

MOMBASA COUNTY ASSEMBLY**HANSARD REPORT**Wednesday, 20th July, 2016

The House met at 2:30p.m.

*(Deputy Speaker (Hon. Mswabah Rashid) in the Chair)***PRAYERS****Deputy Speaker (Hon. Mswabah Rashid):** Members you may sit down. Yes Clerk.**COMMUNICATION FROM THE CHAIR**

Members I acknowledge the presence of the students of Tudor Day Secondary school, I understand they are history students, for our visitors you are welcome this is Mombasa County Assembly, I would like to appreciate the presence of;

(Deputy Speaker (Hon. Mswabah Rashid) called out names of the visiting students and teachers from Tudor Day Secondary School who stood and bowed)

1. Mohamed H. Lali
2. Abdulhafid Mohamed
3. Abdalla Hamadi
4. Joshua Bule
5. Kaunda Brian
6. Edward Ouma
7. Nyaudha Erick Omondi
8. Jamal Murad
9. Duncan Ngige
10. Hassan Ali
11. Mtune Eliud
12. Moses Gabriel
13. Hassan Ali
14. Omar Ashraf
15. Kele Mohamed
16. Kea Rajab
17. Karisa Samson
18. Kele Mkembe Philip
19. Ibrahim Abdulmalik
20. Ali Abshir
21. Nyenje Khalfan
22. Abdallah Khalfan
23. Kazungu Salim
24. Salim Ali
25. Patrick Chege
26. Samuel Nyabea
27. Jackson Mwema
28. George Kalingo
29. Ali Abdalla Mohamed
30. Tom George
31. Bakari Ismail

32. Said Mohamed
33. Mbarak Salim
34. Abdillahi Mwaita

I also appreciate the presence of their two teachers;

35. Mr. Wanguba
36. Mr. Mwiti

You are welcome.

(Applause)
(Interruption)

Yes Hon. Riziki Fundi what is it?

Hon. Fundi: Ahsante Mheshimiwa Spika mimi pia kwa ruhusa yako ningependa kuwakaribisha watoto wa Tudor ningependa kuwajulisha kuwa nilikuwa mmoja katika wanafunzi waliopitia katika shule hio...

(Applause)

Kuanzia mwaka 1976 mpaka 1979. Ahsante Mheshimiwa Spika.

(Applause)

Deputy Speaker (Hon. Mswabah Rashid): Mheshimiwa Hatimy.

Hon. Mohamed Hatimy: Mine is to welcome the students from my area. I am very happy for they are here so that they can learn the devolved system which is the new constitution and practically when they are here they will learn what the Assembly, government the way it functions practically. In fact I remember the other day I was in Nairobi visiting the National Assembly, I was happy and privileged to be there, they know how we... and I take this opportunity to welcome them because I represent that area, thank you.

Deputy Speaker (Hon. Mswabah Rashid): Mheshimiwa wa Mwakirunge.

Hon. Mwinga: Thank you Mr. Speaker. Mr. Speaker I also take this opportunity to welcome Tudor Secondary School boys as I was also a former student of Tudor Secondary School.

(Applause)

I can even still remember the name of my class and my admission number Mr. Speaker.

(Laughter)

I was in form 4Y and my admission number was 3003 so ... so the students we welcome you. Thank you.

Deputy Speaker (Hon. Mswabah Rashid): Kibwana Swaleh....

(Laughter)

Wewe ulisoma Khamis.

Hon. Kibwana Swaleh: You are right Mr. Speaker. Thank you Mr. Speaker, am also happy that we have visitors and it is my pleasure for this Honorable House. I was not there; as you have stated I was a neighbour to that school at that time. As you are aware that Khamisi when it comes to schools in the Coast province you should not mention Khamisi High School, then there is nothing but I am happy that we have a good relation with the school. Mine as a Member of this Hon. House am also happy that you are here and we are here for you and we are here for our beloved County, that is Mombasa County 001, thank you Hon. Speaker.

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Saad Faraj.

Hon. Faraj: Thank you very much Mr. Speaker for giving me this opportunity. Mr. Speaker being a very a good neighbor to my brother Hon. Patrick Siminyu I would like also to welcome our younger brothers from Tudor Day Secondary considering the fact Mr. Speaker that a bigger percentage of those who are schooling there come from my area. I take also this opportunity to welcome you and ask you to feel free and enjoy the deliberations of Mombasa County Assembly. Thank you very much.

(Applause)

Deputy Speaker (Hon. Mswabah Rashid): Mheshimiwa Fadhili.

Hon. Mwalimu: Ahsante Mheshimiwa Spika. Mheshimiwa Spika mimi pia pamoja na wenzangu nachukua fursa hii kuwakaribisha ndugu zetu kutoka shule ya upili ya Tudor. Mheshimiwa Spika mimi sikusomea shule ya upili ya Tudor mimi nilisomea shule ya Shimo la Tewa. Hakika Mheshimiwa Spika nakumbuka wakati Tudor wakiwa na Mwalimu mkuu marehemu Bwana.... wakati huo wakimuita. Mheshimiwa Spika mimi nakumbuka nikiwa *Captain* wa Shule yangu Shimo la tewa nikichezea shule yangu mpira tuliweza kufunga shule ya Tudor mabao 3 – 1. Kwa hio Mheshimiwa Spika nawakaribisha na tuko pamoja, ahsante.

Deputy Speaker (Hon. Mswabah Rashid): Clerk can you commence the business of the day.

NOTICE OF MOTION

Hon. Maimuna S. Mwawasi.

Leader of Minority (Hon. (Maimuna) Mwawasi): Ahsante sana Mheshimiwa Spika, nimesimama kuleta, Bwana Spika kuleta Notisi ya Mswada. Mheshimiwa Spika tunajua ya kwamba sisi tunaishi katika mazingira ambayo ni mazingira ambayo yamezingirwa na maji ambayo tunaishi kati kati na maji yametuzingira. Kwa hio Mheshimiwa Spika mimi nilikuwa nimekuja na Mswada ambao utazungumzia kuhusu jinsi gani tutaweza kusaidia wale wananchi wetu ambao wanaishi hapa, na sisi tuko na sheria ya sisi kama serikali ya Kaunti ya Mombasa, tuko na mamlaka ya kuhakikisha ya kwamba watu wetu wanaoishi ndani ya Mombasa tumeweza kuwaangalia na kutekeleza yale ambayo tunaweza kuyatekeleza kulingana na majukumu ya Kaunti na zile nguvu ambazo tumepewa kikatiba. Mheshimiwa Spika, kuna watu ambao wamesomea mambo ya upigaji mbizi; tungependa ya kwamba Bunge hili liweze kuzungumza na iweze kuangalia ya kwamba kitengo cha wazima moto yaani *Fire Brigade* iwe ni kitengo cha kitofauti cha kushughulika na mambo ya moto. Alafu katika mambo ya wapiga mbizi na watu ambao wanapiga mbizi, tuangalie hicho kitengo tuweze kukigawanya kuwe na kitengo cha wazima moto na kitengo cha wapiga mbizi.

Mheshimiwa Spika, nina ufahamu ya kwamba tukiweza kufanya mambo hayo watu wetu watakuwa tumeweza kuwalinda kikatiba na kisheria na itakuwa tumeweza kuangalia Mombasa kulingana na vipawa vile ambavyo tuko navyo kama sisi Serikali ya Kaunti ya Mombasa na kulingana na watu ambao tunaishi nao. Kwa hio Mheshimiwa Spika mimi nilikuwa nimeleta Notisi ya Mswada tuweze kuangalia na ningeomba Bunge hili liweze kujadili kwa sababu katika leo nimeona kwamba katika ratba ya siku yaani *Order Paper* hakuna jambo isipokuwa ni tuweze kuomba ya kwamba watu waweze kuijadili huu Mswada kusudi tuangalie ni jinsi gani tutaweza kusaidia watu wetu upande wa majanga, upande wa zile nyanja za baharini na ajali zile ambazo zinaweza kutokea. Mheshimiwa Spika ninaomba wako upeo Mheshimiwa Spika.

Deputy Speaker (Hon. Mswabah Rashid): Thank you very much Hon. Maimuna for the Notice of Motion. Now you just wait for the time of Motion I heard your plea so when we reach business number eight to move the same Motion. Clerk.

STATEMENT

Yes Hon. Mote?

Hon. (Ms.) Fatuma Swaleh: Ahsante sana Mheshimiwa Spika kwa kunipa fursa hii. Mheshimiwa Spika ningependa kuongelea janga linalo kumba wakaazi wa Kisauni na vilevile wakaazi wa Nyali. Mheshimiwa Spika ni jambo la kusikitisha sana, tuna watoto wetu ama ndugu zetu wanaojiita *Wakali kwanza*, imefika hatia ama hatua sasa kina mama wakitembea mabarabarani ama wanafunzi wakitoka shuleni imefika mahali wananyonywa matiti Mheshimiwa Spika....

(Applause)

Ambalo ni jambo la kusikitisha sana na ningeomba vile vile serikali ama wazee wa nyumba kumi wanajua ni mtoto fulani ama ni mtoto wa nyumba fulani yuko katika kikundi cha *Wakali kwanza* na tuna nyamaza. Lakini kuliletwa mambo ya nyumba kumi, na vilevile kuna wazee wa mitaa na vilevile kuna machifu, ikiwa tutanyamaza Mheshimiwa Spika hii itarejesha watoto wetu wa kike nyuma na vilevile wanawake tutazidi kubakia nyuma kwa sababu ikiwa mtoto ameenda shule apatikane na hawa *Wakali kwanza* anyonywe matiti siku ya pili hatakubali kwenda shule. Mheshimiwa Spika, hiyo ni hujuma ya hali ya juu, na watoto twawajua ni watoto wetu lakini tumenyamaza.

(Interruption)

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Mwadziwe what is it?

Hon. Mwinga: Ahsante sana Mheshimiwa Spika. Mheshimiwa Spika najua Mheshimiwa amesimama kwa ajili ya taarifa lakini ananishangaza kwa sababu hili ni Jumba la sheria na Jumba hili la sheria mimi nina shangaa nikisikia mpaka watoto wa shule wananyonywa matiti. Mheshimiwa Spika nafikiri hili si jambo la kuchukuliwa rahisi na Mheshimiwa Spika kama tumefikia hapo ya kwamba watoto wetu wakaweze kunyanyaswa barabara ni mchana...

(Interruption)

Deputy Speaker (Hon. Mswabah Rashid): Hon. Mwadziwe are you contributing or are you explaining?

(Laughter)

Because Hon. Fatma Mote is still on the floor, I thought you are standing for a Point of Order, if you don't have a Point of Order then let Hon. Mote continue with the statement. Yes go on.

Hon. (Ms.) Fatuma Swaleh: Mheshimiwa Spika ahsante sana kwa kunilinda, na ni jambo la kusikitisha sana manake mimi najua Mheshimiwa Enock Mwadziwe anatoka katika eneo la Kisauni ambalo eneo hilo la Kisauni na Nyali wale wanaojiita *Wakali kwanza* wanatoka huko. Sasa namshangaa Mheshimiwa Enock kusimama na kuanza kuleta porojo zake ambazo hazieleweki Mheshimiwa Spika.

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Mwadziwe what is it?

Hon. Mwinga: Mheshimiwa Spika mimi sileti porojo; mimi nilikuwa nataka kumwelezea Mheshimiwa ambaye anaendelea wajua hili jambo tuko ndani ya Bunge na kila kitu tunachoongea kina nakiliwa. Mheshimiwa Spika nilikuwa nataka kumuomba Mheshimiwa ambaye anaendelea aweze kutumia lugha ambayo haitaweza kuonyesha Kaunti yetu ya Mombasa ya kwamba kuna mambo machafu ambayo yanaendelea.

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Saad Faraj?

Hon. Faraj: Mheshimiwa Spika nimesimama kujaribu kurekebisha maongezi ambayo kwamba yalizungumzwa na ndugu yangu Mheshimiwa Enock Mwadziwe. Mheshimiwa Spika hili ni Jumba la sheria kweli na ni Jumba la nidhamu lakini palepale tuko na haki, fursa ya kuzungumza ukweli kama ulivyo na ndio maana sisi tuko hapa kuwakilisha wale walioko kule nje. Kwa sababu watu wote wa Tononoka hawawezi kuja wakawa kwa Jumba hili kujiwakilisha ndio maana tukachaguliwa sisi, ndio maana akachaguliwa ndugu yangu Enock Mwadziwe na ikiwa swala lililoko ni hilo la kuwa watu wanabakwa au wanaharibiwa au wanafanywa nini lazima lizungumziwe kama jinsi yanavyo kwamba yanafaa kuzungumzwa. Mheshimiwa Spika isiwe kwa kwenda katika mbinu nyingine yoyote haki iko wazi na ubovu na ubaya pia uko wazi Mheshimiwa Spika. Ahsante.

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Fadhili.

Hon. Mwalimu: Ahsante Mheshimiwa Spika. Mheshimiwa Spika kupitia kiti chako najua Mheshimiwa Fatuma Mote amechangia taarifa yake na nina imani amemaliza yale aliyokuwa nayo yakuzungumza...

(Laughter)

Mheshimiwa Spika mimi nazidi kujengea hoja, angekuwa yuwataka kunipinga angenipinga lakini nina imani ana kubaliana na ninayosema na mimi nazidi kujenga hoja yake maana ameleta hoja ambayo ina lazima sisi kama Wabunge wa Bunge la Kaunti tulijadili kidogo swala hili; swala la usalama. Ndani ya katiba yetu Mheshimiwa Spika kifungu 32...

(Interruption)

Deputy Speaker (Hon. Mswabah Rashid): Hon. Fadhili let me first ask Hon. Fatuma Mote if she has finished. Fatuma Mote are you through with your statement?

Hon. (Ms.) Fatuma Swaleh: Ndio Mheshimiwa Spika.

(Applause)

Deputy Speaker (Hon. Mswabah Rashid): Hon. Fadhili you can continue, you can proceed.

(Laughter)

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Hatimy.

Hon. Mohamed Hatimy: Mheshimiwa Spika inaonekana Nyumba hii kuna ufisadi.

(Laughter)

Deputy Speaker (Hon. Mswabah Rashid): Ok Members we know statements are not discussed but if we are to follow the procedure it is Fatuma Mote, it is you who will ask this House for your statement to be discussed because I can see people are interested in contributing towards your Motion, towards your Statement.

Hon. (Ms.) Fatuma Swaleh: Ahsante sana Mheshimiwa Spika kwa ruhusa yako nakuomba kwa hekima na taadhima naomba hili swala liweze kujadiliwa kwa kina...

(Applause)

Deputy Speaker (Hon. Mswabah Rashid): Honorable Members of the County Assembly as many as are of the opinion that the Motion by Hon. Fatuma Mote be discussed in this House.

(Question put and agreed to)

(Loud Consultations)

Why are you standing up?

Hon. Mwalimu: Ahsante Mheshimiwa Spika.

(Laughter)

(Interruption)

Deputy Speaker (Hon. Mswabah Rashid): Hon. Fadhili let's follow the procedure Lucy Chireri why are you standing?

Hon. (Ms.) Chireri: I stand on division.

Deputy Speaker (Hon. Mswabah Rashid): So in that opinion many refused to have that, on my part many decided the ayes but if that is the case then we are going to do division, its ok. Clerk? So am asking Members.

Hon. Mwalimu: The people who want division they are just three Members Mr. Speaker Sir.

Deputy Speaker (Hon. Mswabah Rashid): Yes they have a right to be heard, so all the nays, can the nays stand up to be counted?

(Laughter)

Deputy Speaker (Hon. Mswabah Rashid): One, two, three.

(Laughter)

The ayes stand up to be counted.

(Laughter)

Ok the ayes have it.

(Laughter)

Members I was right, the ayes. Ok yes Hon. Fadhili.

Hon. Mwalimu: Ahsante Mheshimiwa Spika, kwanza kabisa nikizungumzia kuhusu Katiba yetu; ndani ya Katiba yetu kuna vipengele ambavyo vya ruhusu ama vyalinda mwananchi, na moja kati ya vipengele hivyo chini ya *Article* nambari 39 inazungumzia kuhusu *freedom of movement*. Mheshimiwa Spika na ikiwa jambo hili liko ndani ya Katiba watu wanaruhusiwa kutembea popote pale wanapojisikia wakati wowote na muhimu hawavunji sheria. Vile vile ndani ya Katiba kuna kifungu ama *Article* 40 pia inazungumzia kuhusu kulindwa kwa mali na pia ndani ya katiba yetu *Article* 57 kama sikukosea inazungumzia pia watu wazima waweze pia kufanya shughuli zao bila bugdha yeyote. Mazungumzo aliyoleta Mheshimiwa Fatma Swaleh amezungumzia sana kuangalia swala la usalama kwa watoto lakini yanayo wapata watoto wetu wa Kaunti ya Mombasa iko haja kama serekali ya Kaunti na nina imani katika Bunge letu pia kuna Kamati ambayo inashughulikia usalama chini ya uwenyekiti wa usalama. Iko haja Kamati ikae chini iangazie swala hili kwa kina Mheshimiwa Spika na ikiwa tutadharau maana haya mambo yalianza kidogo kidogo lakini sasa imefikia mpaka gari laweza likasimamishwa na watu wakanyanganywa walivyo navyo Mheshimiwa Spika...

(Applause)

Tunashindwa kulinda kwanza katiba yetu na tunashinda kulinda wananchi wetu Mheshimiwa Spika.

Mheshimiwa Spika yasikitisha tena yasikitisha sana imefikia mpaka sasa kina mama kama alivyozungumza Mheshimiwa Fatuma, imefikia sasa hivi kina mama wakipatana na vijana kama hao wakiwa hawana chochote cha kuwapa inafikia wakati wa kuwanyanyasa kimapenzi. Mheshimiwa Spika kina mama wananyanyaswa kimapenzi na ikiwa sisi kama serikali hatutachukua jambo hili kwa umuhimu na kuifanyia kazi vilivyo basi tujue kuwa Waswahili walisema ukiona mwenzako anyolewa na chako kitie maji.

Leo twazungumzia na tukiyawacha mambo haya Mheshimiwa Spika yatatapakaa Mombasa nzima na nasimama kurekebisha ukichelea mwana kulia Mheshimiwa Spika utalia wewe. Na Mheshimiwa Spika nikisema utalia wewe sisemi utalia wewe

(Laughter)

Nasema sisi wakaazi wa Mombasa Mheshimiwa Spika itakapofika wakati ambao hatuwezi tena kuyahimili mambo haya itakuwa tuko taabani, tuko taabuni. Mimi naomba Waheshimiwa wenzangu swala hili tulichukulie kwa umhimu zaidi Mheshimiwa Spika kwa sababu ya kuwalinda kwanza watoto wetu. Mheshimiwa Spika kwa kuwa siku hizi kuna tabu za barabara mara watoto hufika nyumbani kuchelewa, watoto wafika manyumbani alfajiri na huu ndio wakati ambao vijana wetu hawa huwa barabarani wakifanya shughuli hizo. Mheshimiwa Spika

iko haja tena kubwa sana kupitia serikali ya Kaunti ikishirikiana na serikali kuu kuhakikisha suala hili limemalizwa kabisa.....

(Applause)

Mheshimiwa Spika tuliona sehemu za Nyeri wakati watu walitaka kumaliza mambo ya ulevi, unywaji wa changaa serikali kuu ilifanya kazi yake vilivyo. Mheshimiwa Spika leo hii tunapozungumza ulevi ule ama unywaji wa watu kunywa ovyo ovyo umepungua kwa asilimia kubwa sana, sasa mimi naomba Kamati husika ihakikishe itafanya kazi ya karibu sana na serikali kuu na wahusika wote wa usalama kwanza usalama umetugharimu sana. Mheshimiwa Spika watalii ndani ya Mombasa wamepotea kupotea; kwa watalii umeshukisha vijana wetu, umeshukisha ajira vijana wetu wamekosa ajira kwa sababu ya usalama. Mheshimiwa Spika mimi nina imani kila jambo ikiwa tutasimama kama serikali, kama wananchi wa Mombasa jambo hili tutaweza kulihimili na tutaweza kulimaliza vizuri. Ahsante Mheshimiwa Spika.

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Patrick Siminyu.

Hon. Siminyu: Thank you Mr. Speaker for giving me this opportunity to contribute to the statement that was brought by Hon. Fatuma my sister. Hon. Speaker this is a serious matter and it damages the image of Mombasa County at large. Mr. Speaker our ladies are suffering and in fact I want to take this matter of security it is not under the County but under the national government. Mr. Speaker I think if somebody is dying it is not working as required; the police, the *Nyumba Kumi* initiative, the *Wazee Wa Mtaa* they are under the Administration, under the national government. Mr. Speaker Sir as you understand we have a Committee of Administration and the Security and it is under Hon. Ndanda. This House need answers from Marwa; Mr. Speaker the Committee should have a meeting as soon as possible so that we can have answers on whatever is happening. Mr. Speaker we hear statements from these police men and women telling us how they are going to deal with these people but we have seen no action. So Mr. Speaker there's a need for us to send a Committee to sit with Marwa, we need to have answers for this and the answers should be brought back to the House so that we can see the way the County must act and as the Assembly we must take action as we were elected by our people. Thank you.

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Riziki Fundi.

Hon. Fundi: Ahsante sana Mheshimiwa Spika kwa kunipa fursa hii ili na mimi niweze kutoa mchango kwa taarifa hii. Mheshimiwa Spika tulipatwa na mshangao wakati tulipopata habari hizi kutoka kwa Mheshimiwa Fatuma kwamba vijana wameingililia ukora mpaka sasa wameingia katika kuwanyonya matiti dada zetu na mama zetu. Mheshimiwa Spika hebu tuangalie pale mvua ilianza kutunyeshea; wa mama hivi sasa ambao wanafanya kazi na wale ambao wako nyumbani hawanyonyeshi watoto wao mpaka kufikia miaka miwili. Inawezekana kwamba watoto hao waliachishwa mapema kwa sababu ndio maana sasa wanakimbia kunyonya kwa sababu si tukio ambalo linafaa kufanya na mwanadamu ambaye yuko kamili....

(Laughter)

Mheshimiwa Spika sisi kama wakaazi wa Mombasa tulikemee suala hili vilivyo na tusiseme vijana hawa wanafanya mambo haya kwa sababu wako Kisauni ikiwa ni sehemu ya upigaji kura ambayo mimi pia natoka. Mheshimiwa Spika hili ni swala muhimu ni swala nyeti lazima lifanyiwe umuhimu unaostahili na ikiwa ni kweli mambo haya ni kuwa yanafanyika kweli ingefaa ichukuliwe hatua kwa haraka. Lakini pia nataka niwaambie kina mama wanyonyeshe watoto wao kwa ule muda unaotakikana sio ikawa wana hamu wakati washakuwa watu wazima. Ahsanteni.

Deputy Speaker (Hon. Mswabah Rashid): Mheshimiwa Zainab Said Ali (Mama Kaunti).

Hon. (Mrs.) Zainab Said: Ahsante sana Bwana Spika kwa kunipa fursa hii, nimesimama kuchangia taarifa alisolileta Mheshimiwa Fatuma Kushe. Kwa hakika kweli watoto wameharibika sana na ni kweli hawa watoto wasipochukuliwa hatua mapema tutaleta hatari kwa sababu kulikuwa na Kudzacha Majengo watu walikuwa wakivuliwa viatu wakitembea ama vipuli hata watu walikuwa wakikatwa vidole lakini watu walikwenda mbio mpaka sasa wamenyamaza na ikiondoka. Kwa nini watu wa Kisauni na sisi watu wa Mombasa tulioko mjini tusiungane tujue hawa watoto watafanya nini mpaka haya mambo yaondoke? Maana haya mambo yanatambaa yanatambaa mpaka mwisho yatafika kwetu; yako Kisauni lakini mpaka kwetu yatafika. Kwa hivyo twaomba Kaunti yetu na Serikali Kuu iungane tufanye vyovyote itakavyokuwa haya mambo yaondoke yasiendele. Lakini sisi wazazi pia ni wabaya kwa sababu watoto wetu wakishikwa twaenda uza bangili tukawatoa. Hivyo basi mwisho watakuja kukupokonya wewe mama mwenyewe; Majengo kuna mtoto alimpokonya mamake mkufu amekaa akamwambia wanipokonya mwanangu mkufu? Akamwambia enhe nakupokonya na ukinifuata nakukata panga! Basi ndio hivyo tufanyeni juhudi kwa vyovyote haya mambo yamalizike. Ahsante.

Deputy Speaker (Hon. Mswabah Rashid): Mheshimiwa Serah Nyamvula.

Hon. (Mrs.) Nyamvula: Ahsante Mheshimiwa Spika kwa kunipatia nafasi hii; kwanza nashukuru sana Mheshimiwa Fatuma amelea hii taarifa hapa lakini pia nashukuru umenipa nafasi manake Waheshimiwa nilikuwa nawaona hawako vizuri na hili swala. Unajua kuna msemu unasema ukificha uchi hautazaa na nafikiria tunaficha uchi na tumeanza kuona matokeo sasa. Mheshimiwa katika hili hili jambo jana tulikuwa tunazungumzia hili swala na jana wa mama wa Mombasa Kaunti ambao sisi ni wawakilishi wao lakini kina mama wengi wako nje sisi hapa ndani tuko kumi ama kumi na mbili lakini wengi ni wale ambao wako nje. Ni jambo la kusikitisha mimi mwenyewe nilivyokuwa nikiangalia runinga NTV nikiona kina mama wanaongea wameshikana kutoka Kisauni na Likoni wakilizungumza kwanza nilishtuka. Ya kwanza mimi kama muwakilishi sikujulishwa wala sikuletwa karibu kwa hilo na sisi ndio tuko hapa na sisi ndio wawakilishi na sisi hatujui. Pili niliona vizuri kuwa kina mama wanafanya kazi sisi tuko hapa lakini kuna wengine ambao wanafanya kazi labda wameona hatujafanya kazi ya kutosha wamelizungumzia hapa jana na wakasema vile wana shida. Pia nataka kuongezea kuwa kuna siku mwaka jana nilikuja nikasema kwamba nilikuwa niko pale Frere Town *football pitch* nikiangalia mpira nikaona vijana wamekuja kutoka Shelema, Barisheba nikaona vijana wamekuja na bakora. Nikampigia Chifu nikamwambia kuna vijana wadogo wako na bakora maana namba yake niko nayo kwa simu yangu, Chifu akaniambia maneno matatu lakini sikuridhika na haikupita siku saba ndio kukaharibika. Kama vile alivyosema Mheshimiwa Mama Kaunti ni kwamba hili swala lilianza kule kukuwa na Kudzacha ikawa hakupitiki lakini likaishi kule lakini huko tunatoka kwengine na suluhisho nini? Manake watoto ni wale wale ukiangalia ni vuguvugu inaendelea, tuligura sana wengine wakagura kule na kule tuko na shida sisi watu wa Mombasa tuko na shida kubwa sana ukigura Kisauni uende Likoni nikisema unachukua shida uipeleke Nyali ama Mngongeni nasema hiyo shida itakuwa umeipeleka huko. Kwa hio hauwezi sema nikigura ndio hapo nimetatusa hilo tatizo, hapana tatizo lazima tulitatusa palepale, watoto wetu wanasoma pamoja wanakula pamoja wanacheza pamoja. Hivyo basi ni sisi tushikane pamoja tusione haya siasa iwekwe kando maanake kila tukigusa mahali unasikia hii ni siasa haina faida.

Kwa hivyo ni muhimu tuangalie kunaendelea nini, ingekuaje tuna *move around* kuipeleka kwengine hawa watoto pale wa Tudor tumesikia Waheshimiwa hapa wa Bamburi Mwakirunge walikua wanasoma pale hawa vijana wanakutana shule lakini kila mmoja hua anatoka mahali pengine kabisa na kila mtu pale ana mzazi wake tofauti na wote wanatoka Kaunti ya Mombasa.

Hawa ni watoto manake Tudor ni shule ya umma wametoka Kaunti ya Mombasa na wengine wametoka Kaunti jirani ya Kilifi kupitia Mazera kupitia Mtwapa na wanakuja kwa masaa manane wanakua pamoja Jumamosi Jumapili wanaenda Makanisani wanaenda Misikitini wanatangamana na wengine Mheshimiwa Spika. Mimi nasema tulitatie hilo tatizo bila kulionea haya, ahsante.

Deputy Speaker (Hon. Mswabah Rashid): Zeinab Mumba.

Hon. (Ms.) Zeinab Mumba: Ahsante sana Mheshimiwa Spika hata mimi nimesimama ku unga mkono taarifa hii ambayo imeletwa na Mheshimiwa Fatma Mote. Ni jambo la kusikitisha sana japokuwa Mheshimiwa amesema ni Kisauni peke yake na Nyali; kuna Majengo pia kwa sababu watoto ni walewale wa Nyali, Kisauni, Likoni wanashikana makundi, sio *Wakali kwanza* peke yake kuna makundi mengi sana. Mheshimiwa Spika mimi nataka kuzungumza kwamba usalama ni mimi na wananchi nikizungumza hivi ni kwa sababu wazazi watoto wao wakashikwa yuko radhi afungue kabati auze kama ni vitu vyake ili aende kumkomboa mtoto wake. Lakini polisi wakainza kuwapiga risasi watoto wanasema watoto wao wanaonewa, wanawakana watoto wao sio majambazi lakini ni majambazi. Imefika wakati swala ya asubuhi Kisauni ni balaa kwenda kwa sababu ukitoka watoto wako nje na visu, panga na mitaimbo za mifereji ikiwa huna pesa utapigwa ili uende hospitali utoe pesa. Ni jambo la kusikitisha sana Mheshimiwa Spika, kwa hivyo mimi naomba Bunge hili lifanye mikakati ili tuangalie usalama utaendelea vipi Mombasa. Kwa hayo machache Mheshimiwa Spika ahsante sana.

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Saad Faraj.

Hon. Faraj: Ahsante sana Mheshimiwa Spika kwa fursa hii, swala ambalo liko ni swala nyeti na ni swala ambalo kwamba haliathiri peke yake eneo la Kisauni bali linaathiri maeneo yote ya Mombasa. Mheshimiwa Spika vijana ni wetu na hatuna njia, hatuna budi ila kutafuta mbinu mbadala kuangalia namna gani twaweza kuwasaidia watu hawa. Mheshimiwa Spika uwizi na ujambazi umeenea na nikizungumzia eneo langu la Tononoka ni eneo pia ambalo limeathirika pakubwa kutokamana na utovu wa nidhamu na ukora unaofanyika na vijana wetu. La kusikitisha ni kuwa wamechanganywa wema na waovu katika hali ya kusema twapiga vita ujambazi.

Mheshimiwa Spika ni lazima tuwe katika hali ya tahadhari kuangalia wale wahalifu ni nani na wale ambao wanatahirika bila sababu ni kina nani. Kwa sababu vyombo vya usalama vilivyoko katika nchi hii hususan katika Mombasa vinachanganya mada Mheshimiwa Spika. Nikisema hivyo namaanisha lau kuna kiwango kikubwa Mheshimiwa Spika wale ambao kwamba wanaathirika ni vijana ambao kwamba hawahusiani katika njia yoyote ile ya ujambazi na ikiwa twataka kufanya haki na ukweli ni tihakikishe kuwa Bwana Spika...

(Interruption)

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Hatimy.

Hon. Mohamed Hatimy: Bwana Spika hii ni Nyumba ya sheria na sheria inasema mtu asizungumze zaidi ya dakika tatu na naona Mheshimiwa amezidisha...

(Laughter)

Deputy Speaker (Hon. Mswabah Rashid): Ni dakika mbili na nusu bado nusu dakika....

(Laughter)

Hon. Faraj: Ahsante sana Mheshimiwa Spika na kwa sababu Mheshimiwa Hatimy amechangia nitahakikisha nimemaliza nukta zangu. Usisitizo wangu utakua wa kuangalia mambo ya haki na hivi sasa twazungumza haki ifanyike; ni kweli tukubali kuna matatizo, ni kweli tukubali kuna watu ambao kwamba wanafanya mambo ambayo kwamba ni kinyume na sheria za nchi hii lakini vilevile wanaoathirika kwa haya mambo ni wale ambao sio wahusika. Kwa hio naomba Jumba hii liweze kutathmini masuala ya wale walioathirika ambao kwamba hawajaweza kufanya uovu wowote katika Kaunti hii, ahsante Bwana Spika, shukran.

Deputy Speaker (Hon. Mswabah Rashid): Thank you Mr. Speaker I think this has been discussed to length, so Members security is an important issue and this House must find a solution. We must know what is happening there so i order this matter to be taken to Administration and Security Committee headed by Ndanda to investigate the matter and come back with a solution in this House within two weeks. Thank you.

(Applause)

Clerk?

MOTION

Minority leader.

Leader of Minority (Hon. (Ms.) Maimuna Salim): Mheshimiwa Spika nakushukuru kwa kunipa nafasi hii kuweza kunikubalia ya kwamba ile ni Mswada na tuweze kukubali tuweze kuijadili na kuzungumzia. Mheshimiwa Spika tunajua mji wetu wa Mombasa umezingirwa na maji na...

(Interruption)

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Zeinab Mumba?

Hon. (Ms.) Zeinab Mumba: Ahsante sana Mheshimiwa Spika nimesimama kuunga mkono hoja hii.

Deputy Speaker (Hon. Mswabah Rashid): Okay Members i have to propose a question, Members it has been proposed by Minority Leader that her Motion be discussed in this House..

(Question put and agreed to)

Yes Minority Leader?

Leader of Minority (Hon. (Ms.) Maimuna Salim): Ahsante Mheshimiwa Spika kwa nafasi hii kwanza nakushukuru kwa Kiti chako na hekima yako. Bwana Spika mimi ningependa kuzungumzia kuhusu Mswada ulioletwa leo; tunajua sisi watu wa Mombasa tumezingirwa na maji na tuna watu ambao twaweza watumia kwa upande wa usafiri, uogeleaji ili tuweze kusaidia watu wetu wa Mombasa. Mheshimiwa Spika tunajua ya kwamba kuna kitengo kinaitwa *Fire Brigade* ndio kimeweza kumeza upande wa upigaji mbizi, na hivi ni vitu ambavyo ni viwili tofauti na tuna watu ambao wako na ujuzi. Kwa hio mimi nimeleta Mswada huu ili tuweze kuzungumza tuweze kuwa na kitengo cha upigaji mbizi na tuweze kuwa na kitengo cha *Fire brigade* ambacho ni cha kuhusika na mambo ya moto kwa sababu haya yote ni majanga ambayo yametuzingira na tuna watu ambao tunastahili kuwatumia ili tuhakikishe kwamba kila mtu anatumia ujuzi ambao yuko nao ili kuridhisha watu wa Mombasa ama kuweza kusaidia. Kuna wengine wana ujuzi lakini vile vipawa vyao twaweza kupoteza. Hivyo basi nimeleta Mswada huu ili tuweze kuangalia kwa ndani na tukubaliane kama Nyumba ya sheria kwamba tuhakikishe tumeweza kuzigawanya na kila mtu ameweza kuwajibika kwa sababu tuna mashua ambayo imekaa pale kwa Katibu wa Kaunti na haitumiki. Ni habari za kusikitisha kwa sababu ni vitu ambavyo tumeleta ili tuweze kuwajibika kwa hivyo tumeweza kuwapatia wale wafanyi kazi wetu nguvu zaidi ili waweze kuangalia jinsi gani wataweza kusaidia watu wetu.

Mheshimiwa Spika tukiangalia hizi fuo zetu kunatokea maajali wakati wa likizo kwa sababu tuko na Wapiga mbizi wa kujitolelea lakini na sisi Mombasa tuko na Wapigaji Mbizi ambao hatuwatumii. Kwa hivyo mimi nimeleta mjadala kuangalia jinsi gani tutaweza kuimarisha na tuweke hizo Vitengo vile zilivyo. Hivyo basi Mheshimiwa Spika nimesimama kuleta Mswada huu na ningeomba Bunge hili waweze kuunga mkono ili tuweze kuhakikisha kwamba watu wa Mombasa wapate huduma bora, ahsante sana.

Deputy Speaker (Hon. Mswabah Rashid): Yes the seconder Hon. Zeinab?

Hon. (Ms.) Zeinab Mumba: Ahsante Bwana Spika nimesimama kuunga mkono; ni jambo la kusikitisha sana kwa sababu katika Kaunti yetu ya Mombasa sisi hatuna ukulima ukulima wetu ni bahari. Nimesimama kusema ya kwamba nasikitika sana kwa sababu tunae kijana

mshupavu mkakamavu katika kitengo cha kupiga mbizi ambao Kaunti ya Mombasa hamshughulikii anashuhulikiwa na Kaunti nyengine kama Kilifi, Lamu, na hata Eldoret...

(Interruption)

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Fadhili what is it?

Hon. Mwalimu: Mr. Spika mzungumzaji aeleze nia yake, ni kama anatafutia kijana kazi...

(Laughter)

Lakini sio kutuambia kuwa hatushughulikii, afuate taratibu za kumuomba kazi lakini sio kuja kwa Mswada huu kuomba mtu kazi. Mheshimiwa Spika, naomba Mheshimiwa aeleze kinaga ubaga asiingize hoja ndani ya hoja.

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Mumba?

Hon. (Ms.) Zeinab Mumba: Mheshimiwa Spika nataka kumwambia ndugu yangu Fadhili ya kwamba mimi sitafutii mtu kazi bali haya naonega ni ukweli mtupu.

Deputy Speaker (Hon. Mswabah Rashid): Hon. Mumba you address the Speaker and not the Hon. Member.

Hon. (Ms.) Zeinab Mumba: Ahsante Mheshimiwa Spika, kijana huyu anatumiwa na Kaunti tofauti tofauti kwa sababu pia anatumiwa na mashirika tofauti kama vile Maritime, sasa hivi ninavyokuambia yuko Maritime...

(Interruption)

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Fadhili?

Hon. Mwalimu: Bwana Spika narudia tena; Mheshimiwa Spika hatuzungumzii kijana katika hii hoja. Naomba Mheshimiwa Spika kupitia kwa kiti chako hoja hii ina maoni yake ambayo alikuwa nayo lakini Mheshimiwa anayeongea anatumia kuhusu kijana anayeswa na Maritime kama ni kuteswa alete hoja iko Kamati ya Leba itafuatiliza hayo maswala yake ya kuteswa. Mimi naomba utuelekeze maana Mheshimiwa anayezungumza anatupotosha anatutoa katika hoja ilioko anatumia katika hoja nyingine ambayo haijapata mwanya ndani ya Nyumba hii. Ahsante.

(Interruption)

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Mwandziwe what is it?

Hon. Mwinga: Mheshimiwa ningependa kumuambia msemaji alioko kwa sakafu ya kwamba...

(Interruption)

Hon. Mwalimu: Mheshimiwa Spika! Mheshimiwa Spika!

Deputy Speaker (Hon. Mswabah Rashid): What is it?

Hon. Mwalimu: Mheshimiwa Spika mimi sitaki kueleza maana naelewa chochote tunachozungumza ikiwa ataka kueleza, aeleze Bunge hili lakini kama ni kunieleza mimi kama alivyoeleza yeye...

(Laughter)

Deputy Speaker (Hon. Mswabah Rashid): Hon. Mwandziwe, Hon. Fadhili does not want to be informed.

Deputy Speaker (Hon. Mswabah Rashid): Mheshimiwa Spika ningependa kueleza Nyumba hii ili Mheshimiwa Fadhili aweze kusikia pia ya kwamba Mheshimiwa Spika Mheshimiwa aliye kwenye sakafu anacho kisema ni kwamba hichi kitengo ambacho tunataka kukiunda cha upigaji mbizi ya kwamba tayari kuna kijana maybe ni sogora...

(Applause)

Hon. Mwinga: Kwa hivyo tuko na kijana ambaye ni sogora wa hichi kitengo kikiundwa ndio tutamtumia aweze kufunza wengine, ahsante.

(Applause)

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Hatimy?

Hon. Mohamed Hatimy: Mheshimiwa Spika naomba kuleta marekebisho kwenye huu Mswada ili tuweze kufanya mambo vyenye inatakikana kwa sababu nataka yeye aombe Kamati ya Fedha na Kamati hio iweze kuongeza kwenye bajeti ili tukija kusema tunaunda hiki kitengo iwe imepata ruhusa ya Kamati ya Bajeti. Kwa hivyo Mheshimiwa Spika nidhamu za Bunge nambari 53 naomba marekebisho ya huu Mswada na kuwa majadiliano yadhirishwe mpaka mnamo kesho ndio tuje na marekebisho...

(Interruption)

Hon. Mwalimu: Hon. Speaker, is the Member...

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Fadhili?

Hon. Mwalimu: ...Mr. Speaker in order to propose adjournment and at the same time propose also the time that we are going to sit already? He has taken a position to adjourn this House, the Hon. Member is not in order...

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Hatimy?

Hon. Mohamed Hatimy: Mr. Speaker I rise under Standing order 53.

Deputy Speaker (Hon. Mswabah Rashid): I will read, *"The Motion mover must agree if they want an amendment, you cannot make an amendment without the agreement of the mover of the Motion so we have to ask the mover of the Motion first"*.

Hon. Mohamed Hatimy: I apply for leave to adjourn the Motion for the House to agree or to grant me to come with an amendment...

Hon. Mwalimu: And Mr. Speaker I am also a Member of the Finance Committee, the Chairman has not consulted the Committee...

(Laughter)

Mr. Speaker for us to amend this Motion, so Mr. Speaker I think the Chairman is not in order to come and propose on behalf of the Committee. Thank you.

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Patrick Siminyu.

Hon. Siminyu: Mr. Speaker I concur with the Chairman of Finance each and every activity has to have the backing of Finance. So that we have a stronger Motion which can be implemented. I second the adjournment. Thank you.

(Loud consultations)

Deputy Speaker (Hon. Mswabah Rashid): Hon. Saad Faraj?

Hon. Faraj: Thank you so much Mr. Speaker. This Motion has financial implications and if am not wrong the financial implications under Standing order 206 is very clear when we want to do an amendment of a Motion with financial implications. So Mr. Speaker I want to call upon this House and I agree with Hon. Mohamed Hatimy the Chair for Finance we need more time so that we can deliberate and we can allow the executive to implement this Motion.

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Kithinzi?

Hon. (Ms.) Zeinab Kithinzi: Ahsante Mheshimiwa Spika nashukuru. Kwa kuniona mimi pia naungana na Mwenyekiti wa Fedha kwa sababu haina haja ya kupitisha jambo ambalo tunajua halitafanyika. Ni bora mwenye Mswada waweze kukaa na Mwenyekiti wa Fedha waweze kukaa na kupanga hicho kitengo vile ambavyo tutapitisha iwe ina...

(Interruption)

Ahsante Mheshimiwa Spika.

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Fadhili Mwalimu.

Hon. Mwalimu: Mr. Speaker it is not in order for a Member to say that the mover of this Motion should just sit with the Chairman instead of the Committee. Mr. Speaker, it is the mover of this Motion to sit with the Committee and pursued it of the importance of having this diving unit or department, we understand that....

(Interruption)

Deputy Speaker (Hon. Mswabah Rashid): Members why are you standing up?

(Members sat down)

Hon. Mwalimu: Thank you Mr. Speaker for protecting me....

(Laughter)

I think it is not in order under our Standing orders for two or more Members to stand when another Member is on the floor. So Mr. Speaker I want to beg my fellow Honorable Members to give me time; my worry is if the mover of this Motion just sits with the Chairman without consulting the Committee

(Interruption)

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Chairman Hatimy what is it? let us hear the Chairman.

Hon. Mohamed Hatimy: Mr. Speaker this is not about me and Hon. Maimuna, if he is not happy I request the mover to withdraw under 48. Thank you.

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Saad what is it?

Hon. Faraj: Hon. Speaker though indirectly I have been adversely mentioned by Hon. Fadhili Mwalimu with regards to my earlier statement that I made to this House that I met with the Chairman as a Member of the Finance and Budget Appropriations Committee. I refer to the Committee, I think I would like to make it very clear I was mentioning the Committee. Thank you.

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Maimuna the mover of the Motion.

Leader of Minority (Hon. (Ms.) Maimuna Salim): Ahsante sana Mheshimiwa Spika ningependa kutoa Mswada chini ya kifungu cha nidhamu za Bunge nambari 48 kwanza, pili nimesimama kama...

(Interruption)

Hon. Mwalimu: Mr. Speaker point of order! What does the Standing order 48 state? Let her come clear, let the Hon. Member come clear, what does Standing order 48 say?

(Loud Consultations)

Deputy Speaker (Hon. Mswabah Rashid): Members I have the Standing Order with me, I can read it for you. Standing Order number 48 says, "*Motion withdrawn maybe moved again*", it says...

(Applause)

"A Notice of Motion may be withdrawn by the Member who gave the Notice but Notice of the same Motion maybe given again either by the same or by any other Member..."

Are you satisfied Hon. Fadhili Makarani?

Hon. Mwalimu: Mr. Speaker I think the House is satisfied with the Standing orders. thank you.

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Minority Leader?

Leader of Minority (Hon. (Ms.) Maimuna Salim): Ahsante sana Mheshimiwa Spika mimi ningependa kusema ya kwamba hili ni jambo ambalo lahusu Mombasa nzima halinihusu mimi wala Mohamed Hatimy. Kwa hio ningependa kusema ya kwamba tutarudi katika Kamati ya Fedha kuhakikisha ya kwamba kumetengwa pesa za hicho kitengo tukiileta hapa iwe iko tayari na kitengo na kazi iendele, hatuko hapa kuzungumza kama simba sambara vitu haviweleweki.

(Applause)

(Laughter)

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Fadhili what is it?

Hon. Mwalimu: Mheshimiwa Spika kwanza sijui samba sambara...

(Laughter)

Mheshimiwa Spika aliyeondoa Mswada hajakata wa kumuunga mkono...

(Loud Consultation)

Deputy Speaker (Hon. Mswabah Rashid): Hon. Fadhili what is your concern? This Motion has already been withdrawn so what is your concern?

Hon. Mwalimu: Mheshimiwa Spika aliyeomba ruhusa ya kurudisha hoja hii tena amesema anaenda kukaa na Kamati ya bajeti waangalie ni vipi wataweka pesa. Mheshimiwa Spika tuelewe bajeti imepita hapa pesa hizi watazitoa wapi ama iwe ni bajeti ya mwaka ujao. Mheshimiwa Spika hii ni Nyumba ya sheria Mheshimiwa Spika tujue watakuwa ni kwenda kupangilia mipango wa mwaka ujao.

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Hatimy Chairman of Finance.

Hon. Mohamed Hatimy: Mheshimiwa Fadhili anapotosha hii Nyumba, *Public Finance Management Act* iko wazi, kuna kitu inaitwa *Supplementary budget*. Kwa hio saa yeyote tunatengeneza *Supplementary budget* tunaweza kuongeza hiki kitengo, kwa hivyo naomba Mheshimiwa Fadhili asipotoshe hii Nyumba. Ahsante Bwana Spika.

Deputy Speaker (Hon. Mswabah Rashid): Clerk?

ADJOURNMENT

The House rose at 3:30p.m.