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The House met at 9.30 a.m.

[The Deputy Speaker (Hon. Gladys Boss) in the Chair]

PRAYERS

QUORUM

Hon. Deputy Speaker: Serjeant-At-Arms, you may ring the Quorum Bell for 10 minutes.

(The Quorum Bell was rung)

Hon. Deputy Speaker: This is a crisis. We do not have the Whip of the Majority Party and Whip of the Minority Party. We do not have the Leader of the Majority Party and the Leader of the Minority Party. How do you expect to get Quorum? This is bad.

(The Quorum Bell was rung)

Serjeant-at-Arms, let us add another five minutes.

(The Quorum Bell was rung)

Alright, Hon. Members. We may proceed.

PAPERS

Hon. Deputy Speaker: Yes, Deputy Leader of the Majority Party.

Hon. Owen Baya (Kilifi North, UDA): Hon. Deputy Speaker, I beg to lay the following Papers on the Table:

1. Report of the Auditor-General and financial statements for the year ended 31st December 2022 and the certificates therein in respect of the Kenya Post Office Savings Bank.
2. Reports of the Auditor-General and financial statements for the year ended 31st December 2023 and the certificates therein in respect of the following institutions—
 - (a) Kenya Post Office Savings Bank
 - (b) Office of the Controller of Budget Staff Retirement Benefits Scheme
 - (c) Kenya Institute of Supplies Management (KISM).
3. Reports of the Auditor-General and financial statements of the National Government Constituencies Development Fund (NG-CDF) for the year ended 30th June 2023 and certificates therein in respect of the following constituencies:
 - (a) Bomet
 - (b) Githunguri
 - (c) Vihiga.

4. Reports of the Auditor-General and financial statements for the year ended 30th June 2023 and the certificates therein in respect of the following institutions—
 - (a) Maendeleo Democratic Party
 - (b) United Democratic Movement
 - (c) Shirikisho Party of Kenya.

I thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Next Order.

QUESTIONS AND STATEMENTS

Hon. Deputy Speaker: The Member for Likuyani, Hon. Innocent Mugabe, has a question.

ORDINARY QUESTION

Question 128/2024

DISTRIBUTION OF TEACHERS IN THE COUNTRY AND CRITERIA FOR DEPLOYMENT

Hon. Innocent Mugabe (Likuyani, ODM): Hon. Deputy Speaker, I rise to ask the Teachers Service Commission the following Question:

While some counties face acute shortage of teachers, others experience a surplus of teachers resulting to unequal distribution that negatively impacts the educational outcome of students in various regions.

This imbalance not only exacerbates regional disparities but also hampers the realisation of the right to education as enshrined in Article 44(1) (f) of the Constitution. Moreover, as we approach January 2025, uncertainty hangs on the transition of the Grade 8 students to Grade 9 under the Competency Based Curriculum (CBC).

Notably, whether the current senior secondary school teachers or Junior Secondary School (JSS) teachers will be responsible for teaching the said institutions...

Hon. Deputy Speaker: Hon. Member for Likuyani, you need to read the question as it appears in the Order Paper. You can start again.

Hon. Innocent Mugabe (Likuyani, ODM): Thank you for the guidance. Could the Commission –

1. Provide a detailed report on the distribution of teachers per county, including a breakdown of the number of teachers, identified deficits, surpluses, and any action taken to address these discrepancies including the number of teachers recruited from 2021 to 2024, and the criteria used in their deployment?
2. Clarify whether there is a plan for addressing concerns relating to the teaching of Grade 9 students under the CBC, including roles and responsibilities of Senior Secondary School teachers versus JSS teachers?
3. Outline the strategies being implemented by the Commission in collaboration with the Ministry of Education to ensure the balanced distribution of teachers across counties, particularly in marginalised regions, and the measures in place to address any imbalances, including any timelines for implementation?
4. Provide the status of confirming intern teachers including details on the number of intern teachers the Government plans to confirm; the criteria that will be applied; and the timeline for their confirmation and integration into the teaching service?

Hon. Deputy Speaker: This will be replied to by the Departmental Committee on Education. Is the Chairperson here? Any Member of the Committee?

Hon. Malulu Injendi (Malava, ANC): Hon. Deputy Speaker, we have invited the CEO of the Teachers Service Commission (TSC) tomorrow to our committee meeting. The question raised is part of what she will be responding to. I ask the Member to make himself available tomorrow so that he can get a response. The meeting will be at 10 O'clock tomorrow.

Hon. Deputy Speaker: Hon. Mugabe, you can find out from them the location because sometimes the clerks may not have notified them yet. The meeting is at 10.00 a.m.

Next is a request for a Statement from Hon. Ariko Amoit, the Member for Turkana South.

REQUEST FOR STATEMENTS

ADMINISTRATION OF EQUALISATION FUND FOR PROJECTS IN TURKANA SOUTH SUB-COUNTY

Hon. John Namoit (Turkana South, ODM): Thank you, Hon. Deputy Speaker. I rise to request a Statement regarding the Administration of Equalisation Fund for Projects in Turkana South Sub-County.

Pursuant to the provisions of Standing Order 44(2) (c), I rise to request for a Statement from the Chairperson of the Departmental Committee on Finance and National Planning regarding the Administration of Equalisation Fund for Projects in Turkana South Sub-County.

The Equalisation Fund was established under Article 204(1) of the Constitution of Kenya and operationalised by the Public Finance Management Act and the Equalisation Fund Administration Regulations 2021. The Fund seeks to bring the quality of basic services such as water, roads, health facilities and electricity in marginalised areas to the extent necessary to be at par with the level generally enjoyed by the rest of the country. Projects under the Fund are approved by the county technical committee upon identification and prioritisation by the sub-county technical committee.

Turkana County is among the counties identified by the Commission on Revenue Allocation (CRA) as a marginalised region, hence eligible to benefit from the Equalisation Fund. However, effective implementation of the Fund in Turkana South has faced several challenges, including sluggish progress in infrastructure development, lack of collaboration between the county and the sub-county technical committees in prioritisation and approval of project funding proposals, and lack of transparency to the public on projects funded by the Equalisation Fund and those funded by the County Government of Turkana.

Hon. Deputy Speaker, it is against this background that I request a Statement from the Chairperson of the Departmental Committee on Finance and National Planning on the following:

1. A report on the projects implemented under the Equalisation Fund in Turkana South Sub-County since the inception of the Fund, including an assessment of the impact of the Fund in achieving the objective envisaged in Article 204(1) of the Constitution;
2. Clarification on whether the Napusmoru and Kaibachal water projects in Turkana South Sub-County were funded under the Equalisation Fund or by the County Government of Turkana;
3. The measures put in place to distinguish projects implemented under the Equalisation Fund from those funded by county governments in order to enhance transparency and accountability; and

4. A report on the circumstances and reasons why the county technical committee varied the project proposals for Turkana South sub-county without consulting or notifying the sub-county technical committee and measures put in place by the Equalisation Fund Advisory Board (EFAB) to guard against such unilateral actions.

I thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: This will be replied to by the Departmental Committee on Finance and National Planning. Is there any Member from the Committee? Hon. Ariko is a Member of that Committee. He shall notify the Committee of the same.

This is not on the Order Paper but it has just been approved by the substantive Speaker. The Member for Konoin, Hon. Brighton Yegon.

DISCREPANCIES IN TEA FARMERS' ANNUAL BONUSES

Hon. Brighton Yegon (Konoin, UDA): Thank you very much, Hon. Deputy Speaker.

Pursuant to the provisions of Standing Order 44(2)(c), I rise to request for a Statement from the Chairperson of the Departmental Committee on Agriculture and Livestock regarding the discrepancies in tea farmers' annual bonuses in some parts of Rift Valley.

It has been in the public domain that there exists a stark difference in the amount of bonuses paid to tea farmers in regions situated to the west of Rift Valley namely Bomet, Kericho, Kisii, Nyamira, Nandi, Nakuru, Elgeyo Marakwet and Baringo counties. This discrepancy is not only alarming but also raises important questions about equity, fairness and the broader dynamics affecting our agricultural economy. This disparity, which is against the Kenya Tea Development Agency (KTDA) Dividend Payment Policy, has also caused loss of lives and injuries during the recent protests over the same.

On 18th September 2024, one farmer, Mr Robert Kiplangat Chepkwony of ID No. 29863230 was allegedly shot dead by the Kenya Police while peacefully protesting against these punitive bonus rates in Konoin Constituency.

It is against this background that I request the Chairperson of the Departmental Committee on Agriculture and Livestock to apprise the House of the following:

1. Steps that the Government is taking to address the concerns of tea farmers on the disproportionately lower bonuses, particularly in the western part of the Rift Valley region compared to other parts of the country.
2. The actions the Ministry is implementing to ensure the use of scientific tea testing rather than using mouth tea testing and perception to determine the quality of tea and hence its pricing.
3. Measures in place to address the punitive and unfair minimum reserved price imposed on only KTDA teas in the tea auction.
4. A brief on the role and contribution of the East Africa Tea Trade Association (EATTA) as an auction organiser towards the discrepancy in tea prices.

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Hon. Members, there is another Statement by Hon. Dorice Donya which was scheduled for the Order Paper in the afternoon, but because the substantive topic is similar but of different circumstances, I will allow her to make her Statement now. We are also introducing that Statement to the Order Paper. You may proceed, Hon. Dorice. After that, I will give Members a chance to comment on the two statements.

PAYMENT OF ANNUAL BONUSES TO TEA FARMERS

Hon. Dorice Donya (Kisii County, WDM): Thank you, Hon. Deputy Speaker. Since I will not get time to comment, could I please just say one thing before I read the Statement? I come from Keroka Town and Kiamokama Tea Factory borders my home. Farmers in my town got a bonus of Ksh20. I have had no peace. I have not eaten for the last three days. I am distressed because of the calls I get from my people over these tea bonuses. I am suffering. Let me proceed.

Hon. Deputy Speaker, pursuant to the provisions of Standing Order 44(2)(c), I rise to request for a Statement from the Chairperson of the Departmental Committee on Agriculture and Livestock regarding the payment of annual bonuses to tea farmers.

Tea farming is a major economic activity in Kenya, contributing significantly to the country's export earnings and providing livelihoods for millions of Kenyans. However, there have been growing concerns and complaints from tea farmers regarding the disparity in the payment of bonuses by factories in various regions. Tea farmers in some regions, such as Kisii County and parts of the Rift Valley, receive significantly lower bonuses compared to their counterparts in other regions despite similar input and production levels. This disparity, which is against the Kenya Tea Development Agency (KTDA) Dividend Payment Policy, has caused concerns about fairness, transparency and equity in the payout system among farmers.

It is against this background that I request the Chairperson of the Departmental Committee on Agriculture and Livestock to apprise the House of the following:

1. The criteria used to determine the rates of annual bonuses paid to tea farmers across the different regions and factories in Kenya.
2. The reasons behind the significant variations in bonus payments to tea farmers in the country.
3. The measures the Ministry of Agriculture and Livestock Development, through the relevant agencies such as the Tea Board of Kenya and the KTDA, is taking to ensure that all tea farmers receive fair, uniform and transparent bonuses based on their production levels.
4. The timeline within which the Ministry will address the disparity to ensure that tea farmers across the country are treated fairly.

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Hon. Members, those who want to comment on this should press the intervention button. Already, I can see that Hon. John Mutunga, Member for Tigania West, has pressed his button. I know you are the Chairperson who will deal with this, but since...

Hon. (Dr) John K. Mutunga (Tigania West, UDA): Thank you, Hon. Deputy Speaker. The two statements speak to the realities in the tea industry today. Farmers across the country, not just in the western part of the Rift Valley region, have received varied payments in terms of bonuses. These variations have not been sufficiently explained to them. These variations are also against the expectations of the farmers and that is why there is an uproar. We should not ignore outbursts from the farmers. Kenyans are a lot more educated and informed today.

We will submit the statements to the Ministry immediately so that they give us their comments, or explain the actual situation as it is and why that has been happening. We expect that to happen sooner than later, but probably in two weeks. I say two weeks because they might want to be given one week to prepare and one week to convey the message back to the House. Two weeks will be sufficient.

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Thank you. I have seen Hon. Jerusha Momanyi. Do you want to comment?

Hon. Jerusha Momanyi (Nyamira County, JP): Thank you, Hon. Deputy Speaker, for giving me this opportunity so that I can also add some weight to the statements which have been sought today.

Tea farmers are the backbone of this country. Their mistreatment has made them very angry. The uproar and the number of messages that we have received as Members of Parliament is very worrying. Some farmers feel that they are not part of Kenya. There is a problem when some farmers get very high bonuses while others get very low bonuses. We want answers. Our people want to be satisfied and treated equally in this country.

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Hon. Dido Raso.

Hon. Ali Raso (Saku, UDA): Thank you very much, Hon. Deputy Speaker. The Statement by the Member for Konoin speaks to the heart of this nation. There are people who work very hard. They wake up very early in the morning, go to their farms, pick tea and take it to places where they cannot determine the price. Those who get the tea from them determine the price. Hon. Ariko had previously raised an issue on the Equalisation Fund. It is also at the heart of equity in Kenya. When we as leaders allow those at the lowest ranks to be stepped on, we are not doing our best as lawmakers. For that reason, Parliament must rise to the occasion to ensure that there is equity and that those who work are rewarded.

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: Hon. Beatrice Adagala.

Hon. Adagala Beatrice (Vihiga County, ANC): Thank you, Hon. Deputy Speaker, for giving me this opportunity to air my views on what my colleagues are talking about regarding tea farmers. Farmers in Vihiga County were almost getting impatient with the payments. Most of our tea is taken to Mudete Tea Factory. Our farmers were discouraged by the payments and they almost uprooted their tea bushes. Keep in mind that tea is one of our cash crops. Therefore, I want to echo the sentiments of our people that the payments are too low.

In Mudete Tea Factory, farmers were told that they would be paid Ksh20. Are we trying to encourage or discourage the farmers? Do we want them to uproot the tea bushes? We need an urgent response from the concerned Ministry about payments to tea farmers.

Thank you, Hon. Deputy Speaker.

Hon. Deputy Speaker: The Member for Ugenya, Hon. David Ochieng'.

Hon. David Ochieng' (Ugenya, MDG): Thank you very much, Hon. Deputy Speaker. I thank Hon. Brighton and the Member from Kisii.

The way we treat farmers in this country leaves so much to be desired. The only people who now earn an honest living, because we know where they get their money, are farmers. The only people who we still know are honest in what they do are those who work on their farms every day, with the hope that those farms will put some money into their pockets so that their children can go to school. They work on their farms so that they can have shelter over their heads, have clothes on their bodies and lead a life that they desire. If you look at the way we treat tea farmers, coffee farmers, sugarcane farmers and other farmers generally in this country, it is so shabby. I hope that as the Committee looks at this matter, we can relook at the reforms we proposed, especially in the tea and coffee sectors, to ensure that farmers get the best. If you know, for example, what happens with the coffee and the tea we produce and how much is finally earned by the brokers and the people who export it, and you see how much the farmers in Kenya get, you will cry.

I hope that the Committee led by my friend, Hon. (Dr) Mutunga, can get to the bottom of this matter. It is only in this country where every year banks declare astronomical profits but the employees still earn peanuts. In the tea sector, the kind of money earned by executives is so high but the real farmers get so little. Hon. (Dr) Mutunga, I hope your Committee will help this country to get to the bottom of this matter. Remember that a young boy lost his life last

week because farmers were demonstrating for their rights. I wish we could not have a situation where farmers demonstrate for Kenyans to notice that they are doing a good job and they deserve good payment.

Thank you.

Hon. Deputy Speaker: Member for Kitutu Masaba, Hon. Clive Gisairo.

Hon. Clive Gisairo (Kitutu Masaba, ODM): Thank you, Hon Deputy Speaker. I would like to thank the two Members who brought up this matter. I come from Nyamira County, where almost 70 per cent of the population rely on tea farming as their main cash crop. It is somehow comical that farmers who wake up early in the morning end up working for nothing while a few people who sit in offices in Nairobi, around the factories and at the auction points in Mombasa rake in millions of shillings. Tea is auctioned using the US Dollar denomination. The farmer is never ever informed about the forex. All we see year in, year out is the bonus rate coming down or stagnating.

The farmer still gets the same amount from the time the US Dollar was exchanging at Ksh90. Today the US Dollar gyrates between Ksh120 and Ksh130. However, the farmer still gets between Ksh20 and Ksh30 per kilogramme. We cannot have a system which exists to ensure that the poor remains poor and the rich, who do the least, rake in millions of shillings. It is painful. As a House, we need to come up with ways to ensure that we protect the farmer, so that tea benefits the poorest person to ensure that they are able to take their children to school and feed them. We have a responsibility. We cannot sit here and wish that farmers have a better day tomorrow without us doing something.

[The Deputy Speaker (Hon. Gladys Boss) left the Chair]

[The Temporary Speaker (Hon. David Ochieng') took the Chair]

Let this be a wake-up call to KTDA. We are watching. We will not sit here and do nothing while our people die in poverty yet they toil every single day, hoping for a better future.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. David Ochieng'): Member for Nairobi County.

Hon. Esther Passaris (Nairobi County, ODM): Thank you, Hon. Temporary Speaker. Since Independence, this country has been managing the agriculture sector through cooperatives with the aim of coordinating production, processing and exporting the produce. In the past, people used to send their children to school without problems because they made a lot of money. The gold of our country was agricultural crops like coffee and tea. Kenya is the third largest producer of tea after China and India even though we have only the black tea variety. We need to improve our tea varieties based on the demand in the world.

The biggest problem we have is delayed payment to farmers. If you receive the tea and sell it, it should not take too long for you to give the money to the farmers. There is lack of transparency in terms of how much money they receive and in the efficiency of remitting the money to the farmers. How much money do they retain for themselves as the trading house? As long as we do not make tea farming beneficial for farmers to make money, the tea sub sector will not thrive. What is going to happen to the tea industry is what we saw happen in the coffee industry. People uprooted their coffee trees because they were not getting value from the crop. Tea is an actual export earner for the country.

The Ministry of Agriculture and Livestock Development needs to come clean. I am sure that the Office of the Auditor-General has already made reports on certain issues in various institutions that manage agriculture. If these reports are not taken seriously and acted on, we will continue to have a problem. We have a vicious cycle of wrongdoings in this country. We

need to try and turn that around, if we are going to turn the wheels of our country and our economy to become prosperous.

The Ministry should take note that this is a big concern because tea is an income earner for the country. This is also an industry that supports many people. Right now, the last thing we need is to lose any positive gain we have made. We need to work on the negative aspects, which are too many. The agriculture industry needs to be watched properly. I pray that we see some action within the next few days. We cannot afford to continue paying farmers peanuts. We cannot continue to charge farmers more on inputs and expect them to continue investing in tea farming.

We have a tendency of respecting foreign investors but failing to respect our local investors. That tea farmer, even if he has ten bushes, is somebody worthy of respect, because once he sells the tea to the trading house, the trading house brings US Dollars to this country, which help us to pay our debts. So, we need to pay farmers on time and pay them their rightful dues.

I thank the Member for bringing this Question. It is important for us to address it.

Thank you, Hon. Deputy Speaker.

The Temporary Speaker (Hon. David Ochieng'): Thank you. Member for Uasin Gishu County.

Hon. Gladys Boss (Uasin Gishu, UDA): Thank you, Hon. Temporary Speaker, for giving me an opportunity to speak about this topic. I am extremely passionate about it.

As Members of Parliament, we must stop lamenting and start acting. The only place where action can happen is in Parliament. We can pass the necessary laws and regulations to ensure that farmers are protected. This is not just about coffee and tea farmers. It is farming across the agriculture sector. If you look at our history from the time of Independence, you will realise that the performance in the entire farming industry has been on a declining trajectory. There is no time it has taken a positive trajectory. As Kenyans, we should ask ourselves why there is what is called 'English tea' in Europe yet there is not even a single tea plantation in Europe or England. What they call 'English tea' is actually Kenyan tea.

If you go around the whole of America and Europe, you find Starbucks selling coffee yet they do not have a single coffee plantation. There is something wrong with us as a country. The education in which the Government has invested heavily over the years has not helped us. We should have changed that trajectory by now. We must change this situation. I am asking the Chairperson of the Departmental Committee on Agriculture, Livestock and Fisheries to spearhead this initiative if he is truly worth the seat that Kenyans have given him. He must engage with the Ministry and stakeholders to find ways of turning this around, so that any Kenyan tea that is sold abroad is recognized as Kenyan tea and not English tea because the tea plantations are ours. We have continued to behave as if we are still a British colony. During the colonial times, it was okay for them to make that claim because they grew the tea in Kenya, took it to their country and called it 'English tea.' During that time, we were a British Protectorate. We are not a British Protectorate or colony anymore. Therefore, we must change the name of our tea to 'Kenyan tea.'

The food production system that we previously had enabled us to produce sufficient rice, palm oil, coconut oil, wheat, sugar and maize. We are now a net importer of all these commodities even though we are able to grow them. We must interrogate and fault ourselves as Members of Parliament. It is not the job of the farmer to resolve that issue. It is our job and we must do it. The counties where agriculture is devolved to, how much effort are they putting to ensure that they maximise rice production so that our supermarkets are not filled by imported rice, meat, edible oil, palm oil and things that we are capable of producing?

We even import nuts that we are capable of producing as we have land and labour. Unless we act, as Parliament, Kenya will always remain poor and will always be a net importer

of food commodities we can produce. Remember, those countries do not have the work force that we have. It is about time we started to look inward instead of speaking like somebody else will resolve it. When I hear about a simple problem like where tea is taken to a selling point, and the person who determines the quality of the tea is a third party, how difficult is it for the counties to make sure that they have an independent body, and not brokers, during tea purchasing to just measure the quality? That does not take a lot of equipment and does not cost a lot. It is our failure as leaders of this country.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. David Ochieng’): Next is the Member for Bobasi.

Hon. Innocent Obiri (Bobasi, WDM): Thank you, Hon. Temporary Speaker. I stand to second the Petition regarding tea growing and particularly the disparity in the tea bonuses in the various regions. I speak as a small-scale tea grower. I can tell you that with the amount of money you spend on tea growing and the amount you get you end up earning less than what you have spent in growing it. Therefore, this Petition must not call for a simple comment but an interrogation on how tea is being grown and how it is given to people to market. It must address the issue of why coffee from one area fetches more money than coffee from another area yet the marketing system is the same. Something must be terribly wrong. We also call upon the regulatory system of the government to ensure that the farmer is protected by getting his due share.

There are many products we used to produce as a country which are no longer being produced. If management in the tea sector continues this way, the number of people growing the commodity will reduce because they are not getting any benefit. We will lose that industry. Therefore, we must protect tea growing. We must protect the farmer so that we benefit from this sub-sector to ensure that it enables them to pay school fees for their children. That way, it will help us, as a country, to get income. It is important for us to take it up at parliamentary level and regulate it.

Thank you.

The Temporary Speaker (Hon. David Ochieng’): Thank you. Lastly, let us have the Member for South Imenti.

Hon. (Dr) Shadrack Mwiti (South Imenti, JP): Thank you, Hon. Temporary Speaker, for giving me an opportunity to contribute to this important agenda. The agriculture sector is very important for this country because the economy is driven by agriculture. Having been a Director at Imenti factory, I wish to state that tea is currently the main cash crop of this country. We find that farmers are not benefiting considering the labour they exhibit in their farming. We find that there are too many middlemen in the sector and at the end of the day, farmers are not getting enough revenue or returns. When we consider the inputs that farmers use, like fertilisers, and the labour used in harvesting they do not tally with the returns that they get. It is our responsibility to see that farmers are well paid, especially by high-end value addition in our tea factories. The payments vary from one factory to another but the tea is sold in the same market.

I concur with my fellow Hon. Members that the intermediaries between farmers and the market should be reduced. Payment should also be made on a timely basis once farmers deliver the produce to the factories. It is our responsibility to see that farmers benefit.

Thank you.

The Temporary Speaker (Hon. David Ochieng’): Thank you, Hon. Members. Before we move to the next Order, join me in welcoming students of Masinde Muliro University from Kakamega County; Brook Hill Academy from Embakasi East, Nairobi County, and Githuguchu Primary School from Ndaragwa, Nyandarua County. They are seated in the Public Gallery. They are welcome to follow the proceedings of the National Assembly this morning.

Next Order.

MOTIONS

POLICY AND FUNDING FOR SUGARCANE FARMING IN THE COUNTRY

THAT, aware that commercial sugarcane production in Kenya was introduced in the early years of independence with an aim of eliminating dependence on sugar importation and contributing to economic transformation in the sugar belt and the country at large through agriculture; acknowledging that, at its pinnacle, the sugar industry significantly contributed to the country's National Gross Domestic Product (GDP) and became one of the largest employers which supported livelihoods of many Kenyans both directly and indirectly; concerned that over the last 25 years sugarcane farming particularly in Western Kenya has been declining significantly thereby dipping sugar production from over 600,000 metric tonnes per year in the 1990s to less than 300,000 metric tonnes in recent years; noting that the decline in sugarcane farming has forced local millers to operate far below their milling capacities and pushed the country to over-rely on net importation of sugar, which negatively impacts on the balance of trade; noting that the decline in sugar production is attributable to factors such as mismanagement, interference and unfair competition from cheap imported sugar; further concerned that state-owned sugar millers like Mumias Sugar Company and Nzoia Sugar Company ceased milling while owing farmers hundreds of millions of shillings; appreciating that the government has been putting in place strategies, policies and regulations to define roles of millers and major players and stakeholders in the sugar industry in a bid to revamp the sector; concerned that the acute shortage of sugarcane resulting from mass abandonment of sugarcane farming continues to roll back initiatives for reviving sugar milling; recognizing that further investment in revamping sugar companies before reviving sugarcane farming would occasion loss of the invested public funds instead of yielding success; now, therefore, this House resolves that the national government, through the Ministry of Agriculture and Livestock Development, reviews the sugar development policies to provide that every investor-miller sets aside definite funds for the development of sugarcane farming, incentivizing farmers to embrace sugarcane growing and to enhance cane production in each of the respective zones.

(Moved by Hon. Peter Nabolindo on 7.8.2024 – Morning Sitting)

(Resumption of debate interrupted on 14.8.2024 – Morning Sitting)

The Temporary Speaker (Hon. David Ochieng'): Hon. Members, the debate on this Motion had started with the Motion being moved, seconded and some Members contributing. At the time of closing the debate on this Motion, the Member on the Floor was Hon. Ruth Odinga, Kisumu County. Is she in the House? She is not. Kindly, let me have interventions of Members who want to contribute. The Motion is on the policy and funding of sugarcane farming in the country. Members who want to contribute to this, please press the intervention button. Let me start with the Member for Nairobi County.

Hon. Esther Passaris (Nairobi City County, ODM): Thank you, Hon. Temporary Speaker, for allowing me to contribute to this Motion on policy and funding for sugarcane farming in the country brought by Hon. Peter Nabolindo.

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Hon. Temporary Speaker, we looked at the tea industry and, as our Deputy Speaker rightly said, it is agriculture as a whole. We have come up with a Motion on sugarcane farming. It is such a shame that we have allowed this industry to be riddled with corruption. The big names that are responsible for bringing down factories like Mumias Sugar Factory are still walking freely. We have continued to bail it out over and over again but we have not got anywhere. A majority of the people who are licensed to import sugar, who are probably in Government, have continuously dumped cheap sugar from other countries.

What we have to remember is that when we import any product that we can produce, we kill our local industry. We have been producing 600,000 metric tonnes of sugar but we have, over time, reduced it to 300,000 tonnes to create an artificial shortage so that certain individuals can be issued with permits to bring sugar from other countries. So, we continue to consume imported sugar. That is morally wrong. We have farmers, land and factories but we are killing our sugar industry to pave way for imports. What do we do when we become traders in an industry we are able to produce? We create jobs in the countries we import from as we kill jobs in our country. It is shameful that we can do such a thing. The people who wait for sugar shortage to be declared so that they can get licences to import sugar are killing jobs in our country. They are the reason we have reduced our sugar production from 600,000 metric tonnes to 300,000 metric tonnes. We need to boost our sugar production to its original level and subsequently increase it to a million metric tonnes. We need to have a vision. We also need to have ambition. We need to protect our sugar industry. When we create jobs in Kenya, we employ our citizens.

I have tested sugar from other countries. Our sugar tastes better than sugar from other countries. Its sweetness is at the peak of all sugars. We have a lot that we can do. We can even produce our own ethanol but we do not have the will to do what is right for Kenya. I hope we can do the right thing for our sugar industry because we have done the wrong things for so many years. It starts with dealing with the corruption that brought down the sugar industry. If we do not deal with the corruption that brought down the sugar industry, we will not be able to forge ahead because our history determines our future. If we continue to let people get away with wrongdoing, we will always end up doing the wrong things.

We make good policies, put in place structures and provide budgets but we continue to bail out industries that people have stolen from. We allow such people to go scot-free and hope that one day they will come back to lead this country. We are losing the plot that is imbedded in our National Anthem. The freedom fighters of this country wanted prosperity. They wanted peace in our land. We will not have peace when our land and our sugarcane growers are not able to profit from their hard work. We need to start thinking in terms of how we are going to produce adequate sugar.

Let us not be quick to issue licences to people to import sugar to cater for artificial shortfalls. Let us give incentives to farmers to ensure that our sugar industry grows. Let us put the right structures in place. At least, one industry has to thrive. Unfortunately, it is like almost all the sectors of our economy have collapses. This collapse has been gradual, and it is growing.

With the vision that the President has for this country, and with the help of the broad-based Government that is in place, I pray that we prove to the world that we can change the direction we are going. We have been moving backwards. Can we change that direction and move forward? Instead of going down, can we go up? As leaders, we owe it to our citizenry. Such effort should emanate from everywhere, and not just from Parliament. The Executive, too, has to pull with us. Parliament has to oversee the Executive and budgets have to be provided. The citizens have to pay taxes and the Judiciary has to allow us to work.

We have become a country that is continuously stopped from moving forward through litigation. We need to somehow come together and decide what is good for Kenya, and what is good for Kenya is good for the citizens. I believe that sometimes we are pitted against each

other and we lose the plot. The duty that we have as leaders in the three arms of government is to steer Kenya in the right direction. That is what the citizens want. The citizens need complementary efforts from the three arms of government. The citizens are begging us to cooperate.

The sugar industry is just one sector but every sector of this country's economy requires us to shift from doing things in the old ways to a new way. We should change from doing things the devil's way to doing things in the godly way. We are building churches, mosques, and temples but we have morally lost the plot. I think if heaven were going to take a census, very few Kenyans would be there. We need to start doing things the right way.

I thank the Member for bringing this debate. I hope the Ministry of Agriculture and Livestock Development will do the right thing for the sugar industry. There should be no more importation of sugar. Let us get our metric tonnes up. Let us boost our industries. Let us get our factories working. If we cannot do it ourselves, let us embrace the Public-Private Partnerships (PPPs) to steer our industry in the right direction. Sometimes if we cannot do it ourselves, let us get out of the kitchen and bring in a chef who can prepare a dish that all Kenyans would want to enjoy.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. David Ochieng'): Thank you, Member for Uriri.

Hon. Mark Nyamita (Uriri, ODM): Thank you, Hon. Temporary Speaker, for giving me an opportunity to contribute to this Motion brought by Hon. Nabulindo.

In this country, sugar remains one of the commodities whose supply is lower than the demand. A basic economics tells you that where supply is lower than demand, the price must be right for the consumer yet we still have our farmers choking with poverty because of importation of sugar. Before we even introduce new policies, there must be goodwill. It is not for lack of policy that we have this problem. It is purely because of lack of goodwill.

I come from a sugarcane growing area, where there is generation of electricity. The electricity in most factories is more than enough for their factory. So, they can supply to the national grid at a much lower price. However, our policies are wanting. There is the case of Mumias Sugar Factory, which has been forced to sell all its electric power to Kenya Power Company at a very low price and buy it back at a much higher price. So, they produce their power but they are not allowed by law to utilize it. They are supposed to send it to the national grid and buy it at a higher rate. It simply does not make sense.

Every year, we create an artificial shortage of sugar and license a few people to import the commodity. When they bring into the country, the pricing is never right. Therefore, I support this Motion. If the Government is keen on improving the livelihoods of Kenyans, especially those living in sugarcane growing areas, it must begin to invest, including in the maintenance of the factories that we have. Most factories produce below their capacities because the machinery that we have is as old as this nation. For example, the machinery at Sony Sugar Factory was bought way before Independence. They are still struggling with it despite the fact that it is operating at less than 50 per cent of its capacity. There are issues of regulations. Every time we try to bring in proper regulations, they are frustrated by Government functionaries who aid the same cartels.

I applaud my colleague who has brought this Motion. It is, indeed, time we made this country more independent. Every region must be considered for optimizing its unique potential. For sugarcane growing areas, amongst many other things, we need to invest in sugarcane production. For example, in my area, I have seen sugar factories fix our roads and other infrastructure. It means if we allow them to produce to capacity, we stop importation and get the pricing right, even the amount of money that the Government invests through the Ministry of Roads to improve the road infrastructure in those areas will reduce.

Some of us are who we are today because of sugarcane growing. I went to school because of sugarcane. During that time, as long as you had sugarcane growing on your farm, you would simply walk to the factory and they would give you authority to go and pick money from the bank. Your sugarcane in the farm would serve as guarantee to ensure that your children get educated. Some of us would not be here today if it were not for sugarcane growing.

It is, therefore, about time that this House completely resolved that the Ministry of Agriculture and Livestock puts the money where it should be.

With those remarks, I beg to support.

The Temporary Speaker (Hon. David Ochieng’): Thank you. Hon. Tim Wanyonyi, do you want to contribute to this debate?

Hon. Tim Wanyonyi (Westlands, ODM): Thank you, Hon. Temporary Speaker. The sugar industry in this country has brought abject poverty. Factories ceased to pay farmers many years ago. The farmers either have sugarcane on the farms rotting away or delivered to the factories, but are never paid. There is a big problem, especially in the western and Nyanza regions. Some time back, Nzoia Sugar Company Ltd and Mumias Sugar Company Ltd were doing well. The farmers were thriving because they were paid as expected. You could even see this in markets because everyone was doing very well. But then came a group of conmen, the middlemen. They are the ones who interfered with the sugar industry. They started negotiating for non-existent things and made sure that the factories were paying them and not the farmers.

Hon. Temporary Speaker, Government and political interference also dealt a big blow to these factories. Over and over, they would fire competent managers and hire political ones without an idea of managing a factory. I remember of a man who performed well in Nzoia Sugar Company Ltd, and after being there for a short period, the factory started paying farmers on time. They were milling and selling sugarcane well, but political interference came about because people wanted to recruit a local person who had no idea how to manage the factory. That brought many problems that exist until now. I do not think these factories will ever be revived. The Government keeps on pumping money there, but it is just a waste of time. We must find a lasting solution to these factories.

We passed a Bill here to privatise and hand over these factories to strategic partners who can bring in money and revive the factories, the way the West Kenya Sugar Company and Butali Sugar Company are functioning. These two factories have no sugarcane farms, but they mill and get sugarcane from all over the place. They get the sugarcane and pay the farmers directly. Therefore, the elimination of middlemen brings quick returns to the factory and the farmers benefit more. These middlemen are prevalent in Mumias Sugar Company, Nzoia Sugar Company and South Nyanza Sugar Company (Sony Sugar). These factories suffer because of middlemen.

Moving forward, the Government should completely get out of the sugar industry. It should sell all the shares to a strategic partner who can come with money to invest, improve the factories and revive them to start working. There are people who are ready and willing, but at times, the negotiations take long and at times a wrong turn because there are people who demand for kickbacks before putting pen to paper. This is something that has brought many problems. We have not had these problems in the coffee and tea sectors because they are very well managed and farmers are directly involved in the management of the factories. Political appointees and all those people who come without any knowledge of how to manage sugar factories are the ones running them down. This is something that we need to look at.

Hon. Temporary Speaker, thank you very much for giving me a chance to contribute on this.

The Temporary Speaker (Hon. David Ochieng’): Hon. Zamzam.

Hon. Zamzam Mohammed (Mombasa County, ODM): Asante sana, Mhe Spika wa Muda, kwa kunipa nafasi niweze kuongezea katika mjadala huu wa leo. Ukulima wa sukari

umekuwa na faida kubwa katika taifa hili. Jambo la kusikitisha ni kuwa kuna sukari kwenye *supermarkets* zetu lakini mara nyingi haijatengenezwa nchini. Hii ni kwa sababu sisi wenyewe tumewafinya wakulima wetu. Wakulima wanapanda miwa lakini wakati wa kuvuna wakipeleka kwa *factory*, hawapati faida. Nitatoa mfano kwa sababu nishawahi kupanda miwa. Ile gharama ambayo nilitumia kupanda miwa, wakati wa kuvuna, sikuelewa jinsi gani ile *factory* walipima *tonnes* kwa sababu wanakufinya. Kwa sababu hii, wakulima wengi wamekosa ari ya kurudi mashambani kulima. Ndio maana tunasema wakulima wapewe nafasi ya kushughulikia mambo ya *factory* ya miwa ili waweze kuangalia haki yao. Wakipewa mwanya huu watakaa pamoja na wale wahusika ili waweze kujua haki zao za kimsingi, ukulima na kuhakikisha kuwa upanzi wa miwa unaangaliwa vizuri. Mazao pia yakitoka watapata faida nzuri. Makampuni mengi ya sukari yamefungwa kwa sababu wenyewe hawakuwa na mwongozo mzuri katika zile *factory* zao. Kulikuwa pia na utepetevu mkubwa sana. Wengi walikuwa wakinyanyasa wakulima, jambo ambalo liliwafanya kurudi nyuma na kuacha kupanda miwa. Kwa sababu hiyo, *factory* nyingi zilifunga kazi.

Mkulima yeyote, si wa miwa tu kwa sababu hata Mombasa tuna wakulima wa korosho, anafaa kusaidiwa na Serikali. Tunaunga mkono jinsi Serikali inasukuma sehemu nyingine katika ukulima, lakini wasiangalie sehemu moja tu. Mimi, kama mama Zamzam, nina *support* wakulima wa sukari. Pia, ningeomba wakulima wa korosho na nazi waweze kuangaliwa kwa sababu zote zinaleta rasilimali nchini. Kwa upande wa ukulima wa nazi, utapata kwamba zinatolewa kutoka India na China ilhali kuna wakulima ndani ya taifa letu lakini hawashughulikiwi.

Ningependa kumshukuru ndugu yangu, Mhe. Nabulindo, kwa kuleta Hoja hii ya kutetea ukulima wa sukari. Pia, tunafaa tujue kuwa hawa wenye *factory* wanatengeneza pesa nzuri sana. Wanafaa kutoa mafunzo kwa hawa wakulima ili waweze kuwasaidia na kushirikiana nao kwa ukaribu. Hii ni muhimu kwa sababu mkulima ataelewa kuwa akitoa mazao yake, hakika atajua kile anachostahili kupata. Hii itahakikisha kuwa anapata moyo wa kuzidi kulima miwa. Ninamuunga mkono ndugu yangu.

Kuna Mswada ambao utakuja hapa. Singependa kuujadili wakati huu, lakini Kenya iko katika hali ngumu sana. Tunafaa kuangalia sehemu ambazo zinazalisha. Masuala ya kufinya mkulima kuhusu leseni ya hii na ile si vyema. Wakulima kule chini wanapambana na mbolea na mambo mengi. Wakubaliwe kupanda mimea bila kudaiwa leseni ili tuweze kuzalisha. Uchumi ukishashika vizuri, basi tutazungumzia masuala ya kugusa huku na kule. Lakini kwa sasa, wakulima wako chini, na wanastahili kupewa *boost* na Serikali. Masuala yao yanastahili kuangaziwa kwa sababu hao ndio wanalisha hili taifa. Hivi, tutaweza kuzuia ile sukari inatoka Brazil ambapo kuna nyingine ilikuja na sumu. Tutaweza kuzuia mambo kama haya ikiwa tutampatia mkulima nguvu ya kulima, aone mazao yake na apate kufaidika.

Ninaunga mkono Hoja hii, Mhe. Spika wa Muda. Asante.

Hon. Cynthia Muge (Nandi County, UDA): On a point of order, Hon. Temporary Speaker.

The Temporary Speaker (Hon. David Ochieng’): What is out of order?

Hon. Cynthia Muge (Nandi County, UDA): Thank you, Hon. Temporary Speaker.

Having heard the mood of the House and the overwhelming support this Motion has received, and the very pertinent issues raised by the Motion that we all agree, I rise under Standing Order No.5 that the Mover be called upon to reply.

The Temporary Speaker (Hon. David Ochieng’): Is that the mood of the House?

Hon. Members: Yes.

The Temporary Speaker (Hon. David Ochieng’): Hon. Nabulindo, this is a chance to reply.

Hon. Peter Nabulindo (Matungu, ODM): Thank you, Hon. Temporary Speaker.

Let me take this opportunity to thank all the Members who have diligently contributed to this Motion with a lot of passion and insights to whatever was on the Floor of the House.

The House has had a lot of facts and issues arising from the sugarcane industry. This is generally, the entire sugarcane farming, processing and sale of sugar in Kenya.

I would like to thank the following Members who diligently contributed to this Motion: Hon. Oundo, Hon. Kaluma, Hon. Dawood, Hon. Keynan, Hon. Okello, Hon. Kihara, Hon. Omondi, and any other Member who contributed. I will not go into much detail because Members have debated well and have come up strongly in support of the issues that this Motion seeks to achieve.

One of the speakers today, the Member for Nairobi City County, *Mhe.* Passaris, said that the problem that we have with the sugar industry in this country is that of cartels which I totally agree. Since early 1990s up to today, cartels have been ruling the sugar industry unabated and it seems like they are above the law yet the Government cannot do anything about it. The biggest problem with these cartels is that they are in Government. They fight to be in Government so that they can control these businesses.

Hon. Temporary Speaker, you are my neighbour and you know very well that since the collapse of the sugar industry, many people, in fact millions of them, have sunk into poverty. Therefore, it is time the country and Parliament did something concerning the suffering of sugarcane farmers.

This is not the first time that a Motion or a Bill about sugar and sugarcane farming has come to this House. We have had numerous Motions, Bills and laws enacted in this country to manage the sugar industry, but nothing seems to be working. If you go to Government shelves, you will find that Motions, Bills, laws and Regulations are gathering dust and nobody seems to be paying attention to sugarcane farmers. That has led us, as leaders, to be in a very awkward position because we need to help farmers, but as farmers, we do not get any assistance from the Government.

As one of the speakers said, if we do not do something now, we should then forget about the sugarcane industry because it is going to collapse totally in the next few years.

There is a glimpse of hope that someone is trying to revive a factory like Mumias. However, the reason why our sugar cannot compete competitively in the market today is because we still use obsolete equipment to produce sugar. Nowadays, Chinese, Japanese, and European equipment are as small as this desk while we have obsolete equipment in Mumias Sugar Company with one boiler being the size of the entire Parliament. That thing consumes electricity a hundred times more than the modern equipment. In as much as we try, we cannot produce sugar that is competitive in our modern market.

In conclusion, I thank the House and Members for the support they have given this Motion. I hope the Government will put into consideration all the sentiments by the Members of Parliament, more so, Members who are concerned about sugarcane industry and the poverty that is killing sugarcane farmers.

It is time we acted since we cannot continue talking about the falling and revival of the sugarcane industry. We have talked about it for the last 30 years, but it seems we are not moving anywhere. It is time the Government became serious enough, looked at the farmers, took them seriously, empowered them and let them benefit from sugarcane farming and production.

With those few remarks, I beg to move.

Before I sit down, under Standing Order 53(3), I request that the putting of the Question be deferred to the next Sitting as would be scheduled by the House Business Committee.

Thank you.

The Temporary Speaker (Hon. David Ochieng'): The decision on this Motion as requested by the Hon. Member will be made the next time the Motion is listed on the Order Paper.

(Putting of the Question deferred)

Hon. Members, before we move on to the next Motion, join me in welcoming students from Savelberg Primary School, Kajiado Central Constituency, Kajiado County and Mirema Academy, Kasarani Constituency, Nairobi County who are all seated in the Public Gallery. They are all welcome to observe the Proceedings this morning.

Next Order.

The Temporary Speaker (Hon. David Ochieng’): Hon. Esther Passaris.

COMPREHENSIVE REFORM OF EDUCATION BURSARY
SCHEMES TO ENSURE FREE BASIC EDUCATION
IN KENYA

Hon. Esther Passaris (Nairobi City County, ODM): Hon. Temporary Speaker, I beg to move the following Motion:

THAT, aware that Article 43(1) as read together with the Article 53(1)(b) of the Constitution provides that every person has the right to education and enshrines the right of every child to free and compulsory basic education; further aware that Kenya Vision 2030 identifies education as a crucial component for transforming the country into a globally competitive nation; appreciating that bursaries play a vital role in supplementing funding for enhancing access to education, particularly for students from disadvantaged backgrounds and contributes to the realization of universal basic education; noting that various education bursaries exist in the country including ward-based level bursary, County Government’s bursary, National Government Constituencies Development Fund (NG-CDF), the National Government Affirmative Action Fund (NGAAF) and the Presidential Secondary School bursary (PSSB); further noting that the evolution of bursary schemes from centralized to community-based administration aimed to enhance educational access, equity and responsiveness to local needs; concerned that despite these efforts, the current bursary system faces numerous challenges including lack of standardized and transparent selection criteria, delay in disbursement of funds and insufficient coverage of education costs leading to gaps in support; further concerned that these challenges have resulted in persistent disparities in education access, increased dropout rates particularly in secondary schools due to financial constraints and strain on household incomes as families struggle to meet educational expenses not covered by bursaries; acknowledging that the implementation of community-based bursary scheme has not fully achieved its intended objective hence the need to re-evaluate the current bursary systems with a view to ensure equitable and free access to quality education for all students; cognizant that the duty of the government to provide free basic education can best be achieved by consolidating education funds and directly remitting to public schools; now therefore, this House urges that the government, through the Ministry of Education, in collaboration with the relevant stakeholders, undertakes a comprehensive overhaul of the education bursary system with a view to collapsing all bursary schemes and allocating the funds to the State Department of Basic Education for provision of free basic education through capitation to be directly remitted to schools.

Hon. Temporary Speaker, Article 43(1)f of the Constitution provides that every person has the right to Education. Further, Article 53(1)b of the Constitution provides that every child has the right to free and compulsory basic education. I want to underscore the word compulsory which means that no child should be out of school.

[The Temporary Speaker (Hon. David Ochieng') left the Chair]

[The Temporary Speaker (Hon. (Dr) Rachael Nyamai) took the Chair]

As we speak today, many children including Form-Fours are out of school because they are unable to pay their school fees. Yesterday, I dealt with a case in my county, where a Form-Four student was sent home because her parents owe the school Ksh130,000 in school fees. This parent is a *mama fua*. She cannot afford to pay the money owed.

The school felt that even though it is two months to the examinations, it should send the student home in order to put pressure on the mother. You cannot get water out of a stone. There is no way that *mama fua* can raise that money. She further told me that she is not staying in her own house. It was locked because she could not afford to pay rent and neither is she getting enough jobs.

The Constitution establishes education as a fundamental right for individuals' development and the nation's future. I want to paint a picture of what is happening to this child. The mother received Ksh5,000 bursary from the Member for Lang'ata, Hon. Jalang'o. Since she has brought this matter to my awareness, she will receive Ksh53,000. The student will be put on full scholarship which we give to very few students.

The NGAAF gives Ksh1.9 million per constituency, per year. Members of Parliament can spend anything between Ksh50 and Ksh70 million. The problem we are facing right now, is that our bursaries cannot ensure that all the students in our respective wards, constituencies and counties get compulsory education that is within their right in the Constitution.

Therefore, we are not living to the mandate of the Constitution. If we eliminate corruption, we will ensure that Vision 2030 is attained. All students in Kenya will get basic education from Early Childhood Development (ECD), Primary School, Junior Secondary School and Senior Secondary School. The HELB will come in later. If we fail to do this, we will end up failing this country. Too many young children are loitering in various estates because they do not go to school. Some of them are jailed because they end up committing crimes. We are failing the citizens of this country by not offering free and compulsory basic education. Some students make it and end up going to university where HELB comes in.

After we finish with free and compulsory basic education, we should look at how we will handle Technical Vocational Education and Training (TVET) since not all students go university. Let us take one step at a time. We need to start this movement as Members of Parliament and leaders with various funds, by agreeing that we need to push the Ministry of Education, oversee it and provide a budget so that it can provide free secondary Education. I do not mean that we only provide school fees. Currently, we all know that high school is free. It is only in boarding schools where parents pay between Ksh40,000 and Ksh79,000. By free, I mean we should provide uniforms, books, teachers and money for various activities.

Recently, I visited a primary school and the student I took there, had not reported because they did not have school uniform. I bought the school uniform only to find that the students had gone on a geography learning trip. That student and many others whose parents could not afford Ksh2,000 did not go for the trip. I recall, in my childhood days I used to go on school trips, and there was no segregation nor discrimination. Whether you had money or not, the school organised the trip for you.

Today, we are doing something wrong. We are making children to grow up with very low self-esteem. Yesterday, a mother called me and said she was depressed and was tired of walking in town with her child. Can you imagine what was going through that child's mind? Her mother was walking from one *Mheshimiwa's* office to another, begging for school fees so that she can go back to school and sit for her examinations. That child will be demoralised and emotionally messed up. I felt I needed to do something about it.

There is also lack of standardised criteria in bursary selection. How do we decide who requires a bursary? We need to ensure it is free for all so that we do not have inequality, favouritism and inefficiency in awarding bursaries. A Member of Parliament who uses a maximum of Ksh70 million from his NG-CDF to give bursaries does not reach everyone, and not every child he gives Ksh5,000, Ksh10,000 or Ksh15,000 will complete school. They will drop out if they are in a boarding school because they require Ksh53,000. If you give a child Ksh15,000 which is the highest ceiling, they will still be sent home.

We are spending too much money on education. We give between Ksh600 and Ksh700 billion to the Ministry of Education and teachers. This is the case and yet children are sent back home and the quality of education is going down. Schools perform badly because half the time the student are at home. In a year, some students spend one term at home. Can you imagine what is happening? This brings about teenage pregnancies and consumption of drugs since the parents go to work and a child is left unattended at home. We need to be serious about this free and compulsory basic education.

You cannot tell a chief to pick children transitioning from primary school to secondary school who have not reported to school. Which school will he take them? First of all, they have no uniform which to me is overrated and a colonial thing. The Government, through the National Youth Service (NYS), can provide free standardised uniforms to children. Many times, I go to a school and see a young girl who besides being sent home, is wearing faded torn clothes. This affects her self-esteem. Can you imagine the stigma that child goes through? Why can we not provide basic school uniforms and books?

I am very proud of the choice that His Excellency, the President, made by nominating Mr Julius Migos Ogamba, as the Cabinet Secretary for Education. I interacted with him when he came to Parliament to answer Questions and he is hands-on and gets it! I actually talked with him this morning, and I told him that besides giving the Ministry money and making sure it gets capitation to schools, the order and the system of capitation have to be managed.

If we amalgamate our bursaries, it might amount to about Ksh60 to Ksh70 billion, which is about 10 per cent of what it is right now. All we are saying is that we want the Government to provide free, basic and compulsory education. No child should be at home. Build more and more secondary schools. If we say it is free education tomorrow, we will need to construct extra classrooms. The construction of more classrooms will be based on one man, one shilling. What is going to happen is that we will have certain constituencies where schools will be overwhelmed, and they will need more classrooms. We will have makeshift tents and hire teachers. The Government will then come to explain to the citizens the amount of money it will need to collect.

But before the Government asks for money from citizens, it needs to account for the money it will get. I know that to provide free and basic education, we will probably need more than Ksh1 trillion. But what matters is if the schools perform well with that kind of money. Will we be devolving corruption to the schools? I have heard people say that within the various funds, there is corruption. We really need to have moral reflection as a country, as leaders and parents. It is not just leaders who are corrupt but also parents and citizens. It is a chain reaction for everything that is going on in this country. We have to ensure that we collect and disperse the resources. If the Government is going to give capitation and does not send the correct

amount of capitation on time, then the schools are going to be auctioned. Some of the schools right now have many debts.

Basically, we need to conduct an audit about what it will cost to have free education. I know that we have free education, but there are very many hidden costs. The hidden costs come in the form of uniforms, which are very expensive, and it is a cartel and a racket in itself; the hidden cost comes from the school board of management and parents' association, asking for money from the parents; and the hidden cost comes in the feeding programmes. Dishu na County in Nairobi is working for primary schools. We should also make it work for secondary school and make sure that it is fortified and has a variety. I have heard students also complain that even if we are giving free food, we have to give something that is of quality. Students want variety. I have heard Nairobi students asking for chapati, not rice and *ndengu* or beans every day.

When I speak about the amalgamation of all the bursaries, it is not only about us because we know that that is not going to be enough. But as leaders, if we make the first step and say we are not going to get involved in bursaries, we should oversee the Ministry, provide resources and go to our constituents to talk to them about the need to have money for education. We have set aside money for the Housing Levy. Should we think about an education levy in the future where money is collected specifically for education? Parents will not oppose it because it will ensure that their children receive free education from Early Childhood Development (ECD) all the way to secondary school. In the end, they will be under the Higher Education Loans Board (HELB) and the funding model, where they will get the loans.

If we merge all the bursary schemes into a single fund managed by the State Department for Education, we will eliminate duplication, ensure standardisation and increase efficiency in the fund management. What do I mean by duplication? Some people know how to apply for bursaries. They apply for bursaries at the ward, from the Member of Parliament, and the Woman Representative. They go everywhere, but many do not know. This is like a lady who finally managed to reach me yesterday. But even if she had reached me earlier, the fund was not enough. We are discriminative. Why should one child get a bursary and not another? Why are leaders not fighting for free, basic and compulsory education? Let us give up this fund which causes us not to oversee the Ministry of Education properly. Let the Ministry come back and give us an answer, which will be a step in the right direction on how much money we need to fund education. We have development partners and private sector partners like Wings to Fly and MasterCard. We have many people funding education. Can we pool all those resources and ensure that every child in Kenya, up to secondary, goes to school for free?

On boarding schools, it is very disheartening to see children walking with mattresses and big boxes, going to boarding school. Let us equip the schools and let them show up in school to learn. Let us put up all the facilities in the school. What will it cost for us to do that? Let us have an audit and start the process so that we can ensure that we live up to the promises that we made to Kenyans as enshrined in our Constitution.

These reforms will ensure that every student, regardless of their socio-economic background, has equitable access to quality education. Funds will reach those who need them without delay or discrimination, without mothers and fathers having to tarmac and without children having to be sent home from school. By covering all costs associated with basic education, the reforms will reduce dropout rates in secondary school, thus enabling more students to complete their studies. In addition, families will be relieved of the burden of struggling to cover school costs not currently covered by bursaries, such as exam fees, uniforms, and materials thus promoting financial stability at the household level.

Allow me to emphasise that providing free basic education is a responsibility that the Government must uphold. Reforming the bursary system is not just a policy change, but a moral and constitutional obligation that will ensure that no child is denied an opportunity to

learn due to being marginalised. Therefore, I urge the Ministry of Education, in collaboration with all relevant stakeholders, to undertake a comprehensive overhaul and implement the new system to provide free basic education for all.

As I conclude, I reiterate that this Motion is about ensuring the Government fulfils its constitutional duty to provide free and compulsory education to every child in Kenya. Picture a young student in an informal settlement or in a rural village whose dream of education is currently threatened by financial barriers. The reform of consolidating bursary schemes and directly funding schools will lift that burden and ensure that no child is left behind simply because of lack of resources. I am aware that the Hon. Speaker engaged the Ministry of Education through the Clerk of the National Assembly to provide us with information that will birth a legislative proposal to address this issue. Equally, the constitutional court sitting in Nakuru directed that there is need to consolidate bursaries.

This reform will lay the foundation for an equitable education system, one that not only opens doors for young minds but also builds a future where education empowers entire generations. As we secure their access to learning, we are also securing Kenya's social and economic development, creating a nation where every child can fulfil their potential. I have to end by saying that 70 per cent of students in Kenya go to public schools. If we do this, we will touch the heart of every Kenyan household.

Hon. Temporary Speaker, I beg to move and request the Member for Uriri Constituency, Hon. Mark Nyamita, to second this Motion.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Hon. Nyamita.

Hon. Mark Nyamita (Uriri, ODM): Hon. Temporary Speaker, I beg to second this Motion

This Motion brought before this House by Hon. Esther Passaris seeks to overhaul the current education bursary system and consolidate all bursary schemes for more effective and equitable delivery of education support.

I commend the Mover for highlighting an issue of great importance to our education system. Education, as we all know, is a fundamental right guaranteed in our Constitution under Articles 43(1) and 53(1)(b). It is not just a legal requirement but also a moral obligation for us as leaders to ensure that every child in Kenya has access to free and compulsory basic education.

(Loud consultations)

Excuse me, Hon. Temporary Speaker. Please protect me from my neighbours.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Which neighbour in particular do you want me to protect you from?

Hon. Mark Nyamita (Uriri, ODM): Well, she has moved. Hon. Temporary Speaker, this Motion addresses a critical gap in our education funding, specifically through bursaries as they are administered. It acknowledges that while bursaries play a vital role in helping disadvantaged students access education, major challenges still prevent these funds from reaching their full potential. What are the challenges of the current system? They are well-known. The lack of standardisation, transparency and timely disbursement of funds are major concerns. We get numerous reports from our constituencies about delays in receiving bursaries. In some cases, students completely miss out on their education due to the inconsistencies in the system.

The second challenge is the fragmented nature of the bursary schemes, such as the NG-CDF, the county government bursaries, the National Government Affirmative Action Fund, and the Presidential Secondary School Bursary. This means there is a duplication of effort, a lack of coordination from these different agencies, and inefficiencies in the disbursement

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process. In some cases, the deserving students are left out, while others benefit from multiple sources. This disparity, without a doubt, needs to be addressed. To enhance efficiency and accountability, the current bursary schemes are often hampered by inefficiencies, especially in the disbursement of funds. Students and their families frequently experience delays, leaving them struggling to pay for essential educational needs such as school fees, uniforms and textbooks. These delays contribute to the rising dropout rates, particularly in secondary schools, where students are forced to leave school due to financial constraints.

This Motion calls for a centralised approach that will streamline the management of the bursaries. One unified system will ensure timely and efficient disbursement of funds, enhance accountability, minimise administrative delays, and make the process more transparent. It seeks to address the comprehensive coverage of education costs.

Another key point that this Motion addresses is insufficient coverage of education costs under the current bursary schemes. Many students receive partial funding that does not fully cover their educational expenses, forcing families to make up the difference. This places an undue financial burden on families, especially those in low-income areas, and contributes to higher dropout rates. The consolidation of bursary funds, as proposed, will allow better allocation of resources, ensuring that the funds provided are adequate to meet the full spectrum of education-related costs. This will alleviate the financial pressure on households and help retain more students in school until they complete their basic education.

What is the Government's role in free basic education? The current system of bursaries, while well-intentioned, has not fully achieved this goal. As the Mover rightly noted, the fragmentation of bursary schemes leads to overlaps, duplications and inefficiencies, which in turn make it difficult for the Government to fulfil its obligations. By collapsing all these bursaries into one scheme and remitting the funds directly to schools, the Government will be in a much stronger position to provide free and compulsory basic education to all children. This will ensure that the right to education is not only a promise on paper but also a reality for every child in Kenya.

I consider this to be the first move towards the realisation of free education, which we all desire. I am sure all my colleagues will support this Motion so that all our students can access free education. For example, in my constituency, I get about 21,000 applications for bursary, and only about 9,000 of them benefit partially from it. They get between Ksh5,000 and Ksh10,000 and sometimes Ksh15,000. The ones who go to the scholarship programme are very few. I have 9,000 beneficiaries because I try to balance to ensure that I have one beneficiary in at least every household. However, it is such a small amount for low-income families. It is not adequate.

In conclusion, this Motion presents a transformative step towards improving access to quality education in our country. The challenges of inequity, inefficiency and insufficient funding can no longer be ignored. By adopting this Motion, we will consolidate our efforts to provide a fair, transparent and effective system of support for all students, especially those from disadvantaged backgrounds. I fully support the proposal to collapse the bursary schemes into a single centralised fund to be directly remitted to schools. It is only by taking such a bold and decisive step that we can ensure the full realisation of every child's right to education and make Kenya a truly equitable and prosperous nation.

If we collapse all the bursary schemes into one, the rider is that we are proposing to do this as a first step towards offering real free primary, secondary and even tertiary education to all our students. The reason Members of Parliament continue to champion that bursaries be administered through NG-CDF is to address the gap that many students were missing out on. If we can consolidate them and the Government agrees that we should move towards free provision of basic education, it will be a step in the right direction. I also want to take this

opportunity to commend the Government for an attempt at proper investment. For example, in the last financial year, we invested over Ksh640 billion in the Ministry of Education.

If we collapse all the bursary schemes in this House, I challenge my colleagues and Members that this is a budget-making House. If we truly want education to be free in this country, we have the power in this House. We can remove funds from where we think they are not necessary. We can continue to cut budgets from all other sectors that are not as critical as education, which is a basic human right, and we allocate the Ministry of Education the funds that are adequate for them to provide education. If we do this, we will not have all the challenges we see today, like the new university funding model, students on the streets, and now their teachers on the streets.

I add that free education is not only provision of school fees, uniforms or books but also adequate teachers. Look at the Junior Secondary School (JSS) today in most parts of this country. You may have one or two teachers in a school, with students who are supposed to be examined in about 13 or more areas. Some of these teachers are Kiswahili teachers. However, we expect them to train our students in mathematics and sciences, which is not possible. When we talk about free education, we talk about a comprehensive nature whereby we have adequate teachers, infrastructure and schools are facilitated to ensure that our students get quality education. If we do not do it, it is just a time bomb.

With those very many remarks, I beg to second the Motion.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you very much, Hon. Nyamita.

(Question proposed)

Yes, Hon. Kiarie, what is out of order?

Hon. John Kiarie (Dagoretti South, UDA): Hon. Temporary Speaker, for sure, nothing is out of order because the Chairperson can never be out of order. I rise under Standing Order 97. I am cognisant of how important the Motion that has been brought here by the County Member of Parliament for Nairobi is. You can even tell from the interest because on a Wednesday morning, Members have filled the chairs and benches in the House to debate this Motion.

My concern is the time we have to debate this Motion. I rise under Standing Order 97, which provides that this House can decide to limit the speaking time for Members. In this case, I propose that we limit the speaking time from 10 minutes to about five minutes so that as many Members as possible can have an opportunity to debate this most important Motion. I request that you find out from the House whether they would agree to limit the speaking time to about five minutes.

Thank you very much, Hon. Temporary Speaker.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you very much, Hon. KJ. Hon. Members, at the moment, I have 17 requests, and I am sure that each of you would like to debate this subject.

(Question, that speaking time be reduced, put and agreed to)

We will now proceed with the debate. The first opportunity will go to Hon. Timothy Wanyonyi, Member for Westlands Constituency.

Hon. Tim Wanyonyi (Westlands, ODM): Thank you, Hon. Temporary Speaker, for the opportunity to contribute to this very critical Motion brought by my County Women Representative, Hon. Esther Passaris. Bursaries are the lifeline to our education...

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Order, Member for Westlands.

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Hon. Members, some students have visited the National Assembly this morning and are seated in the Public Gallery. We have the Aga Khan Academy from Westlands Constituency in Nairobi County, and Nzeluni Primary and Junior Secondary School from Mwingi West Constituency in Kitui County. Member for Westlands Constituency, I say this so that as you debate on this subject, you may kindly welcome the students on behalf of the House. Please give the microphone to Hon. Wanyonyi.

Hon. Tim Wanyonyi (Westlands, ODM): Thank you, Hon. Temporary Speaker. On behalf of all the Members of this House, I welcome the students from Aga Khan Academy, which is a school in my constituency. I encourage them to follow the proceedings of the House and also learn how Parliament functions because these are the leaders that we are preparing to take over from us. This is the National Assembly, one of the Houses of Parliament. Welcome, feel free, enjoy, and ask many questions to the staff of Parliament who are with you so that when you leave, you know that we are here to support you and to ensure that schools function.

Thank you very much, Hon. Temporary Speaker, for the opportunity.

As we debate this Motion on bursaries, I remember that long time ago, there were Government bursaries which were enshrined in secrecy because, during our time in school, those who used to get bursaries were children whose parents worked in the Office of the President. I do not know whether it was the Ministry of Education, but they were mostly from the Office of the President. Over time, things have changed. We have come up with devolution and the NG-CDF. We are trying as much as we can to devolve functions from the national Government to the smallest unit in the administrative system, that is, the ward level, so that these funds are more accessible to people. This will ensure that more people benefit from the county, constituency and presidential funds.

All these things happen in constituencies. I know that bursaries through the NG-CDF are functioning very well. There are many other bursary programmes that are to the advantage of the children and parents of this country. We are looking at increasing the allocations to these bursaries. Under the Building Bridges Initiative (BBI), we had proposed to increase the allocation to the NG-CDF from 2.5 per cent to 5 per cent. That would have meant that we could pay full school fees for students or give a minimum of Ksh20,000 to a student. If you were to pay Ksh20,000, especially for students in day schools, you would have paid almost the full school fees for the whole year. We know that the Mover of this Motion intends to make bursaries more efficient and ensure that there is enough money to cater for school fees for children and many other things.

I am very concerned about centralising the fund or collapsing all these other bursaries into one. I do not know if that will create efficiency or more problems. Look at the HELB and the students in institutions of higher learning. Accessing HELB is a big problem, but accessing bursaries through the NG-CDF or the National Government Affirmative Action Fund (NGAAF) is much easier. We know where these offices are, we issue bursaries out there, and people are very happy. I am very sure that *Mheshimiwa* Esther Passaris' intention is to create efficiency in the issuance of bursaries and to increase the allocations. However, I have an issue with centralising or collapsing all these bursaries into one. Let us leave them the way they are, but make sure that we get the rules and...

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you very much, Hon. Wanyonyi. Hon. (Dr) Shadrack Mwiti, Member for South Imenti Constituency.

Hon. (Dr) Shadrack Mwiti (South Imenti, JP): Thank you, Hon. Temporary Speaker. I was prepared for another contribution.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): No problem. Hon. John Kiarie.

Hon. John Kiarie (Dagoretti South, UDA): Thank you, Hon. Temporary Speaker. I also want to thank my County Member of Parliament, Hon. Esther Passaris, for bringing such an important Motion. I know this Motion comes from a good place. Hon. Passaris is keen to

see that we can implement FPE. However, I find faults in this motion, such as the way it is structured and the way it suggests we move forward.

The first fault is that even if we were to collate all these bursary funds listed in this Motion, I am certain that the money would not add up to a sum that would be equal to provide FPE. The funds might look scattered, and it might look like a lot of money is going to these funds. However, collectively, if we put all the money together, it might not end up providing what she is looking for, which is FPE.

Secondly, to say that we want to fold up all education funds and give them back to the Ministry is going to run us into problems that we already know too well about. There is money for infrastructural development in the Ministry which is supposed to build classrooms, laboratories, and dormitories in schools. However, if you go to any of the 290 constituencies, the classrooms you will see are the ones constructed by NG-CDF. They are classrooms that have been put up by a decentralised fund. This is to say that centralising money at the Ministry is actually injurious to the progress of this country. That same Ministry that has been unable to administer and preside over collective funds, like infrastructure funds, is the same Ministry we want to fold all the funds and take to.

Free Primary Education as a concept is beautiful on paper. However, when you hit the ground, you realise that this concept, initiated by a very brilliant mind in the name of His Excellency President Emeritus Mwai Kibaki, ran into headwinds the moment it was introduced. The headwinds that we ran into include the capacity of the Ministry to account for all the learners that are in our schools. Today, we have a programme called capitation. But if you went to the Ministry of Education today and asked how many students are being funded using the capitation funds that we allocate in the Budget in this House, the Ministry cannot give you exact data to tell you that these are the children that we are taking care of.

The faults that I am raising are not faults in the Motion of Hon. Esther Passaris. These are fundamental structural and systemic faults at the Ministry of Education. If we decided to fold up these funds and take them back to the Ministry, what would end up happening is the same thing that has happened with capitation, the same thing that has happened with infrastructure money, and the same thing that is happening with the school-feeding programme, where we end up in a situation where the Ministry presents figures that it cannot back up. When they tell us that they are feeding this number of children in our constituencies, we know that is not the number they are feeding. That is why constituencies like Dagoretti South have decided to have schools feed the children on their own.

Today, Dagoretti South is the only constituency in this Republic that has a comprehensive school-feeding programme. The programme feeds over 22,000 learners every day from a decentralised system of a hub and spoke model that feeds our children out of a kitchen built out of a decentralised fund called NG-CDF. The bigger point I am making is that our drive should be towards decentralisation and not centralisation.

Hon. Temporary Speaker, I oppose. Thank you very much.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you, Hon. Kiarie. Hon. Zamzam Chimba, Member for Mombasa County.

Mhe. Zamzam Mohammed (Mombasa Kaunti, ODM): Asante sana, Mhe. Spika wa Muda. Ninaangalia mjadala ambao umeletwa na dada yangu, Mhe. Esther Passaris, kuhusu karo kuondolewa katika NG-CDF. Wakati nikisoma—na nimetoka katika familia maskini sana—tulikua tunasikia kuna basari ya kitaifa, lakini mtoto wa maskini hangeweza kuifikia. Nilizunguka kila mahali kutafuta ufadhili kusoma. Ndio maana siku zote nitamshukuru marehemu Yusuf Haji, ambaye aliingilia kati akaweza kunisomesha mpaka nikamaliza.

Saa hii basari imeingia mpaka kule mashinani. Mtoto wa mashinani anaweza kuipata, akasoma na akamaliza shule. Kuna tu kitu hakina mpangilio. Sasa hata kuna ufadhili wa wanafunzi shuleni na utapata walimu wanasema hakuna kitu kimefika. Kuna sehemu ya karo

ambayo inalipwa na Serikali, lakini unapata watoto wanafukuzwa shule kwa sababu Serikali haijalipa. Afadhali pesa zote ziende sehemu moja, tujue watoto wangapi wanahesabiwa shule, na wote walipiwe karo. Kama ni Mbunge atalipa, alipe watoto wamalize karo ya shule. Lakini tukiacha huku juu, watu watafanya ufisadi, na zitarambwa kama vile pesa zingine zinavyorambwa hapa Kenya. Hizi pesa hazitafika kule, na wala shule hazitaendelea vizuri. Afadhali tujue Mbunge amepewa pesa aweze kusaidia shule ili watoto wote wawe darasani. Hiyo ni bora kuliko kuacha hizi pesa huku juu, tukisema walimu watanunua vitabu na madawati. Mpaka sasa, watoto wanafukuzwa waende wakanunue dawati.

Ndani ya Kenya, mwanafunzi anaenda darasani asome, lakini anatumwa nyumbani aende akanunue dawati. Hizi pesa tukiziacha huku juu, ufisadi utafanywa, na watoto hawatakuwa darasani. Utapata walimu wameenda nyumbani kwa sababu itakua haina mwelekeo. Lakini wakipewa hawa Wabunge, hizi pesa zitakoma kuwa za Rais na zingine za gavana. Katika Mombasa, Gavana wetu alipewa Ksh600 milioni ya basari. Mimi kama Mama Zamzam nimewahesabu watoto 44,000. Gavana angewalipia wanafunzi hao karo, akiunganisha na pesa za Mbunge, watoto wangesoma bure.

Kwa hivyo, mimi ninaona afadhali hizi pesa ziwekwe katika sehemu moja na Rais afanye maendeleo mengine ya taifa. Kuna mambo mengi ambayo yamemzunguka. Gavana ana miundo msingi anafaa kutekeleza kule. Yeye ni rais wa jimbo. Pesa ya basari itoke kwa Gavana na iende kwa Wabunge, na Mbunge ahakikishe kila mwanafunzi yuko darasani na anasoma. Pale ndio Mbunge ataambiwa anapigiwa kura atoke kwa sababu hakufanya hivyo, na watoto hawajasoma.

Hauwezi kujua vile hii basari inayozunguka kila mahali inavyotumika. Lakini kuitoa kabisa itafanya shule nyingi kukosa mwelekeo. Tutarudi kama shule zile za zamani. Sisi tulikua tunaenda mpaka na samadi ya ng'ombe na maji. Sijui kama uliona haya yote. Tulikua tunabeba samadi ya ng'ombe kukandika kuta za shule sisi wenyewe. Kitabu umenunuliwa nyumbani unakata kitabu mara nne. Lakini saa hii ninawapongeza hawa Wabunge, hata kama siko katika ule mfumo vizuri.

Mgao wangu ni mdogo, na ninautumia kuwarejesha watoto shuleni. Nimewarejesha watoto 350 shuleni ambao walizaa mapema, na ninawalipia karo yote ya shule. Hakuna mtoto anafukuzwa shuleni. Kwa hivyo, hizi pesa zirudi kwa mikono ya hawa Wabunge, lakini wahakikishe kila mwanafunzi ametoka nyumbani, yuko shuleni na analipiwa karo yote. Hakuna mtoto anakaa nyumbani. Hapo tutakuwa tumefanya vizuri. Tukiacha huku juu, tutachekeleana, na elimu itadorora kama vile wakulima wanavyolia saa hii.

Asante sana, Mhe. Spika wa Muda.

Hon. Ali Raso (Saku, UDA): Thank you, Hon. Temporary Speaker. I thank Hon. Passaris for this very important and unique Motion. The New Higher Education Funding Model fell. It did not just fall; it fell flat on its back. The reason for that is there is no national level. Everything is at the grassroot level. If Hon. Zamzam wants something in Likoni, she will know that needy family. We need to decentralise these funds. When I was much younger, high school and university education was free. Why did it suddenly become a failure? It was because of mismanagement and lack of transparency at the national level. We do not want to go back to the old days where a few individuals knew who would get scholarships and who had access to Oxford or Harvard universities just because they had good connections.

Today, those Members of Parliament, particularly of single constituencies in rural areas, are the ones who know which families cannot afford a meal, let alone education. It is good to say that by centralizing we will have enough funds. Today, the problem is not about funds or bursary in Kenya, particularly in education. It is the lack of focus, objectivity and ability to manage education properly. Today, we are told they are building classes in our constituencies through the Ministry of Education. It takes almost a year to build one class, whereas it takes 21 days plus 14 or 15 days to build a classroom under normal circumstances.

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This Motion's intention is good but it is not likely to fly the way it is actioned to achieve the intended intention.

Hon. Passaris comes from Nairobi. When she came up with this Motion, she must have gone to Kibera, Mathare, Kawangware and other low-income areas where people are really deprived. But the problem is, if you give this responsibility to Jogoo House, even the many who are going to school today will not be able to. Sometimes we think that everybody has access to a smartphone and can access applications for a bursary. Many do not have any idea where their Member of Parliament offices are, let alone trying to apply for a bursary at the national level. If Members of Parliament are diligent, the advantage is that we can put our heads together to coordinate NGAAF and NG-CDF so that there is no duplication. Why is a Presidential Bursary necessary? Who at the Ministry level knows the people of Manyatajilo in Saku constituency? How many households are there? Who are the poorest of the poor? We cannot abrogate our responsibilities to somebody else who will be unable to achieve that.

In Nairobi, the county has taken over the school feeding programme. What happened with the Ministry? With those few remarks, I support.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you very much, Member for Saku. Next is the Member for Turbo, Hon. Janet Sitienei.

Hon. Janet Sitienei (Turbo, UDA): Thank you, Hon. Temporary Speaker, for this opportunity to add my voice. I thank Hon. Passaris for bringing this Motion, which has good intent, but I stand to oppose the consolidation of the funds. It will be unfair to very many needy students. Decentralizing these funds was the best thing that ever happened to assist the very needy students in this country. That is why we have the various kitties that support the needy students at the ground level. NG-CDF, NGAAF and the County Revenue Fund all affect people on the ground. If you look closely, you will realise that NG-CDF reaches the villages through the bursaries given to the students. They identify very needy students in those villages in every sub-county. What will happen to needy students in middle level colleges? How will they be supported?

We are talking about the Ministry taking over the consolidation of the fund and providing free primary education. What will happen to the middle level colleges with very needy students that we need to identify on the ground? We are the people on the ground. The Members of County Assembly, Members of Parliament and Women Representatives are the ones who can identify who these people are in the villages. Through village elders, we are able to afford education for very needy students.

Basic education is free in this country. We only need to increase capitation to these institutions and ensure there is efficient and effective management of these funds. This will enable us provide an education for every primary school child.

Hon. Temporary Speaker, the Ministry does not have the capacity to identify the very needy students who need to be supported by this fund. I, therefore, stand to oppose. Let those kitties work as they are. We only need to harmonise. When a needy student benefits from the NG-CDF kitty, another will benefit from the MCA kitty and another from the county government kitty. This has been the best way to give bursaries to very needy students. Coordination is key. Increasing capitation to the Ministry for basic education will enable us to provide free primary education. If this fund has to be consolidated, it should be put into the NG-CDF kitty for disbursement to the very needy students.

Like my colleagues have said, there is nowhere NG-CDF bursaries have not reached in the villages. I oppose and advocate that those kitties remain as they are. The only thing we need to do is ensure that the capitation from the Ministry for the enhancement of basic education is efficiently utilised for purposes of free primary education.

I oppose.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you, Member for Turbo. Next is the Member for Budalang'i, Hon. Raphael Wanjala. Kindly pass the microphone to him.

Hon. Raphael Wanjala (Budalangi, ODM): Thank you, Hon. Temporary Speaker, for giving me a chance to contribute to this extremely important Motion.

Education is an equalizer. If you ask these Members which families they come from, each one of them has a history to tell on how they grew up, how they were brought up and what they were doing. Education has helped them to be where they are today. Despite the fact that some of them come from poor families while others come from rich families, today they are earning the same salary and enjoy the same privileges. They know how to live among each other because of education. They also know how to communicate. Even when they go to Europe, they know how to live with people, talk, address others and how to associate because of education. Therefore, education is key in each one of our lives because it makes us equal.

Hon. Temporary Speaker, education, as enshrined in our Constitution is a right. When something is inscribed in our Constitution as a right that cannot be varied. Let it remain so for all our young children to access it without hinderance. That is why I want to congratulate Hon. Passaris for bringing this Motion.

When I was in school, there were no bursaries and we suffered since we came from poor families. That is why I am saying that each one of us has a history of where they have come from. However, today bursaries are being abused. They are being abused because there are presidential bursaries but the President in State House does not know which child is poor and is supposed to be given that money. He sends other people who have personal interests to issue the bursaries.

Today, you will find a Member of County Assembly (MCA) and a governor giving bursaries. Why are they giving bursaries yet higher education is not devolved? That is why Hon. Zamzam said, if the Governor of Mombasa got Ksh600 million to distribute to students within that county with six constituencies, it means each constituency got Ksh100 million. That Ksh100 million is enough for every student in that constituency to go to school without any problem. You will find that while he has given the Ksh600 million, the Member of Parliament has given about Ksh40 million, and the MCA, the President, and Woman Representative have also given their bursaries.

This a lot of money that is going to waste. Sometimes most of it is embezzled. How is it embezzled? Some people will fill the forms, take them to schools, collude with bursars and money is sent to those schools as if they are paying for the students and later they will come and collect it. That is why we are in support that today we need to consolidate and amalgamate all the money that is dismembered in various offices...

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you, Hon. Member for Budalangi.

Hon. Jackson Lekumontare, Member for Samburu East.

(Hon. Raphael Wanjala spoke off the record)

Your time is over. We will go to the Member for Samburu East. He has been waiting to contribute.

Hon. Jackson Lekumontare (Samburu East, KANU): Thank you, Hon. Temporary Speaker, for giving me this chance to contribute to the Motion.

(Hon. Raphael Wanjala spoke off the record)

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Order, Hon. Wanjala. You have contributed and you have done it very well. I do not know why you are shouting. Hon. Lekumontare, please proceed.

Hon. Jackson Lekumontare (Samburu East, KANU): Thank you, Hon. Temporary Speaker. Education in Kenya is costly. We, Members of Parliament, and every other office which has the role of giving bursaries have been doing so. However, what is the cost of educating one child through the education system? The bursary we have, and even though there is a bursary from the governors and other persons, does not amount to the cost of educating one learner. The worst thing we can do as Parliament is to take the money we have to the Ministry of Education. It is not practical for us to take the bursary to be accessed from the Ministry of Education when Members of Parliament cannot access what is there. Therefore, it is important to increase the bursary to fund the education of our children properly.

If you look at what the governors are giving, a student can get Ksh15,000. If you add the Ksh10,000 from the Member of Parliament, it comes to Ksh25,000, but what you are supposed to give is more than Ksh100,000. Very few students get the NGAAF bursary because it is very little. The right thing that we need to do is increase the bursary to be able to meet the cost which is required.

The capitation is not reaching on time because of delays. When we ask, the Ministry tells us that money is in school. However, when you inquire from the principals, you find the money has not been released. As a House, if there is more money that we have to add to the bursary and we are able to pay back, it is the best thing. As Members of Parliament, if we are asked to release what we have with assurance that our children will learn without being asked for any other contribution, we are more than willing to support. However, the capitation plus what we have is not enough.

The Cabinet Secretary for Education responded to a question on whether releasing all the bursary funds to the Ministry of Education would be enough for our children to learn freely, and the answer was no. Therefore, we are not getting it right by saying that we should let the bursary go to the Ministry of Education. This is because it will not be free. I think that is the whole thing. We have to increase the bursary to meet the needs of our students.

Thank you, Hon. Temporary Speaker. I oppose this Motion.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Hon. Kathambi Chepkwony, Member of Parliament for Njoro Constituency.

Hon. Charity Chepkwony (Njoro, UDA): Thank you very much, Hon. Temporary Speaker, for granting me this chance to make a contribution to the Motion.

Let me start by saying that Hon. Passaris had an idea but it cannot work at the moment. I wish to oppose it seriously because of the following reasons. Being a Member of Parliament from a single constituency, we still have a lot of challenges right from even the Ministry of Education itself. The distribution of the infrastructure funds in this country is purely unfair. Sometimes, some constituencies get funding for infrastructure from the Ministry but as a single constituency, you do not get it. Therefore, if I sit in this Parliament and support the consolidation of funds to the State Department for Basic Education, it will be purely unfair to the poor children in this country.

From my experience serving a second term as a Member of Parliament for Njoro Constituency, I want to state that the Ministry of Education cannot afford to do what Members of Parliament in single constituencies do. We ensure that we know every poor child in every village. If accessing information on many of the projects from the Ministry is hard now, how can they honestly ensure that distribution to children is fair if the money was to be consolidated? It will be very hard.

First, the Ministry has no capacity to identify those poor children. The Ministry will get what we call the burden of proof for the poor children in the villages. Therefore, I stand to say

that it would be very wrong for us to sit in this Parliament and say that the NGAAF and the NG-CDF should be consolidated and taken back to the Ministry. I am saying that because the poor children will be treated to a lot of unfairness. I am happy that you are sitting there as a Member of Parliament from a single constituency like myself, and I am sure you understand what we undergo in our respective constituencies. Therefore, the proposal to collapse all the bursary schemes will make it very hard for our poor children to access education. We must protect the bursary in this country because the funds that we have given to the poor children in our villages have brought them to the same level as the able students in this country. Therefore, the proposal to consolidate the funds will bring in a lot of cries in this country.

Hon. Temporary Speaker, as Members of Parliament from single constituencies, we have had too many thorny issues after the court's decision to nullify the NG-CDF. Kenyans are worried. Are the poor children going to access education if we consolidate all these Funds? We should not be quick to propose scientific solutions to this country. Let us not collapse what is working for this country. Collapsing these funds, including the funds that Members of Parliament from the 290 constituencies are giving to the poor children, will bring more pain to many people.

I oppose for now. We need to look for ways to improve the systems.

The Temporary Speaker (Hon. Rachael Nyamai): Thank you, Member for Njoro. Hon. Mishi Mboko, Member for Likoni.

Hon. Mishi Mboko (Likoni, ODM): Asante sana, Mhe. Spika wa Muda. Ninasimama kuzungumzia Hoja hii ambayo imeletwa na Mheshimiwa Esther Passaris. Lengo lake ni bora kuhakikisha kwamba watoto wetu wanapata elimu inavyofaa. Lakini, tusipoiangalia Hoja hii kwa makini, tutarudi kule tulikuwa. Kwanza kabisa, ni vizuri tujiulize kwa nini taifa letu limechukua mbinu ya ugatuzi? Taifa letu lilichukua mbinu ya ugatuzi kwa sababu hapo awali, pesa zote zilikuwa zinawekwa pale juu. Ilikuwa changamoto kubwa kuhakikisha kwamba Wakenya wengi kule mashinani wamefikiwa na hizi fedha ili wapate elimu. Miaka ya nyuma kabla ya kupata vitengo vya hizi fedha za NG-CDF, NGAAF na zile ambazo zinapitia katika kaunti zetu 47, hakukuwa na usawa upande wa elimu, haswa nikiangalia sehemu ambazo zimetengwa ama za wachache.

Tukiangalia mambo haswa ya elimu, maeneo mengi hayakuwa yanapata usawa katika fedha za kielimu. Wale waliokuwepo kabla yetu walisema kwamba hizi fedha zishuke pale chini mashinani katika maeneo bunge. Hii ni kwa sababu Mbunge anajua wanafunzi katika eneo bunge lake na wale ambao wana changamoto ya umaskini, shida na uhaba wa fedha, na atawaleta karibu na watapata zile fedha. Fedha hizi zinapopelekwa katika akaunti ile ya juu ya kitaifa, tunajiuliza watu walioko mashinani watazifikia vipi? Leo hii, Mkenya yeyote anaweza kuja katika Ofisi ya Mbunge na ya kaunti aombe *bursary*. Fedha hizi zikiwa pale juu, huyu Mkenya maskini atazifikia vipi?

Ukiangalia hizi fedha za *capitation* zinazowekwa kila mwanafunzi, tumepata changamoto ngapi? Tumekuwa na changamoto nyingi ambapo shule nyingi zimekuwa zikikosa hizi fedha na wakipata, zinachelewa, ama zinapata robo ama nusu ya fedha hizo.

Pili, kuna fedha za miundo misingi ambazo zinatoka kwa Wizara, lakini ukiniuliza, shule zangu nyingi hazipati fedha hizo. Nimekuwa nikifuatilia. Nimeenda katika Wizara, nimeandika barua kuteta, lakini sipati hizo pesa. Pia, zile fedha zinatolewa kisiasa; iwapo utasikizana na yule Waziri ama uko katika upande wa Serikali utazipata, lakini ukiwa Upinzani, utazungumza, hautasikizwa na hakuna kinachofanyika.

Ningependa kuomba Wabunge wenzangu tuhakikishe kwamba haturudi kule kwenye changamoto. Sisi tunakaa na Wakenya pale mashinani, tunawajua, tunawafahamu na tunajua changamoto zao, na ndiposa tunawapa hizi *bursary*. Hata tukisema tuziunganishe zote ziwekwe pale juu, hazitaweza kupelekwa katika shule zetu zote. Ukumbuke kwamba tuna shule za umma na za kibinafsi, lakini wanasoma watoto wetu kama Wakenya na viongozi.

Mhe. Spika wa Muda, jukumu letu ni kuweka utaratibu unaofaa. Kwa mfano, ikiwa fedha za kaunti zitasimamia *college na university*, basi pesa za Mjumbe ziangalie shule za upili, na pengine fedha za Mwakilishi wa Wadi katika kaunti ziangalie shule maalum. Tunaweza pia kusema kwamba zile fedha zinaletwa na Kiongozi wa Wanawake zishugulikie shule za watoto ambao hawaoni, walemavu na shule ambazo ni maalum. Hizo ndizo njia. Tunafaa tukae chini tufikirie njia ya kutatua jambo hili, ili mwanafunzi mmoja asipate fedha zote na wengine wengi kukosa. Tukizirejesha pale juu, tutapata shida sana. Itakuwa ombaomba; kila siku unaenda ofisi hiyo. Umpigie Waziri simu, akipenda, utapatiwa fedha hizo. Hatutarudi huko.

The Temporary Speaker (Hon. Rachael Nyamai): Asante sana, Mhe. Mishi Mboko. Hon. Abdul Haro, Manderu South. Thank you for your patience.

Hon. Abdul Haro (Manderu South, UDM): Thank you, Hon. Temporary Speaker, for this opportunity. I start by thanking Hon. Esther Passaris for this Motion on comprehensive reform of education bursary schemes to ensure free basic education in Kenya. From the word go, I oppose this Motion for the following reasons: I want to draw the attention of everybody to the prayers in this Motion. The prayers urge this House that the Government through the Ministry of Education in collaboration with the relevant stakeholders, undertakes a comprehensive overhaul of the education bursary systems with a view of collapsing all bursary schemes and allocate the Funds to State Department for Basic Education for provision of basic education through capitation to be directly remitted to schools.

The reason I am drawing the attention of Kenyans to this prayer is because this is a double-edged sword. Articles 43(1) and 53(1)(b) say that basic education is enshrined in our Constitution as a right. Every child in this country must have basic education.

We do not need to reverse the progress that we have already made in terms of decentralisation of bursaries and reinvent a wheel of re-making basic education in this country. As a House that appropriates Funds, we should ensure that every child in this country has enough capitation. This is by ensuring that the Ministry of Education achieve its dream since they are already dealing with capitation. The reason why I am calling it a double-edged sword is because we have had a history with the decentralisation of bursary in the first place. It was a question of trying to deal with marginalisation which was already in place. This is where students from poor families and particularly those from rural areas were not able to access any scholarship or funding that was being administered by the Ministry of Education.

Secondly, the NGAAF, the NG-CDF and the Constituency Bursary Award or County Government are not only funding basic education. We are also covering university students both in public and private who are not covered under this Motion. We have students in private universities yet they are not private Kenyans. They are Kenyans just like the other students who benefit from this bursary. Therefore, trying to reverse the decentralisation of bursary so that we can fund basic education is defeatist and a matter that we need to oppose. As an advice to the sponsor of the Motion, Hon. Esther Passaris, we should focus more on how to make free education a reality given that we already have the goodwill and support through the provisions of Articles 43(1) and 53 (1)(b) of the Constitution.

As many Members have already said, the Ministry of Education has many things to do including development of infrastructure countrywide. We know the chaos that are there and we do not think we need to add them more burden because they have no capacity to deal with other functions. If we do, we would be promoting them to more inefficiency.

Thank you very much for the opportunity. I oppose.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai) Thank you very much.

Hon. Timothy Toroitich, the Member for Marakwet West.

Hon. Timothy Kipchumba (Marakwet West): Thank you, Hon. Temporary Speaker, for granting me the opportunity to contribute to this very important Motion.

I wish to thank Hon. Esther Passaris for this Motion. At the outset, I have certain reservations for it. Is the system broken? No. Do we have challenges with the system? Yes. Can they be addressed? Yes. The elephant in the room is the issue of duplication whether it is offered through the Presidential Bursary or through NG-CDF. There is a problem with duplication of bursary. How do we fix it? We cannot fix the broken system by consolidating the bursary to the Ministry of Education.

This is Parliament and we make laws. The best way to fix it is to develop a system where duplication shall be avoided so that when one student is given bursary through the Presidential one, the same cannot be duplicated by NG-CDF.

We have to respect the Constitution in this country. Under the Fourth Schedule of the Constitution, pre-primary function is a function of the county government. Pre-primary is a mandate of the county government. Why should the county government be allowed to give bursaries to those in secondary schools, colleges and universities? That is a function of the national Government. We should instead align resources to follow functions. We should align our bursary system so that bursaries given by the county governments which are illegal and unconstitutional can be taken to the national Government and be managed by the NG-CDF.

If there is a system that is working, and it is unfortunate that the Court declared NG-CDF a nullity... Even as you speak of NG-CDF, as a lawyer I know we are in the winding up period because we have been given up to 2026 unless we appeal. Even though I do not agree with the decision of the Court, I respect it. The most efficient system of managing bursaries in this country is the NG-CDF. We have never had major audit queries by the Office of the Auditor-General in respect to bursaries managed by NG-CDF.

I have read the Senate Public Investment Committee (PIC) Report on bursaries offered by county governments. There are serious audit issues that have been raised in respect to bursaries that are managed illegally and unconstitutionally by county governments. Bursaries should be managed and run by the national Government through the NG-CDF.

I stand to oppose the Motion that intends to consolidate bursaries in this country. The system is not broken. What we need...

(Loud consultations)

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Order, Hon. Members. I will give you a minute. Something is happening in row three on my right. It must be something interesting but please, lower your voices. Member for Emurua Dikirr together with your team, please. Member for Marakwet West, you have a minute to conclude.

Hon. Timothy Kipchumba (Marakwet West, Independent): Thank you. I respect the Member for Nairobi County but as I have said, the system is not broken. The only thing that we need to do is to reshape what we have. Let us align it with the Constitution. Let us do away with bursaries managed by county governments. Let them be managed by the NG-CDF. I believe that the appeal on NG-CDF will go through so that it can finally be entrenched in the Constitution. This also applies to bursaries that are outside.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Thank you very much. Hon. Geoffrey Mulanya, the Member for Nambale Constituency. Is he in the House?

Hon. Geoffrey Mulanya (Nambale, Independent): I am.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): You may proceed.

Hon. Geoffrey Mulanya (Nambale, Independent): Thank you, Hon. Temporary Speaker, for giving me the opportunity to contribute to this Motion.

I congratulate Hon. Passaris for bringing forth this Motion for debate in this House. It is true that we have various bursaries in this country that lead to duplication. This is where some people benefit more than others while others miss out completely. However, if we take

the route of amalgamating the bursaries into one consolidated fund under the Ministry of Education, we will be moving backwards. We realise the gains made by NG-CDF bursaries. They have brought about equality in this country. Since the introduction of NG-CDF bursaries, there are too many day secondary schools across the country now. Every primary school has a day secondary school built using NG-CDF. A majority of the beneficiaries of bursaries disbursed by Members of Parliament are students attending day secondary schools.

Most Kenyans can afford to pay their children's school fees so they take them to boarding schools. It does not make sense to amalgamate NG-CDF with other funds and place this under the Ministry of Education, which cannot even release capitation funds to schools. Members of Parliament will inform you that every time they meet with principals of schools, their major problem is late release of capitation to schools.

As a House, we only need legislation which will ensure we deal with the issue of duplication. That, if a child benefits from NG-CDF bursary, they should not benefit from the Ministry of Education bursary. My colleague, Hon. Toroitich, mentioned that the areas with duplication of bursaries are the wards and counties, yet under the Fourth Schedule of our Constitution basic education is a function of the national Government. The county governments' responsibility under the Constitution is to offer Free Primary Education. They have abandoned their primary duties and jumped into performing the functions of the national Government.

As you will note from last Friday's court ruling, the NG-CDF Act was declared unconstitutional. One of the reasons cited was that it is attempting to delve into devolved functions, for instance sports and environmental activities. If the functions of education are left to the national Government, we must have monies for bursaries limited to it and monies channelled to county governments for bursaries forwarded to the Ministry of Education for disbursement to needy students.

Thank you, Hon. Temporary Speaker. I oppose this Motion.

The Temporary Speaker (Hon. (Dr) Rachael Nyamai): Hon. Martin Owino, Member for Ndhiwa.

Hon. Martin Owino (Ndhiwa, ODM): Thank you, Hon. Temporary Speaker. I am very grateful to my friend, Hon. Esther Passaris. She means well and wants children to go to school for free. This is because our Constitution provides for free education. This is well understood.

I respectfully oppose this Motion because we say what we do not mean and mean what we do not say. That is the problem in this country. Hon. Kiarie said that you need to use a microscopic lens to see what the Ministry of Education is doing in our constituencies. It only delays capitation for schools.

As we speak, the only person who knows the vulnerable segment of our population is a Member of Parliament. I carried out public participation by inviting opinion leaders and those who matter in my constituency to each polling centre. I asked them who they thought should benefit. They gave me a list and some even told me, instead of helping a particular child, help another one. You cannot get anything better than this.

I do not know what is wrong with this country. Instead of making better what is already working, we come with other issues that dilute the situation. You cannot do something the same way and expect a different outcome. It does not work. If we want to put all these funds together... NG-CDF is not a devolved function and Hon. Kiarie got it right. This is a decentralised Fund and not a devolved Fund. Once decentralised, how can you bring it back to the mother? I think ladies can tell us more that when a child is born, you cannot take it back to the womb. If you do so, you will kill that child. NG-CDF was taken away from the Ministry of Education because it was not working.

As we speak, there is bad infrastructure in many schools. Even latrines are collapsing. You can then see the impact of NG-CDF. There is no emergency response from the Ministry

of Education in all the 290 constituencies. The best way to decentralise funds is by using our constituencies. This is the right thing to do. Hon. Passaris, even if we oppose this Motion, you can translate it into a Bill which will put all the monies flying everywhere into the NG-CDF. That way, we will achieve what we want. Right now, we say there is free basic education, but it is not there. Children are facing what is called “revolving doors”. They are in school today and tomorrow they are out. Even the transport to go home and back to school is provided by the Member of Parliament!

Lastly, I want to say that the Ministry of Education is overwhelmed with geopolitics, nepotism, and inequitable distribution of resources. That is why it was a genius idea to have this money spread across the 290 constituencies.

[The Temporary Speaker (Hon. (Dr) (Rachael Nyamai) left the Chair]

[The Temporary Speaker (Hon. Farah Maalim) took the Chair]

Madam Speaker... Sorry, I did not see you coming in. Hon. Temporary Speaker, this should be perfected. We should not regress to what was not working for Kenyans. I oppose this Motion but I respect Hon. Passaris for bringing it to the House. I submit.

The Temporary Speaker (Hon. Farah Maalim): Hon. Rashid Bedzimba.

Hon. Rashid Bedzimba (Kisauni, ODM): Asante sana, Mhe. Spika wa Muda, kwa kunipatia fursa ili nichangie Hoja hii muhimu sana kuhusu elimu. Kwanza, ninampongeza Mhe. Passaris kwa kuileta hapa ili watoto wote wapate elimu ya bure. Lakini, ninataka kukosoa ule mfumo ambao anautaka. Haya mambo yamejaribiwa katika taifa hili; kuwa na mfuko moja katika kila sehemu. Hii imesababisha kuzorota kwa taifa zima. Katika sehemu zingine unaskia wakisema wako nyuma ilhali wengine wako mbele. Hii ni kwa sababu ya mfumo wa zile fedha kuwa katika sehemu moja halafu zinagawanywa vile wanavyotaka wao - kisiasa na kwa njia isio sawa. Ikiwa pesa zitaenda mashinani, kila sehemu itapata nafasi ya mgao huo kufadhili wanaohusika.

(Loud consultations)

Mhe. Spika wa Muda, itabidi unilinde dhidi ya hawa ambao wanazungumza hapa. Zile fedha zikienda mashinani...

The Temporary Speaker (Hon. Farah Maalim): Agizo kwa waheshimiwa walio karibu na Mhe. Bedzimba. Mhe. Chome na ndugu yangu kutoka Taita, msizungumze kwa sauti ya juu. Mpatie ndugu yetu nafasi achangie Hoja hii. Endelea, Mhe. Bedzimba.

Hon. Rashid Bedzimba (Kisauni, ODM): Asante sana, Mhe. Spika wa Muda kwa ulinzi huo. Acha nisiwaseme tena.

Hizi fedha, kama zingelikuwepo tangu kubuniwa kwa taifa hili, mambo yangelienda vizuri. Shida hizi zote hazingekuwepo. Hata hatungekuwa na sehemu yoyote ya nchi inayosemekana kuwa nyuma, ilhali wengine wamesonga mbele. Hawangelalamikia ukosefu wa barabara ama ukosefu wa shule. Hii inatokana na mgao wa fedha kupunguzwa kiubaguzi na ndiyo sababu sasa hivi kutolewa kwa stakabadhi kama paspoti kumepeleka katika sehemu tofauti. Shughuli hiyo ilipokua hapa, ilikua nzito. Kwa hivyo, hizi fedha zinastahili kupeleka maeneo ya chini.

Mahali pema ambako fedha zitaweza kusaidia zaidi ni katika NG-CDF. Mbunge apewe fedha na hata aongezewe mradi kuwe na utaratibu wa shule ambazo ziko katika eneo bunge lake. Halafu asibague watu hata kama ni wapiga kura wa kwingine. Asijali watoto wanatoka wapi bali alipe karo yote ya shule. Na mwingine naye alipe yote kule kwingine. Shida hii

itapungua tukifanya hivyo. Lakini kama tutachukua hizi fedha tuzilete tena katika sehemu moja, nina hakika watu wataumia zaidi.

Kuna hazina nyingi za kifedha ambazo zinahusiana na mambo ya ufadhili wa shule kama karo lakini watu Mashinani hawajui vile watazipata; hawajui hata vile watatuma maombi yao na hawajui watakaribia vipi ufadhili huo. Wanakokujua ni hapo kwa Mjumbe na kwa Women Representative. Kwa hivyo, hizo fedha zote zitolewe huku Nairobi.

Mhe. Spika wa Muda, kuna fedha Wizara ya Elimu inapewa za kujenga shule lakini hakuna jengo linajengwa kutoka Wizara. Majengo shuleni yamejengwa na hazina ya NG-CDF, na National Government Affirmative Action Fund (NGAAF). NG-CDF ndiyo inayojenga shule lakini si Wizara. Juzi walituahidi watatupatia madarasa mawili kila Mjumbe. Hakuna hata moja ambalo wamejenga. Nimesimama hapa kupinga mapendekezo ambayo yametolewa. Tunataka elimu iwe kwa watoto wote; maskini na matajiri. Hii ni kwa sababu ni haki ya kila mtoto Mkenya kupata elimu. Nimesimama hapa kusema fedha hizo zipelekwe kwa Mjumbe. Fedha zipelekwe mashinani kusudi watoto wasome. Asante sana Mhe. Spika wa Muda.

Hon. Temporary Speaker (Hon. Farah Maalim): Mhe. Bidu Mohamed.

Hon. Bidu Mohamed (Isiolo South, JP): Thank you Hon. Temporary Speaker for giving me an opportunity to contribute to this important Motion.

With all due respect, I am not for the idea presented by Hon. Passaris. She means well because there is a lot of money hanging in the country here and there. She wants all this money to be somewhere so that our children should go to school, but the matter here is that we have the national Government where she wants all the monies to be taken. Already the national Government is supposed to give capitation to schools. Each child is supposed to get Ksh27,000, but all that money has not been reaching schools as capitation.

During the last *El Nino* rains, we had many schools which were swept away by floods. In my constituency, up to today, there are areas where children are learning under trees. The national Government has not come in yet that is its function. So, we cannot again burden the same national Government. What was given out from national Government to NG-CDF is seen everywhere and it functions well.

When I came to Parliament as a first timer, I agreed with my governor that we should divide roles: I pay for my constituency while he pays for university students and all the others. Up to today, what I do is seen on the ground, but no payments from the governor meant for the children in the county have been realised. The bursary fund in Isiolo is used in other ways and not for the sake of students. So, we will be safer when we will give all the monies to Members of Parliament, going by the many examples of what the NG-CDF has done. We cannot risk giving in to the demands of the national Government or anybody else and surrender to them whatever is collected. I agree with Members who have proposed that we take even those monies which are in the governor's account to NG-CDF so that Members of Parliament can manage them. It has been proven that Members of Parliament are able to do that better than anybody else.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Farah Maalim): The Hon. MP for Turkana Central, followed by Hon. Mohammed Ali, and then the MP for Karachuonyo.

Hon. Joseph Emathe (Turkana Central, UDA): Thank you, Hon. Temporary Speaker. I stand to thank Hon. Passaris for bringing up this Motion, but in the same measure I want to oppose it.

We have a failed policy. We have a system that has already failed us and that is the issue. We may be able to consolidate or amalgamate, but still fail to deliver. I am a beneficiary of the Kenya School Equipment Scheme that used to operate in the 1980's. If it were not for Hrambees, and if it were not for a family friend, whom I would call a father, Hon. Emmanuel

Imana, I would not have been here today. So, it defeats all the odds to say we must consolidate these funds.

Already, the HELB is not doing well. The new one called Higher Education Fund is also not doing well. Capitation is also not doing well. There is the Presidential Secondary Schools Bursary that is also not doing well. There is also the School Equipment Production Unit, which is not doing well. The School Feeding Programme is also not doing well. Where is the problem? We must understand these things. When we say we want to consolidate, why are we not delivering properly in those other systems or funds that are already granted and managed by the Ministry of Education?

Therefore, there is the fear of the unknown. As of now, Members of Parliament are helping their voters or constituents to go to school because they know where they stay, who they are, and they can easily sympathise with the situation on the ground.

All in all, this is a momentous time and I will still ask Hon. Passaris to reconsider her Motion and take it back to the Government so that it can tell us what has been the problem. Therefore, this is a premature Motion. It has to be reconsidered. We must engage with the Government and tell it: "Please, you are not delivering as required. Therefore, we are not ready to surrender even the small bursaries that deliver benefits to our people back to the Ministry of Education".

Lastly, we need to hold the Government responsible. This Government must add more funds to the NG-CDF because, as of now, we have some Form 4 students who were sent home and they are still there. Without us reconsidering to increase these funds, we may not deliver as required. The dream of free education is not yet there.

Thank you.

The Temporary Speaker (Hon. Farah Maalim): Before we have Hon. Mohamed Ali, let me recognise the presence of students from Beth Mugo High School in Dagoreti South in the Public Gallery. You are welcome to Parliament.

The Member of Parliament for Dagoreti South, I am giving you exactly one minute to also welcome your constituents.

Hon. John Kiarie (Dagoretti South, UDA): Thank you, Hon. Temporary Speaker for the opportunity to welcome this very great school in our constituency. As you have said, it is named after a very great daughter of our constituency, Hon. Senator Beth Mugo who served her term in this House and also served a term in the Senate. She is still remembered because of this great institution that she founded, the Beth Mugo Institution. Beth Mugo High School is an example of what NG-CDF can do.

As we discuss decentralisation, let us remember that the more we decentralise the more we will see the impact. Welcome, students of Beth Mugo High School. This is the 13th Parliament of Kenya. Articles 95 and 96 of the Constitution were formulated so that we can discuss all matters and resolve issues that concern Kenyans as you can see and read on that banner in the House: "For the welfare of society and the just Government of the people."

Thank you.

The Temporary Speaker (Hon. Farah Maalim): Fair enough. Hon. Mohamed Ali. Take as few minutes as possible so that the next Member, Hon. Phyllis Bartow may also get an opportunity to weigh in in a minute or two.

Hon. Mohamed Ali (Nyali, UDA): Asante sana, Mhe. Spika wa Muda. Ningependa kwanza kumpa kongole Mhe. Esther Passaris ila nitapinga Hoja yake inayosema kwamba pesa zote ziwewe katika mfuko mmoja. Hiyo ni sawia na kusema ugatuzi uharamishwe. Ugatuzi uliletwa ili pesa ziweze kufika mashinani. Njia moja ya kipekee ambayo inaonyesha vizuri masuala ya ugatuzi ni pesa za NG-CDF. Hizi ni pesa ambazo zinaweza kumfikia mwananchi wa kawaida. Nimeona Wabunge wengi wamejadili hili jambo na kusema kuna pesa ambazo zipo pale juu na hazijulikani ni za nini, kwa mfano, pesa za basari za Rais. Hii ni basari ambayo

ni vigumu sana kuweza ku *identify* watoto watakaofaidika mashinani. Lakini, ukiangalia NG-CDF na vile ambavyo tunafanya kazi, mama wa chini kabisa anaweza kumfikia Mbunge na Mbunge kufika mashinani kusaidea watoto kupata elimu. Kwa mfano ukiangalia kwangu, eneo Bunge la Nyali, Kaunti ya Mombasa, ni dhahiri ukitembea utatambua kuwa mgao wa NG-CDF unafanya kazi.

Kuhusu pesa ambazo ziko na magavana, Wabunge wengi wamesema kuwa ni kusikilizana. Gavana anaweza kufidia chuo kikuu na Mbunge achukue *high school*. Utumizi mzuri wa pesa utafanyika katika njia bora zaidi ambayo inaweza kuwa mfano. Hili tutamkumbuka nalo hayati Rais Mwai Kibaki na yule Mbunge ambaye alileta hii nasaha ya kuhakikisha kuwa pesa zinafika mashinani. Kwa hivyo, anavyopendekeza Mhe. Esther Passaris kuwa pesa zote ziwekwe kwa mfuko mmoja... Zikiwekwa kwa mfuko mmoja zitawafikia vipi watu? Tulipigana ili pesa ziondolewe kwenye mfuko mmoja ili zifike mashinani. Kuna magavana ambao wamekalia pesa. Hawawezi kutoa basari. Tuanze kuzingatia vipi tutafikia hizi pesa ambazo haziwafikii wananchi na zile ambazo zinafanya kazi kama za Wabunge. Tufikirie vipi pesa zitaongezwa ili Wabunge waweze kufikia wananchi kule mashinani.

Leo ukienda katika kaunti yoyote na uwaulize mama mboga na watu wa boda boda mara ya mwisho kukutana na gavana wao ni lini, hawawezi kukuambia. Watakuambia kuwa hata ofisi hawawezi kukaribia kwa sababu watafukuzwa kama mbwa. Lakini Mhe. Mbunge akiingia katika hayo maeneo, anafikiwa haraka kwa sababu anaingia mashinani kupitia vichocho ambavyo magavana hawawezi kuenda.

Magavana wataingia hivyo vichocho wakati wa kutafuta kura tu lakini Wabunge wataingia huko wakati wa kutafuta kura na wakati watakapopata ushindi. Kwa hivyo, Mhe. Esther Passaris, wazo lako ni nzuri lakini si wazo la kufikiriwa katika Kenya ya sasa na Afrika ya sasa. Ni wazo la kufikiriwa wakati ambapo ufiada katika nchi hii utapigwa vita vile ambavyo inatafikana. Siku ambayo tutamaliza ufiada ndiyo siku ambayo labda ataleta wazo kama hilo. Ukisema tuweke pesa kwenye mfuko mmoja, tumepatia mtu mmoja nguvu ya kusema ni nani atapewa hizo pesa. Leo niko katika serikali, kesho ninaweza kuwa upinzani. Nikiwa upinzani niende kuomba pesa ya watoto wangu kule Nyali, wataniangalia na jicho la upinzani. Kama hanipendi, ataniangalia na jicho la kuonyesha mimi sina haja na wewe. Itabidi nijipange. Kwa hivyo, wazo la Mhe. Passaris ni nzuri, lakini si la karne hii. Ni wazo ambalo litafanyika katika siku za usoni wakati tutakombo nchi hii kutoka minyororo ya ufiada na kuhakikisha kila pesa inafikia mwananchi.

Shukrani sana, Mhe. Spika wa Muda.

The Temporary Speaker (Hon. Farah Maalim): Member for Karachuonyo.

Hon. Adipo Okuome (Karachuonyo, ODM): Thank you, Hon. Temporary Speaker. I know I have very short time remaining, but I will contribute quickly.

We have about five schemes giving bursaries as we speak. When the money that is allocated to them is added or pooled together, it cannot be enough to provide free education. Some money will have to be added. I ask that we look at how the bursary performs. The money given to NG-CDF performs very well. My witnesses are students plus their parents. I do not want to say much about the other schemes. If you ask somebody what the Presidential Secondary School Bursary (PSSB) means, he will say he does not know it. In fact, he will ask you to explain what it is. That signifies the lack of impact of the money. Why do we want to migrate from where the impact is to where there is no impact?

The national Government decentralised bursary from its kitty to the constituencies. There were good reasons for doing that and results have been seen. If we say that the bursaries should go back to the national Government or the Ministry of Education, does it mean that we are asking for centralisation again? If that is the case, then one would ask about county

governments. Whatever is being given to them should also be centralised back to the national Government, which will defeat all the purposes of the Constitution 2010.

I agree that we need to give free education, but we use NG-CDF to carry out the exercise of giving bursary to students. If we do that, we will allocate money where the problem is. It should not be the Ministry, but on the ground at the constituency level. Parents can easily contact the Member of Parliament if they have a problem. The schools can easily contact the Member of Parliament when they have a problem. There is no way they will contact the Principal Secretary for the Ministry of Education directly or even the Cabinet Secretary. It is not easy. So, the decentralisation that was done by giving bursary to Members of Parliament has made it a household name everywhere in Kenya. I support free education programme, but I differ with the method to make it work. We must use NG-CDF at the constituency level.

Thank you, Hon. Temporary Speaker.

The Temporary Speaker (Hon. Farah Maalim): Member for Moiben, you have 20 seconds, but you can start taking the bite and then you will conclude in the next minute.

Hon. Phylis Bartoo (Moiben, UDA): Hon. Temporary Speaker, I want to use a study which was done in Trans-Nzoia by Nyakundi and Onsomo in 2023 on the impact of constituency bursary provision on school efficiency: secondary schools in Trans-Nzoia County. Bursary being apportioned to different entities was not a mistake. What we should do is to increase the amount of money. We cannot consolidate everything in the Ministry of Education. The university funding model is having issues. It is not doing what it is supposed to do. It still has challenges and that is why the President had to form a working committee to relook at it. So, we cannot risk putting all the bursary funds in one basket. It is dangerous.

Thank you.

The Temporary Speaker (Hon. Farah Maalim): Do you wish to have the balance of your time on another allotted date or have you contributed fully?

Hon. Phylis Bartoo (Moiben, UDA): I do.

The Temporary Speaker (Hon. Farah Maalim): Okay, you will have the balance of your time on the next allotted date for the same Motion.

ADJOURNMENT

The Temporary Speaker (Hon. Farah Maalim): Hon. Members, the time being 1.00 p.m., the House stands adjourned until this afternoon, at 2.30 p.m.

The House rose at 1.00 p.m.

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