



## COUNTY ASSEMBLY OF MOMBASA

### OFFICIAL REPORT

Wednesday, 31<sup>st</sup> July, 2019  
The House met at 3:22p.m.

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

### PRAYERS

**The Speaker** (Hon. Khatri): You may be seated Hon. Members.

*(Silence)*

Yes Clerk?

### PETITIONS

#### COMPLAINTS AGAINST MOMBASA COUNTY ASKARIS FOR DEMOLITION OF TEMPORARY SHADES

**The Speaker** (Hon. Khatri): Yes Hon. Murfad Amur?

**Hon. Murfad Amur:** Ahsante sana Bwana Spika kwa kunipatia nafasi hii japo nasimama kwa huzuni nyingi. Nataka kwanza Bwana Spika kwa heshima na taadhima nataka niwatambue wafanyi biashara wa Mama Ngina ambao leo wametutembelea katika *gallery* yetu ambao wanatoka katika eneo la Mji wa Kale/Kizingo na wamekuja hapa kwa sababu wameleta *petition* ambayo tuliwasilisha kwa ofisi ya Karamu na nafikiri pia ilikufikia wewe ndio maana tuko hapa leo.

Mheshimiwa Spika ni masikitiko makubwa katika karne hii ya kuwapa vipawa watu wetu kujiendeleza kimaisha, sisi tunawaregesha watu wetu nyuma ambapo ni tofauti na ajira zetu na sera zetu ambazo tunazitangaza wakati tukitaka kura. Mheshimiwa Spika ni jambo la kusikitisha sana kwa mambo yanavyofanyika katika Kaunti ya Mombasa, yanavyoendeshwa na kitengo cha Wizara ya *Inspectorate*. Nakumbuka katika Bunge hili tulikubaliana kwamba kukiwa kuna jambo lolote linalotaka kufanyika katika eneo ama uakilishi basi Mheshimiwa wa eneo lile anayehusika aweze kujulishwa kabla ya jambo lile halijafanyika.

Mheshimiwa Spika ni jambo la kusikitisha na la kuvunja moyo kwamba tunatumia watu wetu vibaya, wakati tukiwataka wakati wa kura hawa wanakuwa wafalme wapigaji kura lakini pia tukishamaliza, punde tukishachaguliwa kuwa viongozi tunakuwa wale watu hatuwajali, hatuwathamini wala hatujali maisha yao. Kwa nini nasema hivi Mheshimiwa Spika, watu hawa hawa tuliowaita wakati tukitaka kura ili watupigie kura tukiwaahidi *paradise* lakini wakati tukipata kura tunawapatia moto, tunafanya maisha yao yanakuwa magumu.

Mheshimiwa Spika jambo la kusikitisha kabisa ni kwamba ndugu zetu hawa walikubaliana na ombi la serikali kuu wakati Mama Ngina ilikuwa inafanyiwa ukarabati na marekebisho ya kutengenezwa hali ya kisasa walikubaliana na serikali Gatuzi pamoja na Wizara ya biashara tukafanya mikutano ili watu hawa wasihangaishwe hata Rais mwenyewe alitoa uhakikisho kwamba watu hawa hawatasumbuliwa, hawatadhuriwa na maisha yao yataendelea kuwa ya kawaida, ni masikitiko makubwa leo watu hawa wamekuwa walala hoi baada ya kutolewa ndani pale wanapofanya ajira zao, kupata kipato chao cha kila siku. Ni masikitiko makubwa juzi kitengo cha Wizara ya *Inspectorate* walienda wakawavunja watu usiku, maswali ambayo Mheshimiwa Spika nataka yajitokeze hapa, je amri hii kwanza ilitoka kwa nani ya kuvunjiwa hawa bila sisi Bunge hili kujulishwa kama kuna jambo kama hilo?

(Applause)

Je wale waliokwenda kuvunja walitumia njia gani ya kwenda kuvunja usiku saa nne wakati sisi tunajua masaa ya kufanya kazi ni kuanzia saa mbili mpaka saa kumi na moja masaa ya kazi yameisha, imekuwa ni tabia mbovu watu kuvunjiwa vitu vyao wakati ambao si wakati wa kazi ambao si wa kisheria Mheshimiwa Spika. Mheshimiwa Spika lengine ninalotaka kujua hawa watu hawakupata notisi walivunjiwa vipi? Kwa sababu sheria inasema kwanza watu wapewe notisi na wakikaidi notisi sasa wavunjiwe lakini watu hawa walivunjiwa bila kupewa notisi.

Mheshimiwa Spika ni jambo la kusikitisha ya kwamba leo tuko karne ya 21 lakini sisi bado tuko karne labda ya 10 kwa vile tunavyoendesha maisha yetu. Mheshimiwa Spika sheria inasema kama hakuna notisi huwezi vunja, hauwezo kufanya *demolition* ilikuwa nimepeana *the petition*...

(Consultations)

Kwa hio Bwana Spika kitu cha kushangaza kwanza nataka Bunge hili lipate idhini ya kwamba tujue ni nani ametoa kauli ile ya kuvunjiwa. Pili ilikuwa kwa maandishi ama kwa mdomo fefe ili tujue nani alituma watu na ilikuwa kwa maandishi ama kwa mdomo fefe ili tuweze kujua ni nani haswa amesababisha watu wetu kupata hasara zile ambazo wamezipata. Lengine Mheshimiwa Spika wachuuzi hawa ama wafanyi biashara hawa walikubaliana na serikali kuu wakaingia *Memorandum of Understanding* (MOU)...

(Interruption)

**The Speaker** (Hon. Khatri): Hon. Murfad Amur I think it will be wise if you first read for us the petition then you can give your comments; then I can allow you to put down the comments so maybe just read for us the petition then...

*(Interruption)*

**Hon. Murfad Amur:** Thank you Mr. Speaker. Mr. Speaker that petition I received came from Mama Ngina Stakeholders dated 30<sup>th</sup> July, 2019 it was brought to my office and I received it and also presented the same petition to the County Assembly Clerk for it to be given a place today so that it can be heard.

Mr. Speaker the petition reads; complaints against Mombasa County *Askaris* for demolition of temporary shades.

*(Hon. Murfad Amur read the Petition)*

We, stakeholders of Mama Ngina drive cooperated with the National government project going on and had an MOU with the contractor that we pave way in case the ground needs to be used or to be constructed. That is what we have been doing since January until 15<sup>th</sup> July, 2019 when the contractor wanted to do the finishing, so we moved outside Mama Ngina drive.

Mr. Speaker Sir we placed ourselves alongside Mombasa Golf Club so that we could carry out our daily activities as we wait for the completion of the project.

Mr. Speaker Sir when it was launched the President told us that we stakeholders of Mama Ngina will be given the first priority when the project is over.

Mr. Speaker Sir it's so unfortunate that on 29<sup>th</sup> July at 10:30p.m. heartless, inhuman and unkind *Askaris* from the County government of Mombasa led by Gilbert and Bi Khadija demolished our temporary sheds stealing our goods worth shs 3Million (plastic chairs, tables, soda, water, crisps, printer machines etc), an estimation.

Mr. Speaker I received this petition from the stakeholders, they came to my office they brought it and I forwarded it to the Clerks' office...

*(Interruption)*

**The Speaker** (Hon. Khatri): Hon. Amur I think it is not right to mention peoples' names when you don't have the evidence; it is wise that you talk about the office. I think you should withdraw those names...

*(Interruption)*

**Hon. Murfad Amur:** ...But Mr. Speaker you asked me to read and those names are in this letter. If I don't read it the owners of this petition will think that am compromising their interests Mr. Speaker...

*(Interruption)*

**The Speaker** (Hon. Khatri): Yes Hon. Raphael, are you on a Point of Information?

**Hon. Bwire:** Thank you Mr. Speaker. I think the Hon. Member is just right but I think procedurally he was just to read the headline I mean to capture the headline so that is captured by Hansard and bring the entire petition to your attention then you will have to go through. So I think you just order him to just read the headline so that it captures what is being discussed, I don't see whether it is wise to read the entire petition. Thank you.

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

**Hon. Murfad Amur:** With all due respect Mr. Speaker I withdraw the names but they are there in the letter. Mr. Speaker, I wish to withdraw the names.

**The Speaker** (Hon. Khatri): Because I think Hon. Amur tomorrow your name will be mentioned here or someone else and we don't have the evidence so let us just talk about the office, we know these people are from the Department of Inspectorate so let's talk about the department.

**Hon. Murfad Amur:** Mr. Speaker I wish to withdraw the names but the letter contains the names, I withdraw that. Mr. Speaker there was an MOU in fact when we were launching this project the President himself, the Governor and the entire County government was there and the MOU was entered between the County government, the National government and even the contractor and these traders complied to each and every requirement that the National government, the county government has asked to the tune that they move from the side that they have been getting their daily bread.

Mr. Speaker I just want to bring to your attention that if these traders were compensated either by National government, the County government or the contractor they should have been at their houses waiting for the completion of the project but since they were not compensated a single penny of their livelihood, daily bread of their families where will they get it?

Mr. Speaker this was unfair demolition and I beg in view of the said petition I wish to ask the House to help and know who authorized the demolition, was there a notice that was served? And if not Mr. Speaker I beg the House to summon the County Secretary and the Director of the Inspectorate with immediate effect since the matter is of urgency and expedite on this issue because these people cannot say without their daily bread, obstructing them from their work of earning their daily bread for their families it is not acceptable. Mr. Speaker, they want to live, they have kids to feed and families to take care of and this is unacceptable behavior and whoever took whatever action against this law they should be held responsible for this. Thank you.

*(Applause)*

**The Speaker** (Hon. Khatri): Thank you Hon. Murfad Amur. Hon. Members Pursuant to Standing Order 202 Committal of Petitions, the petition on complaints of the Mombasa County *Askaris* for demolition of temporary sheds stands committed to the Committee on Labour and Social Welfare and the Committee of Trade and Investments for them to report back as soon as possible and not more than 60 days. So the Committees will report back as soon as possible, if possible by next week we can have a response. If you want to confirm that you can check in your Standing Orders Hon. Amur, am not the one giving that ruling from my head.

**Hon. Murfad Amur:** No Mr. Speaker am not saying you are giving the ruling from your head, this is a situation of urgency; 60days! The members of the community that are doing their business Mr. Speaker that is two months, how will they survive? I kindly request for humanity, 60 days is too long Mr. Speaker, it is...

*(Interruption)*

**The Speaker** (Hon. Khatri): Hon. Amur wacha nizungumze kwa Kiswahili manake naona kizungu kinakuwa shida sasa, nimesema kulingana na Kanuni za Bunge 202, hayo malalamiko tumeyapeleka kwa Kamati mbili ambayo ni Kamati moja ni ya Labour and Social Welfare na Kamati nyengine ni ya Trade and Investment ambao pia wao wanashughulikia yale maswala ya pale Mama Ngina na tumesema ki sheria wanakubaliwa wasizidishe siku 60 kuleta hiyo ripoti kwa hii Nyumba lakini mimi nimesema ikiwa itawezekana kufikia wiki ijayo hiyo ripoti iwe imeletwa kwa hii Nyumba...

*(Applause)*

Kwa sababu sheria inawakubali na wajua sheria ni msumeno sasa wewe hauwezi sema sheria, mimi nimewaomba na nimesema iletwe kufikia wiki ijayo tujue lakini bado sheria inawakubali kwa hio nafikiri hapo tumekubaliana Mheshimiwa. Naam, ahsante Mheshimiwa Kitula, *are you on a point of information or?*

**The Chief Whip** (Hon. Kitula): Yes, point of information Hon. Speaker. *Na ningependa kufahamisha Bunge hili kwa sababu hili ni Bunge la Sheria ni vizuri kutumia maneno yanayostahili Mheshimiwa Spika ili baadaye maneno haya yasiyeenda mbele za Korti yakachukuliwa vibaya. Tunapoangalia wafanyi kazi wa Mama Ngina sio Mama Ngina ambaye ni mamake Rais bali ni Mama Ngina grounds, iwekwe Mama Ngina grounds. Ahsante Mheshimiwa.*

**The Speaker** (Hon. Khatri): Sijakuelewa labda uregelee tena.

**The Chief Whip** (Hon. Kitula): Nimesema *petition* imeongea kuhusu wafanyi kazi wa Mama Ngina, hakuna 'ground' kwa hivyo iongezwe *ground*, Mama Ngina grounds isionekane tunamzungumzia mamake rais, ahsante.

**The Speaker** (Hon. Khatri): Thank you for that. Yes I think Hon. Amur you have taken note and the Hansard has captured that we are not talking about Mama Ngina, we are talking about Mama Ngina Drive. Yes Clerk next order please?

## STATEMENT

RESPONSE TO STATEMENT BY CHAIRPERSON COMMITTEE ON FINANCE, BUDGET AND APPROPRIATIONS HON. MOHAMED HATIMY ON PROJECT AND PROGRAMS FOR FY 2018/2019

Yes Hon. Mohamed Hatimy?

**Hon. Mohamed Hatimy:** Ahsante sana Mheshimiwa Spika. Mheshimiwa Spika nachukua fursa hii kujibu swala la kupeana *project na program za 2018/2019*. Kwa hivyo Mheshimiwa Spika hii ni stakabadhi ambayo ni kubwa napenda kupeana kwa ofisi yako na wewe mwenyewe utatoa muelekeo kwa yule mtu anayetaka kuiona hii stakabadhi aweza kuja kwako au kwenda kwa Karani mkuu kupata hii stakabadhi na kujua muna nini ndani yake. Ahsante Mheshimiwa Spika.

**The Speaker** (Hon. Khatri): Relax Hon. Mwamwiri! I have not even..., just relax so I have the document with me and copies will be made since it is a public document so anyone who wants the document will get it from the Clerks. Yes Hon. Mwamwiri you wanted to say something?

**Hon. Athmani Mwamwiri:** Ahsante Mheshimiwa Spika. Japo sina hakika ya kwamba wengine walikuwa nalo kwa sababu swala hili lilikuwa la mtu binafsi na ingekuwa muafaka yule aliyeomba angekabidhiwa wa kwanza halafu mwenye haja ajitokeze lakini naheshimu maamuzi yako Mheshimiwa Spika. Ahsante.

**The Speaker** (Hon. Khatri): Mtu binafsi ni wewe haya yalikuwa yanahusika na mambo ya nyumbani kwako sio?

**Hon. Athmani Mwamwiri:** Si nyumbani kwangu bali...

*(Interruption)*

**The Speaker** (Hon. Khatri): Wajua ukisema binafsi inamaanisha kama ni mambo ya nyumbani Mheshimiwa...

*(Interruption)*

**Hon. Athmani Mwamwiri:** Mheshimiwa Spika swali linapoletwa ama Taarifa...

*(Interruption)*

**The Speaker** (Hon. Khatri): Yaani binafsi kwa nafsi yako mwaneyewe.

**Hon. Athmani Mwamwiri:** Taarifa inapoletwa huwa ni Mwanachama mwenyewe na majibu huja kwa minajil ya yule aliyeuliza kama inahusu watu wote...

*(Interruption)*

**The Speaker** (Hon. Khatri): Sawa Mheshimiwa nimekubali njoo nikukabidhi hapa.

**Hon. Bwire:** Hon. Speaker, a concern please before you hand over the document.

**The Speaker** (Hon. Khatri): And then we will have the other copies. Haya ahsante. Yes?



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*(The Speaker (Hon. Khatri) handed over the document to Hon. Athman Mwamwiri)*

**Hon. Bwire:** The Hon. Member that you have just handed over the document has been misleading this House. Mr. Speaker, he raised the concern yes but thereafter all Members agreed... order Members! Am the one on the floor and we agreed that the copies should be made so that each and everyone should know what projects has made in his or her Wards as far as the previous status of the project are concerned so it was not a personal as the Hon. Members has put it.

**The Speaker (Hon. Khatri):** Fine so Members I think we will make the copies. Hon. Mwamwiri just give it to Clerk let him do the copies and the Members will have it. So Clerk, next order please.

RESPONSE TO STATEMENT BY CHAIRPERSON COMMITTEE ON ROADS, INFRASTRUCTURE AND PUBLIC WORKS HON. MUMBA ON LACK OF RAMPS ON PAVEMENT WALKWAYS ALONG THE STREETS OF MOMBASA COUNTY

Yes Hon. Prischillah, please give the response?

**Hon. Mumba:** Thank you Mr. Speaker. I stand to respond on the issue raised by the Member about lack of ramps on pavement walkways along the streets of Mombasa County. I think the Members have the response but I will just read for those Members who don't have the copies.

The County in the financial year 2017/2018 embarked on a program of improving walk ways by expanding the existing and paving using coloured concrete cabro blocks to enhance the safety and comfort on pedestrian. We started with four major roads in terms of pedestrian volume that is Digo road, Moi Avenue, Haille Selassie Avenue, Makadara road and Nkrumah road to enable universal access to the premises by the improved walkways, the Department has finalized the designs for the table rum closing to all junctions and rums to all zebra crossing. The work will commence on the first quarter of this financial year. Thank you Mr. Speaker.

**The Speaker (Hon. Khatri):** Thank you Hon. Prischillah. Yes Clerk next Order?

RESPONSE TO STATEMENT BY CHAIRPERSON COMMITTEE ON LANDS, PLANNING AND HOUSING HON. AHMED SALAME ON GRABBED LAND AT JOMVU KUU WARD

Yes Hon. Ahmed Salame?

**Hon. Ahmed Salame:** Ahsante Bwana Mwenyekiti. Kamati ya Ardhi iliketi ikazungumzia swala la Mheshimiwa Shebe (Mukono) wa Jomvu na ikapitisha kwamba Mheshimiwa Shebe lazima aje kwa Kamati yetu ya Ardhi, aje atupatie zile stakabadhi za ile ploti iliyonyakuliwa ili tupate kujua hawa ECD nao waliipata kiviipi na yule mwenye kunyakua alikuwa ni nani? Na nambari ya plot ni gani ili Kamati ipate kufuatilia kwa urefu Mheshimiwa Spika. Ahsante.

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

**Hon. Athmani Shebe:** Ahsante sana Mheshimiwa Mwenyekiti. Mheshimiwa Mwenyekiti nilikuwa nimekaa lakini Mheshimiwa Mwenza aliposimama ilikuwa maini yalikuwa yananikatika. Mheshimiwa Mwenyekiti nastaaajabu kuwa leo Mheshimiwa mwenza anasema kuwa nimletee stakabadhi, nafikiri hili swala nimeweza kuliibua hapa Bunge hili tangu mwezi wa tatu na leo imefahamika bayana kuwa ilikuwa awe anatakikana ashakuja Jomvu akaangalia ile ardhi ambayo mimi kiongozi nimeweza kuiangalia mwenyewe nikaona ardhi imenyakuliwa na ile ardhi ni ya serikali. Sasa Mheshimiwa namshangaa akiniambia niende tena kwenye Kamati na wakati hii Hoja nimeileta kwa Bunge, nimeileta kwa Kamati takriban mwezi wa nne kwa hivyo Mheshimiwa Mwenyekiti niko chini ya himaya yako naomba uweze kuamrisha Mwenyekiti wa maswala ya ardhi ili aweze kunitatulia donda hili limekuwa sugu.

Leo wananchi wangu wamengoja milele watu wanakufa bila kelele ardhi zinaenda Mheshimiwa mimi naambiwa nilete stakabadhi, sijafahamu. Mheshimiwa nataka utoe uamuzi kwa sababu mimi naona ni mchezo wa paka na panya, mchezo wa kufungana na kamba za migomba, mimi sitokubali maswala haya, wananchi wangu wa Jomvu wanataka huduma, ardhi ya serikali ibakie ya serikali ifaidishe wananchi wa nchi si ya mtu binafsi. Mheshimiwa Mwenyekiti niko chini ya himaya yako, tupe muongozo.

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

**The Deputy Speaker (Hon. Fadhili):** Yes Hon. Raphael Bwire?

**Hon. Bwire:** Thank you Mr. Speaker. I think it will be so wise for the Hon. Members and more and so the Chairpersons from the Committees to be taking the directives from the Chair seriously. Whoever was the Chair last week directed that the Committee have a site visit on the alleged site to see what was the problem so I think they were to have a site visit and bring back the feedback but as per what I have heard from the Chair it is like they have not, they never took that directive seriously and also they never communicated to the Chairman on what the required is when they are speaking it here when they were supposed to bringing back the responses.

Mr. Speaker so I will just wish to call up the seriousness of the Chairmen of different Committees to be taking the directives; if you issue directive today as a Speaker of the day it should be taken to consideration than doing the vice versa and again you will have to issue another directive maybe giving one week which may not fit the Committee so it is just my humble request that whenever the resolutions are made in the House we take them seriously. Thank you Mr. Speaker.

**The Deputy Speaker (Hon. Mwalimu):** Yes Hon. Mwamwiri?

**Hon. Athman Mwamwiri:** Ahsante Mheshimiwa Spika. Mheshimiwa Spika nadhani shule ambayo Mheshimiwa wa Jomvu aliomba iingiliwe kati ya kwamba ardhi inayonyakuliwa ni shule ya umma na shule za chekechea ziko chini ya serikali Gatuzi. Mheshimiwa Spika yafahamika ya kwamba Mombasa ama Pwani kwa jumla swala zima la hati miliki ni swala la changamoto na ni donda sugu; kuna uwezekano mkubwa ya kwamba shule ile haina hati miliki, lakini kama taasisi ya umma inajua mipaka yake, kwa hivyo ingekuwa mwafaka kwa Mheshimiwa Mwenyekiti wa Kamati husika, kuzuru pale kukaa na Kamati na Idara ya elimu na idara yake ya Ardhi kujua mipaka ya shule ile imeishilia wapi.



Na kama ziko hati miliki ama hakuna hati miliki, halafu atake kujua mnyakuzi yule au bwenyenye yule ameimiliki vipi ardhi ile ya shule. Lakini Mheshimiwa Mwenyekiti kumuamuru Mheshimiwa atafute stakabadhi ni kama alivyodai ni kufungana kamba za migomba, taasisi zetu nyingi Mheshimiwa kongwe na kongwe mimi nina shule yangu iliasisiwa takriban Mwaka 1963 na hadi leo haina hati miliki, itakuwa chekechea?

Mheshimiwa maelekezo ya Kiti yaheshimike na Wenyeviti wawe waadilifu na waaminifu kwa sababu ni dhamana wamebeba kwa niaba ya Kamati, maswala mengine Mheshimiwa huletwa hapa na watu hutoka wawili watatu wakaenda mashinani japo amri ni tofauti, iweje leo swala sugu la maswala ya ardhi ya shule. Ahsante Mheshimiwa.

**The Deputy Speaker** (Hon. Mwalimu): Yes Hon. Amriya, then I will let the Chair to respond.

**Hon. Amriya Juma:** Thank you Mr. Speaker. Mr. Speaker I wish to raise my comments by virtue of Article 195 that if each Committee has a power of the High Court and they also have powers to compel the production of the document, if a Committee is an extension of the Assembly and it has the same power as High Court then it uses the principal laws that one who is alleged must prove. So am in support that whenever there is an issue Mr. Speaker it is important that the Member who is raising the issue to follow up and bring documentary evidence with regard to their issue so that it befits the Committee that is sitting as a High Court with the standard of a High Court to exercise diligence on the balance of probability, as it is required by the High Court. You see Mr. Speaker you can not go to Court through word of mouth.

Mr. Speaker if the standard is that of the Court then we should up our standard to that, that is required in line with the Evidence Act, in Section 107; Section 107 is clear that the *one who alleges must prove*. So if you are saying that in line something you alleged is something going wrong, then you must prove for the Committee to take necessary action in line with Article 195. So it is very important we appreciate that once the Committee is sitting it is at the status of a High Court and not just a Committee Mr. Speaker. Thank you very much.

**The Deputy Speaker** (Hon. Mwalimu): Yes Hon. Mohamed Hatimy?

**Hon. Mohamed Hatimy:** Ahsante Mheshimiwa Spika kwa kunipatia fursa hii. Mheshimiwa Spika kabla sijatia langu nataka kusema pia mimi ni Mwanachama wa Kamati ya Ardhi na sisi kama Wanachama tumekaa na tukayazungumza haya maneno. Mheshimiwa Spika *ownership* ya gari ni *log-book*, *ownership* ya ardhi ni hati miliki; kwa hivyo kwenda *site* kwa hivi Mheshimiwa Spika haitatusaidia, mwanzo tupate stakabadhi kuwa kweli ile ardhi mwenyewe ni nani? Kama imechukuliwa ndio sasa itizamwe, imechukuliwa namna gani, kwa hivyo Mheshimiwa Spika mimi nampongeza Mwenyekiti wangu kwa kuyazungumza yale aliyoyazungumza tupate ushahidi ili tuweze kulitizama jambo hili. Ahsante Mheshimiwa Spika.

**The Deputy Speaker** (Hon. Mwalimu): Yes Hon. Ibrahim?

**Hon. Omondi:** Thank you Mr. Speaker Sir. Mr. Speaker Sir thank you for the opportunity awarded. Mr. Speaker I don't know how to describe when you try to inform the Member of this House to go out there and look for the documents especially the document touching on land.

Mr. Speaker Sir, I think to me it's like we are trying to give a leeway to those people who are holding or who are on that land illegally to continue having it; its actually not very easy at the person in Kenya that we are having to actually tell the Member of County Assembly to go there and look for those documents especially the title deed.

Mr. Speaker Sir, to me I think when it's at the Committee level it will strengthen the issue, when the Committee goes there or when the Committee summons the people on that land so that they can have a discussion from that point then it's easier for us to get the document but a single person looking for those documents that's a tall order to a Member of County Assembly. Thank you Mr. Speaker Sir.

**The Deputy Speaker** (Hon. Mwalimu): Okay thank you Hon. Athman Shebe. I think you have dwelt on this issue, so let me just give a ruling that I have seen it is an ECD, I will now call upon the Committee on Education to work closely with the Lands Committee, first to call upon the stakeholders of that ECD Centre for you to have a starting point, in that meeting you can get the documents that you require from the stakeholders of the Narcol ECD Centre. So have a joint meeting with Education Committee and proceed from there, even if it will reach a point for you to call upon the Hon. Member to shed more light, I think it will be prudent for those Committees to have a reasonable report that will be brought back to this Honourable House for debate. Yes Clerk?

RESPONSE TO STATEMENT BY CHAIRPERSON COMMITTEE ON HEALTH HON. KIBWANA SWALEH

*(Silence)*  
*(Low consultations)*

Yes Hon. Kibwana Swaleh or any Member from Health Committee? Yes this will be discussed in the next House business. Yes Clerk?

RESPONSE TO STATEMENT BY CHAIRPERSON COMMITTEE ON AGRICULTURE, FISHERIES, LIVESTOCK AND COOPERATIVES HON. JUNIOR WAMBUA ON CONFISCATION OF FISHING GEAR FROM NYALI MBU BY KENYA WILDLIFE SERVICE

Yes Hon. Junior Wambua?

*(Silence)*

Yes Hon. Mwamwiri?

**Hon. Athman Mwamwiri:** Thank you Mr. Speaker. Mr. Speaker the matter is on confiscation of fishing gears from Nyali BMU by Kenya Wild Life Service. The background of the matter Mr. Speaker is that the Nyali BMU unit is among the 15 registered BMU of Mombasa County under the sub-department of fisheries. The BMU is mandated to ensure sustainable exploitations of fishery resources in collaboration with the Department. The BMU areas of jurisdiction includes Nyali landing site, Reef landing site and Mkomani landing site. The BMU consists of the Executive Committee and the Assembly that is made up of Boat owners, Fishermen, Fish traders and other fisheries stakeholder.

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The County through His Excellency the Governor and the County Executive Committee Member Agriculture, Livestock, Fisheries and Cooperatives have in the past held consultations with the BMU Members, KWS to try and reach an amicable solution. The issue was resolved and both parties agreed to observe the agreement reached at. The fishing areas for the fishermen in Nyali are under the Mombasa Marine Reserve that is under the Kenya Wildlife Service jurisdiction. Fishing in the area is allowed when using proper legal fishing gears.

Visit by Committee on Agriculture, Fisheries, Livestock and Cooperative on Thursday 25<sup>th</sup> July, 2019. The Committee visited Nyali landing site and met with some members of the BMU who had complained on the confiscation of their fishing gears by KWS. It was noted that the KWS did not prevent fishermen from fishing but they must use proper fishing gear that is legally allowed. Upon probing, the fishermen admitted to the Committee that they indeed were using illegal fishing gears (Beach Seine). However, in recognizing that the main livelihood activity for the community was fishing, KWS allowed them to use beach but outside the reef to minimize destruction to the ecosystem.

The County Assembly Committee promised to follow up the matter with KWS by inviting them to give their position on the matter at hand and the meeting is scheduled to be on Monday 5<sup>th</sup> August, 2019. The Department has also procured two boats and fishing gears for the BMU that will be handed over to them soon. Thank you Mr. Speaker.

**The Deputy Speaker (Hon. Mwalimu):** Yes Clerk, next Order?

RESPONSE TO STATEMENT BY CHAIRPERSON COMMITTEE ON ROADS, INFRASTRUCTURE AND PUBLIC WORKS HON. MUMBA ON STATUS OF STORM WATER DRAINAGE SYSTEM AT BOMU CATHOLIC CHURCH

Hon. Prischillah Mumba?

**Hon. Mumba:** Thank you Mr. Speaker. Am standing on status of Storm Water Drainage System at Bomu Catholic Church. Bomu area in Changamwe sub County is adequately served by storm water trunk drain and this served the area well until the construction of Bomu stadium whose boundary wall obstructed the surface runoff flow...

*(Interruption)*

**The Deputy Speaker (Hon. Mwalimu):** Hon. Ibrahim just let her finish her Statement first then you will raise your concern.

**Hon. Mumba:** The Stadium design overlooks the aspect of storm water flow both within and the surrounding areas. The Department on realizing this challenge and as part of the large plan of migrating flooding within Mombasa communities we have planned to construct a conventional storm water drain to connect to the Magongo storm water main trunk drain. The works will commence in the second quarter of this financial year. The project is at design stage as at now. Thank you Mr. Speaker.

**The Deputy Speaker (Hon. Mwalimu):** Yes Hon. Ibrahim?

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**Hon. Omondi:** Thank you Mr. Speaker. Mr. Speaker Sir what the Chair has been reading I seem not to understand because I am the one who did bring that Statement to this Honourable House, and my prayers; one based on a Bomu stadium as you can agree with me that you are a Member, Bomu Stadium is under your jurisdictions. Mr. Speaker Sir my prayers are based on drainage that has been already built which is along Bomu Catholic road and my issue was; we have lost around two children in that particular drainage or on that drainage system. We have lost about two children and my prayer was that the Department on Transport and Infrastructure to tell me on or to inform me on how are they going to curb such issues in future. That was my issue but today I am getting a story from Bomu Ground! So I don't know, you can rule. Thank you.

**The Speaker** (Hon. Khatri): Yes Hon. Charles?

**The Chief Whip** (Hon. Kitula): Mheshimiwa Mwenyekiti nilipokuwa napitia hii Taarifa hata Mheshimiwa Mwenzangu hapa ameweza kunigusia kwamba inazungumzia kuhusu Bomu, lakini kulingana na ufahamu wangu Mheshimiwa Mwenyekiti na utafiti wa *Engineers* swala la *drainage* inaanza sehemu moja hadi sehemu nyengine, haiangazii sehemu nyengine, haiangaziwi sehemu maalum kama ni Bomu Catholic haiangalii hapo Catholic peke yake. Hii ni kwa sababu madhara hutokea hata kilo mita mbili ama kilomita tatu. Kwa hivyo Mwenyekiti ameelezea vizuri kwamba sehemu ya Bomu in Changamwe Sub County; yaani Changamwe nzima. Kwa sababu mambo ya *drainage* inaangalia maji yanakwenda wapi na yanatakikana yashuke mahali gani, akasema vizuri *it is adequately served by stormwater trunk and this served the area well until the construction of Bomu stadium whose boundary wall obstructed the surface runoff flow.*

Mheshimiwa Mwenyekiti ningependa kumfahamisha Mheshimiwa Mwenzangu Bomoa kwamba tayari washasema hapo katika *paragraph 3; the Department on realizing this challenge and as part of the large plan of mitigating flooding within Mombasa communities we have planned to put conventional storm water drain to connect to the Magongo storm water main trunk drain.* Kwa hivyo haya maji yote lazima yatafutiwe *main trunk drain* ya Changamwe nzima, lazima kuwe na *main trunk drain*. Kwa hivyo hali sehemu yoyote Changamwe kama haitaenda kwenye hiyo *main trunk drain* basi tutakuwa hatuna kitu tunafanya; hasa hiyo ujenzi wa Changamwe Stadium pale inatatiza maji kuelekea katika hiyo *main trunk drain* ndio saa hii wataeka njia yakuweza kuonyesha kwamba yale maji yote yataenda katika hiyo *main trunk drain*. Kila Sub County inawekewa hiyo *trunk drain* yake. Kila Sub-county Mheshimiwa Spika hili lisieleweke vibaya kuwa inazungumzia Bomu ground la! bali *main trunk drain* katika kila Sub County huwa ndio moja inasambaza maji moja kwa moja hadi kuelekea baharini. Ahsante sana Mheshimiwa Spika.

*(The Speaker (Hon. Khatri) exited the Chair)*

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

**The Deputy Speaker** (Hon. Mwalimu): Thank you Chief Whip, yes?

**Hon. Omondi:** Mr. Speaker Sir I don't see the reason why we are talking about this issue but my Statement was very clear, I was talking about already built drainage which is open and it is built along the Bomu Stadium and I am talking about the children that lost their lives or who died.

So I wanted them to respond to me and tell this House what they are going to do. Maybe if they can put some slabs on that particular drainage, that is what I was looking for but again Mr. Speaker Sir...

*(Interruption)*

**The Deputy Speaker** (Hon. Mwalimu): The Chief Whip is up, yes?

**The Chief Whip** (Hon. Kitula): Wajua ni vizuri kumpatia Mheshimiwa Mwenyekiti wa Uchukuzi taarifa ya kueleweka. Hii hapa inazungumzia kuhusu *drainage* kumbe yeye anataka kwamba shimo liko wazi liweze kupata slabu kulifinika, sasa ungemueleza hivyo akapeana jibu linavyopaswa. Hilo ni slabu inayohitajika sio *drainage*, ungemueleza baadae baada ya kuandika ukamueleza zaidi. Kwa hivyo ni jambo la kumaliza kama siku moja hivi. Ahsante.

**Hon. Omondi:** Mr. Speaker Sir that is not my mistake. Hon. Member that is not my mistake, when I gave my Statement it was very clear so that one it was the people who wrote it. It was not me who wrote what is supposed to be done. Okay I gave my Statement very clearly so it is the Clerks or whoever who wrote the Statement is the one who made it wrong but it is not me.

Mr. Speaker Sir I want us to leave it the way it is and through your wisdom I would again if you could rule in favour I would again request to make this Statement again in the second time so that it can be well understood because I have already prepared it. Again, I have already listened to it and I knew that there was a problem, so you can give your ruling Mr. Speaker Sir, thank you.

**The Deputy Speaker** (Hon. Mwalimu): Hon. Ibrahim for you to write a new Statement you will have to forward the Statement to the House Business Committee for them to accord you a day to state your Statement.

**Hon. Omondi:** Thank you Mr. Speaker. I have already done that I saw the Speaker for the same and he passed it to the House.

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

## STATEMENT

*(Loud consultation)*

Hon. Ibrahim the status on storm water drainage you we are referring back to the House Business Committee to accord it a day for you to bring back the Statement in the order number 14, it is the same Statement and I am sure the response that you will get it is the same that the Hon. Chair from Transport will respond.

So as I have ruled you will bring back that Statement on the next House Business Committees for them to give you a day.

**Hon. Omondi:** Mr. Speaker Sir it is okay, I did a follow up of this thing and I found that there was already a mistake and that is why I met the Clerk that I bring it today, that is why I went to the Speaker and the Speaker allowed it to pass to the House Business...

*(Interruption)*

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

**Hon. Omondi:** Thank you Mr. Speaker. I stand pursuant to Standing Order 41 2 (c), seeking to know from the Chairperson Committee on Transport, Infrastructure and Public Works if he is aware that that the storm water drainage system built along Bomu Catholic Church Airport Ward. The drainage has led to the death of two children, I therefore need to know if the County government has any plans to construct slabs on the drainage to avoid future loss of lives, thank you Mr. Speaker.

**The Deputy Speaker** (Hon. Mwalimu): Yes Chair do you have any response? Chair Transport?

**Hon. Mumba:** Thank you Mr. Speaker. I think according to the new Statement I would like to be given a time so that I can get the response from the Department because as I knew...

*(Interruption)*

**The Deputy Speaker** (Hon. Mwalimu): How long?

**Hon. Mumba:** Maybe by next week on Tuesday, so far because we do not have any other sitting apart from next week Tuesday.

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

**Hon. Mumba:** Tuesday afternoon.

**The Deputy Speaker** (Hon. Mwalimu): Yes Clerk.

#### ILLEGAL STRUCTURES ENCROACHING PARKING AND ROAD RESERVES IN KIPEVU WARD

Yes Hon. Faith?

**Hon. Mwende:** Thank you Mr. Speaker. Mr. Speaker I seek to know from the Chairperson Committee on Lands Housing and Planning if he is aware of illegal structures that have encroached parking and road reserves in Kipevu Ward and what plans the County government has to pave way for construction of feeder roads to facilitate proper development. Thank you Mr. Speaker.

**The Deputy Speaker** (Hon. Mwalimu): Yes Chairman lands?

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**Hon. Ahmed Salama:** Ahsante Bwana Mwenyekiti. Nakubaliana vizuri sana na Mheshimiwa alivyosema lakini Kipevu ni kubwa; Kipevu mpaka aelezee ni sehemu gani ambayo inashida hiyo na pia nilikuwa namuomba ninapokaa na Kamati kesho nataka tumuite Mheshimiwa aje atuelezee ile sehemu ya Kipevu anayolalamika; kwamba kuna mijengo ambayo sihai ili Kamati ifanye juu chini ipate kuzuru pale ipate kusaidia na lile janga lililoko pale. Ahsante Mheshimiwa Spika.

**The Deputy Speaker (Hon. Mwalimu):** Yes Hon. Faith?

**Hon. Mwende:** Ahsante sana Mheshimiwa Spika. Naomba kumtaarifu Mwenyekiti wa Ardhi na Miundo mbinu katika Idara kuna *map* na pale kwetu ile ardhi ni ya *absentee land lord* majumba ni ya watu lakini mashamba ni ya mtu mwingine. Kwa hivyo kupitia ile *plan* ni Kipevu nzima, nikiangalia Kipevu nzima unapata wakati unataka kuleta maendeleo hakuonekani ni wapi pa kujengwa. Kwa hivyo nimuangalie hiyo *map* kupitia Idara yako ujue sehemu ya kuegesha magari ya umma iko wapi barabara walio *encroach* iko upande gani. Ukinifanyia hivyo Mwenyekiti utakuwa umenisaidia sana. Ahsante.

**The Deputy Speaker (Hon. Mwalimu):** Yes Hon. Ahmed.

**Hon. Ahmed Salama:** Bwana Mwenyekiti ahsante sana lakini swala la Mheshimiwa kama tulivyolisikia lasema ni Kipevu nzima watu wamevamia na mijengo ambayo si halali. Kwa hivyo Bwana Mwenyekiti hapo itakuwa ni sarakasi kabisa Kamati itakuja keti ije ikae tupange kama wiki mbili tukazunguke Kipevu. Kipevu ni kubwa na kipevu hata ukitembea leo huwezi kuimaliza kwa hivyo nilikuwa naomba Bwana Mwenyekiti sisi tutembe kule kama wiki nzima kwanza tuangalie tuje tupate kujibu maanake Kipevu ni kubwa sana. Ahsante.

**The Deputy Speaker (Hon. Mwalimu):** Yes Hon. Faith?

**Hon. Mwende:** Mheshimiwa Spika naomba Bwana Mwenyekiti vile tu nimeweza kumtaarifu niwaangalie Idara yao kuwapatia *map* itawaelekeza barabara ziko wapi sehemu za umma za kuegesha magari kwa sababu tukija tulipata watu tayari washajenga na nimepata maafa mengi ya moto na inakuwa gari za wazima moto haziwezi kufika pale kwa msongomano wa manyumba. Kwa hivyo na idara yake ataweza kusaidika. Ahsante sana.

**The Deputy Speaker (Hon. Mwalimu):** Thank you Hon. Faith. Yes Hon. Laila?

**Hon. Nyache:** Ahsante sana Mheshimiwa Spika.

*(Interruption)*

**The Deputy Speaker (Hon. Mwalimu):** Are you a Member of Lands Committee?

**Hon. Nyache:** Yes.

**The Deputy Speaker (Hon. Mwalimu):** But the Chair is here to respond so I do not know why...

**Hon. Nyache:** Naomba kuchangia.

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

**Hon. Nyache:** Sawa, ahsante sana Mheshimwa Spika. Mimi pia ni Mwanakamati wa Ardhi na kama vile Mwenyekiti wangu alivyosema hapa ya kwamba apewe muda wa wiki mbili ni sawa. Mimi ningeomba tu utupatie hiyo wiki mbili kwa sababu mimi pia natoka sehemu ya Kipevu na najua Kipevu ninajua ukubwa wake. Ningeomba tutembeze hiyo wiki moja halafu wiki ya pili tutengeze ripoti. Tafadhali Mheshimiwa Spika.

*(Applause)*

**The Deputy Speaker** (Hon. Mwalimu): Okay it is noted. So the Chair on lands Committee work on the Statement from Hon. Faith and as you know we might be going to recess so we will be waiting for a credible report after surveying the Kipevu Ward. You will have your ample time for you to check on the maps from the Department and having the site visit to the said road. Yes Clerk?

### MOTION

Yes Hon. Ramla?

**Hon. Said:** Ahsante Mheshimiwa, kama utaniruhusu ningeomba nimpe ruhusa Mheshimiwa Moses Aran anisomee Mswada wangu. Ahsante.

**The Deputy Speaker** (Hon. Mwalimu): Proceed.

#### STANDARDIZATION OF EXAMINATION FEES FOR PERSONS LIVING WITH DISABILITY

**Hon. Aran:** Thank you Mr. Speaker Sir. Actually it is an honour to move the Motion on behalf of my colleague Hon. Ramla.

Mr. Speaker Sir, I beg to move the following Motion;

THAT AWARE that for purpose for registration of Persons living with disability, it is mandatory requirement for one to undergo medical examination by registered Medical Officer in a registered and certified health facility to ascertain the disability;

FURTHER AWARE that Mr. Speaker the medical services are now a devolved function pursuant to the Fourth Schedule of the Constitution, 2010;

NOTING THAT Mr. Speaker People living with disability are considered marginalised in the society and in most cases do not have a source of livelihood because they have not been fully empowered;

CONCERNED THAT Medical Officers in the health facilities within the County are charging different fees for assessment of people living with disability. Some charging a fee of as high as shs 1,500;

I therefore urge this County Assembly to RESOLVE that:

The assessment/examination fees for Persons living with disability to be standardized to Kshs.500 in all public health facilities within the County of Mombasa to make it more accessible to Persons living with disability. Thank you Mr. Speaker.

**Hon. Said:** Ahsante sana Mheshimiwa Moses Aran. Mheshimiwa Mwenyekiti nataka kueleza...

*(Interruption)*

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

**Hon. Aran:** Hon. Speaker I request Hon. Mwalimu Mgwisho to second the Motion.

**Hon. Mwalimu Mgwisho:** I second.

**The Deputy Speaker** (Hon. Mwalimu): Hon. Members I now propose a question that the Motion on *Standardization of examination fees for Persons living with disability* be discussed in this Honourable House.

*(Question proposed and agreed to)*

Yes Hon. Ramla?

**Hon. Said:** Ahsante sana Mheshimiwa Spika. Nataka kueleza Bunge hili kua kuna vitambulisho huwa vyatolewa kwa walemavu kama uthibitisho kuwa yeye ana ulemavu fulani, na kupata kitambulisho hivi huwa lazima afanye *assessment* kutoka hospitali na ulemavu tunavyojua kuna ulemavu mwingi. Sasa *assessment* hii inachajiwa shs 1500 hapo Coast General, Port Reitz ni elfu moja, Tudor Clinic ni mia tano.

Walemavu walikua wanataka tuwafanyie bure lakini tumekaa chini na *Chief Officer* wa Afya Dr. Khadija na tukaja na maelewano kuwa badili kila mtu alipe bei yake tufanye bei moja ambayo itakua mia tano. Sasa hii *Motion* ikipita, tutasaidia walemavu wengi wasiojiweza kuweza kuenda Coast General apate *assesment* na aweze kuomba kitambulisho cha walemavu.

Pia Mheshimiwa Spika tunaomba hii kupunguzwa kwa sababu kama wasiosikia huwa mwanzo mpaka aende apimwe masikio na apate *instruction* kutoka (???) ili kuhakikisha huyu mtu hasikii, ndio sasa hiyo ripoti pia ina pesa zake mtu analipia ndio aje huku *assessment* apeane kuonyesha kuwa huyo mlemavu hasikii ama yuwasikia kwa mbali.

Pia wasioona hivyo hivyo wanaenda kwenye Kliniki za wasioona kupata ripoti ya anaona kwa kiasi gani, haoni kabisa ama haoni jicho moja ndio alete ripoti aandikiwe *assessment* ya kua yeye ni mlemavu wa aina gani.

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Sasa huku analipishwa, huku pia wanalipishwa walemavu wengi wanaishia hawawezi kufanya hio *assessment* na hawapati kitambulisho cha ulemavu. Kwa hivyo inatenga kupata manufaa ya Kaunti ya Mombasa. Ahsante.

(Applause)

**The Deputy Speaker (Hon. Mwalimu):** Yes Hon. Faith.

**Hon. Mwende:** Ahsante sana Mheshimiwa Spika nasimama kumuunga mkono Mheshimiwa Ramla. Mheshimiwa Mwenyekiti ni vyema kama hayo mahospitali yote ambayo ametangulia kuyataja yote ni ya Serikali yetu ni vizuri yawe na bei ambayo ni moja na hawa ndugu zetu pia tuwaangalie na jicho lingine na huruma ndipo sasa Mheshimiwa akapendekeza tuweze kuwatoza ada ya mia tano.

Mheshimiwa Spika naona hilo litakua jambo zuri sana kama Tudor ni 500 na Makadara kulingana na kauli yake amesema ni shs 1500. Kwa hivyo ni vizuri hospitali zetu zote za umma waweze kulipisha hiyo shillingi 500 kwa ndugu zetu walemavu. Ahsante sana Mheshimiwa Spika.

**The Deputy Speaker (Hon. Mwalimu):** Yes Hon. Amriya Boy.

**Hon. Amriya Juma:** Thank you Mr. Speaker. Also I have stood to support the Motion that the charges for the identification of persons with disability to be standardized. It is important and I congratulate the Hon. Member for that and I also maybe when she is deliberating also the time frame that they take before they give the persons with disability the cards they normally take a lot of time. And you know in our Country there is a lot of waiver and good things that are given to the persons with disabilities but the catch is unless they show the identification card that they have been registered that they are persons with disability. So that always inhibits our residents who are physically disabled from getting these services or getting these goodies. So it is important that the cost be lowered and even the process of getting those identification cards be made a bit straightforward and time efficient so that all the residents can achieve and get all the goodies that the government has in store for them. Thank you.

**The Deputy Speaker (Hon. Mwalimu):** Yes Hon. Leyla?

**Hon. Nyache:** Ahsante sana Mheshimiwa Spika kwa kuweza kunipa fursa hii pia mimi niweze kumuunga mkono. Nimesimama hapa kumuunga mkono Mheshimiwa Ramla kwa Hoja yake hii aliyoleta kulingana na malipo ya hospitali kupitia hawa walemavu. Mimi pia ningeomba hizo hospitali zote ziweze kuwa na kima kimoja cha chini kwa sababu hawa wenzetu ni watu wasiojiweza na wengi huwa wanasaidiwa na mwenye kumsaidia pia labda ana mzigo.

Kwa hivyo mimi ningeomba hiki kima kiwe hiki hiki cha 500 Mheshimiwa Ramla alichomba hapa na waweze kujisaidia wote maana yake wengi wao hata vibarua hawafanyi, wengine ni hata wale wa kusimama barabarani masikini ya Mungu, na wengine pia amekaa na njugu zake pale ama anauza vidude dude basi hata hawawezi wakiwekea kima kikubwa kama hiki cha 1500. Mimi ningeomba hii hii ya ambayo Hon. Ramla amesema hapa iweze kuzingatiwa na hospitali zote waweze kuwapunguzia wawafanyie hiki kima alichosema hapa Mheshimiwa Ramla cha 500. Ahsante sana Mheshimiwa Spika.

**The Deputy Speaker** (Hon. Mwalimu): Yes Hon. Prischilla.

**Hon. Mumba:** Ahsante Mheshimiwa Spika. Mimi nimesimama hapa sio kupinga Hoja iliyoletwa na Mheshimiwa Ramla lakini hata hio 500 kwangu naipinga. Kwa sababu ninaikataa kabisa na ikiwa ndio itakua ipitishwe kwa Hoja hii hiyo pia 500 iweko kwangu bado naiona ni mzigo. Kwa sababu ninaelewa jinsi walemavu huwa wana matatizo na kusema ule ukweli saa zingine twawaona hata wakiwa katika hali ya kutafuta riziki wengi tunawakuta hata barabarani kule na mtu apate ile 500 kwa siku aangalie atalisha familia, aangalie ataangalia watoto, ataangalia ulezi alio nao na arudi achangie pesa ya kufanyiwa hayo matibabu ya kuwa aweze kuhudumiwa na Mheshimiwa Ramla hapa ametueleza vizuri kuwa kuna matibabu mengine kumbe ya kuwa mpaka ukaangaliwe kama una ulemavu wa masikio kuna pesa fulani pia mpaka watoe kule ile athibitishwe kama ana ulemavu wa masikio ama kama ni mlemavu wa kuwa haoni, athibitishwe pia akalipe ada ili aangaliwe ama pengine macho hayaoni vizuri kuthibitishwe na hapo bado kuna kima kitatolewa.

Ikiwa sisi ni viongozi na tunaelewa hali ya wenzetu walivyo, ni kweli Mheshimiwa Ramla alikwenda akazungumza, akaelezwa kuwa ni lazima kunatakikana ada kidogo ya kuweza kusimamia hayo mambo. Lakini kama ninavyojua ikiwa sisi tunasema tunataka mambo ya kuangalia jinsi mlemavu tutambeba vipi, mama tutambeba vipi, kijana ana matatizo gani tuweze kumuinua na ikiwa leo tuna angalia mlemavu na bado tunamuwekea kima cha kuweza kulipa na hali tunajua kuna watu wengi wanakua na hiki kiwango wanaita *waiver*, mara nyingi sana ziko katika hospitali ya Coast General tunaona na tunaona ni watu wenye nafasi zao wengine hata hua si ati wako hohe hahe kabisa lakini unaweza kuona mtu amesaidiwa anapatiwa *waiver* na anapata ule msaada.

Kwa hivyo mimi kwangu ningependa kwanza tuangalie jicho la mbele kuangalia huyu mlemavu, tutampa huduma gani kama Kaunti; ikiwa tumeweka hicho kima cha 500, kwa nini sisi kama Waheshimiwa Wabunge tusiwe na kitengo fulani tuseme tutakua tukiwekea kwa ajili ya mlemavu kuenda kujiandikisha katika Coast General na hali sisi tuna hayo mamlaka na uwezo kulifanya. Mheshimiwa Spika ninazidi kurudi nyuma na kujaribu kutetea katika hali hii na Kaunti yetu tunajua ina uwezo ikiwa tumeregesha Mswada huo tena ndani ya hili Bunge tuhakikishe kujua kuwa walemavu tuwaangalie kwa jicho lingine kuwa tuweze kupitisha Mswada hapa wa kuwa wawe watakua wanaweza kupewa huduma bure katika Kaunti yetu ya Mombasa mpaka wapate vile vibali. Bora mtu tu aende akajitambulishe katika hali ya ulemavu wake, kule ataenda kuchajiwa kitu lakini huku atakapokua sasa ashathibitishwa tuweze kujua tutamsaidia vipi? Lakini hapa mimi nimeona kuna malipo mara ngapi; mara mbili, mlemavu anaenda kule kuthibitisha kwanza ulemavu wake halafu tena anakuja huku ndio aweze kufanya *process* ya kupata vile vibali.

Kwa hivyo bado kuna mzigo mimi naona Mheshimiwa Ramla nina kushukuru sana kwa kuleta jambo hili ndani ya Nyumba hii, lakini bado kama Wajumbe, kama Wabunge wa Jumba hili letu tukufu ninawaomba tufikirie mara mbili tuone bado tuna kazi ya kufanya tusonge tena katika *drawing table* tuone tutazidi kusukuma vipi? Waheshimiwa wenzangu hili jambo la leo tunaweza kulipitisha kuwekea hii 500 lakini inatakikana turudi tena turudi katika *drawing table* tuone tunaweza kusaidia vipi hata hii 500 tuiondoe ili kuwe na urahisishaji wa kupata hivi vibali. Ahsante Mheshimiwa Spika.

(Applause)

**The Deputy Speaker** (Hon. Mwalimu): Let me call the Mover of the Motion to respond.

**Hon. Said:** Ahsante sana Mheshimiwa Spika. Nashukuru Bunge hili kwa kuniunga mkono huu Mswada na kwa hakika ningetaka sana huu Mswada badili ya kushukisha bei kuwa 500 ningetaka iwe bure kabisa, lakini maelewano yetu ni kuwa tushukishe mpaka 500 wakienda Coast General wachajiwe 500, wakienda Port Reitz iwe ni 500, wakienda Tudor Clinic ndio ya rahisi sana, sasa walemavu wengi wanakimbilia Tudor kwa sababu ni rahisi na ambapo wanatengwa. Kuna wengine ambao hawana uwezo mpaka tutoe kwa mifuko yetu kumsaidia. Pia nataka tufanye *medical camp* tuwaite watu wa National Council ndio tuwaambie walemavu waje kufanya *assesment* bure ambapo sisi tuko kufanya mambo yarahisishwe. Kwa hivyo nashukuru Bunge hili kwa kuniuunga mkono. Ahsante.

**The Deputy Speaker** (Hon. Mwalimu): Thank you Hon. Ramla. I now stand to put a question on the Motion on *Standardization of examination fees for persons living with disability* be approved in this Honourable House.

*(Question put and agreed to)*

*(Applause)*

Yes Clerk?

#### ADJOURNMENT

Hon. Members the House stands adjourned until 6<sup>th</sup> August, 2019 at 10:00a.m.

The House rose at 4:41p.m.