

# NATIONAL ASSEMBLY

## OFFICIAL REPORT

Thursday, 29th June, 1995

The House met at 2.30 pm.

*[Mr. Speaker in the Chair]*

## PRAYER

## PAPERS LAID

The following Papers were laid on the Table of the House:-

Annual Report and Accounts of the Investment Promotion Centre for the year ended 30.6.94 and the Certificate thereon by the Auditor-General (Corporations)

*(By the Assistant Minister for Tourism and Wildlife (Mr. Kisiero) on behalf of the Minister for Finance)*

Annual Report and Accounts of the National Housing Corporation for the year ended 30.6.93 and the Certificate thereon by the Auditor-General (Corporations)

*(By the Assistant Minister for Tourism and Wildlife (Mr. Kisiero) on behalf of the Minister for Public Works and Housing)*

Annual Report and Accounts of the Bomas of Kenya for the year ended 30.6.94 and the Certificate thereon by the Auditor-General (Corporations)

Annual Report and Accounts of the Kenya Utalii College for the year ended 30.6.94 and the Certificate thereon by the Auditor-General (Corporations)

Annual Report and Accounts Report and Accounts of the KTDC, Utalii Investments, for the year ended 30.6.94 and the certificate thereon by the Auditor-General (Corporations)

*(By the Assistant Minister (Mr. Kisiero) on behalf of the Minister for Tourism and Wildlife)*

## ORAL ANSWERS TO QUESTIONS

*Question No.103*

### ARREST OF PASTOR KAMAU

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

- (a) whether he is aware that on 15.10.93, the Assistant Chief of Bondeni in Nakuru Town, a Mr. Elijah Odinda, arrested Pastor Robinson Kamau and physically beat him up; and
- (b) if the answer to (a) above is in the affirmative, what action he will take against this Assistant Chief.

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

- (a) Pastor Robinson Kamau was not physically beaten up by the Assistant Chief for Bondeni but was arrested on 16.10.94 and charged for creating a disturbance likely to cause a breach of peace. The pastor pleaded

guilty to the charge and was fined Kshs700 by the Nakuru magistrate's court.

(b) Arising from the reply in (a) above this part of the Question does not arise.

**Dr. Lwali-Oyondi:** Mr. Speaker, Sir, arising from the Assistant Minister's reply may I inform him that the pastor was beaten up until he was unable to walk---

**Mr. Speaker:** Order, Dr. Lwali-Oyondi! When you bring a Question to the House you are only entitled, as of right, to put one question to the Minister. If you want to suggest something, put it in form of a suggestion and he can either accept or refuse to take it.

**Dr. Lwali-Oyondi:** Mr. Speaker, Sir, is the Assistant Minister aware that, that particular chief has been beating up many people within Nakuru municipality who do not bribe him?

**Mr. Awori:** Mr. Speaker, Sir, I am certainly not aware.

**The Assistant Minister for Health (Mr. Mutiso):** On a point of order, Mr. Speaker, Sir. There has been a very damaging allegation by the hon. Member. Could he substantiate that this chief has been beating people who do not bribe him? What evidence does he have?

**Dr. Lwali-Oyondi:** Mr. Speaker, Sir, I could substantiate because that was one of the people who was beaten up by the chief. Another one was a Mr. Muyaera who was also beaten up because he did not bribe the chief when he wanted to get a permit for a meeting of his company.

**Mr. Awori:** Mr. Speaker, Sir, the hon. Member has really no evidence at all. As I said that, that man was arrested for behaving in a manner that was prejudicial to peace. He pleaded guilty, was fined Kshs700 and happily paid.

**Prof. Mzee:** Mr. Speaker, Sir, beating up people and then arresting them on charges of causing a breach of peace is very common. Two hon. Members here, hon. Mak'Onyango and hon. Dr. Otieno-Kopiyo, were thoroughly beaten up by the police and even arrested. The system is such that if you do not plead guilty--- We know how the courts operate. So, will the Assistant Minister assure the House that these cases of beating people up and charging them with disturbing the peace do not arise any more.

**Mr. Awori:** Mr. Speaker, Sir, this House does not require my assurance on a matter that is completely untrue. Does hon. Mak'Onyango here show signs of having been beaten up?

**Mr. Mak'Onyango:** On a point of order, Mr. Speaker, Sir. Is the Assistant Minister in order to imply that we were not hurt. We were hurt and this is a matter which is before a court and he knows it.

**Mr. Speaker:** Order! This is my direction to all of you. Can you keep away from any matter that is pending before court, whether it is involving an hon. Member or any other person, for that matter.

**Mr. Nthenge:** Mr. Speaker, Sir, can the Assistant Minister take the matter seriously because only the courts of law have the right to punish people, but not the arresting people or anybody else in the Provincial Administration. You see, continuation of this practice can cause people to fight in the streets as if we were living in a primitive country.

**Mr. Awori:** Mr. Speaker, Sir, the man was charged in a court of law. It is the court of law that found him guilty on his own plea and it is the court of law that fined him Kshs700 which he paid.

**Dr. Otieno-Kopiyo:** Mr. Speaker, Sir, as a---

**Mr. Speaker:** Order! Order! we have given that Question more than its necessary time; ten minutes instead of five. Next question, Mr. Leshore.

#### *Question No.287*

#### PROVISION OF NYAYO BUSES

**Mr. Rotino,** on behalf of **Mr. Leshore,** asked the Minister of State, Office of the President, when Wamba and Waso Divisions of Samburu East Constituency will be provided with Nyayo buses in order to alleviate the transport problem in that area.

**The Assistant Minister, Office of the President (Mr. Awori):** Mr. Speaker, Sir, I beg to reply. Due to shortage of serviceable buses, the Nyayo Bus Corporation has no immediate plans to provide buses for the areas in question.

**Mr. Rotino:** Mr. Speaker, Sir, that answer is very unfortunate because Wamba and Waso Divisions are located in very difficult areas where people need to be provided with transport. I want to ask the Assistant Minister what the initial objectives of Nyayo Bus Corporation were?

**Mr. Awori:** Mr. Speaker, Sir, the initial objective of the Nyayo Bus Corporation was to help the wananchi who were not in a position to use the normal expensive buses or matatus. Secondly, they were supposed to go to areas which were inaccessible and where buses, that are owned by people who put profit before anything else do not

normally go to.

**Mr. Rotino:** Mr. Speaker, Sir, I think the Minister is making things even worse by saying that the buses are supposed to go to areas which are inaccessible. First of all, Wamba and Waso Divisions are accessible. The initial objective, as the Assistant Minister has said, was to provide transport facilities in areas where people had transport problems. Those people in Wamba and Waso Divisions have a problem of transport and the Assistant Minister cannot say that the area is accessible.

Mr. Speaker, Sir, let it be very clear that I want to ask the second question. In the Printed Estimates, there is money allocated to the Nyayo Bus Corporation. Could the Assistant Minister, therefore, promise this House that he is going to ensure that the Corporation provides buses in Waso and Wamba Divisions immediately?

**Mr. Awori:** Mr. Speaker, Sir, I cannot promise, but I can give an undertaking that, indeed, once funds are provided in the Printed Estimates, Wamba and other areas will seriously be considered. Let us make it very clear that it is not only Wamba Division that is inaccessible or where Nyayo buses do not operate; there are many places.

**Mr. Ndicho:** Mr. Speaker, Sir, the first answer the Assistant Minister gave was that there are no adequate Nyayo buses to take to these two divisions. Is the Assistant Minister aware that there were over 400 Nyayo buses and now only 57 are operational? The others have been vandalised and are lying at Ruaraka. Spare parts have been stolen. Could the Assistant Minister undertake to give additional funds to the Nyayo Bus Corporation, so that those buses could be repaired and taken to Wamba, Waso and other areas?

**Mr. Awori:** Mr. Speaker, Sir, that is the same question that hon. Rotino has just asked. I will simply repeat that those areas will be considered alongside other areas that require bus services.

**Mr. Mathenge:** Mr. Speaker, Sir, in these days of liberalization, could the Assistant Minister undertake to advise the local prominent businessmen in Wamba and Waso Divisions on how to raise money to purchase private buses instead of relying on the Nyayo Bus Corporation buses?

**Mr. Awori:** Mr. Speaker, Sir, if there are prominent businessmen there, I do not think I am even qualified to advise them. Probably they know better than I do.

**Mr. Speaker:** Very well, next question, Dr. Otieno-Kopiyo.

*Question No.273*

POLLUTION BY VEHICLES

**Dr. Otieno-Kopiyo** asked the Minister of State, Office of the President, what procedures existed for testing of exhaust emissions on motor vehicles using public roads.

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

Testing of exhaust emissions on motor vehicles using public roads is done by motor vehicle Inspectors at the Motor Vehicle Inspection Centre or along public roads by observing the level of smoke emitted by the vehicles at different engine speeds.

**Dr. Otieno-Kopiyo:** Mr. Speaker, Sir, arising from the reply by the Assistant Minister, could he confirm to the House that the current testing system is inadequate to check excess emission of carbon monoxide from vehicles? Sometimes, when one drives on the Kenyan roads, one tend to feel as if he is driving in dark rain clouds. How come that, that testing system exists and yet vehicles which emit excess carbon monoxide are allowed to travel along our roads?

**Mr. Sunkuli:** Mr. Speaker, Sir, I think the system of gauging excessiveness of smoke is not just detected in terms of machinery, but also in terms of the description of excess. The Traffic Act prohibits one from driving a motor vehicle that is producing excess smoke. However, it does not define how much excess smoke will be. I know that there is need for stationary and mobile smoke emission testing equipments to be used to determine the excessiveness of the smoke. My Ministry will utilize the money that has been voted this Financial Year, 1995/96, to ensure that there will be a machinery for testing excessive smoke. I leave it to the hon. Members in this House to consider amending the Traffic Act Cap.403 to ensure that the description of excessive emission of smoke is determined.

**Mr. Shikuku:** Mr. Speaker, Sir, arising from that reply, could the Assistant Minister tell the House when this machine will become operational and, in addition to that, does he know that one does not need the machine to see those huge lorries belching smoke to such extent that one cannot see on-coming vehicle because the exhaust pipes are on the right hand side instead of the left hand side? They just belch smoke, including GK lorries.

**Mr. Sunkuli:** Mr. Speaker, Sir, as I said, the machines will be purchased during this Financial Year. I would like to call upon the motorists in this country to ensure that their vehicles do not emit excess carbon dioxide or carbon monoxide. I agree with hon. Shikuku that quite a number of those motor vehicles have exhaust pipes on the

wrong side, and that some drivers are using motor vehicles which are not properly fitted with emission reduction equipment. Therefore, we hope that after we have put that machinery into operation will ensure that at least the level of smoke is reduced. However, as I said, it will still be upon those who are empowered to amend the law to ensure that the law is amended to include the description of the accepted carbon dioxide or carbon monoxide levels.

**Prof. Ouma:** Mr. Speaker, Sir, there are two sides to the story. There is the chemistry of the fuel and there is the mechanical condition of the vehicle. For example, one of the reasons why we have got very bad mist and fog between Kabete and Limuru, is because of the emission of smoke which causes smog. Could the Assistant Minister assure this House that he will take appropriate action on this matter. It is one thing to bring the machine and it is another to ensure that it does what is required. Could the Assistant Minister assure this House that his Ministry will ensure that we are going to remove defective vehicles from our roads and that we use the right quality of fuels to make sure that we do not have the wrong chemicals in the fuel which emit that smoke?

**Mr. Speaker:** But the chemistry of your question must also be correct!

**Mr. Rotino:** Mr. Speaker, Sir, it is not just the chemistry of his question, but also of his patience. What actually I was saying is that the moment we are able to know that a particular vehicle is emitting excessive carbon monoxide or carbon dioxide, we are able to address the question of "why" that is happening. Then we are able to address the chemistry of the fuel.

**Mr. Omino:** Mr. Speaker, Sir, all public service vehicles are subjected to a check by the Motor Vehicle Inspector, once every year. Now this is one of things he should be checking. So how come they check those vehicles every year and they continue committing the same offences?

**Mr. Rotino:** Mr. Speaker, Sir, we are addressing the situation of a motor vehicle that has been, perhaps, inspected and found to be unroadworthy on the grounds that it is emitting excessive carbon monoxide or carbon dioxide, and the user still insists on going on the road. Then we use this particular machinery to get some proof that he has committed an offence.

**Mr. Speaker:** Next Question, Bishop Kimani.

*Question No.207*

ATTACK OF CONSTABLE KIMANI

**Bishop Kimani** asked the Minister for Labour and Manpower Development:-

(a) whether he aware that administration Police Constable, Joel C. Kimani, P/No.207030, was injured while on duty on 21st June, 1991, at Mau Summit, Molo; and,

(b) if the answer to "a" above is in the affirmative, when Mr. Kimani will be compensated for the injury.

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

(a) Yes, I am aware.

(b) Mr. Kimani can collect his money from the Senior Resident Court, Nakuru, at his convenience.

**Bishop Kimani:** Mr. Speaker, Sir, arising from the answer given by the Minister, could he tell this House, how much is he supposed to collect?

**Mr. Speaker:** Order! Bishop Kimani, I have on several occasions ruled that if you have the interest of the beneficially at heart, it is not advisable to make public what somebody is entitled to get for obvious reasons.

**Bishop Kimani:** Mr. Speaker, Sir, it is my first time to hear of a civil servant getting money from a Resident Magistrate Court. Is he safe? Is that the procedure? I know magistrates are responsible for passing judgement and not paying money.

**Mr. Masinde:** Mr. Speaker, Sir, if the money is not safe in the Resident Magistrate's office, then I do not know where it can be more safer than that.

**Dr. Lwali-Oyondi:** Mr. Speaker, Sir, why has it taken all that time to pay the injured person? Why was he not given a letter to the effect that he should be actually paid?

**Mr. Masinde:** Mr. Speaker, Sir, I did not give "time" to anybody. The cheque has been lying with the resident magistrate for a long time. The hon. Member can find out if that is the case.

**Mr. G.I. Ndwiga:** Mr. Speaker, Sir, could the hon. Minister order the Resident Magistrate to forward that cheque to the employer, because we know that the Administration Police is not under the Judiciary? Why do they not forward the cheque directly to the employer so that the gentleman can go and collect his money there, instead of collecting his money from the resident magistrate's court?

**Mr. Masinde:** Mr. Speaker, Sir, resident magistrate's court is part of the Government machinery. For that

matter, I think the hon. Member is aware that payment compensation is handled by the Ministry of Labour and Manpower Development.

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

**Dr. Otieno-Kopiyo:** On a point of order, Mr. Speaker, Sir. Is it in order for the Minister to evade a very simple issue that is being raised. This is a fundamental issue involving administration! Why is the cheque for the constable who was injured on duty being paid through the resident magistrate's court? Is it normal or that is a new procedure?

**Mr. Masinde:** Mr. Speaker, Sir, the employee was not satisfied with the former assessment and took the case to court. For that reason, the payment had to be paid through the court.

**Bishop Kimani:** Mr. Speaker, Sir, the hon. Minister is misleading this House because the constable never went to the court. There is nowhere he went to court. I am wondering whether it was normal to take his money to the resident magistrate's court since he did not go to court? What is the case file number?

**Mr. Masinde:** Mr. Speaker, Sir, the hon. Member wanted to know when Mr. Kimani would be paid. I am telling the hon. Member to advise his constituent to go and get the money.

*(Several hon. Members stood up)*

**Mr. Speaker:** Order! Order! You all know that it is out of order for more than one hon. Member to be on the floor at the same time, unless you shout "On a point of order". If you want to ask the next Question, be patient and alert.

**Dr. Kituyi:** On a point of order, Mr. Speaker, Sir. Is the Deputy Leader of Government of Business in order to make a statement when replying to a Question, when he knows that it is a deliberate deviation from what is known to be true; that he has no basis to claim that there has been any litigation on the basis of information available to him right now?

**Mr. Masinde:** Mr. Speaker, Sir, the hon. Questioner wanted to know when his voter would be paid. I have told him that the money is available. Let him go to that place. It is still a Government office. The other alternative would have been my office in Nakuru. I am advising him where to find the cheque! That would be quite pleasing to his employer.

**Mr. Speaker:** We have to move to the next Question. The last one, Mr. Shikuku

**Mr. Shikuku:** On point of order, Mr. Speaker, Sir. According to Standing Order No.88(ii), it is out of order for the Minister to continue telling the House untruths. He said that the constable had taken the case to court. When he was asked a supplementary question by the Questioner, he did not give us the case file number. So, he misled the House. Is he in order to continue misleading and telling untruths in this House? Is it not time we invoked Standing Order No.88---

**Mr. Masinde:** Mr. Speaker, Sir, I have not misled the House. I have told the House what the situation is. Let the person concerned go and pick up his cheque. The case number is not involved here.

**Mr. Speaker:** Mr. Anyona's Question!

*Question No.225*

#### LAKE BASIN AUTHORITY'S PROJECTS

**Mr. Anyona** asked the Minister for Land Reclamation, Regional and Water Development:-

- (a) what projects the Lake Basin Development Authority (LBDA) has started and completed in Kitutu Masaba between 1990 and 1993;
- (b) what projects the Authority will undertake in Kitutu Masaba between 1994 and 1997; and,
- (c) what the total cost of these projects in "a" and "b" above is.

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

- (a) Projects started and completed by the LBDA in Kitutu Masaba between 1990 and 1993 are as follows:
  1. Ekerubo Shallow Well
  2. Bogwendo Shallow Well
  3. Emonga Women Group Well
  4. Gesima Chief's Camp Well
  5. Bokondo Shallow Well

6. Provision of fingerlings worth Kshs.4,000 to Makwerero Women Group

7. Provision of fingerlings on credit basis to a Mr. John Obwoye Nyanganya

(b) The LBDA has not been requested to undertake any project in Kitutu Masaba for the period 1994 to 1997. However, the Authority is open to any proposals based on the communities' needs. It will, in particular, continue to provide water points as well as technical and extension services including credit to small-scale fish farmers.

(c) The total cost of the various shallow wells and fingerlings so far provided is Kshs.750,000, and a further Kshs.6 million is earmarked for the implementation of similar projects in the future, should proposals be put forward.

**Mr. Anyona:** Mr. Speaker, Sir, before I ask my question, I would like the Assistant Minister to clarify what he means by "shallow wells". Why should all of them be shallow? There are three projects there, one of which has been left out deliberately, and I would like him to tell me where they are: Ekerubo Shallow Well - there are several places in Kitutu Masaba called Ekerubo. So, which one are you talking about? Then, there is a place called Bokondo Shallow Well. Where is that? Then there is Komongwa which he has left out. Where is it? We have never heard of those three wells.

**Mr. Ligale:** Mr. Speaker, Sir, a shallow well is one that is dug to assist the local community to draw water from it, as opposed to a deeper one where you use a rig to drill in order to get water. Those particular detailed names are from Kitutu Masaba. I can take the hon. Member there and show him where they are, but they are in his constituency.

**Dr. Kituyi:** Mr. Speaker, Sir, arising from the second part of the Assistant Minister's reply, could he explain to this House why the LBDA, which is a publicly funded Authority, is not represented in the DDCs where, community identified and prioritized projects are discussed and, instead, sits back and waits for people to come and beg for services, as if they are doing them a favour?

**Mr. Ligale:** Mr. Speaker, Sir, the LBDA covers the whole of Nyanza and Western Provinces, together with a very large part of the Rift Valley Province. It would obviously not have enough staff to go and attend every single DDC meeting in every district. However, when any specific items that affect it are being discussed, it always begs officers available to be on hand to provide information.

**Mr. Anyona:** Mr. Speaker, Sir, I still maintain that the three projects that the Minister has talked about are fictitious. They do not exist and that is why he is unable to tell me where they are. But in any case, can he tell me why the well at the Rigoma Divisional Headquarters and one at Kimera Market, which may be the equivalent of Ekerubo, are not operational right now?

**Mr. Ligale:** Mr. Speaker, Sir, if they are not operational right now, they will be made operational because that has not been brought to our attention.

**Prof. Ouma:** Mr. Speaker, Sir, I hope that the Assistant Minister will agree with the view that the LBDA is a dismal failure. If he agrees with that view, can he tell us what he is going to do to make sure that 40 per cent of the Kenyan population which is supposed to be served by this LBDA gets its rightful services?

**Mr. Ligale:** Mr. Speaker, Sir, I obviously do not agree with the view that the LBDA has been a dismal failure. There was a time when the LBDA was not delivering services because of a lot of inbreeding and tribalism that riddled that organisation. We have since taken corrective measures and right now, the LBDA is delivering services to the people and, in fact, it is doing a commendable job.

**Mr. Rotino:** Mr. Speaker, Sir, I think when Questions are brought here, they are brought with an intention and a purpose. The LBDA serves specific areas, including Kitutu Masaba. The Assistant Minister has been asked where specific projects are and their cost. Secondly, he has been asked why the LBDA is not represented in the DDCs of the various districts that it serves.

**Mr. Ligale:** Mr. Speaker, Sir, I have outlined seven specific projects and their respective costs in Masaba Constituency. I have further explained why the LBDA cannot attend every single DDC meeting in all the 20 districts.

**Hon. Members:** On a point of order!

**Mr. Speaker:** Order! Hon. Members, as you can see the time, I have a lot of Questions still to be ventilated upon.

**Dr. Otieno-Kopiyo:** On a point of order, Mr. Speaker, Sir. The Assistant Minister is misleading us because the LBDA drew up an original development master-plan. Now, he is telling us that the people of Kitutu Masaba must come up with proposals for the Authority. What happened to the original development master-plan?

**Mr. Ligale:** Mr. Speaker, Sir, the original development master-plan is being implemented, but the specific Question from the hon. Member for Kitutu Masaba was in specific reference to those projects that relate to the water sector.

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

*Question No.448*

## DESTRUCTION OF IMENTI FOREST

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

- (a) if he is aware that most of the Imenti Forest has been completely destroyed through illegal cutting of indigenous trees for timber and charcoal;
- (b) if he is further aware that the boundaries of the forest are ill-defined, as a result of which there is a great deal of encroachment taking place on forest land; and,
- (c) if he could inform the House what action his Ministry is taking to stop people from encroaching into forest land and, authorise the introduction of the "shamba" system so that the forest would be replanted with indigenous trees.

**The Assistant Minister for Land Reclamation, Regional and Water Development** (Mr. Ligale): Mr. Speaker, Sir, on behalf of the Minister for Environment and Natural Resources, I wish to give the following reply.

(a) I am not aware that most of the Imenti Forest has been completely destroyed. However, I am aware of incidents of illegal felling of trees which have taken place and those concerned are being dealt with in accordance with the law.

(b) The boundaries of the forest are well-defined and none of the boundary beacons have been tampered with. Therefore, there is no encroachment.

(c) There is a District Environment Committee composed of the Provincial Administration, Kenya Wildlife Service, Ministry of Environment and Natural Resources and local community representatives to look into all matters concerning environmental conservation. The District Environment Committee has a special force patrolling the forest in order to prevent destruction. There is also a committee to sensitize the local communities on the need to conserve the forest.

The Ministry has also increased regular patrols by forest guards. Illegal encroachers have been prosecuted, fined or jailed. The Government has introduced a limited non-residential shamba system in selected areas including Imenti Forest and the locals neighbouring the forest are the beneficiaries. The shamba system cultivation is to promote planting of both indigenous and exotic trees to ensure high survival rates of the planted seedlings.

**Mr. Mwiraria:** Mr. Speaker, Sir, I thank my friend, the hon. Assistant Minister for Land Reclamation, Regional and Water Development, who replied on behalf of the Minister for Environment and Natural Resources. I note from the answer that he has admitted incidents of illegal felling of trees which have taken place. Since I have had opportunity to fly over the forest in the last fortnight, I have noticed that those who have been doing the illegal felling of trees have only left trees around the edges and that the rest is bare. Could the Assistant Minister undertake to send a team of officers to look at the forest and if his findings are the same as mine, authorise the introduction of the "shamba" system to replace the forest? Otherwise there will be no forests in a few years?

**Prof. Mzee:** That is a good question, answer it!

**Mr. Ligale:** Mr. Speaker, Sir, I do undertake to do the same.

**Mr. Murungi:** Mr. Speaker, Sir. I am surprised to hear the Assistant Minister saying that there are patrols in the Imenti forest. On the night of 15th June, 1995, a tree "poacher" went to cut trees with a power saw. A tree fell on him and he died. The body of that person lay in the forest for four days because the police Land Rover had no petrol to go and collect it.

I asked the forest officer why they allow poaching to take place very near the Ruthumbi Forest Station and he told me that, although they hear power saws making noise at night, they cannot dare to go out of their houses because they fear for their lives. In view of this information, could the Assistant Minister tighten up security for forest officers and introduce night patrols because the patrol system is not there?

**Mr. Ligale:** Mr. Speaker, Sir, I do confirm that there are patrols because I have on record a number of cases of people who have been caught poaching in the forest. They have been taken to court and some of them have been fined and others are pending in court. That means that there have been patrols.

**Mr. Nyagah:** Mr. Speaker, Sir, besides the illegal felling of trees in that particular forest, and besides the patrols that have been introduced, is the Assistant Minister aware that recently, the Provincial Commissioner, Eastern Province, with his team of security men, overflew that area in a little helicopter and noted that over 60 acres within that forest has a flourishing business of *cannabis sativa* which is grown there? What is the Ministry going to do to bring it under control and arrest the people who are growing that substance in that area?

**Mr. Ligale:** Mr. Speaker, Sir, I am not aware of the PC and his colleagues' flight over the forest, but I will investigate.

**Mr. Mwiraria:** Mr. Speaker, Sir, the Imenti Forest happens to be the only area east of Mount Elgon where the Elgon Teak grows. Unfortunately, all the teak has been cut down and destroyed. Could the Assistant Minister also undertake to re-plant, under the "shamba" system, some of the Elgon teak, so that rare species could be retained in Meru?

**Mr. Ligale:** Mr. Speaker, Sir, subject to professional advice, I will undertake to do the same.

**Mr. R.N. Ndwiga:** Mr. Speaker, Sir, I am surprised the Assistant Minister says that he is not aware about previous investigations done in Mount Kenya Forest, which is part of the Imenti Forest. I am surprised further because we have brought to the attention of the Government that, apart from what you see at the edge of Mount Kenya Forest, there are huge tracts of bhang and marijuana plantations and that the entire production of marijuana, which is done locally and internationally, comes from that place. Could the Assistant Minister introduce "shamba" system in that forest, so that the police can control the bang plantations in Mount Kenya Forest?

**Mr. Ligale:** Mr. Speaker, Sir, I had, in fact, undertaken to do the same.

*(Loud consultations)*

**Mr. Speaker:** Order! Order! Can we have some order? It is almost impossible for hon. Members to hear when I call for the next Question.

Next Question!

*Question No. 134*

POWER OFFICE IN NYAMIRA TOWN

**Mr. Obwocha** asked the Minister for Energy:-

- (a) whether he is aware that the Kenya Power and Lighting Company does not have a customer service office in Nyamira Town;
- (b) whether he is further that as a result of "a" above, customers have to travel long distances to Kisii Town to pay their electricity bills; and,
- (c) if the answers to "a" and "b" above are in the affirmative, what steps is the Ministry taking to have the company open an office in Nyamira Town urgently.

**The Assistant Minister for Energy** (Mr. Nang'ole): Mr. Speaker, Sir, I beg to reply.

(a) Yes, I am aware

(b) I am not aware

(c) Kenya Power and Lighting Company has made arrangements for customers around and within Nyamira Town to pay their electricity bills at the Kenya Commercial Bank, Nyamira Branch, with effect from 1st May, 1995.

**Mr. Obwocha:** Mr. Speaker, Sir, the Assistant Minister has not answered part "a" of the Question. Although, he says that he is aware, he has not said whether they are going to establish a customer office. A customer office is not only used for paying electricity bills, it has got to do with other services that KPLC offers; for example, if electricity is disconnected *etcetera*. Can the Assistant Minister assure this House that they will open an office in Nyamira to offer customer service to the people of Nyamira, instead of travelling from Nyamira up to Kisii to pay an electricity bill of Kshs.20 when, indeed, a customer uses Kshs.200 to travel to Kisii to pay that bill?

**Mr. Nang'ole:** Mr. Speaker, Sir, on the question of payment, I have said that we have made arrangements and all payments can be done at the Nyamira Branch of the Kenya Commercial Bank. On other issues, we are not refusing to open up a branch as requested by the hon. Member, but the fact remains that there certain regulations to be followed. One of the regulations is that to open a branch, we need at least over 1,000 connections. In the case of Nyamira, the hon. Member will bear with me that there are only about 200 connections.

**Mr. Anyona:** This is one Ministry that has done very little or nothing for people of Kisii or Nyamira. But is the Assistant Minister aware that in the small place where some electricity was installed, in the course of installation, certain properties were destroyed and the owners have not been compensated? Is he aware of that, and if he is, when is he going to make sure that those people are paid?

**Mr. Nang'ole:** Mr. Speaker, Sir, it is not true that my Ministry has done nothing to the people of Kisii and Nyamira Districts. The hon. Member should appreciate whatever little we have done in those districts as compared to other districts.

Mr. Speaker, Sir, regarding his second part of the question, you will agree with me that I came to answer a specific Question. What he has asked me is a different question altogether!



*Question No. 266*

## REGISTRATION OF CHURCH

**Rev. Ommani** asked the Attorney-General:-

(a) whether he is aware that the application for registration of Reach-out Gospel Ministries Church, F/No.29645 was rejected on 28th July, 1993 and the Church appealed against the refusal on 23rd August, 1993 and until now they have not received any answer to their appeal; and,

(b) what happened to the said appeal and what steps he is taking to ensure that the Church is registered.

**The Assistant Minister, Office of the President** (Mr. Sunkuli): Mr. Speaker, Sir, on behalf of the Attorney-General, I beg to reply.

(a) I am aware that the application for registration as society by Reach-Out Gospel Ministries Church was rejected by the Registrar of Societies on 28th July, 1993. I am further aware that the Church appealed against the decision of the Registrar not to register it.

(b) The Church has been advised vide letter Ref. No.CONF/SOC/APPL/197(4) of 4th January 1995, addressed to its interim chairman, that the appeal is receiving the necessary attention. A suitable reply will be communicated to him when the appeal procedures have been completed.

**Rev. Ommani:** Mr. Speaker, Sir, the Assistant Minister has not given reasons why the first application was rejected. Furthermore, the appeal was lodged on 23rd August, 1993. Why has the Attorney-General taken so long to respond to the appeal?

**Mr. Sunkuli:** Mr. Speaker, Sir, the proposed Reach-Out Gospel Ministries Church filed its application for registration under the Societies' Act on 30th September 1992 and its application was dated 16th September 1992. Thereafter, the application was forwarded to the relevant authorities of the Government and we communicated to the Church on 28th July 1993 informing them that the application for registration of that Church had been refused in accordance with Section 11 of the Societies' Act; on the grounds that the interests of peace, welfare of good order in Kenya is likely to suffer prejudice by reasons of the Church's registration as a society.

**Mr. Ndicho:** Mr. Speaker, Sir, if the Government has granted the freedom of worship in this country, why should the same Government refuse to register that Church when other very bad organizations like those of Devil Worshippers are allowed to operate in this country? Who is more evil; devil worshippers or the Reach-Out Gospel Ministries Church? Could he ensure that this Church is registered?

**Mr. Sunkuli:** Mr. Speaker, Sir, the registration of this particular Church is actually receiving attention because its appeal is being considered. But it is outrageous for the Member for Juja to stand up in this House and say that the Government has registered Devil Worshippers. The Government has never allowed the registration of Devil Worshippers.

**Mr. Ndicho:** On a point of order, Mr. Speaker, Sir. I never said that the Government has registered Devil Worshippers. I said that Devil Worshippers are operating in this country. Is he in order to put words in my mouth?

**Mr. Speaker:** Order! No Member is entitled to put words into any other Member's mouth or to remove words from any other Member's mouth!

**QUESTION BY PRIVATE NOTICE**

## CLOSURE OF KENYATTA HOSPITAL

**Mr. Mak'Onyango:** Mr. Speaker, Sir, I beg to ask the Minister for Health the following Question by Private Notice.

(a) Is the Minister aware that members of the public have greatly been inconvenienced and many of them are dying at the Kenyatta National Hospital as a result of the closure of half of the hospital due to the rehabilitation work going on there?

(b) Why has the Minister not made alternative arrangements to ensure that medical services rendered by the hospital continue as usual?

(c) Is the Government ready to pay compensation to the families and relatives of those who die as a result of the human error occasioned by the Ministry?

**The Minister for Health** (Mr. Angatia): Mr. Speaker, Sir, I beg to reply.

(a) First of all, there are no people dying or inconvenienced at Kenyatta National Hospital because of partial closure for rehabilitation.

(b) We have made alternative arrangements.

(a) In the light of "a" and "b" part "c" does not arise.

**Mr. Mak'Onyango:** Mr. Speaker, Sir, the Minister is misleading the House. I find it difficult that after closing half of Kenyatta National Hospital, the Minister expects operations there to go on normally. He has said that bed capacity has been increased as a result of this partial closure. How do you close part of the hospital and at the same time increase the bed capacity in the hospital?

**Mr. Angatia:** Mr. Speaker, Sir, I am glad that the written reply is so complete that the hon. Member is referring to it. If you have ten beds in a ward and you close part of the hospital and you increase those beds from ten to 20 in a given ward and bring all your staff who were in the other section to that ward, you have increased bed capacity.

**Mr. Ogur:** That cannot be true, Mr. Speaker, Sir. You cannot push a wall so as to bring in more beds into a ward. For example, if you close ward 18 and bring all the beds to ward 17, it means that ward 18 will be in ward 17. But you will find that the beds in ward 18 cannot fit in ward 17 because the walls cannot expand. So, the Kenyatta National Hospital is functioning at half capacity.

**Mr. Speaker:** Order! Are you giving an alternative view or are you asking a question?

**Mr. Ogur:** Is the Minister aware that he has terribly inconvenienced the public and as a result of that, people are very unhappy with him and his Ministry?

**Mr. Angatia:** Mr. Speaker, Sir, our wards are actually elastic; they can expand. Secondly, for the last five years the old King George the Sixth Hospital had been closed. Now we have opened it and it has enough space. In fact, there is plenty of room which is not being utilised in spite of the partial closure of the Out-Patient Section only, and a few wards. So, it is not half of the hospital that has been closed.

**Mr. Wamae:** Mr. Speaker, Sir, will the hon. Minister agree with me that Kenyatta National Hospital is not operating efficiently and if so, what action is he taking to make it operate efficiently?

**Mr. Angatia:** Mr. Speaker, Sir, I do not agree with the hon. Member. This is the most efficient hospital in Africa, South of the Sahara.

**Mr. Aluoch:** Mr. Speaker, Sir, I am surprised by the attitude of the Minister. In that Hospital, there are no drugs. Even yesterday, I had to buy drugs using prescriptions from the same hospital. What is the Minister doing to make sure that this national institution is well provided with enough drugs to treat Kenyans?

**Mr. Angatia:** Mr. Speaker, Sir, we have an amenity ward which is entirely self-sufficient. No public funds are going there. So, if he has a patient in that ward it is his choice between him and the doctor to decide whether to buy drugs. Even if they get the drugs from our own hospital, they have to buy them because that is a self-sufficient ward.

**Mr. Speaker:** Next Order!

#### POINT OF ORDER

##### MISREPORTING BY KENYA TIMES

**Mr. ole Sankori:** On a point of order, Mr. Speaker, Sir. I would like to take issue with *The Kenya Times*, which has refused to differentiate between me and hon. Sunkuli. In today's issue of *The Kenya Times* they have published hon. Sunkuli's photograph and said that it is Mr. Sankori, MP, for Kajiado Central. Hon. Sunkuli comes from Trans Mara District and I come from Kajiado District; I am older than hon. Sunkuli and I have a lighter complexion; I am short and stout.

**Mr. Speaker:** Order! I suppose the message has gone across. The only point that I would like to add is that hon. Sunkuli sits on the Front Bench while hon. Sankori sits on the second row to my right.

Next Order!

#### COMMITTEE OF WAYS AND MEANS

##### MOTION

THAT, MR. SPEAKER DO NOW LEAVE THE CHAIR

(*The Minister for Finance on 15.6.95*)

*(Resumption of Debate interrupted on 28.6.95)*

*(Seventh Day and Last Day of Budget Debate)*

**Mr. Speaker:** Yes, Mr. Ochola Ogur, you were on the Floor yesterday!

**Mr. Ogur:** Yesterday, I was cut short.

**Mr. Speaker:** Now, can you continue!

*(Laughter)*

**Mr. Ogur:** Mr. Speaker, Sir, I will ignore those Maasais because they are going out anyway.

*(Laughter)*

**Mr. Speaker:** Order! Order now! All hon. Members, the hon. Ochola Ogur has the Floor and, we would all like to hear him! By the way hon. Ochola Ogur, there are no Maasais or Luos in this House. They are hon. Members.

Proceed!

**Mr. Ogur:** Mr. Speaker, Sir, I am very happy that the Minister for Health is here to hear exactly what is happening today. For a good doctor to be able to prescribe a definite medicine for a given illness, that doctor will have to put his full names, degrees, Post Office Box number and also his telephone number. For him to be able to give that prescription to the patient to buy in a chemist in Kenya, he must have all those statistics and facilities. You can now imagine how that doctor feels if you insist on asking him; "Is this your full name? Is this truly your Post Office Box and telephone number? Is your telephone working?" That doctor will feel embarrassed and may not even be willing to prescribe the dawa in details or the doses of the medicine you are supposed to take. Because of those unnecessary details, doctors are unable to prescribe certain good drugs for specific illnesses for the treatment of Kenyans.

*(Hon. Mak'Onyango consulted with hon. Angatia)*

Mr. Speaker, Sir, hon. Mak'Onyango is disturbing the Minister for Health whom I am addressing. Could you advise hon. Mak'Onyango to leave hon. Angatia free to listen to what I am saying because Kenyans are suffering as a result of unreasonably detailed prescriptions which must be given to patients to buy drugs? The drugs are in any case very expensive. Private chemist are quoting twice or thrice higher than the prices of drugs. For example, if you go to Nairobi Hospital, you would find that they buy drugs in bulk and because of that they---

**Mr. Rotino:** Mr. Speaker, Sir---

*(Loud consultations)*

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

**Mr. Rotino:** Mr. Speaker, Sir, we would like to hear what the hon. Member is saying, but there are loud consultations going on.

**Mr. Speaker:** Order! Order! Order! Proceed, hon. Ogur.

**Mr. Ogur:** Mr. Speaker, Sir, you will find that in Nairobi Hospital, drugs are cheaper than in some places where the prices are twice or thrice higher. That is true because when they purchase in bulk, the cost is a bit lower. That ought to be checked by our brother, hon. Angatia, because people are suffering.

Mr. Speaker, Sir, hon. Angatia is discussing about cotton with hon. Mak'Onyango and I am discussing about medicine.

*(Laughter)*

They are talking about cotton growing in Siaya, and Alego/Usonga in particular, and I am discussing about medicine.

Mr. Speaker, Sir, let me touch on Lake Victoria. We have lost different types of fish. Kenyans would have loved to taste them. We had tasted them when we were young. We still need them for wisdom but they are not there. They have been---

**The Assistant Minister for Health** (Mr. Mutiso): Mr. Speaker, Sir---

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

**The Assistant Minister for Health** (Mr. Mutiso): On a point of order, Mr. Speaker, Sir. I would like to seek your guidance on the following: Although I know Standing Orders provides that the hon. Member on the Floor should address the Speaker, is it in order for the hon. Member to face you and keep on speaking to you?

**Mr. Speaker:** Order! Order! That, in my view, is not a valid point of order. Hon. Members, even if one looks at another hon. Member, he is still addressing the Chair. I would advise all hon. Members who are scared of the eyes of other hon. Members to try to get some form of cover. I will add him three minutes for that.

Proceed!

**Mr. Ogur:** We have been missing certain types of fish in Lake Victory because certain people from certain communities have brought their big canoes and trawlers which they buy from Japan but not from Kenya. If they were buying them from Kenya, we the people around Lake Victory would have competed with them. But they are favoured because they buy those machines from far away and bring them near our homes just to finish the only thing that we have; fish. We never go to pick their coffee. We never go to cut their sugar-cane. We never go to pick their tea, pyrethrum or anything else. We do not even go to visit their homes when they are slaughtering their goats!

*(Laughter)*

But they have the audacity, protection, licences and every authority to come as near as possible to fish all the types of fish that we have had over the years; given to us by God and not them.

**Mr. Speaker:** I am sorry your time is up.

**Mr. Ogur:** Mr. Speaker Sir, I was given three minutes.

**Mr. Speaker:** Three minutes are now up!

**Mr. Ogur:** I had a lot of things to say, but with that mercy from you, thank you very much. I support.

**Mr. Speaker:** Order! Order! Even after I have given you three minutes in my generosity, you do not want to obey my order!

**Mr. Ogur:** Thank you very much, Mr. Speaker, Sir.

**The Minister for Commerce and Industry** (Mr. M'Mukindia): Thank you, Mr. Speaker, Sir, for giving me an opportunity to support the Budget Speech by the Minister for Finance.

Mr. Speaker, Sir, in the last three years the Minister for Finance has done tremendous work to ensure that the economy of this country is transformed from an inward looking economy to one that is outward looking and which is actually more export-oriented. In those three years, we have seen inflation come down, a growth in manufacturing and agricultural exports. Generally the economy has grown quite well despite the fact that we had major difficulties in 1991/92.

Mr. Speaker, Sir, this country has to decide which way to go in so far as major items of policy are concerned. I am glad that the Minister for Finance has given the necessary boost to various sectors of the economy in order to ensure that there is growth in those various sectors.

Mr. Speaker, Sir, we are aware that agriculture is growing well. We are also aware that tourism has done reasonably well. The area that is of concern, especially to me, is the area of commerce and industry. In so far as industry is concerned, manufacturing has been the fastest growing sector of the economy in the last several years. In the past, as we all know, we had put major emphasis in tourism as well as agriculture. The growth rate in those areas hardly ever go beyond 4 per cent per year at best. It is true, looking at countries that have grown tremendously in South East Asian region that, if Kenya wishes to uplift the standards of living of our people, we must grow at a minimum level of about 8 per cent per year, over an extended period of not less than 10 years.

Mr. Speaker, Sir, we know that at best, agriculture can do about 4 per cent. Tourism is also picking up. However, manufacturing and industries can grow at those rates as has been experienced in various countries of South East Asia. We, in the Ministry of Commerce and Industry, are, therefore, happy with the Budget because the Minister for Finance has ensured that taxes have been lowered. He has also ensured that raw materials are cheaper in order not to tax inputs. Perhaps, the only title problem in that respect is that the manufacturers in this country would wish to see raw materials and capital goods not taxed and, really, what is taxed at the end is the final product. Although we support this Budget strongly and realise that the Minister needs some financing for his Budget, it is our goal that in the long term, we ought not to tax inputs that go into the industry. In fact, I would suggest that they should be zero-rated so that users of raw materials and capital goods do not have to pay tax before they are actually put into this country. I think the process of taxing things before they arrive is wrong because you are saying that, if somebody brings in capital goods, he is taxed so much. So an investor bringing in that kind of thing must decide whether he or she will have to

undergo that taxation. In that way, we may keep people not coming through the door. It is better to bring them into the country and then tax them when they are already here. We, in the Ministry, have been encouraging the Minister for Finance to continue to lower taxes on capital goods as well as raw materials; which he has progressively done and which manufacturers in this country are happy about. We hope that soon, most of those things will be zero-rated in so far as taxation is concerned.

You will also note that quite a lot of finance will be used in the improvement of infrastructure. While we accept that industries and manufacturing are growing, if we do not improve our infrastructure, that is likely to be a bottleneck to the overall growth of the economy. We are already experiencing that. There are already a number of complaints by manufacturers because our physical and institutional infrastructure is not up to where it should be. However, I note that the hon. Minister has put in quite a bit of financing to ensure that those physical and institutional infrastructures are improved. While I strongly support the issue of setting aside road maintenance funds, if we wait until we have accumulated sufficient funds in order to improve our roads using the Petroleum Levy Fund, they will not be enough. We are likely to forgo benefits that we could actually get today. For example, if we say that we are getting Kshs.1 billion or Kshs.2 billion per year, we can borrow money today against that Fund. We can spend that money today and then in the next 10 or 15 years, we pay the loans using that Fund. I would suggest that the hon. Minister for Finance looks into the possibility of borrowing money today and pay the loans against that fund, so that we get the benefits today. Therefore, let us improve the economy now and not later on. That applies to the Petroleum Levy Fund and any other funds that are likely to be set up. It is important that, since we know the income will come in, we can organize ourselves in such a way that we can actually borrow money today, spend it today and then pay it over a period of time.

Industry in this country has become quite complex and, therefore, we find that it is necessary for us to improve the organisation of various bodies that are actually handling industrialization as far as commerce in this country is concerned. In that respect hon. Members may wish to know that we will be trying to reorganise the Ministry of Commerce and Industry in order to ensure that it is able to handle the more complex environments that we find ourselves in today. I would also like to call upon various industrial organizations such as the Federation of Kenya Employers (FKE), Kenya Association of Manufacturers (KAM) and the Chamber of Commerce and Industry to ensure that they are not only representative of the industrial and commercial interest of this country, but will also assist governments and Kenyans as a whole in looking at various policies that need to be followed or recommended, in order that businesses and industries can grow in this country. Too often, selfish interests take over some of those organisations until they become of no relevance to Kenya. Therefore, I would urge leaders in the Chamber of Commerce and Industry, as well as the Kenya Association of Manufacturers to ensure that they represent the interest of the industry as a whole throughout the country, and not just certain sectors. They have done very well but we must ensure that mistakes that occurred in the past does not recur.

The other thing I would like hon. Members to know is that the COMESA Region has been an area of major growth in our exports. As of last year, exports to the COMESA Region accounted for 44.6 per cent of all exports from Kenya, as compared to the 32 per cent to the whole of the European Union. Therefore, increasingly, the COMESA Region is becoming extremely important to us as a country. That is because it is near to us. We have certain agreements that makes the area to grow by leaps and bounds. I would, therefore, urge manufacturers, industrialists and other businessmen to take advantage of the fact that Kenya is strategically placed and has got a better industrial infrastructure than most other neighbouring countries. They should take advantage of that and ensure that our exports grow even faster.

Kenya has participated in various trade fairs for several years. It has participated in Tanzania, Uganda and recently, we were in Lusaka where we had a fantastic response. Our businessmen got many orders. Next year, we intend to concentrate more strongly on the South African Region, Malawi, Mozambique and other potential areas. We are going to have trade fairs and trade exhibitions in those areas. In the area of "Horn of Africa" we know that Ethiopia alone has got over 55 million people. It is a market that is just to be exploited and we Kenyans must not restrict ourselves merely to Uganda and Tanzania or even Eastern Zaire. We must now look more strongly towards Ethiopia. One of the major constraints of not trading with Ethiopia is the road between Isiolo and Moyale. I hope that the hon. Minister for Finance will look into the possibility of, in future, looking for money to ensure that the road is well maintained.

With those few remarks, I beg to support.

**Prof. Ouma:** Thank you, Mr. Speaker, Sir. Many of my colleagues who have contributed have said what a great Budget this was. I would like to look at the death of the economy in Kenya rather than its prosperity. It is a theme which I have visited before and I do not mind revisiting it because after 1993 and 1994 Budgets, I have seen no change. We are going on free wheeling as if nothing has been said. This is only a talking shop and not the august House for charting the future of this nation. I am speaking of the death of the economy because, unless we underscore

the significance of the resource base upon which that economy depends, we can prosper up to a certain level beyond which we have to plunge. I am afraid that we do not give priorities where they are deserving. Even in the sub-division of the Budget into the various Ministries, some very important Ministries which are supposed to conserve the resource base upon which future development depends are given very little. If we go on like that, we will be having cosmetic Budgets. We will only have budgets which touch the fundamentals of this country without any major change. I will illustrate what I am saying by giving three examples of the way our economy is dying progressively. What hon. Ochola Ogur was saying a short while ago only provoked laughter, but what he was saying was damn serious!

I have heard hon. M'Mukindia, the Minister for Commerce and Industry, say what a great time we are going to have with more manufactured goods being exported. We will have nothing to manufacture when we have no resources left. For example, we have been exporting fish, like the Nile Perch. But fish does not grow in any water. Why do we sit back when Lake Victoria is "dying?" We are not saying that simply because we want to be heard. We can be heard in other fora. But we are saying it because this is the people's House through which people's concern must be said and heard.

Mr. Speaker, Sir, Lake Victoria is "dying". I was from there only two days ago. Lake Victoria is "dying" and the fish is gone. If we wait until we see no more fish coming into the market, it will be too late to wash it clean. With what water shall we wash it clean? With waters of Lake Victoria? We are "killing" it ourselves and we speak as if we know what is there. If you go to Muhoroni Sugar Factory, which is only 10 km away from the factory, at around 8.00 o'clock at night, the air will start smelling because at that time they release all the gases into River Nyando. The dirt, including the remnants of *chang'aa* and gasohol from the Muhoroni Sugar Factory, kill the fish!

(Laughter)

I am not telling a story! It is the real truth. The fish in Lake Victoria are "dying" from *chang'aa* from Muhoroni Sugar Factory. It is released into the river and the river delivers it into the lake. We do not care at all about what will happen tomorrow. That is one example. Another example is the Webuye Panpaper Mills. All the dirt from Webuye Panpaper Mills finally finds its way into River Nzoia. So, Lake Victoria is the rubbish bin or dumping pit for the industrialists. Lake Victoria has now become the dumping pit or "septic tank" for the industrialists. If you turn Lake Victoria into a "septic tank", what shall we have in future? Imagine all the land in Embu, Kiambu, Murang'a and other areas that support the coffee and tea areas was turned into a "septic tank"! How would they feel?

**Hon. Members:** Very bad!

**Prof. Ouma:** Mr. Speaker, Sir, for the people of Nyanza and Western Provinces, one of the greatest resources they have and which they should conserve is the great waters of Lake Victoria. But that has now been turned into a "septic tank" for agro-chemical industries and other industrialists. Where shall we go? There is no point in having a Minister for Environment and Natural Resources if he does not know that the environment is "dying".

Mr. Speaker, Sir, I am not talking simply because I come from Nyanza. I speak because I am an hon. Member of Kenya. This is the House through which we must talk about the things that are coming. We are now saying that the Budget is great whereas the economy is "dying". What was done with that Budget last year? Lake Victoria is "dying".

Mr. Speaker, Sir, let us now turn to Mombasa. The Indian Ocean is also "dying" along the shores of Kenya. Let me speak because if a doctor was speaking here, we would all listen to him very attentively. What I am saying is true. Within the 200 km portion of Kenya, the environment is "dying". Look at the mangrove trees! They are all "dying". Why? It is again the same carelessness that is going on. We are waiting to see no fish and that is why we are so ignorant that other people come to fish within our territorial waters.

Mr. Speaker, Sir, it was only last week when we requested the KWS to manage the resources of the Coast and marine parks in a different manner. I am only drawing the attention to potential disasters. The sea might look so big, but the sea within the coastal waters of Kenya is slowly "dying" out from oil spills and other forms of pollution, including domestic wastes and raw sewerage going into the sea.

Mr. Speaker, Sir, people do not like the truth being spoken openly, but this is the place where it should be spoken openly.

**An hon. Member:** This Government is allergic to truth!

**Prof. Ouma:** Mr. Speaker, Sir, save me from my brother from the North because his place is "dying" too! Turkana is "dying", but he does not know that.

Mr. Speaker, Sir, I have spoken of the "two waters" lightly, but let me talk about the bigger problem. We shall have no Budget in future if ---

**The Assistant Minister for Lands and Settlement (Mr. Ekidor):** On a point of order, Mr. Speaker, Sir. Hon. Prof. Ouma Muga has claimed that Turkana is "dying". Could he substantiate and show us the grave?

**Prof. Ouma:** Mr. Speaker, Sir, you cannot save a man if he does not know that he is "dying". What I mean is that --

**The Assistant Minister for Lands and Settlement** (Mr. Ekidor): On a point of order, Mr. Speaker, Sir. I need your guidance here. I think hon. Prof. Ouma is imputing an improper motive on me. Is he in order?

**Mr. Speaker:** Order! Can we have a smooth debate? I do not think there is a motive of death since it is an act.

Proceed.

**Prof. Ouma:** Mr. Speaker, Sir, what I mean is something very national. This is not the first time we are saying that more attention should be paid to some areas of Kenya where, with improved production, will also improve the quality of our lives. One of the places that is so dry and needs careful attention is Turkana District. I have come to the drylands of Kenya which, as I said before, form 78 per cent of this country. How much attention has this Budget paid to the drylands of Kenya? How much attention has this Budget paid to the improvement of the conditions of living of hon. Ekidor's brothers? How much attention is being paid to the conditions of the Garissa people?

Mr. Speaker, Sir, before I sit down, what I am saying is that we are doing "cosmetic budgeting" because the money we spend is not used in fundamental changes. When is this Government going to make arrangements for fundamental changes, so that drylands like Turkana, Isiolo and other places can be given their fair share of the Budget? This means that 50 years from now we shall have a more honourable Budget than what we have today. We are "going into July" soon with a basket in hand to borrow.

Mr. Speaker, Sir, I support with a lot of chagrin.

**Mr. Cheserek:** Ahsante sana, Bw. Spika, kwa kunipa nafasi hii ili niungana na wenzangu ambao wameiunga mkono Hoja hii. Ningetaka kumwomba Waziri wa Fedha achunguze marupurupu ya matibabu na haja nyinginezo za wafanyakazi wa Serikali, ambao ni binadamu kama mimi na wewe. Wana watoto na jamii yao. Huwezi kukubali kuwa gharama ya matibabu katika hospitali kama MP Shah, Aga Khan au Mater ni KShs.200 kwa siku!

Pia maofisa wa Serikali wanapewa marupurupu ya night out ya KShs175 kwa siku hata kama wanaenda Mombasa. Sijui kama pesa hizi zinatoshia kulipia chakula! Pia marupurupu ya hardship hayatoshi. Kule Kerio Valley ambako natoka, kuna maisha ya taabu. Hakuna barabara, maji wala hospitali. Ajabu ni kwamba ingawa Baringo na West Pokot ni jirani wetu, maofisa wa Serikali katika sehemu hizo wanalipwa hardship allowance, lakini wale wanafanya kazi katika Wilaya ya Marakwet hawalipwi marupurupu hayo. Kama Serikali inawatendea maofisa wake sawa, ningependa iwalipe hardship allowance wafanyakazi wa Serikali walioko Marakwet District.

Pia ningependa kugusia juu ya maghala ya Bodi ya Nafaka na Mazao. Sisi tulio katika sehemu ya Bonde la Ufa, hatupati mavuno ya kutosha. Ningependa Bodi ya Nafaka na Mazao ijenge maghala katika sehemu hiyo. Majirani zetu wana maghala haya lakini sisi hatuna.

Nyingi za pesa ambazo zinaidhinishwa katika Bunge hili zinaishia katika mifuko ya watu binafsi. Ingawa kandarasi za kutengeneza barabara hupewa Wahindi, utaona ya kwamba maofisa wa Serikali hugawana pesa hizo na Wahindi. Inafaa Mawaziri walichunguze jambo hili. Wamepewa magari mazuri na maofisa wa usalama wa kuwalinda lakini hawachunguzi vile pesa za Serikali zinavyotumiwa.

Jambo lingine ni kwamba usalama wa wananchi ni kitu cha muhimu sana. Nimeona kwamba polisi wamepewa magari yanayoitwa "Mahindra". Sijui kama magari haya yalinunuliwa au yalitolewa bure! Ningetaka pesa za kununulia magari na vifaa vingine zitumiwe vizuri. Magari kama hayo ya Mahindra ni sawa na trekta na tunajua kwamba trekta haiwezi kukimbizana na mwizi. Haiwezekani kwa mkuu wa polisi au afisa wa polisi wa mkoa kuwa na gari la Mercedes Benz hali maofisa wa polisi ambao wanafukuzana na wahuni wanapewa magari ya Mahindra.

Ningetaka wenzangu wajue kwamba pesa zinazoidhinishwa hapa ni za kuleta maendeleo na si za kwenda kufanya kampeini huko Changamwe au Molo. Mawaziri wengine walienda kufanya kampeni kwa Kikamba huko Changamwe, lakini wapi kura zao sasa? Mawaziri walitumia magari ya Serikali vibaya na bado walishindwa. Nataka kusema kwamba wengi wa watu wanaokaa karibu na Mzee hawamshauri vizuri. Hata wamemfanya Mzee kwenda kumfanyia diwani kampeini. Hili ni jambo mbaya. Haifai Mawaziri kumfanya Rais wa Kenya kwenda kumfanyia diwani kampeini na tena huyo diwani anashindwa. Ingefai Mawaziri wajichunge. Kama wale wanaomzunguka Mzee kila wakati hawamshauri vizuri, hatutawakubali. Ni lazima waangalie vile pesa za Wizara zao zinavyotumiwa. Hata hivyo, siwezi kuwaulumu Mawaziri wote kwa sababu wengine kama mhe Madavadi na mhe M'Mukindia wanafanya kazi yao vizuri.

*[Mr. Speaker left the Chair]*

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

Jambo lingine, Bw. Naibu Spika wa Muda, ni kuhusu simu. Ningetaka Kapsowar iwe na huduma ya simu ya Self trunk dialling (STD). Kwa nini Kisumu iwe na hudumu hiyo na Kapsowar ikose? Hatuwezi kuwasiliana na maofisa wa utawala. Tunapojaribu kwenda kwa chifu au afisa wa tarafa tunapigwa na Pokot ambao wana silaha. Juzi Wapokot waliishambulia sehemu yangu na kuwaua watu wangu watatu, na bado Serikali ingali iko. Tulipoipigia kura Kanu tuliambiwa Kanu ingeyachunga masilahi ya watu wote na hatukuambiwa kwamba Wapokot ni wazuri kuliko Marakwet. Ningependa Waziri wa Nchi katika Ofisi ya Rais atuambie ikiwa amewapokonya Wapokot silaha au la. Nataka atuambie Wapokot wanatoa wapi ng'ombe wengi wanaowasafirisha kwa magari! Nataka tuambiwe vizuri. Siwezi kuwa Mbunge hapa na hali watu wangu wanauawa.

Pia, Bw. Naibu Spika wa Muda, tunataka pesa zinazoidhinishwa na Bunge hili ziwafaidi Wakenya wote. Pia tunataka tuteuliwe katika vyeo vikuu Serikalini. Sitaki kuona kila mara ni akina Wahindi na Mhe. Biwott ambao wako hapa na pale na hali Marakwet wako. Kwani ile shule Marakwet walisomea ni tofauti na shule nyingine? Halafu upande huu, sisi si ni watu? Tulipigana kweli na tukaleta Serikali kupitia chama cha KANU. Lakini ninataka kuuliza hivi: Marakwet wamepeva nini? Wamefanya kosa gani? Mpaka wapewe haki yao! Hiyo ndiyo ninataka kusema, na ieleweke vizuri. Mambo ya kupembelezana hakuna. Mfanye kazi!

Kwa hayo machache, naunga mkono.

**Mr. G.I. Ndwiga:** Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me the chance to contribute on this year's Budget.

It is a known fact that the Government we have today is one of those governments which are best at putting things in theory, on paper, but do not translate those theories into reality when it comes to the practical part of it. Let me talk slightly about the Ministry of Health because I can see the Minister right in front of me. If there is any Ministry that is really inefficient and does not deliver, as everybody in this nation will agree with me, is that of the Ministry of Health. We have, in theory, a ministry called the Ministry of Health in Kenya, but we lack essential services. The people of this country want to know what the Ministry is doing for them. I will cite the example of Embu General Hospital, which is classified as a Provincial General Hospital. We have no drugs and, in fact, we have nothing. We have personnel, but the best the personnel can do is to prescribe. After the prescription, nothing happens. A patient has to go to the private pharmacies to buy the drugs. If we vote for money for the Ministry of Health in this Parliament, we want the Ministry to make sure that services are delivered. We want the Ministry to wake up and safe-guard members of public against diseases and other problems that are health-related.

Mr. Temporary Deputy Speaker, Sir, recently, there was typhoid outbreak in Siakago Constituency. It was very sad when the Ministry kept quiet. Nobody heeded the call that there was an outbreak and yet, we are here in this House. I am here in this Parliament representing a whole constituency and the Ministry did not do anything to curb the outbreak. It is evident that when Members of this House to go to their constituencies, they are financially handicapped because, in most cases, they are forced to buy drugs for the patients. There are no drugs in the hospitals and health centres, and yet, every day, day in day out, we vote in money. We want out health centres and hospitals to have ambulances. Let us not be told that a whole district has 10 ambulances, whereas the 10 are grounded. It may be only one or two that are operational. A good example is Embu where we have no ambulances, and yet we have three Members of Parliament representing the whole district in this House. Let the Minister know that we are tax payers and the Government has to reciprocate the taxes paid to it.

Mr. Temporary Deputy Speaker, Sir, the other issue is the question of infrastructure. It is very shameful for the Government when a whole Minister stands up and gives an answer from the officers on the ground which is very misleading. He has nothing to say other than possibly apologise or give an answer that is not in conformity with what is on the ground. Recently, the Government allocated Kshs4 million to Siakago constituency to murrum a road that is 26 kilometre long. I am sorry because the much that has been done is only three kilometres with Kshs4 million. We need a Government that is accountable, transparent and capable of taking care of the interests of the common mwananchi who is the tax payer. It should take care of the common man who pays taxes and goes without his daily bread, and not the government that milks the common man dry until he is very dead. We want the Government to wake up and be serious. Let us not just put things on paper. We should make them a reality. Let us be theoretical and at the same time practical. We do not just want to be theoretical and then fail to be practical.

When we talk of roads and the general infrastructure in this country, those areas where we have milk, tea and coffee production have a problem. We do not deliver our products to their destinations because of poor infrastructure.

The Government should know that if it wants to receive the commodities from the agricultural sector, it should make sure that there is enough and good infrastructure for the delivery to be made. There is a lot of taxation from milk, coffee and tea. It is the duty of the Government to reciprocate by giving services to those farmers who need nothing



more than their daily bread. However, the Government does not do that. We request the Ministry concerned with roads to make sure that the masses have access to those areas that are productive. Siakago is a tobacco growing area and it has a problem of delivering the product to the buying centres. There are roads that have been washed away by the rains. If we are to deliver tobacco to the market, we must use roads. If there are no roads, then it means that we are wrecking the agricultural sector. Eventually, we might have to revert to growing those commodities that are only used on daily basis and not for commercial purposes.

Mr. Temporary Deputy Speaker, Sir, let me talk about water. The Government is on record as having said that by the year 2000, the population of this nation will have clean water. Today, we have heard of some areas where we have shallow wells. Think of a whole constituency with shallow wells and a possible population of over 400,000 people. How will shallow wells supply the adequate water to those communities, unless they are expected to go about their daily work without water? Let the Government keep its promise. It should make sure that when the public is promised something, the promise should be fulfilled. Let us not be told orally while nothing happens on the ground. Let us be told that something will be done and see it happening! That way, we shall appreciate what is being said. We want the Government to pull up its socks and deliver the goods to the people. Let us not be a Government of talking where, today, we say this, then tomorrow, we say that we were misquoted.

If we want investors to come to this nation, we should be sincere and truthful in our utterances. Let us not tell the world that there are guerillas and other people in Malindi planning to topple the Government and yet we cannot substantiate such statements. Let us talk the truth which we can substantiate. If we do not want to scare the Italians, then we should not make scandalous attacks against them. Let us make utterances that can be proved to be factual and real if we want investors in this nation.

I would like to talk about tourism in this nation. A lot of crops have been destroyed by wild animals. The population of this nation is worried as to whether the Government values human lives or the lives of wild animals. Although the Ministry earns a lot of foreign exchange through tourism, human lives cannot be equated to anything else in this world. It cannot be bought anywhere. Let the Ministry concerned make sure that crops and human lives are protected from wild animals. Let us not value animals more highly than we value human beings. Let the Ministry fence off those areas where animals are a problem and a menace. That same person whose crops are destroyed by these animals is the same person whom you expect to pay taxes. He has to deliver the crop to some place so that the Government can impose some taxes on it.

Mr. Temporary Deputy Speaker, Sir, it is the duty of the Government to protect farmers from the menace posed by wild animals. Let us not say that we are going to fence the forests and eventually not do it. Let us say that we are going to do it and let it be seen to be done. I am sure the taxpayers will pay their taxes freely without any hassles and problems. There is a lot to be done in part of Mount Kenya within Embu area. Let us not turn it into a song.

**The Assistant Minister for Finance (Mr. Keah):** Thank you, Mr. Temporary Deputy Speaker, Sir for giving me this opportunity to also contribute to this Budget Speech in my capacity as a Member of Parliament for Kaloleni Constituency. Admittedly, I am the Assistant Minister for Finance, but I will be talking about this Budget Statement as an hon. Member of this House within my rights.

Mr. Temporary Deputy Speaker, Sir, I want to enjoin my colleagues and the world at large, who have spoken very highly about this Budget. It has been a well thought-out Budget and I want to add my own sentiments on the work that has gone behind it, particularly to the Budget staff at the Treasury. A lot of work has gone into preparing this Budget as, indeed, it goes into the preparation of any Budget.

Mr. Temporary Deputy Speaker, Sir, let me explain what I understand by a Budget. I have been listening to my colleagues here and, indeed, there are some misconceptions about what a Budget is all about. First of all, let me say that the Budget sets out to show the policy statement. It is also a management tool. As a statement of policy, this Budget has gone from page to page to state what the Government intends to do as far as the economic policies are concerned. To that extent, it is really a document which is *per excellence* itself. This document talks about all the policies; such as money and credit, Civil Service Reform, Fiscal, Reform on State Enterprises, Monetary, Financial Sector Reforms, employment, trade relations, as well as agricultural reforms. Some of my colleagues have said that there is no policy on agriculture at all.

Having said that, I would like to say that this Budget is a management tool to manage the economy. Here again, the Budget has gone on to allocate the funds that are available or expected to be available to the economy for the purposes of development and running the Government. Let me say, therefore, that the document has been well prepared and my congratulations go to all the Ministries. It is not just the Treasury, but all the Ministries of Government which, together, have contributed to this document.

As a management tool, the Budget consists of revenues as well as expenditures. I must say here that this is where, when we talk of a Budget deficit, we are talking of expenses exceeding the revenues. Again, I would like to

say that, as far as expenditures are concerned, the allocation of the available resources is certainly constrained by the amount of revenue that is available and for that matter, it is sad to hear, although understandable, that hon. Members are complaining they have not had anything in their own particular constituencies. Let me put the records right there. If you have a policeman, a teacher, a chief or a DO in your constituency, or if you have anybody employed by the Government, then you have had a share of the Budget because the Budget includes Recurrent Expenditure and---

**Dr. Lwali-Oyondi:** On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the Assistant Minister in order to mislead this House when the hon. Members have explained to him exactly that they want development in their areas, but not recurrent expenditure? Is he in order to mislead the House that people have got---

**The Temporary Deputy Speaker (Mr. Wetangula):** Order, Dr. Lwali-Oyondi! There is no hon. Member who has explained anything to this Assistant Minister. You explain to the House, not the Assistant Minister.

**The Assistant Minister for Finance (Mr. Keah):** Mr. Temporary Deputy Speaker, Sir, I was referring to those who have commented on a generality, but not on Development Expenditure. Let me, however, add that I would like to urge the new Kenya Revenue Authority and its officers to be very, very vigilant in the collection of revenue as authorised by Parliament. We will support them fully. It is only when they collect that revenue that we will be able, as a Government, to spend on the items that have been allocated for spending. At this juncture, let me add a very important point that included within the revenue as a Budget. These are sums that are expected to be received either by way of loans or grants from our development partners, or the donor community. It will, indeed, be a pity and derailing the Budget if any hon. Member of Parliament or any Kenyan were to speak to our development partners and say: "Just because KANU is the Government, do not give any loans or any money to the KANU Government." That would be derailing this Budget and development as far as this country is concerned. Let us fight one another and even disagree; let KANU *versus* whoever fight; but let us know that when it comes to matters relating to nationalism and Kenya, we should know that we are all Kenyans and it is your brother and sister who is going to suffer if you are an agent, organ or engine that is going to stop a donor or a development partner from giving us their funds. This is a very relevant point because some people talk---

**Mr. Shikuku:** On a point of order, Mr. Temporary Deputy Speaker, Sir. How long can we allow the hon. Member to go on misleading this House? It is, and it has been clearly stated by the donors that the reasons for their withholding the aid is because the Government is corrupt and against political changes. They are stealing the money.

**The Temporary Deputy Speaker (Mr. Wetangula):** Order, hon. Shikuku! That is not a point of order.

**The Assistant Minister for Finance (Mr. Keah):** Mr. Temporary Deputy Speaker, Sir, hon. Shikuku is taking my time unfairly. Thank you for defending me.

Let me say it here, loud and clear that, it is incumbent upon all Kenyans to defend their motherland, Kenya, regardless of your views. If you do not support your motherland Kenya, you are an enemy of Kenya. It has become a habit that whenever we go to meet with the donors, you find certain members of the Kenyan community talking as if they are not Kenyans at all. That habit must stop. Let me say that the issue of corruption relates to financial discipline in the whole country. No one Government or Parliament can make rules that will stop corruption, unless we Kenyans are prepared, all of us together, to stop corruption, inclusive of KANU, Opposition and even those who belong to no political parties.

Mr. Temporary Deputy Speaker, Sir, I repeat that, that includes KANU, Opposition and other people who do not belong to any party at all. It is important to note that wherever there is corruption, there are two people involved; the giver and the receiver. It is incumbent upon Kenyans to make sure that the culture of corruption is fought by us all to the very bitter end.

Let me now talk about Kaloleni Constituency. Water is very important; roads and electricity are very necessary. I would like to urge the Ministry of Land Reclamation, Regional and Water Development to make sure that a bigger portion of the Budget goes to the provision of water to the entire Republic. In Kaloleni Constituency, we have water shortage and I would---

**Mr. Shikuku:** On a point of order, Mr. Temporary Deputy Speaker, Sir. According to the rules of this House, is it in order for the Assistant Minister to speak the way he is speaking now? He is in the Government. Whom is he appealing to?

**The Assistant Minister for Finance (Mr. Keah):** Mr. Temporary Deputy Speaker, Sir, I am speaking to the officers in the Ministries; I am speaking to the country and I am speaking to the planners. I am speaking particularly to hon. Shikuku. He should not take my time because I want to put my points across. Hon. Shikuku ought to behave better than this. He has taken my time and it is not fair for him to do that.

**Mr. Shikuku:** On a point of order, Mr. Temporary Deputy Speaker, Sir. Is the hon. Member in order to continue speaking when I am on a point of order? I have been in the Government and I know that according to the

rules of this House, you cannot appeal to the Government when you are in the Government. Only Back-benchers can appeal to the Government. He is not a Back-bencher. I want to teach him!

**The Assistant Minister for Finance** (Mr. Keah): I can teach you better!

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

**Mr. Achieng-Oneko**: Mr. Temporary Speaker, Sir, is the hon. Keah not in order to express himself as a Member of Parliament?

**The Temporary Deputy Speaker** (Mr. Wetangula): Order! I think we shall all agree that Mr. Shikuku is not right!

**Mr. Shikuku**: He cannot do that!

**The Temporary Deputy Speaker** (Mr. Wetangula): Order Mr. Shikuku! You are now heckling!

**Mr. Nyagah**: Thank you, Mr. Speaker, Sir, for giving me this opportunity.

Hon. Mudavadi has been commended by many people for the good work that he has done. We have also seen the calibre of Assistant Ministers he has; who tend to defend the Government. They spend very little time defending their own constituencies. God forbid if they will ever see the gates of this Parliament next time.

I would like to take on three or four Ministries that I would like to criticise. But before I do so, I know that we have been promised that development will be equitably distributed in this country. But according to the Estimates that we already have, that has not been the case. I would like to tell the Minister for Health that today I do not need to talk about health. I have talked about health on many occasions in the past and I think what I have been saying has fallen on deaf ears. Hon. Angatia has a big job to do in that Ministry.

I would like to take issue, firstly, with the Ministry of Local Government. It is unfortunate that the Minister for Local Government is not here. The first issue that I would like to raise with the Ministry of Local Government is the annexation of a whole location in Gachoka Constituency to become part of Embu Municipality. That happens to be a rural area and it is going to give more problems to an already existing municipality that has been unable to manage its own affairs. According to Cap. 265 of the Laws of Kenya, there are laid down regulations as on how an area can be annexed to become part of a municipality. The Ministry flouted the rules in annexing that location. I have consulted the people who were in the leadership at the time. The Minister for Local Government has persistently told this House that the rules were followed. A meeting of Embu leaders is scheduled to take place next week and one of the issues that we intend to tackle is that particular annexation of a whole location and placing it under a municipality, which is not benefiting them in any way other than raising the rates for water. Most people would normally fight for upgrading of their own areas, but in that case, we are fighting for downgrading of that area to be managed by the Embu County Council.

On the Ministry of Lands and Settlement, we have two locations where, 32 years after Independence, the people still live like aliens. They have not been given title deeds. The Minister for Lands and Settlement has categorically made a Statement in this House that within a year, title deeds will be given to the people of Kiambere, Makima and Karaba. A year later, this has not been experienced. I would like to appeal to the Minister for Lands and Settlement to be more committed to assurances that he gives to this House. We in Embu are looking forward to the day when we will be given our titles to those particular areas so that we can develop. How does a country develop? A country develops if, for instance, the citizens are able to use titles deeds that are issued to them. If title deeds are issued to the people of those two locations, they will be able to help the Government. As it is, it makes us remain as beggars. For how long are we going to remain like that?

Currently we have a Committee that has been appointed to look into the settlement of people in those two locations. We are appealing to the Government to, first of all, know that the settlement of people in the Mwea Settlement Scheme is not in dispute in Embu. We are asking Justice Chesoni and his team to listen to the views of the people of Embu. The Embu County Council has come up with a theory, and a practical one, as to how the settlement is going to be done. It has been pre-determined as to how that is going to be undertaken.

The Committee has gone round in neighbouring districts trying to get the views of the people there, but we would like to inform Justice Chesoni that, that particular area belongs to Embu. It is managed by Embu County Council and there is no dispute about that at all.

Mr. Temporary Deputy Speaker, Sir, if I may touch briefly on roads in Embu, most of the roads in tea growing areas have become impassable. We have, so far, been able to raise Kshs1.5 billion which ought to be distributed equitably into developing various parts of this country. As it is, part of the Kshs1.5 billion has gone to certain areas that do not necessarily need that money. Again, we appeal to the Minister concerned to ensure that the roads are graded equitably in Kenya. One wonders why we have a Provincial Works Officer in Embu. What role does he play if he is unable to look after some of the roads there? If you look at the Estimates, you will find that there is very little money that has been allocated for Embu. Most of it has, unfortunately, gone to certain districts. I think, in future, when it comes to Development Estimates, let us be more broad and recognise that Kenyan belongs to us all

and that we need to develop it as evenly as we can.

Mr. Temporary Deputy Speaker, Sir, if I may give a typical example, Embu District is one of them. Embu District has grown over the years. We have a sewerage problem that has been going on for a very long time. Looking through the Printed Estimates, I can see that Embu District has only been granted K£100,000. If I may look and compare it with an area in Uasin Gishu District, that is Eldoret Town alone, it has been allocated Kshs.1 billion through a grant by the Germany Government. It has also been given an extra Kshs332 millions to improve the sewerage system. Areas like Kisumu Town and Mombasa Town have not been taken care of, even as far as sewerage is concerned. The money is being channelled to one area. I do not want to discriminate or be seen as a tribalist but, for how long are we going to keep on developing the Rift Valley Province? They are taxpayers as we are. I have nothing against the people of that area, but I think when it comes to development, we must be more rational and decent in the manner in which we are going to take care of the resources.

Mr. Temporary Deputy Speaker, Sir, if I may touch on what everybody else has talked about; that is the Eldoret Airport, I do not want to be very critical. I just want to say that, every hon. Member has complained about the pathetic state of the roads where they come from, including hon. Keah. If only the Government was decent enough, it should be able to repair our roads. We have two international airports; the Moi International Airport at Mombasa and Jomo Kenyatta International Airport here in Nairobi. Those two airports are enough to carry out duties that are required. With an extra international airport coming up in Eldoret Town--- If part of that money was used develop our roads, there would be less hue and cry from hon. Members in this House. We would be able to develop those districts that are further and further away from Nairobi. That way, the Government would earn enough money. If we are able to get produce like coffee and tea on time for the outside markets, we would prosper.

Mr. Temporary Deputy Speaker, Sir, I have looked very carefully at the Printed Estimates that we will soon be discussing in this House. I am surprised that most of the KANU Members of Parliament have been very critical of those Printed Estimates, but God knows what happens when they come to the day of reckoning; the day of voting, they vote as a block like sheep being led into a slaughter-house. History will judge many Members who sit in the back benches when they vote as a block. You are pulled overnight to come into the House and vote for the Government.

With those few words, I oppose the Motion.

**Bishop Tanui:** Bw. Naibu Spika wa muda, ningependa kuiunga mkono Hoja hii na kumshukuru Waziri wa Fedha kwa kazi safi anayofanya. Tunasema ahsante sana. Nikirundi upande wa Kipkelion ambayo ni sehemu moja iliyosahaulika, nafikiri wakati Wizara ya Fedha inapokaa chini na kupanga mambo, ingeangalia Kipkelion na barabara ya kutoka Londiani mpaka Fort Ternan. Pesa zilitengwa za kurekebisha na kuweka lami barabara ya Londiani-Fort-Ternan, lakini zilihamishwa na kupelekwa kurekebisha barabara zingine. Barabara ya Londiani-Fort Ternan iliwachwa vile ilivyokuwa. Ningependa kusema kwamba sisi ni lazima tuseme ukweli uwe mchungu au mtamu. Nikiwa Mbunge wa sehemu hiyo, nitazidi kusema kwamba sisi wananchi wa Londiani tunaomba Serikali iangalie kwa makini barabara ya Londiani-Fort Ternan. Mhe. mwenzangu amesema kwamba Rift Valley imekuwa na maendeleo mengi sana. Ninashindwa ni Rift Valley gani anaongea juu yake kwa sababu ninatoka huko na hali Kipkelion yenyewe haina hata barabara za lami wala hospitali.

Bw. Naibu Spika wa muda, kituo cha matibabu cha Fort Ternan hakina vifaa vyo vyote na ningependa Waziri anayehusika, na pia Wizara ya Fedha pia, wakitengee pesa za kukiendeleza. Sasa hivi ninavyozungumza, katika hospitali ya Londiani, wananchi wanalazimika kutoa maji ya matumizi yao nyumbani. Naomba Wizara inayohusika ishughulike jambo hilo ili hospitali ya Londiani ipate maji. Kuna maji kwa wingi mjini lakini yameelekezwa kwa tajiri mmoja. Hupita karibu na hospitali hiyo. Katika hospitali hiyo, wananchi wanajibebea maji ya kutumia.

Bw. Naibu Spika wa muda, narudia kusema kwamba Mhe. mwenzangu ambaye, pamoja na wengine katika upande wa Upinzani, walisema kuwa uwanja wa ndege wa Eldoret haustahili kujengwa na wamekuwa na uchungu mwingi. Tunataka maendeleo katika Kenya nzima. Huu uwanja utafaidi Wakenya wote na tunauhitaji. Tunapongeza Serikali kwa kuujenga kwani ni faida kwetu. Tunazungumza kuhusu Eldoret Airport lakini hatuzungumzi kuhusu barabara za Mkoa wa Kati ambazo ni mbili mbili. Hata hayo ni maendeleo yetu zote. Lazima tuunge Serikali yetu mkono inapoendeleza sehemu yoyote katika nchi yetu.

Bw. Naibu Spika wa muda, lazima wafanyakazi wa Serikali wahakikishe kwamba wametumia pesa kwa njia safi. Wasizitumie kwa mahitaji yao kwani hata wakifanya hivyo kwa kujificha ni vibaya. Hata Musa alipokuwa akiwaongoza wana wa Israeli, ilifika wakati ambapo walimkosea Mungu. Naye Mungu aliwambia hawataiona nchi ya ahadi. Kwa hivyo, watumishi wa Serikali wanaombwa wafanye mema naye Mungu atawabariki wanapokuwa majumbani mwao.

Bw. Naibu wa Spika wa muda, sisi Wakenya tunafurahia uongozi mwema wa Mtukufu Rais Moi. Tunajua kuwa kila mmoja anataka kutawala lakini kwa sasa Rais Moi anaongoza vyema na tunamuomba Mungu amuongoze na amlinde.

Bw. Naibu Spika wa Muda, tumezungumza kuhusu pareto katika kiwanda kimoja huko Kipkelion. Kuna

miradi ambayo tumepitisha katika DDC lakini hakuna hata mradi mmoja umetekelezwa. Ningependa Mawaziri wote katika Kenya waende Kipkelion wanionyeshe ni mradi gani Kipkelion imepata. Hakuna maji, stima, lami, shule. Hakuna chochote ila tu Mungu. Ningependa kusema hivi: Kuna mradi moja ambao ulikuwa umepitishwa zamani, Kimalagit Water Project. Hata pesa za mradi huo zikatengwa na tukafurahi sana. Lakini baadaye, hatujui hizo pesa zilienda wapi. Kwa hivyo, nikisimama nikiwa Mbunge wa Kipkelion na tena nikiwa nimeokoka na ninampenda Yesu kama Mwokozi wetu, ningependa kusema kwamba wananchi wamepanda kahawa, lakini viwanda vya kupeleka kahawa hiyo hakuna. Hata barabara ya kuipitishia kahawa hiyo hakuna. Ukiangalia upande wa majani chai, mambo ni vile vile. Kwa hivyo, ningependa ndugu zangu na viongozi kama mimi kutoka upande wa Upinzani tuwe kitu kimoja na tuangalie nchi ya Kenya. Tujenge Kenya iwe kitu kimoja. Kama barabara ikitengezwa kutoka hapa hadi Kisumu tufurahi. Ikitengenezwa mpaka North-Eastern, tunafurahi. Barabara za sehemu zote zikitengezwa, tutafurahi. Najua kwamba ndugu zangu wakipiga kelele na kusema kwamba sehemu zao hazina barabara, wanajaribu kuficha kitu chochote. Msifiche kitu. Semeni haki na mtabarikiwa. Msipinge haki. Semeni haki na mtabarikiwa. Tukihesabu miradi ambayo imefanywa katika Mikoa ya Bonde la Ufa, Magharibi, Kati na Pwani, tutaona kwamba Mkoa wa Kati unachukua nafasi ya kwanza katika maendeleo. Hata tukiweka Mikoa ya Bonde la Ufa, Kaskazini Mshariki na Pwani pamoja, hatuwezi kupita Mkoa wa Kati kimaendeleo. Kwa hivyo, mshukuru na muendeleo namna hiyo. Kwa hivyo tungependa tuungane pamoja na tukae pamoja.

*[The Temporary Deputy Speaker*

*(Mr. Wetangula) left the Chair]*

*[Mr. Speaker resumed the Chair]*

Bw. Spika kuna jambo lingine ambalo ningependa kusema. Mimi nikiwa Mbunge, hii ni mara yangu ya tatu au ya pili kuliongea. Kuna kitu kimoja ambacho ningependa kulisema leo. Sisi tunatetea wananchi ambao walituchagua. Lazima tuwatetea kwa haki. Tuwatetea kwa kuungana mikono pamoja na kuunga Mtukufu Rais ambaye anaongoza nchi hii sasa mkono. Ukifanya mema Mungu atakubariki. Hujui siku moja utakuwa nani. Kwa hivyo tuungane pamoja. Ninawaunga mkono Mawaziri wote and wafanyakazi wa Serikali. Lakini wakifanya mabaya, nawambia katika Biblia Ufunuo 3:3 unasema, "Rudini nyumba---"

**Mr. Speaker:** Your time is up!

**Bishop Tanui:** Ahsante sana Bw. Spika.

**The Member for Machakos Town (Mr. Musyoki):** Ahsante sana, Bw. Spika kwa kunipatia nafasi hii, ili niweze kutoa hotuba yangu ya kwanza na pia nichangie Makadrio ya mwaka 1995/1996.

Bw. Spika, nawashukuru sana wenyeji wa Machakos Town walioniteuwa na kunichagua kama Mbunge wao kwa tikiti ya KANU. Pia nawashukuru marafiki zangu na viongozi wa KANU waliojiunga na mimi na kushirikiana pamoja wakati wa kampeini mpaka tukanyakua ushindi kwa tikiti ya KANU.

Nina masikitiko nikimtaja marehemu John Kyalo. Nikikumbuka vile amewafanyia wakaazi wa Machako Town maendeleo makubwa kupitia kwa Serikali tukufu ya KANU. Aliweza kuwafanyia miradi tofauti tofauti wakazi wa Machakos Town. Ushirikiano aliyowacha baina ya watu wa Machakos Town na Serikali ni mkubwa sana na natumaini kwamba ushirikiano wangu na wakazi wa Machakos Town utaendelea ili kuniwezesha kukamilisha miradi ya maendeleo ambayo aliyacha bila kukamilika. Naomba kwamba huo ushirikiano na uhusiano uliokuwapo baina ya Marehemu, Serikali na wakaazi wa Machakos Town utaendelea. Ninaomba Mungu aiweke roho yake mahali pema peponi.

Pia nashukuru Serikali ya KANU tukufu ambayo inaongozwa na Mtukufu Rais Daniel Toroitich arap Moi kwa yale maendeleo na misaada imeweza kuwapatia wenyeji wa Machakos Town. Serikali iliwaisaidia watu wa Machakos Town na chakula wakati mgumu wa kiangazi kwa muda wa miaka miwili iliyopita.

Pia nashukuru Serikali ya KANU kwa ujenzi wa barabara. Imejengea wakazi wa Machakos Town barabara kutoka Makutano ya Mombasa-Nairobi hadi Jiji la Nairobi, na hata barabara ndogo ndogo ndani ya mji. Pia, kuna barabara inayoendelea kuwekwa lami kutoka mji wa Machakos Town hadi Kangundo. Hiyo ni shukrani kubwa sana. Nashukuru Serikali kwa mipango inayofanya ya kuendelea kuwasaidia watu wa Machakos Town.

Pia ninashukuru Serikali ya Mtukufu Rais kwa maji safi kutoka Kilimanjaro iliyowapatia watu wa Machakos. Sasa watu wa Machakos hawana shida ya maji kama hapo mbeleni. Hiyo ni shukrani kubwa sana.

Pia ningependa kumshukuru Waziri ya Afya kupitia Wizara yake kwa vile amewafanyia watu wa Machakos Town. Amewaletea dawa na anaendelea kufanya mengi kwa hospitali hiyo. Ni shukrani kubwa.

Pia, Bw. Spika, nashukuru Waziri wa Fedha kwa Bajeti nzuri aliyoitoa kwa vile inaambatana na matakwa ya wananchi wa Kenya.

Kwa hayo machache ninaunga mkono Hoja hiyo.

**The Assistant Minister for Culture and Social Services (Mr. Kirior):** Bw. Spika, nakushukuru kwa

kunipatia nafasi hii kuchangia Bajeti hii ambayo ni nzuri.

Kwa kuchangia Bajeti hii, ningetaka kutaja shida mbali mbali ambazo zinatukabili huko nyumbani. Nataka kuongea juu ya maji. Huko Belgut, tumepitisha mradi mmoja wa maji. Kuna michoro mbali mbali na kila jambo limekuwa tayari kwa miaka 20. Lakini mpaka sasa, hatujapata maji hayo. Utekelezaji ndio bado kufanywa na huu ni mradi mmoja ambao unachukua theluthi mbili ya Belgut. Naiomba Wizara ya Ustawi wa Maji wafanye juhudi zao kuhakikisha kwamba maji hayo au mradi huo wa maji unatekelezwa. Ni jambo ambalo tumelizungumzia kwa miaka 20 tukitarajia kwamba maji haya yatakuja. Ni maombi yangu tupate maji hayo haraka iwezekanavyo. Naamini kwamba Wizara inayohusika itachukua hatua ifaayo.

Bw. Spika, tuna shida kubwa kwa mambo ya afya, hasa kwa madaktari ambao ni consultants, yaani wataalamu. Mara nyingi, watu wakienda huko wakitaka usaidizi, wanashauriwa waende katika hospitali za kibinafsi kama Aga Khan na kadhalika, ili wapate nafasi ya kutibiwa huko ili walipe pesa. Hawajui kwamba wagonjwa hao wana pesa ama hawana. Ni vizuri Wizara ya Afya ichukue hatua ifaayo kusimamisha jambo hilo la private practice kwa sababu limewaumiza watu wengi sana. Hata juzi, nilimwona mtu mmoja ambaye alishauriwa aende Aga Khan ambapo alitakiwa atoe au alipe kiasi cha KSh.100,000.00 kwa matibabu. Yule ambaye anatoa agizo hilo ama yule ambaye anamshauri ni daktari ambaye anafanyia kazi Serikali. Tunasikia wengi ambao wanafanya namna hiyo. Hilo ni jambo la kuudhi sana. Ni vizuri Serikali iongeze mshahara wa madaktari halafu haya mambo ya private practice yafungwe. Ama daktari aache kazi ya Serikali aende ajisimamie. Hiyo ni bora kabisa kuliko daktari kutumia vifaa vya Serikali kutibu mtu halafu apate pesa. Jambo hili limeleta taabu nyingi sana. Naamini kwamba Waziri anayehusika atachukua hatua kurekebisha jambo hilo ili daktari akiwa mfanyakazi wa Serikali, aache mambo ya private practice. Lakini jambo muhimu ni kuangalia ni mambo ya mshahara kwa sababu daktari anaweza kutibu mgonjwa mmoja na kupata pesa ambazo ni zaidi ya mshahara wake wa mwezi.

Jambo lingine, Bw. Spika, ambalo tumeona kwa hospitali nyingi ni kuhusu mambo ya mortuary, yaani chumba cha kuhifadhi maiti. Mtu anapofariki, jamaa yake wakitaka kuchukua maiti, mara nyingi wale wafanyakazi wa huko mortuary wanasumbua watu sana kwa sababu wanataka hongo. Sasa, mtu analia kwa ajili ya kupoteza mtu wake halafu anasumbuliwa kwa sababu ya hongo kwa sababu wanajua ni shida kwa mtu kwenda kutoa ile maiti. Yafaa Wizara ichunguze jambo hilo na likomeshwe kabisa, ili jamaa ya marehemu wanapokwenda kuchukua maiti, wasaidiwe na wasisumbuliwe na wafanyakazi hao wa mortuary. Tumetaabika sana kutokana na jambo hili ambalo linahusu hospitali nyingi sana.

Kwa upande wa kilimo, Bw. Spika, kilimo ni muhimu kwetu katika nchi hii ya Kenya. Lakini kuna mambo machache ambayo nataka yarekebishwe. Katika Muhoroni Sugar Factory, nataka kutoa shukrani kwao kwa sababu kwa wakati huu wamejaribu kusimamia vizuri wakulima wa miwa na wanalipwa vizuri. Lakini jambo ambalo sisi kwa upande wa Kericho tunalalamikia na kusikitikia ni kuhusu waajiri wa wafanyakazi katika kiwanda hicho. Sisi katika upande wa Kericho tunatoa nusu ya miwa ambayo inapeleka Muhoroni Factory lakini ukiangalia uajiri wa wafanyakazi katika kiwanda hicho, wale watu kutoka upande wa Kericho si zaidi ya watu 30 kwa watu zaidi ya 2,000 ambao wanafanya kazi huko. Tunalalamika kwa sababu tunataka usawa wa kazi. Sisi pia tunasaidia kiwanda hicho. Tunachukua miwa yetu huko lakini ikija upande wa uajiri hatupati nafasi iliyo sawa na wenzetu wengine. Ukienda huko Kericho utasikia malalamiko yetu ndio hayo. Ulipaji wa wakulima ni sawa kwa wakati huu lakini tuna shida kwa upande wa uajiri wa wafanyakazi. Tunataka uajiri sawa ili zote tufaidike kwa sababu tunapeleka miwa yetu huko.

Bw. Spika, kuna jambo ambalo mhe. Prof. Ouma alitaja kuhusu mambo ya kemikali ambayo inamwagwa kwa maji. Muhoroni Sugar Factory pamoja na Agro-Chemical wanamwaga maji ya sumu katika mto Kipchorian; upande wa Kisumu unaitwa Nyando. Maji haya yameleta maafa kwa ng'ombe, samaki na kadhalika. Kwa hivyo, nataka Muhoroni na Agro-Chemical watafute mahali pengine pa kumwaga sumu hiyo lakini wasimwage kwa mto. Sisi pamoja na wanyama tunapata maji ya kunywa katika mto huo. Kwa hivyo, ni taabu kama wanaweka sumu kwa maji hayo. Inakuwa ni hatari kwa kila kiumbe. Tunaomba warekebishe jambo hilo.

Jambo lingine, Bw. Spika, kuhusu kilimo ni mambo ya cess ama kodi. Tunajua cess inachukuliwa kwa mimea mbali mbali. Cess ya majani chai inasimamiwa na kamati maalum ambayo ilibuniwa. Lakini cess kwa mimea mingine inaachiwa makonseli. Sijui ni kwa nini cess zote hazikuachiwa kamati hiyo maalum ikiwa wafanya kazi zaidi kuliko makonseli. Ingefaa waachiwe wasimamie zote ama si hivyo makonseli wasimamie zote. Sijui ni kwa nini kuna vyama viwili ambavyo vinasimamia cess zote ambazo zinahusu wakulima wetu.

Bw. Spika, jambo lingine ambalo ningetaka kugusia ni kuhusu mambo ya mbegu za mahindi. Mwaka huu, mahindi kwetu si nzuri na ukichunguza sana, utapata kwamba kuna ujanja fulani; hatukupata mbegu sawa. Hata ile dawa ya kuweka kwa mahindi, pia si sawa.

Hata ile dawa inayotiwa kwa mahindi haiwi wadudu. Inaonekana kuna watu walaghai ambao wamechanganya dawa kiasi kidogo na kitu kingine. Tumeona kuwa ukiyaweka mahindi dawa hiyo na kuyaweka katika gunia, baada ya muda mfupi, mahindi hayo yatakuwa yameliwa na wadudu. Inafaa Wizara ichunguze jambo hilo ambalo linawaletea

wakulima hasara na hali uchumi wa nchi hii unategemea ukulima.

Jambo lingine ni kuhusu watu ambao wanastaafu kazi zao. Inafaa Serikali iwalipe maofisa wanaostaafu pesa zao mara moja. Mara nyingi tunawaona watu waliostaafu wakitaabika hapa Nairobi sana, wakiendelea kufuata malipo yao na huku wanaendelea kuambiwa waje kesho.

**Mrs. Ngilu:** Thank you, Mr. Speaker, Sir. I wish to limit my contribution on the Budget to the question of poverty alleviation.

First of all, I would like to congratulate the Minister for Finance for specially setting aside K£377 million - the equivalent of about Kshs7.5 billion - for poverty stricken Kenyans. I am also happy to note that this figure will be tripled in the next three years. This plan to progressively triple the figure of K£377 million over a period of three years is in keeping with the President's promise during the last year's national conference on social dimension of development, which was held at the Kenyatta International Conference Centre. It is also in keeping with the theme of alleviating poverty echoed in Copenhagen in March, 1995, during the world's social summit on development. I am also pleased because I participated in that conference and what we undertook to do for this country seems to be bearing fruits.

However, while that sounds very good at the theoretical level, the administration of those funds will be very crucial in measuring what the Government can do for the poor in this country. In my view, there is an urgent and important need to do proper planning for that money. Emphasis should be put on vocational training for youth and women, who are the target groups. That will enable them to have proper understanding of their needs and solve their own problems.

I do not believe in the promises being sung every day that people in Kanu zones will get development. I come from a non-Kanu zone, but I am sorry for my counterparts who are in Kanu zones because their areas are worse than mine. That promise, which is given every now and then to defectors, should cease because it does not help anybody in this country. I think all Kenyans, whether they are in Kanu or in the Opposition, are suffering equally. It is high time that we all understood the need to alleviate poverty in the whole country. It is for all of us to take upon our shoulders, irrespective of our party affiliations, the responsibility of making use of the funds that have been made available by the Minister to help our own people.

To that end, I would like to see proper emphasis put on basic training in areas like accountancy, book-keeping and access to savings and credit. That is the only thing that can provide the impetus for sustainable development. I say that because the current banks that offer credit and saving schemes to Kenyans would not suffice where ordinary mwananchi has little money. The current banks are elitist and are not suitable for running the projects of the poor. They are profit oriented and charge high interest rates and ledger fees. Women and the youth, who sell their merchandise along road sides and within parks, will not get any assistance from commercial banks. Therefore, the Co-operative Bank of Kenya and the co-operative societies should now take up the opportunity of offering services to the rural poor, so that women with little money and small businesses can have a place to keep their money. For instance, a woman who works and makes Kshs200 in a day might want to save Kshs100, but she will not be able to save it since even opening a bank account in most commercial banks needs between Kshs3,000 and Kshs5,000. Therefore, such a woman has no way of saving something for the future needs of her family.

In the actual implementation of the projects, we need to avoid a situation of misappropriation, misapplication and misuse or outright theft of the funds meant for the poor. Proper committees should be set up from the local to the national level. I suggest that a proper system where qualified, competent, honest, experienced and non-partisan local people could be put in place to identify the people who should benefit from those funds. I would like to hereby recommend women to be the majority in the membership of the committees that I am suggesting. That is because, as we know, women have been known to have less appetite for the shilling.

Mr. Speaker, Sir, I hope that this time round, the Minister is not going to fall into the well known trap of the World Bank, the IMF, international donor community and the non-governmental organisations that operate in our country. That kind of money may be diverted from the targeted poor and may be put into endless researches, meaningless seminars, cocktails, luncheons and luxurious travelling, which will take 75 per cent of the funds, so that the money never reaches the rural poor. That has been happening and I hope hon. Members will find time to read a book entitled "Lords of Poverty" by Graham Hancock. It so clearly spells out how money that is intended for the poor is spent by the people who give it out. We do not have to do any more research to find out how poor people in this country are. That has been done. For instance, we are about to go for the Beijing Conference. I, as a Member of Parliament, will have to spend an enormous Kshs250,000. Surely, what poverty am I going to discuss in Beijing when I know it here? That Kshs250,000 is enough to build three good dams for my constituency and women will farm their own food and will, at least, be able to alleviate their poverty and get out of most of the problems that they are experiencing today.

Mr. Speaker, Sir, my last point would be the issue of tax relief. The Minister will never get away with this.

He showed open discrimination on that when he gave a higher tax relief to married men. We know the burden of looking after a family. The burden of an African family lies squarely on the shoulders of a woman. Surely, what criteria did the Minister use to give higher tax relief to men and not to women, when we know that, today, most households are run by women?

I beg to support.

**The Assistant Minister for Land Reclamation, Regional and Water Development** (Mr. Chepkok): Ahsante sana, Bw. Spika, kwa kunipatia nafasi hii ili niungane na wenzangu kwa kuzungumzia Bajeti ambayo ilisomwa na Waziri juzi.

Bajeti hiyo ilikuwa nzuri sana kwa raia, isipokuwa kitu kimoja ambacho hata mimi sikukubaliana nacho. Ni mambo ya kuruhusu uagizaji wa mahindi kutoka nje. Bei ya mahindi ambayo wananchi wanalima itashuka. Hiyo itakuwa ni shida sana kwa wakulima. Bei za mbolea na madawa zinapanda na bei ya mahindi inashuka. Hiyo inaumiza mkulima. Mwaka ujao, kutakuwa na shida kwa sababu mwaka huu, watu wengi hawajapanda mahindi kwa sababu ya kukosa kulipwa na NCPB pesa ambayo wangetumia kununua mbegu na mbolea. Kwa hivyo, mwaka huu, watu wachache ndiyo walipanda mahindi. Hiyo ndiyo sababu ninaomba Serikali ichunguze kwa makini swala la uagizaji wa chakula kutoka nje.

Bw. Spika, nakubaliana na mwenzangu, mhe. Ngilu, kwa yale ambayo amesema kuhusiana na mashirika yasiyo ya Serikali (NGOs) kwa sababu ni ukweli. Mara nyingi, zile pesa ambazo hutolewa na mashirika hayo hutumiwa kwa masemina na kulisha watu mahotelini. Nyinyi mnakuja kulishwa hapa na kula hotelini, lakini raia ambao wako nyumbani wanangoja pesa kwa sababu wana shida kubwa sana. Tumeona visa vingi sana vya aina hiyo.

Hata kwangu, nimeona watu wakipelekwa kwa semina, na wanatumia zaidi ya shilingi milioni tano. Yule mama ambaye anatoka katika lokesheni fulani amefunzwa kweli, lakini hakuna kitu ambacho anaenda kufanya. Mimi naona huo ni wizi. Afadhali mtu atuambie ya kwamba tumepata pesa kutoka kwa wafadhili ambayo itafaidi watu. Kama kuna mradi wa maji, raia mwenyewe aende kununua vile vitu ambavyo vinahitajika kwa ujenzi wa mradi huo. Akipewa LPO, mwenyewe atachunga pesa hizo. Lakini tukiwapatia maafisa, wengi wao huiba. Unakuta kwamba afisa anadai "night out allowance", na hali haendi mbali. Anadai "night out allowance" ya karibu shilingi 5,000, na kumbe amelala kwake. Kwa hivyo, mimi nauliza Serikali iwapatia wananchi wenyewe pesa hizo. Kama mradi unagarimu shilingi milioni tano, raia wenyewe walio kwa kamati tekelezi wapewe nafasi ya kuchunga hiyo pesa na watekeleze mradi huo wenyewe. Itakuwa rahisi kwao kuchunga pesa yao kuliko maafisa wa Serikali. Wizi umekuwa mwingi sana katika Serikali. Hilo si jambo la kuficha. Tumeona wengi.

Hata Jumatatu, nilikuwa katika mkutano wa DDC, na tuliambiwa jambo la ajabu sana kuhusu daktari mmoja katika hospitali ya Iten. Kuna mama mmoja mja mzito ambaye aliletwa hospitalini usiku. Badala ya huyo daktari kumfanyia upasuaji, alisema: "Wacha ikae mpaka kesho". Huyu mama aliaga dunia usiku bila kusaidiwa, na huyo daktari alikuwa anakunywa tu, akitumia zile pesa alizokuwa amepata kwa kuuza madawa. Hiyo ni ajabu sana! Hilo ni jambo ambalo sisi wote katika Serikali na Upinzani tunapaswa kupinga. Tusiwe watu wa kuunga mkono tu, na huku watu wanamalizika. Hatuwezi kukubaliana na mambo kama hayo. Hata Mtukufu Rais anapinga mambo kama hayo. Yeye analia kila siku, na sisi wenyewe tumeanza kutia fitina huko, tukisema yawaachiliwe. Lakini ni lazima sisi zote katika Serikali na Upinzani tuungane pamoja kupinga wizi ambao umefika katika Kenya. Tusipofanya hivyo, basi, ndungu zanguni, poleni sana. Tukitaka kuja kwa Bunge hili tena, ni lazima tuonyeshe raia kwamba, ijapokuwa ni chama gani cha kisiasa tunachounga mkono, tuko pamoja na tunataka kujenga nchi hii. Si kupigana tu na mhe. Shikuku hapa, na tukitoka hapa, tunaenda kunywa chai pamoja na yeye, tukizungumza mambo mengine. Raia huko nje wanaachwa wakisema: "Aah, hawa walipigana leo!" Lakini huko nje, tunakunywa chai pamoja, tukizungumza mambo mengine. Ni lazima raia wajue kwamba tuko pamoja na tunajenga Kenya. Chama cha kisiasa ni nini? Tusipokaa pamoja, wewe utaendelea kurukaruka hapa ukisema "KANU itatawala kwa miaka 200". Wakati huo, sisi hatutakuwa hapa. Tutakuwa tumeenda. Ndiyo sababu mimi nawambia kwamba tuungane ili tujenge nchi hii.

Nafikiri hata rafiki yangu, mhe. Kibaki, alifanya makosa sana kuingia katika Upinzani. Angebaki kwa KANU kwa sababu KANU itatawala kwa miaka 200 ijayo, lakini tujenge nchi hii. Tujenge tukiwa pamoja, na tukiwa katika Bunge hili, turekebishe yale mabaya ambayo yamefanyika. Hicho ndicho kitu kimoja ambacho mimi ningemba. Tusitukanane. Hautafaidika kwa kutukana mwenzako. Hata ukitumia magazeti kutukana mwenzako, hakuna kitu utafaidika nacho hapo. Yako ni kwenda kwa magazeti ili ujulikane. Unazungumza nini? Wengi wenu hapa hamwendi nyumbani kwenu.

*(Mr. Chepkok hit the Table with his fist)*

Munashinda hapa Bungeni; hamwendi nyumbani kwenu.

**Mr. Shikuku:** Jambo la nidhamu, Bw. Spika. Nafikiri umemsikia mhe. Mbunge vizuri sana akitoa hotuba nzuri. Lakini anasema wengi wetu hawaendi nyumbani. Anaweza kuthibitisha jambo hilo?



**Mr. Speaker:** Ameharibu kabisa! Hana haki ya kusema Wabunge hawaendi nyumbani. Unasema Wabunge hawaendi nyumbani, wanaenda wapi? Endelea!

*(Laughter)*

**The Assistant Minister for Land Reclamation, Regional and Water Development** (Mr. Chepkok): Bw. Spika, hawa Wabunge wanakaa hapa Nairobi. Hawatembelei sehemu wanazowakilisha hapa Bungeni.

**Mr. Speaker:** Nidhamu, Mr. Chepkok! Nimekwisha amuru tayari kwamba ni kukosa nidhamu kusema kwamba Wabunge hawaendi nyumbani. Usiseme hivyo tena.

**The Assistant Minister for Land Reclamation, Regional and Water Development** (Mr. Chepkok): Bw. Spika, nitaendelea, lakini wamesikia.

*(Laughter)*

Bw. Spika, jambo lingine ambalo ningependa kuzungumuzia ni kuhusu miradi ya vikundi vya akina mama.

**Dr. Toweett:** Mr. Speaker, Sir, the word "nyumbani" has got two meanings. One is here in Nairobi and one in the rural areas. Which one is hon. Chepkok referring to?

**Mr. Speaker:** As far as the Chair is concerned, home means home, wherever it is. Proceed!

**The Assistant Minister for Land Reclamation, Regional and Water Development** (Mr. Chepkok): Ahsante sana Bw. Spika. Ningependa kuiomba Serikali ivisaidie vikundi vya akina mama ambao wamejifanyia Harambee na wanataka kununua basi. Wanaomboa kuondolewa ushuru ili wanunue basi hilo. Akina mama ndio msingi wa nchi na ni wao wanaojenga nchi hii; sio sisi wanaume. Wanahitaji kusaidiwa.

Bw. Spika, nilishangaa sana kusikia mhe. Ruhii akisema Eldoret International Airport ni ya kusafirisha mavi ya ng'ombe. Sitamtukana, lakini ningependa kumjulisha kwamba ni mjinga wa mwisho.

*(Laughter)*

Hajui kule dunia inaelekea.

**Mr. Ndicho:** Jambo la nidhamu, Bw. Spika. Je, si kinyume cha kanuni zetu kwa mhe. Chepkok kumwita mhe. mwingine "mjinga." Yuko na nidhamu kweli?

*(Hon. Kibaki moved closer to the Table)*

**Mr. Speaker:** Order, Mr. Kibaki! Nikukosa nidhamu kabisa kusema kwamba mhe. Mbunge yeyote ni mjinga hapa. Katika Bunge hili, hatuna wajinga na itakubidi mhe. Chepkok, uyaondoe yale maneno uliyotamka na kusema kwamba mhe. Mbunge fulani ni mjinga. Ni lazima maneno hayo uyafutilie mbali. In simple words, ni lazima uyaondoe maneno hayo na uombe msamaha.

**The Assistant Minister for Land Reclamation, Regional and Water Development** (Mr. Chepkok): Bw. Spika, akifutilia mbali maneno aliyosema kuhusu mavi kusafirishwa kutoka Eldoret Airport, na mimi nitafutilia niliyoyasema.

**Mr. Speaker:** Order! Order, I am sorry, Mr. Chepkok, you are now arguing with hon. Ruhii. It is an order from the Chair that you are out of order to use abusive language on another hon. Member, contrary to Standing Orders. I having ordered you to withdraw and you must comply. If you do not comply, I will take punitive measures to ensure that there is law and order in this House. Therefore, I give you the second chance. I now order you to withdraw unconditionally and apologise to the House.

**The Assistant Minister for Land Reclamation, Regional and Water Development** (Mr. Chepkok): Bw. Spika, siwezi kuyaondoa. Ikiwa angeondoa aliyoyasema kuhusu Eldoret Airport---

**Mr. Speaker:** Order! Order. I have no option Mr. Chepkok that, since you have categorically defined the order issued by the Chair, that is gross misconduct and I now order that you will be excluded from the proceedings of this House for the balance of the day in accordance with Standing Order No.88. You must now leave.

*(Hon. Chepkok bowed to the Chair and left the Chamber)*

**Mr. Shikuku:** On a point of order, Mr. Speaker, Sir. I would not like to go back to your ruling, but when

is one named? That is something very serious and I feel that the hon. Member should be named, so that he can be out of the House for three days.

*(Loud consultations)*

**Mr. Speaker:** Order! Order! The circumstance under which one can be named are spelt out in the Standing Orders and if any hon. Member is interested in that, he must do so before the Chair has taken any action. Once the Chair has taken action on an hon. Member, that precludes any further action thereafter.

**Mr. Achieng-Oneko:** Thank you, very much, Mr. Speaker, Sir, for giving me this opportunity to contribute to the Budget Speech by the Minister for Finance.

Mr. Speaker, Sir, the confidence and stability of our country is based on sound and well established grounds which depend entirely on the management by the Government. That includes Ministers, civil servants and also a strong and a united Parliament. It is surprising to find that the Government is being undermined by certain irresponsible acts like making outrageous statements by very senior civil servants. I have an example. Recently, one of the District Commissioners challenged an hon. Member of this House to resign. I do not think that, that is the right kind of statement that should emanate from a senior civil servant. Since they were not arguing, he had no right whatsoever to challenge the hon. Minister.

Secondly, there have been statements by civil servants on security. Recently, the Provincial Commissioner, Nyanza, alleged that FERA army movement is prevalent in Nyanza Province. He said that they have already arrested some people involved in that movement. That is, in fact, the work of police. If those people are found breaking the law, or going to antagonise the peace of this country, they should be taken to court. We are keeping our fingers crossed. We want to know exactly when those people are going to be taken to court. If that does not happen, then it repeats certain statements that had been made in the past with loose ends, without people being arrested and charged with such offenses. One is forced to conclude that, that is just mere intimidation and rumour-mongering by civil servants.

**An hon. Member:** They are very mouthy!

Mr. Mr. Speaker, Sir, I am not here to fight the Government, but I would like to see that the Government is doing the right thing. That is because when we win the 1997 general elections, we will show a good example of a good government. I am assuring the Government side that we are going to fight them tooth and nail to oust them, and show them how to run a good government.

**An hon. Member:** But you used to be in the Government!

**Mr. Achieng-Oneko:** It is true, Mr. Speaker, Sir, that I was once there. I did my best and when I look back--- There are some people in the Government today who say "I wish I could do it like Achieng-Oneko when he was the Minister for Information and Broadcasting." Nobody has challenged me since I left that place 30 years ago.

Mr. Mr. Speaker, Sir, I would like to comment on the Speech by the Minister for Finance. I think he did a good job. In fact, if we go by his words, and if the Minister implements his Statement to the letter, then this country would be a better place for us to live in. I would appeal to him to read his Statement word by word and implement it.

Mr. Speaker, Sir, on roads, the Minister tell us that there are 63,000 kilometres of bituminized roads and that 14 per cent of those roads are on the better side. But my constituents have never seen a bituminized road. What is the Minister going to do about my constituency which has been left behind? For the last 33 years of Independence, not even an inch of road has been bitumenized in my constituency. Even the Government allocated some money for that purpose last year, but the money was later withdrawn and we have now gone back to square one. Attempts have been made to repair the roads but almost every time the work starts they say "There is a break-down somewhere." Even today, I cannot reach my home when it rains. Even when it drizzles, I cannot get to my home. That is shameful. I am appealing to the Minister to spend a small amount of money to bituminized at least 10 kilometres of road in Rarieda Constituency and, by and by, he will be able to complete the Ndori-Luanda-Kotieno Road. I will be very grateful to the Government if that is done.

**Mr. Shikuku:** After all you fought for Uhuru!

**Mr. Achieng-Oneko:** Mr. Speaker, Sir, I thought that probably one day, I would get a reward; not in material form because I do not need it. But the Government should just do something for my constituency. I also expected them to say "Thank you very much, hon. Achieng-Oneko."

**Dr. Toweett:** On a point of order, Mr. Speaker, Sir. Is it in order for the hon. Member to say that for 30 years, nothing has been done in his constituency, when he has not been there for 30 years?

**Mr. Achieng-Oneko:** Mr. Speaker Sir, I thought that my friend Dr. Toweett wanted to assist me but instead he is only criticising me.

*[Mr. Speaker left the Chair]*

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

Mr. Temporary Deputy Speaker, Sir, on local government reform, it is very serious that our local authorities are not working properly. That is because the Minister for Local Government is not assisting them at all. Instead, he is damaging local authorities because some of them are in areas that are controlled by the Opposition and he would not like to see them succeed. Why are there problems in the Nairobi City Council every now and then; between the Mayor and the civil servants? I understand that a Task Force was set up to carry out certain functions at City Hall, instead of the normal civil servants who are there. In the first one week, they did a good job and we thought that Nairobi was going to be clean only to find that they had fallen short of the requirements. They probably started pocketing whatever funds they came across. There is looting at the City Council of Nairobi. The President has now appointed a Commission to look into the affairs of local authorities in this country. I doubt whether they are going to do a good job.

**Mr. Chebelion:** Ahsante sana Bw. Naibu Spika wa Muda, kwa kuniona. Tangu juzi, nimekuwa nikiimba nipate nafasi ya kuzungumza.

**Mr. Kamuren:** Unafurahi sana!

**Mr. Chebelion:** Bw. Naibu Spika wa Muda, ningependa kuungana na wenzangu---

**Mr. Kamuren:** Jambo la nidhamu, Bw. Naibu Spika wa Muda. Je, ni haki kwa mhe. Chebelion kufurahi kupita kiasi?

**Mr. Chebelion:** Bw. Naibu Spika wa Muda, mimi nimefurahi sana na nitazidi kufurahi kwa kupata nafasi hii ili niweze kuongea juu ya Bajeti. Hoja hii inayohusu Bajeti ni ya maana sana na ningependa kumpongeza Waziri wa Fedha kwa kazi ambayo amefanya wakati huu.

**Mr. Kamuren:** Unazungumza Kiswahili safi sana!

**Mr. Chebelion:** Bw. Naibu Spika wa Muda, kuna watu ambao wanadhani kwamba wamekuwa katika siasa kwa muda mrefu sana. Ijapokuwa wengine hatukuwa katika Bunge hili, lakini tumekuwa tukishiriki katika mambo ya siasa tukiwa nje ya Bunge hili.

Bw. Naibu Spika wa Muda, kuna mambo mawili ambayo ningependa kuyagusia. Jambo la kwanza ni kuhusu makadirio ya matumizi ya pesa za Serikali. Miaka inazidi kuja na kupita na Serikali inaendelea kutumia pesa katika shughuli za maendeleo humu nchini.

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

**The Temporary Deputy Speaker (Mr. Ndotto):** Order! Order hon. Chebelyon!

**Mr. Wetangula:** Mr. Temporary Deputy Speaker, Sir, is it in order for the hon. Member on the Floor to get so excited as to start dancing and running up and down the Chamber?

*(Laughter)*

**The Temporary Deputy Speaker (Mr. Ndotto):** Hon. Chebelyon go near the microphone!

**Mr. Chebeloni:** Bw. Naibu Spika wa Muda, asante sana. Katika Bunge hili au Bunge ambazo zimepita, ni lazima mambo yajadiliwe. Na yakishajadiliwa, ni lazima yatekelezwe. Lakini si haki mambo yajadiliwe kisha yatupiliwe mbali. Ni lazima makusudio ya Wabunge vile vile yaangaliwe. Huu ni wakati wa watu kuangalia maslahi ya wananchi. Maslahi ya wananchi ni lazima yaangaliwe kwanza.

**An hon. Member:** Wapatiwe maziwa!

**Mr. Chebeyoni:** Bw. Naibu Spika wa Muda, ikiwa ni mambo ya maziwa wapatiwe! Ikiwa ni mambo ya mahindi au ngano wapatiwe. Ikiwa kuna mambo ya kuzuia uigizaji bidhaa kutoka nje, yazuiliwe. Ni lazima wakulima waangaliwe kwa makini. Si kwamba tuko hapa tu kwa kujadiliana. Hata kama ni kahawa inaharibika, tuseme kahawa imeharibika lakini tutengeneze vipi? Tusiseme ya kwamba ni "Kanu Government". Hilo ni jukumu letu sote.

*(Applause)*

Hiyo ni kwa sababu uongozi si wa KANU, DP, FORD(A) au chama kingine peke yake. Uongozi ni wa wale watu ambao wamechaguliwa. Ni lazima tuone ni kitu gani ambacho wananchi wanahitaji na tukifanye ili wananchi

wafaidike. Sisi wengi hatuna haja na DP au Upinzani, lakini tulikuja hapa kufanya kazi tulipochaguliwa. Kwa hivyo, sisi wengine tukiangalia mambo mengine, hatumuoni Mhe. Kibaki.

Bw. Naibu spika wa Muda, ukulima ndio tegemeo la nchi hii. Chanzo cha maisha yetu ni ukulima. Kama ukulima haupo, hatuwezi kuishi kamwe. Kwa hivyo, ni lazima tuangalie maslahi ya wakulima kwanza. Waheshimiwa Wabunge, mambo ya kuagiza bidhaa kutoka nje; kama vile mahindi, maziwa, sukari na bidhaa zingine, hayafai. Ni lazima tuyaangalie vizuri. Hatusemi ya kwamba ni mabaya, lakini ni lazima tujiulize tunaagiza kwa nini.

Tunaweza kufanya hivyo wakati ule ambapo tuna shida! Tunaposema tuwe na soko huru, tukubaliane! Lakini, tutengeneze sheria za soko huru hilo, ili mkulima afaidike. Kwa wakati huu, mkulima anaweza kuambiwa kwamba hayuko sawa na mkulima wa kutoka Uganda. Hiy ni kwa sababu yule Mganda hawezi kutumia mbolea. Lakini hapa Kenya, tunatumia mbolea. Tunaiomba Serikali yetu iangalie mkulima wa Kenya. Ikiwa tunataka kushindana na mkulima wa Uganda, tutafanya nini? Ni lazima tutafute njia ya kushindana naye. Ikiwa anauza mahindi yake kwa Shs100 kila gunia, kwa nini hatuwezi kuuza kwa Shs50 hapa nchini. Ni lazima Wizara ya Kilimo, ushlichaji wa Mifugo na uuzaji, iangalie kwa nini wakulima wetu hawawezi kuuza mahindi yao kwa Shs50 kila gunia.

Kwa upande wa maji, ningependa kusema kwamba katika sehemu yangu ya uwakilishi Bungeni, kuna mito minne ambayo inatoka mlimani na kufuata mkondo hadi kwa Mhe. Shikuku. Kwa nini mikondo hiyo haiwezi kutengenezwa kwa kuagiza mashine kutoka ng'ambo ili tuwe na sub-stations? Mashine hizo zinaweza kutengeneza kawi. Maporomoko ya maji yanaweza kutengeza kawi badala ya kuiagiza kawi kutoka nje. Maji yanaweza kuteremka kwa kutumia nguvu za kawaida, yaani gravity. Kwa nini tunaagiza mashine kutoka nje na kuacha miteremko hiyo ya maji ambayo inaweza kutengeza stima kutokana na maji? Kwa hivyo, naiomba Wizara ya Kawi itengeneze stima kwa njia hiyo. Wale wenye mito inayoteremka bila shida yo yote, kabla kufika kwa Mhe. Oyondi, inaweza kutumiwa vilivyo hapo katikati. Kwa nini tusitumie maji hayo badala ya kutumia pesa nyingi za kuweka stima? Tukitekeleza mambo haya, mimi nafikiri kuwa uchumi wetu unaweza kuimalika. Tukifanya hivyo, hatutatoa pesa zetu kwa kununua au kuigiza vitu kutoka nje.

Kwa upande wa barabara, ni kwa nini Serikali yetu isiwatumie watoto wetu wanomaliza masomo kutengeneza barabara kama wafanyavyo katika Bara la Hindi, ambapo wanatengeneza barabara, kujenga nyumba na kadhalika? Iwapo wanafunzi wa shule wangetumiwa kufanya mambo haya, jambo la upungufu wa nafasi za kazi nchini lingeadimika. Katika mwaka wa 1946, wananchi waliitumiwa kutengeneza barabara kutoka Kipkelion hadi Sotik. Hata eo, barabara hiyo bado ipo. Lakini barabara iliyotengenezwa 1984 imebomoka sasa. Kwa nini tusiwatumie watoto au wale watu wanaotafuta kazi? Kwa hayo machache, naunga Hoja hiyo mkono.

**Mr. Wetangula:** Thank you Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to also speak on this Budget Speech, like everybody else who has spoken before me. I thank the Minister for Finance for having given a balanced Budget and have the following few things to say.

Mr. Temporary Deputy Speaker, Sir, the Minister for Finance has provided money for vulnerable groups in this country, but I want to say that one of the biggest problems we have in this country is in the area of administration of justice. We have millions and millions of Kenyans who have problems that require access to justice, but cannot get justice because it is too expensive to litigate.

Mr. Temporary Deputy Speaker, Sir, I would like to ask the Minister for Finance to make a provision in his coming budgets to assist disadvantaged Kenyans to have access to courts of law, so as to have access to justice. It is too expensive for them to go to court as they do not have money. In that respect, I am thinking of cases relating to land, accident claims and individual conflicts. We have many Kenyans who need to be assisted and the Minister should look into that and make a specific financial provision in the Budget to assist Kenyans to have access to justice.

We also have the question of lack of adequate Judges. As the constitutional debate rages on in the country, I would like to bring to the attention of the Attorney-General that the provision of Judges in the Constitution that we have now, is totally inadequate to serve the population of this country. Currently, we have a provision in the Constitution of 30 Judges of the High Court. It is my humble view that this country needs not less than 60 Judges to be posted all over the country to assist in the administration of justice.

To that end, I would like to congratulate the Minister for Finance for providing Kshs6 million for the construction of a High Court in Bungoma. That Court will go a long way in assisting in the administration of justice in Bungoma, Busia and Mt. Elgon Districts, that borders the area.

I would also want to mention that the Minister for Finance overlooked and omitted to make any specific provisions of funds for the purpose of the management of the environment. This afternoon, Prof. Ouma Muga talked at length about the destruction of the environment. I know that there may be some money allocated to the Ministry of Environment and Natural Resources, but we need a very comprehensive plan and provision for afforestation in this country, to control pollution and protect the environment. We need a legislation that will impose penal sanctions on Kenyans, who recklessly mow down forests and neglect the environment, and on Kenyans and investors who pollute our rivers, seas and lakes. If you go to Lake Victoria, the aquatic life is very steadily being destroyed because of

unscrupulous investors. The Minister for Finance should, in the next Budget, make a very specific provision towards the protection and enhancement of our environment. If we do not look after our environment, the future will be very bleak for all of us. We need safe water catchment areas, fresh water areas and safe air for Kenyans to breathe.

A lot has been talked about security. I have the following to say to that. Part of the problem of security in this country is borne out of us, politicians, because of talking in mixed languages and sending mixed signals to the public. I want to urge all Kenyans involved in politics to develop a culture of reconciliation. A culture of talking to each other. Unless we, the leaders speak to each other in understandable tones, our followers out there will never understand that we need peace. I notice that it is time for the Mover to reply.

With those few remarks, I beg to support.

**The Minister for Finance** (Mr. Mudavadi): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me an opportunity to reply to the Motion.

First and foremost, I would like to thank the hon. Members from both sides of the House for their contributions as a follow up on the debate to my Budget Speech, which I delivered a few days ago.

I would like to point out that from the onset, I have taken the views expressed by hon. Members very seriously. Indeed the expressions of those opinions will go a long way in assisting us in improving on the implementation process of the Government finances. However, before I finally conclude, I just want to point out one or two points that I think have come out very very clearly. One is that there is growing pressure for development to be visible throughout the Republic and more so, in areas that relate to infrastructure and secondly, the provision of services to Kenyans as a whole. Roads, water, health services *et cetera* have featured very prominently. It is clear that the resources that we have been allocating year-in, year-out for development have, indeed, been very limited in comparison to the resources that have been used more-or-less on recurrent expenditure. I would, therefore, like to urge this House to support the Government in its effort in trying to restructure the public sector as a whole, that is, through the retrenchment of the Civil Service, so that the recurrent expenditure can gradually be reduced and we can divert more resources towards real, genuine and tangible development.

Equally, I would like this House to continue exerting the same kind of pressure and words of advice, so that the parastatal sector which, over the years, has also been a major consumer of public resources, which would have otherwise gone to development, would be restructured hurriedly, efficiently and effectively. It would deliver better services and reduce the dependence on Exchequer resources, so that those roads, water services, hospitals and drugs that are required across the country can be delivered. We can stop the business of paying heavy debts for some of those institutions.

I would also like to point out that the growing sector, that is, the agricultural sector as whole, has featured very very prominently. That will always be a very thorny area because in my speech, I do recollect that in the process of making certain recommendations, the Government also proposed and, indeed, lifted the suspension it had put on the importation of certain commodities. That is an area that I would like to dwell on a little because it is being perceived in certain quarters that the Government is out to kill the farmer, or it is not taking any regard whatsoever as to the well being of the farmers in this country. I would like to correct that impression because a ban in itself is not beneficial to the farmer. We need to go beyond something that would not just be banning. I think if we were to take cognisance of the fact that, that farmer, like any other Kenyan, is now being exposed to those changes that are taking place both locally and in the global trading environment, it is important that we bear in mind and educate our farmers that, we as a country, are signatories to the General Agreement on Trade and Tariffs (GATT) and, subsequently also, to the World Trade Organisation (WTO). Equally, we should also inform our farmers that, if we persist with measures like banning over time, we are going to attract retaliatory measures from some of our trading partners. It is something that we must take very seriously because we might say: "Let us stop the importation of rice or maize today!" But tomorrow somebody might say: "We, therefore, want to ban coffee, tea or milk exports from Kenya." Now, that can have far reaching consequences. Equally, somebody might come up and say: "We want to ban textiles and manufactured products from Kenya." Therefore, in that context, I would strongly say that the impression created, that the Government was acting irresponsibly by lifting the ban, is not correct. What is significant is---

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

**The Temporary Deputy Speaker** (Mr. Ndotto): Order! The Minister is only explaining a point. He does not want information or points of order.

**The Minister for Finance** (Mr. Mudavadi): What is more important in that context is for us to ensure that the duties that are imposed on the commodities that are going to be imported to this country are effectively collected. It is true that in certain cases, all the duties have not been collected. But what I am calling for is a more efficient avenue of collecting duties that are due from any imports that come in. In that regard, the Kenya Revenue Authority will be called upon to undertake that exercise more rigorously, transparently and also, to ensure that it can even make it more efficient where there have been flaws in the past.

Equally, one should also bear in mind that in the long run, for our farmers in this country to thrive, they will also have to adopt new modes of farming. The Government will also have to work towards better marketing assistance towards our farmers. We shall also have to work hard towards making sure that our farmers have reasonable access to good resources to enable them improve and expand their production, so that the question of us having food shortages, except for moments of drought when we have no control, does not arise at all. This is something that I thought I needed to re-emphasise.

The other area that I think is extremely important and may have been misconstrued is the area of presumptive tax. We all know that previously, the presumptive tax was at 5 per cent. But the recommendations and proposals put across are to have the presumptive tax at 2 per cent. Now, there are some benefits that do accrue if the farmers can pay the presumptive tax. For instance, if a farmer today, say, a coffee, milk or tea farmer, has earned some Kshs100,000 as his annual income, all we shall demand from him through the Income Tax Department is a mere 2 per cent of that, which amounts to Kshs2,000 and his accounting year is over. There is no further follow up from the Income Tax Department and so on. But we do know that many farmers have been having a lot of troubles because the Income Tax people come up and say: "We are assessing you for so much". Maybe, that Kshs100,000 farmer might be assessed for income tax purposes at Kshs30,000 or Kshs40,000. He has difficulties in trying to explain that, that might not be true. We all know that it is extremely difficult for the majority of our farmers to keep up to date records of their activities in the course of any financial year. It is also very difficult for them to have records on how much they may have paid that worker who milks the cow. It may also be very difficult for them to know that so many litres of milk were actually obtained from his herd.

Now, some of those records and complications inherent in keeping them and, therefore, also the knowledge to be able to present a logical and clear income tax return can become extremely difficult for some of our farmers. In that light, one would wonder what happens if those farmers were faced with a few unscrupulous income tax collectors. It would be a disaster and also provide an avenue for some of those income tax collectors to even demand something beyond what is actually due in terms of income tax. So, I think, that is also another area that should be looked at from another angle as opposed to the perception that it is retrogressive to the farmer.

Mr. Temporary Deputy Speaker, Sir, as I conclude the other point that I would just like to highlight is that the Government is trying systematically with its macro-economic policies, to ensure that you can have sustained growth by making sure that our deficit is down, inflation is contained at levels that will be manageable and also making sure that we can systematically divert up to 75 per cent of our resources towards core activities of the Government, which include the provision of infrastructure and essential services.

Mr. Temporary Deputy Speaker, Sir, I would also like to point out that inherent in all those, when one looks at the Estimates and so on, some of the core services that we want to try and enhance is also to be able to provide adequate resources and training to some of our security agencies. Why I do say that? It is becoming apparent that the Government is divesting very systematically from what you might call commercial activities. The Government's role shall be to maintain a suitable environment for the private sector to thrive and also, a suitable environment for our farmers to make sure that they can go about their activities without any hiccups whatsoever. Now, that calls for improved communication, surveillance, security network and so on, to make sure that economic progress can be undertaken in an environment that is positive.

Equally, Sir, in my Budget Speech, I also dwelt at length on the area that touches on poverty alleviation and aspects of social dimensions. I think it is significant for the House and the whole country to note that we are saying that this year, we want to allocate K£377 million towards the enhancement of the social dimensions programme. That shall then be stepped up in the subsequent financial years. That is an area that is extremely important and I would like to stress that, as we talk about the social dimensions, though we are making some special allocations to try and enhance those activities, the public should know that the implementation of those social dimensions shall still primarily remain the responsibility of the line Ministries who are handling it. If it is water, the core aspect of it will still have to be implemented by the Ministry of Water Development and so on. In the whole process, the Office of the President shall be the co-ordinating organ and also the monitoring body to ensure that those programmes are properly implemented, so that we do not have the kind of difficulties that we have been having.

I also did indicate in the Budget Speech that over the years, we have started seeing substantial progress towards revenue collection. However, a lot needs to be done. But if one looks and recollects or reads through the Speech once again, he will notice that I did make reference to progressive improvement towards the collection of taxes in this country. It is in the light of that, that the Government has now been able to start considering some concessionary proposals or reductions in some of the tax rates. One of them which was the on top rate is the VAT. Hopefully, if we can sustain our momentum, the development process that we have started--- If we can also make sure that we all work together, so that our growth cannot just be the 3 per cent that was achieved this financial year--- For us to get over the 5 per cent and beyond, which should be above our population growth rate, then we would be

getting to a stage where subsequently, we can even consider further reduction in the taxation that is levied against our people.

The other thing that I would like to touch on is the question of road maintenance levy. This is particularly a thorny area because, as it was argued correctly by hon. Members here, if the taxation is high on the petroleum products, it can be passed down the line and will affect and negate some of the other issues that we want to try and achieve in the context of lowering inflation and making the people's lives more manageable. Whereas that is true, I think, it should also be seen in the context that the road maintenance levy is a dedicated fund for the improvement of roads. I fully agree with the hon. Members that it is high time that the Ministry of Public Works and Housing is very clear, elaborate and transparent on the way the road maintenance levy fund is utilised across the country.

*(Applause)*

That, perhaps, will be the beginning of ensuring that even tomorrow, if I came here as the Minister for Finance, or even if somebody else, like my "shadow colleague" Prof. Anyang'-Nyong'o, and proposed that he would like to have the road maintenance levy increased, he may not receive the kind of "jeer" that I received when I proposed the increase by 50 cents.

But that is something that I must say can be achieved and we look forward to improved utilisation of our resources, so that when our people pay for services, they get the full benefit of whatever they have paid for.

Mr. Speaker, Sir, without being repetitive in certain areas, I just wish to stress once again that this House will also recall that in the process of presenting my Budget speech, I made it clear that we shall also, in the short-term, be requiring external resources to assist us bridge the gap, especially in the development aspect of this country. That is why I wish to say that, just as much as we would like to shed off the element of donor dependence as soon as possible, let me assure you - whether it is me or my friend, Prof. Anyang'-Nyong'o going to Paris some day, hopefully, the Government will have done so much that he may not have to go to Paris - that it is not a pleasant exercise for anybody to go out to try and justify expenditure programmes in any sovereign outside there. It is important that we work together, as a nation, and quickly get out of the syndrome of having to seek resources from out there, and be able to allocate our resources effectively and equitably. If the resources come, they should not have strings attached to them. However, for as long as we still have difficulties, as we do, we shall continue seeing some of those things.

In my speech I did indicate that we shall require some of those resources. Let me again tell both sides of this House that we should all work together, so that the resources we want to seek from outside can, indeed, flow into this country. If we want to have roads built, health services improved, water distributed throughout the country, it would be improper and imprudent for us to call for curtailment of resources coming from those countries. Of course, we also know that we have to be transparent; we have to manage our resources properly; we do not want corrupt practices and we have to enhance our revenue collection. That should also mean that you, Parliamentarian, should work hard and should not, in any way, be at the forefront of asking our friends outside our borders to stop supporting us.

With those few remarks I beg to move.

*(Question put and agreed to)*

#### ADJOURNMENT

**The Temporary Deputy Speaker** (Mr. Ndotto): Hon. Members, it is now time to interrupt our business. This House is, therefore, adjourned until Tuesday, 4th July, 1995 at 2.30 pm.

The House rose at 6.25 p.m.