

REPUBLIC OF KENYA
COUNTY ASSEMBLY OF KILIFI

THE HANSARD

Monday, 14th November, 2016

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

[The Speaker (Hon. Kahindi) in the Chair]

PRAYER

PAPERS

REPORT ON THE KILIFI COUNTY ABATTOIRS BILL, 2016

Hon. Gambo: Thank you, Mr. Speaker, Sir. Today being Monday 14th November, 2016, I beg to lay on the Table of this hon. House the Report of the Agriculture, Livestock and Fisheries Committee on the Kilifi County Abattoirs Bill, 2016.

(Hon. Gambo laid the Paper on the Table)

REPORT ON CEC NOMINEE

The Leader of Majority (Hon. Mwingo): Mr. Speaker, Sir, today being Monday 14th November, 2016, I beg to lay on the Table of this hon. House, the Report of the Committee on Appointment on the vetting of Nominees for the positions of the County Executive Members in charge of Trade, Industrialization, Cooperative, Development, Tourism and Wildlife, ICT, Culture and Social Services and Lands, Energy, Housing, Physically Planning and Urban Development.

(Hon. Mwingo laid the Paper on the Table)

REPORT ON THE KILIFI COUNTY COOPERATIVE SOCIETY BILL, 2016

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Hon. (Ms.) Chiku: Thank you, Mr. Speaker, Sir. On behalf of the Chairperson of Planning, Trade, Cooperative Committee hon. (Dr.) Silas Mzungu, it is my pleasant duty to lay before this hon. House a Report on the Kilifi County Cooperative Society Bill, 2016.

(Hon. (Ms.) Chiku laid the Paper on the Table)

REPORT OF THE COMMITTEE ON RESEARCH, INFORMATION, TECHNOLOGY AND E-GOVERNMENT

Hon. Mwachenda: Thank you, Mr. Speaker, Sir. Today being Monday 14th November, 2016, I beg to lay on the Table of this hon. House, the Report of the Committee on Research, Information, Technology and E-Government on site visits to ICT Centres within Kilifi County.

STATEMENTS

STALLED PROJECTS DUE TO DELAYED PAYMENTS

Hon. Mwachenda: Thank you, Mr. Speaker, Sir. Here is a Statement directed to the Department of Finance and Economic Planning through the Chairperson Planning, Trade and Cooperative Committee about stalled project across the County:- whether the County Executive Committee Member is aware that most of the projects in the County have stalled due to delayed payments to contractors. A good example of such projects being the Mariakani Highrise market which if completed will be a great source of income to the County Government.

What action is the County Executive Member taking to ensure that the contractors are paid in time to solve this problem which is denying service delivery to the people of Kilifi County?

What plans do the County Executive Members have to ensure that the problem does not reoccur in future?

The Speaker (Hon. Kahindi): Hon. Kiraga, you have a Point Of Order?

Hon. Kiraga: Thank you Mr. Speaker, Sir. The Chairperson of ICT hon. Mwachenda has not laid down the paper he was reading and I think the others have done so. Thank you.

(Hon. Mwachenda laid the Paper on the Table.)

Hon. Mwambire: Mr. Speaker, Sir I have the pleasure to stand in for hon. Foleni, the MCA for Tezo Ward. Before I read his Statement, he has two Statements and I have one Statement, so allow me to read the three Statements in a row. The first Statement by hon. Cosmas Foleni Kenga is a Statement to the Department of Devolution, Public Service and Disaster Management through...

The Speaker (Hon. Kahindi): What is the Point Of Order hon. Mramba?

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Hon. Mramba: Mr. Speaker, Sir, I do not know if it is okay for the hon. Member for Sokoke to hold brief for hon. Cosmas Foleni while he himself is in the Chamber?

Hon. Mwambire: I am very sorry Mr. Speaker, Sir. Hon. Foleni had given me an opportunity to represent him. He was not here and he has not confirmed that he is around so I think he can take up his issues.

The Speaker (Hon. Kahindi): You are not being very fair to hon. Teddy Mwambire because you communicated the same and pursuant to the Standing Order, hon. Mwambire communicated to the office of the Speaker that you are going to be absent. Okay proceed and read your Statement. Hon. Mwambire, kindly withdraw whatever you had said on record for purposes of the record.

Hon. Mwambire: Thank you very much, Mr. Speaker, Sir. I had communicated to the office that I will be representing hon. Cosmas Foleni Kenga tabling of his Statements. Hon. Foleni is now around so allow him to table his Statements. Thank you.

GOVERNOR'S EXPENDITURE ON FOREIGN TRIPS

Hon. Foleni: Hon. Speaker, before I make the Statements I thought I would be a little bit late because I had some engagement within the Tezo Quarries but since I am here, I am sorry hon. Teddy for that small issue. Hon. Speaker, my Statement is directed to the County Secretary through the Leader of Majority on the Governor's expenditure on foreign trips.

Aware, that, the Governor has made a number of foreign travels since the inception of the County Government. This statement seeks to know: One: the expenditure of each trip. Two: the value of the trips to the citizens of Kilifi. Thank you.

The Speaker (Hon. Kahindi): Yes go ahead with the next Statement.

Hon. Foleni: Hon. Speaker, I am hearing a lot of clicking from the Members. I do not know what is happening. I heard one from hon. Mramba.

The Speaker (Hon. Kahindi): You are on your feet so just proceed.

QUARRY WORKER'S STRIKES

Hon. Foleni: This is a Statement to the Department of Devolution, Public Service and Disaster Management through the Chairperson, Labour and Social Welfare Committee.

Whether the County Executive Committee Member is aware of the ongoing strikes by loaders in most of the quarries in Tezo. This has paralyzed all the activities in all the quarries. If yes, what measures is the Department undertaking to curb this crisis. Thank you, hon. Speaker.

The Speaker (Hon. Kahindi): Are these private people or are they employees of the County Government of Kilifi?

Hon. Foleni: They are not employees of the County Government of Kilifi but they are employees within the quarries and they have paralyzed the quarry business for over and above one month so far.

The Speaker (Hon. Kahindi): Is the quarry business a business of the County Government of Kilifi or are they private quarries?

Hon. Foleni: Hon. Speaker, with all due respect, I think since the Chairperson of the said Committee is here and he is aware of this particular issue, I think it is in order for me to get a

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Statement from the Department concerned. Now that, we have a number of environmental issues in place and pollution coming in, hon. Speaker, with due respect I think I am in order to query the said CEC. Thank you.

The Speaker (Hon. Kahindi): You know that is why I normally say that it is good that the Speaker gets to go through these Statements. Nonetheless, I do not know what answers hon. Kenga will bring to you. This is because if the quarries are not owned by the Government and if the people who are on strike are not on the payroll of Government, it is a wild fishing expenditure. Let us hear how far it will go. Thank you. Let us move to the next agenda. Yes hon. Mramba, you have something to say?

Hon. Mramba: Yes, I had a Point of Order Mr. Speaker regarding the Statement by hon. Cosmas Foleni. According to me the quarries are private entities and there is no way you can pin down the County Government for the strike by the loaders at the quarries. In fact, the House Business Committee should always go through these Statements because some of them are half backed. It will not be very wise for us to accept such a Statement which is hollow. Mr. Speaker, I think that Statement should be rejected in total.

The Speaker (Hon. Kahindi): Let us hear hon. Foleni. I did not... I do not know.

Hon. Foleni: Mheshimiwa Spika, niko na haya ya kusema kwamba...

The Speaker (Hon. Kahindi): No! No! You have started in English just proceed in English.

Hon. Foleni: Hon. Speaker, I want to say this; that the duty of the quarries... Whatever is happening within the quarries is more less the same with what is happening with the salt firms in Gongoni.

I remember four months back, the Justice Committee through the Chairperson of Justice was mandated by this County Assembly to investigate and come up with solutions in regard with the quarries.

The Speaker (Hon. Kahindi): Now, what are the reasons for the strike? This is because if it is about salaries, the CEC Member will tell you, these people are on strike because their boss has not paid them and we do not pay them. What are the issues? Are they environmental issues?

Hon. Foleni: Their issues are: One; Environmental issues, two; pollution, and the third one is salaries.

The Speaker (Hon. Kahindi): But they are not stated in your Statement. Now, if you are talking of issues of environment then you are taking it to the Department of Labour how will you get your answers correct?

Hon. Foleni: Hon. Speaker, I remember sometimes back, the National Parliament went to Athi River...

The Speaker (Hon. Kahindi): Order! Order! Hon. Foleni, you know it is unfortunate that I have to intervene at this point because I have been aware and I have not sat through these House Business Committee meetings. I want to advise you so that you get a good answer from the Executive. Your intentions have not been captured in your own Statement because if those people have an issue in terms of the working environment then that ought to have been captured very well in your Statement.

The Government has a responsibility to ensure that any employee works in a conducive environment. If the owners of the quarries are polluting the environment of course then the County Government Department of Environment has a role to play to ensure that, that is not happening but when you say that there is a strike, the CEC Member will tell you that there is a

strike because the employer has not paid the employee and none of them is an entity of the County Government.

I think your Statement is good but it is still lacking some flesh. My advice would be that before you send it to the Executive just retrieve it and put that flesh because you have talked of environmental issues which are not captured in your Statement. By the mere fact that you have mentioned the environment then it takes another direction to the Department of Environment.

If you still want to proceed with it the way it is fine but what I am saying is that this is a wild fishing expedition which will take time before you get answers.

Hon. Foleni: Hon. Speaker, let us see how the CEC will respond to it. Thank you.

The Speaker (Hon. Kahindi): Thank you. Yes hon. Kenga, you have something to say. You are the Chairperson and maybe you can intervene.

Hon. Kenga: Thank you very much, hon. Speaker. My take is and I am to be guided by you, that we have in this Assembly considered these issues that have been tabled by hon. Mramba. The issues of: Coral Key Workers, Scorpio Workers, Malindi Salt Workers and others. There are issues that touch on... you see the Committee is Labour and Social Welfare and some of the issues that he is trying to raise because I heard him very clearly are that there are issues of salaries that have contributed to the strike.

I was of the view that, since there are issues on labour that are touching on lives of people within the County maybe as a Committee we could come in and engage so that we can see the best way. That is the position that I was trying to say.

The Speaker (Hon. Kahindi): No! No! No! I want you to understand it this way; the Statement had not stated the reason for the strike. So, what conclusion would you derive that it is an issue on labour when the Statement itself has not stated its reason.

You know if it had stated that due to salaries and so on and so forth then we would have said that it falls under your docket but as it is, it is a fishing expedition which we do not even know where to put it. Are you getting the point hon. Kenga?

Hon. Kenga: Yes.

The Speaker (Hon. Kahindi): If it had stated that people have gone on strike because of none payments of salaries and so forth then we would say that this is a labour related issue. Then you would come in the same way you came for the coral key guys and so on and so forth. This Statement only states that these people have gone on strike... by whom and on what? That is the question. Hon. Foleni, what reason does hon. Stanley Kenga have to take this? Give me just one reason why it should go to the Labour Committee.

Hon Foleni: Thank you, hon. Speaker. The main reason as to why I feel this Statement should land in the hands of the able Chairperson Stanley Kenga is one; loaders are employees of the quarries just like the employees of hotels like Scorpio that had some issues previously...

The Speaker (Hon. Kahindi): What is the cause of the strike?

Hon. Foleni: It is an increment on their daily wages, pollution and environmental issues.

The Speaker (Hon. Kahindi): Thank you, but is any of that contained in your Statement?

Hon. Foleni: It is not however I beg your hon. office to allow it the way it is.

The Speaker (Hon. Kahindi): I cannot direct it to go to the Labour Committee because it has nothing to do with labour.

(Hon. Mramba stood on a Point of Order)

Hon. Mramba: Mr. Speaker, Sir, we have had a lot of problems as the Committee of Implementation because of such Motions and Statements. We go and engage a CEC Member with a Motion which was directed to the wrong person and in the end we become a laughing stock. Let us withdraw that Statement and let hon. Foleni rewrite or if he has a problem with drafting a Statement, I can do it for him for free.

Hon. Foleni: Hon. Speaker, Sir, let me say something in regards to hon. Mramba's Statement. First, I have the best knowledge to draft whatever I can draft on the basis of what I feel is right. Secondly, the Chairperson of the Implementation Committee has actually failed himself so he cannot purport to this House that we are failing because we are bringing howler Statements; no, let him carry his own cross. Mr. Speaker, Sir, once again I want to beg your office to allow it the way it is and let's see the response from the CEC. Thank you.

The Speaker (Hon. Kahindi): Now, let me tell you something that is a fact and which will be the basis of my ruling on this one. Any Motions, Bills, Statements, Petitions or anything that comes to this County Assembly first goes to the office of the Clerk. It is supposed to be examined whether it is fit to be brought to the House and then it is taken to the Speaker, who again will have to give his nod. Clearly, I am not giving a nod in this one and it is unfortunate and I think some people somewhere failed to do their duty even in my absence to allow such a Statement.

You are consuming the time of the Assembly and for the Speaker to allow something to come here, he must be convinced that you are asking the right questions. Legally, I do not think you are. I am not inclined to direct it to the Labour Committee because a strike is a strike but there is a cause to a strike and it is that cause which a Department can be able to handle. These are private entities and I remember there was a Motion that was moved here to address the issues of Coral key which was very specific that the people had not been paid and the matter was taken up by the Labour Committee and they dispensed with that matter.

Now, for you to be able to address this question if these people are on strike because of environmental issues as you put it then you have sent it to the wrong department, and do you think I will sit here and deliberate it and just allow it. Somebody will ask where the Speaker was. It is unfortunate that it has even come to the County Assembly plenary otherwise you should have received a rejection from the office. So, I direct that it does not meet the threshold and this should have been done long time ago; it is unfortunate that I was not in office and I wonder why the office of the clerk even let it to see the light of day because you have not addressed anybody on any issue but have only informed the Department that there is a strike going on. So then, what? Striking because of what? The problem is whereas you should have stated what you are telling us verbatim in writing you have not done that. In this County Assembly we take documentation; this is what goes on record.

You see now you are going further to give explanation that there is environment, salaries and so on and so forth but none of what you are saying appears here. I can tell you for a fact that it will be a waste of tax payer's money to tell hon. Stanley Kenga to go all the way to Kilifi to seek answers, on what? There is nothing other than a strike; it is an industrial action. There is nothing in your Statement that warrants the Committee on Labour to look into this issue yet you have proceeded to tell us verbatim. What I am simply saying is go back put it in writing then bring it back in the shortest time possible. That is my ruling and you cannot even begin to purport to say anything else.

Hon. Foleni: Thank you, Mr. Speaker, sir. Agreed and accepted.

The Speaker (Hon. Kahindi): You know you are still a student of Law.

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(Laughter)

You want to challenge your teachers. But I think sense has been driven home and that is what is important. Let us have the next business? Hon. Mwambire.

DELAY IN RESPONDING TO STATEMENTS

Hon. Mwambire: Thank you very much, Mr. Speaker, Sir. I have the pleasure to table a Statement directed to the County Secretary through the Leader of Majority on delay to responding to Statements:- Is the County Secretary aware that a Statement sought in this hon. House to the Executive is supposed to be responded to in a period of 14 days? Noting with concern that, some Statement sought in this House have not been responded to while some are overdue.

One, what is he doing to ensure that these Statements are responded to; secondly what measures have been put in place to ensure there is no repeat of the same. Thank you very much.

The Speaker (Hon. Kahindi): We are also hoping that this particular Statement will be responded to in good time. Next, Leader of Majority, hon. Mwingo.

(Hon. Mlanda stood on a Point of Order)

Just hold hon. Mwingo. Let us hear hon. Mlanda.

Hon. Mlanda: Mr. Speaker, I have a concern in regards to the delayed response to Statements. I also have a Statement which is almost three months which I have not yet received any response on the Jiwa market. So, through the Chair if that can also be...

The Speaker (Hon. Kahindi): Let us hear the response we shall get from this Statement because it is a Statement that seeks to address that.

(Hon. Mwambire spoke off record)

Yeah, it is covering everybody. That is why I was saying let us hope this particular one will also not take time to be responded to. But if these questions are taking too long to answer then we would revert to the Committee on General Oversight. We will simply call them.

ADJOURNMENT MOTION UNDER STANDING ORDER 30

The Leader of Majority (Hon. Mwingo): Hon. Speaker, Sir, I rise under Standing Order 30 to move that this County Assembly adjourns its sittings this week so as to discuss matters of urgent county importance. This is to allow the Committee on General Oversight to interrogate the suspended County Government officers on the loss of funds in the County Government, tomorrow Tuesday 15th November, 2016 and further compile its Report on the interrogation of the County Executive Committee Member in charge of Education, Youth Affairs and Sports from Wednesday, 16th November to Friday 18th November, 2016, but this County Assembly resumes its plenary sitting on Monday 21st November, 2016. I call hon. Mwambire to second the Motion.

(Question proposed)

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The Speaker (Hon. Kahindi): Yes hon. Mwambire proceed.

Hon. Mwambire: Thank you very much, Mr. Speaker, Sir. I support the adoption of the Motion to adjourn this House so that we can discuss on issues pertaining the mysterious happenings in this county. We have been following these matters especially through the Committee on General Oversight but we feel it is high time we suspend everything so that we can dedicate our energy towards the same because out of the meetings we have had, we have had different figures appearing from time to time. This means that as we interrogate more monies get lost in the county so I think we can investigate information which will assist us to unearth the real culprits who are fleecing our money.

At some point, this county will be rendered completely bankrupt by these guys who are moving around the treasury. It is very dangerous. We cannot as a House keep on hearing from different quarters that our monies are being removed from the treasury accounts without even proper knowledge of other officers. We have so many projects which have stalled including projects by the County Assembly but wherever we want to make appropriations we are normally informed that there is no money and that has been the challenge we are having including this Assembly being requested to consider in shelving out some projects so that we can save some monies for some emergencies including drought and famine in this County.

It sometimes brings some questions that as we think of doing that especially on expected Supplementary Budget. We still have some issues regarding why some more monies are being fleeced from the same county which is crying that there is no money. So we want to get time so that we can interrogate the IFMIS 10 or the 10 officers who were suspended because their passwords were used in the IFMIS system to loot the monies that we had in the account. Again, we will be getting an opportunity to go deeper and interrogate in case there will be some financial management lapse so that we can come with a recommendation that will assist to curb those issues even in future we can be in a better position and understanding so as we move on with other business our monies will be safe.

With those few remarks Mr. Speaker, Sir I beg Members to support this Motion so that we can move very fast to bring a consulted Report that Members of this County understand that we are really very strict on our oversight role. Thank you very much. I stand to support.

Hon. (Ms.) Mbeyu: Thank you, Mr. Speaker, Sir. I rise to support this Motion. I think it is the right time now our Kilifians understand our roles here and I want to give it to you that when we hear part of their stories the 10 Kilifi IFMIS who were suspended, we will be in a better place to give a better report of the monies lost in Kilifi County through the dockets mentioned in the IFMIS. Our people may not understand why we are calling the 10 members in this House and I want to bring it to you that we need to tell them that we want to hear part of their stories and we do not want them sacked. How their passwords were used in the missing money or whether it is the passwords which were used or they used their passwords to get this money get lost in Kilifi, it is disappointing and I remember the day we went for a meeting at Kilifi Treasury hall you saw many contractors and suppliers at the gate asking about their monies. Every day they go to the

County offices they are told they cannot be paid because there is no money and you find that this kind of money just varnished from the treasury.

So, it is high time now our people understand that the time we had meetings these monies had not gone and people were told they cannot be paid. One supplier was paid Kshs 40 million, others who could be paid Kshs 3 million could not be paid. So it is time our people in Kilifi understand why we are bringing these 10 suspended staff of the Kilifi County Government so they can tell part of their story and compile a better report to tell Kilifi people the truth about the missing money and whoever is involved. I think the law should take its course. Thank you so much.

The Speaker (Hon. Kahindi): Thank you. Yes hon. Foleni.

Hon. Foleni: Asante sana Mheshimiwa Spika. Kwanza kabisa nataka nikupongeze kwa hii Kamati ya kuwachunguza hawa watu na pia nataka kusema kwamba hata kama tumechelewa lakini naona kazi inafanyika. Ni aibu karne hii ya 21 akili kubwa zinaruhusu kutawalwa na akili ndogo na ninasema hivyo kwa sababu wale vijana ambao inasemekana walifutwa kazi, walifutwa vipi hawa kama wale wako katika ofisi wakubwa wao bado wako pale ofisini na tunawaona wakitembea bila kupewa barua ya kuacha kazi. Bunge hili tumekuwa tunawaita hawa mawaziri baada ya miezi mitatu lakini katika hivi ambavyo tumeshika nataka kueleza ya kwamba ...

The Speaker (Hon. Kahindi): Yes hon. (Ms.) Mbeyu.

Hon. (Ms.) Mbeyu: Thank you, Mr. Speaker, Sir. I do not understand the language hon. Foleni is using to say “*akili ndogo zinatawala akili kubwa*”. Can he substantiate the statement?

Hon. Foleni: Mheshimiwa Spika nikisema hiyo namaanisha ni aibu kubwa ukiona Mheshimiwa Waziri yuko mbele yetu hapa lakini kile ambacho kinafanywa na wadogo zake yeye hakielewi. Hivi ni kumaanisha ya kwamba zile akili ndogo za wale wafanyi kazi wake ameziruhusu zimtawale ndio maana hawezi kuja mbele yetu atuelezee ni kitu gani kiko katika ile idara ambayo yuko. Nafikiri Mheshimiwa Mbeyu amenifahamu vilivyo.

Pili, pesa za Jimbo hili zinapotea; naona kila baada ya wiki. Tulianza na milioni 15, tukaenda milioni 30, muda kidogo tukaenda milioni 45 na hivi imeongezeka mpaka sasa imefika milioni 51 na hatufahamu kati ya wiki iliyopita na hivi sasa kama ni pesa ngapi zimepotea. Mheshimiwa Spika, ni wakati Bunge hili tusimamae kidete tuhakikishe ya kwamba wale ambao wanapora mali ya umma, mali ya wakaazi wa Kilifi tunawapeleka nyumbani ikiwezekana hii wiki ishiishe.

Ninasema hivyo kwa machungu kwani Tezo yangu ninayoongoza barabara ni mbovu, chakula hakuna, maji ni kidogo. Inakuaje hivi sasa zile pesa ambazo nilikuwa ni nipatie mkaazi wa Tezo anakosa kwa sababu ya watu wawili au wachache ambao wako na njaa zao wanachukua pesa hizi. Hawastahili kushikilia ofisi ni waende ili tuweze kupeana akili nyingine ambazo zinaweza kufanya kulingana na vile ambavyo tunahitaji. Nakumbuka miezi minne iliyopita kulikuwa na sintofahamu mahali fulani ambapo ilisemekana ya kwamba kuna hela imelipwa...

The Speaker (Hon. Kahindi): There is a Point of Order.

Hon. Mwambire: Mheshimiwa Spika, nimesimama kwa Hoja ya Nidhamu. Munenaji anayeongea katika maongezi yake amebainisha ya kwamba wale ambao wanashukiwa

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wanatakikana waende. Tunajua sheria za nchi hii huwa mshukiwa bado hajaweza kubainishwa kwamba yeye ndiye aliyefanya hivyo na ninaamini kwamba Hoja iliyoletwa na Kiongozi wa Wengi ni ya kutupatia nafasi kuwasikiza ili tupate habari ambazo zitatusaidia kuleta Ripoti lakini si kwamba tunawafuta kazi. Ninaomba aieleze vizuri ili iweze kunukuliwa katika mitambo isije mbeleni tukachukuliwa kwamba ni sisi tuliotoa uamuzi kwamba wale wafutwe kazi.

Hon. Foleni: Mheshimiwa Spika, hayo yalikuwa ni maoni yangu mimi. Sisemi Bunge hili hivi leo liamue kuwa mtu fulani na fulani aende nyumbani. Kile nasema ni kwamba mimi na wakaazi wangu wa Tezo hii hali ambayo inaendelea hatuitaki. Miezi minne iliyopita nafahamu baadhi ya maafisa wa Kaunti, siwezi kukuambia ni yupi na yupi lakini walilazimika kuandikisha *statements* kwa sababu inasemekana na sina uhakika kwamba kuna pesa zilizopotea kwa lugha ya Kiswahili wanasema imelipwa hewa. Kazi haijafanyika lakini pesa izmelipwa.

Swala hili kulingana na vile ambavyo ninalifahamu ambavyo sina thibitisho ni kwamba hela nyingi zilipotea katika hiyo hali. Mimi kama mheshimiwa wa Tezo nina haki ya kufahamu ni pesa ngapi ililipwa katika hiyo hali na ni kwa nini hawa maafisaa walikuwa wanachunguzwa ili tufahamu na tuchanganye zile pesa ambazo zililipwa na hizi milioni 51. Je, ni pesa ngapi Kaunti ya Kilifi imepoteza kwa mikono ya hawa waajiriwa majambazi? Asante Mheshimiwa Spika.

The Leader of Minority (Hon. Pascal): Thank you, Mr. Speaker, for giving me this opportunity to support the Motion on the Floor of the House. I believe by supporting this Motion we will have a few days that this House will actually go deep into looking at the circumstances at which the said amount that is Kshs. 51 million got lost through the IFMIS System. We understand that Kshs.51 million is an amount of money that will actually give the Kilifi people a very good deal. If we looked at Kshs.51 million shillings and then we looked at the facilities that we could get to equip our hospitals with I would say that, that is a good amount that could actually bring a constructive effort towards assisting the Health Department. If we would actually see how this money would again assist the starving families then it is really a pity that the County Government...

The Speaker (Hon. Kahindi): Hon. Nzaka, you have a Point of Order?

Hon. Nzaka: Yes, I have a Point of Information Mr. Speaker, Sir.

The Speaker (Hon. Kahindi): To whom?

Hon. Nzaka: Hon. Pascal.

The Speaker (Hon. Kahindi): Hon. Pascal, do you wish to be informed?

The Leader of Minority (Hon. Pascal): Yes, he can just inform me, Mr. Speaker.

Hon. Nzaka: Mr. Speaker, Sir, I would like to put it clear as per the Motion which is in the Order Paper. We are discussing whether to adjourn or not. However, I am seeing Members debating on their oversight role here. So, it is better to say whether we are adjourning or not.

The Speaker (Hon. Kahindi): Hon. Nzaka has a point. You are going into the nitty gritty of what we are going to do. You only need to give reasons why you think we should adjourn or not. I think we need to applause hon. Nzaka.

(Applause)

But wind up hon. Pascal, I think you have gotten his point.

The Leader of Minority (Hon. Pascal): Thank you, Mr. Speaker, but the reason we need to adjourn is because there are issues that we need to deal with.

The Speaker (Hon. Kahindi): Yes exactly and because hon. Nzaka thinks that we are all aware of the issues we should not go deep into discussing them right now.

The Leader of Minority (Hon. Pascal): Okay thank you so much Mr. Speaker. It is well in order for us to actually applaud this Motion that is on the Floor so that we can get ample time to look at the issues that are touching on us. Thank you very much.

Hon. Kiraga: Thank you so much, Mr. Speaker. I also rise in support of the Adjournment Motion. During the previous submissions by the different witnesses, there were some agencies and people who were mentioned. I believe by adjourning it will give us room at least to interrogate these agencies like the Directors of the contracting companies which colluded with the people either within Kilifi County or outside Kilifi County to siphon money from our accounts.

We are also going to get an opportunity to interrogate the IFMIS people within our County and even those people who are manning the IFMIS System in Nairobi. There is hearsay that the reconciliation of the books of accounts in Kilifi County is being done even after a month while the law says that we should do them on daily basis. We want to get the balance in the banks and their books. We are also going to get an opportunity to interrogate the accountants in our systems as to why do they do it on a month and not on daily basis. Therefore, Mr. Speaker, I think by adjourning it is going to give us room to do all this. Thank you very much.

Hon. (Ms.) Chiku: Thank you, Mr. Speaker, Sir. I rise to support the Motion. It is a good idea to adjourn so that we can deal with this matter head on. We want to deal with this Elephant in the room. After all, we took an oath here that we shall serve the people of Kilifi well without any fear or prejudice and I therefore, recommend that we adjourn this House. Thank you, Mr. Speaker, Sir.

The Speaker (Hon. Kahindi): Thank you.

Hon. Mramba: Thank you, Mr. Speaker. A great spiritual leader in the name of Dalai Lama once said, "The prime purpose in this world is for us as leaders to help others and if for any other reason we cannot help them, then at least we should not hurt them". We were elected by the people and we are representing the people here; it will be very unfair for us to come to this County Assembly and earn money in allowances and salaries and then we fail to perform our duty of oversight. The other day the hon. Senator of Kilifi County was here and he told us point blank that we had failed; we called him a lot of names I included. Now, it is turning out to be very clear that we are bound to fail; were it not for you, this House would have been rated one of the worse County Assemblies.

We need to get teeth so that we adjourn and we go to the bottom of this matter. If need be we also need to call the Central Bank of Kenya. This is because those are the people who are custodians of our funds. We were told that IFMIS does not operate after 5:30p.m., then what happened since this money was transferred in the middle of the night and we need to get answers. We need to get answers from the director of IFMIS also. I am in support of this Motion to let us adjourn and we engage them thoroughly and we must have no mercy with these people. They are tainting our image therefore I am in support.

The other day I was talking to Mr. Malingi, the Chief Officer, and he was complaining that the officers in the Health Department were told to step aside but others in the Finance docket are still in their positions. So if they are to go home let them go home together. If it is to step aside, both the Health and Finance docket all step aside. Not applying the law selectively. I therefore wish to support this Motion of Adjournment and engage them thoroughly. Thank you.

The Speaker (Hon. Kahindi): That was a very philosophical speech. When you started, I saw hon. Mangi wondering what you were talking about. Yes hon, what is happening with your card?

Hon. Kenga: Bw. Spika shukrani. Kadi kidogo ina changamoto lakini itapatikana ili tuweze kufanya kazi.

The Speaker (Hon. Kahindi): Okay.

Hon. Kenga: Kwanza nashukuru kwa hii nafasi ya kujieleza wazi kinaga ubaga kwamba naunga mkono kuahirishwa kwa vikao vya Bunge ili kupeana nafasi mwafaka ya kuweza kufanya uchunguzi zaidi. Maswala ambayo yanajiri ni kwamba kuna msururu wa wengi ambao wanahitaji kuhojiwa ili kuleta mambo bayana na tuweze kufahamu na kuelewa ni nani alihusika na kushiriki kikamilifu kuingiza hasara kwa serikali yetu ya Kaunti ya Kilifi. Kwa sababu hiyo ni lazima tutenge wakati mwafaka kama sikuahirisha vikao vya Bunge hatutaweza kuwa na wakati mwafaka wa kuweza kuwahoji hao. Maana si mmoja, si wawili, si watatu lakini ni msururu wa watu ambao ni washukiwa na hatuwezi kusema kwa sasa walihusika.

Sisi jukumu letu kuweza kufanya utafiti na uchunguzi ili tuweze kubainisha nani alihusika kufanya lipi na hatimaye ni vipi tutaweza kusonga mbele katika kuokoa hela za wananchi wa Kilifi. Kwa hivyo, naunga mkono tuwe na wakati mzuri ili tuweze kuwahoji na tuhoji pia zile taasisi ambazo pia zina majukumu fulani katika maswala haya ili tunapofanya hivyo tutakuwa tumetokeleza wajibu wetu kama viongozi na kuhakikisha kwamba tumelinda kama tulivyoapa na kula kiapo. Asante.

The Speaker (Hon. Kahindi): Thank you. Hon. Naftali Kombo.

Hon. Kombo: Asante Bw. Spika. Mimi pia naunga mkono Hoja hii ambayo imeletwa na Mheshimiwa Mwingo katika Nyumba hii. Kusema ukweli hali ilivyo katika Kaunti yetu ya Kilifi ni hali ambayo ni ya aibu. Bunge hili kusitisha shughuli zake zote na kuhakikisha kwamba inachimba na kutaka kujua ukweli katika sakata inayoendelea, mambo ambayo yanaleta aibu katika Kaunti yetu ya Kilifi tumeweza kuyafichua. Hivyo basi ni jambo la hekima kwamba Nyumba hii iweze kusimamisha shughuli zake zote na kuhakikisha kwamba tunaita maafisa wale ambao wamehusika ambao wataweza kutupa habari kamili ya yale yaliyotukia ili tuweze kupata ukweli wa mambo. Mimi nimesimama kuunga mkono. Asante.

Hon. Mwayaa: Asante Bw. Spika. Nimesimama kuunga mkono Mswada ulio mbele yetu ili tuweze kusitisha shughuli za Bunge na tukaweze kupambana na ile hali ambayo inakumba Kilifi. Hii mitambo ya IFMIS haiko Jimbo La Kilifi peke yake; iko katika Majimbo 47 na hatujasikia mitambo katika Majimbo mengine imepeperusha pesa katika kampuni ambazo hata hazihusiki ama haziko *prequalified*. Inashangaza wengi katika Kilifi yetu, mitambo ya IFMIS imeshikwa na wazimu na inapeperusha pesa kwa kampuni ambazo hatuzielewi. Sasa hii mitambo ya wazimu inafanya kazi na watu wa hapa Kilifi. Inastahili hawa wanaofanya kazi na hii mitambo iliyoshikwa na wazimu waje watuelezee vizuri maana hao ndio wataalamu.

Wazimu uliingia vipi kwa mashini ama ni yeye mtu aliyekuwa anafanya kazi hiyo mashine ndio kidogo akili zake zilikuwa tahira mpaka ikafikia wakati wa pesa zipeperuke. Iko haja tusitisha shughuli za kawaida. Mimi kama kiranja natoa onyo kwa waheshimiwa wenzangu; wale wote ambao watakosa baada ya hii, tutaanza kuwachunguza maana juzi tulikuwa wengi na wengine hatukuwaona. Sisemi pia nao wameenda kule mitamboni lakini kuanzia kesho waheshimiwa ambao watakosa vikao muhimu ambavyo vimegarimu Kilifi yetu...

(Hon. Mramba stood on a Point of Order)

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The Speaker (Hon. Kahindi): Yes hon. Mramba, you are better off not saying anything, okay.

Hon. Mramba: Mr. Speaker, I think the hon. Member, senior as we always refer to him, is not very fair to us because today we are here but you never know about tomorrow and everyone of us here has some commitments. The other day...

(Loud Consultations)

Mr. Speaker, I need your protection; the other day I was not available simply...I need your protection, Mr. Speaker.

The Speaker (Hon. Kahindi): Yes, where were you, hon. Mramba?

Hon. Mramba: On Thursday I had an appointment with the Governor. I sent a delegation of 60 people from Kakuyuni Ward who had some issues to discuss with the Governor. On Friday, I had to travel to Nairobi because there were 60 students I had sponsored through the County scholarship Fund that were graduating at Kasarani on Friday but I am here and tomorrow I will be here. Thank you.

(Laughter)

The Speaker (Hon. Kahindi): Just take your sit. You know it is very clever for hon. Mramba to clear his name but I think hon. Mwayaa as the whip was trying to put on notice Members that he needs quorum and it is within his mandate to say that; but it is also good for hon. Mramba now we know where you were. Yes finalise hon. Mwayaa.

Hon. Mwayaa: Mheshimiwa Spika nashikwa na wasisi kidogo kwa sababu hata hizi kampuni ambazo zilichukua pesa ziko huko Nairobi. Kwa hivyo Mheshimiwa Spika na hii mitambo ya IFMIS...

(Laughter)

Hino mitambo ya IFMIS ofisi zake ziko Nairobi. Naendelea kushikwa na wasiwasi zaidi lakini Mheshimiwa Spika ninachoomba...

(Hon. Mramba stood on a Point of Order)

The Speaker (Hon. Kahindi): Order! Order! Hon. Mramba I told you, you better not say what you wanted to say.

Hon. Mramba: Mr. Speaker, I think you will recall very clearly that it is me who brought a list in this House with details of all the accounts numbers including the names of the culprits with their telephone numbers and ID numbers.

(Loud Consultations)

The Speaker (Hon. Kahindi): Order! Have a sit hon. Mramba. You know as all this is happening hon. Mwayaa has not mentioned anybody. Allow hon. Mwayaa to finish please.

Hon. Mwayaa: Asante Mheshimiwa Spika. Sikuwa natazamia mtu fulani asimame aseme mimi nilikosa; langu ilikuwa ni kutoa tahadhari katika Bunge hili kama Kiranja ya

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kwamba tuwe na *quorum* na tuweze kusukuma hili gurudumu tujuwe pesa zinawezaji kupeperuka kwenda kwa kampuni binafsi. Mheshimiwa Spika, nashukuru na nafikiri wamesikia kesho watakuja kwa wingi na hili jambo tuweze kulisukuma vizuri na tujue ilikuwa namna gani.

The Speaker (Hon. Kahindi): I think hon. (Ms.) Mbeyu had contributed to this Motion...

(Hon. (Ms.) Mbeyu spoke off record)

Okay, I think hon. Mramba has had enough so let's excuse him for now.

(Hon. (Ms.) Mbeyu stood on a Point of Order)

Hon. (Ms.) Mbeyu: Thank you very much, Mr. Speaker, Sir. I think the guilty ones are ever suspicious and we are hearing this from hon. Mramba because he is telling us he brought the documents here and when we had started the investigations he went to Nairobi. So we do not understand whether he really went to Nairobi for the graduation or to meet the people whose address and documents he brought into this House.

I think he needs to clarify to this House because I remember very well; am sitting next to hon. Mwayaa who did not mention anybody. He wanted quorum because hon. Mramba has a tendency of contributing very well but when it comes to issues we summon people he is never in the House and it is very suspicious. This matter of travelling to Nairobi when we are discussing these addresses and people who were paid in Nairobi and he was in Nairobi with his list, I am really not comfortable Mr. Speaker, Sir.

The Speaker (Hon. Kahindi): I will allow you hon. Mramba because you started it so now let us hear you for the last time.

Hon. Mramba: Mr. Speaker, Sir, I am here to clarify some very few but very important issues because my name has been mentioned here...

The Speaker (Hon. Kahindi): You mentioned it yourself.

Hon. Mramba: Okay, now Mr. Speaker I will repeat that on Thursday I had an appointment with his Excellency, the Governor; I had a delegation of 60 people and we were together with hon. Dele at the Governor's Office. I took a flight at Malindi airport at exactly four for Nairobi and I have the ticket number. I have everything with me; alone not with hon. Dele. On Friday I was at Kasarani for the graduation of Kenya Institute of Management Countrywide. I was there until four in the evening when I came to my room and took a flight on Saturday at 1pm from Jomo Kenyatta International Airport to Malindi. Therefore, at 1p.m. earlier I had taken an initiative myself to investigate who took this Kshs 51 million.

I used my resources, expertise and I came up with a document here detailing all the account numbers including those two women who took that money. I laid on the Table if you remember very well but now as a leader who was elected from Kakuyuni Ward, can you please tell me if there is a problem for the people of Kakuyuni? Do I forget them and follow issues at the Assembly or I serve them first before coming here because ultimately those people of Kakuyuni are the ones who made me come here therefore I have no knowledge whatsoever with these people who took that money. Thank you.

The Speaker (Hon. Kahindi): Okay, let us bring it to a close. Hon. Leader of Majority, can you make your submission.

(Question that the Mover be now called upon to reply, put and agreed to)

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Hon. Mwingo: Thank you, Mr. Speaker, Sir. Let me congratulate the hon. Members who have contributed in support of this Motion. Mr. Speaker, Sir, much has been said by the hon. Members and it has come out clearly that there is need to adjourn so that we may have time to proceed with our interrogation of the suspended members. As a Government of Kilifi, we are not ready for the good name of this Government to be tempered. So, time has come for each and every person to carry his or her own cross. Thank you so much and may God bless you all. Thank you.

The Speaker (Hon. Kahindi): Hon. Members, a Motion has been moved by Hon. Leader of Majority pursuant to Standing Order 30 to suspend business for this week until next week due to issues of County importance. The same Motion has been deliberated. I now put the question.

(Question put and agreed to)

ADJOURNMENT

Hon. Members, there being no other business in the Order Paper, I now move to adjourn this sitting until Monday, 21st November, 2016. Thank you very much.

The House rose at 3:35 p.m.