

MOMBASA COUNTY ASSEMBLY**HANSARD REPORT**Tuesday, 5th April, 2016

The House met at 2:35p.m.

*(Mr. Speaker (Hon. Thadius Rajwayi) in the Chair)***PRAYERS****Mr. Speaker** (Hon. Rajwayi): Hon. Members have your seats. Yes Clerk.**COMMUNICATION FROM THE CHAIR**

Ladies and gentlemen I have a letter before me from Transitional Authority dated 30th March of 2016, it is addressed to all County Assembly Speakers in all Counties and it reads;

(Hon. Speaker (Hon. Rajwayi) read)

Transition to devolved system of the government in Kenya since 2012 upto 2016.

So ladies and gentlemen with me is the said report and this is the report you were questioning not more than two weeks ago; that issue was raised in this same Hon. House, so it is important you pick it up go through it then we see as a House if we can have any recommendatins as a House. Clerk.

STATEMENT

Yes Hon. Mswabah Rashid.

Deputy Speaker (Hon. Mswabah Rashid): Ahsante sana Mheshimiwa Spika kwa kunipa nafasi hii ili kuweza kutoa taarifa. Mheshimiwa Spika taarifa hii ni kuhusu eneo langu la Wodi ya Airport ambayo Bwana Marwa ameweza kutoa vitisho kuwa zile nyumba ambazo ziko karibu na airport ziweze kuvunjwa. Mheshimiwa Spika hili jambo linasikitisha sana kwa sababu watu wale wameweza kuishi katika eneo lile kwa miaka yote; inasemekana na watu wale wana vyeti sahihi vya kudhibiti ardhi hio. Mheshimiwa Spika ukiangalia historia, wananchi wale wako pale uongozi wa kibaraka, kwanza walikuwa wakiishi haswa katika hio Airport, katika sehemu ya Airport imejengwa alafu wakaondolewa wakapewa mashamba yale yaliyo karibu na Airport. Mheshimiwa Spika kwa mtu kama Marwa kusema kuwa nyumba zile zivunjwe kwa sababu ya usalama wa ndege naona hakutumia njia nzuri ya kufanya hivyo; kuna njia mwafaka za kutumika, ni lazima Marwa aheshimu ardhi za watu, lazima aheshimu nyumba za watu, lazima aheshimu hisia za watu. Lakini yeye aamke tu siku moja aseme zivunjwe si sawa, kwanza maswala ya ardhi Mheshimiwa Spika ni maswala ambayo yamegatuliwa kwa hiyo si haki yeye kufanya kuamua uamuzi kama huo bila kuihusisha serikali ya Mombasa.

Mheshimiwa Spika mimi naona ama nasoma kama kuna utovu wa nidhamu ama kuna utovu wa hisia kuwa yeye anafanya mambo haya kwa uonevu ama fikra za... ni mambo anatia siasa maanake anajua wodi ya Airport ni ya ODM sasa anataka kuisambaratisha ili watu wale wasiweze kuja kupiga kura. Mheshimiwa Spika kitengo hiki tunakikemea kwa sauti kubwa, kwa herufi kubwa na kwa mdomo mpana, ni lazima Marwa atumie sheria; walipokuwa wakijenga bara bara serikali iliweza kuwajulisha wakaazi wote ambao wako katika maeneo ya bara bara wakaazi wale wakaleta masoroveya wao wakaleta *valuers* wao wakasema ardhi zote zitiwe thamani alafu serikali iwalipe thamani ile. Kwa hiyo Mheshimiwa Spika watu wangu pia ningependa wapewe fursa hio, wapewe fursa ya kuita *valuers* kwa ardhi zao na pia waje watie thamani ardhi zao na pia nyumba zao hata kama ni vibanda vitiwe thamani alafu watu wa *Airport authority* wafanye biashara. Hio ni kama biashara Mheshimiwa Spika, *willing buyer willing seller* na ardhi zile ningependa kama ni kununuliwa zinunuliwe kwa bei ya sasa, thamani itakayotoka kwa *valuers* hawa ndio thamani waweze kupewa watu hawa lakini sio mtu asimame aseme tu siku moja aseme nyumba zivunjwe.

Kwa hio Mheshimiwa Spika Bunge hili naomba wenzangu wanisaidie kukemea kitendo cha Marwa cha kutaka nyumba zivunjwe bila kuhusisha serikali ya Kaunti ya Mombasa na bila kuhusisha wenyeji. Mheshimiwa Spika mimi sijasikia hata siku moja kumekuwa na utovu wa usalama katika maeneo hayo ya Airport hata siku moja sijasikia maneno hayo; mimi naona hiyo ni ndoto tu ywaota ni fikra au ni dhana zake tu kuwa labda kutakuja tumika. Kwa hio Mheshimiwa Spika mimi nakemea kitendo hicho kama nilivyosema kwa mdomo wazi na kwa herufi kubwa ahsante sana.

Mr. Speaker (Hon. Rajwayi): Yes Hon. Maimuna Salim.

Hon. (Ms.) Maimuna Salim: Ahsante sana Mheshimiwa Spika, mimi pia nimesimama kukemea kitendo hicho kwa sababu najua ya kwamba mambo ya ardhi yamekuwa kikwazo; ni sisi ambao tunatakiwa tuhusishwe mahali pakubwa sana na tuje na maamuzi kulingana na raia wetu vile walivyo. Lakini tunajua ya kwamba Bwana Marwa hatambui hii serikali ya Kaunti ya Mombasa kwa sababu ana kejeli na yeye mwenyewe kibinafsi naona hafurahii sisi watu wa Mombasa tukiishi kwa amani. Kwa hio amejirabu kutafuta njia yoyote ile kupata sisi hatuishi kama wakenya wengine lakini sisi tunazungumza kama Wabunge wa Kaunti ya Mombasa, tunatambua ya kwamba watu walipiga kura na wakamchagua Mheshimiwa Ali Hassan Joho ambaye ni Gavana wetu wa Mombasa ambaye anastahili kuangalia ule ukweli na ukweli ni kwamba wale watu wana haki ya kukaa pale kwa sababu wao walipita wakiwa wako pale Airport ndio watawale pale na ikiwa kuna jambo lolote tukae kama viongozi, *stakeholders* na wale ambao ni wakaaji wa pale tuangalie ni jinsi gani serikali kuu itaweza kuwalipa kwa mapendekezo yao wale kwa sababu ni kwao. Lakini hizi ni hisia za kutaka kuleta kutokuwa na uhuru wa kuishi Mombasa kwa sababu amechukia Kaunti ya Mombasa kwa hiyo sisi tunamwambia Marwa, sisi tulipigiwa kura na tuna haki ya kusimama na wapigaji kura wetu, ikiwa kuna jambo lolote sisi ndio tumechaguliwa tukae na watu wetu tupeleke ripoti kwao si wao watuletee sisi ripoti.

Kwa hio inatakiwa aheshimu na jambo lengine ambalo nitazungumza ni kwamba Marwa lazima akubali kuna waheshimiwa walipigiwa kura na wanaongozwa na Gavana, kwa hivyo yeye anajaribu njia yoyote ile kufanya sisi tushindwe kufanya kazi yetu kama waheshimiwa lakini sisi tunawaambia atashindwa yeye kwa sababu kama ni ukweli angesafisha kwake ndio akaja akasafisha kwa wenzake, ahsante sana Mheshimiwa Spika.

Mr. Speaker (Hon. Rajwayi): Hon. Zeinab Kithinzi.

Hon. (Ms.) Zeinab Kithinzi: Ahsante Mheshimiwa Spika. Mheshimiwa Spika na mimi nimesimama kukemea huo uamuzi wa Marwa ningesema ishindwe na ashindwe. Mheshimiwa Spika imekuwa ni tabia ya Marwa akilala akiamka anaamua uamuzi wa Mombasa Kaunti, sijui yeye anatoa uamuzi Mombasa Kkaunti kama nani. Ningependa Marwa aelewe ya kwamba katika Mombasa Kaunti kuna kiongozi ambaye ni Ali Hassan Joho, ikiwa kuna lolote anataka kufanya katika Mombasa Kaunti lazima amhusishe Mheshimiwa Hassan Joho na Joho ndio mwenye maamuzi katika Mombasa si yeye na vile inaendelea Mheshimiwa Spika Marwa amedharau watu wa Mombasa sana na ningependa kumwambia ikiwa yeye anataka siasa ajiuzulu aingie katika siasa tupambane na yeye. Na ikiwa ni jambo la kuhusiana na Airport na hilo jambo tutasimama kama waheshimiwa kuhakikisha hakuna chochote atakachokifanya katika Mombasa Kaunti, kwa hivyo yeye akae akielewa Mombasa Kaunti ina wenyewe, ahsante Mheshimiwa Spika.

Mr. Speaker (Hon. Rajwayi): Yes Hon. Ebrahim.

Chief Whip (Hon. Ahmed Ebrahim Omar): Ahsante Mheshimiwa Spika nami pia kwa kunipa fursa ya kuchangia taarifa alioleta Naibu wa Spika wetu Hon. Mswabah Rashid Mwakilishi kutoka wodi ya Airport. Mheshimiwa Spika ni jambo la kusikitisha sana kuona ya kwamba serikali kuu kupitia kwa Marwa wametoa amri ambayo ni ya kuvunja manyumba pale karibu na Airport na jambo kama lile ni jambo ambalo litaleta kuathiri zaidi ya familia 15,000.

Mheshimiwa Spika watu kama wale kwa dunia ya sasa hata sijui watapelekwa wapi kwa sababu tunajua pale kuna ma IDP ambao bado hawajakuwa *allocated* sehemu ambazo za kujisaida maisha yao na pia vile vile kama Naibu Spika alivyosema kwamba tunakumbuka kipindi kile serikali ilipokuwa inataka kujenga barabara nilikaa chini na wakaazi wakaelewana, wakaletewa mpaka na *valuer* wakaangalia ni kiasi gani watakacho kuwa *compensated* katika ile kuvunjwa kwa nyumba zao ambazo ziko barabarani. Naona jambo kama hili pia ingekuwa vyema kwamba wakaazi wa karibu na yale maeneo ya Airport wangewekwa chini pia wakaona ni njia gani wataweza kurudishiwa pesa zao walizojengea zile nyumba Mheshimiwa Spika. Sababu wao kuondolewa hivi hivi sijui kuna mahali gani mtu atakwenda kutafuta tena stara ama kujenga nyumba Mheshimiwa Spika, na pia vile vile Bwana Marwa jambo alilolifanya linasikitisha sana na ni kama anatudharau sisi kama uongozi wa Mombasa Kaunti. Kwa hio sisi tunajua tuko na wizara ya ardhi pia hapa hapa ambayo tuna Waziri wetu AntHon.y Njaramba jambo kama lile halikumfikia wala sisi pia kama Kamati ya Ardhi hatuku husishwa katika jambo kama hilo ama wazo kama hilo la kuvunja watu wetu ama makaazi ya watu wa Mombasa nyumba Mheshimiwa Spika. Sisi katika Bunge la Mombasa Mheshimiwa Spika ni wa wakilishi wa wananchi kule mashinani na sisi ilikuwa inapaswa tuhusishwe kwenye jambo kama lile ili tuangalie kwa upande wa serikali na upande wa wananchi kutakuwa usawa upi ili pande zote mbili zisionyeshwe unyonge. Kwa hio Mheshimiwa Spika ningependa kukataa kitendo kama hicho na sisi kama Bunge la Kaunti ya Mombasa serikali ya Mombasa tunapenda pia kuhusishwa katika mambo kama hayo na lazima pia atuheshimu. Kwa hiyo Mheshimiwa Spika yangu ni haya katika uchangaji wangu katika haya.

Mr. Speaker (Hon. Rajwayi): Yes Hon. Saad Ahmed.

Hon. Faraj: Ahsante sana Mheshimiwa Spika kwa fursa hii. Mheshimiwa Spika nikiwa Mwenyekiti mpya wa ardhi na nyumba nafikiri itakuwa ni kwa masikitiko makubwa sana kuwa baada ya kuingia mimi moja kwa moja tunapata kusikia maamuzi yanayofanywa na Marwa kuhusiana ndugu zetu wanoishi pande za kiwanja cha ndege kikuu cha Mombasa. Mheshimiwa Spika kwa maoni yangu nafikiri hii ni moja wapo wa msururu wa yale mambo ambayo serikali ya Jubilee inazidi kunyanyasa uongozi wa Mombasa inaendelea vile vile kunyanyasa wananchi wa Mombasa na kama alivyosema wazi wazi raisi wa nchi hii Mheshimiwa Uhuru Muigai Kenyatta alipokuwa kule Likoni ya kuwa sisi kama watu wa Mombasa wa hapa pwani hatukumpigia kura na hii ni baadhi ya shida na matatizo ambazo wameamua kutupatia na kutuhangaisha ili kuchochea imani tuzidi kutowapigia kura tena mwaka 2017. Mheshimiwa Spika kama ilivyo zungumzwa na ni wajibu wetu kuangalia maswala ya watu wetu na katika ile hali ya kutekeleza majukumu yetu ya katiba ni lazima tuwa wakilishe watu wetu na tuwapiganiie kupitia kwa nidhamu ambayo ni bunge hili la kaunti ya Mombasa.

Mheshimiwa Spika hatujui kwa misingi gani Mheshimiwa Marwa ameweza kuzungumza swala kama hili, kwa sababu sisi tunavyo fahamu uwezo wake na nguvu zake ambazo yuko nazo hazimruhusu kuzungumza wala kusema wala kupangia watu wa Mombasa kuhusiana na maswala ya ardhi na makao. Kuna vitengo maalum ambavyo vinahusika na swala hilo, vile vile Mheshimiwa Spika, kuna kitengo ambacho kinahusika na maswala ya ardhi na pia kuna Kamati ya Bunge la Kaunti ya Mombasa ambayo halijahusishwa wala wale watu wetu wote katika vitengo tofauti tofauti ambao wanahusika katika swala hili pia hawaja husishwa. Kwa hio Mheshimiwa Spika sisi tunalaani vikali uamuzi wake na leo wacha tumwambie wazi kama tunavyo mwambia kila siku, kama vile yale maswala mengine yote ambayo ameyazungumza dhidi ya watu wa Mombasa na dhidi ya watu wa pwani kuwa hata faulu na wala hata songa mbele kwa njia nyengine yoyote.

Kwa hivyo sisi tunasimama na watu wetu, twasimama na mandugu zetu waheshimiwa ambao wanatoka upande wa Changamwe na hususan eneo la Airport ambalo Mheshimiwa

Mswabah Rashid ambaye ni Naibu Spika wa Jumba hili anatokea kuwaambia kuwa tuko na nyinyi na tunasimama na nyinyi kupitia dhiki furaha na kila aina ya mipangilio ambayo yatakuwepo, ahsante sana Mheshimiwa Spika kwa fursa hii.

Mr. Speaker (Hon. Rajwayi): Hon. Mote.

Hon. (Ms.) Fatma Swaleh: Ahsante sana Mheshimiwa Spika kwa kunipa fursa hii kuchangia; jambo la kusikitisha sana kwanza ningeweza kumpa pole Naibu wa Spika wetu na vile vile Mungu ampe nguvu na afya ya kuweza kutetea watu wa wodi ya Airport.

(Applause)

Mheshimiwa Spika kwanza kabisa ningependa kumfahamisha Bwana Marwa kwamba Wabunge wa Kaunti ya Mombasa ni Wabunge ambao wamesoma na pia vile vile ni Wabunge ambao wana akili timamu. Mheshimiwa Spika kama unavyojua hapa kwetu Mombasa tuna tatizo sana na ardhi, watu wa wodi ya Airport ama wakaazi ambao wanakaa maeneo ya wodi ya Airport wakiondolewa ama hata kama watalipwa watakwenda wapi kwanza. Hilo ni swala la kwanza, na swala la pili pia vile vile kama yeye kiongozi atuheshimu sisi na sisi tuta mheshimu yeye; hivi juzi kama sijakosea kulikuwa na utata baina ya maswala ya ardhi, Mheshimiwa Spika Bwana Marwa anatakikana afahamu ama ajue ya kwamba wodi ya Airport ina mwenyewe ambaye ni Mheshimiwa Mswabah Rashid. Vile vile kuna Wabunge wa Kaunti ya Mombasa angekuja kwanza akafanya uwiano na sisi alafu tutakaa na watu wa wodi ya Airport tukaona shida iko wapi, upande wake wa usalama Mheshimiwa Spika hapa Mombasa tatizo kubwa kama donda sugu, yeye alisomea upande wa usalama hakusomea upande wa wananchi na haki zao. Kwa hio hajui majukumu yake Bwana Marwa, angeangalia kwanza kitengo chake cha usalama kiko vipi kwanza katika hii Kaunti ya Mombasa kisha baadae ndio akaingilia upande wa majumba. Vile vile Mheshimiwa Spika mimi nakiri katika wodi ya Airport na Manispaa hizo za huko nimekaa hapo na nimezaliwa huko, sijawahi hata siku moja kusikia kama kuna ukosefu wa usalama katika eneo hili, juzi juzi ndio naanza kusikia hilo baada yeye kuzungumza kwamba kuna utovu wa usalama katika wodi ya Airport. Namwambia Bwana Marwa kwanza aweze kutuheshimu sisi na aweze kuheshimu wakaazi wa Mombasa na sisi tutamuheshimu na tunalaani vikali hatua aliyo chukua Bwana Marwa na tunamuomba kwamba aache watu wa wodi ya Airport wakae kwa usalama, ahsante sana Mheshimiwa Spika.

Mr. Speaker (Hon. Rajwayi): Hon. Lucy Chizi Chireri.

Hon. (Ms.) Chireri: Ahsante sana Mheshimiwa Spika. Kwanza ningependa kuwapa pole wakaazi wa wodi ya Airport pamoja na Mheshimiwa wao, kitendo ambacho kinataka kufanyika ni kitendo ambacho si kizuri. Kwanza Marwa si mtu mzuri, salamu ambazo ningependa kumpatia Bwana Marwa amekuwa kibaraka, vile anavyotumwa hafikirii hili jambo mimi ni binadamu lakini hili ni jambo ambalo litamfanya yeye mwenzangu litakuwa zuri ama si zuri. Yeye amekuwa kibaraka kwa hivyo tunamwambia, ugatuzi inamwambia arudi kule kwa yule aliyemtuma afanye hayo, kwa sababu si mazuri Mheshimiwa Spika na mambo hayo yote yanayofanyika wamechaguliwa huku na huku ni kumhujumu Gavana wetu Ali Hassan Joho na sisi tumemwambia sisi kama Bunge tutasimama na wakaazi na wodi ya Airport tukiongozwa na Gavana wetu, hakuna nyumba kubomolewa, wala hakuna mtu kuondoka ni lazma washike masharti yetu ambayo tutawapatia kama serikali ya Mombasa. Kwa hio tunamsihi yule anayemtuma anampotosha si jirani mwema na jirani mbaya sisi hatumtaki Mombasa Kaunti, hapo alipofika Marwa tunasema ni basi hana haja na sisi watu wa Mombasa Kaunti, hatuna haja naye si jirani mzuri, ahsante sana.

Mr. Speaker (Hon. Rajwayi): Hon. Mary Akinyi.

Hon. (Ms.) Akinyi: Ahsante Mheshimiwa Spika. Mheshimiwa Spika ni masikitiko yangu makubwa sana wakati wowote ambapo ubomoaji wa manyumba unapotokea katika eneo la Bunge la Changanwe. Mheshimiwa Spika nikiwa ninaanza kule nyuma wale wakaazi wa Port

Ritz kule chini walijengewa nyumba wakiwa wakiambiwa kwamba watashuhuliwa, waliishia kubomolewa nyumba na wakapewa shilingi elfu 20 peke yake ambapo hakuna kitu ambacho kinaweza kufanywa. Mheshimiwa Spika, siku ingine tena wakaamkia wakaenda Dunga Unuse wakabomoa nyumba hata kama wenyeji hawaja fahamishwa kuwa nyumba zitabomolewa, haijamaliza siku chache juzi walikuwa mzunguko tena wanabomoa nyumba, siku hazijapita hata wiki moja peke yake saa hii wanataka kubomoa zile nyumba ambazo ziko katika fensi ya Airport.

Mheshimiwa Spika wakati ambapo walikuwa wameleta sababu ya kuwa wanaangalia mambo ya usalama, kabla hapo kuna njia ambayo ilikuwa wananchi wanapitia wakiwa wanatoka Bokole wakiwa wanaenda Port Ritz spitali. Hio njia waliifunga Mheshimiwa Spika kuanzia walipofunga hio njia saa hii ni miaka mitatu imeisha na ilikuwa wanasema kuwa wanaangalia mambo ya usalama, ikawa mtu kama anataka kuenda Port Ritz lazima atumie pesa nyingi akiwa anapanda boda boda ili akaweze kufika hospitalini. Na hizo njia walizifunga wakiwa wanasema kuwa wanaangalia mambo ya usalama, leo hii Mheshimiwa Spika wanataka kubomoa hizo nyumba ambazo ziko katika fensi ya Airport wakiwa wanasingizia mambo ya usalama. Jambo lolote kama mnataka kufanya Mheshimiwa Spika ni lazima wananchi ama wakaazi wa hio eneo wafahamishwe, na hata viongozi ambao wanaishi katika hio ni eneo pia ni lazima wafahamishwe kuwa jambo fulani linataka kufanyika. Mheshimiwa Spika ni miezi mitatu peke yake ndio pia tulikutana na OCPD na OCS na wale ambao wanaangalia mambo ya usalama na wale wazee wa nyumba kumi, tulipokutana tulizungumza kinaga ubaga lakini sikusikia hata kama wametaja jina la kuwa kuna ukosefu wa usalama katika zile nyumba zilizo katika fensi ya Airport. Hawakutambua hata kutakuwa na ubomoaji wa nyumba ambazo ziko katika fensi ya airport, leo hii mtu ana amka asubuhi, anaamka na kusema kuwa atabomoa zile nyumba na watu ambao wanaishi huko na ni watu ambao wanaishi maisha ya kimaskini.

Mheshimiwa Spika imefika wakati ambapo sasa sisi kama serikali ya Kaunti ya Mombasa hatujui hii serikali kuu inataka nini kwa watu wa Mombasa, kumbe yale maneno Rais aliesema kuwa hakupigiwa kura na watu wa Mombasa sasa anataka kwa vile hakupigiwa kura awauwe kwa sababu njia ingine ya kuuwa watu wakati unapofurusha watu una wabomolea nyumba unafanya mambo ambayo hayaonekani. Ni njia ingine kuwa unataka kuuwa watu Mheshimiwa Spika, hili jambo ambalo linataka litendeke viongozi ambao ni wa Kaunti ya Mombasa kama ni Wabunge, hao Wabunge ndio wanawakilisha wananchi pale, sasa inaenda kubomolewa na... hakuna maneno yoyote yamepewa wawakilishi, tungeomba na tunalaani hili jambo la ubomoaji nyumba ambapo watashtukia tu siku moja na wabomoe. Kwa hivyo sisi kama serikali ya Kaunti ya Mombasa tunakataa hilo jambo la ubomoaji nyumba na tutafanya njia zote ambazo tunaziweza ili wale wakaazi wa lile eneo wasibomolewe nyumba, ahsante sana Mheshimiwa Spika.

Mr. Speaker (Hon. Rajwayi): Hon. Stephen Wangudi.

Hon. Wangudi: Ahsante Mheshimiwa Spika kwa fursa hii ili na mimi niweze kuchangia kwa swala ambalo liko juu ya meza ya Bunge hili. Mheshimiwa Spika kwa uhakika ni jambo la kuvunja moyo, ni jambo la kusikitisha kuona ya kwamba yule ambaye anajiita Marwa, *County Commissioner* wa Mombasa amechukua nafasi yake ili kuingilia *National Land Commission* aje avunje majumba ya wakaazi wetu. Inafahamika ya kwamba baada ya kuandika hio barua ndipo sisi tumekuja kujua ya kwamba barua imeandikwa kwa sababu wale waliambiwa hili na serikali hii ya Mombasa na wakati wa kujibu ikawa lazima wafahamishe Mheshimiwa Spika. Ni jambo la aibu mtu mzima kama yule ambaye anajua sheria, anajua katiba ya Kenya kufanya mambo kama hayo Mheshimiwa Spika, ni mambo ambayo haya ruhusiwi, na hayata kubalika mahali popote. Tumepitia mateso mengi katika hii nchi na ndio nasema pale tunakoelekea mwisho tutachoka Mheshimiwa Spika; ni swala la kuogofywa na ni swala la kuvunja moyo, na sisi

tunasema hivi, tangu mababu zetu wapigania uhuru swala kuu la kupigania uhuru ilikuwa ni kwa ajili ya mashamba yetu. Mpaka hivi sasa mashamba yamesalia mikononi mwa watu wachache tumevumilia mpaka hivi sasa watu wetu usiku wa manane ukiangalia katika maeneo ya Chaani bado wanavamiwa usiku wakivunjiwa kwa maslahi kwa wale walio wachache. Mheshimiwa Spika hata hivi sasa si mambo ya usalama wa Airport unafanya hayo mashamba labda washauzia watu wengine ama washayanyakuwa wao wenyewe wanataka kuondosha watu wetu ambao ni waenyeji wa maeneo yale ili waweze kufaidika na zile ardhi. Sisi tunamtuma huyu Bwana Marwa aambie wale viongozi wake ya kwamba jambo hili halitowezekana labda japokuwa hakuna silaha zimerudishwa na sisi lakini akumbuke kwamba uhuru tulipata bila silaha kwa ukoloni mara hii tunasimama imara kama wawakilishi wa watu na kuzingatia katiba iwapo utakuwa muwakilishi wetu, sisi ni wachache nafasi hio ni ya wale tumewawakilisha, ahsante sana Mheshimiwa Spika.

Mr. Speaker (Hon. Rajwayi): Hon. Patrick you want to say something?

Hon. Siminyu: Thank you Mr. Speaker for giving me this opportunity. Mr. Speaker matters of lands lie in the hands of Commissioner of lands and Mombasa County and I believe this land it would be very sad for the county government to keep quiet while the rich come to invade, matters of land does not rely on his side. Mr. Speaker as they want to put security, the constitution itself gives the common *mwanaanchi* the right to participate to each and every development that comes his way, not an individual to come up with just a harsh statement that we want to remove a certain community from their land, inherited land, ancestral land without consulting and even consulting the existing government. I believe we have a department of lands in Mombasa County and this matter as a government we should not keep quiet and just look as our people are being punished Mr. Speaker Sir and as a department we have a new chair of Lands. Mr. Speaker this matter has to be delt with, and the Commission of land must be consulted so that we can have answers for our people. Thank you, Mr. Speaker.

Mr. Speaker (Hon. Rajwayi): Ladies and gentlemen allow me to put the statement by Hon. Mswabah Rashid; it has drawn my attention to the letter which is actually dated 8th of March, 2016, it is the same office and all the contents and i have actually gone through the contents of this same letter which was addressed to Chairman of National Lands Commission Dr. Swazuri, and I've realized that we have so many issues that we have to address as far as this letter is concerned. Again that one reminds me the statements that accusations have never built institutions or streghthened any government, and we need to address these issues so seriously because one, this particular letter is talking about serious security threats, this House needs to understand whether those threats are real, this House has to respond to those questions they need to get answers, if indeed we have responcees what is the relevant department doing because the threat is not to... anything else apart from the people who elected you to be in this Hon. House.

Ladies and gentlemen I've also looked directly at the third paragraph of this letter, it is talking about continuing... (*Inaudible*) that must also be identified and confirmed by this Hon. House whether it is true or not true. If you continue to read the contents of this letter, much more is revealed; also under recommendations, infact the second communication is sending a very alarming signal that the National Lands Commission to liase with the Ministry of lands to cancel any title deed, any tiltle deed or deeds for that matter issued with respect of the irregularity excised portion or portions of the land. This Hon. Members we must answer that question who first of all issued this particular title deed we need to know, who owns the homes in these particular portions; ladies and gentlemen I would just want to remind us that nothing will come for free and as I have always been saying if you want to fail, send somebody, if you want to succeed do it yourself. If you want to fail as a government let us continue complaining but if we want to succeed as a government we must do it ourselves because we understand very well that

in chapter 2 of the constitution, article 6 part 2 is actually appreciation and recognising that there is distinct and interdependent levels of government and it is encouraging that we must actually conduct our roles in a manner that we see that there is respect and there is co operation. Those are the accurate key words, so the basis of consultation is key, and the basis of cooperation is key, so for us as a government we also want to know whether there was consultation, we want to know whether there is cooperation in these particular contents of this letter and remember Hon. Saad has as a Chairperson whose role is protected by the constitution that you can summon anybody to appear before a Committee meeting and actually explain all these particular issues that are here otherwise as it is we don't want to make any comments in this particular letter, that statement must be thoroughly and efficiently be handled by the Committee. And if possible you actually report back to this Hon. House before we go on recess, otherwise ladies and gentlemen we don't have any other thing we are doing apart from building a signature that is going to make sure that whatever we do we do to the benefit of that common man that is outside there, So Hon. Saad take note of it. Yes Clerk.

BILLS

THE MOMBASA COUNTY DISASTER PREPAREDNESS AND EMERGENCY MANAGEMENT BILL 2015

Mr. Speaker (Hon. Rajwayi): Yes Hon. Hatimy.

Clerk: The Mombasa County Disaster Preparedness and Emergency Management Bill 2015, a Bill for an Act of the County Assembly of Mombasa to establish and provide for the maintenance and operation of an effective system for the anticipation, preparedness for prevention, coordination, mitigation management response to and recovery from emergencies and disasters in Mombasa and for connected purposes.

Mr. Speaker (Hon. Rajwayi): Hon. Members I have to believe all of you have a copy of that same Bill and now it stands committed to the next level of consideration; that's the Committee stage, so make sure you have that to make sure you contribute so there is no other comment thereafter. Clerk?

ADJOURNMENT

Ladies and gentlemen this House stands adjourned until Wednesday 6th at 9:00a.m.
The House rose at 3:21p.m.