Year.

The Government wishes to take this opportunity to remind hon. Members of this House and the public at large of the firm and bold actions it has taken to stabilise the financial system and to prevent any future misappropriation of public funds. In this regard, the export compensation scheme has been terminated, free shipment finance facilities have been abolished and unsecured overdraft and rediscount facilities at the Central Bank of Kenya were discontinued. Indeed, the banks which took the advantage of these facilities have since been liquidated. As well, foreign exchange certificates have since been abolished and a multiple exchange rate practices associated with it have ceased.

Equally, the Government was able to unify the exchange rate with limited possibility of speculation with regard to the exchange rates. The Government has strengthened prudent monetary policy measures and the Central Bank continues to closely supervise the banking industry to ensure the existence of a sound and monetary practices.

Mr. Speaker, Sir, as it can be noted from above, Kshs8.9 billion out of the total Kshs14.7 billion referred to in the Controller and Auditor-General's Report can be justified by the Government. The case involving the Kshs5.8 billion is already in court. There are, therefore, no new issues as explained in the press.

Under the circumstances, the perception created that the Controller and Auditor-General's Report has uncovered a new financial irregularity is, therefore, incorrect.

I would also like to take this opportunity to urge the Public Accounts Committee to urgently deliberate on the Controller Auditor-General's Report so that the issue can be resolved and put to rest. Finally, may I assure the hon. Members of this House and the public at large the preparedness of the Government to deal with any financial irregularities that may arise in future. This is important as any such irregularity only add to the factors that undermine confidence in the management of the country economy.

Finally, I would ask the Chair to give guidance with regard to matters that are before the Public Accounts Committee and which have not been debated by PAC, but which the Press has taken the liberty to debate and give their own conclusion. This is a matter I will leave to the chair to determine.

Thank you.

**Dr. Otieno-Kopiyo:** On a point of order, Mr. Speaker, Sir. I was just wondering if what the Assistant Minister has done can actually be done in accordance with our Standing Orders in view of the fact that this Report has been tabled before this House, and this matter is coming before the PAC. He has chosen now to give the House the



evidence in lieu of the Committee's proceedings. What is your position?

**Mr. Speaker:** In fact, it comes down also to what the hon. Keah is saying. It is out of order for any Member or person to discuss any issue that has been referred to the PAC before the PAC has deliberated on that issue. To that extent, the report by Nation Group of newspapers on this issue was totally out of order and, in my view, contemptuous of this House. (ii) I organised the issue the Assistant Minister had to raise, but we had to have an opening in which Government can also respond to an issue that a newspaper has illegally taken out of a Committee of this House. I will, therefore, want to urge all the newspapers to kindly respect this House and its Committees; to await for the PAC to deliberate on this issue and once the evidence is taken and the matter presented by the relevant Committee, then they may then highlight whatever they find as a matter of fact already decided by this House. I hope we will not have an occasion like this one again, where a matter that is pending before a Committee is being brought to the public attention and made a great matter of debate.

I understand the way the hon. Members behaved from both sides; they were unable to respond either way and yet an outsider can do that. I wish to warn the newspapers to respect the rules of this House, if they still hope and wish to be accepted to cover the proceedings of the House.

That is my reaction to both of you. I agree with both of you Dr. Otieno-Kopiyo and Mr. Keah, that it was wrong from the very beginning and the wrong party is the newspapers.

*(Applause)*

Order! I do not think I will go back to that because I think we have some other business to attend to.

Hon. Members, you will recall the debate of this morning and also part of the afternoon. Hon. Members, you will recall that the hon. Member for Ugenya attempted to lay on the Table of the House two documents which he purported to prove that he received certain information relating to the killing of the late Minister, Dr. Robert Ouko, and those papers he alleged to table were supposed to have been written to him or to some other third party by people he describes as members of the Presidential Escort. I did not have, at that time, the opportunity to look at those papers neither was it brought to my attention at that particular time. Subsequent to the House rising, the papers were brought to my attention and one finds that not one of the two papers was signed and, therefore, they are not documents because they are not authenticated by the author to make sure that they are responsible for what is written there. I have had occasion to deal with similar situations and I have held in the past, and I hold it now, that any paper not executed by the maker is not admissible here and I will, therefore, order that the two papers are not admissible and they should not form part of the record of this House and consequently should be expunged, and any information listed therefore is equally expunged. I wish also to say here as generally any paper, therefore that uses those expunged documents as a basis for any information they wish to portray do so obviously at their own risk as to the consequences of the usual law.

Next Order!

*(Applause)*

**Mr. Orengo:** On a point of order Mr. Speaker, Sir.

**Mr. Speaker:** Order! Order, hon. Members! Next Order!

**Mr. Raila:** On a point of order Mr. Speaker, Sir.

**Mr. Speaker:** Order! Order, hon. Members! Next Order!

*(Several Members stood up in their places)*

Order! Order, hon. Members! I think every hon. Member is, in fact, intellectually bound, if by nothing else by intellectual honour.

Mr. Speaker, Sir, every hon. Member is bound here to comply with the rules and any hon. Member who deliberately disregards the rules, to say the least, is actually disregarding intellectual honour!

*(Loud consultations)*

Order! Next Order!

**Mr. Raila:** On a point of order Mr. Speaker, Sir.

**Mr. Speaker:** Order Mr. Raila! At least some form of order must be there. Some form of order must exist somehow. If we have even to stand on a point of order in the first place--- We must, therefore, recognise the existence of order!

*(Loud consultations)*

What was burning you Mr. Raila? I hope it is not on anything I have ruled on.

**Mr. Raila:** No, Mr. Speaker, Sir. I want to seek clarification on your ruling and this is with regard to the documents that were tabled by hon. Orengo here this morning. There was a letter which you now say was not signed but there were two other documents one of which is signed. One was a letter written by a lawyer in London to His Excellency the President and an affidavit, which gives details of the killers of the late Robert Ouko---

**Mr. Speaker:** Order! Order, Raila! If you listened to me carefully, I only referred to papers that were not signed. I did not refer to anything else and I do not think we should entertain any further arguments on that.

**Mr. Orengo:** On a point of order Mr. Speaker, Sir.

**Mr. Speaker:** Order Mr. Orengo! I am sorry Mr. Orengo!

*(Loud consultations)*

**Mr. Orengo:** On a point of order Mr. Speaker, Sir.

**Mr. Speaker:** Order, Mr Orengo! Order! I have ordered for the documents to be expunged. I am not asking you to retrieve them!

**Mr. Orengo:** On a point of order Mr. Speaker, Sir.

**Mr. Speaker:** Order, Mr. Orengo! Order, Mr. Orengo! Mr. Orengo, listen.

*(Laughter)*

Order! I have made my ruling. I have said that documents that are not signed, mark my words, documents---

*(Loud Consultations)*

Order!

**An hon. Member:** Mr. Speaker, Sir, give him a hearing!

**Mr. Speaker:** What is it?

*(Applause)*

**Mr. Orengo:** Mr. Speaker, Sir, I want to comply with your order and I will comply with your order but I just want to seek clarification. If the documents are expunged and therefore do not form part of records of the House, then I am entitled to get those documents back. Secondly, the reason why I am rising on a point of order is that I was giving these documents as evidence to the Attorney-General who was responding to this Motion and, being a lawyer, in order to trace the origin of a document, you do not need a signature, you have hand-writing experts and on that basis those documents are still useful material to the Attorney-General. I will, therefore, urge you to make sure that I get those documents back. I will go to the Attorney-General or to the Commissioner of Police to make sure I record a formal statement regarding those documents unless you want to coverup this also!

*(Applause)*

**Mr. Speaker:** Order! Order! I think people must understand the clear importance of ruling. When I say a document is not admissible, it therefore means it is not the property of this House. It must go back to the owner and you will get it straightaway and what you do thereafter with those documents is really outside the realm of this House. Secondly, obviously, we did not, as a House, have a hearing. We had no witnesses, we had only debators. Now, can we close that issue? The two papers should be returned to Mr. Orengo and then we proceed.

Next Order!

## COMMITTEE OF SUPPLY

*(Order for Committee read being Eighth Allotted Day)*

## MOTION

THAT MR. SPEAKER DO NOW LEAVE THE CHAIR

Vote 13 - Ministry of Public Works and Housing

*(The Minister for Public Works and Housing on 5.10.95)*

*(Resumption of Debate interrupted on 5.10.95)*

**Mr. Speaker:** Mr. Falana was on the Floor.

*(Several hon. Members stood up in their places)*

**Mr. Speaker:** Order! Order! Order Mr. Orengo! Anything that you have to rise on has to do with the current Order - Public Works and Housing.

**Dr. Lwali-Oyondi:** Mr. Speaker, Sir, this is about what I understand about the Standing Orders of this House. As far as I know---

**Mr. Speaker:** Is it on this Order?

**Dr. Lwali-Oyondi:** I am seeking guidance from you.

**Mr. Speaker:** Order, Dr. Lwali-Oyondi! We have already moved to the next Order. If you persist, you will be disorderly, Mr. Falana!

**Mr. Falana:** Bwana Spika, wakati Bunge lilipohairishwa juu, nilikuwa nikiongea juu ya majengo ya Serikali. Nyumba za Serikali zimekwisha kwa sababu zimeuzwa kwa wingi. Majengo yale Serikali ingeweza kurekebisha, badala ya kujenga mengine, yanauzwa bila kujali. Pengine ingekuwa vizuri kama hii Wizara ingefikiria kwa sababu kile kiwango ambacho tumefikia sasa karibuni tutakosa nyumba ya Serikali kwa sababu mtindo ulioko si nyumba kutengenezwa lakini utaona kwamba hata zile nyumba nzuri zinatolewa kwa watu. Sasa, huo mtindo umeendelea mpaka hata nyumba nzuri ambamo watu wanaishi, mtu anakuja na karatasi na mwenye nyumba anatolewa na mwingine anapewa. Huo mtindo, usipokomeshwa, basi tuko hatarini na hivi karibuni tukakosa nyumba za Serikali.

Nikigusia juu ya barabara, nilikuwa nimesema, hakuna barara ya "zoning." Hakuna barara ambayo inatengenezwa katika maeneo ya KANU wala sehemu za Upinzani. Shida za barabara ziko katika Kenya nzima. Barabara nyingi katika Kenya kwa wingi ni mbaya. Na hakuna barabara ambazo Upinzani wanapitia na KANU inazuiwa au barabara KANU wanapitia na Upinzani wana zuiwa. Kwa hivyo, tukianza kuongea yafaa tuongea juu ya barabara katika taifa la Kenya kwa sababu hakuna sehemu zinazofaidika kushinda nyingine. Mfano mzuri, bila kwenda mbali ni Bunge hili. Sijui Bunge ni la nani? Sijui kama ni la Upinzani au KANU? Barabara inayotumiwa na magari yenye bendera kuingia hapa Bungeni haina shida. Lakini wakubwa hawatumii lango la nyuma karibu na canteen. Hili

ni jambo ambalo tunaweza kuthibitisha hivi sasa. Hiyo barara ambayo iko kwenye jengo hili la Bunge limeharibika. Hiyo barabara imekwisha; imejaa mashimo mengi, mvua kidogo ikinyesha, hii barabara hujaa maji na kuna kona mbaya mahali magari yanakutana. Kwa hivyo, tukisema barara ni mbaya shida hii iko kila mahali. Kuanzia hapa Bungeni sijui kama jukumu la kutengeneza hii barabara ni la Bunge au Wizara Ujenzi na Nyumba yafaa Wizara ianze kutengeneza barabara pamoja na hii ya Bunge. Hapa kuna taabu. Ya nini kuongea juu ya barabara za mbali? Hapa kuna shida. Bunge hili lina taabu ya barabara yake.

Bw. Spika, kuna barabara inatengenezwa huko kwangu Marsabit. Hiyo barabara inagarimu Kshs150 milioni. Sio lami! Hii ni kuweka murrum na kukanyaga na rollers. Hiyo ni kazi duni. Hawa watu wakimaliza kilomita mbili au tatu, upepo ukija unaondoa murrum na shida inaanza tena. Haifai kuongea juu ya misaada kutoka nje kwa sababu pesa zile tunapewa, mwishowe tunalipa. Tunailipa kwa njia ngumu sana. Hii ni mikopo na tunalipa. Pesa tunazolipa sasa, pengine ni zile babu zetu walikuwa wanafaidika nazo. Na zile tunachukua sasa, pengine zitalipwa na watoto wetu. Maisha yetu hapa Kenya yatakuwa ya kuomba na kulipa madeni tu. Na zile pesa ambazo tunachukua hazitumiki kwa njia nzuri. Pengine mtu anapokea rushwa, kazi duni inafanyika na hakuna mtu anaye jali, completion certificate inatolewa mtu anaenda. Hiyo barabara imegharimu Kshs150 milioni na si wananchi wa Saku wanalipa, ni wananchi wa Kenya. Hizi ni pesa za walipa kodi. Mimi ningewasihi watu wa Wizara wa Ujenzi na Nyumba, na mhandisi mkuu asimamie hiyi kazi na kuhakikisha kwamba hiyo kazi inafanyika kwa njia ya maana. Isitoshe, hata wanaofanya kazi kwa hiyo barabara yaani Kampuni inayoitwa SOGEA ni watu kutoka inji. Watu wa kuendesha matrakta na bulldozers wanatolewa Zambia na Tanzania kama kwamba hatuna madereva hapa Kenya. Zaidi ya haya kandarasi imetolewa kwa Wafaransa. Pesa tuna kopa, na wale wanaotukopesha wanazichukua pesa hizo na

kurudi kwao nazo. Sasa Kenya tunafaidika na nini?

Kwa hayo machache, Bw. Spika, naunga mkono.

**Mr. Muite:** I thank you Mr. Speaker Sir, for giving me this chance. It is very painful to contribute to a debate on the Ministry of Public Works and Housing because the roads in this country, practically all of them, the overwhelming majority of them, are in shambles. There is no constituency where any hon. Member of Parliament, including the hon. Shariff Nassir there, is not complaining. Every Member of Parliament is complaining about the state of the roads in his constituency, in all the constituencies and indeed all over the country. The Government collected a lot of money from toll stations. That is a lot of money that has not been satisfactorily accounted for as far as Members of Parliament are concerned. We would like to know the exact sum that was collected in the toll stations and how it was spent. That money, in my estimation, should have been enough to bring all our roads to perfect condition. The Government collects a lot of money in respect of fuel tax as is generally known. Out of every Kshs1,000 that every motorist pays to fuel his or her car, over Kshs160 on the average goes to the Government by way of taxation. Where does that money go to? If it is the buses, matatus the passengers in the matatus and buses, leave alone the motorists who have got their own cars, these humble Kenyans who travel by matatus and buses are also paying this tax because the fare that they pay takes into account the very high taxation in respect of petrol and diesel. This money is supposed to maintain our roads. There was a time when one would always see a road maintenance unit, irrespective of the road one travels in. Today, it is very rare to see any road maintenance unit anywhere on our roads. The lives of Kenyans continue to be lost on the roads and a major contributory factor is the pathetic condition of our roads. What does the Government do with all the money it collects in respect of petrol and diesel? Why is that money not spent in the maintenance of our roads?

In particular, I do not remember over the last ten years, the Kenya Government spending any money in Kikuyu Constituency for the maintenance of roads. I do know that it is not just Kikuyu Constituency, there are many other constituencies where the roads are not being maintained. So the Ministry of Public Works ought to be very shy asking this House to debate this Vote on it, because, it is very difficult for us to know what they have been doing in the past. We want the roads in the tea areas, we want the roads in the productive areas, including in the Rift Valley where they grow wheat and maize. These are productive areas. The other areas where there is tea, there is coffee, are the areas that should be given priority when the roads are being repaired or tarmacked.

Mr. Speaker, Sir, for the Ministry of Public Works to come here, on this side of the House, we really are snookers(?) because, we would have preferred that this Vote of the Ministry of Works came after the Public Accounts Committee has debated the current report. Of course, under the Standing Orders, we cannot anticipate debate, we cannot even respond to the hon. Keah when he issues a Ministerial Statement, we have to wait until the PAC has debated and brought the report here. Ordinarily, it is my view that this matter is so very important that the Minister should consider moving a Motion under Standing Order No.22 because, the matter of Kshs14.7 billion is so important.

We really ought not debate any Vote brought forward by the Government before the PAC has sat, deliberated and made its report here. Why can the Minister not move a Motion under Standing Order No. 22, that this House adjourns, so that we do not wait until January? It is a lot of time between now and January and it was not the fault of the PAC, that, they were not able to sit in August. It is not fair that they should lose their participation in this House when they are deliberating on the report of the Controller and Auditor General.

Mr. Speaker, Sir, I would like to invite the Minister to move a Motion for adjournment, because, it is the Minister who can move it so that we adjourn before--- It is ridiculous for this House to continue debating Votes from the various Ministries before this Government satisfies this House that all is in order. And they cannot do that until the PAC has deliberated on the Kshs14.7 billion. We cannot accept the Ministerial Statement without the PAC bringing that report here. So, the Minister, in my view, ought to move a Motion for adjournment, so that this House adjourns and gives time to the PAC to debate the report of the Controller and Auditor General.

**Mr. Speaker:** Mr. Muite, you are already moving a Motion, so, could you go back now to the "lawful Motion". Now, whatever you are saying is actually legal itself. So, could you go back now to the Motion?

**Mr. Muite:** Mr. Speaker, Sir, I was only inviting---

**Mr. Speaker:** Yes, I have given you a little latitude, but I must now bring you back to the Motion.

**Mr. Muite:** I thank you, Mr. Speaker Sir. Could the Ministry of Public Works give this House assurance that a lifeline like the Mombasa - Nairobi Highway is going to be repaired? Could we get an assurance that the roads in Kenya are going to be maintained in good condition, in a state of repair? Could we get an assurance that, even as we embark on the construction of a new road, tarmacking it and so on, the Ministry of Public Works will have done its formal work and found out how much money will be required for the maintenance of these roads? I think this is throwing good money into a hole if we construct a road and we have no budget for the maintenance of that road. This country appears to be the only one that treats tarmac roads as consumer items. We tarmac roads in this country as consumer items. We tarmac a road and from the day that it is tarmacked, there is no element of maintenance, we just

wait for that road to wear out completely and then we rush to another donor and ask him to donate for the construction of this road again. Nairobi to Meru is the same story. The new one from Westlands to Limuru here already has potholes, already the drainage is not being cleared. We are going to wait until it has worn out completely. Now, "a stitch in time is the old adage", and I do not know why the Ministry of Public Works does not have a budget for the maintenance of roads. If we are not going to be able to maintain these roads in good repair and condition, let us construct the ones that we can maintain in good condition.

In respect of the arid and semi-arid areas, because the area is dry, a grader is sufficient. Some of the areas where we are tarmacking the roads, do not need tarmac roads. That money can be spent in giving those areas more sustainable development, like, how to look after cattle better, how to look after goats better, they do not need tarmacked roads. If you just put a grader through the dry area, they will have a permanent road. It is unlikely that, that road is going to be slippery during rainy seasons so as to make the road impassable. So, let us have the tarmac areas in the areas that require them, not in the areas that do not require the tarmac.

With those few words, I beg to oppose.

**The Assistant Minister for Information and Broadcasting** (Mr. Nassir): Bw. Spika, mimi yangu ni machache, haswa leo furaha yangu kuona Mbunge mwenzangu kutoka Upinzani kazungumza maneno ya nchi. Namna gani kuwa kuna makosa kutengeneza mambo baada ya kutafuta mambo mengine ambayo hayatakuwa na faida na mwananchi wa kawaida.

Barabarani, watu hukasirika na madereva sana, watu wanatokwa na vifo vingi, ajali za barabarani zisokuwa na maana. Lakini, ni kwa sababu, wakati umefika barabara ya Mombasa - Nairobi ziwe barabara mbili. Kwa sababu, magari yanayopita, mimi jana nikitoka Mombasa najua ile hatari iliyokuwako. Na wakati umefika wa mali inayotoka Kilindini, wa mali inayotoka Uganda hadi Kilindini kupakiwa, umekuwa ni wakati sasa kuwe na barabara mbili. Na pesa zapatikana katika Wizara hii za kutosha kabisa, kwa sababu malori yetu ya Kenya na ya nje ni mengi yanayotumia barabara hii. Hata wengine, magari ya kutoka Uganda hata ya kusafiria, ya kutoka Zaire, ya kutoka Rwanda yote yatumia barabara hii na sidhani wale waweza kutoa gharama ambayo Wizara hii yaweza kufanyia kazi. Kwa hivyo, kulikuwa kuna njia zaidi za kuzifanya barabara zetu ziwe salama kuanzia barabara kama hii ya Mombasa kupitwa mara mbili. Barabara moja ya kuenda, na nyingine ya kurejea. Ikiwa si hivyo zile ajali nilizoziona jana tano njiani zitatoka zaidi kila siku.

Bw. Spika, pia Wizara hii umefika wakati wa kuwafundisha watoto wa Kenya namna ya kutengeneza barabara. Wizara hii isiwe na fikra za kikoloni za lazima itoe tenda, ni lazima ifanye idara moja ya kufundisha watoto wetu namna ya kutengeneza lami na namna ya kutengeneza barabara, na kila barabara inapofika, ikitoka hapa mpaka karibu Machakos, wenyewe watu wa pale, wapewe nafasi za kufanya kazi hiyo wapate chakula. Ikitoka hapo, inakwenda mpaka Taita-Taveta wapewe nafasi hiyo watu wa Taita-Taveta nao waishi, ikifika huko, nayo inapewa watu wengine, ili hiki kibarua na nafasi za kazi ziwafikie watu wote. Kwa sababu, ijapokuwa tunafanya siasa ndani ya Kenya, twazungumza siasa sana lakini Wakenya hawana haja ya siasa, wana haja kusaidiwa kwa mambo ya karo za shule, mambo ya kazi, mambo ya taabu walizonazo, watu wengine hawana ploti, wengine wana taabu ya chakula na kadhalika. Kwa hivyo, wakati wa siasa katika Kenya ulikwisha, sasa ni wakati wa kuwatendea wananchi mambo.

Wakati umefika sasa wa kuwatendea mambo wale waliotupigia kura. Sasa yafaa tuingize mikono yetu kwa mifuko tuwasaidie kidogo. Ukinyimwa kubali lakini ukishapewa kura acha kusema maneno matupu tu. Hukuchaguliwa kusema tu bali kuwasaidia watu. Kwa hivyo, watu wana taabu, hasa waliotupatia kura sisi na wana haja ya kusaidiwa. Ikiwa tutaendelea kusema maneno hapa, 1997 watakaokuja ni wengine. Kwa hivyo, Wizara hii yataka ichunguze pia barabara mahali pengine. Huko Pwani, kutoka Kilifi hakuna barabara ijapokuwa kuna fuo za bahari, ambamo watu wengine wamejenga mahoteli. Lakini kwa sababu hakuna barabara hakuna mahoteli zaidi yanayoweza kujengwa katikati ya Kilifi na Malindi. Kuna barabara nyingine huko Kwale ambazo hazipitiki na ningemwomba ndugu yangu ambaye ni Waziri Msaidizi katika Wizara hii afanye bidii. Yeye anazungumza sana katika Wizara, lakini ingefaa asaidiwe kwa kujengewa barabara moja kabla ya sisi kupigiwa kura mwaka wa 1997.

Hata mimi nina taabu zangu kwa sababu katika sehemu ninayowakilisha, kule Majengo barabara tangu wakati wa ukoloni, hazijatengenezwa tena. Ningependa sana kwa sababu kule kuna shule na mambo mengi yanayoendelea na tunaendelea na Harambee ili kusaidia--- Kwa hivyo, tunaomba Wizara nayo itie macho kule itengeneze kidogo ili watu wetu wafurahi.

Kwa hayo, kama nilivyosema, sina mengi ya kusema isipokuwa kuomba Mungu atupe roho ya kuweza kuwasaidia wale watu wetu waliotupa kura, badala ya kutafuta ni nani aliyefanya makosa haya na ninani aliyekula sana.

Ahsante.

**Mr. Farah:** Thank you, Mr. Speaker, Sir.

Roads in this country have been a long story for many, many years. It has been a story in the sense that, regardless of

where one comes from, may it be from marginal areas in the north or part of Rift Valley, or whether he comes from Central Province or Eastern Province or Nyanza Province, everybody is complaining about roads. Right now, we are supposed to approve Kshs2.7 billion for the Ministry to make our roads and housing better among other things.

Mr. Speaker, Sir, what is the problem? Why can we not improve roads in this country? The answer is very simple. The money does not go into the roads. The money that is appropriated for this Ministry for roads does not go into our roads, but it goes into the pockets of corrupt civil servants and politicians. I must say that the role of the politician is very minimum. A politician can, probably with a very small leeway, be able to do something at the very initial stage and in a very small way. He may get a small commission from an overseas contractor. These things are being done on a daily basis by the Ministry and by the officers of the Ministry. They are the ones who are supposed to do construction management so that the overseas contractor or the local contractor makes sure that the standard of the road itself is as per the specifications that are contained in the contract. They are the ones who are pocketing money and they are the ones who are being corrupted and, consequently, we get a shoddy business and our roads get washed away in a very short time.

This is a crime because the rules are laid down in a very simple way. It is very simple. A contractor is supposed to prepare the right bill of quantities. He is supposed to ensure that the appropriate tests have been carried out on the roads before they are commissioned and, before, the contractor is paid his money.

However, what we have right now is a situation where the officers from the Ministry themselves approve these roads as having had the right standards as per the specifications when they are not. I have a case here whereby there is road which is supposed to be a strategic security road, that was built from near Mandera to Elwak and which covers a very small distance. That was supposed to be a tarmac road. That road was washed away after the Government had spent tens of millions of dollars in less than six months. The Chief Engineer on that road, a white man from United Kingdom (UK), called Dr. Neal, later on, became an employee of one of the major suppliers for that road, Collars (East Africa), which was supplying the bitumen. The appropriate thing which should have been done was to investigate his accounts and activities and immediately take him to court and charge him with a crime because he had failed to deliver his professional expertise on a contract like that. This is a crime against mankind and a crime against this nation and the treasure of this nation.

As it is Mr. Speaker, Sir, I have got a road of about ten kilometres that is being gravelled in constituency. In the first place, the Ministry made sure that they sent their own contractor. They appointed their own contractor and sent him to the District Tender Board because the District Commissioner refused to ratify that, and eventually, after some persuasion, which I do not understand and which needs to be investigated very well, that road was awarded that contractor at an enormous and exorbitant rate of Kshs36 million. I protested to the Ministry through the Accounting Officer. I told him that there is something was wrong there, but right from the Ministry through provincial level and the district level there was a cover-up, which the Minister himself knows because we went to inspect the road together.

The contractor and the resident engineer were not there to answer our questions. On the contrary, the man who was answering the questions was the man from the Ministry. When I asked him where is the resident engineer who was in-charge of construction of the road, he told me that the man was not there. The resident engineer is not there to answer our questions. Indeed he is never on the site. What we need to do now in this country is to try and stop this public waste. It should not be called the Ministry of Public Works because it has become the "Ministry of Public Waste". Everybody including the Minister knows that. I can say this here because I have learnt personally that the Minister is a very helpless person. Although he has good intentions, it is the professionals who are out there in the Ministry who are the crooks who make decisions.

Mr. Speaker, Sir, when the field trip to examine the road or rather to inspect the road was being organised, although I am Member of Parliament for that area, I was never consulted or invited or given the opportunity to accompany the Minister.

**Mr. Michuki:** On a point of order, Mr Speaker, Sir. Is it in order for the hon Member speaking to say that the Ministry of Works and Housing is "a Ministry of Waste?" Could he, then, substantiate that?

**The Temporary Deputy Speaker** (Mr Wetangula): Order! There is nothing to substantiate. That is his opinion.

**Mr. Farah:** Mr Temporary Deputy Speaker, I do not need to substantiate, because this has come from the "horse's mouth" itself. The Minister said and it is obvious and everybody knows that.

Mr Temporary Deputy Speaker, we were there on the site, the senior most Minister from the Province was never shown---

**The Minister for Public Works and Housing** (Prof. Ng'eno): On a point of order, Mr. Temporary Deputy Speaker Sir. He says it has come from the "horse's mouth." "What actually I said was, if it did---

**The Temporary Deputy Speaker (Mr. Wetangula):** Order Minister! That means you are out of order, that is not a point of order. Secondly, you have a number of opportunity to respond to all they are saying.

**Mr. Farah:** Mr Temporary Deputy Speaker, Sir, the other thing I want to say in here, having mentioned it, if the Minister wants to act on it now, let him send an independent engineer- cum consultant from somewhere to go and find out what is going on. Hon. Falana is saying as one part of the road, one kilometre is being done, the other kilometre is being washed away. It is a scam, and stealing or an embezzlement and misappropriation of our Treasury which is going on, as we are going and we have never seen senior officers, professionals from the Ministry being taken to court for this professional misconduct.

Mr Temporary Deputy Speaker, Sir, the other thing I want to say is that over a long period now, it has become a tradition in this Government, whenever a senior civil servant becomes a failure somewhere and he has to be sacked, the only thing left for him is to be sacked and the other thing is to send him to North Eastern Province which considered to be a punitive measure, is just as good as sacking him. The current Provincial Works Engineer there, who is in-charge there, is the same engineer who Mr Joseph Kaguthi, Provincial Commissioner, publicly kicked out of Nyanza Province. Why take him to North Eastern Province to go and mess? If Mr. Joseph Kaguthi does not have the right to kick an officer of the Government, if he is doing his job right in Nyanza Province out of Nyanza Province?

The reason why he was taken out of the place, the Government must have been convinced that what Mr. Joseph Kaguthi was saying, was right, concurred with him and the best thing to do was either to retire him in public interest or kick him to the headquarters to watch him. But what did they do? Send him to NorthEastern Province. That is where he is and is messing like nobody's business. That road, engineer Muthangania, is going to be washed away in the first rains! Anybody who says no, the first rains, God willingly, we would all be around here, still we would not have gone for elections yet, to the best of our knowledge, and we will see!

Mr Temporary Deputy Speaker, Sir, the coverer-up is from top to bottom. The Ministry needs "a very radical surgical transformation," for the Ministry to be a Ministry worth its name. In the absence of that, why do we have to vote money to the Ministry? Why can we not we use the money for something else like education and water where, at least, something is being done? This is worse than Goldenberg or anything we have ever had because of the amount of money that goes down the drain. I was told by the contractor himself that, "I have been given the appointment from Nairobi and I am supposed to be ratified at the district level there, but I have to go and dish out something little here and there." True to his words, he was ratified again, at the district level there.

Mr Temporary Deputy Speaker, Sir, we have to safeguard the Treasury, our money to be used properly, because the way it is being used in as far as the roads are concerned now, is so pathetic that we might as well not have roads. The road in Mandera was supposed to be a strategic road. It was a security road, but it turned out to be an insecurity road in less than six months because when the tarmac is washed away, there are so many potholes and the vehicles had rather go on a murrum road very fast, but with the potholes you cannot go far. So, what happens is that bandits would stop you on the way. As soon as you are trying to negotiate a pothole, you have got to slow down very, and there you are; you are in trouble. So it has turned out to an insecurity road and the officers who commissioned that, or approved those payments, are here with us, very rich now.

**The Assistant Minister for Foreign Affairs and International Co-operation (Mr Muchilwa):** Mr. Temporary Deputy Speaker Sir, thank you very much for giving me this opportunity to support the Motion. All hon. Members who have spoken have invariably spoken about roads. The way they have spoken, one would think that we are talking about "Ministry of Roads" and not the "Ministry of Public Works and Housing." Actually, the roads are there, it means that they fully appreciate the crucial role that roads play in the development of any country, Kenya included. Roads are the arteries of development.

Mr Temporary Deputy Speaker, Sir, I have been listening very carefully, but I have not heard anybody talk about giving the relevant Ministry, the Ministry of Public Works and Housing, sufficient funding to be able to perform the tasks that are being demanded of it. Why do hon. Members not put money where their mouths are? We fully appreciate that this Ministry is playing a crucial role in development and it is true. So, while talking about the Ministry, let us balance our deliberations; cane where we have to cane and praise where we have to.

Mr Temporary Deputy Speaker, Sir, having been a civil servant, I am talking from experience. There was one time when I used to get a very small Vote, and I was supposed, as Government Printer, to provide stationery and printed matter for the whole Government and I had a problem because from that small Vote I was given, everybody expected "miracles" until I extracted myself by asking them to go and negotiate for their own funds from the Treasury. Then, they found that there was no sufficient cake to cover their requirement. So, while discussing this Vote, we should also look at what is making that particular Ministry not to be able to perform its work properly, and funding in this case has got to be addressed.

I would also want to say that there are courses also which seem to have escaped. At one time, I remember in the mid-1970s, the Mombasa road had three gazetment. We Gazetted certain categories of lorries with had certain

axles should not pass on that road. After a short while, we degazetted that one, and after a shortwhile again to and fro, which meant that it went okay for people like us who had trailers, those who had trailers were campaigning and because of this, although the road had been built to a certain specification, we were deliberately overloading and damaging this road. So, perhaps time has come when we should seriously enforce the rules about the usage of this road because if we are going to allow, for example, transfer-traffic from Mombasa to have load axles that are much heavier than the design of the roads on which they are going to pass, then, you are going to continue mourning about the roads being damaged and that we have to address.

While on that one, I am surprised to hear very distinguished Members from the Opposition who have been criticising foreign aid or loan money to come and finance Mombasa Road and other roads, saying that that money should not come still now appreciating the importance of the roads.

**Mr. Kiliku:** On a point of order, Mr Temporary Deputy Speaker Sir. Could the Member speaking substantiate and name an hon. Member from the Opposition who is saying that foreign aid should not be given?

**The Assistant Minister for Foreign Affairs and International Co-operation and** (Mr Muchilwa): Mr Temporary Deputy Speaker, it is common knowledge, I do not have to respond to that one. But they know what they have been saying.

**Dr. Lwali-Oyondi:** On a point of order, Mr Temporary Deputy Speaker, Sir. That is a very serious allegation against the Opposition which has been advocating for the repair of the road. Could the Assistant Minister substantiate what he has just said against us or withdraw?

**The Assistant Minister for Foreign**

**Affairs and International Co-operation** (Mr. Muchilwa): Mr. Speaker Sir, I am sure even if I dig up the HANSARD, there are Members who have criticised the Government for wanting to borrow money for Mombasa Road. The national Press has a lot of their names criticising the Government and insisting that foreign donors should not fund Mombasa Road Project. True Kenyans should know that when the Government wants to borrow money particularly for an important sector like roads, we should all unite and let that money come because when it comes it will develop all Kenyans whether they are in the Opposition or KANU or wherever they are. We should not try to oppose progress because that is something that we really need.

Mr. Speaker Sir, I would like to support, in a way, some of the remarks made by Mr. Farah to the effect that you construct a road and within a short time it goes. Perhaps it is because of the shortage of funds. But even with the shortage of funds, it is important that the way a road is constructed should enable it to last. For instance my constituency of Bunyore, which has a lot of rain, is called "God's Bathroom" and has too much rain and it is very hilly. Surely you grade that road once and the rains come and washes it away. So whatever money you spend in grading that road is wasted. It is important that budgets should take into account factors like those so that in areas that have a lot of people like Emuhaya and have got a lot of rainfall, the roads should be tarmacked. It will be more economical than just trying to rush a tractor there to grade the roads and then cause more soil erosion.

Mr. Speaker, Sir, some Members commented about foreign contractors constructing our roads. I support foreign contractors if they are to come here because they will be transferring technology. What we want is a road that lasts. On the one hand we are saying that this road did not last. Perhaps those who are constructing, if they are *dukawallas* from around here, do not have the full technology. What is wrong with a foreign contractor coming here to construct a proper road which will last 20 years instead of going for a local one who, for the same money, is going to construct one which will last one year? There are some foreign companies that have done good jobs from countries like China and so on and we would like to encourage that until such time we catch up because we want value for every shilling.

Finally, Mr. Speaker, Sir, I would like to say that the cost of not maintaining these roads particularly at a time when we as Kenyans have declared that we want to industrialise, the cost of not backing our decision with the finance to go with it is very high because we are going to remain behind and remain beggars. We must back up our plans. We know that we have to provide infrastructure starting with roads, electricity, water and so on. And it is not going to be cheap. So, if we are going to borrow, if we are going to be taxed, I do not mind increasing even the fuel levy as long as it is applied properly. If it is applied properly, fine.

I also support hon. Muite who talked about maintenance. Okay, there is a problem of money for maintenance. I agree but some of the maintenance that is done is unnecessary. It is better to maintain a small section and maintain it properly than to try and cover a very large section in such a shoddy manner that you find the result being counter-productive.

With those few remarks, I support.

**Mr. Kanyua:** Thank you very much for giving me this chance to contribute to this Vote. Time again and again, we have been asking questions about maintenance of roads, tarmacking of roads and at anytime we ask those questions, we are told "These things will be done when the money becomes available". Today, we are discussing this



Vote and early this year I asked a Question about Kagia-Baricho-Kerugoya-Baricho-Keberigo Road which was started by the Ministry more than eight years ago and they only did about four kilometres and then they ran away and left heaps of soil. They damaged the murrum road and they went away with the money and year in year out, we have been told that this thing will be done when the money becomes available. Today within the Estimates the hon. Minister and his staff have not included this road for tarmacking. But anytime, when we have got campaigns, we have been promised that this road will be tarmacked and yet nothing has been done. Bridges were constructed and left half-way done and I am asking the Minister to consider tarmacking this road otherwise Kirinyaga people, in Ndia Constituency, should not be taken for a ride. When people want to be recruited to KANU, they are promised that the roads will be tarmacked. People are quite wise enough and of course we know that for a road to be tarmacked, one does not require to be in KANU or in the Opposition because the roads belong to everybody. And when we are talking about the roads, a lot of consideration must be given because the economy of this nation depends very much on good road network otherwise some parts of this nation have been abandoned intentionally just to frustrate those people who come from those areas. There is nobody who can explain why a road started more than eight years ago cannot be completed and at the same time, new roads are coming up and being tarmacked and this particular road is left behind.

Today it will take you more than two hours to reach Nairobi. Nairobi-Nyeri Road is full of potholes and we are now being asked to pass money here for the Ministry of Public Works and Housing when we do not understand where this money goes to because why can the Ministry of Works not actually cover the potholes if it cannot recarpet the whole road?

Today they know things are not good. Even the Head of State knows the roads are not good since he has refused to go by road; he goes by air and I would ask him through the Minister for Public Works to travel to Mombasa by road if he is mindful of the Kenyans' welfare because Mombasa Road has become the road of death. The same applies to other roads in the Republic. I would expect the Minister to be very much concerned. He should travel by road and see what these people are doing. He has got some good staff but some sections have been denied money. We see the money in books here but that money does not go to the district headquarters. We have got a lot of vehicles which have been grounded some times because of very small spare parts. Some graders cannot get enough fuel and every financial year we come here and pass money for the Ministry of Public Works and Housing yet there is no money in the districts. A lot of vehicles are grounded as I said.

People have been blaming matatu and bus drivers but 90 percent of the accidents on our roads are caused by the poor roads that we have. It is high time insurance companies started taking the Ministry of Public Works to court for compensation for vehicles which are damaged by these bad roads. There are no road signs, and any time an accident occurs, like that one of Rongai and other places, we blame the vehicle owners and the vehicle drivers. But this is not their fault. Many have gone to jail for nothing. Sometimes they cause accidents while trying to avoid potholes. But the Ministry of Public Works and Housing is just left aside. That is their concern. They should compensate those who have died because that is their own mistake. We should of course give the Ministry enough money to repair the roads but then they must do a good job, a perfect job without being harassed. We know all those people who are getting the contracts. They are too senior for the staff of the Ministry. Even if one says that a road is not good, he will get the sack if he says so, because that man is so senior and untouchable that he cannot be controlled and be made to pay for that shoddy job which is done. We have seen roads constructed within a day and within a week, they are really worn out and the money had been paid. So, the Minister here should also be able to defend his staff if they are really threatened politically, because we know they know their job and they should not pay but they should pay for the job that is done by the contractors that are given the work to recarpet the roads.

The other day roads in Nairobi were recarpeted by somebody but they look the same way as before they were recarpeted about three months ago. This is what is happening all over the country. For the Ministry to do a good job, it must really go there, even the Permanent Secretary and the Provincial Engineers and other engineers should go and certify that the work done is done to the satisfaction of the set standards. Otherwise, they should not pass the payment.

The other point Mr. Speaker, Sir, is about a bridge in my place from Kagio to Gathaka. That bridge was demolished by the Ministry's personnel and it has taken a year to repair that bridge. I would like the Ministry to go and actually start repairing that road because it is causing a lot of hardship to commuters within that particular area.

With those few remarks, I support the Motion and I urge the Minister to ask for even more money. Thank you.

**Mr. Mumba:** Bw. Spika nashukuru kwa kunipatia nafasi hii ili nami nitoe mchango wangu katika Hoja hii ambayo ni muhimu sana. Mengi yamesemwa na kwa hakika Wizara hii imepata mashambulizi ya kutosha na mashambulizi hayo ni ya haki kabisa kwa sababu Wabunge kutoka pande zote mbili, KANU na Upinzani, wametoa sababu za kutosha kwa nini hatutosheki na kazi ya Wizara hii. Basi, nina hakika Waziri na Katibu wa Kudumu katika Wizara hii, katika mashambulizi haya yote, wataangalia vizuri ili waweze kurekebisha. Mimi kivyangu kama mtu

ambaye anatoka sehemu kamilifu ya KANU, kule ambako hakuna madoadoa yoyote, ningelifikiria kwamba Wizara hii ingeangalia kwa makini sana ili zile sehemu kamilifu za KANU zitiliwe mkazo zaidi. Kama ni barabara, kama ni mambo gani, najua najitafutia kushambuliwa na wenzangu wa upande ule, lakini hii nafikiri itasaidia sehemu zetu sisi ambao tumechukua jukumu la kuiendesha Serikali hii ya KANU kwamba manufaa yetu ni nini.

Bw. Spika, kwa hakika, Wizara hii kule nitokako Kilifi, ijapo ina mengi mabaya hasa kuhusu barabara, tuna mawili matatu mazuri ambayo imefanya. Kwa hivyo, ni sawa kabisa nitaje kwa sababu Wizara imetujengea daraja, kama vile Nyali, Mtwapa na Kilifi, na sasa inajenga daraja la Sabaki. Ijapo nawapa pongezi kwa hayo, nataka kuitoa makosa Wizara kulingana na madaraja haya. Kwanza, daraja ya Nyali lilipojengwa lile daraja la zamani ilibomolewa, na ninajua ilikuwa daraja ya mtu binafsi. Lakini daraja ile ingeachwa ichukuliwe na Serikali na daraja ile ingeweza kutumika wakati kuna shida katika daraja jipya la Nyali. Lakini ilibomolewa na leo laiti kungetokea taabu katika daraja la Nyali, hatujui watu ambao wanaelekea Pwani ya Kazikazini wangepanyaje. Daraja la Mtwapa ilipojengwa zaidi ya miaka 20 iliyopita, ile daraja ya zamani ilibomolewa, mpaka sasa zile mali, vile vifaa, vile vyombo, vile vyuma ambavyo viliondolewa kwa daraja ile viko palepale kando vimelala. Havija fanyiwa lolote mpaka sasa. Kwa hivyo, wale wanaosema Wizara hii ni Wizara ya "waste" sitaki kubishana nao lakini najua kuna ukweli. Vyuma hivyo vingeweza kuchukuliwa vikapelekwa pahali pengine kujenga daraja, lakini mpaka sasa viko pale Mtwapa. Sasa kwajengwa daraja nyingine mpya kule Sabaki na nina hakika ile ya zamani itaondolewa pengine iwekwe kando badala ya kuachwa ikawa manufaa wakati wa shida ikitokea kwenye daraja jipya. Nasema haya kwa sababu hivi sasa ile daraja la Mtwapa imeanza kuzama. Yadiimia daraja ya Mtwapa vibaya sana. Tena hata jambo hili tumelizungumza katika Provincial Evaluation and Monitoring Committee Meeting. Sasa kwenye daraja ile, ikitokea ajali kama ile ilitokea kule Seoul, Korea, ambako daraja ilibolewa na ilikuwa imejengwa na makampuni yanavyojua kujenga kama haya yaliyojenga hizi zetu. Kwa hivyo, naomba Wizara iangalie jambo hili. Mimi ni Mbunge wa sehemu hiyo, Mbunge wa Bahari. Daraja la Mtwapa limefanya bonde hapo katikati. Mvua ikinyesha maji ujaa katikati ya daraja. Nasema haya kwa sababu ni muhimu na Wizara iangalie kwa makini sana.

Sasa basi, naona wakati unakwisha kugeukia mabarabara, katika Kilifi, tangu mwaka 1972 mpaka sasa haijakuwa na barabara mpya ya lami. Ile barabara ya mwisho ni kutoka Mazeras mpaka Kaloleni ambayo ni ya mwaka wa 1972. Tumekuwa tukipiga kelele tukiomba wengine kabla hata hatujaja Bunge, kwamba barabara ingawa kutoka Mariakani kupitia Kaloleni kushikana na Mavueni iwekwe lami. Tumekuwa tukipiga kelele tukiomba, wengine kabla hatujaja Bunge, kwamba barabara angalau kutoka Mariakani kupitia Kaloleni kushikana na Mavueni, iwekwe lami. Inapitia pahali ambapo kuna vishawishi vya kiuchumi katika wilaya ya Kilifi. Mpaka sasa hakujafanywa lolote. Na hiyo ni njia ya mkato, kama mtu anatoka Nairobi anataka kuingia Mombasa, anaipunguza safari yake kwa zaidi ya kilomita 100, akitaka kwenda Malindi. Sasa sisi hapa Kilifi, tunasema kwamba barabara hiyo ni muhimu sana kwa maendeleo ya kilimo, maendeleo ya biashara na maendeleo ya kila harakati za shughuli za maisha, ili na sisi tufaidike kutokana na Wizara hii. Ajabu ni kwamba, mimi sioni kwamba, Wizara hii ina hatua za kundelea mbele zozote, ni kama kwamba ni idara ya kurekebisha ndiyo inajaribu hapa na pale, ijapo kuwa hata hivyo, hawajafaulu.

Katika eneo la mawakilisho yangu, ni karibu asilimia 70 ya njia zote ambazo hazijawekwa viwango. Zile njia zilizowekwa viwango ni zile barabara kutoka Mombasa kwenda Malindi, kupitia eneo langu la uwakilishi, na ile kutoka Mavueni niliyoitaja, kupitia kwenda Kaloleni. Sasa, ukiwambia waziweke viwango zile zingine, ili ziweze tengenezwa vizuri, hakuna kilichofanyika.

Bw. Naibu wa Spika wa Muda, hii Wizara lazima ifanye bidii kwa sababu, laiti kama Wizara hii ingelikuwa yafanya kazi vizuri, Serikali ya KANU ingekuwa haina tabu. Tungekuwa kweli, tunaahisi katika Serikali ya KANU. Lakini kwa sababu ya kushindwa kwa Wizara hii, sasa tunatoa nafasi kwa wapinzani wa Serikali ya KANU, kulaumu, kushutumu na kuzidi kuharibu sifa nzuri ya Serikali yetu. Kwa hivyo, Wizara hii ina wajibu mkubwa wa kutengeneza zile barabara nilizozitaja, kwani sisi twajua kuwa ni kama nguzo la maisha kwa Kenya nzima. Kwa sababu, asilimia sabini ya utalii, inatgemea Pwani, na ukiangalia zile barabara nyingi ambazo zinaelekea katika zile sehemu za utalii, hazifai, ni mbaya. Nina hakika kwamba, ndugu yangu wa Malindi akija kuzungumza, Mhe. Badawy, atazungumza hali mbaya, iliyoko Malindi. Ijapokuwa kuna urekebishaji unaoendelea, lakini tunajua kuwa ni yale yaliyozungumzwa hapa, ya kuwa, baada ya miezi miwili mvua ikinyesha, hiyo lami yafanya kuchukuliwa na maji kama ambayo inatandika makaa. Ukiangalia barabara za eneo langu la uwakirisho, kama zile zinazokwenda Whispering Palms, Sun and Sands, hazipitiki, ni mbaya. Na zile ni nguzo za mapato kwa taifa letu. Ukiangalia sehemu zingine nyingi za Pwani, kama ni kuzingatia kweli kuimarisha utalii, basi ni lazima hizo barabara ziangaliwe, na zile zinazopitia kwa wakulima wetu ambao ndio wanaotegemewa kuendesha Taifa hili katika ukuzaji na maendeleo ya uchumi.

Basi, kwa hayo machache, naunga mkono Hoja hii, Bw. Naibu Spika wa Muda.

**Mr. Murungi:** Thank you, Mr. Temporary Deputy Speaker, Sir, The state of roads in this country is pathetic. I read in the Press that the Minister for Public Works and Housing has been kicked out of KANU in his

district because he has not been able to do a crucial role. He was unable to tarmack a road within his district, and he has been promising the people that road for quite sometime. So, this shows the seriousness of the roads in this country, if a whole Minister is kicked out of KANU in his own Constituency, because he has not been able to make a road there. What do we have to say, we who are not in the Government?

Mr. Temporary Deputy Speaker, Sir, I only want to talk about one item in the Development Estimates, Vote D13, Head 384, Item 496. This is the Meru-Githongo-Chogoria-Road, which has been allocated K£500,000, or Kshs10 million. This road was subject of a Motion which was unanimously accepted by the National Assembly last year.

We are talking about a 55-kilometre road, which passes through an area of great agricultural potential on the eastern side of Mt Kenya. Mr. Speaker, this road connects three tea factories in Meru District, it has the potential of opening up tourism in the eastern region of Mt. Kenya. It has great dairy production potential and we have been campaigning for this road for the last 20 years. It has first priority in DDC, it has been unanimously approved by Parliament, and a survey has been done by Sir Alexander Gibb and Partners which estimated the cost of the road to be Kshs500 million. We, as the people of Meru, feel insulted, that the Government has allocated only Kshs10 million instead of the required Kshs500 million.

Mr. Temporary Deputy Speaker, Sir, the Kshs10 million can only tarmack one kilometre, of 55 kilometre road. We feel greatly insulted because, reading the Estimates, I found out that one dam which is to supply Kabarnet town with water has been allocated Kshs700 million. We, who are the big tea and coffee growers in Meru, are going to service loans to build roads in other places. Why does this Government not get a loan to build a road for us so that as we are servicing roads in the other parts of the country, we can also service a road passing through Meru District? What is more insulting, is that, I have been requested many times, to defect to KANU, so that this road can be made.

Mr. Temporary Deputy Speaker, Sir, I have said that I will never defect, because the right to development is a basic human right, and we are entitled to it even if we are in the opposition. We are taxpayers, and we are entitled to development in this country from our taxes. Those who have approached me to defect, I have asked them that this road also passes through hon. M'Mukindia's constituency, who is in KANU and he is a Minister in the KANU Government, then why have you not made the road in his Constituency and leave out my Constituency?

Mr. Temporary Deputy Speaker, Sir, the hon. Maore here, has also been asked to defect so that the "miraa" roads in Ntonyiri can be done. In Ntonyiri Constituency, the people voted President Moi for Presidency, they gave him over 35,000 votes and they voted Maore in DP as an MP.

So, Mr. Temporary Deputy Speaker, Sir, we think that it is high time these conspiracies against the Meru people stopped. It is high time we are given sufficient funds for these roads. What is even more insulting is that the Minister for Public Works came to Meru earlier this month but instead of coming openly, he did so at night. He came to see a few cronies of his so that they could conspire to take away the Kshs10 million which had been given for the construction of roads.

When we brought this Motion on this road to this House, hon. Kirugi M'Mukindia, who was in Nairobi, did not come to support the Motion. My friends in KANU, hon. Nassir, Dr. Onyonka and the hon. Assistant Minister, Mwamzandi, supported this Motion. The Minister who comes from Meru did not say a word in support of the Motion.

**The Temporary Deputy Speaker** (Mr. Wetangula): Mr. Murungi, we are not debating the conduct of hon. M'Mukindia in this House neither is it mandatory for him to come here to support your Motion.

**Mr. Murungi:** I am sorry Mr. Temporary Deputy Speaker, Sir. What I am saying is that hon. Kirugi M'Mukindia only got interested in this road when the Government allocated Kshs10 million to it. That is when he rushed to get Prof. Ng'eno to bring him to Meru in the evening without telling us so that this Kshs10 million can be used to murrum the road in his constituency. So, as a leader of the people, you should articulate their aspirations. The people of Meru have not asked for a murrum road. The people of Meru have asked for a 55-kilometre tarmac road. What business does hon. M'Mukindia have to go and ask the Minister to give the Kshs10 million so that they can murrum the roads in his constituency? What we want is that the Kshs10 million which was allocated to tarmack the 55-kilometre road be used for tarmacking it. Let it tarmack one kilometre of road from Meru Town towards hon. M'Mukindia's constituency and next financial year we shall ask for Kshs490 million which is the balance and let us do the remaining 54 kilometres.

Hon. M'Mukindia has been trying to usurp the powers of the District Development Committee (DDC) so that our priorities are not taken into account. Our priority is a tarmac road and not a murrum road. I am appealing to the Minister, because I know that the Minister is a straightforward man, to ensure that this money is not diverted to make a murrum road in hon. Kirugi M'Mukindia's constituency. It should be used to make one kilometre of tarmac road for Meru District to start this project. The balance of the money can be given next financial year and the rest the other financial year until the 55 kilometres are completed.

We have been very, very annoyed by this move and we have been organising to field only one Opposition candidate in hon. M'Mukindia's constituency so that he does not come to Parliament after the next general elections.

**The Temporary Deputy Speaker** (Mr. Wetangula): Order, hon. Murungi! I am not aware that hon. Mukindia is synonymous with the Ministry of Public Works and Housing. Is he?

**Mr. Murungi:** I am sorry, Mr. Temporary Deputy Speaker, Sir. Let me now move to the Nairobi-Makutano-Embu-Meru Road. The question here is; what is happening to the Road Maintenance Levy? As you drive from Nairobi, you find that the road is quite good until you reach Makutano but the road from Makutano through Embu to Meru is dilapidated. It has a lot of potholes. There are many vehicles travelling on that road and yet it is not maintained given that we are paying a lot of money towards the Fuel Levy. Why has that road been neglected? There are rumours that the money has been syphoned to go and construct the Eldoret Airport. Could the Minister ensure that something is done on this road so that we do not have these rumours circulating around because when we have contributed money for maintenance and repair of roads and then our cars are being damaged on that road, then we do not understand what is being done. There are a lot accidents at the Nithi Bridge.

**Mr. G.G. Kariuki:** Mr. Temporary Deputy Speaker, Sir, I will have very few words on this Motion because it seems to me that hon. Members are trying to find ground for attacking others for reasons that we do not understand. Politics of Meru should remain the affairs of Meru not affairs of Parliament.

If the money which is being voted here, about Kshs2.7 billion, is going to be spent on roads, all I want to see is our share of that money. By this I mean that there are some areas in this country which, either deliberately or without intention, are neglected. These are the areas in which people have recently settled. We call them the new districts. In Laikipia, Nakuru, Eldoret, Kitale and parts of Eldama-Ravine, unless this Ministry starts a new sort of strategy to improve on roads there, then we are going to remain behind. Unfortunately, our people and children are not privileged to be in the planning sector of this Ministry. I will be very happy to hear whether there is any planner or a road engineer from Department of Housing being headed by people from those four districts that I am talking about. Since we achieved our Independence we have not had representatives of road planners from these districts. There are some districts that are going to be left behind now and forever because the planners of our Kenyan roads are from traditional districts. Traditional districts are for example, Meru, Nyeri, Kericho, Nandi, Murang'a and so forth. Now these are traditional districts where the cream of educated people come from. Fortunately for them they are the people who are planning our roads and dividing the money allocated for road maintenance. When we are going to get a representation? My friend from Meru talked very strongly about roads in Meru. If we compare how much money has been spent in Meru and how much has been spent in Nakuru District and Nakuru is almost three, four, five times the size of Meru District, you will see that much money has been sent in Meru. Is there fairness? Time has come when we want to have planners from those areas if we cannot be assisted by the current planners. I think it high time that the Minister decided that from now onwards that when the need for a replacement arises people from the four districts that I have talked about are considered. We have seen tribalism practised in every sphere of this country. Denying that there is no tribalism in this country or anywhere in Africa is like denying that satan does not exist. Tribalism exists. If a Meru is sitting somewhere to plan a road or to divide money for this country is he going to remember to give a share to Laikipia? Does he even know where Laikipia is?

In fact, it was designed by Kenyans. How would you plan roads to Maralal without considering the population at the other side? A road should go through the populated areas, not just to plan for the sake of it. The people are greedy enough just to look at what will come out of those roads at the end of the day. It is unfortunate, ADB had to spend a lot of money for nothing; about Kshs30 million for just planning or designing. I do not think I will spend a lot of time talking about this business of roads because I know we cannot talk about roads in the four districts we are talking about. We have only major road passing through.

The roads which are being repaired are the source of eating public money. Where did ethics go? Where an Inspector of Roads would use his ability and knowledge to determine that the road is done properly? But I understand, if he was a Luo in charge of inspectorate and a Kikuyu was his boss, he would always find it difficult to say the truth because he does not know what action would be taken by his boss. We are educated people, you as an engineer and yet you behave like just a pauper. It is high time some of us took the right decision and perhaps be reprimanded. Who can tell us here that he went out, supervised the roads and he confirmed that the road was poorly done and was sacked for that reason here? Why are we so inefficient that we do not trust our ability and knowledge? These are the reasons why I am saying that we have to have people who would be liberalised. We have to liberalise their minds, the Minister, the PS and his people. They should sit down and tell these people; liberalisation or democratisation is not just political. Let us liberalise our minds to be free from this cocoon where a mind is like it is covered. Let us be open. Time will always tell whether we are really changing or not. We have seen people who have made a lot of money in this country. What have they done? Those who have messed, taken a lot of money but what have they done with that money other than just enjoying here and there? We used to have Rural Access Roads. If we cannot get money

for tarmacking roads in these four districts, why do we not get the little money just to enable this small town to be connected with another and be maintained? If people of Laikipia, Eldoret, Kitale and Nakuru are paying Road Levy, that money is being wasted; they should not pay, unless something is done. I am not bitter in saying what I am saying but I am requesting the Minister and the PS to look at these four districts again and really tell us whether they do understand what the problem is. People are being settled in those areas even today and we should be able to follow them and give them access roads to facilitate their movement because they are very poor people. We should not sit here and start thinking about Central Province and areas like Meru and others. The area I am talking about is the centre of the so-called KAMATUSA; that is Kikuyu, Kalenjin, Samburu and Maasai. I think if my hon. friend here allows me to continue, it is a challenge to this Ministry to look at their books again and not to follow the tradition of the Mzungu that Luos must get this, Central Province must get this, and Luhyas must get this. That is not what we want.

Thank you.

**Dr. Lwali-Oyondi:** Mr. Temporary Deputy Speaker, Sir, I wish to say just a few things on this particular Ministry. This is a Ministry which had been receiving money from the Treasury before and we have added to it the Fuel Levy. The Fuel Levy is paid by towns and I represent Nakuru Town. Urban dwellers use a lot of fuel and they should be considered during the repair of roads taking into account the fact that most local authorities are virtually bankrupt and therefore, the Ministry should look after their roads.

The roads in Nakuru, particularly the Ronda area, are so bad that it is better to live in the countryside than to live there. As a matter of fact, I have already bought a motorcycle which I am going to use on those roads because I have tried all sorts of cars and they just cannot manage. From next month onwards, I will be riding on a motorcycle in town. It is better to be in the countryside than to live in town. Therefore, I ask the Minister for Public Works and Housing to let us have the roads repaired because we also pay the Fuel Levy. The Ministry's offices in Nakuru are just about to be grabbed by some company called Lima Limited and I wish the Minister rescues that public facility from this grabbing company. Let the Minister also tell us whether that is true or not. On asking the wananchi around there, they told me that Lima Ltd. is the culprit behind it, so let it be rescued from this grabbing. In addition to the fact that the Ministry of Lands and Settlement which is telling the Ministry of Public Works and Housing to sell just about every house that is passing through the DDC--- I have a list here coming from the Commissioner of Lands listing the houses and it reads; "The plots above are developed with Government houses. They have been approved for allocation. Please, arrange for boarding in the usual manner".

It has gone through various officers who have signed it. This is deliberate looting of Government houses and I do not know where we shall get the money to house the various officers.

**The Temporary Deputy Speaker** (Mr. Wetangula): Dr. Lwali-Oyondi your time is up! Will the Minister reply?

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

First of all, I want to take this opportunity to thank all the hon. Members who have had the opportunity to contribute to this Motion for their very useful comments. I take them seriously. These comments have been recorded by my officers and after we pass this Motion, we shall study very carefully the comments from the hon. Members and try to respond to them in such a positive way as to make Members feel that we are here to work.

Mr. Temporary Deputy Speaker, Sir, before I continue, I am sure hon. Members have read newspapers and, although I do not want to drag personal affairs into the House, I do recognise that those affairs are of public interest. It has been alleged that I have been toppled as Chairman of KANU in Kericho because I did not do the tarmacking of one road and also because the recruitment exercise is rather poor. I simply want to say, for the benefit of the people of Kericho and Kenya as a whole that I continue to be the Chairman of KANU because the ousting of Chairmen has to be done in a normal manner, that is, through elections. I continue to be Chairman. Secondly, I want to say that, in fact, for this question of the recruitment exercise, we have been doing it. However, unfortunately, and this is what most people do not know, the slowness in recruitment has resulted from lack of cards, and the Secretary General of KANU agrees that there has been a lack of cards. The Chairman of KANU, who is in this House, agrees that there has been a lack of cards.

**Mr. Mutere:** On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the Minister in order to continue feeding us with all that apparent irrelevant information on KANU recruitment when he is supposed to be talking about his Ministry's Vote?

**The Minister for Public Works and Housing** (Prof. Ng'eno): Mr. Temporary Deputy Speaker, Sir, everybody has a right to give their opinion. I said that I am just prefacing my comments with this because it is of public interest. So, I am saying that I want to assure everyone concerned that the recruitment exercise or failure to tarmack the road cannot be the basis of trying to carry out a coup on any leadership in a party branch.

Having said that, let me now turn to the very important matter of the roads. First of all, I want to say that

many hon. Members have talked ---

**Dr. Otieno-Kopiyo:** On a point of order, Mr. Temporary Deputy Speaker, Sir. Now that the Minister is on this sweet subject of having been thrown out, could he be kind enough to tell us why he was actually thrown out? He brought it upon himself.

**The Temporary Deputy Speaker (Mr. Wetangula):** Order! That is a domestic matter of the Minister.

**The Minister for Public Works and Housing (Prof. Ng'eno):** I am saying that I have not been thrown out. I continue to be Chairman.

Mr. Speaker, Sir, on the question of the roads, let me first of all say something that I think hon. Members would like to know so that they, together with ourselves, can see how we can assist each other. There is this question of the Fuel Levy. When I brought the Bill which later became an Act of Parliament to create the Fuel Levy Fund for the purpose of raising money to maintain roads throughout the country, a matter that was supported vigorously by the international donor community, including the World Bank, everybody was happy and was looking forward to seeing the roads being graded, murramed, spot-patched and so on. Unfortunately, when the Bill to create the Kenya Revenue Authority Act came, the Fuel Levy Fund became Appropriations-in-Aid. Yes, it has become Appropriations-in-Aid, that is what I want you to know. The earlier intention was to build up this Fund through the sale of petroleum fuel and that, as the volume increased, the revenue generated would increase and that, at the end of the financial year, the money left would be used in the next financial year and we would continue to build up the money reserve until we would reach something like Kshs9 billion which we would need every year to do a good job. But all that has been swept aside by the introduction of the Kenya Revenue Authority. Now, all the money collected has to go into the Consolidated Fund. Again, I have to go and make requests for money. I just want you to understand that so that you do not again ask; "What happened to the Fuel Levy?". The Fuel Levy is no longer what you intended it to be. It is now under the Kenya Revenue Authority Act.

However, I want to say that the Minister for Finance is co-operating with me. We are trying to see how we can, to the extent possible, ensure that the Fuel Levy Fund becomes what we intended it to be. But right now, there is a difficulty. Hon. Members want to see roads done. I want to spell out that in the few weeks that I managed to travel around the country, I, specifically, went to some parts of the Rift Valley and my PS and his team went to the Coast Province. I have also gone to Eastern Province. I have just realised that there are certain very important roads that we really need to do in order for wananchi to see the impact of work being done by the Government. There is, for instance, this road that the Member for Kipkelion was so upset about. That is the Fort Tenan- Londiani Road. It is true that at some stage in the past, I did make a commitment that if funds become available, we would like to see that road done because it would help reduce the traffic going on the road towards Kericho, Kisumu and Kisii by sort of short-cutting on the way to Kisumu, Busia and so on.

I did say that the money that would be required would be around Kshs700 million. Now, I said that in the last financial year. When we came to this financial year, it turned out that we had not found the money yet and that is the cause of the anger. Therefore, I do appreciate everybody who is angry and frustrated. I do sympathise with them.

I am also frustrated because I would have liked to see that money come and that road being done, but all the same, the Minister for Finance has convinced me that we will continue to look for money in order to do that road.

There is another road; that is the Kisii-Chemosit road which the Government has committed itself to do. There is need for Kshs200 million to complete that road. I want wananchi in that area to know that I am continuing to pursue all avenues to look for money to do that road because it is very important, it leads to areas which have a high potential and are productive. Then there is the Chogoria-Githongo-Katheri-Meru-Mikindini Road which the Member for Imenti South, Mr. Murungi, has just mentioned. This is a very important road. I have visited it myself. It is in high potential area and it deserves to be tarmacked, let alone being murramed. My officers have convinced me that they are busy day and night, trying to locate money to do this road. There is also another road there called Mati Road which is also very important. In fact, it starts from Embu and then goes to Chuka and then to Meru and all the way to Nyambene. There is also the road called Njabini-Olkalou. It is a very important road. It goes into the Nyandarua area where there are a lot of farming activities. The people use it to bring their inputs into the area and also to take their produce out. There is the Nandi-Kaptagat-Serem-Shamakhokho Road. This is a very important and a high priority road. There is the Emali-Loitokitok Road. There is also the Kangundo-Kitui-Mutomo-Kibwezi Road in Eastern Province. I have seen this road personally and people have convinced me that if that road is done well, even if it is on very high all-weather road standard, wananchi will be very happy. I want to give the undertaking that we will continue to leave no stone unturned to look for money to satisfy wananchi on this one.

Mr. Temporary Deputy Speaker, Sir, then there is the road from Katumani to Wote and through to Makindu. These two roads run through the whole of Ukambani. If we could do these two roads people in Ukambani would be very happy. I am aware of that and I am doing everything possible to see that these things are done. Then there is another road which is an international one, and which has been a priority road since 1972. I have studied these things

and I know why wananchi feel that they should have been done. This is the Voi-Mwatate-Taveta Road which also goes on into Tanzania. Then there is also the road which starts from Isiolo and goes all the way to Moyale. It is the only part of the so called "the Great North Road", which starts from South Africa and comes all the way through Tanzania and then goes to Cairo, which has not been tarmacked. So, it is our bit which has not been tarmacked. In a way, this is a little bit embarrassing because we are supposed to be more advanced than some of the countries through which this road passes. So, I am aware of the need to do this road.

Mr. Temporary Deputy Speaker, Sir, there is also the Nairobi/Mombasa Road, which has caved in. One hon. Member asked me to request his Excellency the President to go to Mombasa by road in order for him to know the condition of this road. But The President knows about this roads. You may not be aware of this, but he has been asking me what I am doing about this road. I want to say that quite fortunately we have convinced the European Union to help us with some over Kshs140 million to do a part of that road. In fact, we have awarded the contract, and we are looking for more money to start work from Bachuma Gate and continue towards Mariakani. We are also trying to do the part of the road from Emali and continuing up this way and going towards Mai Mahiu and Nakuru.

There is also Malindi-Hola Road, on which work is starting today. In fact, the hon. Member for that part of the world announced over the radio that a company called M/s China Roads and Bridges has been awarded a contract through the support of finances from Japan to do that road, which is over 200 kilometres long, from Malindi to Hola at a cost of over Kshs2 billion. In addition to that there is, of course, the bridge, which the President went to inaugurate and whose construction will cost over Kshs1 billion. This is the second Sabaki River Bridge, whose construction will be of a very high standard. It will open the whole of that area. It serves not only the Coast but also other areas as it goes all the way to Garissa. We hope that we will get money to continue construction of the road to Wajir, Elwak, Rhamu and Mandera. When I toured that area I discovered that the base is in place from Elwak to Rhamu and to Mandera and all that we need to do is to save the work that has been done by tarmacking the road. I am very busy trying to look for money. I will be approaching different donor communities over this matter. In fact, I have some idea for that road, which might be forthcoming.

There is also the road which goes from Garissa to Liboi. I went there and wananchi convinced me that if that road was tarmacked, trade between our country and the neighbouring country, when it settles down, will be very useful. Then there are roads which are very important. These roads are like Rodi Kopany-Karungu, which is being tarmacked now. I think when I go to visit the area hon. Members from that area will be very happy to see the road being done. In fact, the road from Sondu to Kisii is being resealed. The Kisiis are very bitter that this work started from Sondu instead of starting from Kisii. However, to me, as the Minister, it does not matter where the work starts so long as work on the road is completed at the end of the day. There is also Busia/Mumias Road, which is being tarmacked right now. I am sure that the Deputy Leader of Government Business is very happy about work on this road, although he tells me that this work is not moving as fast as it should. You see, even when you start work on a road people are still not happy because the work is not progressing fast enough. When you are starting the work they tell you that you can do even 10 kilometres in a year; but after you have started it they tell that what you are doing is not good enough and ask you to move faster. However, we are trying and hope we will do better.

From a sample of what I have just said you will see that we are trying to cater for the whole country in terms of roads, without regard as to whether an area is a KANU zone or not. One hon. Member from Lamu pointed out that I should concentrate more on KANU zones than on non-KANU areas. My answer to that is simply that, as a democratic country, where wananchi pay taxes without regard to their political parties, all of them need the roads because, at the end of the day they are the ones who will improve the economy of this country. If we want to improve the economy of this country we must disregard party labels and then just go ahead and provide services to wananchi. In any case, in a KANU zone a mwananchi rides on the Kanu bus because there is no other bus to ride on. You cannot ask him why he is there: he is there because Kanu is there. In Luoland the only bus you can use to come to this Bunge is called FORD-(K). So, you cannot blame a mwananchi in that area for being a member of FORD-(K), because that is the only bus he can ride on. The same applies in areas dominated by Ford-Asili and DP. Of course we understand that FORD (K) is mainly for the Luo while Ford-Asili and the DP are mainly for the Kikuyu. But I am saying that regardless of these parties I will go flat out to provide services to wananchi. I am sorry for putting in a little bit of that political piece. I am saying - and hon. Members know me as a straightforward and honest man - that I will never be persuaded to stop doing a road simply because it is in an area which is not a KANU zone.

I have taken note of the Homa Bay-Kendu Bay Road. I want to tell my friends like hon. Ogeka, hon. Otieno-Kopiyo and others that when I visit that area I know that they will be there with me. Last time when I travelled there some hon. Members complained and I think there was a mistake. I had asked the Provincial Administration to inform hon. Members of my visit. Now, apparently, some members of the Provincial Administration do not see eye to eye with some hon. Members in the Opposition and so some hon. Members did not get my message. What I have decided to do in future is to write personally, as I used to do when I was in the Ministry

of Education, to the hon. Member concerned to tell him the day on which I am to go to his area so that he, local leaders and their people can meet me and tell me what their needs in area are.

**Mr. G.G. Kariuki:** What about roads in Laikipia?

**The Minister for Public Works and Housing** (Prof. Ng'eno): Mr. Temporary Deputy Speaker, Sir, hon. Kariuki is concerned about roads in Laikipia District. Let me say that we have plans to tarmack the Rumuruti-Maralal Road. I have also talked about the road in Njabini.

**Mr. G.G. Kariuki:** Through where will the work go?

**The Minister for Public Works and Housing** (Prof. Ng'eno): All that I know is where the work will start and end. If you ask me to give you all the stations in between that is going to be difficult for me to say. But I know that the road is from Rumuruti to Maralal and, in fact, beyond - the distance will be more than 200 kilometres. In fact, my officers have told me that we will need a minimum of Kshs2 billion. Further, we are amenable to suggestions from hon. Members. We are free to consult at all times. In the Civil Servants Benches over there, I have the Engineer-in-Chief. He is the senior-most Engineer in this country. He can even approve curriculum for university training. Then we have the Chief Engineer, Roads, Chief Architect, Chief Electrical Engineer, Chief Materials Engineer and other chief engineers. All those chief engineers are willing to listen to hon. Members when they come to the Ministry. I am sure that those hon. Members who have bothered to come to the Ministry are happy. This is because, after talking to the hon. Members, the officers have to talk to me. They have told me, "You see, Mr. Minister, we do not want to tell an hon. Member that this or that can be done because we do not have money right now". However, if we are successful with what is called "Third Highway Sector Road Programme", which is supported by the World Bank, then this is one of the roads which we will consider for tarmacking.

Mr. Temporary Deputy Speaker, Sir, through the intervention of my Permanent Secretary, and in consultation with me and other officers, we have decided that in order to do away with accusations of pilferage and lack of accountability, we will target money for specific roads. So, we will determine the length of a road, decide whether it is to be graded or murramed and its cost per kilometre and then money will be set aside for that road.

If during inspection of a road we would ask where that money went and why it was deviated because what has been happening in the past is that when we gave money in bulk sometimes officers there were tempted to deviate money to repair a tipper or a tractor or to do something else in the process, maybe, pocket a little bit because they think that nobody will know---. But by using this method of giving specific money for specific roads, we think we would be able to do much more and the impact would be more visible to the members.

Mr. Temporary Deputy Speaker, Sir, let me talk about a few things that I think are of interest to hon. Members before I leave this subject. First of all, I would like to say that the construction work by the Ministry from our point of view is satisfactory in considering the amount of money that we had. We know wananchi out there including hon. Members of the Parliament may feel that we are not doing very much, but considering the money we had, we are trying to do what we can. On the question of weighbridges one of the reasons why the roads are had not been finished is due of the non-control of access roads. We have two weighbridges; one in Mariakani and one in Athi River. We are intending to put an additional ones in places like Naivasha, Thika, Webuye and Isebania. On the question of equipment, I know it is of great interest to hon. Members to know what type of equipment are being given to their districts. I want to say that I have given instructions to my officers, the PS is aware and he is doing it during my visits I was able to see that equipment is being distributed fairly. What we are trying to do is to supply equipment, especially graders, tippers and other trucks to the new districts. We have also rehabilitated all equipment and tried to make them useful in the older districts. But, we have got support from the Japanese Government which has given us 48 tippers which have been distributed to various parts of the country, 34 Bedford flat bed lorries, 34 picks-up and 24 rollers. We have also through the Fuel Levy Fund purchased some 28 tippers which we have also distributed throughout the country. We realise that this is really a drop in the ocean when you consider the needs, but at least, we have made an effort since we have started and we hope us we continue to be able to get support either from donor countries or more funding from the Central Government in order for us to do much more.

Mr. Temporary Deputy Speaker, Sir, hon. Members are interested mainly to know about the issue of awarding of tenders. This is where accusation of corruptions and so on come in. What we do normally is that projects that are funded by the Government or by the donor agency are through loans. We advertise for tenders. We do pre-qualification, we open tenders, we consider which tender is lowest and consider whether being the lowest it is qualified to do the work.

Mr. Temporary Deputy Speaker, Sir, if we look at the equipment that the company had, it may be disqualified because we can readily see that it will never do a good job. So, we follow all the laid-down regulations and at the end of the day, the

company that will have won the tender will now do the work and will be held responsible.

We have what is called retention money which will be used or the company would be forced to use that



money to do the repair if it has not done a good job. But I want to tell hon. Members to ensure that every contractor that has been a contract does a good job we have our own resident engineer attached to that contractor who keeps on monitoring and informing us about the standard of work being done. If we are not satisfied, for instance, the engineer would collude with the contractor, one or two of our men from the Headquarters will go there on spot-check or on inspection. So, I want hon. Members to know that we are doing everything possible to be transparent and accountable.

Mr. Temporary Deputy Speaker, Sir, on the question of road safety, I would appeal to hon. Members to help us because we put on signs along the roads, and sometimes these sign boards are vandalised or uprooted by wananchi to be used in different ways. If the hon. Members, during their meet-the-people tours would educate wananchi that it pays to be honest and to leave these things in their places, that will help very much.

Mr. Temporary Deputy Speaker, Sir, there is one matter which was raised by a Member about the Road 2000 Programme. I think, we used to have rural access roads, I think hon. Kariuki did talk about that. But we have now perfected a new system where we combine the use of labour plus hand driven equipment which can be pushed and light equipment that can be used in constructing very good rural access roads. Roads 2000 has been experimented on in four districts and we are convinced that it is going to be very useful and we are extending it to all the districts in the country including the new districts.

Now, you realise that my Ministry is not only in charge of public works but, it is for Public Works and Housing. So, there is this question of human settlement, I want to say that at the rate of influx of wananchi to the urban areas which is between 6 and 7 per cent, we have found it difficult to provide them with adequate accommodation. We can see that, along the periphery of the various urban centres, there are slums. The United Nations has decided that the provision of housing for human beings is a human right; it is no longer a luxury. Although we are not able as the Government to provide housing, we are at least providing guidelines. We are providing wananchi with the know-how on how to develop fabricated material that are within the reach of mwananchi cost-wise in order for them to provide themselves with good housing. I want hon. Members to tell wananchi, from where they come from, that we have one major parastatal in the Ministry; the National Housing Corporation. The National Housing Corporation was intended to help and provide housing for low income and middle income working class in this country. Unfortunately, those who have been advanced loans, particularly the local authorities, have failed to repay their mortgage loans. I would appeal to hon. Members and the Ministry of Local Government to assist us because the outstanding debt as of now is well over Kshs1 billion. We are going to enable NHC to do its work only if those have been advanced loans repay. Then if they do not, we are thinking of acquiring their properties and selling them in order to regain the money which has been given out.

On Government buildings, let me say that we have a lot of public buildings which we also try to maintain. The newer ones are better maintained because they are new, the older ones take a little more money to maintain. The hon. Lwali-Oyondi just hit me with something to the effect that public works premises in Nakuru had been grabbed by somebody. That is news to me, but I do not think that Government property should be grabbed like that without following the normal, legal and acceptable procedures.

Mr. Temporary Deputy, Speaker, Sir, I want to thank all the hon. Members for being very co-operative and I know they will assist me by passing this Motion and with these few remarks, I want to say again I beg to move. Thank you.

*(Question put and agreed to)*

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

#### IN THE COMMITTEE

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

Vote 13 - Ministry of Public Works and Housing

**The Minister for Public Works and Housing** (Prof. Ng'eno): Mr. Temporary Deputy Chairman, Sir, I beg to move:-

THAT a sum not exceeding K£136,107,650 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 1996 in respect of:-

Vote 13 - The Ministry of Public Works and Housing

*(Question proposed)*

**The Temporary Deputy Chairman** (Mr. Ndotto): For the information of hon. Members, we are going to start with Recurrent Expenditure; Volume 1.

VOTE R13 - RECURRENT EXPENDITURE

SUB-VOTE 130 - GENERAL ADMINISTRATION AND PLANNING

*Head 380 - Headquarters Administration Services*

**Dr. Lwali-Oyondi:** Mr. Temporary Deputy Chairman, Sir, could the Minister explain to us Item No.050, why the House Allowances have jumped from K£36,000 to K£332,000?

**The Temporary Deputy Chairman** (Mr. Ndotto): Mr. Minister please could you respond?

**The Minister for Public Works and Housing** (Prof. Ng'eno): Mr. Temporary Deputy Chairman, Sir, what I see here is Item 050-House Allowance.

**The Temporary Deputy Chairman** (Mr. Ndotto): Under Item 050 - House Allowance, the hon. Member wants to know why there is such a big difference between this year's allocation and last year's allocation.

**The Minister for Public Works and Housing** (Prof. Ng'eno): Mr. Temporary Deputy Chairman, Sir, but it is not a big difference because last year's allocation was K£627,000---

**The Temporary Deputy Chairman** (Mr. Ndotto): No! Mr. Minister, we are on Head 380, Item 050.

**The Minister for Public Works and Housing** (Prof. Ng'eno): Mr. Temporary Deputy Chairman Sir, I can only explain that by saying it is because of--

**The Temporary Deputy Chairman** (Mr. Ndotto): Find out the correct answer from your Ministerial representatives!

**The Minister for Public Works and Housing** (Prof. Ng'eno): Mr. Temporary Deputy Chairman, Sir, let me find out the correct answer.

*(The Minister consulted with  
his Ministerial representatives)*

Mr. Temporary Deputy Chairman, Sir, I think I have got the correct answer. I am informed that, through the new regulation where people have been given increases in house allowances and a new category of people, married women for instance, have now been given house allowance which has made it jump from the previous year's figure to this year's figure.

**Dr. Lwali-Oyondi:** Mr. Temporary Deputy Chairman, Sir, could the Minister explain exactly why this has only happened at the Headquarters? Why is it that only at the Headquarters that jump has been so? Secondly, could it be because the houses that the officers used to live in have been sold and, therefore, the officers have to look for new places?

**The Minister for Public Works and Housing** (Prof. Ng'eno): That could be, Mr. Temporary Deputy Chairman, Sir. I have really no way of knowing but I know that the house allowances have been increased and married women have been brought in to benefit from house allowances. There could also be that element you are mentioning but that is the way it is.

**The Temporary Deputy Chairman** (Mr. Ndotto): Hon. Obwocha you have something to say?

**Mr. Obwocha:** Yes, Mr. Temporary Deputy Chairman, Sir. I have actually two questions on Head 380, Item 198 - Compensation and Ex-Gratia. They are requesting for K£450,000. Which compensation is this and yet there is the Civil Service programme that has been put into effect by the Government? Question number two is on Head 381 - Item 200 and Head 382 - Item 200 - Replacement of Motor Vehicles.

Mr. Temporary Deputy Chairman, Sir, under normal accounting procedures, when you replace motor vehicles this is never recurrent. Motor vehicles and purchase of equipment is a capital expenditure, why has it been brought into the Recurrent Expenditure?

**The Temporary Deputy Chairman** (Mr. Ndotto): Mr. Minister, have you got the questions?

**The Minister for Public Works and Housing** (Prof. Ng'eno): Mr. Temporary Deputy Chairman, Sir, the

first question, I am told this is for Ex-Gratia payments and medical expenses of officers. But the figures are coming down rather than going up. So, I think the hon. Member should be happy that the expenditure is coming down.

**Mr. Obwocha:** On a point of order Mr. Temporary Deputy Chairman, Sir. That is not my question. My question to the Minister is, what kind of compensation is this? What are they being compensated for?

**The Minister for Public Works and Housing** (Prof. Ng'eno): Mr. Temporary Deputy Chairman, Sir, these are Ex-Gratia and medical expenses.

**The Temporary Deputy Chairman** (Mr. Ndotto): Could you go to the next question?

**The Minister for Public Works and Housing** (Prof. Ng'eno): Mr. Temporary Deputy Chairman, Sir, on purchases and Replacement of Motor Vehicles, I am told purchase of Motor Vehicles comes under Recurrent Expenditure.

**The Temporary Deputy Chairman** (Mr. Ndotto): Mr. Minister, I think you have dealt with that one. The purchase of motor vehicles is either purchase or replacement, in Government procedures this falls under Recurrent Expenditure.

**Dr. Lwali-Oyondi:** On a point of order Mr. Temporary Deputy Chairman, Sir.

**The Temporary Deputy Chairman** (Mr. Ndotto): Dr. Lwali-Oyondi, we have to move on!

**Dr. Lwali-Oyondi:** Mr. Temporary Deputy Chairman, Sir, I wanted to ask about the Ex-Gratia and medical expenses that he was talking about. Why is it that we have medical expenses specifically put under Items 192 and 193? Why can it not be put together?

**The Minister for Public Works and Housing** (Prof. Ng'eno): Mr. Temporary Deputy Chairman, Sir, what page?

**Dr. Lwali-Oyondi:** Mr. Temporary Deputy Chairman, Sir, under Head 380 - Item 092 we also have medical expenses.

**The Temporary Deputy Chairman** (Mr. Ndotto): Order, Dr. Lwali-Oyondi! These are two different issues. This one relates to medical expenses where you go and get treatment and maybe you are refunded your money but ex-gratia is, maybe, when you are going outside for treatment.

**Mr. Obwocha:** Mr. Temporary Chairman, I had requested the Minister to tell us about compensation and ex-gratia which is under Item No.198. You can see it on page 380 and the medical allowance has been provided elsewhere under Head 065. So, it cannot be medical. Compensation must be for a certain specific Item. Ex-gratia is understood.

**The Minister for Public Works and Housing** (Prof. Ng'eno): Mr. Temporary Chairman Sir, I have got the thing clear.

On the first one, this is refund of medical expenses; out-patient refund of medical expenses, in-patient and ex-gratia. This refers to when a worker spends more than he is allowed and the other one is when somebody has had an accident.

*(Heads 380, 381, 382, 419 agreed to)*

*(Sub-Vote 130 agreed to)*

#### SUB-VOTE 132 - BUILDINGS AND WORKS

**Dr. Lwali-Oyondi:** Mr. Temporary Chairman, I wish to ask the Minister about Head 400 Item No.130 - Official Entertainment, which is now recurring in most places but was not there last year. Could you explain why they have seen it fit that now they are to entertain some---

**The Temporary Deputy Chairman** (Mr. Ndotto): I am not with you Dr. Lwali-Oyondi! Where are you now?

**Dr. Lwali-Oyondi:** I am on page 665 Head 400 Item 130 - Official Entertainment. That is just an example and it is Item 130 all over.

If you open the pages all over, you find "Official Entertainment" which has not been appearing in the previous years. Why is it that the Minister has seen it fit that he begins entertaining people right now when we have no money?

**The Minister for Public Works and Housing** (Prof. Ng'eno): This K£500 is a small amount which is provided for people like the Chief Architect when they meet with other professionals from outside; they should be able to take them for

lunch because there is some benefit from that kind of contact.

*(Heads 400, 401, 402, 409, 413 agreed to)*

*(Sub-Vote 132 agreed to)*

SUB-VOTE 133 - OTHER SERVICES

**Mr. Obwocha:** Mr. Temporary Deputy Chairman Sir, on Head 418, Item 181, Payments of Rents and Rates, Residential, K£18 million, that figure that they are requesting for is the same as last year. Does it mean that in these houses that have been hired by the Government, there is no increase in rents?

**The Temporary Deputy Chairman** (Mr. Ndotto): But I thought Mr. Obwocha, you should be happy that there is no increase. What is your question? Maybe the Minister would like to clarify.

**Mr. Obwocha:** This is because those of us who have given the Government these houses are requesting for rent increase every time. So, we want to know the position because some of these rents we are charging are covered by contracts we entered into in 1985.

**The Minister for Public Works and Housing** (Prof. Ng'eno): Sometimes to increase the rent is a little bit difficult. Therefore, it simply means that the rents this year are the same as last year. If the owners of property succeed in convincing the Rent Tribunal to increase, then that should be reflected in the following year.

*(Heads 399, 418, 505, 506 and 507 agreed to)*

*(Sub-Vote 133 agreed to)*

SUB-VOTE 134 - HOUSING DEVELOPMENT

*(Heads 411, 416 and 423 agreed to)*

*(Sub-Vote 134 agreed to)*

SUB-VOTE 136 - ROADS

*(Heads 384, 385, 386, 387, 391,  
392, 482 and 483 agreed to)*

*(Sub-Vote 136 agreed to)*

*(Vote R13 agreed to)*

**VOTE D13 - DEVELOPMENT EXPENDITURE**

SUB-VOTE 130 - GENERAL ADMINISTRATION AND PLANNING

*(Head 419 agreed to)*

*(Sub-Vote 130 agreed to)*

SUB-VOTE 132 - BUILDINGS AND WORKS

Head 400 - Architectural Department

**Dr. Kituyi:** Could the hon. Minister explain to this House why Item 395 exists for renovation of KICC when KANU is supposed to have grabbed that one?

**The Temporary Deputy Chairman** (Mr. Ndotto): Which Head are you on?

**Dr. Kituyi:** Head 400, Item 395. Why have you been renovating a building that has been appropriated by KANU?

**The Temporary Deputy Chairman** (Mr. Ndotto): Mr. Minister, you do not need to answer that. There is

no allocation for this year for that item and, therefore---

**Dr. Kituyi:** Mr. Temporary Deputy Chairman, Sir, once in an immediate past financial year, we have allocated money for the renovation of a building that is commercial offices. The Minister has to justify why we have no Appropriations-in-Aid as income from leasing out that building.

**The Temporary Deputy Chairman** (Mr. Ndotto): I have two things to say about that one, Dr. Kituyi. First, the matter is before the court and, therefore, we cannot discuss it.

Secondly, there is no allocation during this financial year and we are talking of 1995/96 financial year, not 1994. This question you are posing should have been very appropriate during the last year's discussion.

**Dr. Otieno-Kopiyo:** Mr. Temporary Deputy Chairman, Sir, precisely because in this book it was allocated for last year! We want to know, if it is a legitimate expenditure of Government, why it is excluded this year. That is a legitimate question and I do not think we should be denied the opportunity to know...

**The Temporary Deputy Chairman** (Mr. Ndotto): Dr. Otieno-Kopiyo, I have already ruled that this question is not necessary. Have you got something else to say on that question Prof. Ng'eno?

**Dr. Otieno-Kopiyo:** You cannot do that to us in this House! I am a Member of Parliament and I want to know what exactly happened!

**The Minister for Public Works and Housing** (Prof. Ng'eno): Mr. Temporary Deputy Chairman, my answer is that Parliament approved this expenditure last year. We did not ask for this amount this year. So what is the problem?

**Dr. Kituyi:** In spite of what the hon. Minister has said, I was very specific, that since the Minister was so glad to present this Vote before the House last year, and paid for renovation of KICC---. I know that KICC has rental offices. Where in your budget do you have Appropriation-in-Aid from those rental offices?

**The Minister for Public Works and Housing** (Prof. Ng'eno): Mr. Temporary Deputy Chairman, Sir, that question should have arisen last year, because this year there is no expenditure.

**Mr. Obwocha:** Mr. Temporary Deputy Chairman, Sir, could the Minister tell us, under Sub-Vote 402 Structural Department, Item 431 Lamu Sea Wall, why they requested for K£75,000 last year and this year he is now asking for K£1.5 million? What is this sea wall for in Lamu?

**The Minister for Public Works and Housing** (Prof. Ng'eno): Mr. Temporary Deputy Chairman, Sir, at the coast of Lamu, water keeps chipping in and digging a huge hole and we are required to construct something like a gabion and wall. The damage is so extensive that if we were to avoid it, we need that kind of money. We have to save it because it is of great environmental concern.

**Dr. Otieno-Kopiyo:** Mr. Temporary Deputy Chairman, Sir, under Item 411, Upgrading of Estates, (Nairobi), they require K£50,000. As far as we know, Government houses have been sold after being condemned. Which ones are being upgraded or going to be upgraded by using K£50,000? Then further down, under Item 404, ASK Show Stands Nairobi, they are asking for K£32,000. What is the Ministry of Public Works and Housing doing with the ASK show stands? That is the responsibility of the Ministry of Agriculture Livestock Development and Marketing.

**The Temporary Deputy Chairman** (Mr. Ndotto): No! No! Mr. Minister, we are on page 508, Head 400 - Architectural Department, Item 411 - Upgrading of Estates in Nairobi.

**Dr. Otieno-Kopiyo:** May I ask a question, Mr. Temporary Deputy Chairman?

**The Temporary Deputy Chairman** (Mr. Ndotto): No, I think, we have got it. Hon. Minister have you got the answer now?

**The Minister for Public Works and Housing** (Prof. Ng'eno): The answer, Mr. Temporary Deputy Chairman, Sir, is that this is the first rehabilitation of staff houses and also of our stand at the show ground.

**Mr. Obwocha:** Mr. Temporary Deputy Chairman, Sir, are we on Item 442?

**The Temporary Deputy Chairman** (Mr. Ndotto): Not yet.

**Dr. Kituyi:** Mr. Temporary Deputy Chairman, Sir, just below the item that was raised by hon. Otieno-Kopiyo, Item 412 - Renovations of MOW Sports Club, since we all know that the Ministry of Public Works and Housing is not an exclusive civil servants club that membership is by monetary subscription, what right does the Minister have to keep asking us for Kshs2 million every year to renovate that club? Both last year and this year, you are asking for Kshs2 million for that.

**The Minister for Public Works and Housing** (Prof. Ng'eno): Mr. Temporary Deputy Chairman, Sir, I am informed that actually this property is a Government property and, therefore, the Government has to maintain it, although it is giving the impression that it is a sports club itself. But it is a property of the Government and the Government employs youth.

**Dr. Kituyi:** I do not know, Mr. Temporary Deputy Chairman, Sir, I have been a member of this MOW Sports Club before and I have never in my life been a civil servant. The thing is that we maintain that club because of a subscription. Why, in addition to subscription by members, do you come to ask us to appropriate taxpayers' money to

maintain the sports club just because it was started by the Government?

**The Minister for Public Works and Housing** (Prof. Ng'eno): Mr. Temporary Deputy Chairman, Sir, there are a lot of Government buildings that we must maintain. This is a Government building. These are low rates because the staff are charged low rates which would not be able to maintain the buildings. So, the shortfall is what we are asking for.

*(Heads 400, 402, 406, 409,  
412, and 413, agreed to)*

*(Sub-Vote 132 agreed to)*

#### SUB-VOTE 133 - OTHER SERVICES

#### HEAD 404 - PLANNING AND RESEARCH

**Mr. Obwocha:** Mr. Temporary Deputy Chairman, Sir, under Head 404, Planning and Research, Item 305 - Slum Rehabilitation(Mathare) -

Mr. Temporary Deputy Chairman, Sir, last year they requested for K£5 million, and this year, they are asking for K£8 million. How far has this project gone and which parts of Mathare are being rehabilitated?

**The Minister for Public Works and Housing** (Prof. Ng'eno): Mr. Chairman, with K£5 million we have finished the first phase. We are now going to the second phase. This is the second phase of the building of low-cost houses in Mathare in order to eliminate the slum.

**Mr. Obwocha:** What is the name of the estate?

**The Temporary Deputy Chairman** (Mr. Ndotto): Order! Order! Hon. Obwocha you are addressing the Minister directly which is not correct. Proceed.

**Mr. Obwocha:** I wish to address the Chair. Now, Mr. Minister could you tell the House which estate is this in Mathare because we know Huruma Estate which is already complete? Which estate is this in Mathare you are rehabilitating? It is not building, it is rehabilitation.

**The Minister for Public Works and Housing** (Prof. Ng'eno): You know Mr. Temporary Deputy Chairman, Sir, the hon. Member is a Kenyan and he has been to Mathare and the slum there has no name. What we are doing is that we are removing slums, cardboards and so on and building low-cost better quality houses for wananchi there.

**The Temporary Deputy Chairman** (Mr. Ndotto): Okay Mr. Minister, that is quite satisfactory.

**Dr. Otieno-Kopiyo:** The expression here in English is quite categorical "slum rehabilitation" not building of new houses. It is written here "Slum rehabilitation Mathare". What are you rehabilitating in a slum?

**The Temporary Deputy Chairman** (Mr. Ndotto): Mr. Minister, I think this is a simple question. Are you putting up new houses or you are rehabilitating old houses in Mathare?

**The Minister for Public Works and Housing** (Prof. Ng'eno): We are putting up new houses at low cost.

**Dr. Lwali-Oyondi:** Mr. Temporary Deputy Chairman, Sir, Mathare is fairly big and Mathare Constituency is fairly big. Could the Minister name the exact place because every place has got a name so that we can go and look--

**The Minister for Public Works and Housing** (Prof. Ng'eno): All I know is that Mathare is Mathare as you go through Eastleigh; that all area there is Mathare and this where the works are taking place.

**Dr. Lwali-Oyondi:** If the Government has to built something, it must be building it in a particular sub-location of Mathare. What name does he give on the Board of the Ministry of Public Works and Housing and where is it so that we can go and see it?

**The Minister for Public Works and Housing** (Prof. Ng'eno): Mr. Temporary Deputy Chairman, the information I have is that the Member for Mathare is in the Steering Committee of this rehabilitation. If the Member wants to know exactly where it is, if it very important to know whether it is here or there, the Member for the area can show him.

**Dr. Kituyi:** Mr. Temporary Deputy Chairman Sir, a Minister of Government coming to this House to seek Parliamentary approval for a programme to continue should know what programme it is and where it is located. It is not good enough and come before this House and tell us that the hon. Member of Parliament knows where it is. He should have been the one to bring it here if it was to be the knowledge of the Member of Mathare. Could you tell us whether it is in Korogocho or it is towards Kisumu Ndogo?. What place in Mathare? You do not seem to know what Mathare is?

**The Minister for Public Works and Housing** (Prof. Ng'eno): Mr. Temporary Deputy Chairman, Sir, I know what Mathare is! I think that is playing with little-- Is the Member saying that what I am talking about does not exist? Is that the point?

**The Temporary Deputy Chairman** (Mr. Ndotto): Order! Order! Hon. Members we have to move since I do not have much time.

**Dr. Otieno-Kopiyo:** Mr. Temporary Deputy Chairman, Sir, I have two issues. One is I take great exception to the allusion that when we are questioning the Minister about Kshs160 million we are trying to play with small things. I do not think Kshs160 million is small. I think he should better do his research and if he does not know it, then he should tell us the same. What is Item number 306 Loan payments to HFCK to Kibera Highrise flats? Under Slum Rehabilitation there is Item 306 the one right next to it-K£750,000.

**The Minister for Public Works and Housing** (Prof. Ng'eno): Mr. Temporary Deputy Chairman, Sir, first of all on the Mathare issue if it is of great interest to the Member. The area is called Mathare 4A. So you go and check but it will still be where it is whether you know it is Mathare or 4A or 4B.

With regard to the figure Dr. Otieno-Kopiyo is asking about that is that money to go towards the cost of building what we now call Nyayo Highrise Estate in Kibera.

**The Temporary Deputy Chairman** (Mr. Ndotto): Dr. Otieno-Kopiyo, this is straightforward. I think the Government passed some of these developments for civil servants.

**Dr. Otieno-Kopiyo:** On a point of order, Mr. Temporary Deputy Chairman, Sir.

**The Temporary Deputy Chairman** (Mr. Ndotto): Order, Dr. Otieno-Kopiyo! I do not have much time left.

**Dr. Kituyi:** Mr. Temporary Deputy Chairman, Sir, we have a lot of matter to cover and I wish you knew that I am serious!

While I associate myself with disapproval of the reasons as to why the money is to be appropriated for loan repayment on the Kibera High Rise flats, I just want to raise a totally different matter.

Mr. Temporary Deputy Chairman, Sir, on page 510, Under Head 405, Item 523-Loans for Tenant-Purchase Housing - what kind of programme is this low velocity disbursement of money for tenants purchase houses because few units in the country that can be bought by K£700,000? Could the Minister explain this? What kind of tenant purchase housing scheme are you financing and who gives your Ministry the mandate to be the one to finance tenant-purchase housing?

**The Minister for Public Works and Housing** (Prof. Ng'eno): Mr. Temporary Deputy Chairman, Sir, first of all, I want to say with regard to the previous question, that the Government has purchased the Kibera High Rise Estate to be sold to the mainly low income people. We loan, through National Housing Corporation, money for the development of housing for low income people.

**Dr. Kituyi:** Mr. Temporary Deputy Chairman, Sir, I want to pursue my question!

**The Temporary Deputy Chairman** (Mr. Ndotto): Dr. Kituyi, I do not have time now! Are you serious with that question?

**Dr. Kituyi:** Mr. Temporary Deputy Chairman, Sir, I am serious with the question I want to raise.

*(Dr. Kituyi remained standing while  
the Temporary Deputy Chairman was on his feet)*

Order! You are standing when I am addressing you!

*(Heads 417, 399, 404, 405, 410, 505,  
506 and 507 agreed to)*

*(Sub-Vote 133 and 136 agreed to)*

#### *Head 385 - Other Roads*

**Mr. Obwocha:** Mr. Temporary Deputy Chairman, Sir, I wish to ask a question on Head 385 - Other Roads, Item 451 Kisii-Chemosit Road (C21) - K£200,000.

Now, this House passed a Motion to complete this Road from Chemosit-Nyamira-Kisii and incidently this road has not even been completed to the Minister's constituency because it passes through Buret. There is even a bridge called Kipsonoi Bridge which is---

**An hon. Member:** What is your question?

**Mr. Obwocha:** Mr. Temporary Deputy Chairman, Sir, I am framing the question. If you have something address the Chair.

There is even a bridge in his own constituency which is supposed to be repaired. Now, that bridge is going to be another "Ngai Ndeithya". This money is not even enough to repair the bridge, leave alone the road. Now, how much money has the Minister set aside for this road other than this K£200,000 million which is just a provision?

**The Minister for Public Works and Housing** (Prof. Ng'eno): Mr. Temporary Deputy Chairman, Sir, I am

fully aware and interested, in fact, in these roads as the Member is also. The money provided for here is just a token. We have agreed and got the authority from the Ministry of Finance, that as money becomes available, they will give us authority to ask the contractor to proceed with the building of the bridge and the completion of the road to Kisii. The money that we are looking for to complete that road is Kshs200 million, but here, what is reflected is only Kshs4 million.

**Dr. Kituyi:** Arising from the Minister's reply just now, do I understand the Minister to be suggesting that while he is still chasing some monies, we are passing a Vote here, that is just "a holding arrangement", and then he will arrange to disburse other monies for other roads which are not reflected in this Vote now?

**The Minister for Public Works and Housing** (Prof. Ng'eno): Mr. Temporary Deputy Chairman, Sir we are doing what we have normally done in this august House over many years. This is not a new practice.

**Dr. Otieno-Kopiyo:** Mr. Temporary Deputy Chairman, Sir, under Item 453, Ahero-Kisii, an allocation of K£5.6 million, is the Minister aware that this road, parts of it Ahero-Kisii item 453, page 511---

Is the Minister informed that in spite of what we got last year, K£2.2 million, the parts of the road between Ahero and Sondu which has already been constructed is already breaking up? Are you throwing good money after bad money?

**The Minister for Public Works and Housing** (Prof. Ng'eno): Mr. Temporary Deputy Chairman, Sir I know the work is moving slowly, but I am not aware that the part that has been done is already breaking down. I am not aware, I will be visiting the place sometime soon.

**Mr. Munyasia:** Thank you, Mr. Temporary Deputy Chairman, Sir. Head 385, Items 485 and 486---. Item 485 is, Busia-Mumias Road and it is allocated K£3 million. Item 486 says, "Mumias-Busia Road, K£5 million". I wanted to find out whether this is a dual-carriageway or what kind of road is this; Busia-Mumias and Mumias-Busia?

**The Minister for Public Works and Housing** (Prof. Ng'eno): What is happening Mr. Temporary Deputy Chairman, Sir is that the road is being started from both ends and that is why it is "Mumias-Busia and Busia-Mumias".

*(Laughter)*

**The Temporary Deputy Chairman** (Mr. Ndotto): Order! Everybody sit down! Dr. Lwali-Oyondi, last question!

**Dr. Lwali-Oyondi:** Mr. Temporary Deputy Chairman, Sir while I have got my own question, I would like to pursue Mr. Munyasia's question, in that, how can a road being built from both ends be allocated different amounts? Why do you not sum it up? We do not care whether you begin from the middle or from the sides.

**The Temporary Deputy Chairman** (Mr. Ndotto): Order! Dr. Lwali-Oyondi, this was explained, the matter is here. He explained what he is doing, whether you agree or you do not agree, that is not the issue here. Order! Last chance to Dr. Otieno-Kopiyo!

#### SUB-VOTE 136 - ROADS

##### *Head 385 - Other Roads*

**Dr. Otieno-Kopiyo:** Mr. Temporary Deputy Chairman, Sir, thank you for throwing out Dr. Lwali-Oyondi in my place. I would like to raise an issue in relation to Items 456 and 457, on page 512. Is Rodi-Kopany-Karungu Bay a dual carriageway? Last year, you had one allocation but this year, you have two allocations. You have allocated Items 456 and 457, K£5 million and K£3.2 million, respectively, and they both refer to Rodi-Kopany-Karungu Bay.

**The Minister for Public Works and Housing** (Prof. Ng'eno): Mr. Temporary Deputy Chairman, Sir, one portion of the funding of this Rodi-Kopany-Karungu Bay Road is from the Government of Kenya and another portion is from the African Development Bank (ADB). So, both have to be reflected in the Estimates.

**Mr. Obwocha:** Mr. Temporary Deputy Chairman, Sir Head 384 refers to "Major Roads". Head 385 refers to "Other Roads". Now, in this House, we passed the Fuel Levy Fund and money is being collected from this levy. That money should be reflected in these Estimates as Appropriations-in-Aid. Where is that money?

**The Minister for Public Works and Housing** (Prof. Ng'eno): It is there on page 512. It has been shown as total Appropriations-in-Aid, K£59 million, under Major Roads and for this year, it is K£111 million.

**Mr. Obwocha:** On a point of order, Mr. Temporary Deputy Chairman Sir. That is really misleading this House because, if you read what is on that page 512, the money is from EEC, EEDF, Italy and the Federal Republic of Germany. That is not from the Fuel Levy. I am asking about Appropriations-in-Aid from the Fuel Levy Fund.

**The Minister for Public Works and Housing** (Prof. Ng'eno): That one is the Re-current Expenditure.

**The Temporary Deputy Chairman** (Mr. Ndotto): Order! Both of you cannot be on your feet at the same time! Mr. Minister, you have to wait until Mr. Obwocha finishes, and then you can stand up to answer his question.

**Mr. Obwocha:** Very good, Mr. Temporary Deputy Chairman Sir. You are now in control! If this Item is



in the Recurrent Expenditure, the Minister should just refer us there and tell us where it is. Where is that Appropriations-in-Aid from the Fuel Levy?

**The Minister for Public Works and Housing** (Prof. Ng'eno): It is on page 675 of the Recurrent Expenditure and it is shown below Gross Expenditure. Appropriations-in-Aid for this year is shown as K£95 million.

**The Temporary Deputy Chairman** (Mr. Ndotto): Dr. Lwali-Oyondi, you have not yet asked your question. Can you do so now?

**Dr. Lwali-Oyondi:** Thank you very much, Mr. Temporary Deputy Chairman, Sir. I would like to turn to page 513, Head 385, Item 483: Enjinja-Butula Road. That road is being looked after wholly by Mumias Sugar Company which is doing a very good job.

Mr. Temporary Deputy Chairman, Sir, I was wondering why we have to expend some K£35,000 on it when the Mumias Sugar Company is doing a very good job on all the roads around Mumias and there is nothing at all that the Ministry of Public Works and Housing is doing.

**The Minister for Public Works and Housing** (Prof. Ng'eno): Mr. Temporary Deputy Chairman, Sir this is not being looked after by the Sugar Company as the Member is suggesting. It is a classified road, looked after by the Ministry of Public Works and Housing.

**Dr. Kituyi:** Mr. Temporary Deputy Chairman, Sir, under Head 385 on page 512 and on page 513, you have two identical entries. Item 461 is a general statement; Improvement of Roads. Item 497 on the next page is also general statement; Improvement of Roads. What are these roads and why is it repeated?

**The Minister for Public Works and Housing** (Prof. Ng'eno): Mr. Temporary Deputy Chairman, Sir, they say that one refers to miscellaneous roads which are not specified.

**An hon. Member:** Who are those who "say"?

**The Minister for Public Works and Housing** (Prof. Ng'eno): They are my engineers!

**The Temporary Deputy Chairman** (Mr. Ndotto): Order, Mr. Minister! Say it loudly so that we can all hear it! Continue, please!

**The Minister for Public Works and Housing** (Prof. Ng'eno): Mr. Temporary Deputy Chairman, Sir, these are roads which are not specified. But just wait; let me find out.

*(Hon. Ng'eno went to the Civil Servants Bench  
to consult with his officers)*

**The Temporary Deputy Chairman** (Mr. Ndotto): Dr. Kituyi, could you ask the question again so as to assist them? I think the Minister is taking too long!

**Dr. Kituyi:** Mr. Temporary Deputy Chairman, Sir, just in case the Minister has not been able to concentrate properly---

**The Temporary Deputy Chairman** (Mr. Ndotto): No, Dr. Kituyi, that is not the issue. I am asking you to repeat your question.

**Dr. Kituyi:** Mr. Temporary Deputy Chairman, Sir, I referred to Head 385 - Other Roads - where you have Item 461 - Improvement of Roads. We suppose that all these Items are about improvement of roads and so we do not know why this general Item has been included. But if you go to the next page of the Estimates, under the same Head, you have Item 497, which is also on improvement of roads. If the Item is general and miscellaneous why did it have double entry?

**The Minister for Public Works and Housing** (Prof. Ng'eno): Mr. Temporary Deputy Chairman, Sir, I did not read the books but I am told that these Items cover roads in certain districts and these other two Items cover roads in certain other districts.

**Dr. Lwali-Oyondi:** On a point of order, Mr. Temporary Deputy Chairman, Sir.

**The Temporary Deputy Chairman** (Mr. Ndotto): No, overruled!

*(Heads 384, 385, 386, 482,  
488, and 489 agreed to)*

*(Sub-Vote 136 agreed to)*

*(Vote D13 agreed to)*

*(Question put and agreed to)*

*(Resolution to be reported without amendment)*

*(The House resumed)*

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

### REPORT

Vote 13 - Ministry of Public Works and Housing

**Mr. Ndotto:** Mr. Temporary Deputy Speaker, Sir, I am directed to report that the Committee of Supply has considered the Resolution that a sum not exceeding K£136,107,650 be issued from the Consolidated Fund to complete the sum necessary to meet expenditure during the year ending 30th June, 1996 in respect of Vote 13 - Ministry of **[Mr. Ndotto]**

Public Works and Housing, and has approved the same without amendment.

**The Minister for Public Works and Housing** (Prof. Ng'eno): Mr. Temporary Deputy Speaker, Sir, I beg to move that the House doth agree with the Committee in the said Resolution.

**The Minister for Labour and Manpower Development** (Mr. Masinde): seconded.

*(Question proposed)*

*(Question put and agreed to)*

### ADJOURNMENT

**The Temporary Deputy Speaker** (Mr. Wetangula): Hon. Members, it is now time for interruption of business and the House stands adjourned until tomorrow the 12th of October, 1995 at 2.30 p.m.

The House rose at 6.30 p.m.