

as graft probe sparks fresh disputes

Murgor's case on passport and gun is adjourned

By NATION Correspondent

A second attempt by former director of Public Prosecutions Philip Murgor to stop police from arresting and prosecuting him in relation to the Goldenberg scandal flopped yesterday.

Mr Murgor also failed to stop the Government from repossessing his firearm and passport.

High Court judge Roselyne Wendoh — for the second time — declined to grant the orders, saying she had not heard the other parties in the suit.

Mr Murgor had sued the attorney-general, police commissioner, chief firearms licensing officer, principal immigration officer and Government spokesman over the cancellation of his passport.

The judge adjourned the case to next Monday to allow the deputy solicitor-general, Ms Muthoni Kimani, to file a reply to the suit on behalf of the five respondents.

Served with suit

Ms Kimani said she was served with the suit papers this morning and she had not had time to look at them and take instructions from her clients.

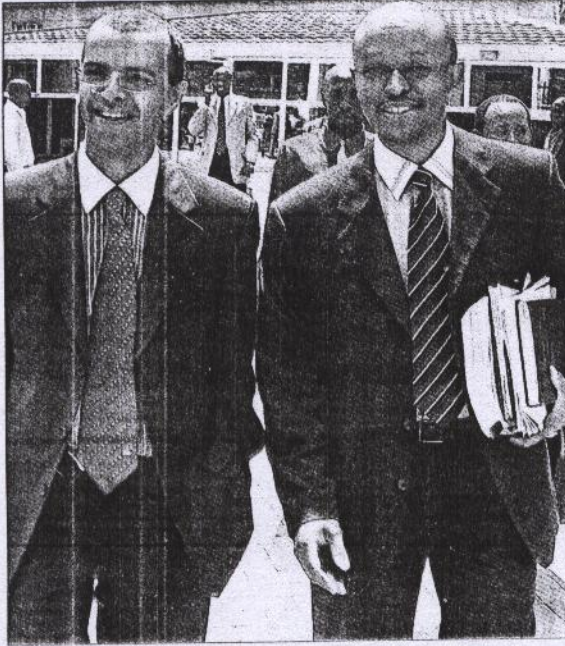
Mr Murgor objected, saying the suit was filed as urgent.

Last Friday, Lady Justice Wendoh declined to give Mr Murgor the temporary orders he sought.

The former DPP claims the move to take away his passport was intended to stop him from travelling to the United Kingdom to meet former permanent secretary John Githongo.

Mr Murgor claims that he was recently in touch with Mr Githongo and was to accompany the Public Accounts Committee to London to record his evidence on the Anglo Leasing scandal.

Mr Murgor is among prominent



Photo/Paul Waweru

Former director of Public Prosecutions Philip Murgor (left) accompanied by lawyer Cecil Miller leave a Nairobi court yesterday after the hearing of a case in which he wants the cancellation of his passport and withdrawal of his firearm by the Government revoked.

personalities ordered to surrender their passports and firearms to the police pending further investigations into the Goldenberg affair.

His passport was issued on May 9, 2003, and the gun permit in March 1991.

Mr Murgor had sought an order to have the immigration officer stopped from impounding his passport.

The former DPP also wants the firearm licensing officer stopped from revoking his certificate or withdrawing the gun, pending the case.

Also sought is an order to compel the police commissioner to provide him and his family with 24-hour police security.

In a 17-page sworn affidavit, Mr Murgor gave a detailed history of his life in private practice and as DPP.

According to him, his function at the Goldenberg Inquiry and in the investigations into the Anglo Leasing scandal is one of the reasons that led to his sacking in May last year.

As DPP, he said, he had been involved in the prosecution of high-level drug trafficking, terrorism and murder cases and his life was in danger.

Mr Murgor said the public disclosure that his firearms had been revoked had alerted his enemies that he was now defenceless, the court heard.

LAND ROW

MPs defend Raila over molasses plant

By LUCAS BARASA

Four MPs yesterday defended the manner in which the Kisumu molasses plant was acquired by a firm linked to Liberal Democratic Party leader Raila Odinga and his family. Mbitia's Mr Otieno Kajwang, Mr Gor Sunguh of Kisumu Town East, Mr Owino Likowa of Migori and Nyatike's Mr Oehola Ogur said the power alcohol producing factory was legally acquired by Spectre International, and warned against the Lang'ata MP's arrest over the matter. "The molasses plant is not Raila, the land where it is located is not Raila... it belongs to the people," Mr Kajwang said. Addressing journalists at Parliament Buildings in Nairobi yesterday, the MPs

who were reacting to remarks by Mr Odinga that there were plans to arrest him on various charges, including the Kisumu plant, urged the Government not to mix politics with business. "Investors from all over the world have invested in the plant, and they should not be scared away because of politics," Mr Sunguh said. They said nobody in Kisumu had complained that the land occupied by the plant was being wasted. The factory was built and it collapsed when President Kibaki was Finance minister, they said, and asked him to thank and give Mr Odinga a "gold medal" for reviving it. They said the project had stalled for 10 years due to what they termed controversies, including the death of For-

eign Affairs minister Robert Ouko, when the Government advertised it for sale. Spectre won the bid through open tendering and was given a lease of more than 30 years by the Government, they said. It should therefore be left to continue boosting the economy and creating jobs. The MPs accused the two governments since independence of plundering Nyanza Province economically by running down industries such as Kisumu Cotton Mills and Miwani Sugar Company, and said Spectre was the only major one remaining.

Asked why they were talking on behalf of Mr Odinga, Mr Kajwang said he was a shareholder in the firm.

The company was well managed and had ventured into exportation, he said, and warned that targeting Mr Odinga over the investment was

multi-million-shilling investment was "just a ploy to tarnish the leader's image and bring down the investment."

"I went to court 10 years ago to stop the Government from selling the plant in pieces," he said. "This is because the purpose of the industry could have been lost. We wanted it sold as a whole so that it could be revived." They said the Nduंगा and Parliamentary Public Accounts Committee reports which question how the molasses plant land was acquired, should be handled with care and not used to settle political scores.

The Government, through Justice and Constitutional Affairs minister Martha Karua, wants all people named in the reports investigated for possible action.

Don't mix politics with business, the State is told

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