

**MOMBASA COUNTY ASSEMBLY****HANSARD REPORT**Wednesday, 12<sup>th</sup> October, 2016

The House met at 9.23am.

*(The Deputy Speaker (Hon. Mswabah Rashid) in the Chair)***PRAYERS****The Deputy Speaker** (Hon. Mswabah Rashid): Hon. Members you may sit, yes Clerk.**MOTION**

Hon. Amir Mohamed Thoya.

**Hon. Thoya:** Thank you Mr. Speaker Sir. Mr. Speaker Sir with your permission and the permission of this Hon. House, I wish to move a Motion of the Report on commencement of drainage works in Mkomani Ward, Nyali Constituency.*(Hon. Thoya read the Report on commencement of drainage works in Mkomani Ward, Nyali Constituency)*

Mr. Speaker sir I beg to move the following Motion;

That this House adopts the Report on commencement of drainage works in Mkomani Ward in Nyali Constituency.

*(Hon. Thoya ended the Report)*

I wish to ask Hon. Saad Faraj to second this Motion.

**The Deputy Speaker** (Hon. Mswabah Rashid): Yes Hon. Saad.**Hon. Faraj:** Thank you very much Mr. Speaker I raise to second this Motion.*(Question proposed)***The Deputy Speaker** (Hon. Mswabah Rashid): Thank you very much. Hon. Members I now propose a question to propose that this House adopts the Report on commencement of drainage works in Mkomani Ward, yes Hon. Amir Thoya.**Hon. Thoya:** Ahsante Mheshimiwa Spika, Ripoti hii ambayo tunaomba iwe *adopted* katika Bunge hili ni kutokamana na swali ambalo limeletwa na Mheshimwia Muwakilishi wa Wodi ya Mkomani Mheshimiwa Kizito Opeya kuhusiana na kazi ya maji taka katika eneo lake.

Mheshimiwa Spika Kamati ya Uchukuzi na Usafiri iliweza kuchukua jukumu la kumuita *Engineer* wa serikali ya Kaunti ya Mombasa anayehusika na masuala haya ya maji taka na kutaka kujua ni hatua gani ambazo zimeweza kuchukuliwa mpaka sasa na idara ya uchukuzi.

Hii ni kuhakikisha ya kwamba kazi ambayo ama swali ambalo Mheshimiwa Mwakilishi wa Wodi ya Mkomani aliweza kuuliza katika Bunge hili ili tuweze kuwa na muelekeo kutokamana na kazi ama matatizo ambayo wakaazi wa Mkomani wanapata.

Mheshimiwa Spika Ripoti ambayo nimepata kutoka kwa *Engineer*, kupitia kwa *Engineer* mdogo aliweza kuelezea kwamba mfano ikiwa wakati ambapo swali hilo limeulizwa kulikua hakuna malamishi rasmi ambayo ilikuwa imemfikia idara yake.

Akaomba iwapo itawezekana Mheshimiwa ambaye anawakilisha eneo lile ili aweze kuelezea zile sehemu ambazo zinaathirika na mafuriko ili serikali iweze kuchukua hatua ya haraka kuhakikisha kwamba inachimba yale mashimo ambayo yananyonya maji kupeleka chini.

Hii ni kuhakikisha kwamba wakaazi wa maeneo yale mvua fupi ama mvua ndefu zinapokuja wakazi wale waweze kupata afueni kutokamana na kazi ambayo itaweza imetekelezwa katika maeneo yale.

Kwa hivyo cha msingi Mheshimwia Spika *Engineer* wa Kaunti ya Mombasa alipendekeza ya kwamba zile sehemu ambazo ziko na matatizo yale Mwakilishi wa eneo lile aweze kuzitaja ili tuhakikishe ya kwamba wakaazi wa maeneo yale wamefanyiwa kazi kama vile kisheria ambavyo inahitajika.

Kwa hivyo cha msingi Kamati imefanya kazi yake na ilileta Ripoti hii kwa Bunge hili tuweze kujadili ili tuweze kupata njia mwafaka na Ripoti hii iweze kufanyika katika Bunge hii.

Pia vile vile tulipata mwelekezo ya kwamba baadhi ya Wanakamati walikuwa wanahisi isiwe tu eneo la Mkomani peke yake bali hata maeneo mengine ya Kaunti ambayo yanapata changamoto kama hii yaweze kuangaziwa ili tuweze kuhakikisha kwamba wakaazi wa Kaunti ya Mombasa wanatendewa haki kutokamana na mvua zinazosababisha mafuriko.

Ahsante sana Mheshimiwa Spika.

**The Deputy Speaker** (Hon. Mswabah Rashid): Yes Hon. Amur.

**Hon. Amur:** Ahsante Bwana Spika mimi nasimama kuchangia kwamba hii Ripoti iliyoletwa na Kamati imefanya vizuri; shida zinazotokea hapa ni kwamba wakati wenzangu, ma *MCA* wenzangu wanapoleta changamoto hizi inafaa wawe wamepata *petition* kutoka kwa wananchi wa maeneo haya ili wenye ofisi rasmi wailete kwenye Bunge hili.

Sasa leo hapa tunaona wazi katika Ripoti mhandisi anatuambia ya kwamba hakuna Ripoti ambayo ishasajiliwa au iliyofikishwa mbele ya ofisi yao kwamba wananchi wanalalamika.

Na vile vile anayeongoza Wodi hii amekuja akatetea wakati hatuna *petition* yoyote ambayo ingeweza kumpa changamoto Mhandisi katika kutekeleza...

*(Interruption)*

**The Deputy Speaker** (Hon. Mswabah Rashid): Hon. Ndanda why are you standing?

**Hon. Mohamed Ndanda:** Thank you Hon. Speaker, am up for a point of information and I want to inform the current Speaker that we are the representatives of the people; if you see Mohamed Ndanda in this House, he is representing the people of Kadzandani.

So if I come with anything or complaint that a certain development has to be done it is not necessary until the people of Kadzandani Ward have to be here to tell us.

But according to me Hon. Speaker, Hon. Amir and Hon. Kizito Opeya have the right to represent the grievances of their people. Thank you Hon. Speaker.

**Hon. Amur:** Mr. Speaker I didn't say that he is not representing his people; but there is a way of representing your people with more confidence because if he had a written document that would be tabled in this Assembly it would have given this Assembly more power to sanction the contractor, the Engineers.

But today the scapegoat of the Engineer is that he has not received any formal complaint either from the people or the representative of the area Mr. Speaker.

So this is a scapegoat that whereby we should in future avoid that by letting people put their the grievances in writing and present it to their MCA to represent them in this House so that it can be no scapegoat for the Engineers to tell us there was no complaints whatsoever to them, now they are referring to the MCAs to go back and report to him.

Mr. Speaker all this time we were investigating this matter we thought Engineers at the end of the day the Engineer has a right to say I have not received any grievances from either the MCA himself or the people.

So it should be the *wananchi* who should petition through their MCA Mr. Speaker, it should be done formally to avoid such scapegoats. Thank you Mr. Speaker.

**The Deputy Speaker** (Hon. Mswabah Rashid): Yes Hon. Mary Akinyi.

**Hon. (Ms.) Akinyi:** Ahsante sana Mheshimiwa Spika, mimi nimesimama hapa kupinga hii Ripoti.

Kwa sababu gani ninapinga hii Ripoti; ukiangalia hapa katika *observation* na *finding* hii Ripoti inatuambia kuwa *department* haina habari zozote za shida yeyote ambayo inaendelea kule ambako Mheshimiwa anawakilisha ule mtaa alikuja akasema na sasa Mheshimiwa yeye alishafanya majukumu yake akaja akaleta yale matatizo ambayo yanaonekana katika lile eneo anawakilisha.

Napinga hii Ripoti kwa sababu *department* ama Kamati ambayo imetuletea Ripoti haikuchukua wakati wake kwa kwenda kuangalia ni nini kinachotokezea kule ambako Mheshimiwa alileta matatizo ambayo yanaonekana kutokana kwa ile Wodi ambayo .....

(*Interruption*)

**The Deputy Speaker** (Hon. Mswabah Rashid): Yes Hon. Saad Faraj what is?

**Hon. Faraj:** Mheshimiwa Spika ahsante kwa fursa hii, mimi naanza kwa mfano mdogo na mfano wenyewe ni ukiwa mgonjwa unaenda kwa daktari na ukifika kwa daktari pale unapofika daktari hajajua unaumwa wapi, unaugua wapi ama una nini ni mpaka useme unaumwa na tumbo, unaumwa na kichwa ndio pale daktari anaanza kufikiria atatoa matibabu kulingana na ugonjwa ulio nao.

Shida ambao tuko nayo Mheshimiwa Spika ni kwa sababu yule mgonjwa hakusema anaumwa na kichwa ama anaumwa na guu? utatibu nini?

Mheshimiwa Spika anaweza fanyiwa operesheni na kumbe ni mguu pekee yake ndio unamuuma; ni lazima mtu akileta malalamiko aseme barabara fulani tuseme kwa mfano barabara ya lesa pale Bondeni kuna shida kuna shimo limekwama hapo tutampeleka mtu mpaka pale akarekebishe lakini ukitoa *blank statement* ya kusema kuna shida na hujasema mahali ambapo kuna shida itakuwa ni vigumu kuweza kutekeleza majukumu yetu kama wawakilishi. Ahsante.

**Hon.(Ms.) Akinyi:** Ahsante Mheshimiwa Spika ningependa kufahamisha Jumba hili Mheshimiwa aliyetoka kuongea alikuwa ananifahamisha ama alikuwa anasema nini? Sielewi amesimama kwa sababu gani?

Kunirudisha chini wakati mimi ninapoendelea kupinga mjadala huu na yeye amenirudisha chini na aliponirudisha chini amesema yale yale ambayo nilikuwa nayazungumzia hapa kuwa Mheshimiwa Spika hii Ripoti mimi naipinga kwa sababu haitupatii mwelekeo wowote inatuambia kuwa Mheshimiwa ambaye anawakilisha ile Wodi hakupeana habari kamili, hakupeana habari kamili na alipeana habari kamili wakati pale alipokuwa hapa katika Bunge hapa alipokuwa anatoa taarifa yake.

Ahsante Mheshimiwa Spika kwa hivyo mimi narudi nikikaa chini nikisema hii Ripoti naipinga.

**The Deputy Speaker** (Hon. Mswabah Rashid): Yes Hon. Hatimy.

**Hon. Mohamed Hatimy:** Ahsante Mheshimiwa Spika. Mheshimiwa Spika nasimama nikiunga mkono hii Ripoti kwa sababu kusema kuwa *observations and findings* kusema kuwa ni lazima iwe mwanzo mtu ashakwenda kupiga ripoti kule na wale kule *Engineers* ikiwa hawajapa ripoti kule kazi ndio hapa wanataka waulizwe kuwa sisi tumepeleka mabadiliko lakini hakuna jambo lolote limeweza kufanywa.

Kwa hivyo Mheshimiwa Spika naona Ripoti hii Kamati wamekubaliana na *Engineer* kusema kuwa hakuna Ripoti yeyote ambayo iliopigwa kusema kuwa mahali fulani ama barabara fulani imeharibika.

Kwa hivyo nafikiri Mheshimiwa Spika hii Ripoti iko sawa na naiunga mkono. Ahsante Mheshimiwa Spika.

*(Applause)*

**The Deputy Speaker** (Hon. Mswabah Rashid): Yes Hon. Omar Meti.

**Chief Whip** (Hon. Ahmed Ebrahim): Ahsante Mheshimiwa Spika nami pia nimesimama kuunga Ripoti hii mkono.

Mheshimiwa Spika mimi pia ni Mwanakamati wa hii Kamati tulikaa tukajadili hili jambo pamoja na *Engineer* lakini swala *Engineer* alilotueleza ni kuwa shida mnayoiongelelea hapa ni wapi, hilo eneo ni wapi?

Mheshimiwa Spika naungana na mwenzangu Mheshimiwa Saad alivyosema utakapokuleta jambo kama lile ndani ya Bunge ni lazima tuwe ni wenye kutambua na kueleza ni wapi Bwana Spika ili sisi kama Kamati tulikuwa tayari kwenda *site visit* tukaangalie hapo mahali kuna tatizo gani.

Lakini Mheshimiwa Spika jambo la kuhurumisha ni kuwa hili ni jambo ambalo linatamkwa kwa mdomo hatujaona hilo eneo linalozungumziwa.

Nimesimama kuunga Ripoti hii mkono Mheshimiwa Spika na nawaambia Waheshimiwa wenzangu siku nyengine watambulisho ni mahali gani penye ile shida ili sisi kama Kamati tukishirikiana na Waheshimiwa tuweze kujua ni jinsi gani tunaweza kusuluhisha mambo kama haya tuweze kuisaidia Mombasa Kaunti kwenda mbele. Ahsante.

**The Deputy Speaker** (Hon. Mswabah Rashid): Thank you very much yes Hon. Nasser Rashid.

**Hon. Nasser Rashid:** Ahsante Mheshimiwa Spika mimi nasimama hapa kuunga mkono hii Ripoti na naamini pia anayeipinga pia yuko katika njia hiyo hiyo ya kuiunga mkono...

*(Laughter)*

Japokuwa kwa sababu nia na madhumuni ni kurekebisha yale mashimo na wenye kurekebisha yale mashimo watarekebisha lakini hawajui ni mahali gani? Mheshimiwa Spika nafikiri Kamati iko sawa na anayeipinga pia yuko sawa, naunga mkono. Ahsante.

*(Laughter)*

**The Deputy Speaker** (Hon. Mswabah Rashid): Ahsante sana Waheshimiwa, Hon. Amir Thoya do you have anything to add?

**Hon. Thoya:** Ahsante sana Mheshimiwa Spika. Mheshimiwa Spika kwa kusema kweli ni kusema kwamba kama serikali tuko tayari kuhakikisha kwamba yale matatizo ambayo yanakumba watu wetu kule mashinani yaweze kutatuliwa kwa mara moja.

Kwa hivyo Mheshimiwa Spika iwapo Mwakilishi wa eneo hili hata hivi sasa ataweza kwenda kwa *department* aweze kuonyesha ama *Engineer* aweze kwenda kumuonyesha pale ambapo kuna matatizo tuko tayari kutekeleza jukumu.

Na yeyote mwenye tatizo kama ile *Engineer* yuko tayari kulishughulikia kuhakikisha kwamba kazi zile zinafanyika na serikali hii iweze kutekeleza punde tu watakapoweza kupata suala hilo kutoka kwetu mashinani.

Kwa hivyo la msingi Mheshimiwa Spika idara milango yake iko wazi kupokea maombi ama malalamishi ya aina yeyote ile tuweze kuwatengenezea wakaazi kupitia kwa wawakilishi wao ambao wako katika Jumba hili.

Nashukuru Mheshimiwa Spika na naomba Ripoti hii iweze kukubalika ili kazi iweze kuendelea. Ahsante sana Mheshimiwa Spika.

*(Question put)*

**The Deputy Speaker** (Hon. Mswabah Rashid): Thank you very much Hon. Amir Thoya, Members I now put to question the Motion as many as are of the opinion that this House adopts the Report on commencement of Drainage Works in Mkomani Ward.

*(Question put and agreed to)*

*(Applause)*

Yes Clerk.

## ADJOURNMENT

Members this House stands adjourned until today in the afternoon.

*(The House rose at 9.43am)*