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SPORTS ▶ Harambee Stars leave today for Malawi — P27

Raila, Kimunya close to fist fight in House

Ngilu sues media over sex claims

By JOHN OSORO AND KIPNGENO RUTO

CABINET minister Charity Ngilu, yesterday filed a defamation suit against a local publisher and two radio announcers for allegedly carrying an article and masses alleging she was found in a compromising position.

The article headlined "Exposed: Ngilu sex drama at city club" was allegedly published by the *Weekly citizen* on July 4, 2005 and aired by a radio station on

July 29.

The Minister wants the proprietors of Link Publishers Limited, Radio Africa Limited and two presenters from Kiss FM Radio Station ordered to pay damages caused as a result of publishing and broadcasting information that ought to have been verified by her.

The applicant through the law firm of Miller and company advocates, has also sued politician Wanguhu Nga'nga.

The minister and journalist Tony Gachoka have both sued the defendants over the article and information carried in their radio station on the alleged sex drama at a city club.

The plaintiffs say in their complaints that at the time the said incident is alleged to have happened the Minister was out of the country on official function.

That what the publication carried on the front page was not verified by her, given

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President Mwai Kibaki with former South African President Nelson Mandela who paid him a courtesy call at State House, Nairobi, yesterday.

— Picture by PPS

PARLIAMENT yesterday turned into a battlefield when two Cabinet Ministers almost came to blows.

A baffled Vice-President Moody Awori watched on helplessly as Roads and Lands Ministers Raila Odinga and Amos Kimunya respectively traded insults.

The two were contributing to a motion brought by Shadow Finance Minister Billow Kerrow (Mandera Central) to discuss government spending on the referendum degenerated into a violent exchange of epithets

By

MUENDO STEVENS

and accusations of corruption and sabotage between ministers. The fierce exchanges between ministers sucked in politician from both sides of Yes and No groups.

Two ministers, Raila Odinga (Roads) and Amos Kimunya of Lands and a key

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Lucy Kibaki

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Michael Owen

House turns into battle field

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ally of President Mwai Kibaki's, quarrelled on the front bench, traded insults and had to be separated by Assistant Minister Mutua Katuku to prevent them from exchanging lists.

Kimunya claimed Odinga had called him stupid and an idiot. And the Vice-President Moody Awori watched in disbelief as MPs and ministers went for each others' throats with key Kibaki allies ganging up against the Roads minister.

The tone of debate soon betrayed a divided government with contributions descending into factional wars within President Mwai Kibaki's cabinet. Deputy Speaker David Musila lost control of Parliament.

As Budalang'i MP Raphael Wanjala left the chamber after being thrown out in the morning for indiscipline by Musila whom he had accused of bias the legislator left behind a riotous House locked in passionate but bigoted exchanges between Members of a cabinet

that has not met for three months.

When Parliament reconvened in the afternoon Speaker Francis ole Kaparo said the morning tension was a threat to national stability and ministers' behaviour a shame to the country's reputation.

Kaparo described the morning debates which were preceded by palpable hostility and threatened to wield his powers to beat MPs into line.

Hell literally dropped from the skies onto the laps of the

eign governments were funding the Orange team opposed to the Wako draft constitution.

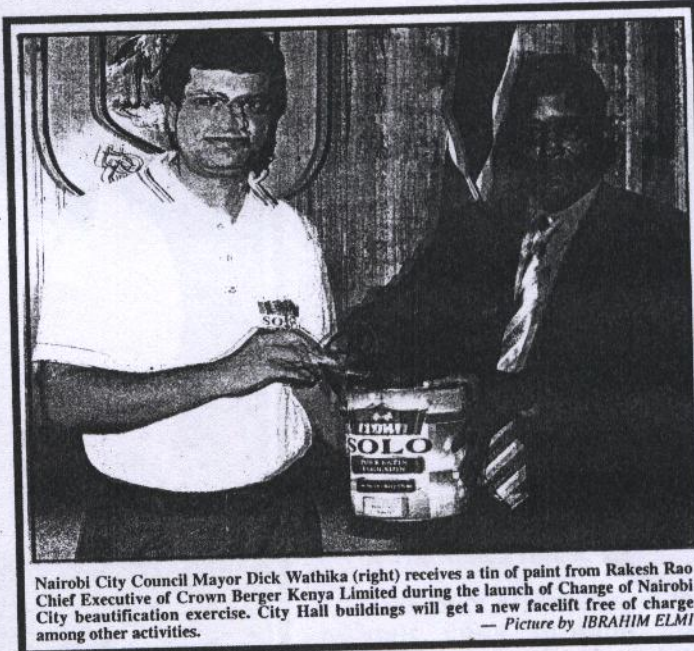
When Odinga demanded a substantiation he was greeted with more allegations against him by Kabete MP Paul Muite, who accused him of meeting with former President Daniel arap Moi to discuss strategies to defeat the rejection of the Wako draft constitution at the November referendum instead. The MP claimed Moi was using "stolen" funds to fund the

No amount of intimidation and discrediting will stop the Banana team from winning the referendum

orange campaign.

Then Kimunya rose to claim that Odinga had told him "you are a stupid idiot." The Lands Minister and Muite did not substantiate their allegations against the Roads Minister despite demands by Assistant Minister Orwa Ojode and Belgut MP

deputy speaker when Kimunya claimed that the Roads Minister had deployed ministry officials to collect funds from contractors seeking tenders for use in the Orange campaign. Other pro-government MPs claimed that UN organisations and for-



Nairobi City Council Mayor Dick Wathika (right) receives a tin of paint from Rakesh Rao Chief Executive of Crown Berger Kenya Limited during the launch of Change of Nairobi City beautification exercise. City Hall buildings will get a new facelift free of charge among other activities.

Charles Keter.

No sooner had that exchange ended than Justice Minister Kiraitu Murungi sprung up to declare that state resources will be used to fund the Banana camp. "No amount of intimidation and discrediting will stop the Banana team from winning the referendum," Murungi said and charged "we will use public resources as this (referendum) is a government political process."

Odinga took him on and said those spending public funds on the referendum will be brought to account some day. The Roads Minister also claimed that government vehicles had been converted to civilian use by the Banana camp and MPs.

Local Authorities Minister Musikari Kombo, Kimunya and Assistant Minister Mirug Kariuki tore into Odinga challenging him to drop his bodyguards and cars provided by the government to demonstrate commitment to what he preached.

The debate was on a motion of adjournment by Kerrow which sought to have Parliament discuss the government use of public resources in bank-rolling the Yes campaign.

Kerrow claimed the government had overstepped its mandate in the on going referendum process by using public funds and ordering civil servants to support the Yes vote.

He said the Government was using land resettlement as ploy to force the landless to support the Wako Draft.

"Cabinet ministers have been categorical in the use of government funds in the on-going debate. Out of this the Electoral Commission of Kenya chairman has sent a warning that the government should not take sides.

He said Parliament will allow the government to spend funds that were not voted for the Budget.

The Shadow Finance Minister further said Section 16 of the constitution bars public servants from engaging in a political exercise which may seek to favour one side.

Bura MP Ali Wario claimed the government was settling landless from Mau forest land it had evicted four months in panic and made extravagant cash and land promises to civic leaders, churches and the Maasai community buy support for the Wako draft.

"Why all these sudden promises. That councillors have their payments reviewed that the Mau evictees will be resettled, that the Maasai will be allowed to possess the Amboseli Game Reserve."

But Kiraitu shot up at point of order and maintained that the Orange team had choice but watch as government win at the referendum.

Kariuki claimed, "We are investigating claims that an array of the United Nations and foreign donors are funding the Orange team. The Kenya Anti-Corruption Commission will move into full force to establish these claims" amidst opposition protests. Special Projects Minister Njenga Karume tried to calm in vain.

Energy Assistant Minister Mwangi Kijunji questioned Odinga's acquisition of

Ngilu sues paper over sex claims

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that the said period in which the alleged act took place she was out of the country. They said in their suit papers filed at Nairobi Central High court that, a presenter (Caroline Mutoko) had on July 29 disseminated and asked the Minister to resign over the malicious article, which the applicants say was carried to spoil in their reputation as public personalities.

The security guards on duty at the parklands Sports Club during the week in question have also denied that such incident never happened.

The applicants, denied the allegation that Mr Gachoka had been barred from the club as

provide evidence to sustain their malicious agenda. The Minister on his part said that being a public servant holding government office and senior politician she was not inaccessible from the

suit and any other interests arising from the damage caused. Meanwhile, the high court has cancelled the sale of a matrimonial home belonging to a city widow scheduled for today.

The allegation as carried and aired had been denied by the management of the Parklands Sports Club

defendants to seek clarification on the serious allegation they disseminated. The plaintiffs prayed for judgement against the defendants for the general damages for libel and slander, aggravated or exemplary damages.

The court said the auction intended to be carried out by Garam Investments auctioneers on instructions of Southern Credit Bank should be put off until a ruling on the dispute is delivered October 27.

The decision is expected to

given that the plaintiff is challenging the validity of a charge executed on matrimonial property without the consent of the wife. The widow Lalitaben Kantilal Shah is challenging the intended sale on the grounds that the charge of the property to the bank was illegal.

Lalitaben, the wife of the late Kantilal Punja Shah says the charge was done without her consent, an act he blames on the Bank. Represented by lawyer Fred Ngatia the widow states that the unlawful charge was executed at the time her husband was ill and hospitalised. The bank has advertised the property for sale to recover Sh 30 million advanced to Kempaper Limited, a

Ramadhan Time Table

Town	Closing am	Opening pm
Nairobi	4.48	6.30
Mombasa	4.36	6.19
Kisumu	4.56	6.37
Nakuru	4.51	6.32
Nyeri	4.48	6.29
Eldoret	4.54	6.36
Kitale	4.55	6.37
Isiolo	4.45	6.27
Garissa	4.37	6.19
Wajir	4.35	6.17
Moyale	4.40	6.20
Laamu	4.31	6.15