
MOMBASA COUNTY ASSEMBLY**HANSARD REPORT**Tuesday, 19th December, 2017

The House met at 3:07p.m.

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

Mr. Speaker (Hon. Khatri): Members you may be seated. Thank you. Hon. Members, ladies and gentlemen I would like us to acknowledge the presence of Mr. Abdikhani Abbas, a businessman of Mombasa County; indeed it's a pleasure for us to have you around today, *karibu sana*.

(Applause)

Yes Clerk?

COMMUNICATION FROM THE CHAIR

Hon. Members pursuant to Standing Order 37 Sub Section 2 Order number 2, that is Communication from the Chair will come after order number 9, that is Motion on adjournment, yes Clerk?

MESSAGES

Hon. Members we have a letter from the office of the Governor which states as; Nomination of Chief Officers, according to the powers confined to me by the County Government Act, 2012 Section 45 i hereby forward the names of the nominated Chief Officers for vetting and approval before appointing to the position of Chief Officers as follows;

1. Department of Culture, Hamisi Juma Gurichwa
2. Department of Sports, Rajab Ali Babu
3. Department of Public Health, Dr Aisha Abubakar
4. Medical Services Dr. Khadija Shikely
5. Agriculture and livestock, Rosiana Mwenda Osoi
6. Department of Investments, Ilhan Abbas
7. Department of Trade, Mr. Abdulwahab Mbarak
8. Department of Housing and Physical planning, Mr. Jaffar S Muhsin

Please expedite the processes.

His Excellency Hassan Ali Joho

Hon. Members, the Nominees just to communicate to you stand committed to the respective sectoral committees. Yes Clerk?

STATEMENT

Yes Hon. Shebe Athmani.

Hon. Shebe Salim: Thank you Mr. Speaker, i would like to give a statement response on matters concerning environment, solid waste management and energy.

Mr. Speaker sir I wish to give the following statement response on the garbage pile up on the County of Mombasa. Mr. Speaker, due to the recent garbage pile up in the County which has triggered environmental crisis leading to communicable disease such as cholera, malaria, typhoid, etc to the public. The Department of Environment, Waste Management and Energy has been facing many challenges such as shortage of trailers, insufficient workforce in garbage collection despite putting in place various ways to improve the situation Mr. Speaker, the aforementioned department has been cleaning all the dumpsites in the last seven days and it is promising the residents of Mombasa that the garbage menace will be a thing of the past and it will lead from the forefront to clear all the garbage sites and closing all the illegal dump sites.

Mr. Speaker, the department is also putting new collection trailers at strategic points to enable public to place garbage before it is transported and disposed; already trailers have been placed at Lumumba Mwembe Tayari, Railway and St Johns, further arrangements are also being made to put collection trailers at Mikindani in Jomvu Kuu Sub County, Government Chemist in Kisauni, Pirates in Nyali, Changamwe Market, Likoni Sub County near Fire station and many more places within the County.

Mr. Speaker, the collection of trailers will be emptied daily and the department has also urged the public to bag garbage in the so called *gunia* or Nema approved garbage bags before placing them inside the trailers and also to avoid irresponsible dumping under or around above mentioned trailers, Environment officers say bag garbage, support their safety and improve efficiency in transporting garbage. It also keeps litter garbage from blocking drainages, helps in maintaining the truck and saves the environment from (??) dumps and smell. Besides the collection trailers the department in partnership with the University of Nairobi is finalising pilot design for litter bins which will be placed along Nkrumah road, Digo road, Moi Avenue, Haille Sellassie Avenue and among others feeder roads for daily use for the public.

I would like to assure my Hon. Members that the County government is fully aware of the above concerns caused by the garbage and currently is taking necessary remedial measures to ensure that this problem is addressed and completed, thank you Mr. Speaker.

Mr. Speaker (Hon. Khatri): Thank you Hon. Shebe, yes Clerk.

STATEMENTS

Yes Hon. Kassim.

Hon. Abdallah Fahad Kassim: Thank you Mr. Speaker, i would like to issue the Statement on traffic congestion along Mombasa-Nairobi highway. Reference is made to the County letter that was addressed to us on 30th November, 2017; I would like to let you know that the road is under the management and maintenance of Kenya National Highway Authority that is KENHA, all repairs and maintainance is carried out by them. Currently there is a contractor on site, they are duelling the entire stretch from Baclays Bank round about, Digo road upto Jomvu Phase one, and Jomvu to Mariakani, later on on Phase two. That has contributed to the traffic jam, however our Officers are on the ground; the road is the only passage for trucks in and out of the Port, these trucks number 5,000 a day, the County is working closely with various expertise to see how we can solve this problem. One of the proposals that we are currently working on is the possibility of a queue management system in partnership with the Kenya Ports Authority and Kenya Transport Association; once the study for the queue management is ready we shall share it with the Committee, we expect this to be completed by end of January, 2018. Thank you, Mr. Speaker.

Mr. Speaker (Hon. Khatri): Thank you very much Hon. Fahad Kassim, yes Clerk?

MOTION**PERMISSION TO BORROW FUNDS EXTERNALLY TO PROVIDE FOR LANDS SETTLEMENT, RESETTLEMENT AND SQUATTERS SETTLEMENT WITHIN MOMBASA COUNTY**

Yes Hon. Mohamed Hatimy.

Hon. Mohamed Hatimy: Thank you Mr. Speaker I seek leave to seek permission from this Honorable House to move a Motion, under Standing order 49 (i).

Mr. Speaker (Hon. Khatri): You may go on Hon. Hatimy.

Hon. Mohamed Hatimy: Thank you Mr. Speaker, this is a Motion under permission to borrow funds externally to provide for lands settlement, resettlement and squatters settlement within Mombasa County. I beg to move this Motion.

(Hon. Mohamed Hatimy moved the Motion)

THAT the County government is charged with the responsibility of land administration including squatters resettlement and land settlement under part two of the Fourth Schedule of the Constitution of Kenya, 2010;

Mr. Speaker AWARE that the issue of land tenure in the Coast region has historically been a contentious issue and that huge tracts of lands are owned by absentee landlords and many households in areas such as Mishomoroni, Vikwatani, Mwakirunge and many other in Mombasa County are living as squatters on the land;

FURTHER AWARE that this issue hinders sustainable development since the poor are likely to engage in unsustainable resource use practises in an effort to meet survival needs;

CONCERNED THAT the general populace mostly affected by the land problem are those in lower income bracket with no means to purchase land at current market prices, i therefore urge this Assembly to resolve that;

The County Government of Mombasa through the Department of Lands, Physical Planning and Housing be allowed to source and borrow externally funds and donations to enable it purchase such land from its landlords to facilitate for squatter resettlement.

I beg to move Mr. Speaker. Thank you.

Mr. Speaker (Hon. Khatri): Thank you, who is to second?

(Leader of Majority (Hon. Mwidani) bowed)

Thank you. Hon. Members I now propose the question that this House debate on the Motion by Hon. Mohamed Hatimy in the same terms as moved.

*(Question proposed and agreed)
(Applause)*

Yes Hon. Hatimy.

Hon. Mohamed Hatimy: Ahsante sana Mheshimiwa Spika. Mheshimiwa Spika nitakuwa mfupi wa maneno kwani nimeeleza kwenye Mswada kuwa ardhi zetu za Mombasa hasa Mombasa, Pwani kwa ujumla ni kuwa ni ardhi zilizo na shida sana na zina utata. Kwa hivyo Mheshimiwa Spika kama tunavyojua ardhi nyingi zimekuwa zimemilikiwa na *absentee landlords*. Kwa hivyo Mheshimiwa Spika nataka kuchukua fursa hii kumpongeza Gavana wetu kwa kuja na wazo kama hili ili kuweza kusaidia watu walioko ndani ya mashamba haya kama maskwota kwani hawa watu wanatutegemea sisi kuwasaidia. Kwa hio Mheshimiwa Spika naomba wenzangu tuweze kushirikiana tupate kuweza kuwasaidia hawa watu ili na wao maisha yao yapate kufunguka na kuweza kuishi maisha kama wale wengine wanavyoishi. Kwa hivyo naomba wote waunge mkono hii hoja tuweze kupitisha ili tuweze kutatua donda hili. Ahsante Mheshimiwa Spika.

Mr. Speaker (Hon. Khatri): Thank you Hon. Members, yes Hon. Fahad.

Hon. Abdallah Fahad Kassim: Ahsante sana Mheshimiwa Spika, ningependa kutoa kongole kwa Gavana wetu. Kwa sababu hili ni donda sugu ambalo sisi wapwani tumekuwa tukipata tatizo nalo hususan wanasiasa na watu wetu. Tukija eneo la Kisauni Mheshimiwa Spika nafikiri unajua vizuri karibu Kisauni nzima tunaambiwa ni maskwota. Kwa hiyo naomba Waheshimiwa wenzangu, hata kama hauna tatizo kama hilo kwenye eneo lako tuweze kushikana pamoja tupitishe Mswada huu ili tuweze kusaidia wale watu wanaoathirika chini na wanaosumbuliwa na mabwenyenye na matatizo makumbwa kama eneo la Mwakirunge, Bamburi, Mjambere, Mtopanga, Magogoni na Junda, nafikiri maeneo yote ya Kisauni ni maskwota. Kwa hiyo namshukuru Mheshimiwa Gavana kwa kutambua tatizo hilo sugu na kuleta suluhu na nina imani kubwa Bunge letu tutaweza kusaidiana tushikane tuweze kupitisha huu Mswada. Ahsante sana Mheshimiwa Spika.

Mr. Speaker (Hon. Khatri): Thank you, yes Hon. Nyiro. Sorry, Hon. Mwamwiri. Yes Honorable?

(Laughter)

Hon. Mwaega: Ahsante sana Mheshimiwa Spika. Ni kweli twafanana na Mheshimiwa Mwamwiri japo mimi ni Mheshimiwa Nyiro...

(Interruption)

Mr. Speaker (Hon. Khatri): Robert Nyiro.

Hon. Mwaega: Naam, naam na yeye ni Athuman Mwamwiri pengine baba zetu ni ndugu. Kwanza ni kushukuru kwa kunipa fursa hii pia nipongeze Gavana kwa wazo kama hili na ninafikiri ni mvaaaji wa kiatu hichi na bila shaka najua kinapambana zaidi. Mimi umri wangu hivi sasa nakaribia miaka 40 Mheshimiwa Spika na pale ninapoishi mpaka sasa naambiwa ni mali ya marehemu aliyekufa juzi, Njenga Karume. Haya ni mambo ya kushtusha sana kwa sababu kufikia sasa wale masikini ambao tunaishi nao nikiwa mmoja wao sote tuna kesi na mabwenyenye katika korti ya Mombasa na ikiwa Bunge hili litakuwa na hekma ya kupitisha hoja kama hii basi ombi langu ni kwamba zile kesi zote zinazohusu maskwota na mabwenyenye ambazo ziko kortini zitolewe kortini ili wale mabwenyenye wote wanaosema kwamba wanamiliki ardhi ambao hawajawahi kuitumia wala kuweka chochote cha rasilimali yao katika yale mashamba waje wawe na mkao na Serikali ya Kaunti ya Mombasa ili tuone kwamba tutaendeleaje kuchanganua jinsi ambavyo wataachilia mashamba yale. Kwa sababu Katiba iko wazi ya kwamba mbali na kwamba anayeishi kwa muda fulani anakuwa mmiliki rasmi wa ile sehemu. Katiba pia inasema kwamba shamba lazima litumike kwa maana ya kwamba litaleta manufaa kwa mwenye ile shamba na kwa wale wanaoishi pale na serikali.

Na ni kwa sababu mara nyingi hawa mabwenyenye wamekwenda kinyume na sheria ilivyo kwa sababu sheria ya shamba ni kwamba shamba litumike kwa manufaa liwe linatoa mazao; aidha kwa mwenyewe na kwa serikali na kama mimi ambaye ni mzaliwa. Kule Kisauni ninavyojua ni kuwa kwamba mabwenyenye wengi hawalipi hata ushuru wa yale mashamba yao mbali ya kwamba hawalipi ushuru, hakuna lolote lile ambalo liko kwenye mashamba yao kusema kwamba shamba hili ni langu na rasilmali yangu ni hii; pengine ana mimea, pengine ana majumba hakuna! Shamba ni msitu linakuwa hatari hata kwa wananchi.

Sasa tunakuwa na changamoto kwamba tukiishi katika mashamba yale ndio wenyewe wanatokea baadae baada ya sisi tushajenga vijinyumba vyetu twaishi ndio wanakuja wanasema kuwa haya mashamba ni yetu. Wanaanza kuuvunjia na haya ni mambo ambayo Kisauni yanatokea kila siku. Hata juzi tumevunjiwa; la kusikitisha zaidi tumevunjiwa manyumba, watu wangu wamevunjiwa manyumba, la kusikitisha zaidi na Mbunge wa sasa wa Kisauni akisema kwamba pia yeye naye anamiliki shamba Kisauni, ajabu! Mimi nimezaliwa Kisauni na sijawahi jua kwamba ana shamba eneo la Wodi yangu lakini nashangaa juzi nikapata kirauni cha Ubunge na anakuja mbio mtaani na polisi na anavunjia wananchi mashamba. Ni hali ya kusikitisha kama sisi viongozi tunaweza kuwa na hali kama hizo kwa sababu sisi ndio tunafaa tuwatetee wananchi ili angalau wale masikini wapate makao hata kama ni kuwasaidia kinamna zozote zile.

Kwa hivyo mimi naomba sana ikiwa mambo kama haya tutaweza kupitisha hoja kama hii basi mimi nitakuwa na raha ya kwamba hata kama sitatajwa kwa mengine lakini hili basi naona Bunge hili litakuwa litanisikia kila siku kwa sababu ni jambo ambalo mimi mwenyewe nimo katika msururu huo kwa hio naunga mkono na naomba jamani tujikomboa. Hii ndio nafasi ya kipekee kwa sababu serikali kila wakati kule kwangu ninakoishi mimi kuna stima imeanzishwa lakini yaenda ikirudi nyuma, mimi ndio katibu wa ile stima ambao naishi ya Majaoni lakini miaka nenda miaka rudi haiendelei, hatufaulu mpaka nimechaguliwa kuwa Diwani na bado mambo hayafanyiki. Sasa tunashangaa lakini kama Gavana amekuja na hali kama hii ni hali ambayo tunafaa tuchangamke mara moja tumruhusu kama ashanusa pesa mahali basi tuendee zile pesa; maanake tuingoja serikali kuu haitatupa pesa ya sisi kujipatia ardhi zetu na ninasikia kuwa kuna dukuduku ya kwamba zile hati miliki (*title deeds*) ambazo tulipewa huenda zote zikafutiliwa mbali. Kwa hivyo twaona kwamba ule mchezo ambao serikali ya kitaifa imetufanyia si mchezo wa ukweli; tukitaka kukomboa watu wetu, lazima tukae imara na kama kuna nafasi maanake majukumu ya ardhi yako mikononi mwetu sisi kama serikali ya Kaunti. Kwa hivyo naunga mkono kwa dhati kwa nguvu zangu zote na kama itawezekana hali nyengine zingine mimi nitajipeana ili watu wetu wapate ardhi maanake tukianza kwa ardhi maisha yanaendelea, naunga mkono kwa dhati. Ahsante sana Mheshimiwa Spika.

Mr. Speaker (Hon. Khatri): Thank you, yes Hon. Mwaka.

Hon. (Ms.) Mwaka Bakari: Ahsante sana Bwana Spika. Haki mimi nimeguswa sana na hili jambo hususan la ardhi; napenda kumuunga mkono Gavana wetu wenye huruma ambaye kwamba amefikiria kwamba wananchi wake wanapata tabu ambao kwamba ni huko Mishomoroni, Vitwangwani sijui, Vikwatani na Mwakirunge, lakini mimi kama Mheshimiwa kutoka Likoni, Timbwani mimi nami ndiye skwota mmoja ambaye ni wa mwisho. Timbwani kwetu tunashida ambapo shida hii nafikiri pia inaowana na huko Mishomoroni na Mwakirunge, sisi tuna shida Timbwani ambapo kwamba serikali ilikuja ikapima, ambapo kwamba watu wengi ni wanyonge hawana hata wana chumba kimoja, wengine hata wana chumba kimoja na choo pekee yake na walilazimishwa wawe watatoa shilingi 180, laki moja na elfu thamanini munyonge yule aweze kulipa ile ya pahali ambapo anapakaa. Kwa hiyo huo ni unyonge na wengine mpaka dakika ya sasa hawana hata hiyo pesa yakulipa, hivyo basi Mswada huu mimi nauunga mkono na ninamuomba Bwana Gavana pia aingilie kati kule kwetu Majengo Mapya aweze kusaidia wale wanyonge wa Likoni na Timbwani.

Pili, nataka kusema kuna ploti 203 ambalo ni donda sugu kabisa la wenyeji wa Likoni. Huko Maweni 203 ambayo kwamba pia tushawahi kupimiwa pimiwa na mpaka dakika ya leo hawajarudi tena; walitupatia tu namba mpaka leo hawajarudi tena kuwapatia wale wakaazi wa Maweni hati miliki zao. Kwa hiyo suala hili pia naliregeresha hapa Kaunti kama kiongozi wa eneo hilo tuweze kuwapimia pia wale wakaazi wa miaka mingi ambao kwamba wameteseka wamekaa maskwota mpaka kufikia sasa hawana hata hati miliki. Kwa jambo hili la Bwana Gavana nalivulia njunga na naomba Waheshimiwa wenzangu pia tukubaliane kwani jambo la ardhi ni jambo sugu ama ni donda sugu kwa kila mtu. Kwa hayo madogo ama mengi nawatakia mwaka mpya mwema na Krisimasi lakini jambo hili tuweze kulipitisha ili tuweze kufaulu. Ahsante.

Mr. Speaker (Hon. Khatri): Yes Hon. Nzai.

Hon. Nzai: Ahsante sana Bwana Spika kwa kunipa nafasi hii na mimi kuweza kuongea mawili matatu. Kwa kweli leo najihisi nimezaliwa mara ya pili kwa sababu naitwa kweli Raila wa Kadzandani lakini saa zengine huwa namaka maana Wodi yangu ni maskwota watupu hata nilikuwa nashangaa Wodi hii ilipangwa vipi? Sote ni maskwota mpaka anaezaliwa leo. Hivi basi ni majuzi tu tulivyokuwa tunaandamana mpaka kwa Gavana wetu; akatupa suluhu akasema nitawajibu! Nitawajibu hivi basi wakaazi wangu wa Mafisini, Mwanzala, Pandya Kadzandani, Gakuo Kadzandani tumeona suluhu. Hivyo basi niko hapa nikiwa na furaha tele na hata nikirudi kule Mheshimiwa Spika nitakualika pia uje tule ng'ombe na wewe. Ahsante sana.

Mr. Speaker (Hon. Khatri): Thank you, yes Hon. Thoya.

Hon. Thoya: Ahsante Bwana Spika mimi nachukua nafasi hii kurudia yale niliyo yasema kwamba Gavana Joho tunamuita Gavana tu lakini anajitayarisha kuvaa vile viatu vya uraisi 2022. Maanake yote asilia anayo tuonyesha ni kwamba yuko tayari kwa Urais wa nchi hii. Kwa hivyo nafurahikia sana kwa jambo hili...

(Applause)

Suala la uskwota, limekuwa likitajwa toka sisi twazaliwa; tukakua mpaka sasa sisi nasi tunaitwa Waheshimiwa, tupo hapa suluhisho halijapatikana. Mimi nasema ahsante sana kwa kuweza kuja na azma hii ya kutafuta pesa, pesa zitafutwe tena tuiseme zitafutwe kule ukaseme kwamba mambo ni mazuri sasa wale ambao ni maskwota zile ploti zitanunuliwa tupigiwe makofi alafu twende tena takriban miaka mitano. Tusiambiwe sisi ni Waheshimiwa wa ahadi za uongo ama mipango ambayo haileweki, sisi tunachosema ni kwamba tunaaidhinisha hela zitafutwe kisha tuwe na wakati ambao wazungu wanasema ni *time frame* haya mambo yataanza lini, si tuiseme hapa tumepitisha alafu tukae tena zaidi ya miaka mitatu bado pesa zatafutwa.

Ahsante sana Mheshimiwa ambaye nakuwa babangu pale umekuja wewe umeleta hii hoja, itakuwa ni vizuri tujiekee kipindi fulani cha kutafuta hizo pesa maswala yawe yakizungumzwa yanakuwa. Zaidi ya yote tunasema wananchi wetu wanahangaishwa na mawakili wa hawa mabwenyenye ambao hatuwajui wako wapi; mara wamepigwa barua pale Bahati wanatishiwa kwamba mtakuja vunjiwa nyumba muondoke, haya nayo tuweze kuyaangalia wakati pesa zinatafutwa angalau kuwe kuna kusonga mbele. Hawa watu wasihangaishe wananchi najua iko Bahati, iko Sportsman, Kwa Mwanzia haya mambo yanafanyika ndani ya Mikindani. Kwa hivyo nisingependa wale wananchi wawe wanahangaishwa, kama neema imekuja wale mabwenyenye nawaambiwa, 'Mos Mos'. Ahsante sana Bwana Spika.

Mr. Speaker (Hon. Khatri): Thank you, yes Hon. Mwalimu.

Hon. Mwalimu Mgwisho: Ahsante sana Bwana Spika. Nachukua nafasi hii kumpongeza Mheshimiwa Gavana kwa kuleta hii hoja kuhusu mambo ya ardhi.

Jambo kuhusu ardhi ni jambo nyeti sana; si Kisauni wala Mwakirunge bali ni Pwani nzima kwa jumla lakini sisi tunazungumzia Mombasa kwa ujumla. Kuna wazee ambao wameishi Mombasa kwa muda mrefu sana, wameishi karibu miaka tisaini lakini ukimuuliza hii *Title Deed* yakaa vipi, haijui. Kwa hiyo Mheshimiwa Spika huu mjadala ambao umeletwa haina haja na kuwa ni mjadala mrefu, nafikiri sisi sote tumekubaliana kwamba suala hili ni suala nyeti sana. Kule kwetu Likoni huja watu na *Title* wala hio shamba yake haijui iko wapi, hatujui *Title* hio aliipata kiviipi; kuna watu wameishi miaka mingi lakini *Title* hana. Kwa hivyo mimi naunga mkono suala hili ambalo limeletwa na Mheshimiwa wetu Gavana ambaye ni Kiongozi ambaye amejipanga kisawa sawa na amefikiria sana watu wake ndio akatuletea huu mjadala. Kwa hivyo ni muhimu kwamba sisi tuinge mkono huu mjadala ili hizi pesa zipatikane kwa haraka tuweze kuondoka katika hali hii ya uskwota. Mimi nimezaliwa mwaka 56 mpaka saa hizi pale nimejenga nyumba yangu Wallahi nimejenga tuu hata *Title* sina wakati wowote naweza kuja ambiwa pengine niondoke lakini nafikiri Mheshimiwa Gavana amechukua kipao mbele ili suala hili na nawaomba Wabunge wenzangu tuweze kuliunga mkono na kuliunga sote kwa jumla. Ahsante sana Bwana Spika.

Mr. Speaker (Hon. Khatri): Thank you. Yes Hon. Ahmed Salama.

Hon. Omar Ahmed Salama: Ahsante Bwana Spika. Mimi suala hili naliunga mkono mia fil mia kwa sababu skwota ni masikini, maskwota ni watu wenye shida, maskwota ni watu hohe hahe. Kwa hivyo mjadala huu nauunga mkono mia fil mia na nataka kumpongeza Gavana wetu Mheshimiwa Ali Hassan Joho kwa kutufikiria na kujua umuhimu wa watu wa Mombasa na shida za maskwota vile zilivyo.

Kwa hio ni jukumu letu wale watu wanaoteseka, wale watu wanaopata taabu, wale watu ambao sasa huu ndio wakati ambao lazima huu mjadala tuuchukulie vizuri na ni lazima tuinge mkono na pesa zitafutwe ili kusudi watu wetu wafaidike. Tumetoka mashinani wale watu wanatutarajia sisi na kule kwetu Likoni maskwota ni wengi hawajielewi, hawajijui na kila kunapofanywa siasa watu wale sisi huwaambia mtasaidika sasa huu ni wakati wetu, kwa hivyo nasema Bwana Spika ahsante sana na mjadala hunu nauunga mkono mia fil mia.

Mr. Speaker (Hon. Khatri): Yes Hon. Mwamwiri, make it short please.

Hon. Athman Mwamwiri: Ahsante Mheshimiwa Spika kwa fursa hii. Binafsi naiunga mkono hoja hii mia fil mia kwa sababu janga la ardhi ni janga sugu katika Mwambao wa Pwani na tukizungumzia maskwota Mheshimiwa Spika tunajua wapo makundi matatu katika Mwambao huu; wapo maskwota wanaoishi katika ardhi za wenyewe wasiojulikana walipo, wapo maskwota wanaoishi katika ardhi inayoitwa *Crown Land* ama ardhi ya Serikali na wapo maskwota kadhalika waliouziwa viwanja na mpaka leo bado wanalipishwa katika viwanja walivyojenga nyumba zao.

Hawa wote Mheshimiwa Spika shida yao na changamoto zao ziko sambamba; suluhu yao ya pekee ni Mswada huu uliotoka kwa Bwana Gavana wa kutafuta ufadhili na kugharamia ada na kuweza kupimiwa ardhi zile ili waweze kuzimiliki. Mheshimiwa Spika sisi watu wa Pwani ama wakaazi wa Pwani tumekuwa masikini wakubwa na chanzo cha umasikini huu ni sababu ya ardhi; ndio uko na ekari kumi za ardhi lakini sio zako, huwezi jenga nyumba ya kifahari kwa sababu wakati wowote utafurushwa, huwezi itafutia ufadhili ama mkopo na kusomesha wanao kwa sababu hati miliki inamilikiwa na mtu mwengine, huwezi wekeza lolote katika suala lile na kutokana na hayo Pwani imeshuhudia matukio ya uvunjifu wa usalama na vita ikiwa sababu kubwa ni suala zima la ardhi. Ni juzi tu Mheshimiwa Spika tumekuwa na vugu vugu kule kwetu Likoni na Pwani nzima likisema Pwani si Kenya na katika sababu mojawapo kuu, ilikuweko ni suala la dhuluma katika masuala ya ardhi. Kwa hivyo nina imani ipatikanapo suluhu katika suala la ardhi hata wale wanaokuja kuomba kura kutoka sehemu zengine na kutuambia mokitupa kura tutawatetea masuala ya ardhi itakuwa sera hio ya kitoto, sera ya kizamani imepitwa na wakati tunazingatia maendeleo ya moja kwa moja.

Kwa hivyo hii ni kongole kwa Mheshimiwa Gavana kuchukua hatua hii kama Mpwani, kama Kiongozi wa Pwani na mwenye azma ya Urais kutatua donda sugu la karne na karne katika Mwambao wetu wa Pwani. Bila shaka tukifanikiwa kwa hili itakuwako hakuna sababu ya Mheshimiwa Gavana kutafuta kura Pwani bali zote zitamiminika katika kapu lake na kupata msaada kwengine na kutimiliza ahadi yake ya Urais. Mheshimiwa Spika iwapo kutatokea mtu katika Bunge hili kupinga hoja hii kihakika yeye acha nisiseme Mheshimiwa Spika. Ahsante Mheshimiwa Spika.

(Applause)

Mr. Speaker (Hon. Khatri): Yes, Hon. Feddis Salame Mbura.

Hon. (Ms.) Mbura: Ahsante sana Mheshimiwa Spika. Mimi naunga mkono hoja hii na si mimi pekee yangu, naunga pamoja wakaaji wangu wote wa Mwakirunge na pia nampongeza Mheshimiwa Gavana kwa kuja na hoja hii katika Bunge hili na ni wakati wetu kama Wabunge wa Kaunti ya Mombasa kupitisha hoja hii kwa sababu siku za nyuma jambo la mashamba limetesa wamama wengi sana hasa na watoto wa kisichana kwa sababu vita vikija katika shamba mwenye anaumia sana huwa ni mama na mtoto wa kisichana, na naamini Gavana aliona hii dhulma aimalize kupitia kutafuta pesa na kuweza kugawa mashamba. Kwa hivyo mimi naunga mkono na hata namuunga mkono mwenzangu aliesema yule atakaye pinga hoja hii, mimi nasema alaaniwe...

(Applause)

...nasema alaaniwe, kwa sababu Mwakirunge yote kila mmoja ni skwota, nikisema Mwakirunge, mimi ni mfano wa Mwakirunge. Nikikumbuka mwaka, 2016 kuna watu waliotoka Nairobi wakisema kuanzia Utange mpaka Maunguja Voroni huko ni kwao na watu wote watolewe bila hata notisi. Kamati ikaundwa ikaenda kwa Gavana na Gavana akasema atawajibu na hili ndilo jibu. Kwa hivyo nauunga mkono mimi pamoja na wakaaji wote wa Mwakirunge. Ahsante Mheshimiwa Spika.

Mr. Speaker (Hon. Khatri): Thank you. Yes, Hon. Ibrahim Oyugi *aka* Bomoa.

Hon. Omondi: Thank you Mr. Speaker to have given me this opportunity also to air out my views on this thorny issue of land in Mombasa. Mr. Speaker Sir to me I can say that this particular Motion is timely, it has come at the right time and being brought in the House this particular time. Mr. Speaker Sir, I stand here today to thank His Excellency the Governor for having come up with such important and significant issue which is going now to relieve our people when we pass it today. And I want to say this categorically that the Members in this House we came here to talk or to represent the voice of the voiceless where we represent and we all know that this is a big problem in Mombasa, the land issue is a big problem in Mombasa. These people that elected us, because these are the victims, these are the people who are suffering on the ground because of land issue in Mombasa; they gave us the power to fulfil their dreams, they also gave us the wings to fly their message Mr. Speaker Sir, and they also gave us the words to speak to the expectant masses.

Mr. Speaker Sir I just want to demonstrate to this House how important it is for us today to pass this particular Motion, the same same people who sent us to this House also gave us the wisdom to change the world, and also give us the strength to walk the walk and even talk the talk. Mr. Speaker Sir, they also gave us the bravery to challenge and even give us power, the authority to speak our minds to the forces of recreation and of creation which has been in Mombasa because when you stand up in Mombasa and talk about land...

(Applause)

...Mr. Speaker Sir you are frustrated, you are jailed, you are beaten in Mombasa because land belongs to individuals, land belongs only for the rich in Mombasa, this is the problem, we also see what happened I think in Kisauni, when our Governor, the President of Mombasa. I think this is very (*Inaudible*) the President of Mombasa being frustrated by the police simply because he is trying to help our people or our locals to retain the land which is in the hands of the lords.

This is the right time, it will never pass again Mr. Speaker Sir, and I want to add this; we are guarded as today Mr. Speaker Sir in this particular House and this one we shall be remembered for this, just as the Members of this House have said that whoever will not follow the suit I think he should be persecuted from today because this is a very serious issue in Mombasa and this is what I have been waiting for, this is the Motion I have been waiting for and it has come.

Mr. Speaker Sir it is well stipulated in our Constitution envisaged today that we must support this Motion in the Public Finance Management Act (PFM) under our Constitution which states very well that the County or the County Chief or Chief Executive Officer who is the Governor has got the rights to borrow funds externally, and you know in Kenya, Mombasa County is always frustrated when it comes to funds and the only way we can survive is for us to partner with the other external forces so that we can get these funds to resettle our people who are now suffering because of this land.

Mr. Speaker Sir you know even if I die today, this voice will never end in Mombasa, the spirit of settling the people of Mombasa will never stop, I know the lords are looking at me but am not going to shy, the words of Barrack Obama that is the former US President say very clearly that, "We did not come to this world to fear the nature, but we came to shape the nature". Mr. Speaker Sir we are not going to fear anybody, there added again Richard Nixon, former USA Speaker who said that, "A man is not finished when he is defeated but he is finished when he quits". Mombasa people we are not quitting in this, we are there and we shall speak for this until we bring this land settlement and tenure to an end. Mr. Speaker Sir therefore, I stop there...

(Applause)

...by saying that the law of the jungle is over in Mombasa, we are going to pass this one and we are going to implement it. I support it 100 per cent, thank you Mr. Speaker Sir.

Mr. Speaker (Hon. Khatri): Thank you very much Hon. Ibrahim Oyugi. Yes Hon. Mama Lucy Chizi Chireri.

Hon. (Ms.) Chireri: Ahsante sana Mheshimiwa Spika, mimi ninaunga mkono hoja hii moja kwa moja. Mheshimiwa Spika pia ningependa kumpongeza Gavana wetu yuko na maono, mimi ni shahidi wa kwanza Gavana 001 anapenda wananchi wake hasa sehemu ya Mtopanga. Mheshimiwa Spika nimesema mimi ndio shahidi wa kwanza wa Mheshimiwa Gavana, Gavana ametusaidia sisi wakaaji wa Mtopanga, tuko na *settlement scheme* inaitwa Manoni *scheme* ile ilianzishwa na Mheshimiwa Gavana akiwa ni Mbunge wa Kisauni, tuko na mabwenyeye pale ikiwa ile shamba ya Manoni *Settlement* ilikuwa ni shamba ya Doshi, mimi nilikuwa mzee wa mtaa pale...

(Applause)

Tulienda kwa Gavana tukiwa na Mheshimiwa Bedzimba akiwa ni Diwani tukazungumza naye akiwa Mbunge wetu tukakaa chini tukaita wale mabwenyeye Mheshimiwa Gavana alitoa pesa zake taslimu ili wakaaji wa Mtopanga sehemu ya Manoni waweze kukaa.

Kwa hivyo Mheshimiwa Spika Gavana amepitia mambo mengi na kama amekaa na akaleta hii hoja ni lazima wenzangu tuiunge mkono na tuipitisha ili Gavana naye aweze kuyamaliza yale ambayo aliyaanza na pesa zake na saa hii uwezo tunao, Gavana wetu ametembea kila mahali amesema hivyo lakini pesa ziko karibu sana ni sisi tupitisha...

(Applause)

...Kwa hivyo tunasema Mheshimiwa Spika hii hoja tuweze kuipitisha, iko shamba ya Doshi tena sehemu ya Chembani nimeshirikiana katika uongozi wangu na Mheshimiwa Gavana nitawaambia Waheshimiwa wenzangu nilipewa mwelekeo tukapiga picha from 01 to 500 households na kama sasa pesa itapatikana pia wa Chembani pia watakuwa miongoni mwa wale. Kwa hivyo Waheshimiwa wenzangu tusichelewe na wale mabwenyeye wataona sasa Gavana kuna hoja imepita basi watajitia ni pangu basi nawaambia chuma chao motoni hatutaruhusu kama serikali ya Kaunti ni lazima makaratasi tuyaangalie ni ya ukweli ama si ya ukweli. Mheshimiwa Spika tumekuwa maskwota umri huu niliofika hata babangu pia pale anapokaa ni skwota; Mheshimiwa Feddis wa Mwakirunge kuna vikuta wazee wanafukuzwa wanaambiwa hapa ni kwa Abdulrahman na hawaonekani ni mzee wa miaka tisaini yuko pale lakini hana umiliki wa ile ardhi. Kwa hivyo Mheshimiwa Spika nitasema Mungu amuweke Gavana wetu, tunamuomba yale alio nayo yaweze kutimia ili ukombozi uweze kutimia Mheshimiwa wetu. Ahsante sana Mheshimiwa Spika.

Mr. Speaker (Hon. Khatri): Naam Mheshimiwa Shebe?

Hon. Shebe Salim: Ahsante sana Mheshimiwa Spika naona ung'egeng'e umeongewa sana mimi nitaongea kimayai na wenzangu hawajambo kwa sababu kila mtu anazungumzia swala la ardhi ni donda sugu; sasa eneo la Jomvu Kuu ni donda ndugu. Kwa hivyo ndugu zangu nitawaachia tafakari sugu na ndugu ipi haijambo, nazungumzia swala la ardhi eneo la ploti nambari 228, hii ni ardhi ninayokaa mimi, inayokaa baba zangu, nyanya zangu walikufia hapa tunaishi milele hatuombi tufe bila kelele mpaka ndoto hii iweze kutimia kwa makaazi takriban malaki wa jimbo zima la Mombasa. Swala la ardhi Jomvu ni donda sugu; mtu akikunyima vitu vitatu aidha atakunyanyasa kimaisha na hauna jinsi ya kujikomboa, akikunyima elimu, ajira, atakutawala akikunyima ardhi hakutawali pekee yake ashakufanya fukara.

Mheshimiwa Spika kwa hivyo mimi nashukuru Mheshimiwa Gavana kupitia kwa Mwenyekiti wetu kuja na hoja hii ambayo kidogo imeonyesha mwelekeo hasa kwa sisi wakaaji wote na wanati wa jiji la Pwani, swala hili ama kwa hakika ni nyeti sisi tulikuwa twachezewa midhili ya kona, kwingine hati miliki wanapatiwa sisi twapatiwa tanga macho sasa safari hii kwa sababu tuna imani Gavana wetu ndio amelivalia njuga hili swala bila shaka Wapwani safari hii bila shaka Mungu akitujalia hekima na afya tutapata hati miliki. Mimi nashukuru sana Mheshimiwa Spika naongea na hisia mithili ya kuchakulo vile kwa sababu hili swala Jomvu hivi ninavyo zungumza na wewe kuna unyakuzi wa hali ya juu sana unaendelea; nalivalia njuga swala hili kila ukifika mahali unagonga mwamba, waambiwa ni mzito fulani hakuna siku napata mwepesi kwa hili swala, kila ninayekutana naye ni mzito tu. Kwa hivyo mimi nataka kwa sababu Mheshimiwa Mwenyekiti yuko hapa, Mheshimiwa Gavana kwa sababu *Provincial Administration* kama kuna mahali panakatwa mapande kama Jomvu, sisi ni maskwota watu wanatoka wako na mapande na unaambiwa ni ya mzito hakuna mwepesi, kila mtu ni mzito.

Kwa hivyo Mheshimiwa Spika mimi nashukuru Mheshimiwa Gavana kuwa hili swala ameliamulia ploti nambari yangu 228 kuna mradi wa (??) katika sehemu yangu kuna Aldina, kuna Jitoni, miradi mikubwa itapita Wodi ya Jomvu lakini je, wakaazi wanahusishwa? Je, viongozi wanahusishwa? Kwa hivyo mimi nashukuru kwa Gavani hili swala amezingatia kitu kimoja na kupitia kwa Mwenyekiti wangu kuwe kutafanywa utafiti wa kisawasawa Kaunti nzima Mombasa walioathirika kweli waweze kusaidikika na haya masuala.

Hii ni kwa sababu hapo ndipo watu wanatiana mchanga kwenye macho na kupigwa chenga na kufungwa na kamba za migomba wale ambao wanatakikana wapate hati miliki hawatopata wale wambao wastahiki wapate hawapati kwa hii ndio changamoto yangu na natumai hili swala tutalifanyia kazi vizuri kongole kwa Gavana wangu na Mwenyekiti wangu vilevile. Kwa hivyo Jomvu nakukaribisha Mheshimiwa Spika tusiende mapumzikoni ahadi yangu itimize ya kutembea Jomvu, ahsante sana.

Mr. Speaker (Hon. Khatri): Ahsante sana. Yes Hon. Moraa?

Hon. (Ms.) Ngare: Thank you Mr. Speaker there is a Member harassing me here I hope you will protect me.

Mr. Speaker (Hon. Khatri): Of course.

Hon. (Ms.) Ngare: I want to begin by congratulating our Governor, the eye of the Coast people, the only *unbwogable* leader who is mindful of the welfare of his people. I remember one time at Likoni he told off the President who was telling people to buy land from the so called Waititu land, Waitiki or whatever he is called those names, he bravely told the President that his people did not have that kind of money to buy land that is supposed to be rightfully theirs and he said that if it was a must he was going to raise money to buy that land for his people and here comes the Motion, here comes his wish. Land is the only natural gift that God can give to human beings and if you do not have land then you are nothing, we have seen many women especially with young children being harassed left right and center they are living like birds within our County and it is a very sad affair.

So when our Governor says that the County can be allowed to borrow money so that our people can get through us passing this Motion it is the most honorable thing that we should do today, as Members of this County Assembly we pass the Motion and we make follow up that after passing this Motion then it should be put to action so that the people, the squatters can have somewhere to settle even if it is a small piece of land but when you have somewhere you have put up a structure you sleep in your own house knowing that this house belongs to me, you even plant some few vegetables knowing that this is going to be my piece of land, you have peace of mind and you will live a long life. Thank you for supporting the Motion, thank you our Chairman for bringing the Motion to the House and we should all support it to make the lives of our people better, thank you and I support the Motion.

Mr. Speaker (Hon. Khatri): Thank you. Yes Hon. Mwaka Zahoro.

Hon. (Ms.) Mwaka Zahoro: Ahsante Bwana Spika ningependa kuunga mkono hoja iliioletwa na Mwenyekiti. Suala la ardhi ni tatizo kubwa katika eneo letu la Mombasa na hii ni katika zile dhulma kuu za kihistoria...

(Interruption)

Hon. Murfad Amur: Mheshimiwa Spika hapa hakuna mtu anaitwa Mwenyekiti, ni aseme Mheshimiwa Hatimy.

Mr. Speaker (Hon. Khatri): Yes Hon. Zahoro, continue.

Hon. (Ms.) Mwaka Zahoro: Suala la ardhi limekuwa tatizo la kistoria katika Pwani yetu na Kenya kwa jumla unapata mtu akiwa na ardhi yake ataweza kuwekeza na pia kufanya kilimo biashara katika ardhi ile, hivyo basi naunga mkono katika hoja na hii na hivyo itatatua matatizo mengi katika Pwani yetu.

Tukiangalia ya kwamba unapata mtu amejenga nyumba katika sehemu ambayo sio yake na muda wowote anaweza vunjiwa nyumba ama kutolewa hapo, hivyo basi tunaruhusu ama tungependelea tufanye haraka iwezekanavyo Kaunti hii kuomba zile pesa ili Kaunti hii iweze kusonga mbele. Ahsante, Bwana Spika.

Mr. Speaker (Hon. Khatri): Yes Hon. Kitula?

Chief Whip (Hon. Kitula): Ahsante Mheshimiwa Spika kusema kweli wana Mombasa watakuwa na jambo la kutabasamu na wengi watakuwa na hamu kuona tumetokeleza hoja hii. Mheshimiwa Spika kusema kweli mimi natoka eneo Bunge la Nyali na kama Kiranja wa Bunge ninavyoona wenzangu wakiathirika donda hili huwa kama kweli lauma kila mmoja; hivi majuzi katika Wodi ya Magogoni ambayo anatoka Mheshimiwa Shomari, katika Wodi hii nyumba zimekuwa zikichomeka kwa mpigo. Lakini tukiangalia suala hili hatujui chanzo chake, Mheshimiwa Shomari kila siku nasikia ambulensi na magari ya moto na jambo linaloendelea katika eneo lake linatia huzuni lakini naona chanzo ni mambo ya ardhi, wajua mambo mengi ikiwa mtu hatakiwi sehemu fulani lazima afanyiwe hofu, jambo lingine ni katika eneo la Mheshimiwa Nyiro, hivi majuzi sehemu za kuabudu ziliweza kuangushwa chini.

Mheshimiwa Spika ni jambo la kuhuzunisha na kutia imani ndogo kwa wakaazi wote wa Mombasa, safari hii Gavana amelea hoja hii ilio kabambe zaidi, kwanza ameweza kuzungumzia ataweza kusaidia kuweza kununulia ardhi katika Mombasa yote lakini akatilia mkazo sambamba Mshomoroni, Vikwatani na Mwakirunge, lakini kila eneo la Kaunti ya Mombasa amehakikisha kwamba Gavana ardhi hizi ambazo zina utata zitaweza kununuliwa na wakaazi watakuwa na ruhusa ya kuweza kujenga nyumba ambazo zitakuwa na stakabadhi.

Kwa hio Mheshimiwa Spika jambo lingine ni katika suala la ardhi hizi tungependa sana hoja hii baada ya kuipitisha katika Bunge hili na vilevile kuweza kuwahimiza Wabunge wenzangu tuweze kutilia mkazo zaidi ili idara hii ya ardhi na mipango na makaazi iweze kutilia mkazo na kutafuta wale ambao watatekeleza kwa haraka upesi ili wananchi wetu waweze kuelewa kwamba inaweza kutekelezwa kwa wakati unaofaa. Ahsante Mheshimiwa Spika na ninahimiza wabunge wenzangu waweze kutilia hoja hii na kupitisha kwa umoja. Ahsante sana.

Mr. Speaker (Hon. Khatri): Thank you. Yes Hon. Ramla?

Hon. (Ms.) Ramla Said: Ahsante Mheshimiwa Spika, naomba nipewe mic...

(Commissionaire handed over the microphone to Hon. (Ms.) Ramla Said)

Ahsante Mheshimiwa Spika, napongeza Gavana kwa kuleta hoja hii hapa kwa Bunge; kama Mwakilishi wa walemavu mimi nawakilisha Mombasa nzima na maskwota nimewaona na kuna familia zinabeba walemavu na kila wakifukuzwa ni jambo zito sana kwa sababu walemavu wanapata shida, kuna walemavu ambao tayari wao wana familia wamezaa na ni maskwota na kuna familia ambazo wana walemavu wanakaa ndani ya majumba, kwa hivyo mimi naunga mkono hii hoja kwa ajili ya walemavu na napongeza sana Gavana Joho. Ahsante.

Mr. Speaker (Hon. Khatri): Yes Hon. Bwire?

Hon. Bwire: Shukran Mheshimiwa Spika kwa fursa hii, haya maeneo ambayo yametajwa katika hii hoja ni maeneo ya Wodi yangu ikizingatiwa ya kwamba Mshomoroni na Vikwatani ni mojawapo ya maeneo ambayo yako katika Wodi ya Junda. Hivi tunavyo zungumza wiki iliyopita tulipata *delegation* ya wanachama wa mashamba katika Wodi yangu wakaniletea ripoti ambayo nilipeleka katika ofisi ya Naibu wa Gavana hususan kuzungumzia maneno haya ambayo Mheshimiwa Gavana leo anaonekana kuleta afueni.

Mheshimiwa Spika katika Mombasa Wodi ya Junda ina shida sana ya mashamba hata hivi tunazungumza Seneta wetu ni moja wapo wa wakili ambaye anashughulikia masuala haya na kwa kweli kuna mahali ambako tumeafikiana na wale wenye mashamba wamekubali kulipwa mashamba zao japo pesa ni nyingi ambazo wananchi hawawezi kuchanga. Kwa hivyo hoja hii kwangu mimi na wakazi wenzangu wa Junda kwa hakika ni afueni ambayo Mwenyezi Mungu amelea kupitia kwa ofisi ya Gavana.

Sasa mimi nitaomba viongozi wenzangu tuidhinishe serikali ya Kaunti itafute pesa sio Mshomoroni, Vikwatani na Mwakirunge hata maeneo yenu yatafaidi ili watu wetu wa Mombasa wapate afueni. Hata ninavyozungumza hizi pia mimi ni skwota na nina imani kwamba Waheshimiwa wengi hapa ni maskwota; hivi twalala tukiamka twashukuru Mungu hujui kama utabomolewa na alivyozungumza Mheshimiwa mwenzangu wa Bamburi juzi watu wetu wengine wa Kisauni wamebomolewa na viongozi ambao wako mamlakani leo.

Kwa hivyo tunaomba hii hali pia alivyosema Mheshimiwa Mwamwiri ya kwamba kidogo iende kwa mwendo wa kasi ili watu wetu wapate afueni na nina imani hili likifanikiwa Bibilia inasema hii ni uregesho, kwa hio sisi sote 2022 tunarudi hapa kwa sababu tutakua tumetatua mzigo mkubwa ambao umekuwa na watu wa Mombasa kwa miaka mingi na nina imani pia Gavana pale anapokwenda safari yake kwa sababu kama utafanya hili ukiwa Gavana si ukiwa Raisi utafanyia nchi nzima? Kwa hio hata ile safari yake pia ya kuingia Ikulu nina imani kwamba yamnyokea pia. Kwa hayo mengi na machache Mheshimiwa Spika naomba kuunga mkono kwamba serikali ya Kaunti ya Mombasa ipawe idhini na hili Bunge la kutafuta pesa ili tuweze kusaidia wananchi wetu. Ahsante.

Mr. Speaker (Hon. Khatri): Thank you, yes Hon. Leila.

Hon. (Ms.) Leila Nyache: Ahsante sana Mheshimiwa Spika kwa kuweza kunipa fursa hii ya kuweza kuchangia hoja hii, kwanza napongeza Gavana wetu Ali Hassan Joho 001 kwa kutuletea tuzo ama ni zawadi tuliokuwa tukiingojea miaka mingi. Pili nampongeza Mwenyekiti tumerekebisha hapa tusiite Mwenyekiti, ni Mheshimiwa Hatimy nampongeza pia kwa kuweza kutuletea hoja hii ya Gavana ambalo ni suala nyeti katika Mombasa yetu ama Pwani kwa jumla. Nikisema hivyo Mheshimiwa Spika mimi natoka eneo Bunge la Changamwe na kule Changamwe mimi nilikuwa nikijiuliza maswali mengi sana kule Changamwe nyumba nyingi hazina hati miliki, unasikia ardhi ni ya mtu mwingine, nyumba nayo ni ya mtu mwingine sasa yule mwenye nyumba pale atakuwa yuamlipa yule mwenye ardhi kila mwezi anamlipa.

Kwa hio Mheshimiwa Spika mimi ningependa kusema ya kwamba maskwota ni Mombasa nzima hata sisi hapa Waheshimiwa hapa ndani ni maskwota; kwa sababu gani pia nasema hivyo ningependa kusema ya kwamba sehemu mimi natoka, Wodi ambayo mimi natoka ni Kipevu na imeshikana na Wodi ya Chaani Mheshimiwa Spika pale kuna nyumba ambazo zimejengwa maporomokoni sehemu ya kwa Mheshimiwa Wambua, Mlolongo kule na sehemu za Mburukenge, kuna mahali kwaitwa Mburukenge pia. Kwa hio Mheshimiwa Spika kule kuna nyumba ambazo ukiziona hata unasikitika kukinyesha zote zinaenda na maji, kwa hivyo hii hoja itasaidia sana watu kama wale wenye zile nyumba zao ambazo hata zinasikitisha, wakijengewa nyumba na kupewa hizo ardhi pia na wapewe na hati miliki itakuwa wamesaidika sana. Kusema la kweli maanake ni masikitiko makubwa kama vile wenzangu walivyosema ni donda sugu ama ni donda ndugu yote ni sawa. Kwa hivyo ni jambo la kusikitisha pia hizi sehemu zilizotajwa Mishomoroni, Vikwatani na Mwakirunge ningependa pia mimi niongezee kuna sehemu ya kule kwangu sehemu za Chaani inaitwa Dunga Unuse.

Watu wako kwenye hema mpaka saa hizi kuanzia 2013 walibomolewa mtaa wa Dunga Unuse Mheshimiwa Amur, kwa hivyo Mheshimiwa Spika wale watu wako katika hema alikuja bwenyenye pale na kuwavunjia makao yao akasema ile ardhi ni yake mpaka saa hizi kesi iko kortini wanazungushwa tu mara hivi mara vile na wale ni wananchi wanaoishi pale katika ule mtaa wa Dunga Unuse ni masapota wakubwa wa Ali Hassan Joho Gavana wetu, walimsapoti kidete, walimsapoti kisawa sawa mpaka saa hizi wanakufa nae na Ali Hassan Joho tunamshukuru sana alikuja akawasaidia na yale mahema na akawaleta magodoro, vyakula pia akawaleta. Kwa hio pia tunamshukuru Gavana wetu kwa msaada wake mkubwa aliutoa kwa wananchi wale wa Dunga Unuse na pia ningependa kuwaomba Waheshimiwa hapa tuweze kupitisha huu Mswada mara moja iwezekanavyo.

Kwa sababu ardhi ni suala nyeti na lilikuwa linatusumbua sana Mombasa hivyo basi tulipitishe na tuunge mkono Gavana wetu kwa maendeleo yake yoyote anayotuletea kwa sababu anatuletea maendeleo ya maana kama hili ni jambo la maana sana sana na hata kama ni Urais angekuwa amepata bila kupingwa na kama ningekuwa Mwalimu mimi basi ningempa tiki kubwa sana mia fil mia kwa sababu ya hili suala alotuletea, kwa hio naunga mkono suala hili.

Mr. Speaker (Hon. Khatri): Thank you, yes Hon. Amur.

Hon. Murfad Amur: Mheshimiwa Spika ni huzuni, ni kilio Wapwani wanalia miaka 54 baada ya Uhuru wa Kenya Wapwani bado wamebakia maskwota ndani ya mji wao ndio wakaja wale washairi wakasema ni huzuni, ni kilio kwamba leo twasheherekea miaka 54 Kenya kupata uhuru lakini Mpwani hajajua fahari ya kuwa na uhuru wa Jamhuri ya Kenya hususan hapa Pwani. Kitu cha kushangaza ni kwamba ardhi ni za Pwani lakini wanaozimiliki si Wapwani wenyewe hicho ndio kitu kikubwa cha kushangaza...

(Applause)

...Ukienda kuangalia sehemu za ufuo wa bahari wote tukifanya hesabu na wale ambao wanamiliki ardhi hizo hata hawakuzaliwa Pwani hatujui walizitoa wapi? Ukweli ni kwamba utawala duni uliokorofisha Wapwani umefikiwa na wakati kukomeshwa na unakomeshwa kwa kufuata ripoti ya zile tume zilizotengezwa zikija zikasema kinaga ubaga wale waporaji wa ardhi imefika wakati ardhi za Wapwani ziregeshwe kwa njia moja ama nyengine. Njia ya kwanza kama iliporwa kwa njia ambayo si ya haki tusilipie hata ndururu tuinyafue tuiregeshee Wapwani, ya pili kwa wale walionunua ole wake kama ulinunua ardhi ambayo imeporwa basi sisi si ati tukulipe kwanza uturegeshee ukatafute yule uliyenunua kwake akulipe sheria iko wazi Mheshimiwa Spika.

Leo twasheherekea miaka 54 na masikitiko sisi wengine tukisema Pwani si Kenya twaambiwa twachochea Pwani si Kenya kwa sababu kadhaa; sababu ya kwanza Wapwani wamedhulumiwa haki zao kwa sababu ya pili Wapwani wamenyimwa nafasi za kazi kubwa katika serikali ya Kenya, ya tatu katika kuangalia miundo misingi ya Kenya.

Mheshimiwa Spika mimi nilisafiri wakati wa 1984 kuelekea bara huko utakuta barabara limejengwa la mamilioni lakini linatandikwa mahindi na kahawa barabarani au ng'ombe wanakaa barabarani wanaota jua! Ni masikitiko miaka 54 sisi ambao ni Wapwani tunachangia pato kubwa katika serikali ya Kenya, mfuko mkubwa wa Serikali ya Kenya unatoka Mombasa lakini mpaka leo sisi tunakuwa Wapwani tunaonewa umefika wakati kama si sasa ni sasa hivi ndio maana Hassan Ali Joho Mheshimiwa na ndugu yake Amason Kingi wakasema imefika wakati wa kujikomboa kwa eneo la Pwani kwa ule mradi wa watu wanasema Pwani si Kenya. Ahsante Mheshimiwa Spika.

Mr. Speaker (Hon. Khatri): Thank you, yes Hon. Hamida.

Hon. (Ms.) Hamida Noor: Thank you Mr. Speaker Sir for giving me this opportunity; a lot has been said and i have heard most of the people of Mombasa are squatters it is very sad I think it is the only County that most of the people are squatters and they live in their own houses but they are squatters. So I support this Motion and I congratulate my Governor for bringing this Motion this afternoon and I support 100 per cent, with those few remarks thank you very much.

(Applause)

Mr. Speaker (Hon. Khatri): Yes Hon. Aran.

Hon. Oindo: Ahsante sana Bwana Spika. Mimi pia naungana na wenzangu kuunga mkono na kusapoti hoja ilioletwa na Mwenyekiti wa kudumu Mheshimiwa Hatimy.

Tunajua kwamba Wapwani wameteseka sana na wamedhulumiwa, tunajua kuna mabwenyenye wamebana sana shamba za Wapwani. Wakati umefika saa hii vile Mheshimiwa Shebe Athumani (Mukono Power) wamebana mwisho wataachia, kwa hivyo mimi naunga mkono kama Mwakilishi wa Vijana na tunajua ya kwamba hili tatizo likitatuliwa Mheshimiwa Spika itakuwa kama ajira kwa vijana kwa sababu watakuwa wana vile vyeti vya hati miliki na tunajua ukiwa na hati miliki unaweza enda benki upatiwe pesa na uanze biashara. Kwa hivyo mimi naona Mheshimiwa Spika Gavana wetu amefanya jambo zuri na naomba Waheshimiwa tafadhali tuunge mkono ili tumalize hili suala. Ahsante Mheshimiwa Spika.

Mr. Speaker (Hon. Khatri): Thank you, yes Hon. Benard Ogutu.

Hon. Ogutu: Ahsante sana Bwana Spika mimi kwangu Changamwe *Alhamdulillah* nashukuru sina shida hii ya uskwota lakini ukitaka kuangalia umuhimu wa mambo ya ardhi utaingia katika katiba yetu kuna kipengele kizima kinaongea juu ya mambo ya ardhi halafu katika *Bill of Rights* pia inatueleza ya kwamba kila mtu ana haki ya kumiliki ardhi.

Sasa ile ambayo inaonyesha kuwa hii ardhi umemiliki ni lazima uwe na hati miliki *deed* na katika kipengele cha tano ambacho ni mambo ya ardhi pia tunaambiwa kuna muda ambayo mtu anaruhusiwa kuwa skwota, sisi tangu hii Katiba iundwe mpaka leo bado wale maskwota ni maskwota tu na tukiangalia Changamwe kuna majirani wangu Wodi ya Mikindani wako na hiyo shida. Tukiangalia Jomvu wako na hio shida tukiangalia Wodi ya Port Reitz tuna mwangaza ambapo kuna wakati Bwana Spika walipata shida sana ilikuwa wanalala nje wakingoja zile *bulldozer* zije zibomoe nyumba zao na walilala hivyo kwa wiki nzima hapo Dunga Unuse ambayo imetajwa iko wakati tulipigwa na vitoa machozi kwa wiki mbili Bwana Spika na leo bado wako katika ile hali ambayo tulikuwa tunatetea watoke na bado mabwenyenye wako.

Tunaomba leo hii shida iweze kukoma na kutokana na hii Hoja ambayo imeletwa tunaombamuda uwekwe ili tuseme kufikia mwaka ujao mwezi wa tatu ama mwezi wa nne iwe hii shida tuwe tumemalizana nayo na tunasonga mbele kwa hayo mengi. Ahsante sana.

Mr. Speaker (Hon. Khatri): Thank you. Yes Hon. Ali Shomari.

Hon. Mohamed Shomari: Ahsante sana Mheshimiwa Spika naona mengi yamezungumziwa sana kutokana na suala ya ardhi, yangu yatakuwa machache eneo la Magogoni ambalo ndio hilo limetajwa ambalo ni kama eneo la Mshomoroni. Kwa kweli wakaazi wa eneo hilo wameathirika sana na suala la ardhi, kwa kweli Mheshimiwa Spika ni jambo la kusikitisha sana unaona mtu ambaye ni maskini ni mnyonge anakuja fuatwa na mwenye kiwanja anaambiwa kwamba anadaiwa deni lisilo pungua milioni moja na ukiangalia yeye uwezo wake hawezi kulipa pesa kama zile, nyumba ile inaekwa mnada na inauzwa Mheshimiwa, ni jambo la kusikitisha...

(Hon. Shomari sobbed)

...ni jambo la kusikitisha sana Mheshimiwa Spika kwa hivyo tunamshukuru sana Gavana wetu nimeshindwa kuendelea. Ahsante sana.

(Applause)

Mr. Speaker (Hon. Khatri): Thank you Hon. Members, yes Hon. Samba.

Hon. Samba: Mr. Speaker Sir thank you for giving me this opportunity finally. Mr. Speaker I think the only person who has portrayed the true feeling of the House is the Hon. Member who has just spoken. I think you can just see the feeling the issue here is, when people from upcountry when they want to invest the initial plan is that they will not calculate the issue of land purchase because they have their own lands they start from the materials.

Mr. Speaker Sir when it comes to Coast you will not start by buying materials but the first thing that you will do you will start by purchase of land and it's becoming quite difficult and nearly impossible for just a common *Mwananchi* to purchase land and the Motion that is before us that was moved by Hon. Hatimy I think this is the right time. Most of the time when it comes to land issues we find that politics always take the center stage of it all and Mr. Speaker this is the right time for this Motion to be debated on, it is the right time where politics is almost gone apart from National Resistance Movement (NRM) we are still pursuing and hopefully that at the end of the tunnel there will be some light but the Governor is right on time, let us support the Motion and Mr. Speaker I beg to support the Motion thank you.

Mr. Speaker (Hon. Khatri): Thank you yes Hon. Junior Wambua.

Hon. Kyaka: Ahsante sana Bwana Spika nafikiri umeona vile mambo yalivyo yaani Mheshimiwa amezidiwa...

(Laughter)

...na vile mambo yalivyo mambo hayo yanatokana na ile dhulma ambayo iko mitaani, sehemu kama hiyo ya kwangu ambayo inaitwa Dunga Unuse Mheshimiwa Spika watu walipigwa na risasi, watu walipigwa na vitoa machozi, watu wakaumizwa sana itakuwa namshukuru Mheshimiwa Gavana kwa jambo hili ambalo amelileta katika Bunge, jambo hili ni la busara sana nikilingania na ukiangalia vile mambo yalivyo watu wetu wa Dunga Unuse, Kalahari na Mlolongo ni watu ambao wanaishi maisha ya duni na mtu akipata hako kasehemu kake ambako amejenga nafikiri atakuwa amejua ataishi Mombasa kwa muda wa maisha yake yale mengine.

Kwa hayo nashukuru sana na hili jambo ningeomba sana liharakishwe kwa sababu tukipitisha siku ya leo na ikae miaka mitano hata tutoke tuache kabla haijatekelezwa itakuwa ni jambo ambalo halifai, ya pili pia Mheshimiwa Spika mambo haya yakitendeka huwa saa nyengine unapata wale ambao wanastahili kupata sio wale wanaopata wanapata wengine inataka izingatiwe mambo haya yote ndio iweze kulete faida kwa Bunge hili. Ahsante sana.

Mr. Speaker (Hon. Khatri): Thank you, yes Hon. Maimuna Salim.

Hon. (Ms.) Maimuna Salim: Mheshimiwa Spika nashukuru sana kwa kunipa fursa hii nimesimama kuunga mkono hoja hii ya Mheshimiwa Gavana wetu kipenzi cha watu wa Mombasa ili tuweze kupata pesa za mkopo za kuweza kusaidia maskwota ndani ya Mombasa. Mheshimiwa Spika ni habari za kusikitisha sana tunajua ya kwamba tangu tupate uhuru lakini sisi kama Wapwani ama watu wa Mombasa hatujakuwa huru; hati miliki zetu zina watu ambao wanaoishi Nairobi na sehemu nyengine za nchi.

Kwa hivyo Mheshimiwa Spika hili suluhisho ambalo Gavana amelifikiria sisi tulikuwa wengine tulikuwa twaliomba wakati ule wa nyuma saa hizi tungekuwa tushamaliza hii na tunaenda kwa jambo lengine lolote lakini nashukuru ya kwamba amelifikiria na sisi tunaunga mkono lau hizi fedha hazitakuwa zimetosha kwa sababu Mombasa karibu robo tatu ya Mombasa ni maskwota. Nina imani huu ni mwanzo ikifikia wakati kunahitajika nyengine aje alete na tuweze kupitisha kwa sababu ni kwa manufaa yetu sisi na wale wananchi waliotupigia kura.

Mheshimiwa Spika ningeomba ya kwamba Gavana kwa jambo lolote la wananchi sisi ambalo litaweza kusaidia wananchi wetu na sisi wenyewe tuweze kuhakikisha ya kwamba yale majukumu ambayo tumeyabeba ndio haya tulisema tutasaidia watu wa Mombasa na mtu wa Mombasa akiwa ana hati miliki amesaidika kwa sababu anaweza kuweka benki aweze kujenga nyumba yake nzuri na aweze kupangisha wapangaji vizuri na nyumba iweze kulipa ule mkopo.

Tuna imani ya kwamba Mwenyezi Mungu alitupatia ardhi ambazo zina faida wakati kama huu wa Disemba hakuna nyumba ambayo haina mpangaji kutoka Nairobi, hakuna nyumba ambayo haina mpangaji kutoka bara wamekuja kufurahis mandhari yetu ya Mombasa yale Mwenyezi Mungu aliotujalia. Kwa hio sisi tunaunga mkono na lau zitaisha hizi na utaratibu haujaisha na alete nyengine tuitipishe kwa haraka na watu wetu waweze kupata hati miliki. Ahsante Mheshimiwa Spika.

Mr. Speaker (Hon. Khatri): Thank you Hon. Maimuna. Hon. Members I now put the question that this House approves the Motion by Hon. Mohamed Hatimy in the same terms as moved and debated.

(Question put and agreed to)
(Applause)

Yes Clerk?

MOTION

ADJOURNMENT OF THE COUNTY ASSEMBLY

Yes Hon. Hamisi Musa Mwidani, Leader of Majority?

Leader of Majority (Hon. Mwidani): Thank you Mr. Speaker, due to time constraints, we request that this Motion not to be debated but we put the question to be put because of the time factor. Thank you, Mr. Speaker. Mr. Speaker let me table a Motion on adjournment of the Assembly in accordance with the calendar of the County Assembly.

(Leader of Majority (Hon. Mwidani) moved the Motion)

THAT, Pursuant to the provision of the Standing Order 25(3), this Assembly adjourns until Tuesday, 13th February, 2017, in accordance with the Calendar of the County Assembly (Regular Sessions) and I would like to request Hon. Kitula to second the Motion.

Mr. Speaker (Hon. Khatri): Yes Hon. Kitula?

Chief Whip (Hon. Kitula): Thank you Mr. Speaker, I stand to second the Motion.

Mr. Speaker (Hon. Khatri): Thank you. Hon. Members I now propose the question that the Motion on Adjournment of the Assembly in accordance with the calendar of the County Assembly be debated, okay Hon. Members I will now put the question...

(Silence)

...Hon. Members I now propose the question that the Motion on the adjournment of the Assembly in accordance to the Calendar of the County Assembly be passed.

(Question put and agreed to)
(Applause)

Yes Clerk?

COMMUNICATION FROM THE CHAIR

Hon. Members it is now time for me to make my communication.

Hon. Members, I trust that you're all well this day. First and foremost let me start by thanking the Almighty God for guiding us through the first part of our calendar which ends today. The Assembly passed its calendar for the year 2017 on 17th October, 2017 and accordingly this day marks the end of the first part. We are therefore officially starting our recess period tomorrow and we shall resume on 13th February, 2018.

Hon. Members, let me commend you for the commitment and dedication that you have exhibited in undertaking your constitutional and statutory duties during this first period. I can state equivocally that you have made tremendous progress in understanding the Assembly rules and procedures since you arrived. This can be attested by sittings which have been taking place as scheduled, the cordial and vibrant debates we have had in the plenary and the numerous Committee meetings conducted.

Hon. Members, the positive strides that we have made are as a result of inductions and capacity building programs facilitated by the County Assembly therefore my office will continue to organize such exercises in order to ensure that Members are able to efficiently carry out their constitutional mandate. These programs will not only be limited to inductions but they will also include more training programmes and bench markings.

Hon. Members, there are notable milestones that we have made as an Assembly during this first period. At the top of the list is the vetting and confirmation of County Executive Committee Members (CECs) in accordance to the County Government Act, 2012 and the Standing Orders. This Assembly successfully vetted and approved 10 CEC nominees. The whole exercise highlights the integral function of the Assembly that is, oversight.

Hon. Members, I would also like once again commend all of you on the Motions and statements that you brought to this Assembly. I encourage Hon. Members to bring more business when the House resumes and by so doing we will be responsive to people's needs.

Hon. Members, I am aware that the Committee activities have been going on since the inception of the second Assembly. I am convinced that the deliberations coming out of the Committee activities will form part of our legislative agenda moving forward. My office is committed to making sure that all Committees are accorded the necessary support they need in order to perform its functions effectively. This is because County Assembly Committees are important oversight tools for a vibrant and functioning legislature.

Hon. Members, to enable you to have an informed debate and contribution before the Assembly, I wish to urge everyone to develop a habit of continuous interaction with the Standing Orders and other laws which govern the business of this House. It is my appeal that Members develop interest on all matters deliberated on the floor, research on the same with the aim of making substantive contribution at the Plenary and the Committee level.

Hon. Members, I would like to politely remind you of the significance of your work as legislators as you head for recess. This Assembly exists primarily for one reason only and that is to solve the problems and meet the needs of our people. In order to do that, we need to constantly remind ourselves of what this Assembly expects of us as Hon. Members. Key among them is how we portray the image of the County Assembly of Mombasa when we are with our constituents. It is my sincere hope that we would portray the Assembly with decorum and decency it deserves.

Hon. Members, I would also like to inform you that the recess period is meant to touch base with the needs and issues in the respective Wards. Therefore, Members use this ample time to understand and interact with Members of the public and I hope that when you come back you will be in a much better position to articulate their needs.

Hon. Members, as the popular saying goes "all work without play makes Jack a dull boy", let us not forget that recess is also a time to take rest from the busy schedule of the Assembly.

So let us have some good rest while also spending some quality time with our families and friends, when we come back we will be rejuvenated and be ready to conduct our business with zeal.

Hon. Members, lastly Ladies and Gentlemen, as we head into the festive season, I wish our Christian brothers and sisters a Merry Christmas and a Happy New Year to all of you.

(Applause)

Thank you and God bless Mombasa.

(Applause)

ADJOURNMENT

Hon. Members the Assembly now stands Adjourned until Tuesday 13th February, 2018 at 2:30p.m. Thank you.

The House rose at 4.43p.m.