

REPUBLIC OF KENYA
COUNTY ASSEMBLY OF KILIFI

THE HANSARD

Monday, 2nd July, 2018

*The House met at the County Assembly Chamber,
Malindi Town, at 2.30 p.m.*

[The Temporary Speaker (Hon. (Ms) Maneno) in the Chair]

PRAYERS

COMMUNICATION FROM THE CHAIR

ROUTINE MAINTENANCE OF THE COMMUNICATION SYSTEM IN THE CHAMBER

The Temporary Speaker (Hon. (Ms.) Maneno): Hon. Members, the Assembly HANSARD system is due for routine maintenance because it has been a year since it was installed. A technician made an assessment last week and recommended that the same needs maintenance and software update. We will not be able to use our goose mics this week as work is underway. Sorry for any inconveniences caused.

STATEMENTS

ORDER OF BUSINESS FOR THE WEEK COMMENCING MONDAY, 2ND JULY, 2018

Hon. (Ms.) Sidi: Thank you Madam Speaker. Pursuant to the provision of Standing Order 41(a), I wish to give a Statement regarding the Order of Business of the House for the week commencing Monday, July 2nd, 2018.

Monday 2nd July 2018 from 2:30 p.m. the business of the day is:-

a) Statement. The first Statement is a Response to a Statement sought by hon. Maitha Masha from the County Executive Committee Member in charge of the Department of Education and ICT. Second is a Response to a Statement sought by hon. Ziro from County Executive Committee Member in charge of the Department of Education and ICT. Next, is a Response to a Statement sought by hon. Mwambire from the County Executive Member in charge of the Department of Health Services. Next is a Response to a Statement sought by hon. Kadenge from the County Executive Committee Member in charge of the Department of Education and ICT.

Next is a Response to a Statement sought by hon. Mumba from the County Executive Committee Member in charge of the Department of Water, Environment, Forestry, Natural Resources and Solid Waste Management. Next is a response to a Statement sought by hon. (Ms.) Carol from the County Executive Committee Member in charge of the Department of Water, Environment, Forestry, Natural Resources and Solid Waste Management.

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Next is a Response to a Statement sought by hon. Kadenge from the County Executive Committee Member in charge of the Department of Health Services. Next is a Response to a Statement sought by hon. Kenga from the County Public Service Board. Last one is a Response to a Statement sought by hon. Pascal from the County Executive Committee Member in charge of the Department of Water, Environment, Forestry, Natural Resources and Solid Waste Management.

Tuesday 3rd July from 9:30 a.m. the business will be:-

a) Papers; First is tabling of the Report of the Economic Planning, Trade and Co-operative Development Committee on the Kilifi County Microfinance Fund (Mbegu Fund) Amendment Bill, 2018 by hon. Ziro. Next will be the tabling of the First Quarterly Report for the year 2018 for the Department of Gender, Social Services, Culture, Youth and Sports by the Leader of Majority. Last is the Tabling of the Quarterly Budget Reports for the Department of Lands, Energy, Housing, Physical Planning and Urban Development by the Leader of Majority.

Tuesday 3rd July, 2018 from 2:30 p.m. will be a) Motion: Adoption of the Report of Agriculture, Livestock and Fisheries Committee on the status of county ploughing tractors laid on the Table of this House on 8th May, 2018. It is a resumption of the debate, moved by hon. Noordin.

Wednesday 4th July, 2018 from 2:30 p.m. the business will be a) Bills; we will have the Committee of the Whole House on the Kilifi County Microfinance Fund (Mbegu Fund) Amendment Bill, 2018. Two, the Kilifi County Microfinance Fund (Mbegu Fund) Amendment Bill, 2018 (Third Reading). That is the business of the week. Thank you Madam Speaker.

DELAYED COMPLETION OF ICT LABORATORY AT JARIBUNI POLYTECHNIC

The Temporary Speaker (Hon. (Ms.) Maneno): There is a Response to a Statement sought by hon. Maitha from the Department of Education and ICT, is he around? hon. Maitha? If he is not in we are going to skip that Response and I commit it back to the House Business Committee to reschedule.

(Statement deferred)

STATUS OF BARICHO, KAKUHANI AND ZHONGWANI PRIMARY SCHOOLS

There is another Response to a Statement sought by hon. Ziro from the Department of Education and ICT, is he in? If he is not around, I commit the Response to the House Business Committee to reschedule. Response to a Statement sought by hon. Mwambire. Is he around? Okay. Is the Chairperson Health Committee around? No, I commit the same to the House Business Committee to reschedule time for it.

Response to a Statement sought by hon. Mumba. Is he around? I commit the same to the House Business Committee to reschedule time for it.

(Statements deferred)

Response to a Statement sought by hon. Kadenge; is he around? Yes Chairperson Education Committee.

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STATUS OF KASIMBIJI, MAJIVUNI AND CENTRAL
EARLY CHILDHOOD DEVELOPMENT CENTRES (ECDS)

Hon. Chiriba: Thank you Madam Speaker. I rise to give a Response to a Statement sought by hon. Kadenge, the Member for Malindi Town Ward. The Statement was; whether the County Executive Member in charge of the Department of Education and ICT is aware that the following ECD projects are complete; Kasimbiji ECD, Majivuni ECD and Central ECD and if yes why the projects have not been handed over to the community.

Madam Speaker, the CEC Member is aware. I wish to state that the contractor at Kasimbiji ECDE Centre is yet to do the final touches that is completing the painting, fix the chalk tray, re-fit the doors so as to open outwards and put window seals before a completion certificate can be issued. However, the classrooms are in use now since 2nd of March, 2018, when hon. (Ms.) Aisha Jumwa (MP-Malindi Constituency) held a public rally at the school and in the process, doors were forced open, to allow pupils in.

Contractor number two at Majivuni ECDE Centre has fitted only two escape windows instead of four. He is yet to put up the verandah beam and fix the chalk tray before being issued with a completion certificate.

Thirdly, the contractor at Malindi Central is yet to put up a water tank and the fire extinguisher before a completion certificate can be issued to him. Due to the above shortcomings, the projects cannot be handed over to the community as completed. In mitigation: The Department is following up the issue to ensure compliance as soon as possible. Thank you Madam Speaker.

The Temporary Speaker (Hon. (Ms.) Maneno): Hon. Kadenge, are you okay with the Response?

Hon. Kadenge: Thank you Madam Speaker. I am not okay with the Response because it is half way done. So I would request the CEC to explain to this House when shall these institutions be handed over to the community because since the elections, nothing is going on in the Constituency, so by saying there are issues to be done, I think it is like lying to this hon. House. We need a detailed Response regarding this issue. Thank you Madam Speaker.

The Temporary Speaker (Hon. (Ms.) Maneno): Yes hon. Chiriba.

Hon. Chiriba: Thank you Madam Speaker and hon. Kadenge for expressing your dissatisfaction in this Response. Otherwise, I want to go on record that as I was also inquiring some details concerning the same, I learnt that the challenges facing the contractors lies in the issue of payments and that is why there has been delays in service delivery. So I will take it up as the hon. Member has asked. Otherwise, the County at large should also be informed that the contractors are also experiencing this problem. Thank you.

The Temporary Speaker (Hon. (Ms.) Maneno): Okay. Yes hon. Kenga.

Hon. Kenga: Mheshimiwa Spika, naomba pia vile vile kupeana mchango wangu kwa swala ambalo linajadiliwa. Mwenyekiti wa Kamati ya Elimu amejitahidi katika maelezo kueleza kwamba huenda ni changamoto ya malipo kwa mjenzi ndio maana kazi haijakamilika. Lakini jawabu hili tunataraji kama Bunge lijitokeze kama jibu ambalo tumepata kutoka kwa Waziri. Kwa sasa anapozungumza hivyo hatutaweza kukubaliana naye kwa sababu Waziri ambaye ni mhusika mkuu katika hili swala amenakili sababu tatu na maelezo ya miradi mitatu kwa nini haijakamilika. Hakuna sehemu hata moja ambayo ametaja swala la fedha kama changamoto ya

kukamilisha miradi. Kwa hivyo, kuna uwezekano mkubwa kwamba ashalipwa lakini labda ni ulegevu ndio umechangia kwamba hii kazi haijakamilika.

Labda niulize, Mheshimiwa Kadenge anasema tokea uchaguzi na ulifanyika, tarehe nane, mwezi wa nane, mwaka jana, watoto tunawanyima haki yao kwa sababu mazingira yale wanasomea mpaka unasikia Mbunge wa Bunge la Kitaifa alazimishe wanafunzi waingia pale labda pengine hali hii ingethibitiwa na wale wahusika tusingefikia viwango vile. Kwa nini walilazimika? Japo ni makosa walifanya lakini huenda ikawa ulegevu umechangia maswala kama haya.

Haya ninayozungumza sio maswala ambayo yanahusiana na Wadi ya Malindi Town. Leo tumekuwa tunajadili rasmi katika Kamati ya Elimu baada ya kupata Ripoti ya muhula wa kwanza na wa pili wa mwaka wa fedha wa 2017/2018. Mwenyekiti alipokuwa anatupitisha kwa Ripoti ile imejitokeza wazi kwamba kuna miradi mingi kwa mfano ndani ya Wadi ya Adu, kuna mradi wa Thulu madarasa mawili na tangi ya maji. Mjenzi alipelekwa pale toka mwaka jana na leo tuko hapa tarehe mbili mwezi wa saba ule mradi baada ya kupewa *site* hakuna chochote ambacho kimefanyika. Afisi haijachukua hatua nadhani kwa mujibu wa sheria ni kwamba wakati mwanakandarasi amepolekewa nyanjani ili kutekeleza mradi kuna sheria ambayo ina mwelekeza labda kwa siku 14 aweze ku *mobilize materials* na wakati *materials* zikikusanywa ili kazi iweze kufanywa, basi inatakikana kazi ionekane inafanyika. Hilo halijafanyika.

Ni changamoto ambayo inamhusu mheshimiwa lakini inahusu Bunge nzima na naamini kuna miradi mingi ya Kaunti ambayo imeweza kukwama haijakamilika; haisongi hatujui shida ni gani. Mimi naomba Kamati ipewe nafasi ya kuingilia ikiwezekana Mwenyekiti aweze kutembelea hii miradi ili tujue pale miradi imefikia. Kwa mujibu wa mwakilishi wa Wadi, miradi imekamilika, kwa mujibu wa ofisi kuna maswala ambayo mpaka yatekelezwe ndio mradi utekelezwe. Kwa mujibu wa Mwenyekiti, ni changamoto ya malipo, je Bunge tusimame wapi? Asante Mheshimiwa.

The Temporary Speaker (Hon. (Ms.) Maneno: Hon. Saumu Sidi.

Hon. (Ms.) Sidi: Thank you Madam Speaker. I also rise to give my concerns specifically to the hon. Member who raised the Statement. In his Statement, there are two questions he had raised; whether the projects were complete and yes the CEC has answered that the projects were complete and then he went ahead and asked if they had been handed over to the community and if not, what are the reasons? Those reasons have been addressed but the Member has said he is dissatisfied because of the timelines. Like when is the project going to be complete? That was not in the question. So I think maybe you should raise another Statement to ask the CEC. Thank you Madam Speaker.

The Temporary Speaker (Hon. (Ms.) Maneno: Thank you. Hon. Mwambire.

Hon. Mwambire: Asante sana mheshimiwa Spika. Mimi pia nikiongezea, Mheshimiwa Kenga alipokuwa akiongea ni kwamba vile Mheshimiwa Sidi anayosema ni alete *Statement* ni ukweli lakini *my concern* ni kuongezea pale mheshimiwa Kenga alivyosema ya kwamba miradi mingi iko katika hali hiyo na kama miradi iko hivyo naona lile sisitizo ambalo amesema Kamati ipewe nafasi kutembelea miradi ya ECD. Ni muhimu zaidi ili tuweze kupata Ripoti mwafaka kuhusu hii miradi *otherwise Statement* zitaandikwa nyingi sana. Asante sana Madam Spika.

The Temporary Speaker (Hon. (Ms.) Maneno: Hon. Chiriba, what is not happening? Do you want to contribute or?

Hon. Chiriba: Yes I still want to add value to what is being said. Hon. Speaker, it is my prayer that this Assembly will remove the doubts because as we were seated, we had a meeting

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before we came to this House. One thing we have addressed was the issues of Report on all their projects and their status.

Madam Speaker, what hon. Stanley Kenga has said, is true. I also have projects in my ward that seem to be complete but are not handed over to the community. Yes, the issue of finance does not feature and that is why I have said I will still go back and get clarity. I believe the request I made to you Madam Speaker, when it comes to you, you shall find favour so that we can go around the county and make sure that we spot check all the projects and their status and finally bring a Report to the House. Thank you.

The Temporary Speaker (Hon. (Ms.) Maneno): Thank you. I believe you will bring a detailed Report to the House within 14 days.

(Temporary Speaker (Hon. (Ms) Maneno) consulted with the Clerk -at -the Table)

STATUS OF BWAGAMOYO ASBESTOS DISPOSAL PLANT

(Statement deferred)

IRREGULAR RECRUITMENT OF FIRE SERVICEMAN FROM ADU WARD

Hon. Kadenge: Thank you, Madam Speaker. I beg to respond to a Statement sought by hon. Stanley Kenga, the Member for Adu and the Deputy Speaker. The Statement was whether the Chairperson, Kilifi County Public Service Board, is aware that Mr. Aboud Omar Abdalla, the recruit for the position of fire serviceman, is not and has never been a resident of Adu Ward in Magarini Sub-County. If yes, what measures the Kilifi Public Service Board has taken to address the anomaly and recruit another resident of Adu Ward for the position of the fire man.

This is the Response from the CEO (Chief Executive Officer) Public Service Board; Reference is made to your letter CAK/ADM/3/VOL13/36 dated 11th April, 2018 on the above subject. The Chairman of the County Public Service Board met the County Assembly on a request and deliberated on the issue with the Sectoral Committee on Labour and Social Services on Thursday, 3rd May, 2018. It was confirmed that Mr. Aboud Omar Abdalla is a Somali and that his Ward of origin is Adu as indicated on his bio data form. Copy enclosed for easy of reference. The Board appointed Mr. Aboud Omar Abdalla to take care of the 30 percent requirement stated in section 6 (1) (e) of the County Government Act, 2012. Thank you.

The Temporary Speaker (Hon. (Ms.) Maneno: Hon. Stanley Kenga.

Hon. Kenga: Madam Spika, naomba niseme kwamba sijaridhika na jawabu ambalo limetoka kwa Mwenyekiti wa Bodi ya ajira katika gatuzi letu la Kilifi kupitia kwa Mwenyekiti wetu wa Kamati ya Leba ndani ya Bunge letu la Kilifi na labda ukinuruhusu niko na sababu zifuatazo. Naomba kuzisoma ili tupate mwelekeo?

The Temporary Speaker (Hon. (Ms.) Maneno): Unaweza kuendelea.

Hon. Kenga: Mheshimiwa Spika, mnamo tarehe 11 mwezi wa nne mwaka wa 2018, niliweza kuandika swali nikitaka jawabu kutoka kwa Mwenyekiti wa tume ya ajira katika Kaunti ya Kilifi nikiulizia kuhusu mwajiriwa kwa jina Aboud Omar Abdalla, aliyeajiriwa kwa nafasi ya wazima moto na kwamba huyu ana ufahamu kuwa yeye hajakuwa si mwana Adu na yeye si mkaazi wa Adu katika eneo Bunge la Magarini na kama ana ufahamu ni yapi yanafanyika ili kuhakikisha kwamba nafasi ya wenyeji wa Adu imeweza kuhifadhiwa kwa minajili ya maendeleo.

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Jawabu ambalo nimeweza kupokea ni kwamba Mwenyekiti wa tume aliweza kukutana na Bunge na wakaweza kujadili katika mkao ambao ulifanyika mnamo tarehe tatu mwezi wa tano mwaka wa 2018 na ikajitokeza kwamba Bw Abuod Omar Abdalla ni mwenye asili ya kisomali na Wadi yake asili ni Adu kama ilivyojitokeza kwa kwenye nakala ya *biodata*, na tukaweza kupewa nakala yake kwa kuthibitisha zaidi. Mimi naomba mheshimiwa Spika, utupatie mwelekeo na mwongozo. Nasema hivyo kwa sababu kutokana na Ripoti ya *the County Government of Kilifi- County Public Service Board report of activities for the period* kutoka Januari mpaka Disemba 2016 na vile vile baadhi ya nakala ambazo tumeweza kuzipata ni kwamba kila wadi wakati ule ajira zilipokuwa zikifanywa nafasi zilizotangazwa zilikuwa ni nafasi 140. Nafasi ambazo ni kama zifuatanzo; ziliweza kutangazwa nafasi za wazima moto, walinda misitu, pia watu wanaitwa *traffic marshals* na vile vile zikatangazwa nafasi za wale watu ambao wanalinda ufuo wetu wa bahari. Nafasi zile zilikuwa zimelenga kwa kila wadi watu wanne waweze kuajiriwa ili waweze kuingia pale ili waweze kuhudumia wakaazi wetu wa Kaunti ya Kilifi.

Kunayo nakala ambayo tume ya ajira iliweza kuleta hapa Bungeni ikithibitisha kikamilifu kwamba ndani ya Wadi ya Adu walioajiriwa kwa nyadhifa hizi kwa kila idara waliorodheshwa pale. Mbona leo mimi nimesimama hapa sijauliza wale wengine watatu ambao walipata nafasi ya kuajiriwa? Lakini tukatarajia tuweze kupewa kitibithisho halisi kwamba kweli huyu kijana ni mwenyeji mkaazi wa Adu. Natambua kwamba ndani ya Adu wako wasomali na tunashirikiana vizuri katika maswala ya maendeleo lakini kitu ambacho tunapinga mheshimiwa Spika ni ukora kwamba mtu achukuliwe kwa madai kwamba ni kabila fulani ili aweze kuingizwa katika ajira ilhali hatoki maeneo yale. Kwamba kithibithisho ati aliulizwa alitoka wadi gani akajaza ni Adu ilhali hatoki maeneo yale. Akaulizwa unatoka kijiji gani akatoa jawabu kwamba anatoka kijiji cha Adu.

Mimi sidhani hivyo ndio vigezo ambavyo vinaweza kuthibitisha kwamba kweli aliyeajiriwa ni mkaazi wa Adu na kwa sababu katiba imetupatia nafasi kwamba wakati tunapofanya maswala ni lazima tuende kwa mujibu wa sheria. Mimi nataka niseme kwamba huyu bwana sisi mwana Adu hatumjui, si mwana Adu na ukiangalia alipoulizwa maswala ya elimu, ameweza kuorodhesha nafasi ya kwamba amesomea shule ya upili ya Lamu ya wavulana mwaka wa 2005; inawezekana mwana Adu kusomea Lamu sababu ndani ya sheria za Kenya unaweza kusomea mahali popote lakini hata alijisahau hakuweza kuandika shule yake ya msingi alisomea wapi. Kwa hivyo, mimi bado ninakanusha kwamba muajiriwa huyu ambaye amechukua ile sehemu ya watu wa Adu yeye hatoki Adu. Kwa sababu hatoki Adu bado watu wa Adu wanadai nafasi yao katika hii nafasi ya ajira na ni vizuri uchunguzi ufanywe kwa kina ili uweze kubainisha ukweli.

Kama ni mwana Adu abaki kwa ajira kwa sababu ni mwana Adu lakini ulaghai kwamba watu watumie hizi nafasi ili kuweza kujinufaisha kwa kuingiza watu wao na kuwaweka katika idara mbali mbali ati kwa sababu wanajaribu ku *address* mambo ya walio wachache, hatutakubali. Ndani ya Adu wako walio wachache kwa hivyo kama ni swala la ku *address* mambo ya *marginalized* wachukue watu halisi wa Adu lakini wasichukue watu wengine na kuwaweka kwamba ni wana Adu. Kwa hivyo, mheshimiwa Spika, sikubaliani na jawabu ambalo tumepokea kutoka kwa Bodi. Asante.

The Temporary Speaker (Hon. (Ms.) Maneno): Thank you. Yes, hon. Thuva Pascal.

Hon. Pascal: Thank you, Madam Speaker for giving me an opportunity to also contribute on the subject matter that is on the Floor. Madam Speaker, I also want to concur with the

Member who has just sat, who was contributing on the issue on recruitment of one Abuod Omar Abdalla who is said to be a resident of Magarini.

Time has come for this county to be fair in the distribution of services and more so the job opportunities to the residents of Kilifi because when this subject came up in the first Assembly, there were four wards that had been affected by the same problem and when we made investigations over the same issue we came to realize that there is some mess that was done by those who were given the responsibility to look for the occupants of these offices, Madam Speaker.

I remember when this subject came to the Floor of this House, there was a heated debate on the same and hon. Members needed to know the correct answers to the whole riddle. It seems like it has not been sorted out and as a Member of this House, I want this matter to be investigated to the root cause of this problem so that the truth can be known. It is very ridiculous for somebody to sit in the Ward knowing that he was assigned an opportunity to a certain job only for that person to be short changed.

Every youth down there has a right to be employed. If we are told that every ward should give their candidates for this position, why then should we not adhere to that rule? Because if some wards got their share and then others were deprived of their rights to get their share then where are we headed to as a county? We want equality in this; we want every ward to get its share so that these guys from rural areas, the guys from the interior wards also to get a chance. So, we do not want impurity to reign in these activities. We want everybody no matter his status in society to actually get an equal share of this. So, I concur with the hon. Member for Adu that we actually investigate this matter and concrete answers to be brought to this Assembly and even the other wards that had also been affected, Madam Speaker, we want that to be investigated and sorted out once and for all. Thank you very much Madam Speaker.

The Temporary Speaker (Hon. (Ms.) Maneno): Thank you for your contribution hon. Thuva Pascal. Hon. Mramba

Hon. Mramba: Thank you, Madam Speaker and just to add on this, it is very true that we had a meeting with the Chairman of the Board together with his Members and we agreed tentatively that every ward shall get a fair share of employees out of the recruitment. Funny enough when the recruitment was done, whatever had been promised did not come through because you will note that in my ward that is Kakuyuni Ward, we had another boy from Lamu who was recruited to take the place of Kakuyuni. When I discovered just some few minutes before the letters of appointment were being dispatched from the Office of the Board, I went to face the Chairman, a few minutes before that young man was to pick his letter.

So, after I had alerted him and after the boy had gone there claiming that he comes from Kakuyuni, he was asked to provide his original identity card which he did not. He was told to bring a letter from his village elder; he did not. So, ultimately that letter was cancelled but that chance up to now because the Board promised to rectify the problem and recruit another person from that ward.

Madam Speaker, let it be very open and let us go on record that this should never happen again. If it is a chance for Adu Ward, it must benefit the people of Adu and if somebody just wrote in his bio data form, is that really enough to convince the Board that he is from Adu? I can say I am from Adu, any other person can say is from Jilore but you should insist on the original Identity Card.

This is an issue that must be investigated by the Labour and Social Welfare Committee and make sure the Board does justice to everyone. Let the Chair go back to the Board and bring a

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satisfactory answer; otherwise the Board will now be required to appear before the Committee on General Oversight in order to shade more light on this recruitment. Otherwise, it was not fair. Thank you.

The Temporary Speaker (Hon. (Ms.) Maneno): Hon. (Ms.) Saumu Sidi.

Hon. (Ms.) Sidi: Thank you Madam Speaker. I rise to give my views on this Statement and also agree with what the Deputy Speaker has said and more so to agree with what hon. Mramba said. If you want to identify a person, the only correct way is to identify them using their National ID (Identity Card). We do not need this bio data and especially from the CEC it is not a concrete system. We need a copy of his National ID or his birth certificate for that matter. Thank you.

(Hon. Kenga stood on a Point of Order)

The Temporary Speaker (Hon. (Ms.) Maneno): Yes hon. Stanley Kenga.

Hon. Kenga: Madam Speaker, I wish to go on record before you give your direction on this issue. I have a document from the County Public Service Board. This document is dated 4th of April, 2018 and the first item that was handled was on the recruitment of four people from every ward and the second sentence and I quote. “The four people per ward were a distribution working figure used to ensure that each ward can have one traffic marshal, one fire service man/woman, one forest guard, and one beach safety guard. Further, the recruitment exercise was done to completion and the successful candidates issued with appointment letters.”

This is an issue that I raised in the last Assembly but was not fully investigated I think because of the issues of campaigns. As you know we were in the election period. There is an attachment of a list that is dated 8th August, 2016 and this list Madam Speaker, is showing the distributions of the various positions in each and every ward. If you go to Adu Ward, you will realize the name of this said employee is there, but as said and the other Members have also contributed we cannot use the bio data form to ascertain the origin of an individual whether he comes from Adu or Jilore.

There must be other parameters that can convince Members but when you say because he filled the bio data form that he comes from Adu village in Adu ward; he knows there is Adu Ward because it one of the 35 Wards within the County and he knows there must be a village by the name Adu. But this man has never even stepped his foot in Adu location and I can tell you that for a fact. This is an issue that needs to be investigated and even those people who will be found to be responsible for doing this because the will and wishes of the people... you see we are talking about distributing and delivery of services and opportunities to the people.

The Constitution is talking about regional balance, and if these parameters are not adhered to then other wards will be discriminated, marginalized and we do not want to create marginalization within a county which is already marginalized. We need to get it right at this stage. Thank you very much.

The Temporary Speaker (Hon. (Ms.) Maneno): Thank you. I commit the Response again to the Labour Committee to investigate the matter and also organize a meeting and invite hon. Stanly Kenga. Hon. Stanly Kenga, make sure you carry the documents. Thank you.

STATUS OF STALLED WATER PROJECTS IN MWANAMWINGA WARD

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Response to a Statement sought by hon. Pascal Jacob Thuva. Is the Chair for Water, Environment, Forest and Natural Resources available? You can proceed.

Hon. Shaban: Thank you Madam Speaker. I am standing on behalf of the Chair for Water, hon. Hassan Mohammed. I wish to respond to a Statement sought by hon. Pascal Jacob Thuva and the Statement read as follows;

Whether the County Executive Committee Member in charge of Water, Environment, Forest and Natural Resources is aware that the following projects in Mwanamwinga Ward have stalled; one, Kabatheni borehole which was started in the financial year 2015/2016. Two, Juhudi-Kakomani water pipe line which kicked off in the FY 2016/2017 and if yes, what are the reasons for not completing the projects in good time? When shall the said projects be completed and put into use since the dry season has just began and people and animals are suffering?

Whether the County Executive Committee Member is further aware that Hademu-Nguluweni-Mtsengo-Bikidzaya water pipeline was completed in 2016 but has since not been operationalized. If yes, when shall the above project be operational and handed over to the residents? I wish to respond as follows; yes the CEC is aware and I would wish to respond on the Statement dated on 15th April, 2018 as follows;

The Department is aware of the status of the following projects and wishes to state as follows;

(a) Kabatheni Borehole; the project was done for the financial year 2015/2016 and completed in time but the still water tower which was constructed collapsed and hence we had to advise the contractor to do a concrete tower. The contractor faced financial challenges hence could not proceed immediately but we have been in constant communication with him and has promised to start working on the tower before end of this financial year after he has received some of his payments to some of his payments for other contracts which he had carried out which had delayed.

(b) Juhudi-Kakomani water pipeline; the project was done for the financial year 2016/2017 up to 90 percent completion rate. The challenge that delayed in completion of this project was the main pipe which was to be connected to this project was the main line did not have water hence we first had to work on the main pipeline to ensure it had constant flowing water before embarking on completion of the project by the end of the financial year.

(c), Hademu-Nguluweni-Mtsengo-Bikidzaya water pipeline; this was a project for the financial year 2016/2017 and was done to completion but could not be tested because some of the pipes were vandalized by the public and hence we had to do an assessment with the contractor before he could repair the vandalized area to completion, then test the whole project before handing it over. Thank you Madam Speaker.

The Temporary Speaker (Hon. (Ms.) Maneno): Hon. Thuva Pascal, are you okay with the Response?

Hon. Pascal: Thank you Madam Speaker, for giving me time to also respond to the Response that has just been read before this House. I tend to differ and find dissatisfaction in the Response that has been given. If you look at the date of these Statements, they are dated 5th April, that means they are two months old and the information I have from the ground is contrary to what has been read out here. Maybe there is one that the CEC has pointed out the exact state of affairs on the ground. It is Kabatheni borehole madam Speaker; it is half way done, and we have the other part because the contract was in two phases, it was for installation and then the other part which was supposed to have the water purifier and the distillatory. That is what is still

missing there. So if you look at this Statement; the first plan was done in the FY 2015/2016 and as a county, we have always had the urge of actually providing water to our people.

When you look at the other two subsequent Statements, they are for the financial year 2016/2017; so if you look at the trend of affairs, then we might say that this Department needs to pull up their socks in terms of service delivery. We are in the financial year 2018/2019 speaking of projects that were not completed three years down the line. If we are serious enough in our urge to provide fresh water for our people, when are we going to achieve this? If the Department can drag like this for three consecutive years, this is not the way to go.

We need to ensure that projects are done; every financial year we expect all projects to be done so that we can open up new avenues for other projects to be done. Otherwise, we need to be very punctual in our service delivery because Kabatheni was started in the financial year 2015/2016. We have two projects that were started in the years 2016/2017 and just because we come from the arid areas we want to provide our people with water. That is why when you look at Mwanamwinga, we have embarked on projects that are water oriented even this financial year we are on the same.

I want my colleague who has just raised this to take this message there that I am not satisfied with this and we need concrete dates when these projects will be up and serving the people. The reasons that have been given here that pipes have been vandalized by the public; this is because the public normally see these things there and they are not serving the people, no water is there and nothing is done.

When you go to that Department, you are told to come next week everything will be okay and you can even look at their own submissions here that they would actually fix everything by the end of this financial year; which was two months down the line that was what they promised. That financial year ended we are now in a new financial year and there is nothing that has been touched on the ground, Madam Speaker. I would urge my fellow hon. Member who I really respect to go back to these guys and try to dig deeper and get timelines on when these projects will be up and running for our public. Thank you very much Madam Speaker.

The Temporary Speaker (Hon. (Ms.) Maneno): Thank you. Hon. Kenga.

Hon. Kenga: Asante sana mhesheshimiwa Spika. Mimi naomba nichangie kama ifuatavyo; nafikiri ni lazima tukubaliane kwamba kuwe na mabadiliko ya utendakazi wa serikali yetu na ndio wakati huo tutaweza kupeana miradi kwa wananchi kwa wakati unaofaa. Huu mradi ni wa mwaka 2015/2016, na waziri anasema yuko na mawasiliano ya mara kwa mara na mwanakandarasi huyu ambaye alipewa hii kazi. Sasa mimi natafakari hivi; mradi ulitakikana kukamilika tarehe 30 mwezi wa sita mwaka wa 2016 na mradi huu kwa mujibu wake ni kwamba uliweza kukamilika ule mradi wa Kabatheni borehole lakini inasemekana kwamba kuna uharibifu ule mnara wa maji ukaweza kuporomoka.

Sasa mimi nataka nitazame hivi, kwamba kama maporomoko haya yangefanyika kabla ule muda wa kuangalia na kuthibiti ubora wa miradi, mwanakandarasi asingelizwa kurudi ili aweze kurekebisha. Inatumbia nini? La kwanza ni kwamba huu mradi haukufanywa kwa vile viwango, na kama mwanakandarasi alifanya kazi hii kwa muongozo wa afisi basi nataka niamini kwamba wale maafisa walioweza kutayarisha mambo ya *BQ (Bill of Quantities)* na yale mengine ndio waweze kuelekeza mwanakandarasi afanye kazi kwa misingi ile waliweza kulegea katika utayarishaji wa maswala yale ndio maana kazi iliyofanyika haikuwa bora.

Lakini hata baada ya kazi hii kwamba ni duni na maporoko yamefanyika na wizara imeweza kuamua kazi hii iweze kuendelea, kizungumkuti sasa ni waziri anakiri hapa kwamba amekuwa na mawasiliano ya mara kwa mara na mwanakandarasi huyu. Nataka natafakari hivi

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kwamba kutoka tarehe moja mwezi wa saba mwaka wa 2016 hadi tarehe moja mwezi wa saba mwaka wa 2017 mwaka mzima, siku 365 waziri anaendelea kufanya mawasiliano ili hii kazi iweze kurekebisha na mradi uweze kupeanwa kwa jamii ili wanajamii waweze kupata huduma. Kutoka tarehe tarehe moja mwezi wa saba mwaka wa 2017 hadi tarehe 30 mwezi wa sita mwaka wa 2018, siku nyingine 365, kila siku waziri anaendelea kufanya mazungumzo.

Nafikiri kuna sheria kwamba mwanakandarasi anapopewa kazi anapewa na maelezo ya sheria kwamba asipokamilisha kazi hii kufikia wakati fulani kuna nafasi mwanakandarasi yule aweze kupokonywa hii kazi ili mwengine apewe na kazi ikamilike. Juzi tulipokuwa na mkutano katika maswala ya bajeti, waziri wa fedha alieleza kwamba kwa sasa wamejaribu kusafisha ule uchafu ambao ulikuwa unafanyika kwa hiyo idara kwamba kwa sasa mwanakandarasi wanalipwa kulingana na ni yupi anakuja kwanza, anapewa nafasi ya kwanza. Kwa hivyo kama ni *voucher* alikuwa amepeleka lakini hapa hatujaeleza kwamba alipeleka *voucher* na akachelewa kupata malipo. Tumelezwa kwamba yeye binafsi ana changamoto za kifedha.

Katika majibu haijasema ni kwa sababu ya serikali ya Kaunti ya Kilifi lakini tumelezwa kwamba mwanakandarasi huyu ana changamoto za kifedha; ambapo ina maana pengine alichukua kazi akakosa uwezo wa kukamilisha huu mradi. Sasa tutaendelea hivi mpaka lini katika misingi hii kwamba watu wanapewa kazi; mimi najua maeneo yale mheshimiwa anayosema. Maeneo yale yako na shida kubwa sana katika maswala ya maji na kama huu mradi tuliniua; unajua hata inasemekana katika Kiingereza *if justice is delayed that is injustice* sasa hii haki hawa ambao wanatajikana wapewe na walitakikana kuweza kufurahikia na kusherehekea huduma hii mwaka wa 2016 ati mwaka 2018 bado hawajaweza kufurahikia ile huduma. Hii si haki tunawafanyia watu wa Mwanamwinga.

Kwa hivyo, mimi naomba na hapa ndio nitauliza Kamati husika; ni lazima tukae na uzuri ni kwamba mheshimiwa Spika tumeweza kupata Ripoti, zile *quarterly reports*, hata kama hatujazipata zikiwa kamili na zimechelewa kwa mfano Kamati ya *Education* leo nimelezwa kwamba tumepata ile ya *first quarter and second quarter*. *Second quarter* unajua inaenda mpaka Disemba lakini tumezipata leo ndio Kamati inapanga kuzikagua.

Tuzitumie kikamilifu na tuitishe hizi Ripoti kutoka kwa hawa mawaziri husika ili miradi iweze kusonga na wananchi waweze kupata huduma na ndio pale zile ajenda, yale mambo matano makuu ya gavana wetu, tumsaidie kutengeneza huduma kwa wanachi, atengeneze *legacy* na ndio anaposema tusizungumze kama wana Kilifi na sauti moja ndio tuende Kwale tuzungumze na wa Kwale na wale wa kule Taita na Tana River pamoja na ndugu zetu wa Mombasa na Lamu ndio tutafute hiki kiti cha uraisi. Tuwe tunatafuta uraisi kwa sababu Gavana Kingi ameacha *legacy* nzuri ambayo itakuwa mfano mzuri hata kwa wale wengine.

Kwa sasa, unajua tutapigwa vita wakati ule tukisimama kwa jukwaa tukisema kwamba rais wa jamhuri ya Kenya mheshimiwa Amason Jefwa Kingi, miradi mingi kama haijakamilika tutakuwa na lipi la kuwaambia watu wa Kwale, watasema Mvurya anatosha pengine kwa sababu rekodi itaonekana ni bora na sisi hatutaki tutembe katika hiyo barabara. Kwa hivyo, naomba tupate muelekeo, mawaziri waamke, miradi itekelezwe kwa wakati na wananchi wapate huduma. Asanteni.

The Temporary Speaker (Hon. (Ms.) Maneno): Thank you hon. Members. I now commit the Response back to the Committee on Environment to come up with a detailed Report or Response including current status of the projects. Thank you. Next order!

ADJOURNMENT

Thank you, hon. Members. There being no other business, this House stands adjourned until tomorrow at 9:30 a.m. Thank you.

The House rose at 3.34 p.m.