



COUNTY ASSEMBLY OF MOMBASA

OFFICIAL REPORT

Thursday, 14th February, 2019

The House met at 2:40p.m.

(The Speaker (Hon. Aharub Ebrahim Khatri) in the Chair)

PRAYERS

The Speaker (Hon. Khatri): Hon. Members you may be seated. Clerk can you check if we have quorum?

(Lack of quorum)

So can you ask Serjeant-At-Arms to ring the bell for five minutes.

(Quorum bell rung)

(Background consultation)

(A few Hon. Members entered the Chambers)

Yes Clerk, do we have the quorum now?

(Quorum)

Yes Hon. Kitula.

The Chief Whip (Hon. Kitula): Mheshimiwa Spika nasimama kulingana na Katiba yetu ya Bunge katika kipengele cha 41 kwa ruhusa yako uweze kuniruhusu niweze kutoa kauli yangu siku ya leo.

The Speaker (Hon. Khatri): Yes Hon. Kitula you may continue.

The Chief Whip (Hon. Kitula): Mr. Speaker I seek to know from the Chairperson, Committee on Transport, Infrastructure and Public works on;

1. Number of technicians employed in street lighting.
 2. How the tasks are divided among them.
 3. The company supplying streetlight equipments in Mombasa Country and the mode of supply.
- Thank you Mr. Speaker.

The Speaker (Hon. Khatri): Thank you Hon. Kitula. Yes Hon. Fadhili?

(Interruption)

The Chief Whip (Hon. Kitula): Excuse me Mr. Speaker I have another statement; I seek to know from the...

(Interruption)

The Speaker (Hon. Khatri): Hon. Kitula let me direct first that statement to the Chairperson of Transport then you may give the other statement. Yes Hon. Fadhili, the Deputy Chairperson Committee of Transport.

The Deputy Speaker (Hon. Mwalimu): Thank you Mr. Speaker. Mr. Speaker I am a Member of the Transport Committee but I was up, I just wanted to get your directive because I saw the Chairman of Health entering this Honourable House without bowing so I do not understand why the Hon. Member is dishonoring this House.

The Speaker (Hon. Khatri): Thank you. Yes Hon. Kibwana Swaleh is it true what the Honourable Member is saying?

Hon. Kibwana Swaleh: Thank you Hon. Speaker. Hon. Speaker I think at my age all along I have been a very respectful person and at no time I can disrespect the Chair. So I think my colleague from Port Reitz maybe he was unable to see whether I have bowed or not but I have really bowed down as required in the rules of this Assembly. Thank you Hon. Speaker.

The Speaker (Hon. Khatri): Yes Hon. Kibwana Swaleh did you say that at your age you are old enough you forgot how to bow I did not understand.

Hon. Kibwana Swaleh: Mr. Speaker I think the language that you are using may interpret differently but Hon. Speaker I said that I think at my age I have to respect...

(Interruption)

The Speaker (Hon. Khatri): So did you bow down when you entered in?

Hon. Kibwana Swaleh: I did maybe my colleague did not see Hon. Speaker.

The Speaker (Hon. Khatri): Ok. Yes Hon. Thoya.

Hon. Thoya: Mr. Speaker I think it is just because age is a number and that means when the age is very high the young generation are allowed to bow or not to bow it is about the reality. I would suggest with powers vested in you the Member to be thrown out and bow so that we can see him, a lot of us did not see him doing it please throw him out...

(Applause)

The Speaker (Hon. Khatri): Thank you Hon. Thoya I think we have Serjeant-At-Arms here so he should tell us, did the Honourable Member follow the rules of the House by entering the House or he just entered? Clerk just confirm with Serjeant-At-Arms.

*(The Table Clerk consulted with the Serjeant-At-Arms)
(The Table Clerk confirmed that Hon. Kibwana Swaleh did not bow)*

(Applause)

Yes Hon. Kibwana can you please do the needful.

(Hon. Kibwana Swaleh bowed down before the House)

Thank you.

(Applause)

Ok Hon. Members back to the Business I think the Chairman for Transport is not around and I can see the Deputy Hon. Mwaka. Hon. Mwaka I think you have heard what Hon. Kitula has asked and you will be given the copy, do you think you have the answer to answer him now or you need some time to answer him?

Hon. Mwaka Bakari: Ahsante sana Mheshimiwa Spika nakushukuru sana kunipa fursa hii na pia nashukuru Mwenyezi Mungu kutuwezesha kurudi tena muhula huu wa pili. Kwa kusema kweli hio ripoti unayoizungumza Mheshimiwa Kitula ni ripoti ambayo ni muhula uliopita na sasa hivi tuna wiki moja ambayo kwamba tutaweza kukupa hii ripoti namsubiri Mwenyekiti wangu yuko nje ya nchi lakini akirudi wiki ijayo tutaweza kukujibu.

The Speaker (Hon. Khatri): Thank you Hon. Mwaka if I may correct you on that when your Chair is not around you are the Chair...

(Applause)

So you are the boss of that Committee right now you do not need for your Chair to come back. So please tell this House if you can bring the report back in one week?

Hon. Mwaka Bakari: I want this House to give me one week.

The Speaker (Hon. Khatri): One week?

Hon. Mwaka Bakari: Yes.

The Speaker (Hon. Khatri): So thank you Hon. Mwaka please give us the report by next week. Thank you. Yes Clerk?

(Loud consultations)

STATEMENT

Yes Hon. Kitula.

The Chief Whip (Hon. Kitula): Thank you Mr. Speaker I seek to know from the Chairperson Committee on Water Sanitation and Natural Resources when the Frère town Kisimani pipeline will start? Thank Mr. Speaker.

The Speaker (Hon. Khatri): Sorry can you come again Hon. Kitula?

The Chief Whip (Hon. Kitula): I seek to know from the Chairperson on Water, Sanitation and Natural Resources when the Frere town Kisimani pipeline will start? Thank you Mr. Speaker.

The Speaker (Hon. Khatri): Thank you Hon. Kitula. Hon. Members the Chairperson for Water and Sanitation I think is not around but we have a Member or the Vice Chair who is Hon. Mwalimu. Yes Hon. Mwalimu?

Hon. Mwalimu Mgwisho: Just give me one week I will answer that question.

The Speaker (Hon. Khatri): Thank you Hon. Mwalimu. Yes Clerk?

STATEMENT

The Speaker (Hon. Khatri): Yes Hon. Aran?

Hon. Aran: Thank you Mr. Speaker. Mr. Speaker pursuant to Standing Order 41 sub section 2(c). I seek to get clarification from the Chairperson on Committee on Trade, Tourism and Investment in regards to the Mama Ngina drive facelift project these are:-

1. Whether the County residents have been accorded equal opportunity on the available employment especially the casual workers.
2. Mr. Speaker whether the County government has any plan for the youth and women who used to earn their living at Mama Ngina drive before the facelift.

Thank you Mr. Speaker.

The Speaker (Hon. Khatri): Thank you Hon. Aran, I think the Chairman for Trade is there, Hon. Opeya can you please tell us if you have the answer for that question?

Hon. Opeya: No but I will forward it to the Chief Officer and by next week Thursday you will get the reply.

The Speaker (Hon. Khatri): Sorry?

Hon. Opeya: By next week Thursday you will get the reply from the Chief Officer.

The Speaker (Hon. Khatri): So you need one week?

Hon. Opeya: One week only.

The Speaker (Hon. Khatri): Thank you Hon. Opeya so by next week Thursday please give us the report. Yes Hon. Nyiro?

Hon. Nyiro: Thank you Mr. Speaker and I also welcome back all Members to this years' session. I would also like to request the Chair on water as he will be replying concerning Hon. Kitula's request, I also want him to reply on my project. There is a project there at Vikwatani Kashani pipeline; I also want to know how far it has reached or whether it has started or not. So we want to know whether it has started and if it has started the level of completion and if it has not started why it has not started. Thank you Mr. Speaker.

The Speaker (Hon. Khatri): Thank you Hon. Nyiro. Hon. Mwalimu the Vice Chair of that Committee? I think you have heard the Hon. Member what he has ask. Do you have the answer for that?

Hon. Mwalimu Mgwisho: Thank you Mr. Speaker, at the moment I do not have the answer but I need; may be in one weeks' time. I will give the answer. Thank you.

The Speaker (Hon. Khatri): Thank you Hon. Member so by next week please make sure you bring the answer. Yes Hon. Shebe?

Hon. Athman Shebe: Thank you Chair of course through your indulgence I will also kindly request for a statement and I know the Chair of Education is fully aware of this. It has been two years now down the line and there is an ECD in my area and up to now it has not yet been opened. The pupils or other the children are still finding very difficult Honourable Chair to continue with their learning and there is space there. So I would like to have a request, thank you.

The Speaker (Hon. Khatri): Hon. Shebe can you please explain to this House when you tell us there is an ECDE and it is not opened what does that mean? Explain to this House; that there is an ECD which has been built in, and there is no furniture inside or...

(Interruption)

Hon. Athman Shebe: Yes.

The Speaker (Hon. Khatri): Or what is the problem?

Hon. Athman Shebe: Actually Chair the infrastructure is complete there is everything but up to now or up to date it has not been opened and the last time we checked with the Chair of Education he is fully aware of that and he promised that the ECD will be going to be opened soon. So up to now the kids are still learning outside and there is a space there so it is paramount there if this will be going to be opened soon or when because I do not know what is happening up to now.

The Speaker (Hon. Khatri): Thank you Hon. Ibrahim Omondi can you please tell this House if you have the answer for that or...

Hon. Omondi: Okay thank you Mr. Speaker Sir. I would like to respond to the Honorable question or request that we shall be ready with answer, let him give us one week we shall be...

(Interruption)

The Speaker (Hon. Khatri): But it has been two years the Honourable Member is saying that.

Hon. Omondi: Okay Mr. Speaker Sir.

The Speaker (Hon. Khatri): Is it the first time you are hearing about this issue or you have heard about it before?

Hon. Omondi: It has never been brought to this House Mr. Speaker Sir, that I can confirm.

The Speaker (Hon. Khatri): It is not about that, it has been brought to this House you are the Chairperson of Committee of Education that issue, is it the first time you have heard about?

Hon. Omondi: It is the first time Mr. Speaker Sir.

The Speaker (Hon. Khatri): You have never heard about it before?

Hon. Omondi: Exactly first time.

The Speaker (Hon. Khatri): Okay then we are giving you one week and please make sure, you tell us what the problem is.

Hon. Omondi: Thank you Mr. Speaker Sir.

The Speaker (Hon. Khatri): Thank you Hon. Ibrahim Omondi, yes Hon. Thoya Renson?

Hon. Thoya: Thank you Mr. Speaker I want to seek to know from the Committee of Education in relation to the bursary; what is going on because we knew we were called for a meeting that bursary as the MCAs we are going to be involved; we were involved. We went round to tell the common *Mwananchi* to bring the relevant papers and after that another team apart from the MCA we send, I am told even the organization were brought on board and now the forms are back there the MCA is not involved. We want to seek this information what is going on in the department of education in relation to bursary. Thank you.

The Speaker (Hon. Khatri): Thank you Hon. Renson. Yes Hon. Ibrahim Omondi? Can you please explain to this House about that issue, because I am sure it is not the first time you have heard about that issue Hon. Ibrahim.

Hon. Omondi: Sorry for that hiccup Mr. Speaker Sir.

The Speaker (Hon. Khatri): Yes is it the first time you have heard about the issue of bursary?

Hon. Omondi: Not the first time Mr. Speaker Sir.

The Speaker (Hon. Khatri): Thank you.

Hon. Omondi: Several times I confirm that.

The Speaker (Hon. Khatri): Please so tell this House what is the problem. What is the main problem with that issue?

Hon. Omondi: Mr. Speaker Sir I want to be very much candid on this and very open on the issue of the bursary. Mr. Speaker Sir the Hon. Member is right by saying that we have had a lot of issues on this bursary. Mr. Speaker Sir as the Committee of the Education I being the Chairman we have done our part and I can confirm that we even have the documents showing that we have walked...

(Interruption)

The Speaker (Hon. Khatri): Hon. Member can you just tell us what is the problem? And how are you going to solve the problem. Stop taking us round please?

(Applause)

Hon. Omondi: Thank you Mr. Speaker Sir.

(Interruption)

The Speaker (Hon. Khatri): Yes just tell us in short what the problem is and how are you solving that problem in your Committee? Not unless you do not know what you are doing.

(Applause)

Hon. Omondi: Thank you Mr. Speaker Sir on the issue of bursary we had a meeting today with my Committee to deliberate on the issues that the Member is raising now and we have agreed that we are going to have another meeting on Monday with the Members so that we should deeply deliberate on the matter and then we shall come back again...

(Interruption)

The Speaker (Hon. Khatri): Hon. Ibrahim Omondi.

Hon. Omondi: Yes.

The Speaker (Hon. Khatri): Do you know now it has been almost two years since the residents of Mombasa County have never received the bursary?

Hon. Omondi: Yes.

The Speaker (Hon. Khatri): Is it true or not true?

Hon. Omondi: It is true Mr. Speaker Sir.

The Speaker (Hon. Khatri): Was that money budgeted last year?

Hon. Omondi: It was.

The Speaker (Hon. Khatri): Have you confirmed? Was that money utilized or was not utilized and where did that money go? You know Honorable Members you should know what you are doing with your Committee. Those are the things we need to know in this House. If that money was utilized or what happened with that money of bursary, if the residents of Mombasa got money or they did not get that money. Otherwise just stop taking us round here and there; you had a meeting, we just want to know the facts and you should get those answers from the Education department. You know and as a Committee I think you have all the powers to write those letters and get that information.

Hon. Omondi: Mr. Speaker Sir it is true what you have said I do agree with that and I remember in the last session a statement was brought in this House on the same and I did respond. We did respond on the same in the same House but the issue that the Member has is just an issue that is talking about the programs that were there and also those are the programs because there was an agreement between us and the Department of Education on how that bursary will be disbursed, specifically the one dealing with form Mr. Speaker Sir. That one is complaining about it, I have said that there are some things which have gone wrong and that is why I have requested this House again to give us time, to give us one week Mr. Speaker Sir so that we shall come here with a very comprehensive report on the same. Mr. Speaker please!

(Interruption)

The Speaker (Hon. Khatri): Yes Hon. Renson Thoya?

Hon. Thoya: Mheshimiwa Spika nafikiri Mwenyekiti wa Kamati ya Elimu ni vizuri aseme kwamba mambo yamemzidi na kinachoendelea kule hata yeye mwenyewe anachanganyikiwa kwa sababu hawezi enda kuambiwa kwamba *we are giving you a favour*, ni vizuri zile shida anazopitia na ile Kamati husika na pale imefika sasa hili si jambo la Kamati ya Elimu. Naomba Spika uchukue...wachukue hiyo kama tutakuwa na *full House* Kamukunji tuweze kujua kinachoendelea kwa sababu *in fact* nataka aelewe kuwa silalamiki najaribu kuzungumza ukweli wa mambo mashinani asiniambie ninalalamika, hapa hiyo shida hata yeye yuko nayo ana watoto ambao hata sasa wanahangaika. Hivyo basi tunataka hili jambo kama Ibrahim *Bomoa* Omondi umetatizika njoo urudi kweli useme jamaa najaribu kusukuma lakini nina changamoto. Huwezi enda pale kama Mwenyekiti ukaambiwa tunakufanyia *favour* na hii pesa tunapitisha hapa kuwapelekea wao, kama ni hivyo hatutapitisha pesa ya elimu hapa. Kwa sababu tuambieni zile pesa tunapitisha hapa Bungeni mnazitumia namna gani kama hampatii hawa watoto. ahsante.

The Speaker (Hon. Khatri): Thank you. Yes Hon. Baya Swaleh.

Hon. Kibwana Swaleh: Thank you Hon. Speaker I stand here to say that I am also a Member of that Committee. I want to defend my Chair not because of being the Chair but the steps that we have taken as Members. Currently the forms are being issued at the Sub County level Hon. Speaker and we started with those with marks for those who are form ones who got 300 marks and above and the allocation was Kshs 50 Million that was allocated the previous financial year which was not enough to cater for the college plus University plus the secondary level.

Mr. Speaker that was the project started with only a student with 300 marks only, so the next stage will be the mega bursary form for all categories; that is Universities, colleges and again secondary level for form ones, form two, three and form fours. So Mr. Speaker the money we think through the consultation with the department we found that the money we allocated was almost Kshs 150 million and we come to this financial year up to now the department has received only Kshs 50 million. So Kshs 50 million is not enough for the County that is why we have gone to that portion of it, but nevertheless Hon. Speaker as a Member I think we need also as Members we have agreed to recall back also that Bill that we passed here in the previous Assembly.

Hon. Speaker that Bill made us as Members of this Assembly not having any hand in the bursary issue, that is why there is a lot of confusion as my colleague has said the Members were given mandate to go to the ground and collect data then after some two weeks or three weeks the Ward Administrators were then on the ground looking for the same data. So we found that there is a lot of suspicions and Hon. Speaker I think these are serious matters and I urge my fellow Members plus the Chairman I think we should take this seriously otherwise as I agree with my colleagues that in future if things are not going to on our way we should not add more to this department. Thank you.

The Speaker (Hon. Khatri): Thank you Hon. Kibwana.. Yes Hon. Fadhili Makarani the Deputy Speaker?

The Deputy Speaker (Hon. Mwalimu): Thank you Mr. Speaker for giving me this opportunity to at least give my input on the issue of bursaries. Mr. Speaker I am very much surprised by the Hon. Member who has just stepped down; frankly speaking the Committee has let us down...

(Applause)

Mr. Speaker we have been passing budget in this Honorable House; two years down the line our kids have not received even a single cent for bursaries and to make the matter worse we as Hon. Members and we went down to the ground to collect data, to collect forms from the standard eight students after that the issue was also duplicated and done by the Ward Administrators. Mr. Speaker we were silent we are even much surprised now that we were expecting the department to give out cheques, there in forms of which it is as if the department is still buying time. What we want to see at hand Mr. Speaker we want to see cheques; when we see cheques that is when we are going to know that our kids are being given money or bursary and in the forms there is supposed to look for Chiefs, they are supposed to look for Ward Administrators.

Mr. Speaker our people are wondering and they come to our offices; they brought all the details to our offices and now they are supposed to look for Chiefs and now they are supposed to look for Ward Administrators to sign for them those forms. Through your Chair Mr. Speaker it is a matter that needs urgency and we need the Committee to work on this issue on a serious matter. Thank you Mr. Speaker.

The Speaker (Hon. Khatri): Thank you, Yes Hon. Shebe?

Hon. Athuman Shebe: Thank you Mr. Speaker. Mr. Speaker let me begin by saying it is very unfortunate that this thing is happening. We have been take in round, in circles year out year in. It is unfortunate that the Committee or other the Chairman of the Education Hon. Speaker has been over whelmed by his responsibility that is what I can I say.

The last time I checked Hon. Speaker it was on December and I had a privilege to host a very important guest in my area and that was His Excellency the Governor, even my neighbour can bear me witness what the Governor said last year was very frankly and clear let no student who has excelled in his exams miss school and that was a very clear statement from the Governor's mouth and up to now you can imagine the dynamics in Jomvu Kuu and other areas are different; 250 marks for a student coming from Jomvu Kuu that is a pass mark. Why this selective discrimination Hon. Speaker?

So it has been a burden for us Hon. Members in the grass root up to now, we have been degraded like data collectors. The so called data collectors Hon. Speaker we just go there we have been given forms we take them and it is unfortunate; when is this thing going to end really to me it is a challenge I am giving to Hon. Members we have a full mandate of the Constitution of the republic to do an aggressive oversight about these things or else this issue will judge us very harshly Hon. Speaker.

The Speaker (Hon. Khatri): Thank you Hon. Shebe. Yes Hon Mohamed Mohamed?

Hon. Mohamed Hatimy: *(Technical hitch)*.

DISCLAIMER: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor Page*

The Speaker (Hon. Khatri): Sorry Hon. Mohamed please we cannot hear you! Just use the microphone.

Hon. Mohamed Hatimy: I think this problem Mr. Speaker will finish when the Committee starts to submit their reports to Liaison Committee because Committees should submit reports to the Liaison Committee. So I think if we can through the Chair I request if you can direct the Chair of the Liaison Committee to handle this matter and report to this House as soon as possible. Thank you Mr. Speaker.

The Speaker (Hon. Khatri): Thank you Hon. Mohamed Mohamed. Yes Hon. Renson? Is there anything else you want to add?

Hon. Thoya: Yes I think I am the person that I have brought this forward; for what we want to suggest this matter is very urgent and I know the Chairman of this Committee will be telling us one week or two weeks; because of its urgency there is need that either through a supreme or powerful Committee of this House that the concerned party is summoned at the Committee room for a special *Kamukunji* because we need to make it to an end.

These administrators must come to an end *hawa ni watu wameandikwa na sisi tumechaguliwa na mimi sitaki kubadilishwa kuwa mtu wa kuchukua makaratasi nikiletea watu.* This is a document of Mombasa County why do you take it back to the Chief? Somebody should explain, *mimi niko pale kama MCA na mimi ndio nimechukua hizo karatasi halafu unasema karatasi ipelekwe kwa Chifu, ya Mbunge itaenda kwa ya Kaunti inaenda kwa Chifu kufanya kitu gani?* Somebody should explain I know the Chairman is that (??) to explain this, the relevant people must come *tuweze kusaidia huyu Mwenyekiti wetu.*

The Speaker (Hon. Khatri): Thank you Hon. Renson. Hon. Ibrahim Omondi I think you have heard what the Hon. Members are complaining about and the matter is very serious and you know now we are almost two months and students have already started, the form ones. So if you are not going to push it and do not know when we are going to get these bursaries so please just tell this House what are you going to do with this issue.

Hon. Omondi: Thank you Mr. Speaker Sir, first of all I want to appreciate what all the Members and the contribution they have given and I will confirm it is very true Members were very much frustrated and that is true concerning this issue of bursary.

The Speaker (Hon. Khatri): Use the microphone Honourable.

Hon. Omondi: Thank you. I was just confirming it is true the way Members are putting it; this issue has really eaten up the Members because it is an issue which has been there long time and it has never been resolved. I think this is the time now we need to call a spade a spade and a spoon a spoon. The time has come Mr. Speaker Sir as the Chairman of Education I would like to say this one we are going to summon the CEC, we are going to summon all the people in the department, all of them and if they are not going to come to that meeting I think I will resign from this position.

Mr. Speaker Sir if they are not going to come it is going to be very tough indeed; it will be either me or them Mr. Speaker Sir that is one because it is an issue we have talked about several times and it seems...

(Interruption)

The Speaker (Hon. Khatri): But Hon. Member, you know if you are going to do your work and if you are going to write the letters and present the letter to the Member then there is no need for you to resign. The Members are just asking you to do your work so you just write a very good letter to the concerned department tell them this is what they need to know and if you are saying if you want to summon them write for them a letter and if the Honorable Members come to ask you show them the letter so I do not see why you have to resign and if they do not come that is not going to be your problem because if you have done your part there is no need for you to resign. So the most important thing is to do your part; up to now there is nothing you have shown us that you have summoned anyone. The issue is you just have to do your part and you do not do it verbally you just write a written document whereby you know..., you have those powers so make use of your powers.

Hon. Omondi: Mr. Speaker Sir I only used this word resign to emphasize or to stress that it is a very serious matter I do not mean the real resigning...

(Laughter)

I was emphasizing that it has to happen Mr. Speaker Sir, I was just emphasizing so going back to the point okay...

*(The Speaker (Hon. Khatri) left the Chair)
(The Deputy Speaker (Hon. Mwalimu) in the Chair)*

The Deputy Speaker (Hon. Mwalimu): Yes continue?

Hon. Omondi: Thank you Mr. Speaker; going to the point I wanted to enlighten some of the issues concerning the process that is ongoing, one of my Members has already elaborated a lot about the process of the bursary taking place. Now, one Mr. Speaker Sir there is a problem with the forms that are being used I want to explain this without fear so the forms that are being used are black and white and those forms can be manipulated. They are exposed to manipulation so first of all there are problems with the forms that are being issued on the ground Mr. Speaker Sir that is number one, number two the process is not being followed, the entire process was supposed to take place at the Ward level but it is taking place at the Sub-County level that is another thing that we have noted.

Mr. Speaker Sir number three I would like also to enlighten the Members that there was a place that was written Chief, I think it has been repeatedly questioned. There was a place on those forms which was written the Chief Administrator; we are not to talk about the Chief on the administration of the national government, we are talking about the Chief Administrator who is the Ward Administrator is the one supposed to sign not the Chief on the ground.

I would like to correct that for Members Mr. Speaker; finally I am saying this that today we had a Committee, with my Committee and we solved that that this time round it is going to be very tough we are going to call the whole House we are going to have a *Kamukunji* with the whole House to discuss this matter on moving forward and the resolution that the whole House will give us.

The Deputy Speaker (Hon. Mwalimu): There is a Member who is up what is your concern.

Hon. Athman Mwamwiri: A point of information Hon. Speaker, I think the Chairman is misleading the House there is nothing like Chief Administrator in the past. Secondly I think he is biting more that he can chew Hon. Speaker my sprinkle of wisdom says that I think you should also consider in joining this issue with the Liaison Committee it will be of much help to him so that we can be able to bite the so called shark together because it seems it's tooth is either toothless or there are full of gaps Honorable Chair, thank you.

The Deputy Speaker (Hon. Mwalimu): Thank you Hon. Athuman, Hon. Ibrahim and Education Committee, as you have said you are going to have to call a meeting you will join the Liaison Committee in your meetings then you will give a report in a week's time because it is an urgent matter of which the public is waiting for the bursary. Yes Hon. Feddis what is it?

Hon. Mbura: Ahsante Mheshimiwa Spika, nilikuwa nataka kujua kutoka kwa Mwenyekiti wa Afya kwamba kuna hospitali Mwakirunge Marimani na hio hospitali imechukua mda mrefu sana haijafunguliwa. Je kuna mikakati gani kwa ile hospitali kwa upande wa kufunguliwa na ni lini ningetaka kujua kutoka kwa Mwenyekiti ahsante Mheshimiwa Spika.

The Deputy Speaker (Hon. Mwalimu): Yes any Member from Health Committee? Hon. Abrari you wanted to speak on behalf or you have a statement? So the Committee will be requested to respond on your statement next week Thursday the chairman and the committee will be notified yes Hon. Junior.

Hon. Wambua: Bwana Spika pia mimi ningetaka kuongezea kwa Mwenyekiti wa Afya kuna hospitali iko kwangu ambayo imekamilika na mpaka kufikia sasa haijafunguliwa, ningetaka kujua pamoja na hio Mheshimiwa Feddis ni lini na ni hatua gani inachukuliwa ndio kuhakikisha zimefunguliwa kwa sababu tangu imalizike mpaka sasa inamaliza mwaka mwingine itakuwa ni hali ambayo haisadii wananchi wetu wa Chaani na vile vile Mwakirunge.

The Deputy Speaker (Hon. Mwalimu): So let us be precise your hospital is in which Ward?

Hon. Wambua: Of Chaani Ward.

The Deputy Speaker (Hon. Mwalimu): It is noted it will be enjoined with the Statement from Hon. Feddis of Mwakirunge. Yes Hon. Abrari.

Hon. Abrari Omar: Ahsante sana Mheshimiwa Spika langu ningependa kutaka kujua kutoka Mwenyekiti wa Mazingira kuna shida ya takataka Kongowea ambapo kuna mlima wa takataka ambao ulikuwa waendelea na inasemekana kuwa hilo jaa litafungwa kwa hivyo ningetaka kujua mlima ule utamalizwa lini ama wana mikakati gani kumaliza mlima ule wa takataka nje na ndani ya Kongowea sokoni. Pia vile vile ambao tumekaa vikao kadha na idara ya wahusika tukiwa mashinani na wakasema kuwa jaa la Kongowea litafungwa karibuni na mpaka sasa jaa limechukua siku tisa kusafishwa lakini mpaka sasa hawajafika hata nusu ya hilo jaa.

Kwa hivyo ningependa kuomba Mwenyekiti mhusika aangalie swala hili na alitilie mkazo swala hili ni njia gani ambao watafanya ile jaa litoke na kama kutakuwa na mpangilio watueleze ni mipangilio gani kama ni ya kila wiki watakuwa wanachukua kwa kila wiki ama ni baada ya kila siku mbili mpaka lile jaa lile liishe. Ahsante sana Mheshimiwa Spika.

The Deputy Speaker (Hon. Mwalimu): Yes Hon. Athman Shebe.

Hon. Athman Shebe: Naam ahsante sana Mwenyekiti nimesikia sana Mheshimiwa mwenza na nashukuru katika maongezi yake ametambua kuwa kuna juhudi zinafanywa Mheshimiwa Mwenye kiti kwa sababu kama kuna changamoto kubwa la taka ni Kongowea na kwa uchache na uduchu wa rasilimali tulioko nayo katika wizara ya mazingira kazi tunaifanya tunashauriana tu na Waziri kuwa kuna mikakati kabambe ya kuweza kuleta magari mengine. Mheshimiwa Mwenyekiti nitajulia ningependa tu aweze kunipatia takriban wiki moja niweze kujua utaratibu huo wapi na kama pia kutakuwa na mbinu mbadala ya kuweza kukodi magari tuhakikishe kuwa Kongowea tumeitia katika hali yake ya unabifu. Mheshimiwa Mwenyekiti pia bila shaka na sizungumzi kwa mtazamo wa Kongowea nazungumzia kwa mtazamo wa Kaunti nzima ya Mombasa, ahsante Mheshimiwa Spika.

The Deputy Speaker (Hon. Mwalimu): The Statement is noted and it is clear and in a weeks' time we are waiting for your response Hon. Ibrahim use your microphone.

Hon. Omondi: Mr. Speaker Sir, I can remember very well in the last session there was a Statement that was given in this House, was read in this House towards the Chairman of Labour and I remember it was an issue which was very much touching, and this was about the employment or the opportunities that were going or the employment that were going on within the County and the Chairman of Labour confirmed or promised that he is going to give a very comprehensive report on this matter. Mr. Speaker Sir up today we have not received any report and as am speaking there is a lot of, I cannot confirm but there is a lot of rumour that people are being employed in different departments so I would like the Chairman of labour to shed light to that, thank you.

The Deputy Speaker (Hon. Mwalimu): Yes the Hon. Member has requested the Chairman of Labour to respond to this.

Hon. Thoya: Ahsante Bwana Mwenyekiti nafikiri ni sukuma ni kusukume hakuna kitu mahususi sana, nafikiri ni vile nimekuwa ngangari na hilo jambo la basari lakini nataka kumwambia kwamba kama kuna lolote alilete na nitalifanyia kazi kwa sababu taarifa zote ambazo zimekuja hapa...

(Interruption)

The Deputy Speaker (Hon. Mwalimu): It is an issue that has been there ever since.

Hon. Thoya: Nataka kujibu, taarifa hiyo iliulizwa na MCA wa Tudor na majibu yalikuja, swali lengine lililokuja hapa ilikuwa ni kuhusu...

The Deputy Speaker (Hon. Mwalimu): Yes there is an Hon. Member there.

Hon. Mohamed Hatimy: Mheshimiwa Spika nafikiri hatuwezi kukaa hapa tukazungumza vitu vya last session, ni makosa kwa hivyo kama kuna swala lolote anataka kuleta, alilete kwa njia nyingine, lakini ni makosa kuzungumza vitu ambavyo vishapitwa na wakati Mheshimiwa Spika, ahsante.

The Deputy Speaker (Hon. Mwalimu): So even the bursary issue that was in the last session is not supposed to be discussed?

Hon. Mohamed Hatimy: Bursary Mheshimiwa Spika imeanza sasa imeletwa upya lakini vitu vilivyopita vya *session* iliyopita hatuwezi tena kuvuzungumza.

The Deputy Speaker (Hon. Mwalimu): Okay well noted so will...

Hon. Juma Thoya: Nafikiri Mheshimiwa mkongwe Nyumba hii anajaribu kuwapa ile njia muelekeo na ningemuomba Mheshimiwa Ibrahim kama ana tetesi kwamba kuna department yeyote ambayo inaandika watu alete hiyo *statement* kikamilifu tutaifanyia kazi, mambo ya kusema kwamba ile iliyokuja hapa ilipelekwa kwa ad hoe committee, pengine aulize hiyo ad hoe committee imefikia wapi. Nimesema Bwana Mwenyekiti ambaye uko hapo hii ni vuta ni kuvute lakini Mheshimiwa Bomoa alikuwa hana ujumbe kwa Nyumba hii, lakini kana anayo tuko tayari na Kamati yangu kuwapa majibu, ningeomba atulie apumzike mziki wa basari umekuwa...

The Deputy Speaker (Hon. Mwalimu): Okay thank you Hon. Thoya. Hon. Athman Shebe, you have given your statement if am not wrong.

Hon. Athman Shebe: Is right here Mr. Speaker but there is also another statement which require ...urgent matter Hon. Speaker.

The Deputy Speaker (Hon. Mwalimu): Okay proceed.

Hon. Athman Shebe: Thank you, I would like... I was requesting for a statement through the Labour committee, there are two different companies in my area and according to our laws here state that 70 percent of the jobs opportunity are being allocated or rather reserved for the local and this company has 95 percent all foreigners, so I would like the Chairman of the Committee...

The Deputy Speaker (Hon. Mwalimu): Name the company.

Hon. Athman Shebe: Denki and there is another one called Manoki enterprises in my area Hon. Speaker so I require the Committee to take charge of that matter so that we can see how are we going to solve that issue.

The Deputy Speaker (Hon. Mwalimu): Okay the Committee will handle the matter and bring a response to this Honourable House. Yes Clerk.

MOTION

OPERATIONALIZATION OF PERFORMANCE CONTRACTING IN THE COUNTY GOVERNMENT

The Deputy Speaker (Hon. Mwalimu): MCA Kipevu Ward, Hon. Faith Mwendu.

Hon. Mwendu: Thank you Mr. Speaker Sir for giving me this chance to move my Motion about operationalization of performance contracting in the County government. Mr. Speaker Sir, I beg to give the following Motion;

WHEREAS the County Government Act (2012) enshrines performance contracting in the County Government in Kenya in Section 47;

WHEREAS the County government of Mombasa is therefore obligated to operationalize performance contracting as provided for in the law;

WHEREAS it has been observed that the performance of the departments and staff is not subjected thoroughly to performance contracting standard;

WHEREAS it is a matter of great concern that the failure to enforce the provisions on performance contracting is a serious and fragrant violation of the law and may in consequence thereof lead to losses in terms of a man hours and development due to non-performance and under - performance;

NOW THEREFORE, BE IT RESOLVED by the County Assembly of Mombasa that all departments of the Chief Officers to sign performance contracts on behalf thereof.

BE IT FURTHER RESOLVED that all departments and staff in the County government of Mombasa be subjected to performance contracts and annual staff appraisal.

BE IT FURTHER RESOLVED that reports on performance contracts and annual performance appraisal be submitted by all departments to the County Assembly for consideration.

I urge Mr. Mohamed Hatimy to second my Motion.

(Hon. Mohamed Hatimy seconded)

The Deputy Speaker (Hon. Mwalimu): I now propose that the motion on operationalization of performance contracting in County Government be debated in this House. Yes Hon. Thoya.

Hon. Thoya: Thank you Mr. Speaker Sir, it is a very good debate but I do not think we have a sufficient number of Hon. Members to debate this; you can count, may be you can plan may be we debate it next week.

The Deputy Speaker (Hon. Mwalimu): So you are moving a Motion on adjournment or you are saying that there is no quorum...

(Silence)

Yes Hon. Thoya.

Hon. Thoya: Thank you Hon. Speaker, we are still learning. I want to seek an adjournment through Standing order number 28 because we have very few Hon. Members to debate the said Motion, thank you.

The Deputy Speaker (Hon. Mwalimu): Who is your seconder?

(Hon. Mohamed Hatimy seconded)

I now propose a question that the Motion on adjournment by Hon. Thoya be passed in this Hon. House?

(Question proposed)

I now stand to put a question that the Motion for adjournment by Hon. Thoya be passed in this Honourable House?

(Question put and agreed to)

Yes Clerk.

ADJOURNMENT

Hon. Members the House stand adjourned until next week Tuesday at 2:30p.m.

The House rose at 3:45p.m.