

NATIONAL ASSEMBLY

OFFICIAL REPORT

Wednesday 29th November, 1995

The House met at 9.00 a.m.

[Mr. Deputy Speaker in the Chair]

PRAYERS

NOTICES OF MOTIONS

ERADICATION OF CORRUPTION

Mr. Kibaki: Mr. Deputy Speaker, Sir, I beg to give notices of the following Motions:-
In view of the fact that the mismanagement of the economy, corruption and malpractices in public service have adversely affected the standard of living of the people, economic growth and development in the country and conscious of the commitment of this House to eradication of ignorance, disease and poverty and to the achievement of rapid and sustained development and social justice; this House urges the Government to undertake specific actions to ensure that principles, procedures, laws and regulations governing the management of public affairs and financial administration are not flouted and that corruption is eradicated in public service.

SELECT COMMITTEE TO LOOK INTO PLIGHT OF LAND CLASHES VICTIMS

In view of the fact that the land clashes that hit areas in the Rift Valley, Nyanza, Western, Coast, Eastern and North-Eastern provinces have created landlessness and social evils to the victims; this House resolves to establish a Select Committee to consider the problems and resettlement programme of the people affected and to report its findings and recommendations to this House.

REPEALS OF VARIOUS ACTS

Mr. Shikuku: Mr. Deputy Speaker, Sir, I beg to give notice of the following Motion:-
Noting that the repeal of the Section 2A of the Constitution has *per se* established a democratic and civil society in Kenya; this House resolves that the Attorney-General takes expeditious measures to enable Parliament to repeal the Public Order Act, the Chiefs Act, the Vagrancy Act, Preservation of Public Security Act and Sedition Laws.

Mr. Shikuku: On a point of order, Mr. Speaker, Sir. I was wondering that Mr. Wamalwa is bit late. I want to give notice of his Motion. It is a Group Motion, Mr. Deputy Speaker.

Mr. Deputy Speaker: He will give it himself.

ORAL ANSWERS TO QUESTIONS

Question No.971

FUTURE OF ANTI-STOCK THEFT UNIT

Mr. Deputy Speaker: Is Mr. Mwiraria not here? We will leave his Question until the end. Let us move on to the next Question.

Question No.975

PAYMENT OF PENSION BENEFITS

Mr. Deputy Speaker: Is Mr. Sifuna not here? We will leave his Question until the end. Let us move on to the next Question.

On Question 847, I think I got the communication that the hon. Questioner wants this Question deferred.

(Question deferred)

Question No.995

WITHDRAWAL OF BUS SERVICES

Mr. Deputy Speaker: Is Mr. Ojodeh not here? We will leave his Question until the end. Let us move on to the next Question.

Question No.959

RE-INSTATEMENT OF TRAINS SERVICE

Mr. Deputy Speaker: Is Mr. Gitonga not here? We will leave his Question until the end. Let us move on to the next Question.

Question No.506

GRAVELLING OF ROADS

Bishop Kimani asked the Minister for Public Works and Housing when the Ministry will gravel roads which are in a deplorable condition in Bahati, Kabazi, Ndungiri, Nyandudo, and Subukia locations.

Mr. Deputy Speaker: Is anyone here from the Ministry of Public Works and Housing? We will leave that Question until the end.

Let us move on to the next Question.

Question No.883

TARMACKING OF SIAYA-BONDO ROAD

Mr. Deputy Speaker: Is Mr. Mak'Onyango not here? We will leave his Question until the end. Let us move on to the next Question.

Question No.1003

LIVE COVERAGE OF FOOTBALL MATCHES

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

(a) whether he would tell the House whether it is still the Ministry's policy to inform, educate and entertain wananchi; and,

(b) if the answer to "a" above is in the affirmative, what reasons led to abolishing live coverage of football matches on Kenya Broadcasting Corporation Radio and Television.

Mr. Deputy Speaker: Is anyone here from the Ministry of Information and Broadcasting? We will leave that Question until the end then.

Let us move on to the next Question.

Question No.898

BUILDING OF DISTRICT LIBRARIES

Mr. Munyasia asked the Minister for Culture and Social Services:-

- (a) which district libraries the Kenya National Library Services (KNLS) operates.
- (b) what conditions a district has to satisfy to qualify for construction of such a library; and,
- (c) why the Ministry has not built a library for Bungoma District to date.

The Minister for Culture and Social Services (Mrs. Mwendwa): Mr. Deputy Speaker, Sir, I beg to reply.

(a) The Kenya National Library Services operates district and provincial libraries in Kisumu, Kakamega, Uasin Gishu, Baringo, Nakuru, Kisii, Kericho, Nyeri, Meru, Laikipia, Embu, Thika, Taita Taveta, Mombasa, Garissa and Nairobi. The libraries in Kisumu, Kakamega, Nakuru, Nyeri, Embu, Garissa, Mombasa and Nairobi serve as both District as well as District/Provincial Libraries.

(b) A library is constructed in a district when the local DDC approves, allocates a plot and is willing to share the costs.

(c) A library has not been constructed in Bungoma due to lack of a library plot.

Mr. Munyasia: Mr. Deputy Speaker, Sir, that is a very surprising allegation that the library has not been constructed in Bungoma due to lack of a library plot because I know that the DDC in Bungoma has long allocated the plot and it has had the library as a top priority for many years. I think that is the reason why between 1991 and 1995, the Government of Kenya approved a total of K£48,800 for the construction of that particular library. If that is the case, and I can see the Minister I can see she is looking at her notes approvingly, where has this money that had been allocated, the K£48,800 so far in the first five years, gone to?

Mrs. Mwendwa: Mr. Deputy Speaker, Sir, since the hon. Member is still insisting, could he tell me the plot number because as far as I am aware, no plot has been allocated for a library in this District. But if there is one, let him give us the number of the plot.

Mr. Munyasia: Mr. Deputy Speaker, Sir is the hon. Minister saying that if I bring the plot number next week, the money that was taken back to Treasury would be brought back to Bungoma and that construction would start immediately? I will endeavour to bring the plot number next week.

Mrs. Mwendwa: Mr. Deputy Speaker, Sir, the hon. Member is educated and knows the procedure and knows that if money is not used, it goes back to the Treasury for re-allocation and we will have to follow the normal channel to request for the money. If the DDC or the County Council allocates a plot, we will follow the normal channel and build a library.

Prof. Muga: Thank you, Mr. Deputy Speaker, Sir. World-wide and especially in the third world, library services are part of the national strategy for improving and maintaining permanent literacy. I have listened to the hon. Minister and she has counted only 15 districts out of nearly 57 districts we now have and that is less than one-third of the districts. Does it mean that only within 15 districts, the Government is thinking and maintaining permanent literacy? Otherwise, could the hon. Minister tell us what kind of policy they have for integrating library services into the national strategy for eradicating illiteracy and improving the serviceability of education? Is there a policy like that for integrating this, and if it is there, what will they do with the remaining 42 districts?

Mrs. Mwendwa: Mr. Deputy Speaker, Sir, the policy of the Government is to have libraries everywhere and we also have mobile libraries. But the priority number one is either the DDC, the Local Government or Municipality or whoever has got the authority to allocate land because the Government is not ready to go in a district---

Prof. Muga: On a point of order, Mr. Deputy Speaker, Sir---

Mrs. Mwendwa: Why can he not let me finish?

Mr. Deputy Speaker: Prof. Muga, let the hon. Minister finish.

Proceed, Mrs. Mwendwa!

Mrs. Mwendwa: Mr. Deputy Speaker, Sir, the priority number one in cost sharing of the library and for the district to provide a plot or land. It is then and only then that the Government can move in and construct a library. The Government has no policy of buying a plot in any district to build a library. In areas where there are no libraries, we have mobile libraries.

Prof. Muga: On a point of order, Mr. Deputy Speaker, Sir. I have a got a lot of respect for the hon. Minister; she normally knows her facts and listens attentively to questions. But today, she has not listened attentively. I asked her a very simple Question. Leaving alone buildings and other things, there must be a policy which is the strategy within which activities go on. The Question I asked and to which I want an answer before this House is: Does the Government have a policy of integrating library services into the framework for eradicating illiteracy and the maintenance of literacy? I want that policy framework. Does it exist? If it exists, how will it be implemented? That is the Question.

Mrs. Mwendwa: Mr. Deputy Speaker, Sir, the policy is there and it does exist. In some instances, in fact, where people are keen to have libraries and, perhaps, they do not have land, some people have provided buildings which the Government has taken over. So, the policy is there and it does exist.

Mr. Deputy Speaker: We will go back to Mr. Mwiraria's Question for the second time.

Mr. Mwiraria: Mr. Deputy Speaker, Sir, I apologise for coming late. I did not realise that the traffic on the Langata Road would take me one full hour to get here. But I would like to ask Question No.971.

Question No. 971

FUTURE OF ANTI-STOCK THEFT UNIT

Mr. Mwiraria asked the Minister of State, Office of the President the future of the anti-stock theft unit located at Kithima in Ruri Location of Miiriga Mieru West Division in North Imenti.

The Assistant Minister, Office of the President(Mr. Awori): Mr. Deputy Speaker, Sir, I beg to reply. The unit will remain in Kithima area as long as its services are required.

Mr. Mwiraria: Mr. Deputy Speaker, Sir, first of all, let me thank the Assistant Minister for the reply. But for the last two months, there have been so many stock thefts in North Imenti and we have recovered almost nothing. I am wondering whether the unit does not require strengthening and if so, when will the Assistant Minister do that?

Mr. Awori: Mr. Deputy Speaker, Sir, I agree with the hon. Member that there has been a great increase in stock theft and we are strengthening the anti-stock theft unit in that area.

Mr. Maore: Thank you, Mr. Deputy Speaker, Sir. Given what has been stated and the Assistant Minister's reply which underlines the necessity to have the unit, could he state before this House, whether the personnel in that unit is adequate to do the work required of it? Is the number adequate or you have just been given an answer to read out?

Mr. Awori: Mr. Deputy Speaker, Sir, when I say that the unit is going to be strengthened, that means that at the moment the number is inadequate and, therefore, we are going to increase the number to strengthen it.

Mr. Mwiraria: Mr. Deputy Speaker, Sir, once again, I thank the Assistant Minister for assuring this House that the unit will be strengthened. The question is: When will this strengthening take place?

Mr. Awori: Mr. Deputy Speaker, Sir, it is in the process of being strengthened.

The Deputy Speaker: Next Question!

Question No. 975

PAYMENT OF PENSION BENEFITS

Mr. Deputy Speaker: Mr. Sifuna is still not here! The Question is, therefore, dropped.

(Question dropped)

Mr. Deputy Speaker: With regard to Question No.84&, I said that it had been deferred to next week.

Question No. 847

ALLOCATION OF PLOTS

(Question deferred)

Mr. Deputy Speaker: Next Question!

Mr. Ojode: Mr. Deputy Speaker, Sir, I beg to apologise for coming late. However, I would like to ask Question No. 995.

Question No. 995

WITHDRAWAL OF BUS SERVICES

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

(a) whether he is aware that commuters of Zimmerman, Kahawa West, Githurai and Kimbo estates in Nairobi are suffering due to lack of transport since the withdrawal of the services of Stage Coach buses from these routes; and

(b) if the answer to "a" is in the affirmative, could he direct the management of stage coach buses to provide buses in order to alleviate transport problems in the affected areas.

The Assistant Minister for Transport and Communications (Mr. Ahmed): Mr. Deputy Speaker, Sir, I beg to reply.

(a) I am not aware that commuters of Zimmerman, Kahawa West, Githurai and Kimbo estates are suffering due to lack of transport. But I am aware that the Stage Coach bus company withdrew their services from that route on 11th September, 1994.

(b) The management of the stage coach cannot resume bus services due to an economic operation of the route which is too busy only early in the morning and late in the evening when the demand is high and this cannot sustain an all day bus service. Generally, people in the area prefer travelling to and from town in matatus because they feel these are faster.

Mr. Ojode: Mr. Deputy Speaker, Sir, let me thank the Assistant Minister for giving me that dubious answer because the Assistant Minister cannot be aware of the problems simply because he is being driven in a Pajero. Most of my constituents live in those areas and I have friends also living there. Since Stage Coach bus company withdrew their services, in these area in 1994, the matatus are charging between Kshs60 to Kshs70 as fare and it is pathetic.

Mr. Deputy Speaker: What is your question, hon. Ojode?

Mr. Ojode: Mr. Deputy Speaker, Sir, my question is: Now that the Assistant minister is aware that people in those areas are really suffering, could he consider directing the management of Stage Coach to either operate during peak hours if it cannot be the whole day? Peak hours are usually in the morning and evening.

Mr. Ahmed: Mr. Deputy Speaker, Sir, it is good that the hon. Member made my office aware of the situation the people are facing. My office is trying to advise matatu operators to increase their fleets, so as to meet the demand for transport service. Also, I will consider contacting Ms Stagecoach Bus Service operators to see whether they can operate there during the peak hours.

Prof. Ouma: Mr. Deputy Speaker, Sir, in the light of the question asked by hon. Ojode and the answer given by the Assistant Minister, may I ask a slightly bigger question. In the 1980's, there was talk of a bigger re-organisation of the transport system within Nairobi. There was even an attempt to use small railway lines as a commuter system. There was talk of subways and so on. Today, there is so much of money and foreign exchange earnings which is wasted through jams on the roads in early mornings and late afternoons. There is so much time wasted---

Mr. Deputy Speaker: Prof. Ouma, what is your question?

Prof. Ouma: Mr. Deputy Speaker, Sir, I am only giving the background to it. In the light of this, could the Assistant Minister tell us if they have any plan for re-organisation of the transport system in Nairobi? If they have that plan, when is it likely to be effected, or are we likely to go on as usual with hop-step and jump stages?

Mr. Ahmed: Mr. Deputy Speaker, Sir, we have many plans for the transportation system in Nairobi. As the hon. Member may have seen, we have already started allowing the Stagecoach Bus Service to introduce the double-decker buses and other plans will be effected.

Mr. Gatabaki: On a point of order, Mr. Deputy Speaker, Sir. Is it in order for the Assistant Minister to mislead the House about the mass transport system, which the other hon. Member has referred to, knowing very well that a donor government, which was funding the project so as to solve the problem of congestion, discontinued the project because of insistence by certain members of the Government to be bribed? The donor government could not accept to bribe certain officials in the process of implementing the mass transport system project!

An hon. Member: That is not a point of order!

Mr. Ahmed: Mr. Deputy Speaker, Sir, I am not aware of that.

Mr. Ojode: Mr. Deputy Speaker, Sir, could the Assistant Minister confirm that he is going to direct the management of either Stagecoach Bus Service or Nyayo Bus Corporation (NBC) to operate in those routes, which go through densely populated estates? If he is going to issue this directive, when will he do that?

Mr. Ahmed: Mr. Deputy Speaker, Sir, we know that Stagecoach Bus Service is a private organisation, but we will request them to undertake a study to see if it would be viable to introduce buses into those routes. We

will also request matatu operators to consider increasing their fleets in those routes.

Mr. Ojode: Mr. Deputy Speaker, Sir, I have just asked the Assistant Minister a very simple question. I do not want the fleet of matatus to be increased on those routes. I am asking him whether he could direct the management of NBC to operate in those routes, if he feels that the management of Stagecoach Bus Service would not agree to operate there for fear of doing so at a loss. I do not agree with the Assistant Minister that they would make losses---

Mr. Deputy Speaker: Mr. Ojode, we are not having a debate over this one.

Mr. Ojode: The reason why I am not agreeing with him---

Mr. Deputy Speaker: I am not interested in your reasons for not agreeing with him. This is not a debate!

Mr. Ojode: Could he confirm whether the NBC will operate on those routes?

Mr. Ahmed: Mr. Deputy Speaker, Sir, I will direct the NBS to see whether operating on those routes is viable. The hon. Member should know that this is a business which can be carried out only if it is viable.

Mr. Deputy Speaker: Mr. Gitonga's Question for the second time.

Mr. Gitonga: Mr. Deputy Speaker, Sir, first of all, I apologise for coming late. Like my colleague, hon. Mwiraria, I was on that Langata Road.

Mr. Deputy Speaker: You should have known that you were to use Langata Road and started your journey earlier!

Mr. Gitonga: It is a very bad road!

Question No. 959

RE-INSTATEMENT OF TRAIN SERVICE

Mr. Gitonga asked the Minister for Transport and Communications whether he would consider re-instating passenger train service at Kijabe Railway Station considering that there is no buses/matatus service in the area.

The Assistant Minister for Transport and Communications (Mr. Ahmed): Mr. Deputy Speaker, Sir, I beg to reply.

It is not possible to re-instate passenger service at Kijabe Railway Station due to insufficient demand which cannot economically justify such operations. However, the situation will be reviewed from time to time, to see if it can be commercially viable to resume this service in future.

Mr. Gitonga: Mr. Deputy Speaker, Sir, the Minister may not be aware but some time last year, I approached the Kenya Railways Corporation (KRC) authorities on the same subject. At that time, I wanted re-instatement of trains for Uplands, Matathia and Kijabe. According to the KRC authorities, during that time, they had discontinued services at those stations because there were too many passengers boarding and disembarking at the stations but they were not paying their fares. Of course, it goes without saying that the non-payment of fares was not the problem of the passengers but of the KRC authorities. But let me hasten to thank the KRC authorities because at that time, they agreed to re-instate passenger trains at Uplands Station, for which the people of the area are very grateful. Now that those were the reasons given some time last year and according to the Assistant Minister's answer today that passengers are not enough in this station, would he reconsider that decision, re-instate the train service at Kijabe Station for a period and see how many passengers would be using the train? Would he reconsider his decision because the number of passengers is higher than what he thinks?

Mr. Ahmed: Mr. Deputy Speaker, Sir, as I said, we are reviewing the situation from time to time and if we find it commercially viable, we will consider re-instating the train service. We stopped operating at that station because collections from it for two years, 1992 and 1993, was only Kshs75,000. Such a collection is too small for the Corporation to operate a train on the route. Therefore, if there is an increase in people using the train service, as opposed to using other means of transportation, we will consider re-instating the service.

Mr. Magwaga: Mr. Deputy Speaker, Sir, since Independence, the section of the railway line has never been extended by the Ministry of Transport and Communications. Could the Assistant Minister consider extending some lines in this country so that we see some of the towns like Kakamega connected to the railway line?

Mr. Ahmed: Mr. Deputy Speaker, Sir, we have plans of extending the railway line. The only problem that we have is one of finance. As soon as we get the finances, these plans will be implemented.

Mr. Moiben: Mr. Deputy Speaker, Sir, I wonder whether the Ministry can clarify this issue to this

House. As Kenyans, we expect the Kenya Railways Corporation (KRC) to operate profitably. We think it is better for the KRC to concentrate on long routes like Kisumu, Mombasa, Kitale and Kakamega so that, ultimately, this corporation can make some profit. Could the Assistant Minister kindly confirm whether his Ministry has a policy to reinforce long trips to the areas that I have mentioned?

Mr. Ahmed: Mr. Deputy Speaker, that is a different question, but all the same, we have the policy to do that.

Mrs. Asiyu: Mr. Deputy Speaker, Sir, there was a grand plan by the Ministry to overhaul the whole railways system and have a line, for example, from Kipkelion Railway Station to Kericho, Sotik, Kisii, Rongo and Migori. Could the Assistant Minister tell us what happened to that plan? Why was it shelved?

Mr. Ahmed: Mr. Deputy Speaker, Sir, I have not quite got what the hon. Lady said. Could she, please, repeat?

Mr. Deputy Speaker: Hon. Asiyu, could you repeat the question for him, please?

Mrs. Asiyu: Yes, Mr. Deputy Speaker, Sir. I will repeat my question. Could the Assistant Minister tell this House what happened to the grand plan by the Ministry to expand the railway line, for example, from Kipkelion Railway Station, through Kericho, Sotik, Kisii, Rongo and Migori? That was the 1985/86 plan.

Mr. Ahmed: Hon. Lady, that is a different Question. You may put it to the Ministry and I will bring all the necessary information.

Mr. Deputy Speaker: Next Question. Question No.506, for the second time. Bishop Kimani!

Question No.506

GRAVELLING OF ROADS

Bishop Kimani asked the Minister for Public Works and Housing when the Ministry will gravel roads which are in a deplorable condition in Bahati, Kabazi, Ndungiri, Nyandundo and Subukia locations.

The Assistant Minister for Public Works and Housing (Col. Kiluta): Mr. Deputy Speaker, Sir, first, I beg to apologise for coming in late. Secondly, I wish to give the following reply.

Most of the classified roads in the locations in question are already gravelled and in motorable condition. However, normal routine maintenance and grading will be continued to retain the roads in good condition. The unclassified roads are in poor condition but it is not the responsibility of this Ministry to maintain them.

Bishop Kimani: Mr. Deputy Speaker, Sir, the answer given by the Assistant Minister is completely misleading. Could the Assistant Minister tell this House why he calls the roads "unclassified"? Which department do they belong to? As I am talking here now, farmers in my constituency cannot transport their farm produce to the market because the roads are completely impassable. The farmers are tax payers who pay their taxes promptly. Why is the Ministry denying them their right? Could the Assistant Minister tell this House what he is planning to do to ensure that the roads are passable?

Col. Kiluta: Mr. Deputy Speaker, Sir, I do agree with the hon. Member that we are all taxpayers and, tax payers are not confined to his area only. However, the hon. Member is not being specific. Which roads is he talking about, so that I can tell him whether they belong to the Ministry or to the local community?

Mr. J.N. Mungai: Mr. Deputy Speaker, Sir, I think the hon. Assistant Minister is misleading the House and trying to dodge the question. He goes further to say that the unclassified roads are not [Mr. J.N. Mungai] the responsibility of his Ministry. Could the Assistant Minister tell this House how many kilometres of any road his Ministry has maintained in Nakuru North, in so far as the roads mentioned by the Questioner are concerned?

Col. Kiluta: Mr. Speaker, Sir, I have got a list of roads that are maintained by the Ministry and, if I were to read it, you would be here the whole day. In Bahati, there are seven roads maintained by the Ministry. In Kabazi, there are three. In Subukia, there are six. In Ndungiri and Nyandundo locations, there are two. The reason why I am asking you to be specific is because I would like to know which roads, among the ones I have mentioned here, are not motorable.

Mr. J.N. Mungai: On a point of order, Mr. Deputy Speaker, Sir. I only asked for the total number of kilometres of road which have been maintained by the Ministry for the last three years. I did not ask for the number of roads or anything else. My question has not been answered.

Col. Kiluta: Mr. Deputy Speaker, Sir, in Bahati alone, we have maintained 99.5 kilometres which were gravelled and 12.4 kilometres of earth roads. This makes a total of 111.9 kilometres. In Kabazi, gravelled roads are 4.5 kilometres and earth roads are 24.3, making a total of 28.8 kilometres. In Subukia, gravelled roads are 102.8 kilometres, earth roads are 8.8 kilometres, making a total of 111.6 kilometres. In Ndungiri-Nyandundo,

there are 17.5 kilometres of gravelled roads and nil earth roads, making it a total of 17.5 kilometres. The grand total of roads maintained is 269.8 kilometres.

Bishop Kimani: Mr. Deputy Speaker, Sir, the hon. Assistant Minister is a man I respect very much and I expect him to tell this House the truth. I know he is very honest but he is misleading the House. Is he in order to tell this House that roads have been gravelled in my constituency for the last three years? He has even given the kilometres. I would like to inform this House that at this moment, farmers who have tea, pyrethrum, milk and other farm products cannot transport them to the market because the roads are impassable. Could the Assistant Minister agree to go with me to my constituency, so that he can show me the roads which he claims were gravelled?

Col. Kiluta: Mr. Deputy Speaker, Sir, I really do agree to go with him, when time is available. However, could the hon. Member be specific and tell me which particular road he is talking about, so that we can go and have a look at it? I am willing to go.

Mr. Mak'Onyango: Mr. Deputy Speaker, Sir, may I apologise to the House for coming late.

Question No. 883

TARMACKING OF SIAYA-BONDO ROAD

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

- (a) whether he is aware that business between Siaya and Bondo towns is greatly impaired by poorly maintained roads, especially during the rainy seasons; and
- (b) what steps he is taking as per the Siaya District Development Committee's decision to have the Siaya-Bondo Road tarmacked in order to put an end to this perennial problem.

The Assistant Minister for Public Works and Housing (Col. Kiluta): Mr. Deputy Speaker, Sir, we were both late. I also wish to apologise because the Question was neither asked nor replied to. However, I beg to give the following reply:-

(a) I am aware that business between Siaya and Bondo towns is impaired during the rainy seasons due to bad condition of Siaya-Bondo Road. However, the Ministry will improve the bad sections along the Road in question by grading, resetting, gravelling and spot-patching this Financial Year. The intended works are scheduled to be carried out before the end of this Financial Year and we have set aside a total sum of money totalling to Kshs 1.2 million.

(b) In view of what I have said, and in order to improve communications between Bondo and Siaya, the Ministry will ensure that the road is kept motorable by carrying out activities outlined in "a" above.

Mr. Mak'Onyango: Mr. Deputy Speaker, Sir, I do not know which answer to believe because in his written reply, the Assistant Minister says that repairs will be done at the end of this Financial Year but in his oral reply now, he says that this will be done before the end of this Financial Year. Indeed, one would want to insist that repairs be done before the end of this Financial Year. Could the Assistant Minister assure the House that this will be done because it was only yesterday when the Vice-President in moving the Motion on the re-introduction of the Exchange Control Bill, said that Kenya could not wait for six months because it was going to lose a lot of money? So, the people of Siaya will lose considerably if the repairs are not done immediately. Could the Assistant Minister undertake to do that?

Col. Kiluta: Mr. Deputy Speaker, Sir, in actual fact, I should have said that we will try to do the road during this Financial Year because the road in question is priority number three. We have got priority number one given by the hon. Member and we have already set aside some money for this Road. It is Road No. E124, Siaya-Rangala Road. We have set aside Kshs 12.3 million for that road. We are now in the process of tendering in the same area, Owimbo Road and the tender documents are already out. That is what we were given by the DDC and should the hon. Member feel that that priority is not in order, he is perfectly right to come back and we will alter the order of priorities.

Dr. Oburu: Mr. Deputy Speaker, Sir, first, the answer is misleading because from the written answer given to the hon. Member, he indicates that is only Kshs 1.2 million has been set aside and not Kshs. 12 million. The roads in Siaya have been prioritized, particularly this road more than once in the DDC and even the roads which were prioritized like Luanda-Kotieno Road have not been tarmacked. So, the question we are asking is when this particular road is going to be tarmacked instead of using the DDC as a scapegoat. Every now and then, we come here and we are told that the roads are not prioritized in the DDC; they are prioritized but nothing happens to them, even the ones which were started like---

Mr. Deputy Speaker: What is your question?

Dr. Oburu: When is this Road going to be tarmacked because even the ones which were started have

not been tarmacked? They are at a standstill.

Col. Kiluta: Mr. Deputy Speaker, Sir, I think my hon. friend missed the point. I said for the road in question which is Siaya-Bondo, we have set aside Kshs 1.2 million this Financial Year. I said that the Road E124 is a different road which is found in the hon. Member's Constituency and we have set aside Kshs 12.3 million for it as it is his priority number one. He has also got another priority number two which has not been costed. We did not mislead the House. What I am saying is that the hon. Member should tell the House whether he wants to reverse the priorities, so that we can give him that money to get the roads that are his priority done.

(Consultations)

Mr. Gatabaki: On a point of order, Mr. Deputy Speaker, Sir. As I said---

Mr. Deputy Speaker: Order! Order, hon. Members! Let us hear hon. Gatabaki.

Mr. Gatabaki: Every Sitting Day, every Session, every week there is a Question about road maintenance; there is a question about the gravelling of roads. Could this Government be clear on the roads and tell Kenyans that money for roads has been diverted to Moi International Airport to--- (inaudible)

(Some Hon. Members heckle hon. Gatabaki)

Col. Kiluta: Mr. Deputy Speaker, Sir, I expected us to have a little bit of intelligence and not to ask such questions here. I really do not have an answer for that sort of question.

Question No. 1003

LIVE COVERAGE OF FOOTBALL MATCHES

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

(a) whether he will tell the House whether it is still the Ministry's policy to inform, educate and entertain wananchi; and

(b) if the answer to "a" above is in the affirmative, what reasons led to the abolishing of live coverage of football matches on Kenya Broadcasting Corporation Radio and Television.

The Minister for Information and Broadcasting (Mr. Makau): Mr. Deputy Speaker, Sir, first, I would like to apologise for coming late, and I beg to reply.

(a) The Ministry of Information and Broadcasting's policy still remains that it has the responsibility of informing, educating and entertaining wananchi in this country and we have continued adhering to our objectives successfully.,

(b) The suspension of live coverage of football matches on KBC Radio and Television was due to financial considerations occasioned by lack of sponsors, which was the responsibility of Kenya Football Federation (KFF).

Mr. Shikuku: Mr. Deputy Speaker, Sir, will the Minister agree with me that his claim that it is his responsibility to inform, educate and entertain wananchi is not true. He should have said that he does this with the help of sponsors. It is not his responsibility to do that because if it was, then, he should make sure that wananchi are entertained through watching football matches and listening to them through their radios locally or internationally. That is entertainment. If he cannot provide that, then he should not claim the responsibility of entertaining people.

Mr. Makau: Mr. Deputy Speaker, Sir, everybody in this country and hon. Members know that football is a very popular sport and our commitment to cover live matches is there but we have a problem in that, we got a letter just before we discontinued the coverage from the Secretary-General, KFF instructing all sponsors not to have any dealings with the KBC. Because they had formed their own company, they had instructed all sponsors to deal with that company but not KBC. We have had very embarrassing situations where the KBC crew has gone to the stadium and they have been locked out by officials of KFF. We never abolished that programme but we were instructed by KFF not to cover sports and all sponsors and advertising agencies were told not to contact KBC for anything. We are willing to start it, even tomorrow, if KFF adhered to the agreements that had been entered into before.

Mr. Shikuku: On a point of order, Mr Deputy Speaker, Sir. I am surprised to hear sad news from the Minister for Information and Broadcasting. Does he know that the Kenya Football Federation (KFF) is under the Ministry of Culture and Social Services? Is the Secretary-General of KFF senior to the Gracious Lady sitting in front of me? Is it not time, he took upon himself, in conjunction with the Minister in charge of sports to ensure that wananchi are entertained both on the radio and television?

Mr. Makau: Mr Deputy Speaker, Sir, we have done consultation and the KFF have insisted, through the Secretary-General, that the letter he wrote, and I have the letter here--- If I may quote, the letter he wrote on 8th July, 1994, that resulted to the discontinuation of that coverage, the last part - because I am going to lay it on the Table here, that is the letter to the Managing Director of KBC says:-

"By copy of this letter, the Sports Promotions Limited, that is a company that was formed by them, are instructed to officially inform all the advertising agencies not to contract KBC on the basis of airtime vis-a-vis locally organised football by KFF. The KFF secretariat staff are equally instructed not to pass fixtures or any other football information to KBC sports desk."

This is signed by Mr. S. J. Obingo, Secretary-General.

Mr. Deputy Speaker: Are you laying the document on the Table?

Mr. Makau: Yes, I will do so. There are more documents and I will lay them on the Table.

Mak'Onyango: Mr Deputy Speaker, Sir, is the Minister not misleading the House? The portfolio of sports falls under one Government Ministry. Now, broadcasting, as established, is under the Ministry of Information and Broadcasting. What has the Minister done to ensure that the rights of the people to be informed and educated is not impaired because of the interests of certain individuals?

Mr. Makau: Mr Deputy Speaker, Sir, this is not an individual, this is a Secretary-General of KFF. So, we are not following the wishes of an individual. What KBC does, is that with the arrangement between KBC and KFF, who tells the fixtures when this is going to be done, it is only, then, that we can send our crew. I have stated that it was extremely very embarrassing on many occasions, when the KBC staff had gone to the stadium and set their equipments like during the time when we had the match of ---

Dr. Otieno-Kopiyo: On a point of order, Mr Deputy Speaker, Sir. The Minister has read a letter which he intends to lay on the Table. We want to look at that letter as the Question goes on, so that if we have anything to raise on it, we could do so. He cannot lay it on the Table and keep it in his file.

Mr. Makau: Mr Deputy Speaker, Sir, but they are so many, you know it is such a corrupt situation. We are very transparent. You check what we have done to politics of football, and see the problems that we are facing.

(Mr. Makau laid the document on the Table)

Mr. Munyasia: Mr Deputy Speaker, Sir, the letter that the Minister was talking of, was talking about locally organised matches, not the international matches. Could the Minister now assure Kenyans that he is going to start immediately, covering the matches being organised in Kampala and Jinja, the East and Central Africa Senior Challenge Cup?

Mr. Makau: Mr Deputy Speaker, Sir, we have always covered, and you remember during the World Cup, the KBC covered that adequately, with sponsors we cover any match because we know that Kenyans love sports and especially football, and we are always willing to cover it. We have given instructions to KBC that any match that takes place and Kenyans are interested in watching that match, and we get sponsors for that, we will always cover it. But the problems that I have explained are problems that we have encountered from the KFF.

Mr. Deputy Speaker: Next Question!

QUESTIONS BY PRIVATE NOTICE

UNDERPAYMENT TO TEA FARMERS

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

(a) Is the Minister aware that tea farmers who deliver their tea leaves to Ikumbi Tea Factory were underpaid by Kshs35,010,213.00 and Kshs50,736,547.00 as per the report and accounts of the factory for the year ended 30th June, 1994?

(b) Why has the management of Ikumbi Tea Factory continued to withhold this payment?

(c) In view of the serious financial difficulties the farmers are facing, could the Minister direct the Board of Directors of the Kenya Tea Development Authority (KTDA) to release the said amounts forthwith?

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

(a) I am not aware. The Kshs35,010,223.00 in question was the total interest earned for the year ended 30th June, 1994 from investments. That amount was considered when arriving at the distributable profits for the

year, and it is part of Kshs47,790,976.00 under other income on the profit and loss accounts. Likewise, Kshs50,736,547.00 was the total value of closing stock, that is, tea in transit and tea at the factory. The total weight was 506,760 Kg valued at Kshs.112-145 per Kg to give the total of Kshs.50,736,547.00. That amount was considered in arriving at the distributable profit for the year and it is also clearly shown in the profit and loss account under closing stock for that financial year.

(b) The management of Ikumbi Tea Factory is not withholding the alleged payments, as claimed by the hon. Member.

(c) In view of the above, it will not be necessary for me to direct the Board of Directors of the KTDA to release the alleged amount.

Mr. Mwaura: Mr Deputy Speaker, Sir, the Assistant Minister's answer is very disappointing because under the year in question, for Ikumbi Tea Factory, the total amount that should have been paid to the farmers was Kshs361,129,480.00. After the deduction of all the expenditure and having included the interest, it was shown that, that year, out of Kshs35 million and Kshs50 million of the stock held, the farmers were paid less that amount of Kshs85,229,760-023. The question to the Assistant Minister here is, after they used their auditors, after they produced tabulated details of the amounts, how do they, then, tell the farmers that these amounts were part of the losses? Could the Assistant Minister tell the House exactly in detail how the losses were incurred?

Dr. Misoi: Mr. Deputy Speaker, Sir, I have given an answer which relates to the accounts of KTDA for the years concerned. The answer relates to the figures as presented by the Questioner. To that extent, I have given a complete answer. If the hon. Member has other details which he has not given, or other different questions, then I would consider that to be a separate question.

Mr. Mwaura: Mr. Deputy Speaker, Sir, this is a serious matter, that we are discussing because it affects the farmers of this country. If the Assistant Minister still maintains, particularly that Kshs50 million of the stock was part of the losses in 1994, why is it that this same amount is still reflected and paid in 1995? On page 12 of their cash-flow sheet, the same amount of Kshs50 million is reflected. The Assistant Minister is misleading the House that, this is part of the loss.

Dr. Misoi: I am not misleading the House. The figure in question reflects an amount which was considered in arriving at distributable profits for the year, and it is also clearly shown in the profit and loss account under closing stock for that financial year. Where am I misleading the House?

Mr. Obwocha: Mr. Deputy Speaker, Sir, I have the published accounts of Ikumbi Tea Factory here with me, by Messrs Joe Githongo and Company, who are Certified Public Accountants. The Kshs50 million is described as stock of made tea of Kshs50,736,547.00. Could the Assistant Minister tell this House whether in the payments of 1995, the amount was paid to the tea farmers of Ikumbi Tea Factory so that we can be convinced that this figure of the stock of made tea was, indeed, paid to the farmers?

Dr. Misoi: Mr. Deputy Speaker, Sir, I will not be able to provide an answer for that now, but I will seek appropriate information so that I can present it to this House.

Mr. Mwaura: On a point of order, Mr. Deputy Speaker, Sir. My point of order is that I am surprised the Assistant Minister does not have a figure which was shown in 1995, which was Kshs94 million---

Mr. Deputy Speaker: Order! Order! Order! I thought I clearly heard the Assistant Minister say that he will get more information to bring back to the House. Is that not so?

Dr. Misoi: Yes.

Mr. Deputy Speaker: At the earliest, next week on Tuesday?

Dr. Misoi: Yes.

SUB-DIVISION OF VETERINARY FARM

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

(a) Could the Minister confirm whether Ngong Veterinary Farm has been sub-divided and given out to individuals?

(b) If the answer to "a" above is in the affirmative, could the Minister table the list of allottees and the acreage given?

(c) Who authorised the sub-division and the allocation?

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

(a) Ngong Veterinary Farm has not been sub-divided, and the Ministry has no intention of sub-dividing or allocating the same to individuals. The national objective of breeding cattle, drug trials and experiments---

Mr. Nthenge: On a point of order, Mr. Deputy Speaker, Sir. Could the Assistant Minister be loud

enough for us to hear?

Mr. Deputy Speaker: Order! May I also appeal to hon. Members to listen to the hon. Member. Proceed, Dr. Misoi! Please repeat the answer.

The Assistant Minister for Agriculture, Livestock Development and Marketing (Dr. Misoi): Thank you very much, Mr. Deputy Speaker, Sir.

(a) Ngong Veterinary Farm has not been sub-divided, and the Ministry has no intention of sub-dividing or allocating the same to individuals. The national objective of breeding cattle, drug trials and experiments for development of veterinary drugs on the farm are still being pursued.

(b) The Ministry is, however, housing three Government institutions on the 185 acres of the farm. These are:

(1) The Ministry of Public Works and Housing and the Army Gravelling Unit and Training, which has been given 75 acres.

(2) Halal Meat Factory was given 12 acres.

(3) Meteorological Department Centre for climatic monitoring was given 100 acres.

(c) From the foregoing, the 12 acres under Halal Meat Factory was excised in 1974, while the allocation of 100 acres to Meteorological Department was done through the acquisition of land in consultation with my Ministry in 1995.

Mr. Sankori: Mr. Deputy Speaker, Sir, Ngong Farm belongs to Olkejuado County Council. All what the Assistant Minister has said of the sub-division given to various organisations was done contrary to the laid down procedures of that land. I know very well since I was a Councillor, when Halal was built, the Council was literary forced to sign for Halal Meat Products which ended in making it remain a loss and a mystery up to now. Could the Assistant Minister confirm to this House that any future sub-division and allocation of Ngong Veterinary Farm should be referred to Olkejuado County Council and not the Ministry?

Dr. Misoi: Mr. Deputy Speaker, Sir, the only confirmation I can give is that any future action relating to that farm, will be done after consultations have been held with all the parties concerned.

Mr. Nthenge: Mr. Deputy Speaker, Sir, animal husbandry is very important to the Maasai and to all the other tribes in Kenya. Why is it that the Ministry of Agriculture, Livestock Development and Marketing did not use that land for the purpose it was set aside, so that animal husbandry can be improved? Why has this been given to other people to use, as if we have nothing to do with animal husbandry?

Dr. Misoi: Mr. Deputy Speaker, Sir, the Ministry is pursuing all those avenues for the benefit of the farmers and which will improve the livestock in this country. The portions which have been given out are those portions which have not been used, and this has not hampered the veterinary activities on the Farm.

AIDS SCOURGE IN NYANZA

Mrs. Asiyu: Mr. Speaker, Sir, I beg to ask the Minister for Health the following Question by Private Notice.

Could the Minister clarify the statement made by the Provincial Commissioner, Nyanza, last week that up to 60 per cent of the secondary and primary school girls in Nyanza Province are dropping out of school due to the deadly disease AIDS?

The Assistant Minister for Health (Mr. Criticos): Mr. Deputy Speaker, Sir, I beg to reply.

I am not aware that 60 per cent of the girls in primary and secondary schools in Nyanza are dropping out due to HIV and AIDS. However, I am aware that the prevalent rate in Nyanza for women seeking pre-natal care currently stands at 30 per cent. This puts the AIDS position in this region among the highest in the country, hence the need for our concern.

As pertaining to school girls, my Ministry has not done any studies to verify the HIV/AIDS situation at girls' schools.

Mrs. Asiyu: Is the Assistant Minister in order to mis-lead this House that he is not aware of the Provincial Commissioner's statement which was carried by all the dailies; and yet it was also item four on KTN on Saturday?

Mr. Deputy Speaker: The Assistant Minister has said that he is not aware that, that figure is correct. Continue.

Mrs. Asiyu: How can he not be aware? If he read the newspaper reports, why did he leave such an alarming statement go uncorrected for so long?

Mr. Criticos: I am aware of the Provincial Commissioner's statement but he had the figure at 60 per cent which is incorrect and I must admit that my Ministry should have corrected that statement from 60 per cent to 30 per cent.

Dr. Otieno-Kopiyo: Thank you Mr. Deputy Speaker, Sir. Is that Assistant Minister saying that, 30 per cent of girls in primary and secondary schools in Nyanza are dropping out of schools because of the infection with HIV virus or is he saying that that is the total coverage of the disease in the area? Who has carried out the study and when was it carried out and what is its veracity?

Mr. Criticos: Mr. Deputy Speaker, Sir, like I said, for the girls, we have not made a study on them. However, we have made a general study for everyone who comes to our clinics and hospitals. We are required by the Ministry's policy to record who has got HIV or AIDS. So, the figures I mentioned are those taken at ante-natal clinics from expectant women. This has been recorded at 30 per cent.

Mrs. Asiyu: Mr. Deputy Speaker, Sir, the figure of 60 per cent was mentioned by the Provincial Commissioner. If that percentage of girls is not dropping out of school due to AIDS, then what reasons necessitate their dropping out of school?

Mr. Criticos: Mr. Deputy Speaker, Sir, I think my Ministry is not responsible for answering that question. In my opinion, it must be due to the high cost of living. Many people cannot afford school fees.

EVICION OF DOROBO

Mr. J.N. Mungai: Mr. Deputy Speaker, Sir, I beg to ask the Minister for Environment and Natural Resources the following Question by Private Notice:-

(a) What immediate measures is the Minister intending to take to stop the Dorobo Community from being evicted from Nesuit, Elburgon and Marishoni forests since they have lived there for a long time?

(b) Could the Minister direct that for any land allocation in the said forest reserve, Ndorobo Community should be considered first?

The Minister for Environment and Natural Resources (Mr. Sambu): Mr. Deputy Speaker, Sir, I beg to reply.

(a) I am not aware of any evictions of Ndorobos from either Nesuit, Elburgon or Marishoni forests.

(b) The Ndorobos are being given first consideration for any settlement which is currently taking place.

Mr. J.N. Mungai: I think the hon. Minister is mis-leading this House because the local dailies this week and the other week had pictures of the Dorobos demonstrating in Nakuru and they were terribly beaten by the anti-riot squad. They were demonstrating because they are being evicted from those forests and other people are being brought to be allocated land in there. If they are not being evicted from there, could the Minister read the names of the Dorobos who have been allocated land in those forests in this House, if they are being allocated at all, or give us the list of those real allottees and the Dorobos who have been allotted land in those forests so that I can take it home and find out from those Dorobos?

Mr. Sambu: We did compile a list from 1993 to April 1994 of the Dorobos in all those forests. That is the list we are using to allocate land now in those forests.

Mr. J.N. Mungai: I think the Minister is still misleading the House. They could have done that compilation of names of the Dorobos who have no native homes or who have no lands. That is fine. But I am asking about the new allotments which have already taken place, and which have been contested by the Dorobos and which have caused the Dorobos to be beaten and evicted from those forests. I am asking the Minister to read out the names of the present allottees that his Ministry is already allocating land in those forests; so that I can take the names home!

Mr. Sambu: Mr. Deputy Speaker, Sir, if the hon. Member requires the list, I will lay it on the Table later. I do not have it here now, but we do have a list of the Ndorobos.

Mr. Deputy Speaker: When do you promise to lay it on the Table? This afternoon or tomorrow?

Mr. Sambu: It will have to be next week Mr. Deputy Speaker, Sir.

Mr. Deputy Speaker: Should we say Tuesday next week?

Mr. Sambu: Wednesday next week. We are talking of a list of over 6,000 people. I cannot Table the original here; I will have to produce a photocopy and I cannot produce it in a day.

Mr. Deputy Speaker: The Minister has given an undertaking to Table the list on Wednesday next week. I think we will move to next--

Mr. J.N. Mungai: On a point of order Mr. Deputy Speaker, Sir.

Mr. Deputy Speaker: Are you still after that? What is it Mr. Mungai?

Mr. J.N. Mungai: I quite agree with the Minister that he is going to Table 6,000 names of the new allottees who are Ndorobos on Wednesday next week in this House. Would I be in order through the Chair, to ask the Minister that with the same list, he comes with me, holds a baraza with the Ndorobos and shows that list to the Ndorobos if it is a genuine list? It is not a genuine and honest answer! There is nothing like that!

Mr. Deputy Speaker: Order! Order Mr. Njenga Mungai. I have no powers to order the Minister to go and hold a public rally. Next order!

Mr. Shikuku: Mr. Deputy Speaker, Sir, I am standing on a point of order to draw your attention to the statement made by the Minister for Culture and Social Services, the gracious lady hon. Mrs. Nyiva Mwendwa on 15th of November 1995 in this House and I have got the HANSARD here where, in replying to a supplementary question she said:

"I did include very carefully, in fact ladies, by parties. I had even the wife of Ford (A) Chairman in Kitui. She was there"

The Chairman of Ford (A) in Kitui District is called Mr. Wambua whom I know and he has two wives and they say none of them went. Could the Minister stand up now and tell us which of those two wives went to Beijing? Now he is in a problem to explain which other wife the Minister is talking about?

The Minister for Culture and Social Services (Mrs. Mwendwa): Mr. Deputy Speaker, Sir, I have the list with me, of all the delegates who went to Beijing because last week, I was asked about the delegation which went to Beijing. I did answer a Question here. On this list, 55 KANU party ladies, out of 170 went to Beijing. The KANU delegates are shown by name, but delegates from the other parties are not written by name, and the reason being that I did not expect to be asked a Question on this. I have the list here and even if Members insist, it is very clear. Members like hon. Asiyo went in her capacity as a Member of Parliament. She is number 42 in this list. "It is written, Mrs. hon. Asiyo, Member of Parliament and not Ford (K). If you go on, you will also find the names of the Ministers' wives you are talking about. They were chosen from their own districts. One went as a KANU women leader, another one went as a church leader and another one went as a women leader. These baptisms were coming from the districts and I was not giving the names. What I took care of, was to make sure that everything was in proportion. That is, I took 30 per cent KANU and the rest, the other people.

Mr. Deputy Speaker, Sir, while we are on that issue, because I am going to Table this list, I will be very brief, and it has been alleged that, I took my hairdresser with me. There is no delegate who went to Beijing as "the hairdresser of the Minister". What happened is that, we were taking business women and some of them happened to have businesses like selling of clothes and hairdressing, and they went as business women. On this list, there is no "Minister's hairdresser".

Mr. Deputy Speaker, Sir, I would like also to say here that, when I went to Beijing, the other Ministers had bodyguards. They went with up to four, and I am not talking about heads of States, because, we had them there, including Prime Ministers. I am not talking about Vice-Presidents, like the one from Uganda, I am talking about ordinary Ministers like me. Some had up to four bodyguards. I did not have any, and I did not even ask to have a bodyguard, because, I knew the allegations which would be made here.

On the issue hon. Shikuku has raised, I would direct you to look at this list No. 63. It is a wife of the DP and not FORD Asili Chairman. Therefore, I would like to apologise to hon. Shikuku, but, it is the wife of the Chairman of DP in Kitui. I did not indicate all this, but I am directing hon. Shikuku, to look on No. 63, it is the wife of the DP Chairman for Kitui. Therefore, I apologise.

(Loud Consultations)

COMMUNICATION FROM THE CHAIR

TABLING OF UNSIGNED DOCUMENTS

Mr. Deputy Speaker: Order! Order! Members. Now, on the 21st of November, 1995, that should have been last week or just over a week ago. In the course of the Question hour, hon. Munyasia asked a Question regarding some exports of prawns by some company here in Kenya. And, in the course of the supplementary questions and answers, the hon. Munyasia and hon. Kituyi tendered in support of certain allegations, two sets of documents which, when I perused, I realised immediately, one set did not have proper documents, as they were anonymous. They were not signed and were typed on FORD Kenya letter heads. Immediately, I said, these particular set of documents by hon. Munyasia are not signed and are not properly before the House. It then transpired to me later, that, in fact, the documents which were not properly laid before the House and were not proper documents and were not acceptable, had not been tendered by hon. Munyasia, but by hon. Kituyi. Both of them came to my Chambers to say, in fact, that particular document was tendered by hon. Kituyi and not the hon. Munyasia whereas, the ruling was registered both in the HANSARD and in the media against hon. Munyasia, which has been of tremendous concern to him. I wish now to correct that, and say, the documents which I ruled as out of order, were not tendered by hon. Munyasia, but by hon. Kituyi.

I wish also to appeal to Members that, they will also have to assist us, particularly the Clerks, to identify

these documents. This confusion arose, because, it looked to me, the two Members had

[Mr. Deputy Speaker]

made an arrangement, one to ask the Question, the other to tender documents, and in the process, both of them tendered documents, and once the documents were mixed up, the Clerk assumed those serious documents had been tendered by the hon. Member who asked the Question. It would be much better if the hon. Member who asked the Question alone, tenders the documents. That would be much easier for us to identify the documents, otherwise, we will not avoid this kind of confusion and, in future, we may as well say, well, you caused the problem, so you should suffer the consequences. For now, I have corrected the picture, hon. Munyasia.

Thank you. Next Order!

Mr. Shikuku: On a point of order.

Mr. Deputy Speaker: Order! Hon. Shikuku, you are utterly wrong, there are no rules of this House, which require a Minister or a Member of the House to apologise in this kind of situation to a Member outside the House. I think, you think you know the rules very well, sometimes you do not understand the rules. Next Order!

MOTION

RESTRUCTURING OF DDCs

Mr. Mcharo: Mr. Deputy Speaker, Sir, I beg to move the following Motion:-

THAT, in view of the important role played by the District Development Committees (DDC's) in discussing, identifying, recommending and implementing development projects for every district in the country, and conscious of the need to enhance and appreciate the status of the DDC's, this House calls upon the Government to:-

- (a) Remit annually all the development funds due to all districts direct to the respective DDC, for projects implementation;
- (b) Stop the practice of returning to the Treasury, unspent development funds at the end of the Financial Year;
- (c) Appoint a respectable person from the district to be the Chairman of the DDC, while the District Commissioner serves as the Chief Executive Officer of the DDC; and,
- (d) Appoint at least two persons from each division to serve as members of the DDC, along with the sitting Members of Parliament and the Chairmen of the Local Authorities.

Mr. Deputy Speaker, Sir, by moving this Motion, we are trying to make proposals to improve the performance and general status of the District Development Committees (DDCs), in this country. Mr. Deputy Speaker, Sir, the position is that, the District Focus for Rural Development Strategy is a Government initiative to decentralise Government services from the Headquarters to the grassroots. In this regard, we must commend the Government for this initiative which they took. Since this Strategy was effected in 1983, we have seen more participation of the local community in the development of this country. What we are trying to say now is that, we need to look again into this District Focus for Rural Development Strategy and make certain improvement, so that the people at the grassroots level are fully involved in the running of the districts.

[Mr. Deputy Speaker left the Chair]

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

Mr. Temporary Deputy Speaker, Sir, we need to make the districts to be more solid and stronger in effecting development programmes, rather than relying on the headquarters for whatever they want to do at the districts. We are happy that at the moment, the personnel at the district level like district heads of departments have been strengthened in that, most of them are now more senior people than they were before. The seniority of people should be reflected in what they do.

Part (a) of the Motion is asking the Government to remit funds directly to the District Development Committees (DDCs) for projects implementation. No development can take place without money and there should be as little as possible, control or involvement from the headquarters. In other words, what I am saying is that, when funds have been voted by this Parliament for every Ministry, it should be the responsibility of every Accounting Officer to make sure that money voted for a particular project in every district has been sent directly to the districts, so that the implementing officers can carry out their responsibilities of implementing development projects, such as water projects which are very vital projects in every district, road construction or maintenance

and so on.

Mr. Temporary Deputy Speaker, Sir, this is an important factor that money must be sent to the districts and the District Development Committees (DDCs) be given every responsibility to utilise the funds in the best way they can. Since the district heads are very senior people, working in conjunction with the district leaders such as Members of Parliament, Chairmen of Local Authorities, we would be in a position to effect development projects faster than before.

Mr. Temporary Deputy Speaker, Sir, the most crucial issue here now is the question of returning funds unspent to the Treasury at the end of the Financial Year. When money that has been voted for a particular project at the district is unspent, it is not the implementing officer who suffers. When money has not been spent for a water project or for road construction or whatever project that was supposed to be implemented with the money that is being returned, it is the community which suffers. Therefore, we should not allow any money that has been voted for any particular project to be returned to the Treasury at the end of the Financial Year. The Government should devise every means to stop this. I am aware that there is an Act of Parliament that provides that money that has not been spent at the end of the Financial Year, should be returned to the Treasury. If a law of that nature exists, I think that law is not very much in the interest of Kenyans. What I am proposing, therefore, in the very near future is that, that law should be amended, so that the money that has been sent to the districts for spending is not returned to the Treasury.

Mr. Temporary Deputy Speaker, Sir, ways and means should be found to compel implementing officers to spend the money by the end of the Financial Year and if that implementing officer is ineffective, he should be disciplined. I am saying this because quite a number of heads of departments may not be as vigorous as they should be. At this stage of our development, we want heads of departments and particularly the civil servants to be on the run as his Excellency the President has said from time to time. They should be on the run, so that projects are implemented as fast as possible and that any implementing officer who does not perform his duties to the expected standard should be disciplined as quickly as possible when it is discovered that money to develop a water project, road construction or building of an education institution has been returned to the Treasury. That officer should be disciplined.

Mr. Temporary Deputy Speaker, Sir, the composition of the District Development Committees (DDCs) as I know today, is made up mainly of civil servants as heads of departments. Members of Parliament and Chairmen of the Local Authorities are expected to be members but in a district where you have only one or two Members of Parliament, District Development Committee (DDC) meetings will only be attended by heads of departments and the two Members of Parliament and perhaps one Chairman of the Local Authority. So, the local indigenous people in that district will be only three, and seriously outnumbered by the civil servants. I would have thought that the District Development Committee (DDC), should reflect the local situation as much as possible and if it is going to reflect the local situation, then members of that particular district, indigenous people of that district, should be represented in the DDC as much as possible.

This is why the Motion is asking for an appointment of at least two persons from every division to attend the DDCs as members. And I think they should be duly appointed so that they know, and everybody knows, that the DDC is composed of not only heads of departments but even the local, respected able indigenous people, apart from Members of Parliament and chairmen of the local authorities, so that when they speak at the DDC, the civil servants or heads of departments will know that they have around them, local people who are interested in the development of the district. And in any case, the District Focus for Rural Development Strategy seeks to involve the local people as much as possible. So, this is one proposal which needs to be looked into seriously and we shall ask the House to give full support.

There is another factor here regarding Members of Parliament and the attendance of the DDC meetings. Quite often or sometimes, it is possible for a DDC meeting to be called when a Member of Parliament is not present and he cannot attend. I want to make a proposal here and this proposal should be considered very seriously. A Member of Parliament who attends the House here is supposed to attend the DDCs and for all the meetings at the district level and the divisional level, needs an assistant. We need to be given an opportunity to appoint our personal representatives, so that when I am engaged in a serious business in Nairobi or when I am abroad, attending to some state business overseas, that personal assistant can attend a DDC meeting on my behalf so that when I come back, he can report to me as the Member of Parliament that this and that has been discussed.

This is very important and time has come when the National Assembly should consider this important point. That person should not just be somebody picked up but he should be somebody very well educated; an able person, preferably a graduate who knows a lot of things and who should be paid by the National Assembly so that he can represent, assist and perform those other duties which a Member of Parliament cannot perform when he is not readily available. This is a point that I thought is quite important and needs to be looked into.

Mr. Temporary Deputy Speaker, Sir, the whole District Focus For Rural Development Strategy begins from the sub-locational level. At the sub-locational level, according to my own observation in my area, these committees rarely meet. The sub-locational development committees rarely meet and I think one reason why they do not meet is because of the calibre of our assistant chiefs who are supposed to be the chairmen of sub-locational development committees. Under the locational committees, the chiefs are the chairmen. If a chairman is to be appointed at the district level, then it means that even at the divisional level, a chairman should be appointed even up to the locational and the sub-locational level.

Mr. Temporary Deputy Speaker, Sir, today we have many people who have retired from the civil service and the private sector who are very capable and who should be given a chance to serve in the development committees. In addition to this, since our chiefs are very important people, we need to re-examine again the position; the status and the persons we are appointing as chiefs. A chief who is a chairman of his location stays as the chief and the chairman of the locational development committee and the chairman of the sub-locational development committee throughout his life; until he retires. If he was appointed as a chief or an assistant chief at the age of 30, he will be the chairman of the locational development committee or sub-locational development committee for 25 years until he attains the age of 55 and some of the people, we know, are very arrogant. We have heard some of them telling elected representatives: "You people are only temporary, we are permanent and nobody will move us from here" and some of them never take development matters very seriously. So, something has to be done to ensure that the assistant chiefs; because at the moment they cannot be transferred to another location - we need a system whereby we make the assistant chief to be aware that for a small mistake that he makes, he can be disciplined very easily. These days, it is very difficult for them to be disciplined and they are very arrogant people and as far as development is concerned, they are nowhere to be seen. So I am proposing, I had made a proposal earlier but it was rejected. I had proposed that chiefs are supposed to know the culture of a people and they are supposed to be the local people and they cannot be disciplined and be removed, unless they make serious mistakes. Many of them make a lot of serious mistakes but nothing generally happens to them.

So, all in all, what we are proposing is that we want a system whereby the District Development Committee has local people around, who can sit even with the District Commissioner and tell him: "This project is not being implemented properly". We have witnessed situations whereby development funds have been seriously misused. When you go to ask the District Commissioner even as Members of Parliament, why this money has not been spent for that project and we are told that the money is no longer there, the District Commissioner sometimes becomes arrogant and says: "The money has already been spent" and that is all there is to it. So, I felt that if we have somebody overseeing that chief executive officer who is a District Commissioner, and if he knows that there is somebody above him who can question him as his chairman, then he will be more disciplined as the overall implementing officer of projects all over the district.

Mr. Temporary Deputy Speaker Sir, we have respect for our District Commissioners. Some of them are doing a very good job; most of them, in fact, have done very good jobs but we would like them to be controlled in one way or another. They are the "kings" in the district; chairmen of everything and we would like them to realise that there is somebody who can control them.

With those remarks, I request my hon. friend, hon. Badawy, to second this Motion.

Mr. Badawy: Asante sana Bwana Naibu Spika wa Muda. Nachukua nafasi hii kumuunga mkono mwenzangu, Mhe. Mcharo, katika Hoja hii ambayo anapendekeza kuwe na marekebisho katika Kamati za Maendeleo za Wilaya (DDCs). Tukikumbuka lile lengo lililosababisha kuweco na huo mfumo wa District Focus for Rural Development Strategy, yaani huu mtindo wa kuzifanya wilaya kuwa chanzo cha maendeleo, lilikuwa kuwashirikisha wananchi katika mipango ya maendeleo. Tutaona kwamba lengo lake hilo lilikuwa ni kuwapatia nafasi wakaazi wa wilaya na wakaazi wa tarafa, ili waweze kushiriki katika kujichagulia yale mambo ambayo wanayaona ni muhimu na wanayahitaji kwa haraka kuliko mengine. Kwa hivyo, kulingana na mapendekezo ambayo mwenzangu aliyatoa hapa, ya kwamba muundo wa kamati hizi unafaa uwapatie nafasi zaidi wananchi, ni kitu ambacho hakika kina maana na yafaa kirekebishwe; kwa sababu ninaunga mkono maneno aliyasema na yale yanayozungumzwa katika kile kitabu kiitwacho "Blue Book" ya kwamba muundo wa kamati hizi za maendeleo kuanzia kata ndogo mpaka wilaya, wanachama wengi zaidi ni watumishi wa umma. Hii inawanyima wale wakilishi, wananchi na hata viongozi wa mipango tofauti tofauti, ambayo ndio hayo maendeleo yanayozungumzwa katika kamati za wilaya, zinawanyima nafasi za kutoa maoni na kujichagulia jambo la muhimu. Kwa sababu hiyo, ninaunga mkono kwamba idadi ya watu washiriki katika kamati hizi isipokuwa wale watumishi wa umma na katika kamati kuu ya wilaya ndio Wakuu wa Idara iongezwe, ili kutilia nguvu ule uwakilishi wa watu wawili tu katika kamati hizo, ambao ndio watu wasiokuwa watumishi wa umma, nao ni Mbunge na wale wakilishi wa Mabaraza, Meya au wenyeviti wa Mabaraza ya wilaya. Sisi ambao tunaoshiriki katika kamati hizi za wilaya, tunaona hakika kuna mambo mengi sana yanayotendeka

hata kutoka kata ndogo, watu walipatiwa nafasi ili kupendekeza miradi wanayoitaka, kuomba ile miradi wanayoipenda na kuomba pesa kwa mipango fulani; inapofika katika kamati ya wilaya ambayo muundo wake wengi ni watumishi wa umma na hasa huwa kwenye ile District Executive Committee (DEC), imekwisha tembelea na kufikiria miradi ile, utaona kwamba mambo huchujwa katika kamati kuu ya wilaya na yale matakwa ya wananchi wenyewe yaliyotoka katika kata ndogo huwa yamechujwa kiasi cha kwamba kunachukuliwa zile fikira ambazo wale wanakamati wa DDC kutokana na maoni ya DEC ambayo ningependa tuwekewe wazi hapa, kwa sababu tungependa kujua ni kamati gani yenye nguvu zaidi katika hizi mbili; ni DEC au DDC? Hii ni kwa sababu mara nyingi DDC inafuata na kukubali moja kwa moja mapendekezo ya DEC na ninaunga mkono kabisa yale maneno ya mwenzangu aliposema kwamba kuchukuliwa maoni ya hao ni kama kuwanyima haki wakaazi wa sehemu ile. Hii ni kwa sababu wengi katika Utumishi wa Umma ni watu ambao wamekuja kutoka sehemu nyingine. Wala nikisema hivyo, sishuku kwamba hawaangalii maslahi ya watu wale ambao wamepelekwa pale kuwatumikia. Lakini, hakika wanakuwa na mwongozo mwingine, na labda si ajabu pia kama mtu anajaribu kuchukua mwongozo wa kule kwao anakotoka, kuona kwamba mambo yale yanayozungumzwa na ambayo yanataka kupitishwa pale katika wilaya ile ambayo amepolekwa kufanya kazi, anaona labda ni sawa na kule kwao ambapo mara nyingi inakuwa ni kinyume.

Bwana Naibu Spika wa Muda, kwa hivyo ninatilia nguvu kwamba idadi ya washiriki katika kamati hii iongezwe kwa kupatikana wawakilishi kutoka kila tarafa ambao ni wawakilishi wa watu, kwa kiasi cha kwamba kuangaliwe maslahi ya mbele ya watu wa eneo fulani. Pahali kama Pwani ni dharura katika kamati za wilaya kuweco wawakilishi wa wavuvi na wawakilishi wa mashirika yanayoangalia mambo ya utalii, kwa sababu District Tourist Officer hatoshi. Ni vizuri tuwapatie nafasi wawakilishi wa hoteli ili nao wawe ni wanakamati. Hata katika "Blue Book" kunatolewa nafasi ya kuchukuliwa wanachama kutokana kwa shirika fulani lakini zaidi yametajwa Mashirika ya Umma. Hakuna sababu kwa nini pia kusipatiwe nafasi mashirika, wenye viwanda, hoteli na mashirika mengine yote ambayo yanaangalia maslahi ya wakaazi na uchumi wa sehemu ile.

Bwana Naibu Spika wa Muda, nikiingia katika mambo ya pesa, katika mwongozo wa DDC kulingana na "Blue Book", inasema wazi kwamba lengo la DDC ni kujaribu kufanya wilaya sehemu ya uchumi, yaani kishemu ambacho kinajitegemea kiuchumi. Sasa, uchumi huu una maana gani ikiwa pesa zote zinazotoka wilaya ile zinakwenda katika makao makuu na kusambazwa kwa pesa kunategemea Accounting Officer katika Wizara na huyu ni Katibu wa Kudumu katika Wizara, apeleke kile ambacho kinahitajika. Na yale yote yaliyozungumzwa na aliyetoa pendekezo hili, mhe. Mcharo, kwamba pesa zinarudi, hilo ni jambo ambalo tunalisikia katika Bunge hili mara kwa mara na ni kitu ambacho ni cha kushangaza. Pesa ambazo zimetolewa, zimetengwa kwa miradi fulani katika wilaya na kufikia mwisho wa mwaka zinarudi. Hili ni jambo la kushangaza na ikiwa inaonyesha kitu chochote, inaonyesha dharau na hali ya kutowajibika kwa watu wanaohusika na watu wa sehemu ile ambao si wanachama wa DDC, hawawezi kuuliza. Maswala ya pesa ni maswala muhimu sana na kwa hivyo ninaunga mkono kikamilifu kwamba pesa ziletwe katika DDC. Maofisa wanaohusika yafaa wazipeleke kwa DDC na DDC, namna inavyofanywa hapa Bunge, igawanye zile pesa kwa ile miradi ambayo watu wenyewe wamependekeza. Ninajua pengine tutaambiwa kuna sheria ambayo inakataa na kusema pesa zirudi mwisho wa mwaka. Lakini sheria hiyo imetungwa na sisi hapa na ningependa Wizara ya Pesa pamoja na Ofisi ya Rais waleta Mswada hapa na kufanya mabadiliko kuhakikisha kwamba pesa hizo zinabaki kule, badala ya kurudishwa katika Hazina. Hii ni kwa sababu hili ni jambo la aibu kabisa. Kila tukisikia ulalamishi hapa mwisho wa mwaka katika mapendekezo katika kuchangia "financial statements" za kila mwaka, unasikia karibu kila Mbunge analalamika kwamba pesa zimerudishwa. Hii kwanza inaonyesha kwamba maofisa hawafanyi kazi, hawashuguliki na inatilia zaidi umuhimu wa kwamba lazima watu wenyewe ambao ni wananchi wapatiwe nafasi kushiriki katika kamati hizo zaidi kuliko wale watumishi wa umma ambao ni watu wa kuja na kwenda kwao.

Bwana Naibu Spika wa Muda, mwongozo wa DDC unatushangaza sana hivi sasa. Kuna haja kama kamati hizi zinaonekana bado zingali muhimu na ule mpango wa kuzifanya wilaya kuwa chanzo cha maendeleo bado una haja, basi ni muhimu sana kutafutwe mwongozo, hata kuwe na sheria maalum za kuendesha mikutano hiyo, kwa sababu tunakuwa katika huruma ya Bwana DC kupeleka mkutano vile anavyotaka. Hata ripoti za sub-DDC haziletwi. Katika DDC nyingi, hivi sasa kunaletwa miradi ya mabepari fulani kupasishwa na hata ripoti za taaluma zinatolewa lakini hakuna watu wenye ujuzi katika wale wanachama. Hata mambo ambayo yanahusu mazingira, inakuwa tunalazimishwa kukubali. Sisi wawakilishi wa wananchi pengine ni mimi Mbunge na Meya tunakuwa hatuna sauti ya kutosha, inapofika kiwango cha kupiga kura dhidi ya wale wengi sana ambao wako chini ya uenyekiti wa Mkuu wa Wilaya na wale watumishi wa wa umma, unatarajia afisa wa kilimo, afisa wa mazingira na maofisa wengine atasema kitu gani mbele ya Mkuu wa Wilaya? Kwa hivyo, ile Hoja ya kwamba mwenyekiti awe ni mtu mwingine wa kuheshimika badala ya Mkuu wa Wilaya ni jambo ambalo ni la maana sana na ningependa likubaliwe ili litupe uwezo na liondoshe katika wale watumishi wa umma na liondoshe kinga kwa wale watumishi wa umma ambao mara nyingi sana wanachukua amri za Mkuu wa Wilaya bila kuzingatia maslahi

ya watu wa sehemu ile ambayo wanafikiria.

Bw. Naibu Spika wa Muda, ningependa kupitia kwako, kutaja katika kumalizia maneno yangu hayo, umuhimu wa kamati hii, kama ilivyoelezwa katika kitabu cha Blue Book ya DDC, kinasema, na ninakiri: "A major planning function of the DDC is to ensure that adequate resources are available for operations and maintenance of the existing infrastructure and facilities". Kwa ufupi, utekelezaji wa shabaha hii ya DDC, ikiwa pesa hatuna katika Wilaya, utatekelezwa namna gani?

Bw. Naibu Spika wa Muda, ikiwa lengo la DDC ni kutekeleza shabaha kama hii, ikiwa wananchi wenyewe hatuwawakilishi ya kutosha, kwa idadi ya kutosha katika kamati, vipi tutaweza kufikiria shabaha hii ambayo ni ya DDC, ambayo kama alivyoeleza aliyependekeza Hoja hii, lengo la kamati hizi ni nzuri, lengo la siasa hii ya District Focus for Rural Development ni nzuri, lakini inakuwa ni kama replica, ni uwakilishi wa ile Wizara katika Wilaya. Kama ilikuwa lengo ni kutupa nafasi wakaaji wa Wilaya fulani, kujipendekeza wenyewe, kuchagua wenyewe, na kutoa maoni katika utumiaji wa pesa, basi, hilo halikufikiriwa

Bw. Naibu Spika wa Muda, naunga mkono.

(Question proposed)

Prof. Mzee: Thank you very much, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity to contribute to this important debate. The DDC is an important organ, but it is our view that the DDC must be an illegal organ. The present composition of the DDC, is not desirable for optimum development. In actual fact, the present composition of the DDC, is anti-development.

First, the DCs are the worst voices for chairmanship of such bodies. First, DCs being non-professionals, political appointees, and subject to frequent reshuffle and transfers, are not the best choice to chair the DDCs. In addition, the DCs with their qualification as cheap misappropriation of funds, should not be given this job of chairing the DDCs. More often than not, the DCs are busy being KANU agents than being worried about the development and other aspects of the districts. And the work of the DDCs is often delegated to the DOs. This is very serious, when the DC himself does not take the job seriously, and he delegates it to another junior officer. The importance of the Committee is lost and the importance of the job which is given to this Committee, completely disappears.

In Mombasa, for example, the DC, Mr. Ali Korane has chaired only three DDC meetings in the last four years; only three! He has not put any importance whatsoever, to the District Development Committee. Second, the bulk of members of the DDCs, as it has been said by the Mover of the Motion, are heads of departments and these are also subject to frequent transfers. And more often, they are not indigenous to the districts where they work, and they may not have the best interest for the districts. This is very important, having a person who has been transferred there at the age of 50 years, only five years to be retired, he does not know anything about the district. He is there only on transition, or as a punishment for what he has done somewhere else, and he is a head of department and automatically, he becomes a member of the DDC and absolutely, he has no interest whatsoever, for that district.

In Mombasa, with the exception of the Mayor, the MPs, and apparently, very queer thing, because district chairmen of KANU are supposed to be members of the DDCs, and I do not know why this has been retained in this multi-party politics up and up to the present time. These are the only indigenous Mombasa people, the rest are Kenyans, but not indigenous to Mombasa. The DOs, for example, the DO for Kisauni where I come from, are the most unstable. They are changed so often, at the intervals of six months. In the last three years, we have never had any DO in Kisauni. They are changed so frequently, every time you walk into the office of the DO you find a new face, and you start wondering what is happening to Mr. Sunkuli's office, where they transfer these people so frequently that we do not see them more than three times, because they are changed and we see somebody else. So, since 1993, for example, the sub-DDC in Kisauni was called only three times. For this reason, I suggest that the DDC be truly a local affair. In support to the Mover of the Motion, the composition should be of people with a real commitment to development and people who know the problems and the culture of the people they are serving.

Secondly, the chairmen should be the Mayor or the chairmen of the county councils, in urban areas like Mombasa, Nyeri, Kisumu, Nakuru and elsewhere, where the Mayor becomes the Chairman of the DDC. But in areas where there are many county councils, then one of the county council chairmen should become the Chairman. Because these people are elected, if they do not do their work, the electorate will not return them the second time, but if we have a DC who is put there by somebody, an arrogant DC, who does not care about anything, then they are not answerable to anybody except one person, who we are trying to cut down his powers by reforming the Constitution.

Mr. Temporary Deputy Speaker, Sir, the heads of departments being professionals, could remain as consultants in the DDCs, but with no voting power. What we should have is the Mayor, the chairmen of the various committees in the county councils or the Municipal or the City Council, the MPs and other people who are indigenous, either appointed or elected, to form the DDC.

Mr. Temporary Deputy Speaker, Sir, the DDC in Mombasa has been the most disappointing, many meetings are aborted, because of lack of quorum, and mind you, we are talking about heads of departments. I can tell you one thing, the DDC in Mombasa has been absolutely useless and I am holding here, an answer which I was given by the Minister in the Office of the President two weeks ago. From 1990 to 1995, there were only four projects carried out in Mombasa by the DDC. These do not include road carpeting work which was done by Mombasa Municipal Council.

The projects that have been carried out in Mombasa in the last five years, there was a project in 1990 which they say is Makande Low Grade Pool Housing Repair and Re-decoration. This is the type of development we get from these people where Kshs320,000 was spent. The second project which was done in 1990 was described as "an Individual water meter installation NG Government quarters." I do not know whether this is development? They spent Kshs200,000. These Government quarters have already been grabbed by the people from the Government side and sold to a third party for development. In 1991, the only two projects which were carried out according to the records which I have here, were the Public Works Material Laboratory, whatever it means where the DDC allocated Kshs98,000 and in 1993, the only project which was done was termed as Ronald Ngala Primary School. Ronald Ngala Primary School was built a long time ago but the DDC put in Kshs560,000 in that old project.

Mr. Temporary Deputy Speaker, Sir, for the last five years, the admission of the Minister in the Office of President has indicated that only projects worthy less than Kshs2 million were carried out by the DDC of Mombasa. During that period, we met not less than 20 times and the only projects which were carried out in Mombasa within that period have been listed in this small piece of paper. We have to be very serious.

With those few remarks, Mr. Temporary Deputy Speaker, Sir, I beg to support this Motion.

The Assistant Minister, Office of the President (Mr. Manga): Mr. Temporary Deputy Speaker, Sir, while I quite appreciate the sentiments of the hon. Member who has just contributed, I wish to say that DDC is a very important organ in our set up as far as our development is concerned.

Therefore, we want to make the DDC what it should be, and that is why we want to support this Motion, but support it with amendments. These amendments are to take care of already enacted laws or Acts of Parliament which are there and which could be indirectly destroyed, if we accept the Motion as it is.

I would like to propose the amendments to the Motion. The amendments will be to delete all the words from "a" to "d" and replace them with the following:-

- (a) To remit annually through the Accounting Officer or the PS all the development funds of all districts directed to the respective DDC for projects implementation.
- (b) Compel all implementing officers in the district to spend all the money allocated for the projects by the end of the Financial Year.
- (c) Allow each sub-DDC to have one councillor to serve as the member of the DDC.

Those are the amendments. I want to explain why we came up with those amendments. The DDC has, since the adoption of District Focus for Rural Development Strategy, played a very important role in identifying and recommending implementation of development projects.

For every district in this country to enable DDCs function effectively various administrative arrangements were put in place. The responsibility of planning and implementation of rural development projects has shifted from the headquarters of the Ministries to the districts. In addition, the Ministries delegate operational responsibility for use of funds for the district for specific projects by forwarding AIEs to the respective departmental heads for utilisation.

They should remit all development funds of the districts annually direct to the respective DDC but must go through the Accounting Officer.

As regards to the returning of unspent money to the Treasury, this is a requirement of an Act of Parliament known as the Exchequer and Audit Act, Chapter 412, that states that any money that has not been spent should be returned to the Treasury for it to be voted again by this august House to be spent in the next Financial Year. Therefore, it is required that in normal circumstances, Parliament is given an opportunity to vote or to have a say in any money. It can only be done like that if the money has been returned to the Treasury and budgeted for again.

As regards appointing a respectable person to chair the DDC---

Prof. Mzee: On a point of order, Mr. Temporary Deputy Speaker, Sir. I stand on a point of order, on

Standing Order 48(ii). In my opinion, the amendments that have been proposed will have a negative effect on the question which is being proposed. It will be absolutely useless for us talk about this Motion if these amendments which are being proposed are allowed. Therefore, I am opposing these amendments that have been proposed, basing my point of order on Standing Order 48(ii).

The Assistant Minister, Office of the President (Mr. Manga): Mr. Temporary Deputy Speaker, Sir, there is no amendment; we are still moving on. Maybe the hon. Member will have---

The Temporary Deputy Speaker (Mr. Wetangula): Let us hear what the Assistant Minister is saying. In any case, you will have an opportunity to debate the amendment.

The Assistant Minister, Office of the President (Mr. Manga): Mr. Temporary Deputy Speaker, Sir, I do not think we are debating an amendment yet, but if there is---

The Temporary Deputy Speaker (Mr. Wetangula): You are moving an amendment.

The Assistant Minister, Office of the President (Mr. Manga): Mr. Temporary Deputy Speaker, Sir, yes, I am moving an amendment. So, I am proceeding.

An hon. Member: On a point of order---

The Assistant Minister, Office of the President (Mr. Manga): Let me move it and then you debate it.

I want to say that on the issue of appointment of a respectable person to be chairman of the DDC while the DC serves as the Chief Executive Officer, this has been raised before. During further discussions on the issue, it was realised that electing somebody from the district to chair the DDC would create conflict among the sitting MPs, civil servants, councillors and mayors and it would bring a lot of politicking into the DDC. It would also lead to a supremacy struggle among the various players at the district level. In addition, once a person is elected or appointed to a particular post, there will be a tendency for him to perform in a manner to enable him to be re-elected. That would make the appointed DDC chairman to favour various ethnic groups, clans, tribes and power brokers in the allocation of the resources and it would bring politics into a body supposed to take care of the development of a district.

Mr. Temporary Deputy Speaker, Sir, the DDC has been authorised to invite heads or representatives of Non-Governmental Organisations (NGOs) and self-help groups to come to the DDC and air their views regarding matters of development. This provision enables the DDC to invite powerful persons, who it finds productive in its deliberations.

The Temporary Deputy Speaker (Mr. Wetangula): Mr. Manga, I am sure you are aware of the provision of Standing Order No.65.

The Assistant Minister, Office of the President (Mr. Manga): Thank you, Mr. Temporary Deputy Speaker, Sir, for reminding me. This will, therefore, give the DDC a bigger scope to have effective members as far as the Government is concerned. Therefore, I support the Motion with amendment, but with exception of Item (c) regarding the appointment of a chairman.

Thank you.

The Temporary Deputy Speaker (Mr. Wetangula): Hon. Manga, could you tell the House how your amended Motion should read?

The Assistant Minister, Officer of the President (Mr. Manga): Mr. Temporary Deputy Speaker, Sir, the amended Motion should read as follows:

THAT, in view of the important role played by the District Development Committees (D.D.Cs) in discussing, identifying, recommending and implementing development projects for every district in the country, and conscious of the need to enhance and appreciate the status of these D.D.Cs, this House calls upon the Government to:-

- (a) remit annually through the accounting officers (Permanent Secretaries) all development funds of the district directly to the respective DDC for project implementation;
- (b) to compel all implementing officers in the district to expend all money

[**The Assistant Minister, Officer of the President**] allocated for the projects by the end of each Financial Year; and

- (c) to allow each sub-DDC to have one councillor to serve as a member of the DDC alongside the sitting hon. Member of Parliament and the Local Authority chairman.

The Temporary Deputy Speaker (Mr. Wetangula): Order! There was a point of order raised by hon. Prof. Mzee in accordance with Standing Order No. 48(2). Having listened to the amendment moved by the Assistant Minister, I am satisfied that that Standing Order is not flouted. I have also consulted the Mover of the Motion, he says he has been consulted and he is in agreement with the amendment and that he had allowed it to stand and now, let us have a Secunder for it.

The Assistant Minister, Office of the President (Mr. Sunkuli): Mr. Temporary Deputy Speaker, Sir, in seconding this amendment, I am mindful of---

The Temporary Deputy Speaker (Mr. Wetangula): For the guidance of the House, those who want to oppose that amendment should realise that, that is what is on the Floor now. If you want to debate the amendment in agreement or opposition, that is strictly what we are going to deal with. We will dispose of the amendment before going on to the main Motion.

Proceed, hon. Sunkuli!

The Assistant Minister, Office of the President (Mr. Sunkuli): Mr. Temporary Deputy Speaker, Sir, I was saying that this amendment does not go against the spirit of the Motion.

The Temporary Deputy Speaker (Mr. Wetangula): I have already ruled on that.

The Assistant Minister, Office of the President (Mr. Sunkuli): Mr. Temporary Deputy Speaker, Sir, the principle behind this Motion is the fact that DDCs should be more representative of the local community. Secondly, those who are responsible for conducting the affairs of the DDC should do it in a democratic manner. The DDCs in this country have attained a great importance because they are actually the only fora that citizens have to decide their own course in terms of development. I want to thank the Mover of this Motion for bringing it before this House so that hon. Members can be able to say how this instrument which has been useful to this country, can be perfected because even a good vehicle must be oiled properly. The DDCs, we must acknowledge, are instrumental in bringing development to this country. It is a matter which should be looked into by hon. Members, so that we can continue to ensure that it serves the good purpose that it has always served.

Mr. Temporary Deputy Speaker, Sir, I do not want to repeat what my colleague hon. Manga has said, but just to emphasise that some of the sections of the Motion that had been proposed by the hon. Member are against the statute. For instance, the part of the Motion asking the DDCs not to remit money to the Treasury will, of course, be going against the statutes. So, we would say that we would like the DDCs to spend the money because that does not flout the rules.

But, Mr. Temporary Deputy Speaker, Sir, the spirit of this Motion is what we would like to debate. It is really important that the District Development Committee (DDC) does not become a small club of civil servants. I am particularly not very keen in having civil servants being determinants of the fate of a district. This is because the DDC is supposed to implement the policies of the good Government of the people; the Government that the people elected. Its decisions are supposed to be implemented by the DDC. If those who are supposed to implement those decisions do not want to implement the policies of the Government that was elected by the people they can easily frustrate the people by denying them what they voted for in 1992. I think it is very important that a small club of civil servants, most of whom have different loyalties, should not be allowed to end up frustrating not only the Government, but also the people. The people did not just vote for us as individuals, but they voted for our policies. If our policies do not eventually become realised, then the civil servants will end up frustrating the Government of the day and the people by not allowing them to have what they bargained for in 1992.

It is very important that in an area, for instance in the district I come from, the local people do determine where the road is going to be. I agree with the hon. Members that sometimes, a District Works Officer or somebody who is in charge of the rural access roads just decides that he is going to present to the DDC, a certain road while the local people want another road as a priority. But still, the officer's decision becomes final. This is because in the DDC, the Member of Parliament, the chairman of the relevant county council and one more person are the only elected leaders against probably 30 civil servants. The civil servants will vote against the road that the people want. I think it is very crucial that the question of representation, especially in a democracy like ours, is taken to be very important. I want to say that it is in that spirit that we are trying to say here, that we should appoint a councillor, who is an elected person in the particular district, to be a representative of his people in the DDC. I think nobody can go against that.

The hon. Mover wanted us to say that the District Commissioner (DC) should not be the chairman. I think the principle that he is trying to go into is not really in the office of the DC. This is because there is essentially nothing wrong in the DC being the chairman of the DDC. I think the problem is the attitude of certain people who, when they are allowed to be chairmen, they decide not to conduct the business of their committees in a democratic manner. I think I want to call upon the DCs who are chairmen of the DDCs to run them in a very democratic and transparent manner. The other day, we said in this House that the problem is not just with the Government but with Kenya. In any instance, even in the Opposition, when you make a man a chairman, he decides to become everything and sits on everybody else. I think it is just important that we keep the DC as the chairman of the DDC but insist that he operates in a democratic manner. This is because whatever man you put at the helm of a committee and he does not operate democratically and according to the rules of transparency, we

will still not have achieved our aim. At any rate, the DC will have only one vote. So, if we make the DDC a very representative committee, I think there will be no problem in having the DC as the chairman.

Also, let us not lose sight of the fact that a committee as important as the DDC does need a moderator. When we raise our local issues, sometimes they can divide us. It will sometimes be very difficult to have a man who is himself affected by the issues under discussion to sit as the chairman of a controversial decision-making body. I think it is important in this period when we are still nurturing our democracy and multi-partyism, that we should have a man who is himself not affected by the circumstances of the particular district.

Having said that, I would just like to say that it is important for us hon. Members to maintain development as our agenda. If we do this, we will be able to run this country properly. Our big mistake is that we have spent a lot of time politicking. Many of us have spent their time talking about State House and how they will make the long march to State House. I think this is deluding us and creating an illusion that we will not be able to get rid of. I think the problem we are facing is that, whereas we are running a Government, those of our colleagues who call themselves the alternative Government must learn to be men of principles. If you do not have principles, ideas and a vision for this country then no matter how many strides you make towards State House, the people of this country will never allow you to reach there. The people of this country will only allow you to reach there, only if you conduct Harambees for them and direct them towards development. The people of this country will not just like hon. Shikuku because he wears a bow tie. They will like him because of what he has done for them. If there is any other reason why they like him, it must have something to do with development. It is important that hon. Members do not go to public meetings and say that development is not our agenda. Development is our agenda; it is the essential thing that we need as a young country.

Mr. Temporary Deputy Speaker, Sir, I want to emphasise these things because we are discussing about development. As a last point, now that we are debating about the DDCs and the position of the DC, I want to urge hon. Members in this multi-party era to also conduct their affairs in a civil manner. I know a lot of things have been said about the relationship between the DDCs, the DCs and hon. Members. But it is also unfair for hon. Members to go and organise local quarrels with the DC when we, their colleagues, are here. We are in charge of the DCs and the entire Provincial Administration. Instead of an hon. Member going to argue with a DC, why does he not come and talk to the Minister in charge of the DC? We will then discipline the particular DC who is wronging an hon. Member. This is better than an hon. Member going to incite people into doing things that do not necessarily match with the law.

With those remarks, I beg to second.

*(Question of the first part of the amendment,
that the words to be left out be
left out, proposed)*

*(Question of the second part of the amendment,
that the words to be inserted in place
thereof be inserted, proposed)*

Mr. Shikuku: Ahsante sana Bw. Naibu Spika wa Muda. Kwa udogo wetu au uchache wetu, hatungeweza kuleta amendment nyingine, lakini ukweli ni kwamba nia ya DDC ilikuwa nzuri. Mimi ninafurahi kwa sababu waheshimiwa Wabunge wa upande wa Serikali pia wanapata zile taabu tunazopata. Katika DDC, huwa ni Mjumbe mmoja kwa constituency yake. Ile bahari ya watu pale ni wafanyakazi wa Serikali. Kwa hivyo, haina maana. Hiyo DDC si ya watu tena kwa sababu ile bahari ya wafanyakazi wa Serikali hawakuchaguliwa na mtu yeyote. Pia, isitoshe, DC akitaka kuharibu wilaya, ataiharibu. Kile kitakachofanyika ni kwamba atahamishwa kutoka hapo. Shida atawacha hapo nyuma, aende kuleta shida kwingineko. Wakati umefika ambao ni lazima tuangalie sote. Hii amendment peke yake haitoshi. Inatakiwa kufwatwa and tuanzie mashinani. Hata kule kata ndogo, utapata naibu wa chifu ndiye mwenyekiti, na yeye anaita marafiki wake, hasa wale watu wakubwa- wakubwa huko. Sijui kama hii inafanywa huko kwenu, lakini---

Hon. Members: Ndiyo, inafanyika.

Mr. Shikuku: Ooh! Anachukua rafiki zake, anajaza kwa hii kamati, halafu wao wanafanya vile anavyotaka. Kama hii Serikali ni ya kidemokrasia, basi ni lazima hii demokrasia ienezwe kote nchini. Kule lokesheni na hata katika kata ndogo, wanavijiji wenyewe wanajua ni nani anastahili kuchaguliwa kwenda kwa Sub-DDC yao ya Sub-location. Huyu ni lazima awe ni mtu ambaye wanamuamini; waseme "mhe. Sankori ndiye atakuwa mwakilishi wetu kwa Sub-location", wala si rafiki wa Sub-chief. Pia, ifanywe hivyo hivyo katika lokesheni na hata tarafa. Sasa, tukifika katika DDC, ukweli ni kwamba fedha zinazokuja huwa na mwenyekiti

wa DDC na yule anayelitwa DDO (District Development Officer), na wafanyakazi wengine hukaa. Sisi tumepitisha kwamba barabara ile ndiyo itafanyiwa kazi, lakini ni wao wanatoa pesa kwa barabara ile wanayotaka. Na hauwezi kufanya chochote kule. Ndiyo kwingineko, sisi wengine tumeshakwenda huko na tumefika mwisho. Haina maana kwenda kwa DDC ikiwa wewe unajua matokeo yake yatakuwa ni nini. Hawachukui maoni yako, hawaoni wewe umechagulia. Na pia, wao wanajiita viongozi. Chifu ni kiongozi, DO ni kiongozi, DC pia ni kiongozi. Ukiuliza "ni nani aliyewachagua nyinyi?", Wanasema: "Sisi pia ni viongozi". Kiongozi gani? Ni nani alikuchagua?

Bw. Naibu Spika wa Muda, inatakiwa katika DDC kuwekwe watu waliochaguliwa na watu na waendeshe kazi ile vizuri. Wasipoendesha kazi vizuri, wakati ukifika, wang'olewe na wengine wawekwe. Lakini saa hii, sio hivyo. Hatupingi DDC. Ni nzuri kwa sababu inataka kuchukua maoni ya watu. Lakini haichukui sasa, kwa hivyo, haina maana, na fedha zinarudishwa. Mimi ninafikiri wakati umefika wa sisi sote katika Bunge hili kuungana, tujue adui wetu ni nani. Maendeleo yasipopatikana, atakayepigwa rungu na wananchi ni Mjumbe, lakini Mjumbe hana uwezo katika ile DDC. Na wanaweza kufanya hivyo maksudi ili kama maendeleo hayapatikani kwako, wakuambie wewe ndiye umeshindwa na kazi na uondoke. Kwa hivyo, mwanasiasa ndiye anapata taabu. Pia, juu ya maendeleo, mhe. Mbunge rafiki yangu, kama kawaida, amesema habari ya waheshimiwa Wabunge. Ajenda yetu ni maendeleo. Tunataka kumjulisha mhe. Mbunge huyu kwamba, yeye ajue kuna kazi. Kama fedha zikirudishwa katika Hazina Kuu, hayo kweli ni makosa ya Mjumbe? Mjumbe amesema daraja ijengwe, yule anayepaswa kutekeleza kazi hii anakalia hizo fedha halafu anazirudisha katika Hazina Kuu. Wakati wa kura ukifika, Mjumbe anaambiwa; ile daraja ulisema itajengwa hapa haijajengwa, na hali jambo kama hili limepitishwa kwa DDC, na hata umesema katika Bunge. Wewe ndio utakosa kuja Bunge hili, na yule mtumishi wa Serikali atafanywa DC au PC. Huu ndio ujuzi ninao katika Bunge hili. Nimeona watu wengi wakiingilia mlango ule na wakiondoka kwa sababu hawajui. Na sasa ninawapa ujuzi. Msipowaangalia, hawa wafanyakazi wa Serikali watawachinja nyinyi katika kura ijayo kwa kukalia pesa, zinarudi katika Hazina Kuu na maendeleo hayapatikani. Mjumbe ndiye atakwenda. Mimi Shikuku nitakuwa hapa kwa sababu ninajua.

Bw. Naibu Spika wa Muda, si wajibu wa Mjumbe kufanya au kutekeleza. Kazi ya Mjumbe ni kusema kazi fulani ifanywe, na itafanywa kufuatana na kodi ya wananchi. Wengine wanafikiri Harambee ndiyo siri ya mambo yote. Haiwezekani! Nyinyi toeni Harambee, na tutaona ni wangapi watarudi hapa. Hata tulipokwenda Ulaya kuleta Uhuru, hatukupeleka Harambee huko. Maneno ndio yalipeleka kule na Uhuru ukaja, si harambee. Kwa hivyo, ikiwa mhe. Mbunge anafikiri yeye akifanya Harambee sana ndipo ataingia, ninawatakiya heri, lakini ninajua hamtaona kuta nne hizi za Bunge hili. Sisi tunataka maendeleo, na maendeleo yanaweza kupatikana kutokana na kodi ya wananchi. Serikali hii inatoa pesa hapa, inapeleka kule, tena inarudishiwa pesa hizo. Wananchi wapewe hii elimu, na hata redio ieleze. Redio yetu haielezi, na wakati umefika wa wananchi kupewa fursa ya kusikia hotuba za Wabunge moja kwa moja kwa redio, kama inavyofanywa katika Tanzania. Katika Tanzania, hotuba za Wabunge zinasikilizwa moja kwa moja ili wananchi wajue taabu iko wapi. Hapa kwetu, haziendi, lakini zinakatwakatwa. Na ile televisheni yetu hapa, kazi yake ni kukata. Sijali sana kuhusu televisheni, lakini redio lazima ijulishe wananchi yale Wajumbe wanasema. Sasa wanajua mhe. Mbunge ameleta Hoja ya kuuliza na wataambiwa kwamba Wajumbe wote waliochaguliwa ni wachache kwa kamati ya DDC. Wananchi wajue hiyo. Kwa hivyo, kama maendeleo hayapatikani, wajue ni wafanyakazi wa wilaya ndio wanawanyima wananchi maendeleo kwa kutofanya kazi na, baadaye kurudisha pesa.

Bw. Naibu Spika wa Muda, ningependa kuwajulisha kwamba sisi sote ni ndugu na kazi yetu ni kusaidia wananchi. Kazi yetu hapa ni kusema. Kama ikiwa kazi yenu ni Harambee, mbona mlikuja Bunge? Si mngesha huko muendeleo kufanya Harambee? Hawa wamekuja kufanya nini hapa? Kaa nyumbani, fanya Harambee! Unakuja Bunge kufanya nini? Unaletwa Bunge kuzungumza na kuleta ujumbe kwa watu kwa Waziri wa---. Hii ndio sababu redio inatangaza kwama "Mjumbe wa Butere alipouliza Waziri wa Kilimo, alijibiwa". Kazi yangu ni kuuliza, na yake ni kujibu. Waheshimiwa Wabunge wenzangu, tutapotea kama hatujui kazi yetu. Mmewacha kazi, ndiyo sababu hata juzi, ule Msawaada uliokuwa hapa wa Foreign Exchange Controls umeleta taabu. Watu walikuwa huku tu, wakiombana pesa za harambee. Waheshimiwa Wabunge hawana kazi ingine, ni kuomba tu. Wamesahau kazi yao. "Give me, I gave you last time. Give me Harambee. I have got a Harambee". Wajumbe wamekuwa waombaji. Hawajui wanafanya nini. Hatuwezi kuendesha Serikali kwa Harambee. Wajumbe hawawezi kukaa Bungeni kwa sababu wanaombana, wanakwenda kulamba matako ya watu wengine huko, sijui wanataka wawape nini! Hii ni kazi bure! Tunataka tuwe---

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

Mr. Shikuku: I withdraw that.

The Temporary Deputy Speaker (Mr. Wetangula): And apologise!

Mr. Shikuku: I apologise very loudly, Mr. Temporary Deputy Speaker, Sir.

Mimi ninapata shida. Vitu haviendi sawa sawa kwa sababu tumewacha kazi yetu, tumekuwa waombaji.

An hon. Member: Na wezi, pia!

Mr. Shikuku: Ninasikia mwingine anasema; "na wezi". Hata wizi pia; wanaweza kuiba. Kama unataka Harambee ndio watu wakupende, utaiba mwishowe. Na pengine, ukitaka pesa sana na ukiziweka mbele, huenda hata wewe mwanaume ukabadilika ukawa mwanamke. That is true. Yes, the Bull will come. Whether from Auckland or from where, it will come.

Bw. Naibu Spika wa Muda, sisi zote tunataka kuendesha kazi ya wananchi, na mimi ninaunga mkono, ingawa kihafifu. Ningependa hii Hoja iwe nzuri na ifuatwe, ili wananchi waweze kupata maendeleo. Ninaunga mkono.

*(Question of the first part of the amendment,
that the words to be left out be left
out, put and agreed)*

*(Question of the second part of the amendment,
that the words to be left out be left
out, put and agreed to)*

(Question of the Motion as amended proposed)

The Assistant Minister for Commerce and Industry (Mr. Osogo): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to support the amended Motion and say a few words.

One, I would like to differ with the hon. Member for Kisauni who said that despite the fact that the District Commissioner, Mombasa has chaired the District Development Committee's (DDC) meetings in Mombasa for only three times since 1992, the hon. Member still goes and attends a meeting not chaired by the DC and they have not officially protested to the Office of the President over the DC not doing his work. It is our duty as elected representatives, to inform the Office of the President which is in charge of the DC's that they are not doing their work. They are leaving this work to other people and when that information is received by the Office of the President, it is expected that the Office will take action and order the DCs to do their duties.

While on that, I think it was good wisdom that the Government dropped the provision which was in the original Motion on part "c". The reason for this is that the Government sees the problems that would come out in a DDC when an a prominent, respectable person is appointed to chair the DDC meetings. The problems would arise if such a prominent and respectable person would be in conflict with the hon. Member of Parliament from wherever he would have been appointed.

The Temporary Deputy Speaker (Mr. Wetangula): Hon. Osogo, we have already done away with the prominent man. He is no longer an issue.

The Assistant Minister for Commerce and Industry (Mr. Osogo): Mr. Temporary Deputy Speaker, Sir, I was just reminding them that it was an issue before. What I am trying to say is that when we pass this Motion, the Minister from the Office of the President has got a responsibility to do several things. One, to direct the DC that the assistant chiefs whom the hon. Member for Butere said that they nominate their friends and put them in the District Development Committees of sub-locations, to convene the District Development Committee meetings. They do not. Since I came to Parliament in 1992, my sub-location has never held any Development Committee meeting of any kind. So, it is the responsibility of the Office of the President to order the DCs to make sure that the Assistant Chiefs, Chiefs and District Officers(DOs) call Development Committee meetings in their areas and chair them effectively, so that wananchi can know what is happening.

Also, since I came to this House I have not seen any documents showing how much money the districts get from every Ministry. In connection with part "a" of the amended Motion where it says that money will be released through the Accounting Officers, it is also the responsibility of the Office of the President to inform the chairman of the DDC that at the beginning of a Financial Year, a circular should be circulated to members of the DDC showing how much money has been allocated and received in the district and for what projects. We all know that if money is allocated for roads under the District Roads Engineer, that money cannot be diverted for building a school. We know that, because we passed that in this House when we passed the Estimates. When it comes to the DDC, we never get the information as to how much money has been released from the Treasury to various departments in the districts. Indeed, this House passed K£480,000 under the Ministry of Energy for Busia District in the Estimates of 1994/95 and not a single cent was ever sent to the district from that allocation by this House. I followed up that matter when the District Officer in charge of Energy confirmed that he never

received any money at the end of the Financial Year. I followed it up to the Ministry and I was told sadly that the Ministry never even got that money. Money allocated by this House was never received. So, it was true that it did not send that money to the districts. So, if these provisions are circulated to the members of DDC, Members of Parliament will know how much money is allocated and they will go on checking how much is being spent by the DDC to conform with recommendation "b" of the amended Motion, where it says that they will encourage the Authority to Incur Expenditure (AIE) holders to spend money on the projects that have been recommended. It can only be checked when members of the DDC, particularly the elected members have information of how much money has been allocated for which project in the district and it will be upon them to follow up the money at the district level and see which officer or which department is not spending money as provided for by this Parliament. My plea is to the Minister in the Office of the President that as this Motion passes, he should follow up these instructions and give their district commissioners the required instructions so that we Members of the DDC know exactly what is happening in our districts.

One of the speakers, I think the Member for Kisauni again, said that even in this era of multi-partysm, the KANU district chairman is a member of the DDC. This is not true. It is wrong information. During the one party system, it is common knowledge that Members of this House were the chairmen of the party and even at this time I would hesitate in denying that present Members of this House on this side of the House are the chairmen in their own divisions of the party and they go there in their capacity as Members of Parliament and not as chairmen of KANU but they also happen to be members of KANU in that process.

Mr Temporary Deputy Speaker, Sir, one councillor from a division should also sit on the DDC. In the absence of the Member of Parliament, when the MP is busy in Nairobi, in this Parliament, the councillor can easily convey the decisions made at the DDC back to the sub-DDC where the DO sits. I am aware that the DO of a division attends the sub-DDC in his capacity as the Chairman of the sub-DDC, but he is the only one. So, when a sub-DDC meets, and it normally meets during the week when this House is meeting, so that Members of Parliament might not be available to attend the sub-DDC, the councillor, as an elected person, will keep an eye on what discussions are taking place at the sub-DDC and also will convey back to the sub-DDC what discussions took place at the DDC meeting.

Mr Temporary Deputy Speaker, Sir, this is a very good Motion, but it will be useless if it is passed and no action is taken to convey the views of what has been expressed here to the District Commissioners at the district level, who are the chairmen of DDCs, and I beg that the Minister concerned should do just that, to help us as members of the DDCs.

Mr Temporary Deputy Speaker, Sir, with those few remarks, I beg to support.

Mr. Mwaura: Thank you very much, Mr Temporary Deputy Speaker, Sir, for giving me this opportunity to support this Motion which, I think, is a good Motion.

The District Focus for Rural Development Strategy is an invention that was introduced in this country, I believe in 1984, and the reason as we were told at that time was that the development would be taken directly to the people, that the allocation for the development for each district, and down to the sub-location, would be allocated directly. I believe at the time when this new development focus for giving money to the districts was done, there are issues that I believe should have been addressed to and these issues are equally very important. That is, if we looked nationally at our country today, I am sure most people will agree that proportionally, the generation of taxes or development or money to the Central Government, is not equal. There are some areas which are not endowed with strong basics on which they can draw taxation to the Central Government. If we looked at the areas which, for example, grow sugar like the Western Kenya, these are the strong areas which produce our sugar.

There are other districts like Central Kenya and even in Rift Valley, for example, tea growing areas like Kericho. The question I am trying to raise here is, if we really want to ensure that there is fair distribution by the DDCs, we should also create mechanisms which enable these districts, taxation, for example, for tea, coffee, the districts that produce these commodities, to have that money re-invested in those districts.

I think this is very unfair, to one of my tea growing locations called Kinyona, which earns this country over Kshs1 billion per year. In taxation, this is a lot of money. What I am trying to say is that these farmers want to make sure that the money raised through taxation, by the Government should be taken back to those areas in order to improve the rural road infrastructure. Without road infrastructure, tea, coffee and maize producing farmers will be immobilised because the transportation of their commodities will be hampered.

Today, what we see in the districts is that, the District Commissioners (DCs) have become the Chairmen and keepers of all the resources relating to cess and all the money which is distributed to the districts. Today, the DC in Murang'a does not even involve the MPs, and he is the one who decides whom to give a contract. In some cases, we do not know how the contracts are given out.

I would, therefore, like to see that in every district, hon. Members being elected to serve in this Committee and the entire responsibility of allocation and distribution, and even deciding which area would be given new jobs, should be decided by the Committee but not the DCs.

When we support the DDCs, we must be wary of certain things. Recently, I issued a statement that we want to bring development directly to the people, but in news on KBC, you only heard that universities had decided to teach local dialects. I do not consider this as a way of uniting this country, but dividing it. When we want the local dialects to become part of the curriculum of the universities, I do not consider this, as a focus for development.

On the question of investments in the districts, they will not develop unless we allow local investors to invest. We cannot go on looking for foreign investors while within our country, if our own people go to invest in, for example, Malindi, they are called foreigners, and yet they are Kenyans. I do not consider this to be a good base where we can help our districts to develop.

The other point is the question of security. We cannot discuss about development even in the districts if in those districts, security for investors is not well taken care of. Today, we are worried in this country because of the insecurity that we are seeing here. Guns and ammunitions today are to be found all over the place. Diplomats have been attacked by people having fire arms. This is a threat to the stability and economic development of this country. I would urge the Government to ensure that the security of this country is beefed up and the people who run around with fire arms are apprehended. We do not want the introduction of politics in this matter of security. We want the Government to apprehend the people because to me, they are creating insecurity that is not going to allow investors to go and invest in the districts we are talking about.

Let me finally say that, in order for the districts to really develop properly, we must ensure that infra-structure like roads are developed. Over the years, for example in Kigumo Division roads have not been developed and yet we have many tea growers and they are generating a lot of money. We want the Government to ensure that those roads are developed. Do not allow the DCs again to overstay in districts for five years. They should be moved within two years.

With these few remarks, I support the Motion.

The Minister for Technical Training and Technology (Dr. Onyonka): Thank you Mr. Temporary Deputy Speaker, Sir, for giving me an opportunity to contribute to this important Motion---

The Temporary Deputy Speaker (Mr. Wetangula): Order hon. Members. It is wrong to be on your feet when your colleague is addressing the House. Carry on Dr. Onyonka.

The Minister for Technical Training and Technology (Dr. Onyonka): Mr. Temporary Deputy Speaker, Sir, the DDCs have played a very important role in charting the course of development in our respective areas. The amendments introduced to this morning's Motion are of a general nature, aimed improving what the DDCs should be doing. I would like to use this opportunity to make what I consider to be an important point about the role of the DDCs, even with some of the proposed changes. Looking back, and I have had a chance of course to work closely with officers who handle DDC matters, one issue which has become critical, is that it does not matter how much money is given to each district in this country for development purposes if the resources are not put to good use. I know and I believe that it has been all along, a Government policy to allocate resources to all districts so that the DDCs may then decide on the priorities of what needs to be done. But there is no time when this Government is going to have enough resources for all the good potential projects that could be implemented in this country by the DDCs and other Government agencies. Evidence to date shows that in many instances, and I must point out that, clearly it is not Government policy that public resources are squandered, when it comes to implementation of projects.

Mr. Temporary Deputy Speaker, Sir, we seem to have people occasionally manning Government offices or positions, who do not seem to bother at all as to what happens to what is entrusted to them. We appreciate what we get in the form of donor aid, for development projects. But, the time has come when it must be realised that even with our own limited domestic resources, there is so much more that could be achieved, if resources were efficiently utilised. Because, in the final analysis, it hardly makes sense to lose Kshs10 million, and then look forward to getting Kshs6 million from a donor. I think, it makes nonsense over what we are trying to do.

Mr. Temporary Deputy Speaker, Sir, time and again, we have had examples and I want to say here, that it is not fair to blame every officer entrusted with responsibilities pertaining to developmental projects. But, we seem to have a few notorious cases all over the place, who do not seem to have any regard for the simple fact that, these public resources can only go that far in financing our developmental needs, if the resources are efficiently utilized. I do not want to go into what the Public Accounts Committee reports have told us year-after-year. But, I think, time has come when it has to be realised that even the very little that we are able to mobilize locally, must be effectively and efficiently utilized, if we are going to develop at all.

Mr. Temporary Deputy Speaker, Sir, I think it is important that the DDC's consider this as, their greatest challenge in the forthcoming year. That the resources made available, are put to proper use, if we are going to enhance the welfare of the people. It does not require me to go to the Minister for Public Works and say, "why have you not come to patch up my road?" It is their responsibility to use the resources to do the job. Occasionally, it does not do any harm for a Member of Parliament to go and raise the issue, but, it must not become the norm, that they have to wait for the Member of Parliament or any other leader to go and tell them what they ought to be doing.

Mr. Temporary Deputy Speaker, Sir, the same applies to schools, the same applies to many other institutions. That resources are made available, but those entrusted with the responsibility, do not seem to bother as to what they do with those resources. And it does not matter whether we have the KANU Government today or an Opposition Government tomorrow. Because, that culture, that "I do not care" attitude as to what happens to the resources, is an issue that we have to address squarely. Otherwise, we could mobilize mountains and mountains of resources, but if they are just thrown away, we will only be able to achieve very modest goals. And yet, these resources are very scarce, as we all know. There are so many nice things, so many great things we would like to do to the people of this country. But, this idea that one can throw away resources, if you can patch up a road at Kshs10,000, why do it at Kshs100,000? If you can repair a building at Kshs5,000, why do it at Kshs50,000? There are numerous examples all over the place.

Mr. Temporary Deputy Speaker, Sir, I beg to support the Motion.

The Temporary Deputy Speaker (Mr. Wetangula): Mr. Mcharo, it is your time to reply. I understand, you have surrendered five minutes of your time to hon. Farah.

Mr. Mcharo: Yes, Mr. Temporary Deputy Speaker, Sir, I have given hon. Farah, only five minutes.

Mr. Farah: Thank you very much.

(Mr. Mathenge remained standing)

The Temporary Deputy Speaker (Mr. Wetangula): Order, Mr. Mathenge, you didn't catch my eye. Order, Mr. Mathenge!

Mr. Farah: Mr. Temporary Deputy Speaker, Sir, I have only five minutes---

The Temporary Deputy Speaker (Mr. Wetangula): Mr. Mathenge, you are getting out of order. You are a very respectable Member of this House.

(Mr. Mathenge continued standing)

The Temporary Deputy Speaker (Mr. Wetangula): Order, Mr. Mathenge! If you were not a respectable person in this House, I would have sent you out of the House for gross misconduct.

Mr. Mathenge: Spare me, Mr. Temporary Deputy Speaker, Sir.

(Laughter)

Mr. Farah: Mr. Temporary Deputy Speaker, Sir, thank you very much. While I stand to support this Motion, I would like to say that there seems to be a perfect concurrence on both sides of the House, that the resources are available but they are misused by the people who are supposed to use them properly.

Mr. Temporary Deputy Speaker, Sir, the District Development Committee (DDC) basically, was designed initially to empower the people at the grassroots level, to be able to determine their development priorities. You cannot give the power to the people with one hand and take it away with the other hand because at the same time the DDC is supposed to be dominated by people from the Central Government. This means that these are Government Officers from the Central Government who are sent to the local locations at the district level to go and work. But basically, again, what you have done is, you have given the power to the people, take away from them and give it to the Central Government through civil servants, who if they were not corrupt, would have made a lot of difference in this country. We would not need to have foreign aid to development this country.

[**Mr. Farah**]

Mr. Temporary Deputy Speaker, Sir, what surprises me is that, you have a Minister on the Government side standing there and saying, "it is going to cost us Kshs10,000; why should it cost us Kshs100,000". He has seen it, he knows it, we have seen it, we know it. We hear this day in, day out, and nothing seems to be done about it. A project that is supposed to cost several millions of shillings, it is only completed 20 percent and

everything is paid to the contractor. This is fraud. We still have civil servants who certify that the project is completed. Why do we not prosecute those civil servants and put them behind bars?

Mr. Temporary Deputy Speaker, Sir, the kind of civil servants who we have in this country, particularly when it comes to contracts on roads, are corrupt and everybody knows that. We have seen cases where, in my own constituency, a road section of six kilometres cost Kshs3 million and, the next adjoining 10 kilometres cost Kshs36 million. How do you explain that? How can you have one half of this road of 16 kilometres costing Kshs3 million and the other half costing Kshs36 million and the contract is awarded two months later? The terrain is the same, and everything is the same. The truth of the matter is that, that road has not cost Kshs4 million. What we know is that the money is divided between people in the Ministry of Public Works and Housing, here at the headquarters, the contractor and the officers down on the ground, who are supposed to monitor the projects and make sure that they are done properly.

Mr. Temporary Deputy Speaker, Sir, I do not want to take my hon. friend's time, but if we could have a District Monitoring and Evaluation Committee, it would have made a lot of difference. Thank you.

With those few remarks, I beg to support.

Mr. Mcharo: I would like to thank all the Members so much for the interest they have shown in this Motion. The Motion was amended is acceptable to me because the spirit of the Motion is to encourage strong participation in the DDCs' activities by the local people and that one still remains intact in the Motion. Also, another important factor in the Motion is to make sure that funds that are meant for the development of our district are actually used for the intended purpose and that no funds should be returned to the Treasury. When the Minister said that the implementing officers would be compelled to spend the money, that is the spirit of the Motion and I hope and pray that that is actually going to be done. We would like to see our districts developing with the little money that is available.

Mr. Temporary Deputy Speaker Sir, on the participation by the local leaders and councillors, it is accepted that one councillor from every sub DDC becomes a member. I would like to see this implemented immediately. We should be given an opportunity to select one of the most competent councillors in our sub-DDCs to represent us in the deliberations of our DDCs.

Mr. Temporary Deputy speaker Sir, as I have said earlier on and I am happy other Members have already made comments on this one, I would like to see the locational and particularly sub-locational development committees' activities properly streamlined but the question and one Member said it, of assistant chiefs selecting their friends to be members of those sub-locational committees should be out and that the people of every sub-location should be given a chance to participate in the selecting of those who should sit at the sub-locational development committees for the deliberations of development activities in those areas.

Mr. Temporary Deputy Speaker Sir, I call upon every Member to give full support to this Motion as amended.

With those remarks, I beg to move.

*(Question of the Motion as amended
put and agreed to)*

Resolved accordingly:

THAT, in view of the important role played by the District Development Committees (DDCs) in discussing, identifying, recommending and implementing development projects for every district in the country, and conscious of the need to enhance and appreciate the status of these DDCs, this House calls upon the Government to:-

- (a) Remit annually through the Accounting officers, PS all development funds of all districts direct to respective DDCs for project implementations.
- (b) Compel all implementing officers in the districts to spend all money allocated for projects by the end of each financial year.
- (c) Allow each sub DDC to have one council to serve as a member of the DDC alongside the sitting Member of Parliament and chairman of local authority.

ADJOURNMENT

The Temporary Deputy Speaker (Mr. Wetangula): Hon. Members, it is now time for the

interruption of business. The House, therefore, stands adjourned until 2.30 p.m. this afternoon.

The House adjourned at 12.30 p.m.