



COUNTY ASSEMBLY OF MOMBASA

OFFICIAL REPORT

Monday, 29th June, 2020.
The House met at 2:56p.m

[The Deputy Speaker (Hon. Fadhili Mwalimu) in the Chair]

PRAYERS

The Deputy Speaker (Hon. Fadhili Mwalimu): Have your seats. Yes Clerk?

PAPER

REPORT ON THE COUNTY ANNUAL DEVELOPMENT PLAN FOR FY 2020/2021

Yes Hon. Mohamed Hatimy?

Hon. Mohamed Hatimy: Thank you Mr. Speaker Sir. Mr. Speaker Sir I wish to lay on the Table of the County Assembly today on 29th June, 2020 the following Paper, a Report of Finance Committee on the Annual Development Plan for the year 2020/2021. Thank you.

[Paper laid]

The Deputy Speaker (Hon. Fadhili Mwalimu): Yes Clerk?

PAPER

REPORT ON THE MEDIUM TERM FISCAL STRATEGY PAPER FOR FY 2020/2021

Yes Hon. Mohamed Hatimy?

Hon. Mohamed Hatimy: Thank you Mr. Speaker. Mr. Speaker I wish to lay on the Table of the County Assembly today on 29th June, 2020 the following Paper, a report on the Medium Term Fiscal Strategy Paper for the year 2020/2021. Thank you, Mr. Speaker.

The Deputy Speaker (Hon. Fadhili Mwalimu): Hon. Hatimy lay the paper in front of this Honourable House because the first Paper...Commissionaire give Hon. Hatimy to lay the Paper for himself.

[Paper Laid]

Yes Clerk?

MOTION

ADOPTION OF THE REPORT ON THE ANNUAL DEVELOPMENT PLAN FOR THE FY 2020/2021

[Consultations]

Yes Hon. Mohamed Hatimy?

Hon. Mohamed Hatimy: Is it a Notice of Motion or Motion?

The Deputy Speaker (Hon. Fadhili Mwalimu): Introduce a Motion.

Hon. Mohamed Hatimy: Mr. Speaker I beg to move the following Motion;

That this House adopts the Report by Finance Committee on Annual Development Plan laid on the Table of this House today on 29th June, 2020. Thank you, Mr. Speaker.

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

Hon. Mohamed Hatimy: I request the Vice Chair of the Finance Committee to second the Motion.

The Deputy Speaker (Hon. Fadhili Mwalimu): Yes Hon. Majority Leader?

(The Leader of Majority (Hon. Mwidani) bowed)

Hon. Members, I now propose a question that the Motion on Adoption of the report on the Annual Development Plan for the FY 2020/2021 be debated in this Honourable House?

(Question proposed and agreed to)

Yes Hon. Hatimy?

Hon. Mohamed Hatimy: Ahsante Mheshimiwa Spika. Mheshimiwa Spika leo tunaweka kwenye Nyumba hii ADP; kama unavyojua hii stakabadhi ni kwa mambo ya bajeti na hakuna bajeti bila mpangilio kwa hiyo naomba Wanachama waweze kupitisha huu mpangilio ili tuweze kuendelea mbele na stakabadhi zingine. Kama tunavyojua Bwana Spika utaratibu wa bajeti ni *planning [Inaudible]* Kwa hiyo naomba Wanachama wapitisha huu mpangilio ili tuweze kuendelea mbele Mheshimiwa Spika. Ahsante.

The Deputy Speaker (Hon. Fadhili Mwalimu): Yes Majority Leader?

The Leader of Majority (Hon. Mwidani): Bwana Spika pia nimesimama kuunga mkono hii hoja. Mheshimiwa Spika ukiangalia katika *Observations and Findings* nambari sita imeelezea vizuri sana kwamba tulipokuwa tumewapatia wizara kutetea kitu ambacho tulisisitiza sana ni kwamba kule ambako miradi imekwama ni lazima waimalize ndio waweze kutengeza miradi mipya na kule ambako hakuna miradi iliokwama wanaweza wafanye mpya. Kwa sababu Mheshimiwa Spika huku kuwacha miradi iliokwama pia inaonyesha picha mbaya kwa Kaunti yetu ya Mombasa kwa hio tumesisitiza sana na ningependa hii nambari sita tuifuatilie sana na tutaifuatilia kwa vile tunafanya mambo ya *oversight*, kwa hivyo Bwana Spika mimi nasimama kuunga mkono hii na kungojea [??]. Ahsante Mheshimiwa Spika.

[The Deputy Speaker (Hon. Fadhili Mwalimu) exited the Chair]

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

The Speaker (Hon. Khatri): Thank you Hon. Majority Leader Mwidani. Yes Hon. Kitula?

Hon. Kitula: Ahsante sana Mheshimiwa Spika. Kwanza Mheshimiwa Spika ningependa kumshukuru Mwenyezi Mungu kuweza kukutana katika Bunge hili salama salmin na hakuna kuwa hata mmoja wetu katika Bunge hili aliyeathirika na janga la *Corona*. Vile vile Mheshimiwa Spika ieleweke wazi kwamba kwanza mimi nakukubali kwamba umekuwa Spika wa kutetea haki na ukweli ya kuweza kutoa ruhsa na kila Mwanachama au kiongozi bila ubaguzi katika Bunge hili.

Leo Mheshimiwa Spika uongozi wako umewekwa kwenye mizani na hii ni wazi uongozi kwamba uongozi unapowekwa kwenye mizani haupaswi kujaribiwa katika uongozi wako. Wewe ulitoa uamuzi siku moja kwamba ripoti zote zinazokuja kwenye Bunge hili sharti na lazima ziweze kuwekwa sahihi. Mheshimiwa Spika ni jambo la kushangaza leo ripoti inakuja kwenye Bunge hili hakuna hata Mwanachama mmoja aliyeweka sahihi kwa ripoti hii, sasa itakuwa twajadiliana nini? Ni kana kwamba ni kitu Katibu ameandika pasi Mwenyekiti kukubaliana na ripoti hio au Mwanachama kukubali, ni vitu tukipitisha Mheshimiwa Spika kesho tukipelekwa kortini isemekane kupitia utendaji kazi wako na kama Mwenyekiti wa Kamati ya House Business uliruhusu kupita kwa ripoti ambayo hakuna hata Mwanachama aliyeweka sahihi.

Pili, Mheshimiwa Spika katika Bunge ieleweke wazi hili kila mmoja yuko kivyake; nini inaongelewa hapa ni ADP, ADP iko wapi?! Sisi Mheshimiwa Spika ni wawakilishi wa kata ndogo zetu; ADP ni *development plan* tunastahili kujua katika maeneo yetu ili tuweze kuwaelewesha wananchi tumewekewa nini, pesa ngapi umewekewa. Sasa leo hii ADP iko wapi na tumekuwa kupitisha nini! Ripoti inaongelea nini, haijawekwa sahihi, hatujui ADP ina nini, tunapitisha nini? Mheshimiwa Spika nani hapa kiongozi mwenye ADP, hakuna hata kiongozi mwenye ako na ADP.

Mheshimiwa Spika usijaribu kuruhusu Bunge hili kupitisha kitu ambacho ni kinyume na sheria na hii si haki na naomba usitoe uamuzi maana itakuwa tunajadili kinyume na sheria. Hakuna hata Mwanachama mmoja mwenye ADP na kama yuko asimame kwa *point of information* anijulishe labda mimi ndio sijapewa lakini hakuna hata mmoja ambaye ana ADP, ripoti inaletwa hata kutiwa sahihi hakuna, yangu ni hayo Mheshimiwa Spika naomba usitoe uamuzi.

The Speaker (Hon. Khatri): Ahsante Mheshimiwa Charles Kitula.

Kwa hiyo Mheshimiwa Charles Kitula ile ripoti ambayo niko nayo mimi hapa naona iko na sahihi imesainiwa na Mwenyekiti ambaye ni Hon. Mohamed Hatimy. Sasa sijui hiyo *copy* ulio nayo labda ni tofauti na hii yangu lakini kwa sahihi naona niko na *copy* ya sahihi. Karani, pengine waweza hakikisha?

Hon. Kitula: Sasa Mheshimiwa Spika ni kwamba unaridhishwa wewe kwenye macho lakini sisi Wanachama twadanganywa; kila Mwanachama ana *copy* aonyeshe kama kuna hata mmoja yake imetiwa sahihi! Kila ulicho nacho hapo kinafaa kiwe sawia na sisi na kama itakuwa nasema makosa hapa asimame aseme kwamba yake imetiwa sahihi. Ahsante.

[Interruption]

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

Hon. Omondi: Yes Mr. Speaker Sir. First of all I just wanted to inform the Member who has just laid an allegation on this report that it is not signed. Mr. Speaker Sir, first of all I would want to inform the Member that bear in mind in this particular time *[Inaudible]* I think it is very much understandable that the report has no problem and why is he debating the issue?

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

Hon. Athman Shebe: Thank you Mr. Speaker for giving me this opportunity. First of all I would like to thank the Almighty God forgiving us this opportunity to be healthy. Secondly Mr. Speaker as my fellow Hon. Member Charles Kitula earlier said that once upon a time Hon. Speaker you ruled about this issue, unfortunately Hon. Kitula has the copy, Hon. Shebe has no copy, you see this thing must stop. I have not even been served the ADP and the report which my fellow Chair of Finance has laid and wants us to debate on it. I don't have the copy, infact I don't know why am standing because I don't have even the copy how can I even support or oppose the Motion.

I think this issue Hon. Speaker has to be stopped because people are carrying us like I do not know what to say! If we are having a Motion and a very important one about discussion on the Annual Development Plan and I think most of the Members do not have the copy, honestly you need to stamp your authority for people to see how this thing is very important because this is not about politics this is about issues concerning matter of *wananchi* on the ground. I believe Hon. Chair is well educated and informed about issues concerning finances and monies but why don't we have the ADP on our desks, is he carrying us like the *[Inaudible]* is not fair.

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

Hon. Samba: Thank you Hon. Speaker. First of all let us thank the Almighty God for giving us this opportunity. Hon. Speaker I stand to support the recommendations of the Committee and I would like to urge fellow Members whenever we have issues to discuss let us be sober, if at all it's a matter of signature, my report is signed. I do not know which criteria was used but maybe it is just a hitch, a mistake but Hon. Speaker for the first time I attended the Finance Committee meeting this time round and it was a bit different on how they worked, they called the heads of the departments; they were summoned or invited and each and every department was there to defend their budget proposals.

We should always give credit where it is required and we should not always be there to correct if the Chairman or the Committee Members did not sign. I think they can just exchange the documents they sign so that we may start the business that has made us to be here. I support the recommendations and for the first time I think they did something different with how it has been. Thank you Hon. Speaker.

The Speaker (Hon. Khatri): Thank you Hon. Samba, yes Hon. Juma Boy?

Hon. Amriya Juma: Thank you Mr. Speaker. Mr. Speaker the previous Hon. Member raised a legitimate point of concern about procedural technicalities. Mr. Speaker, as we speak I also have my report and in good or bad luck it is signed but it appears from the general feeling that they are others which are not signed. So before you make a ruling Mr. Speaker I wish your Chair to invoke Article 159(d) that in matters of Procedural nature the Court or any Tribunal handling such matters there are principles and guidelines that are set before. So I can read to you in verbatim, so it says, *that in exercising judicial authority the court and any tribunal shall be guided by the following principles and D says that justice shall be administered without regard to procedural technicality.* So the...

[Interruption]

The Speaker (Hon. Khatri): Sorry you said Article?

Hon. Amriya Juma: Article 159 2(d) your Honour, sorry Mr. Speaker.

The Speaker (Hon. Khatri): Ok.

Hon. Amriya Juma: So Article 159 2(d) says, *that in exercising judicial authority the courts and tribunals shall be guided by the following principles* and d, *says that justice shall be administered without undue regard to procedural technicality.* It is true that Hon. Kitula has raised a point of procedural technicality that some of the documents have not been signed but as I stand here my document has been signed, Hon. Samba's document has been signed and some of the samples have been signed. So that amounts to technicality in procedure so the Constitution is clear that in matters where there is competition between justice and procedure, justice shall prevail without undue regard to the technicality. So I am urging your Chair to indulge this provision of the Constitution as you make your ruling. Thank you very much.

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

Hon. Mohamed Hatimy: Ahsante Mheshimiwa Spika. Mheshimiwa Spika mimi nimeona mambo ya ajabu sana mtu kusema hana ADP na kwa mujibu wa sheria za Kenya siku hizi waambiwa mtu anaweza kupewa ujumbe kwa mitandao ya jamii na hii ADP ikazungushwa zungushwa kila pahali lakini yote Mheshimiwa Spika nataka kukupeleka kwenye Kanuni za Bunge, sisi twaendesha hili Bunge na Kanuni za Bunge. Nambari 180(2) yasema, *'The report of a Select Committee having been adopted by a majority of the Members shall be signed by the Chairperson on behalf of the Committee.'* Thank you, Mr. Speaker.

[Applause]

The Speaker (Hon. Khatri): Thank you Hon. Mohamed Hatimy.

[Interruption]

Hon. Kitula: Mr. Speaker point of order!

The Speaker (Hon. Khatri): Yes Hon. Kitula.

Hon. Kitula: Naomba aseme ni Kanuni ya Bunge gani amesoma maana yake Kanuni nambari 182 ni tofauti na hii.

The Speaker (Hon. Khatri): Standing Order No.182.

Hon. Mohamed Hatimy: Standing Order No. 180 (2).

Hon. Kitula: Standing Order No.182 haina *sub section*.

Hon. Mohamed Hatimy: Standing Order No.180 (2).

The Speaker (Hon. Khatri): Maybe Hon. Charles Kitula I can read it for you, the Standing Order. Hon. Charles Kitula go to Standing Order No.180 (2), *the report of a Select Committee having been adopted by the Majority of the Members shall be signed by the Chairperson on behalf of the Committee*. Yes Hon. Fadhili Makarani?

The Deputy Speaker (Hon. Mwalimu): Thank you Mr. Speaker. Mr. Speaker I want to put more emphasis on the Standing Order that Hon. Mohamed Hatimy, Chairperson Finance has read. Mr. Speaker am also standing to point Standing Order No.180 (3), *if the Chairperson is absent or is not readily available the Vice Chairperson shall sign the report under paragraph one*. Mr. Speaker it has clearly shown that it is not the Chair who is supposed to sign, if he is not available the Vice can sign and Mr. Speaker the Standing Order also continues that *if the two are not present, then the Committee shall select a Member to sign*.

Mr. Speaker it clearly shows that a Member can sign on behalf of the Committee and you have clearly said that your copy is signed and other Members have also said that the copies that they have been signed and also what we are discussing today is a Committee's Report. The ADP was laid before this Honourable House some days before and it was committed to the Committee for Finance.

Mr. Speaker as it has been said the ADP is in the website of Mombasa County government and am wondering if the Hon. Member who has raised this issue has not come across the ADP and yet it is available in our website. In fact, even the civil societies when they came to bring their memorandums they praised the County Assembly of Mombasa for uploading the ADP, the PPB and whatever the documents that are there and are needed by the public. They said this is the first time all the documents are readily available, so Mr. Speaker I would like to encourage my friend Hon. Member that he reads the report that he has in front of him that he was served today in the morning and if there is anything in that report then he raises whatever that he wants to raise in front of this Honourable House or if he wants to amend anything then let him amend the Report that we have laid before this House. Thank you, Mr. Speaker.

The Speaker (Hon. Khatri): Thank you Hon. Fadhihi. Yes Hon. Abrari?

Hon. Mohamed Abrari: Ahsante sana Mheshimiwa Spika kwa kunipa nafasi hii. Mheshimiwa Spika nataka kukuelezea kitu kimoja, sisi kila siku tunajisahau sana, tukiangalia hii Ripoti ambayo tunaletewa hivi sasa katika *time frame* inafaa kuja lini, kitu cha kwanza! Kitu cha pili Mheshimiwa Spika sisi juzi tulikuwa tumeambiwa MCA's wote waletе *Memorandums* zao zije ziwe *adopted* kwenye ADP, wakati ule ule tunazungumza the same ADP ilikuwa ishatumwa kwenye *website*. Mimi niliona hiyo ADP kwenye *website*...

[Applause]

Kuiona kwenye *website* haimaanishi kuwa mimi nilipewa *copy* na kwenye *website* niliona ilikuwa na makosa mengi sana ya *copy paste*, kwa sababu ukiangalia vitu vyengine ndani ya *website* vilikuwa vinazungumzia vya 2017/2018...

[Applause]

...ilhali hivi sasa tuko kwenye 2020/2021. Mheshimiwa Spika ingekuwa uzuri sana sisi kama MCA kila mtu awe na *copy* tuipitie kuanzia A to Z...

[Applause]

Ndio tukija hapa twazungumza kwa msukumo mmoja, kitu cha kwanza ambacho namwambia Mheshimiwa wangu wa Fedha ni kuwa hii Ripoti imechelewa haifai kuja sasa na sheria ziko zinajulikana ushaona. Sasa sisi tukiwa hapa tukikalia hiki kikao tunakaa kinyume cha sheria na kama twazungumza hio atuambie hii Ripoti inafaa kuja lini. Sisi tunasema kila siku tuko na *guidelines* za kutumia sheria, leo hii twaletewa Ripoti hii kesho tuletewe Bajeti ama kesho kutwa kwa sababu hivi sasa tushamaliza mwaka, ni siku mbili tu ama siku tatu twaletewa Ripoti ya ADP itarekebishwa vipi tuikubali kwenye bajeti? Tumechelewa, hii tunaifanya tu kama *procedure* kuja kuipitisha lakini sheria haifai.

Mheshimiwa Spika leo uko hapo unatuhukumu, wewe ndio wakili wetu kesho utakuwa mbele ya Mungu, sisi tunaenda kinyume cha sheria hapa ndani ya Bunge atuambie hasa inafaa kuja lini? Hatuwezi pitisha kitu ambacho kiko kinyume cha sheria tumechelewa kabisa kupitisha hii. Halafu isitoshe hatuwezi kusema watu wote wako kwenye mitandao ya jamii, kuna watu wengine hawako kwenye mitandao na ni waheshimiwa hapa hawajaiona hii kitu kwenye mitandao ya jamii. Twaja leo tukizungumza kwenye *website* basi hii Ripoti pia angeituma kwenye *website* tukaingalia kwenye *website*.

Mheshimiwa tafadhali nakuomba leo wewe uko hapo leo watoa uamuzi wako leo kesho utakuwa mbele ya Mungu kutoa uamuzi na mimi naipinga hii, napinga kabisa vikali Ripoti hii. Ahsante.

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

Hon. Mohamed Hatimy: Ahsante Mheshimiwa Spika. Mheshimiwa Spika nataka kumwambia mwenzangu aliotoka hapa sasa hivi kila mtu atakwenda mbele ya Mungu; Mungu haendi mtu mmoja, Mungu itakuwa ni pande zote mbili, kwa hivyo tuko tayari kujibu mbele ya Mwenyezi Mungu.

Ripoti Mheshimiwa Spika tayari imekuwa *laid before this House* leo asubuhi na ripoti kusema kuwa ADP, ADP si stakabadhi ya kuonyesha pesa, pesa zinazowekwa kwenye ADP ni *projection*, yaweza kuwa ni zile ama yaweza kuwa sio zile. Kwa hivyo Mheshimiwa Spika sisi tuko kwenye kupitisha hii ripoti tusikize Wanachama watakavyozungumza; ikiwa wamepitisha itakuwa imepita na ikiwa wameangusha itakuwa imeanguka lakini nafikiri Mheshimiwa Spika tuendeleo tuweze kusikiza maoni ya watu wengine. Ahsante Mheshimiwa Spika.

[Interruption]

Hon. Kitula: Point of order Mr. Speaker!

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

Hon. Kitula: Ahsante Mheshimiwa Spika. Mheshimiwa Spika hili ni Jumba la majadiliano; usikubali Mheshimiwa Hatimy kuchukua Kiti chako kusema tuendeleo na ruhusa ya kujadili, panaposimama Mheshimiwa yeyote hapa akitaka kuongea ni sharti na ruhusa kutumia kiti chako. Yeye ni Mwanachama kama vile sisi, kwa hivyo usikubali akupeleke jinsi anavyotaka yeye kutoa uamuzi wako mwenyewe Mheshimiwa Spika. Toa ruhusa sisi wote twaweza kuzungumza kama siku zote twafanya asikutoe uamuzi ati sasa uruhusu Wanachama wote waweza kuongea. Kwa hivyo sisi hatuna ruhusa ya kuongea; Mheshimiwa Spika twashukuru jinsi unavyopeleka Bunge unapeleka sawa. *Point of order* Mheshimiwa Spika ambayo nimesimama nayo ni Sehemu ya 126 tungetaka hapa aseme ukweli, mimi ni mtaalamu wa mitandao ya jamii, ADP kweli iliweza kuwekwa kwenye mitandao ya jamii *County website* ni kweli kabisa siwezi kupinga hio, ni kweli kabisa...

[Applause]

Lengine la pili Mheshimiwa Spika cha kushangaza ADP sheria inastahili kuletwa katika Bunge hili tarehe moja mwezi wa Septemba mwaka jana. Mheshimiwa Mwenyekiti Septemba imepita, Octoba, Novemba, Disemba, Januari, Febuari, Machi, Aprili, Mei sasa tuko Juni twaenda mwisho wa mwezi wa bajeti ambayo ni kesho ndio ADP inaletwa Mheshimiwa Spika...

[Applause]

Hakusema Mheshimiwa Abrari, Mheshimiwa Spika leo tuko hapa tumekula kiapo kuhudumia wananchi kwa haki na kweli Mheshimiwa Spika...

[Applause]

ADP zaidi ya miezi tisa haijawahi kuletwa hapa, leo walipogundua ya kwamba kuna wasomi wamesoma hapa wanajua kwamba bajeti haiwezi kupita kabla ADP wakawa hawana budi lazima waweza kuleta hii leo ili kesho ipite kinyume na sheria Mheshimiwa Spika...

[Applause]

Mheshimiwa Spika leo Kiti chako kinapimwa, usikubali mtu mmoja hapa aweze kuhujumu Bunge hili maana ADP waheshimiwa ni kitu ni maslahi yetu kama Waheshimiwa kuangalia ni kitu gani kimewekewa katika Wodi zetu. Leo ni nani ataniambia hapa ni kitu gani amewekewa katika Wodi yake? Nani ataniambia leo kupitia ADP asimame hapa anirekebishe Mheshimiwa Kitula unasema uongo, wewe ni mnafiki katika ADP nimewekewa hii na hii asimame Mheshimiwa yeyote hapa aniambie, mbona tunakubali kupelekwa na waheshimiwa ambao hawana Wodi yeyote Mheshimiwa Spika? Wamekuwa wakitunyanyasa katika Bunge hili Mheshimiwa Spika, hatuwezi kwenda mtu anavyotaka Mheshimiwa Spika mimi nimechaguliwa kwa kura sitokubali Mheshimiwa ambaye yeye ni Mteule kunisumbua mimi ambaye nimechaguliwa Mheshimiwa Spika...

[Loud consultations]

The Speaker (Hon. Khatri): Thank you Hon. Member. Hon. Members just sit down. Hon. Kitula has raised a concern and am going to make my ruling. My ruling is very simple, you are right that the procedure was not followed but I have no powers to stop these proceedings; the proceedings will go ahead because it is part of the procedures as well, so Hon. Kitula you have raised a concern and the Hon. Member Hon. Mohamed Hatimy has given you the answers on the concerns you have raised. So the floor is open for this Motion to continue and we will debate. Yes Hon...

[Applause]

Hon. Mwaka?

Hon. Mwaka Bakari: Ahsante sana Mheshimiwa Spika. Langu nafikiri tungetegea sikio kila mtu hapa, kila Mheshimiwa anataka kusikia hoja na maoni yale ambayo mtu ataoa maneno yeyote yataheshimika, lakini nataka kusema Mheshimiwa Kitula kuna maneno ambayo kidogo ningependa kumkosoa naona mwaka huu ni wa tatu tumekaa na Mheshimiwa Hatimy...

[Interruption]

The Speaker (Hon. Khatri): Hon. Mwaka I think let us not get out of the topic please, Hon. Members let us talk about the Motion which is on the floor because if we start then the other Members will reply to you and time is not with us.

Hon. Mwaka Bakari: Ahsante Mheshimiwa Spika.

The Speaker (Hon. Khatri): But I believe you Hon. Mwaka as our senior mum here maybe you will have sometime and speak to Hon. Kitula later out of the House but for now please contribute on the Motion which is on the floor.

[Applause]

Hon. Mwaka Bakari: Thank you Hon. Speaker, I will talk.

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

Hon. Nzai: Thank you very much Mr. Speaker for giving me this chance to air my views. First and foremost I want to thank my Lord for having saved me from the Covid 19. Mr. Speaker I stand to support the observations which my fellow Hon. Members went through the ADP and gave us the conclusions much of which has been talked, articles have been mentioned, Standing orders have been given. I think much has been said *[Inaudible]* of this Committee is that on observations and findings No. 2 it is true that they are also aware of the time frame and actually they have made it so clearly, that this Paper report delayed on their hands, so these are obvious things which do happen, but because it's a procedure we have to go on, as in life has to continue thank you Mr. Speaker.

[The Speaker (Hon. Khatri) exited the Chair]

[The Deputy Speaker (Hon. Fadhili Mwalimu) in the Chair]

The Deputy Speaker (Hon. Fadhili Mwalimu): Yes, Hon. Athman Mwamwiri?

Hon. Athman Mwamwiri: Ahsante Mheshimiwa Spika. Mheshimiwa Spika mbali na Waheshimiwa kuregesha shukrani kwa Maulana ya kwamba sote ni buheri wa afya, japo wengine wamesadiki na kuhakikisha ya kwamba wako huru na msambao wa *Corona* lakini sina yakini kama tumepimwa dakika tano zilizopita, pengine mtu wa mwisho kupimwa ilikuwa jana na janga hili kusambaa kwake hauna uhakika ya kwamba ukipimwa jana na leo kama uko sahihi, muhimu ni kuhimizana na kuambizana kama wananchi kuzingatia zaidi maelekezo ya Wizara ya Afya katika mkanda mzima na kujikinga kwa msambao wa virusi vya *Corona*.

Mheshimiwa Spika tunaangazia ripoti ya maswala ya makadilio ya mda mfupi ya ADP, ambayo imewakilishwa na Kamati ya kifedha, binafsi niipongeze Kamati kwa jitihada zao kwa sababu naunga mkono katika Bunge hili. Mimi misimamo yangu katika swala zima la bajeti nimekuwa tukikosana na Kamati kimtazamo na kimaelezo katika swala zima la mipangilio ya utengezaji wa bajeti. Tumekuwa tukikosoana na kwa mwaka huu wa tatu Mheshimiwa Spika nitawapongeza ya kwamba angalau sheria haijafuatwa asilimia mia kwa mia, lakini angalau kuna dalili ya kwamba tumetoka pale tulipokuwa, ama hali tuliokuta kabla na tunaelekea mbali mwanzoni. Mheshimiwa Spika...

[Applause]

Mheshimiwa Spika imetubidi katika Bunge hili yalitokea mwaka (??) nikasimama peke yangu kupinga bajeti kwa sababu ya utekelezaji na Bunge zima lililadhiki wakati, sehemu 126, ya tatu na ya nne ilikuwa hazikufuatwa, tofauti na hali iliyoko sasa ya kwamba angalau wakati haukuzingatiwa na Kamati imeadhiki hapa ya kwamba Waziri hakufuata wakati katika kutayarisha ADP kama inavyostahili kwenye sheria ya PFM 126(3) na kuwa inasema, "baada ya siku saba ya kuhakikisha ADP katika Bunge Waziri ana jukumu la kuhakikisha ameichapisha na kuisambaza kwa umma. Ni maana baada ya siku saba stakabadhi ile kufika katika Bunge bado ana jukumu la kuichapisha na kuisambaza ili iweze kufikia umma."

Kwa hivyo katika hili bado inaelekesha kwa Kamati ya kwamba ndio ilichapishwa iko katika *website* lakini bado pia katika hilo haikufanyika siku saba baada ya tarehe moja mwezi wa tisa, hivyo basi kama Kamati kwenye mapendekezo yenu Mheshimiwa Spika ningenasihii Mwenyekiti na Kamati yake kwenda kwa mbele katika ripoti kwenye mapendekezo.

Hii ni kwa sababu huku tu kwenye *observation* nambari ya pili tumeona changamoto ambayo amesali kuwa Waziri amefanya, huku kwenye mapendekezo pia tungependekeza nyinyi waziri katika hili lililofanyika wenye wako mbele lisije regelewa, ambalo hilo pia lingenukuliwa katika ripoti hii ili iweze kutia moyo ama kuchinja moyo miongoni mwetu ya kwamba ndio shida tulioni, lakini si kila kosa linapo mwacha mke makosa mengine ni ya kuzungumza na kusameheana lakini hata likiwepo la kwenda pembeni hili litazingatiwa na litafanyika.

Mheshimiwa Spika katika hilo likibakia hivi waziri huenda asiwe na uwajibikaji kwa kuwa Kamati haikumkosa, haikumshurutisha ya kwamba hili lilikuwa ni kosa na kama Bunge na Kamati ya Fedha tunakushurutisha (??) ama ripoti ya bajeti nyingine kwa sababu inaanza tayari. Hii ingine ikipita siku 30 nyingine ya mwaka huo inaanza mipangilio yake ili lisiweze kujiregelelea; Mheshimiwa Spika hali kadhalika nambari ya nne ya *observation* ya Kamati, imeangazia ya kwamba mwaka huu wa kifedha tuna ujadili mwaka wa 2020/2021 kwamba serikali yetu Gatuzi imekadiria asilimia 34 kama sijakosea ya mgao wa bajeti kuelekeza katika swala zima la maendeleo.

Mheshimiwa Spika asilimia iliyokusudiwa ambayo iliyoshurutishwa kisheria, ni asilimia 30 kwa serikali yetu kuizingatia na kuiweka katika 34 ni kuonyesha uwajibikaji na ubora iwapo idara zitazingatia na kutekeleza imekusudiwa katika bajeti yenyewe ya kwamba tunakuwa tumefikia malengo ya maendeleo licha ya ile asilimia iliyowekwa 30 sisi itakuwa tumepanda katika asilimia 34. Lakini Mheshimiwa Spika kuongeza katika hilo, ni kauli ya Kamati licha ya kufanya hivi Mwenyekiti, ya kwamba Kamati ilihadiki na kuziambia idara ya kwamba hawata pitishiwa makadirio yoyote ya miradi mipya pasi na miradi iliyotangulia ambayo haijakamilika kukamilika.

Mheshimiwa Spika hili mimi naliunga mkono kwa sababu limekuwa ni janga; janga kwa idara zetu kuja na miradi mipya kila mwaka, tukiletewa fedha lakini mwisho wa mwaka miradi ile inakwama mwaka ujao unaanzishwa mengine! Iko miradi ambayo ni Bunge la kwanza Mheshimiwa Spika ama awamu ya kwanza Serikali Gatuzi mpaka sasa haijakamilika. Kwa kuzingatia hii Mheshimiwa Spika nina imani kwa miaka miwili hii iliyobaki, pakiwepo na nia njema basi serikali yetu imehesabika ya kwamba itakamilisha miradi yake ilianzishwa katika awamu yetu ya kwanza na ya pili na pale palipo na haja na dharura mipangilio ya miradi mipya, kwa sababu kuna mengine kama sasa hivi inatajikana zahanati zetu na hospitali ziwekezwe zaidi katika swala la kupambana na virusi vya Covid ambazo katika vibali vya mwanzoni haikuwa ama hazikuwa zimejiandaa katika hilo.

Kwa hivyo kuwekeza katika hilo Mheshimiwa Spika mimi sioni kama ni changamoto, lakini kuhakikishiwa ya kwamba miradi iliyo kwama itakamilika katika maeneo yetu tuwe na nguvu na sababu ya kuisifia serikali kuwa imewajibika. Mheshimiwa Spika, vyenginevyo tutapitia sisi, waje na wengine na haja ya kwamba tutakwenda tukazitekeleze waje wapite lakini ikikamilika itakuwa tumeregesha imani na heshima kwa Jumba hili, hali kadhalika kwa wananchi, lakini zaidi naomba Kamati kwa mara nyengine tena tunapongeza kwa jitahada hizi lakini tunatarajia bajeti ijao ya kwamba kutakuwa na uwajibikaji zaidi katika swala zima la ADP na msururu mzima ya utengezaji wa bajeti. Ahsante Mheshimiwa Spika.

[Applause]

The Deputy Speaker (Hon. Fadhili Mwalimu): Yes, Hon. Abrari?

Hon. Mohamed Abrari: Ahsante sana Mheshimiwa Spika. Mheshimiwa Spika...

[Interruption]

The Deputy Speaker (Hon. Fadhili Mwalimu): He was up on a point of order or? First you are on a point of order! You have spoken to this debate.

[Consultations]

The Deputy Speaker (Hon. Fadhili Mwalimu): Hon. Abrari not unless you are on a point of order?

Hon. Mohamed Abrari: Yes.

The Deputy Speaker (Hon. Fadhili Mwalimu): Because Hansard have already captured your contribution to this Motion.

Hon. Mohamed Abrari: It has already captured my views, but now I want to emphasize on the point which I gave you.

[Consultations]

The Deputy Speaker (Hon. Fadhili Mwalimu): Hon. Abrari so that we don't create a bad precedence, we are going to follow our Standing orders, you have already spoken.

Hon. Mohamed Abrari: Based on the same.

The Deputy Speaker (Hon. Fadhili Mwalimu): You have already contributed so and I ruled out to contribute to this, not unless you are on a point of order I would have allowed you.

Hon. Mohamed Abrari: I want to inform the House, just give me this chance Hon. Speaker I want to inform the House please.

The Deputy Speaker (Hon. Fadhili Mwalimu): Okay Hon. Abrari on a point of information, what do you want to inform the House.

Hon. Mohamed Abrari: I want to inform the House that we have violated the PFM Act 126(3).

The Deputy Speaker (Hon. Fadhili Mwalimu): It has already been said by Hon. Kitula.

Hon. Mohamed Abrari: So it means that we should keep violating all these Acts?

The Deputy Speaker (Hon. Fadhili Mwalimu): And Hon. Abrari the Speaker also ruled on the same and what is in front of this Hon. House, but now it's a Committee's report.

Hon. Mohamed Abrari: So in the meantime we have just locked the door?

The Deputy Speaker (Hon. Fadhili Mwalimu): Hon. Abrari, have a seat. Hon. Abrari you are out of order! I am saying so because the Speaker has already ruled on this issue and as per the procedures of this Honourable House, Members are supposed to contribute once but the Speaker always gives us time and am sure you have contributed more than twice on this same issue so let the Hon. Members who have not contributed, not unless you share with a Member who has not contributed what is on your mind so that he can inform this House and the Honourable who is up if you have also contributed on the same you have...Hon. Members we can go back to the Hansard, so that we verify if you have contributed, but am sure you have contributed. You have contributed Hon. Athman. Hon. Members, I have asked the Hansard department and they are saying that Hon. Athmun has not contributed, you can proceed.

Hon. Athman Shebe: Ahsante sana Mheshimiwa Mwenyekiti, jamani Mgala muuweni Waheshimiwa wenza na haki yake mumpe, hata kama mwatuchukia upande gani, ikiwa mtu hajachangia jambo mpatie ruhusa yake achangie. Mimi nina akili Mheshimiwa Spika na nashukuru kuwa umetambua kuwa ilikuwa sijachangia kwa sababu kwanza kabisa ilikuwa tunauliza kuwa sijapatiwa nakala lakini Waheshimiwa mnakuwa wepesi wa kurusha mawe kwa Waheshimiwa wenzenu. Kuweni makini, kuweni makini na pale kwa sababu ni mduara. Mheshimiwa Spika naona nikitaka kumsadia Mheshimiwa mwenza nafikiri alikuwa ananitumia ujumbe kuwa kuna baadhi..., nina fikiri pia na kutangulia kusema ni sharia tayari imevunjwa lakini akatangulia kusema kuwa madamu zoezi linaendelea pia hii ni sheria iendele manake kipengele naona kimesema hivyo hivyo.

Nafikiri haya yalikuwa yametanguliwa kusemwa kuwa, *"The County Executive Committee Members is responsible for planning shall not later than 1st September..."* nafikiri tayari alikuwa ashalizungumzia kuhusu hilo na hukumu yake ikatoka, kwa kweli Bunge halikufuata sheria Mheshimiwa Mwenyekiti wa Sarafu hapa kidogo uliteleza, lakini kama vile unavyosema Mheshimiwa la kwanza haliachi mke, ukampatia hio nafasi lakini angalia Mheshimiwa wa Sarafu ni Mheshimiwa mwenza, vile nataabika nafanya kuazimwa nakala na Mheshimiwa wa Kongowea! Tafadhali, tupatieni haki yetu hata kama tuko kidogo manake sisi tunasoma kupitia kwenu, ikiwa hamtatupatia tuhakikishe kuwa tunaangalia wananchi wetu kule mashinani wanafanywa vipi itakuwa si haki.

Nikienda tu kwa muktadha wa ripoti ya Mheshimiwa wa Sarafu, ningependa kuunga mkono kwa kitu kimoja, kwa sababu katika kila ADP Mheshimiwa Mwenyekiti ile bajeti ambayo niliona kwenye *website*, ukiona mimi nimeuliza ikiwa sijasaidiwa nakala si upumbavu, kwa sababu niliangalia kwa *website* Mheshimiwa Sarafu lakini kila nikiangalia ADP za kila mwaka unakuta ni marudio.

Kwa hivyo kwa hii ripoti...

[Interruption]

The Deputy Speaker (Hon. Fadhili Mwalimu): Hon. Athman there is a point of order.

Hon. Mohamed Hatimy: Please address the Chair and not *Mheshimiwa wa Sarafu*.

Hon. Athman Shebe: Ahsante na ninazungumza na Mwenyekiti, kwa hii ripoti Mheshimiwa naiunga mkono kwa sababu yale maswala ambayo tulikuwa tunayaepuka kwa kila mwaka, ile miradi ambayo ilikuwa ifanyike kule mashinani ni bayana kuwa ilikuwa haifanyiki.

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Lakini naona kuna baadhi ya vipengele ambavyo vimesisitiza kuwa hakuna miradi ambayo itafanyika hivi karibuni ama katika huu muhula wa hii bajeti mpaka ile miradi ambayo ilijinsiwa kufanyika iwe itafanyika. Nafikiri tu hapo Mheshimiwa Sarafu ilikuwa awapatie tujue kuwa ni kwa mda gani, kwa sababu mda hauko nasi Mheshimiwa Mwenyekiti; kwa hivyo mimi naunga mkono kwa muktadha kwa vile vipengele ambazo vimeweza kusisitiza ya ile miradi ya kule mashinani ambayo haijafanyika tuhakikishe itafanyika. Na labda pia yeye aweze kutufafanulia kwa sababu tuliambiwa kuchelea tukaambiwa tulete mapendekezo mengine baadhi ya ile miradi kama itaweza kuzingatiwa. Hivyo basi nafikiri hiki vipengele kidogo vimenitia imani, ganga ganga ya mganga kidogo kamuacha mgonjwa na matumaini Mheshimiwa Mwenyekiti, ahsante.

The Deputy Speaker (Hon. Fadhili Mwalimu): Thank you. Yes, Hon. Amriya?

[Consultations]

Hon. Amriya Juma: Mr. Speaker!

The Deputy Speaker (Hon. Fadhili Mwalimu): Just a moment.

Hon. Amriya Juma: No Mr. Speaker I had addressed your brother on a procedure technicality of what that was raised, I have not discussed the report.

The Deputy Speaker (Hon. Fadhili Mwalimu): Continue.

Hon. Amriya Juma: So I have not delved into the report Mr. Speaker, it's important that we differentiate matters of law and procedure, so for my submission with regard to the report is that, first and foremost am reluctant to say that I congratulate the Finance Committee and am not saying that they have not tried because for the first time they have got the ADP before the Appropriation Act which is remarkable, am not congratulating you because again because it is barred in time, the law is very clear on that.

Secondly Mr. Speaker I wish to comment on the pending bills, it was my hope that, as much as you have highlighted... the Chairman of Finance has highlighted this report, it was my hope that we revise the expenditure. I am seeing that the 2020/2021 development expenditure amounting to Ksh.4Billion and something Mr. Speaker; having a look at the economic times and our collections and scarcity of resources I see that one of the solutions to pending bills is having realistic budgets that reflects our local revenue projections, even that reflects the *ex-chequer* releases from the National government.

Mr. Speaker so I was hoping that in our [??] because we are supposed to help the Finance as much as we are oversighting, but we are supposed to help the Finance department as you are all aware the national Minister highlighted that Mombasa was one of the notorious Counties with pending bills and even gave a warning that he is going to invoke Section 94 of the PFM Act and maybe even CS Matiangi gave us a deadline of 30th March this year which has passed. So the issue of pending bills am scared as a Member of this House that the issue of pending bills will finally catch up with us, so I was hoping the Committee on Finance will guide us and this House too we put our heads together and see how we are going to help the Executive handle this pending bill situation.

Then secondly Mr. Speaker on the same I wish also to reiterate that am seeing the report saying that there are no new developments without completion of the existing development, and am seeing a budget of over Ksh.4 Billion. Maybe again the Finance Committee can clarify what they mean, do they mean that they will prioritize or there will be no use of next year's budget before completion of those pending, otherwise I support the report with the necessary highlights I have put across. Thank you.

The Deputy Speaker (Hon. Fadhili Mwalimu): Yes Hon. Kitula what is the point of information?

Hon. Kitula: Mheshimiwa Spika wakili wetu katika Bunge hili ameweza kuangazia sana kuhusu *pending bills* na yeye ni Mwanachama nafikiri katika PAC, sio?

The Deputy Speaker (Hon. Fadhili Mwalimu): Yes, inform the House.

Hon. Kitula: Sasa ni bora kwa sababu katika Bunge hili sidhani kama kuna Mwanachama hata mmoja amefahamu hizi *pending bills* ni gani, kwa hivyo anapoangazia kitu atuambie sasa hivi tarehe 30 ya mwezi wa Juni ni kesho tutakuwa tumefika kiwango fulani cha *pending bills* hili katika bajeti tukiziangazia watu wa kesho ili tujue kufikia tarehe 30 Juni itakuwa imebaki ngapi ili tuweze kuleta maendeleo bila *pending bills*.

The Deputy Speaker (Hon. Fadhili Mwalimu): Thank you Hon. Kitula. You had already finished your time. Hon Kitula was informing the House over pending bills and am sure the Chair in his reply might reply. Yes before I proceed to the mover of this Motion Hon. Mwamwiri had a point of information.

Hon. Athman Mwamwiri: Ahsante Mheshimiwa Spika. Ningetaka tu kutaarifu Jumba hili hususan Kamati ya maswala ya Fedha na makadirio ya bajeti ya kwamba ili twende sawia na wasaa uliowekewa zoezi zima la bajeti, zoezi la *public participation* lingefanywa kisahih kila baada ya miezi mitatu na kuhusika kwetu kama Wabunge tuipe kipao mbele ili tuweze kuyafikia kwa pamoja sisi na Serikali Gatuzi tufikie maendeleo na wakati wa kutengeza bajeti. Ahsante Mheshimiwa Spika.

The Deputy Speaker (Hon. Fadhili Mwalimu): Thank you Hon. Mwamwiri. Yes the mover of the Motion. Hon. Ibrahim you had contributed so let the mover of the Motion reply, yes Hon Mohamed Hatimy?

Hon. Mohamed Hatimy: Ahsante Mheshimiwa Spika mwanzo nataka kusema kuwa Wanachama ahsanteni kwa kuona yale yaliomo ndani ya hii stakabadhi.

[Interruption]

The Deputy Speaker (Hon. Fadhili Mwalimu): Hon. Hatimy, as you are replying I hope you heard the two information that was raised before the House.

Hon. Mohamed Hatimy: Mheshimiwa Spika mambo mawili muhimu; Wanachama tukitoka hapa tufahamu tumemaanisha nini.

Itakuwa hakuna miradi mipya sio kuwa hakuna miradi mipya twasema ile miradi ambayo imekaa haikufuatiwa ile Wodi kama iko na miradi ambayo imekwama itabidi kusifanywe miradi mingine mpaka ile miradi iliokwama imalizike. Lakini kwa zile Wodi ambazo hakuna miradi iliokwama kama kuna mpangilio mpya kwenye bajeti iko imewekwa wataweza kuendelea kwa sababu itakuwa sio haki tukisema kuwa Wodi ya Junda Wodi imewekwa miradi mipya alafu izuiliwe kwa sababu ya ile miradi mingine yake haijamalizika itakuwa ni kama kuwadhulumu hao watu wengine.

La pili Mheshimiwa Spika mimi husema kila siku watu wasome wajue nini chaendelea kwa ma Kaunti juu ya *pending bills* iko kwenye magazeti, iko inaendelea. Ziko taarifa kadha wa kadha zimetolewa kuwa *Auditor General* ameambiwa aingilie mambo ya *pending bills* wafanye ukaguzi kwa sababu *pending bills* ziko mara mbili; kuna pesa ambazo ziko tangu enzi za Manispaa na kuna pesa ambazo zimeingia wakati wa ugatuzi. Ukiangalia pesa nyingi ziko wakati wa Manispaa ziko kwenye mamilioni. Kwa hivyo kuna kikao ambacho wanakaa, *Inter Governmental Committee*, Kamati ambayo inakaa ya kuangalia zile shida za Kaunti zote zinaendelea, ndio leo kama mtu anadai anapelekwa huku anapewa barua, akishapata barua kuwa yeye kweli yuko kwenye vitabu anadai ndio hapa Kaunti inaweza kumlipa hizo pesa.

Kwa hivyo subirini ripoti ya *Auditor General's* ambayo itasema kweli kwa sababu Kaunti imepeleka wengine wameandika Kshs 4 billioni lakini *Auditor General* amesema sio Shs 4 billioni ni shs 2 billioni. Kwa hivyo tungojeni ripoti ya *Auditor General* itapokuja ndio tujue kweli maneno ya Kaunti ya Mombasa inadaiwa pesa ngapi. Nikifika kwenye hii Mheshimiwa Spika Wanachama tafadhalini tusome Kanuni za Bunge nambari 78 inazungumza kuwa ikiwa umezungumza mara moja hakuna ruhusa ya kuzungumza mara ya pili, ni umuombe Spika ndio akukubalie. Kwa hivyo jameni tujisumbueni tusome hizi Kanuni za Bunge tukija hapa tusifanye mambo kama haya na pia nachukua fursa hii kuwashukuru tena Wanachama kuona kuwa tumejaribu changamoto ya *Executive* kuchelewesha tumeiweka na tuna ushahidi wa mabarua ambazo tumeandika. Hivyo basi hapa sisi hatuko kuzungumza mambo haya lakini nachukua fursa hii kusema ahsante Wanachama na twataka tupitishe ili tuendele mbele. Ahsante sana.

The Deputy Speaker (Hon. Fadhili Mwalimu): Thank you Hon. Hatimy for your response. Hon. Members I now put a question that the Motion of Hon. Mohamed Hatimy on the adoption of the report on the Annual Development Plan for the financial year 2020/2021 be approved in this House in the same terms as moved.

[Question put and agreed to]

Yes Clerk?

MOTION

ADOPTION OF THE REPORT OF FINANCE COMMITTEE ON MEDIUM TERM FISCAL STRATEGY PAPER
FOR FY 2020/2021

Yes Hon. Hatimy.

Hon. Mohamed Hatimy: Thank you Mr. Speaker. Mr. Speaker I beg to move the following Motion that this House adopts the report of Finance Committee on Medium Term Fiscal Strategy Paper laid in the House on 29th June, 2020.

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

Hon. Mohamed Hatimy: My Vice Chair.

The Deputy Speaker (Hon. Fadhili Mwalimu): First let him ask for his seconder then you will rise on your concern.

Hon. Mohamed Hatimy: I request my Vice Chair to second Mr. Speaker.

The Deputy Speaker (Hon. Fadhili Mwalimu): Yes, Hon Hamisi Musa.

The Leader of Majority (Hon. Mwidani): Mr. Speaker I arise to second.

The Deputy Speaker (Hon. Fadhili Mwalimu): Okay Hon. Members, I now propose the question that the Motion by Hon. Mohamed Hatimy on the Motion of the report of the Medium Term Strategy Paper for the financial year 2020/2021 be considered in this House in the same terms as moved.

[Question proposed and agreed to]

The Deputy Speaker (Hon. Fadhili Mwalimu): Yes, Hon. Kitula what is your concern?

Hon. Kitula: Mheshimiwa Spika wajua saa zengine nawaza hili letu ni Bunge au ni nini; saa hii *Motion* imekuja haina hata notisi jamani twafanya nini?! Mheshimiwa Spika notisi haijaletwa saa hii watu wanashangaa wanamuangalia Mwenyekiti! Mheshimiwa Spika hili ni Bunge tusipelekwe hivi.

The Deputy Speaker (Hon. Fadhili Mwalimu): Yes, Hon. Charles Kitula first before you proceed you as a Member of this House please first withdraw the Statement that you said this is not an Assembly then we proceed.

Hon. Kitula: Ahsante Mheshimiwa Spika, nimetoa.

The Deputy Speaker (Hon. Fadhili Mwalimu): Thank you Hon Kitula. Hon Kitula it was passed by the House Business Committee that the report will be laid today and it was also passed that after laying the report the House will proceed to debate the report, so by laying the report it was also a notice to this Honourable House that we are going to proceed to debate this report from the Committee on Finance, Budget and Appropriation. Yes Hon. Mohamed Hatimy.

Hon. Mohamed Hatimy: Mheshimiwa Spika hiyo stakabadhi ambayo tunaizungumzia hivi sasa ni stakabadhi ambayo by 28th yatakikana iwe imefika kwa hii Nyumba, kwa hivyo nafikiri ilipatikana kwa muda unaotakikana.

The Deputy Speaker (Hon. Fadhili Mwalimu): 28th of when?

Hon. Mohamed Hatimy: 28th of February.

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The Deputy Speaker (Hon. Fadhili Mwalimu): And today is?

Hon. Mohamed Hatimy: Leo ni 29th Juni, kwa sababu tulikuwa mapumzikoni ndio ikachelewa kuja hapa. Mheshimiwa Spika najua hua twaambiwa hii ripoti lazima iwe itaoana na zile *estimates* lakini kama tunavyojua kulivyokwenda kwenye wiki hii Seneti ndio wanazungumza bajeti za Kaunti. Kwa hivyo imekuwa haikuwezekana na pia kwa sababu ya COVID ukiangalia ripoti ya kwanza haiku weka mambo ya Covid. Ndio sisi Kamati ya Fedha na Wizara ya Fedha tuliweza kukaa na tukasema kuwa mambo ya COVID lazima yaweko kwenye hii ripoti kwa sababu ya hivyo ndio nataka kutoa notisi ya marekebisho na ukinihusu nisome hii notisi;

That this House replaces the table titled, "Table 16 FY 2020/2021 Departmental ceilings appearing in page 44 of the Medium Term Fiscal Strategic Paper by the County Treasury of the County Government of Mombasa with a new one titled, "Revised Departmental ceiling for FY 2020/2021", annexed hereto and appended in appendix II of the report of the Medium Term Fiscal Strategic Paper 2020/2021.

Kwa hivyo Mheshimiwa Spika hii tumeweza kuirekebisha na naomba Nyumba hii ipitishe kama stakabadhi iliorekebishwa.

The Deputy Speaker (Hon. Fadhili Mwalimu): Yes, Hon Hatimy who is your seconder on the amendments?

Hon. Mohamed Hatimy: Namuuliza Madam Mumba aniunge mkono.

The Deputy Speaker (Hon. Fadhili Mwalimu): Yes Hon. Prischillah Mumba?

Hon. Mumba: Thank you Mr. Speaker, I second.

The Deputy Speaker (Hon. Fadhili Mwalimu): Hon. Members I now propose a question that the Motion as amended moved by Hon. Hatimy be considered in this House?

[Question proposed and agreed to]

And Hon. Members the amended notice is at the back of this report. Yes, proceed?

Hon. Mohamed Hatimy: Nafikiri Mheshimiwa Spika nimeeleza kusema kuwa hii *Fiscal Strategy Paper* ni stakabadhi muhimu sana inatueleza vile tumefanya na vile twataka kufanya na vile tutafanya. Kwa hivyo naomba Wanachama tupitishe hii *Motion* kutuwezesha sisi kuweka *ceiling* za Idara ili tuweze kuendelea na kazi ile ambayo twataka kufanya. Ahsante Mheshimiwa Spika.

The Deputy Speaker (Hon. Fadhili Mwalimu): I can see the House is satisfied.

[Silence]

The Deputy Speaker (Hon. Fadhili Mwalimu): Yes Hon. Abrari?

Hon. Mohamed Abrari: Ahsante sana Mheshimiwa kunipa nafasi hii. Mheshimiwa Spika ningependa kuregelea kusema hii tena ni mara ya pili ambayo tunavunja sheria kwa sababu hii ripoti inafaa kuja 28th Februari na leo ni lini? Hapa katikati tuliitwa kwa kikao maalum 28th Februari, nikisema tulikuwa kwenye mapumziko tulikuwa hatushindwi kuitwa kwenye kikao maalum tuje tumalize; naregelea tena hii ni wakati wa pili twazungumza tunavunja sheria. Tarehe 28th Februari, ilikuwa tunaweza kuita kikao maalumu, tumekuja *supplementary* hapa tumeitwa kikao maalum tukaja.

The Deputy Speaker (Hon. Fadhili Mwalimu): There is a Point of order.

Hon. Mohamed Hatimy: *[Off microphone]*.

The Deputy Speaker (Hon. Fadhili Mwalimu): Use your microphone.

Hon. Mohamed Hatimy: Mheshimiwa Spika hii stakabadhi kufikia tarehe 28 ya Februari sio kuja kuingia ndani ya hili Jumba kuizungumzwa; tarehe hio ni kufika ndani ya Bunge kwa Katibu wa Bunge la Kaunti, Katibu awe amepokea, Waziri awe ameleta kwa Katibu awe amepokea alafu kuna masiku ambayo yamewekwa kuja ndani ya Nyumba Mheshimiwa Spika.

The Deputy Speaker (Hon. Fadhili Mwalimu): Hon. Member you are now contributing.

Hon. Mohamed Hatimy: Namueleza Mheshimiwa kwa sababu amesema yatakikana tuwe tumekuja kuizungumza hapa ambayo ni makosa, namuelezea kuwa sivyo hivyo alivyoifahamu...

[Interruption]

Hon. Kitula: *[Off microphone]*.

The Deputy Speaker (Hon. Fadhili Mwalimu): Yes Hon. Charles we are not in a public *baraza*, if you have an issue just stand and rise so that the Hansard can capture what you are saying...

[Interruption]

Hon. Kitula: *[Off microphone]*.

The Deputy Speaker (Hon. Fadhili Mwalimu): Yes okay then let us be in order. Yes Hon. Hatimy you have stood on a point of order, under which Standing order?

Hon. Hatimy Mohamed: Ok, Standing order 207.

The Deputy Speaker (Hon. Fadhili Mwalimu): Okay Standing order 207?

[Loud consultation]

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Hon. Mohamed Hatimy: Standing order 206.

The Deputy Speaker (Hon. Fadhili Mwalimu): Okay thank you for informing the House. Yes Hon. Abrari proceed, you have the Standing order with you. Standing order 206.

Hon. Mohamed Abrari: Si atusomee yeye ambaye amesimama kwa *Point of order*.

The Deputy Speaker (Hon. Fadhili Mwalimu): Hon. Abrari he has just pointed out the Standing order 206.

Hon. Mohamed Abrari: *[Inaudible]*.

The Deputy Speaker (Hon. Fadhili Mwalimu): And it is clear Hon. Abrari not unless you do not want to continue to debate on this issue. Yes Hon. Ibrahim Omondi.

Hon. Omondi: Yes Mr. Speaker Sir. Mr. Speaker i just wanted to applaud what the Chairman has said; i rise to support this thought that we should always know that desperate situations, desperate solutions also are very important. If it is all over, it is the knowledge of everyone that in this Country that Mr. Speaker Sir if we continue to behave normal this disease will treat us abnormally. It is the knowledge of everyone and Chair has just said some of the hitches that came with that and Mr. Speaker we are very much aware that we should not waste time discussing on the timelines but what is important is for us to look at this very important document and give our resolutions, therefore Mr. Speaker Sir i support that. Mr. Speaker Sir this report its okay and we should consider it. Thank you.

The Deputy Speaker (Hon. Fadhili Mwalimu): Yes Hon. Kitula?

Hon. Kitula: Ahsante Mheshimiwa Spika. Mheshimiwa Spika wajua Bunge hili linaenda na sheria na mimi nashangaa; ni jambo la kushangaza, nilidhani kwamba Mheshimiwa ambaye ametoka kuongea sasa hivi Mheshimiwa Mwenyekiti ambaye anaongoza idara muhimu ya elimu angeweza kusimama na kusema nashukuru kwamba katika idara yangu ya elimu nimewekewa ama nimetengewa pesa fulani za maendeleo lakini jambo la aibu Mheshimiwa Mwenyekiti, Mwenyekiti wa Kamati ya Elimu ya Bunge hili hata hafahamu amewekewa pesa ngapi na yeye ameongea kuunga mkono kitu ambacho hafahamu na kama unafahamu Mheshimiwa Mwenyekiti niongoze itakuwa nimekosea uongee mimi nikae uniambie katika elimu mimi Mwanakamati wako tumepewa pesa ngapi kama Kamati yetu. Ukiwa unajibu hilo nitakaa nikusikize uniambie katika elimu umewekewa pesa ngapi. Ni jambo la aibu kuunga kitu mkono unaaibisha wananchi wa Mombasa kama Mwenyekiti wetu wakati wewe mwenyewe hufahamu kwamba bajeti...

[Interruption]

The Deputy Speaker (Hon. Fadhili Mwalimu): Yes Hon. Ibrahim Omondi, what is your Point of order?

Hon. Omondi: Mr. Speaker Sir i would like to inform the Member that we should approach this particular issue with soberness.

We should avoid side shows and emotional attachment Mr. Speaker Sir and this is an issue that is very important where we should not point names and attacking each and every Member and remember what comes around goes around. That is what i want to inform my fellow Member, what we are not discussing the issue of education here, what we are discussing is that we are discussing this particular document. Thank you Mr. Speaker Sir.

The Deputy Speaker (Hon. Fadhili Mwalimu): Yes Hon. Charles proceed.

Hon. Kitula: Ahsante Mheshimiwa Mwenyekiti. Nasema saa nyengine ni bora zaidi tuweze kunyamaza ili...[Inaudible] Kuna leo na kesho, *what goes around comes around*. Mheshimiwa katika *County Fiscal Strategy Paper* niongezee uzito kwa alichooonea Mheshimiwa Abrari kwamba Kaunti yetu imevunja sheria kwa mara ya pili na nitasoma hapa sheria ya PFM Act, 117 ambayo ime *supersede* Kanuni zetu za Bunge. Mheshimiwa Mwenyekiti katika Kanuni za Bunge na sheria ya PFM, 2017 inasema hivi, "*The County Treasury shall prepare and submit to the County Committee the County Fiscal Strategy Paper for approval and County Treasury shall submit the approved fiscal to the County Assembly by the 28th February of each year. Alafu Mheshimiwa Spika 6 inasema not later than 14 days after submitting the County Fiscal Strategy Paper the County Assembly shall Mheshimiwa Spika consider and may adopt it with or without amendments after 28th of February, 14 days later Mheshimiwa Mwenyekiti tunastahili kuletewa katika Bunge hili ili tuweze kuangalia kupitia...*[Inaudible].

Mheshimiwa Mwenyekiti lakini hii tayari imekiukwa lakini haya yote tumeweza kuletewa leo; ADP Leo, CFSP, bajeti kesho. Mheshimiwa Mwenyekiti mbali na hayo twende kwenye CSFP niweke mchango wangu, katika CFSP ripoti yao nikienda katika kipengele cha 18, *the issue of the big 4 agenda;*

- a) *Revamping of quality and affordable services,*
- b) *Streamlining waste management services,*
- c) *Increasing a stable access to safe water borne and sustain food security,*
- d) *Provision of inclusive quality education, gender inclusive quality education,*
- e) *Empowering youth and sports development,*
- f) *Land management and affordable housing services,*
- g) *Infrastructure development*

Then tukienda kwenye katika [Inaudible] ijayo ya maendeleo utaona sasa elimu ambayo iko katika the *Big 4 agenda* hii katika bajeti wameweka fedha imezidi Wizara ya Elimu, Fedha imezidi *waste management*, Fedha imezidi mpaka Wizara ya Afya Mheshimiwa Spika. Sasa katika *Big 4 agenda* hakuna fedha, haijawekewa maswala yoyote katika *Big 4 agenda* lakini ukija katika bajeti wamewekewa pesa nyingi za maendeleo, kila siku hapa nasema na haya nayatengea siku ya kesho wacha niweke kando mapendekezo yangu ya siku ya kesho wakati wa bajeti lakini cha kushangaza kitengo cha Fedha wamewekewa pesa nyingi za maendeleo zaidi ya kitengo cha Elimu, zaidi ya kitengo cha Mazingira, zaidi ya kitengo cha Afya. Sasa twashangaa hawa kitengo cha Fedha wanafanya maendeleo gani zaidi ya Elimu, Afya na Mazingira Mheshimiwa Mwenyekiti.

Kwa hivyo hii stakabadhi, mimi kama Muwakilishi wa Kata ndogo ya Frere Town siwezi nikapitisha, kwanza imekiuka sheria asilimia 100 na Mheshimiwa Mwenyekiti lakini kwa kuwa Bunge ni wawakilishi tofauti kutoka maeneo tofauti wana uhuru na haki yao kuweza kukubali au kuweza kuiunga mkono. Hivyo basi mimi kwa maoni yangu kama muwakilishi wa Kata ndogo ya Frere Town napinga vikali CSFP hii Mheshimiwa Spika, ahsante.

The Deputy Speaker (Hon. Fadhili Mwalimu): Yes Hon. Amriya?

Hon. Amriya Juma: Thank you Mr. Speaker. Mr. Speaker i wish to lay this information, to inform the House first before i give my contribution, for the fact that section 117 of the PFM Act talks about the County Fiscal Strategy Paper should be committed to the County Assembly by 28th February and when you read it in Standing order 206 once it is received by the County Assembly it is to be committed to each sectoral Committee so it is then after its committed to each sectoral Committee when they are given 14 days to pass the CSFP. So the buck is on us as Members of the County Assembly so there is no blame game here and for whatever reason at this juncture it is the County Assembly that it is in delay but as i said earlier again the Constitution takes place in 169 [??] procedural in justice shall be delivered without undue regard to procedural mechanisms but it was important to know at which juncture; did this document delay so it is clear that it delayed in our hands.

Secondly, i wish also to contribute as follows; that when we are talking about the County Fiscal Strategy Paper here we are looking at what is our priority, what is the performance of the Mombasa's economy, where are we at and where are we projecting to get in the next financial year and with that what are our limitations. So when you are looking at what is performance... we have highlighted, one of the hinderances to our performance is pending bills, right? One of our performance hinderance is stalled projects so how do you solve that, you need to get more revenue as a County to solve the riddle. So i think that is why it answers the question why we need this amount of resources at the Finance department so that they can sort in line with the National treasury and the report from the Auditor General which already is here to sort these pending bills which is one of the hinderances to our priorities in our projects.

It is also important that at this juncture we as the Assembly we look at our revenue; our current economy, our budget is about Ksh12 to15 Billion, is it sustainable in this year? Now that we are in the worst economic times, will Treasury be able to collect this amount so that we do not repeat the same issues coming the next financial year? Will we be having stalled projects, will we be having pending bills again? So it means that it is important that we talk about doing realistic budgets that meet our local revenue and the exchequer releases so that we do not end up doing the same thing repeating the same wrong over and over, year in year out until our term is over, so this is one thing we need to highlight as an Assembly that is very important we look at.

Mr. Speaker I think on the second issue about quarterly reports we have after the budget process and it is very clear under Section 125 where we have all those documents in line; we have the Annual Development Plan (ADP) under 126, we have the CFSP under 117, we have the County Budget Review Outlook Paper (CBROP) which i do not know but most of us are familiar with it; it is under Section 119 under the PFM Act. That is a very important document because it reviews what we are able to achieve in the year 2019/2020 for us now to put CFSP to look at the projection and the performance of the year 2020/2021. So all these are supposed to be integrated, you can not look at them separately you have to integrate so when you are looking at CFSP, you have to look at ADP to come up with good recommendation but otherwise i commend the Finance Committee for a good trial.

The Deputy Speaker (Hon. Fadhili Mwalimu): Yes Hon. Tobias Samba?

Hon. Samba: Thank you Hon. Speaker, I will also add what my fellow colleague has just said. Hon. Speaker Standing order 206(3) says that,

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'Upon being laid before the County Assembly, the estimates shall be deemed to have been committed to each sectoral Committee without question put'. Mr. Speaker we have issues, maybe we will learn with time and it is quite unfortunate that time is almost elapsing but learning has got no barrier or end. We do fail as Hon. Members; not even as Finance Committee but as the Members of the Mombasa Assembly. Hon. Member the document was submitted to the House on 28th of February... from 28th of February to now i think so many days have passed we did not even bother to question where the Paper was, no one was even concerned, now we are waiting for the real Paper to be tabled when we are supposed to discuss about the Motion, to adopt the Motion, that is when we all...

[Interruption]

Hon. Kitula: Point of information!

Hon. Samba: No, i do not want to be informed, maybe if you want to inform others! Hon. Speaker, thank you. Now Hon. Speaker this is just a sober pill to the Members of the County Assembly, there are some of the hitches that have brought up because of our negligence and we assume so much. I would like just to advise all of us that this one is ending and we are yet to start another one so let us get committed to the one we are yet to start, we start our contribution from day one, whereby there are others who can not contribute because they did not even follow up of what budget is, what estimate is. ADP is not that they did not know, no but they did not have the opportunity to even have a copy to pass, now this issue we cannot blame the Budget Committee, in fact this time round they have tried.

Mr. Speaker, when contributing to the ADP some hours back I reiterated that this time the Committee has come up with something that is extra ordinary; that is the word I can use; like there was an issue that was raised about Trade, why is Trade involved in road construction? That was an issue that was raised, so me as a layman I could not see why Trade department is involved in road construction while we have a road department that is supposed to be doing it. And when the Trade department was given an opportunity to defend themselves they stated clearly and I was convinced for me they said that whenever we have got any development to be made; maybe for example now they are developing Kongowea Market and they have a suggestion or rather plan to have one accessible road when they request the Transport department on their behalf the department does not have that budget and they will take time to do that, so they take the responsibility to do on their behalf.

So some of the questions like the Department of Finance; why Finance is being given heavy allocations than other departments? I think if I recall from day one of the budget making process maybe they can have the opportunity to defend their budget the same way the Trade department did when the question arose about the road construction. Therefore Hon. Speaker this time round in as much [??] to the Finance department I think they did something that atleast is up to standard and this also applies whenever any Committee on Finance like any other Committee people attend as a friend of Committee even Finance we are not bird of the same... So Hon. Speaker I stand to support and adopt the Motion. Thank you Hon. Speaker.

The Deputy Speaker (Hon. Fadhili Mwalimu): Yes Hon. Nzai Kombe?

Hon. Nzai: Ahsante Mheshimiwa Spika. Naomba leo nizungumze Kiswahili japo sio lugha yangu.

Naomba na mimi nichambulie Hoja hii ambayo imeletwa Bungeni na Mheshimiwa wa Sarafu. Mwanzo nataka nipongeze Kamati hiyo kwa kazi yao nzuri; pili Mheshimiwa Spika ni jambo halijapendeza, ni masikitiko na kushangaza na hivi leo basi nimelisikia mwenyewe kwa sababu siku zote nilikuwa nikisikia juu juu ama kule pembeni. Mheshimiwa Spika Bunge la Mombasa lina Kata ndogo 30, Bunge la Mombasa lina masaa na mielekezo ya kazi za umma, kuna siku maalumu za kuuliza maswala, kuna siku maalum za watu walete hio mijadala yao we *call it Motions*, kuna siku utengwa pia kukaa...[Inaudible].

[Laughter]

Nafikiri ni jukumu la Mwakilishi Wodi yeyote kuleta Hoja akiwa anahisi kwamba jambo fulani halikuletwa hapa kwa wakati; ni jambo ambalo mimi linanishangaza sasa hivi tukianza kutupiana vidole vya lawama Mheshimikwa Spika kuhusiana na stakabadhi hii ama ripoti hizi ambazo zimeletwa mbele yetu tukianza kusema kuwa zimechelewa. Ikiwa Hoja hizi zilikuwa niziletwe 28th sijui mwezi wa Februari leo ukiuliza 28th stakabadhi wewe ulikuwa wapi utajibu vipi?

Mheshimiwa Spika mimi nasema hivi, sote ni wapita njia ama bado tungali mbioni ndiposa mzungumzaji mwenza aliyetoka hapa amesema kusoma hakuna mwisho lakini vile vile masomo hayako sawa. Mheshimiwa Spika nitakuambia nimesoma vile kumbe wewe nawe unasoma kivyengine; mimi bado nina sisitiza ikiwa kuna kilio kwa jambo hilo yaonyesha litakoroga mbali basi sote Bunge zima ni tuwe tulikosea sote kwa sababu hatuwezi kusema kuwa mtu mmoja anatucheleweshea ripoti hii na sote tulikuwa hapa. Hiyo itakuwa twataka tujifurahishe tuonekane sisi tuwazungumzaji wema na ilhali sote tumechelewa. Kwa usawa wacha nisitoe kosa tufanye hii kazi kwa sababu kupitia matarajio haya ndio tutaweza kule chini pia kufanya lolote lakini leo Mheshimiwa Spika tukiwa hatutashirikiana kwa jambo hili ni afadhali leo limefika kwa sababu pesa hizo ambazo zinakadiriwa hapa hazijaguswa hata sumni. Ahsante Mheshimiwa Spika.

The Deputy Speaker (Hon. Fadhili Mwalimu): Thank you Hon. Nzai. Yes Hon. Athman Mwamwiri?

Hon. Athman Mwamwiri: Ahsante Mheshimiwa Spika. Mheshimiwa Spika Mheshimiwa aliyetangulia naona aliamua kutosomea badala ya kutoa mchango wake kuhusiana na ripoti hii. Haidhuru alisema anajifunza lugha ya Kiswahili kwa hivyo nimefurahi ya kwamba amekuwa mwanafunzi katika zoezi hili lakini hakuwa na uwasiliano sahihi kwa yale alikuwa akiyaongea Mheshimiwa Spika. Lakini kukumbusha Mheshimiwa Spika na ithibati ya kumbukumbu ipo kwamba miongoni mwetu tulikuwa tukichangia kuuliza haya kama jukumu letu katika Bunge kuishinikiza Serikali Gatuza kuwajibikia malengo sahihi kwa kuulizwa hivi kwa wakati unaostahiki na [??]. Mheshimiwa Spika kwa hivyo yeye binafsi kama hajalifanya asibebeshe lawama kwa Jumba hili kwa waheshimiwa wote.

Pili Mheshimiwa Spika tukiangazia sheria yetu ya 117 ya usimamizi wa pesa za umma inasisitiza katika kuandaliwa kwa *County Fiscal Strategy Paper* ya kwamba maoni ya wananchi yazingatiwe na kwani hii imeangaziwa kwamba zoezi lilifanyika tarehe 29 wa kwanza na tarehe 30 mwezi wa kwanza katika sehemu zote sita ambayo inaashiria ya kwamba zoezi hili lilifanyika katika kila *sub* Kaunti. Mheshimiwa Spika nikuongezee hapo lakini pia kipengele hicho kinasisitiza ya kwamba tunafaa ama serikali yetu inafaa kushuka zaidi ya hapo katika kulitekeleza hili ili kila mwananchi awe na wepesi na usawa kuweza kuchangia katika swala hili.

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Mheshimiwa Spika pia katika ibara 117 ya Kanuni za Ugatuzi inazungumzia iwapo ripoti ama stakabadhi inayostahili imefika katika Jumba hili inasimama katika usimamizi wa kila Kamati husika. Mheshimiwa Spika niafiki ya kwamba na hili limekuwa tatizo kwa muda mrefu kwamba mara nyingi tumekuwa tukiachia baada ya ripoti ama baada ya zoezi linavyostahiki kufikishwa katika Bunge hili tumekuwa kwa mara nyingi tukiachia na tukisubiria ripoti za Kamati ya maswala ya fedha na mpangilio lakini Kamati nyengine hazijawahi kujishughulisha kwa kufuatilia na kukaa kutambua yaliyomo yaliyohusika na mfano sahihi. Ni zoezi la juzi la makadirio lilivyokuja ilibidi Kamati ya Fedha na Makadirio ichukue jukumu la kufuatilia kutoka kwa idara zote husika lakini Kamati zingine zote Mheshimiwa Spika zilibakia lelemama na uwajibikaji kidogo.

Tujikoseeni kwa hilo na tujitahidi kuwajibika pasi na kuelekeza kidole cha lawama upande mmoja Mheshimiwa Spika. Mheshimiwa Spika nishukuru Kamati hii katika ripoti yao ya kwamba wametendea haki yale walio yaona; tukiukuu katika sehemu yao ya kumi hapa licha ya kwamba wamesema kwamba makashablasha ama stakabadhi walioongelea walikuwako ni kazi kubwa katika makaratasi lakini walijitahidi kupitia hatua kwa hatua na kuweza kutambua baadhi ya makosa na changamoto zilizojitokeza Mheshimiwa Spika na kuwa wakweli katika ripoti yao kuangazia. Hilo linastahili pongezi na ninawapongeza ya kwamba kama Kamati wamekuwa wakweli na wamenukuu ukweli katika zile shida ambazo zimejitokeza wala hawakuchukua hatua ya kusimama upande wa kutetea Serikali Gatuzi.

Sehemu ya kumi Mheshimiwa Spika wamenukuu ya kwamba kulikuwa na udhaifu wa kuregelelea katika utekelezaji ama uwajibikaji wa idara ya Fedha kwa kuzingatia mapendekezo yanayotoka katika Bunge ama yanayotoka katika Kamati yao ya Fedha. Ni swala la kulitetea Mheshimiwa Spika, mimi ninawasihi ya kwamba wawajibike zaidi na barua zao na kuandikia katika kukumbusha katika mapendekezo yao ziwe na lugha kidogo ya ukali japo sio ya matusi.

Mheshimiwa Spika pia naona hapa kumekuwa na makosa ya uchapishaji kwa sababu kutoka sehemu kumi ya *observation* tunarejeshwa katika sehemu ya sita; haya ni makosa ya kibinadamu lakini kimimi naihesabu kama sehemu ya 11. Mheshimiwa Spika tunaona katika hili pia waliweza kuvunja makadirio ya awali waliyokuwa wameyaweka kwa kuzingatia kwamba tuko katika janga la msambao wa virusi tulilo nalo, sasa japo ile mikakati sahihi inayojulikana wakati watakapokua kuwa wako mapumziko na kuweka mikakati ya kuweza kukabiliana na swala hilo lakini ule utulivu haujaangaziwa moja kwa moja ni sisi ama ni yapi yaliyokusudiwa katika hilo Mheshimiwa Spika.

Sehemu ya 11 ambayo inapaswa kuwa ya 12 kadhalika wamefanya marudio ama kusahihisha kwa makadirio yaliyokuwa yamewekwa ikiwemo walikadiria asilimia 39 kwenda mishahara lakini mimi nataka kuipunguza mpaka asilimia 37. Makadirio ya matumizi ya kawaida katika asilimia 33 napendekeza asilimia 30 na kupeana kipao mbele katika swala zima la maendeleo katika asilimia 34. Mheshimiwa Spika, japo katika hii 39 hadi 37 hawakulifafanua ya kwamba wamepunguza uajiri, ama wamekata zile asilimia mbili katika swala la kupunguza mishahara hapa halijabainaika. Japo ni swala la kupongezwa ya kuwa wamekabili kidogo swala zima la fedha nyingi kwenda katika swala zima la uajiri, sehemu ya 14 Mheshimiwa Spika nikinukuu the *estimates will be based on the national budget policy statement [?] in January 3030*. Mheshimiwa Spika nadhani Karani atalitambua hilo na kuweza kuweka marekebisho ya kwamba ilikuwa liwe 2020 na sio 3030 isije tukawa tunapotosha umma katika tarehe zetu Mheshimiwa Spika. Pia katika sehemu ya 21 tukirudia pale sehemu ya 18 ambayo inakaribia maswala ya kupawa kipao mbele; katika sehemu hiyo ya 21 wasema kuwa, *'these priorities were derived from is a matter of contexture since the document does not mention how they were arrived'*.

Kwa sababu hakuna ile ithibati na ushahidi kamili ya kwamba zoezi ama kuchangia lilitendeka na yale yaliosema yamechukuliwa moja kwa moja ndio ikawa ikazikatia kipao mbele na hilo Mheshimiwa Spika limechangia katika swala zima la kufuatilia juu yao. Tunaona *big Four Agenda* ikaja maswala ya Afya, maswala ya uongozi lakini katika mipangilio haijasema kwamba Afya ni misingi ipi, kwa kima gani ndio tuweze kusema kwenye bajeti walistahili kupata mgao mkubwa zaidi kulikoni Fedha ama kulikoni idara nyengine. Kwa hivyo haya yalitaka kupewa kipao mbele na yalikuwa yamechukuliwa kwa CIDP yetu ya kwanza ilipoundwa lakini kidogo inaonekana kuwa haikuwa na ile mipangilio ili ipate kipao mbele. Kwa sababu hii na kulifikia kila mwaka liwe na mgao huu pengine ndio maana katika *ceilings* za idara huku tuzikuta hazikwenda sambamba na haya yaliyoko kwa sababu kiripoti hapa imenukuu na imeashiria kwamba hakukuwa kusawa katika hili. Muhimu Mheshimiwa na ni swala tumekuwa tukiregelea na naona Kamati imeliangazia taarifa 21 ya *County Budget and Economic Forum* Mheshimiwa Spika.

Mheshimiwa Spika hili ni swala la kisheria ambalo Serikali Gatuzi inapaswa kuzingatia ya kwamba lazima tuweko na tume inayosimamia maswala ya uchumi na bajeti yetu ya Gatuzi na si kwamba ni maoni bali ni swala la kisheria na hapa Kamati liliangazia na kusesitiza tena ya kwamba lazima ni ishara ya kuwa hili liweko kwa sababu wale wahusika wote katika swala zima la kuchangia wanapaswa kuwa ama kuwakilisha mapendekezao yao.

Kimimi Mheshimiwa Spika naona Kamati imetenda haki katika kuangazia zile changamoto na hali kadhalika kuelekeza mapendekezo yao ya kwamba ndio maswala ya kwamba yarekebika kwa mara moja ili lisiwe ni swala litakalorudi katika kila ripoti ya mwaka. Kwa hivyo Mheshimiwa Spika kwa sababu wamekuwa wangwana wa kweli, wazalendo nitaunga mkono ripoti yao. Ahsante.

[Applause]

The Deputy Speaker (Hon. Fadhili Mwalimu): Yes, the mover of the Motion, please reply.

Hon. Mohamed Hatimy: Ahsante sana Mheshimiwa Spika. Mheshimiwa Spika mimi yangu ni kushukuru Wanachama kwa kuweza kuichambua hii ripoti na kuzungumza yale waliozungumza. Wanachama wote wamezungumza maneno mazuri na nakubaliana nao na tunaendelea au tutahakikisha Nyumba hii kuwa tutaendelea kufanya vile kadri tutakavyoweza. Mheshimiwa Spika ni kweli kwamba mambo ya Afya ilikuwa ni changamoto kwa sababu hii ripoti ilitoka mwezi wa Februari na *Corona* au *Covid* ikaja mwezi wa Machi. Kwa hivyo haikuweza kuingia kwenye hii Kamati, hivyo basi Mheshimiwa Spika nataka kuchukua fursa hii kuwaambia Wanachama wote hii stakabadhi ni lazima tukubaliane tuititishie ili tuweze kwenda kwenye bajeti. Ahsante Mheshimiwa Spika.

The Deputy Speaker (Hon. Fadhili Mwalimu): Thank you Hon. Hatimy and to Members as a whole. I now stand to put a question that the Motion by Hon. Mohamed Hatimy on the adoption of the report of the Medium Term Fiscal Strategy Paper for the FY 2020/2021 as amended be approved by this House.

[Question put and agreed to]

Yes, Clerk?

ADJOURNMENT

Hon. Members This House stands adjourned until Tuesday 30th June, 2020 at 10:00a.m.

The House rose at 4:03p.m.