



## REPUBLIC OF KENYA

### COUNTY ASSEMBLY OF KILIFI

#### THIRD ASSEMBLY-SECOND SESSION

##### THE HANSARD

**Tuesday, 5<sup>th</sup> December 2023**

*The House met at the County Assembly Chamber,  
Malindi Town, at 9:30 a.m.*

*[The Deputy Speaker (Hon. Kombo) in the Chair]*

##### PRAYER

##### PAPER LAID

REPORT ON THE STATUS OF IMPLEMENTATION OF THE ASSEMBLY RESOLUTION ON MASSIVE ENVIRONMENTAL DEGRADATION BY QUARRY OPERATING COMPANIES IN JARIBUNI WARD

**The Deputy Speaker** (Hon. Kombo): Chairperson, Implementation Committee.

**Hon. Changawa:** Thank you, Mr. Speaker, Sir. I wish to lay the following Report on the Table: -

Report of the Select Committee on Implementation on the Status of the Assembly Resolution on massive environmental degradation by quarry operating companies in Jaribuni Ward. Thank you.

*(Hon. Changawa laid the document on the Table)*

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## NOTICE OF MOTION

### ADOPTION OF THE REPORT ON THE STATUS OF IMPLEMENTATION OF THE ASSEMBLY RESOLUTION ON MASSIVE ENVIRONMENTAL DEGRADATION BY QUARRY OPERATING COMPANIES IN JARIBUNI WARD

**Hon. Changawa:** Mr. Speaker, Sir, I beg to give notice of the following Motion: -

THAT, this House adopts the Report of the Implementation Committee on the status of implementation of the Assembly resolution on the massive environmental degradation by quarry operating Companies in Jaribuni Ward laid on the Table of this House on 5<sup>th</sup> December 2023.

Thank you.

## MOTIONS

### ADOPTION OF THE REPORT OF THE SECTORAL COMMITTEE ON AGRICULTURE, LIVESTOCK AND FISHERIES ON THE STATUS OF COUNTY TRACTORS

**Hon. Changawa:** Thank you, Mr. Speaker, Sir. On behalf of the Chairperson and the Vice-Chairperson, Agriculture Committee, I rise to move the Motion: -

THAT, this House adopts the Report of the Sectoral Committee on Agriculture, Livestock and Fisheries on the status of County tractors laid on the Table of this House on Wednesday, 29<sup>th</sup> November 2023.

The Committee conducted inspection visits to the County farm tractors in all the Sub-Counties on Wednesday, 24<sup>th</sup> to Friday, 26<sup>th</sup> May this year. The Committee also held consultative meetings with the County Executive Committee Member with a view of getting clarification on the findings during the Committee visits. The Committee then retreated for Report writing from Tuesday, 4<sup>th</sup>, Wednesday, 5<sup>th</sup> and Friday, 7<sup>th</sup> July this year.

The Committee came up with the following observations and findings: -

The County has a total of 54 tractors out of which 14 are operational. Most of the tractors are grounded due to delays in the supply of spare parts and procurement of services to repair them. The County has one mechanic stationed at AMS Mariakani but has not been provided with means of transport for easy movement. The County has not provided guidelines on remittance of the money collected from various Sub-County Agricultural Officers resulting into holding of money in offices.

The farmers are charged Kshs1,750 per hectare for plowing as per the Kilifi County Finance Act, 2022. Some of the plant operators were not well trained to operate the tractors. New Holland tractors were durable, effective, and easy to maintain compared to the Mility and Massey Ferguson. The Sub-County Agricultural Officers were not provided with standing imprest to assist in responding to minor maintenance cost of the farm tractors.

There was lack of monitoring and supervision by the Agricultural Directorate. The Sub-County Agricultural Officers lacked transport to ensure effective monitoring of the county tractors operations in the fields. Some of the spare parts take a long time at the Station and Sub-County Offices after being procured before repairs are done which make them prone to theft.

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There are transfers of spare parts from one tractor to another which encourages break down. A tractor has been retained by a contracted mechanic due to unpaid service charges in Malindi Sub-County. Fueling of tractors is centralized hence it takes long before getting the fuel in different Sub-Counties.

The Committee made the following recommendations: -

One, the Department to ensure that all grounded tractors are repaired and operational before the end of the financial year. Two, the Department should procure spare parts and employ more mechanics to be stationed at AMS Mariakani and at Kilifi garage.

The Department should ensure the revenue collected from plowing services from the Sub-Counties is remitted weekly to the collection account. The Department should provide means of transport to Sub-County Agricultural Offices for easy monitoring of tractors in the field. The Malindi contractor pending bill cleared and tractor given to the Department. The Department should introduce a tracking management system to monitor the operations of the tractor. The Department should ensure the tractors are operated by trained personnel. That the Department should ensure there is no transfer of spare parts from one tractor to another. That the Department should endeavor to procure new Holland brand of tractors.

Therefore, that said, I urge this hon. House to support these recommendations and Motion made by the Committee on Agriculture. I call upon hon. Kubo to second.

**Hon. Kubo:** Thank you, Mr. Speaker, for this opportunity. I stand to second this Motion but before I sit, I would like to make some few submissions. These tractors were bought using public funds and again these tractors were bought to assist the common *wananchi* as well as making farming easier and to reduce hunger problem to our people whom we represent in this hon. House.

As you all know, when we are at home people knock on our doors asking for food assistance. If these tractors could be in operation for sure our people whom we represent in this House could not be asking for food assistance. I therefore urge Members to support this Motion.

*(Question proposed)*

**Hon. (Ms.) Mapenzi:** We are about to debate the Motion, but I feel we should be provided with the Reports. We do not have them, so we do not know what we are debating.

**The Deputy Speaker** (Hon. Kombo): Yes, Clerk at the Table...

*(The Deputy Speaker consulted with the Clerk at the Table)*

*(Loud consolations)*

**The Deputy Speaker** (Hon. Kombo): Hon. (Ms.) Mapenzi, I am informed that all Members were provided with this Report on the 29<sup>th</sup> of November 2023. Have you checked your pigeonhole for your copy?

**Hon. (Ms.) Mapenzi:** No.

**The Deputy Speaker** (Hon. Kombo): Then you should get yours from there. Are you ready or until you get the Report?

**Hon. (Ms.) Mapenzi:** If Members are comfortable, we can continue.

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**Hon. Shehe:** Thank you, Mr. Speaker, Sir. I wish to concur with our able Committee on the Report laid on the Table, but I have got a few observations. We have heard that there are 54 tractors that only 14 are operational, that is a huge number of the tractors lying all over. We do not know whether they are all parked in a garage, or they are just scattered all over the County.

*(Hon. Ziro stood on a Point of Order)*

**The Deputy Speaker** (Hon. Kombo): There is an interjection. Yes, hon. Ziro.

**Hon. Ziro:** Thank you, Mr. Speaker, for this opportunity. This is an important Report which every Member is interested in. It is unfortunate that most of us do not have the Report, meaning we have not gone through the Report. I was requesting you give to us time to go through the Report and the recommendations so that as we discuss, we know what we are talking about.

**The Deputy Speaker** (Hon. Kombo): We have been informed that the Report was given to each Member and there is a way in which these Reports get to us. They are usually kept in our pigeon-holes. So, let hon. Shehe continue maybe you decide to get yours as the Members continue deliberating. Go ahead, Hon. Shehe.

**Hon. Shehe:** Thank you, Mr. Speaker, Sir. I was requesting to know the 40 units are they located in a special garage or are they just spread all over the 35 wards and what is the fate of these machines? These are very expensive. If it is only a matter of saying we have 14 units operational and the others are rotting, we are not being fair in our oversight. I would imagine that a thorough investigation on the 40 tractors that are lying elsewhere be brought to the attention of Committee and its status. Whether they are repairable or not repairable, are they useful for the county?

I was in Adu, I found a chain of so many tractors and if you go to Kizurini, you will find the same thing bearing the number plates of our county. It is not a good view to see the units that cost money left to rot all over. They should be collected; that is my personal idea, collected and given to a garage which is competitive enough with the Ministry concerned so that they can be repaired and the used. 40 units against 14 units is a big number; that's my take. Thank you.

**The Deputy Speaker** (Hon. Kombo): Hon. Sheshe, the Report is from the Sectoral Committee on Agriculture and the Committee went round and inspected these tractors and this is the Report that they brought to this House. These are the findings they have brought to this House; it is your duty to go through the Report and find all the answers that you have raised. You stood up but did not say whether you were supporting or opposing the Motion. What is your stand?

**Hon. Shehe:** Thank you. I do not doubt the Committee. I am sure they have done a commendable job and maybe I came again to my fellow Member who was quoting that there is some lateness in the distribution of these Reports and maybe we did not get enough time, but again, I support the Motion because I am sure they did a very good job. Thank you.

**Hon. Mohamed:** Thank you, Mr. Speaker, Sir. I stand first and foremost to thank the Almighty God for giving me this opportunity today to be here. It is not a human effort, but it is God's effort.

Secondly, before I give my contributions, I wish to give a point of information to the Member who has just left the Floor, that the committee went round in the seven sub-counties and

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in the Report, I refer you to the page where the minutes are, you start from the status of the tractors.

We have clearly indicated that the Committee visited Mariakani Station on the 26<sup>th</sup> of May to perceive the status of the tractors. The total number of tractors was 54 and there were three more models; Massey Ferguson-385 which were 12 in total, Massey Ferguson-44708 which were 34 and finally New Holland which are nine in total. Then it proceeds to read; however, out of the 54 tractors, only 24 are operational, and four tractors are completely grounded.

So, if you wanted to know the number of tractors which are completely grounded, there are four while 27 tractors are partly grounded which means 27 tractors can be repaired and four tractors cannot be repaired.

I wish to give my submission by first supporting the Report. It is very crucial for the Department of Agriculture to implement this Report after the adoption by this House today if Members will adopt it.

Agriculture being the backbone of our economy in Kilifi County, we are supposed to use these tractors but unfortunately, since we came into this current Government, the tractors have never been in place to be used. If I can give an example in my Ward Bamba; we have not received the government tractor, last season we did not and neither in this season.

The people of Kilifi need these tractors so that they can receive services at a cheaper rate compared to the private tractors which are moving around. I want to urge the Department of Agriculture that after the adoption of this Report, they should kindly move with speed and repair the tractors which are repairable and distribute these tractors to the sub-counties. If possible, each ward can be considered when it comes to the rainy seasons so that we are able to offer support to our farmers and ensure that at least Kilifi County can be counted out of the food shortages in the different counties where normally Kenya is facing famine.

In Kilifi, we can produce our food. The only thing that we need is to support our farmers. If the Department is serious, it can repair all these tractors because we have enough tractors; it is only that they are not functioning. The last regime was not repairing them; that is why you find that 27 tractors are repairable.

Again, in our recommendation, we also observed that when a tractor is given to a certain ward or sub-county, there are two charges. Sometimes, the charges which are charged in the office are not the charges that are charged to the farmer when the tractor goes to the ground. So, we also recommended close supervision and the other challenge that we got was that, once the tractors have been repaired and maybe it is functional, then you will find that even fueling is done at a central point, so a tractor is grounded just because of fuel. This should also be investigated and ensure that at least fuel can be easily accessible by the operators.

We also observed that there are minor faults that some of these tractors have but because everything is centralized in Kilifi, a tractor can take more than a week just for a very simple minor repair to be done. So, we are also recommending and there are very good recommendations that this Report has given. I do support the Report and I urge the Department to fully adopt the Report immediately if it has been adopted by this House. Thank you, Mr. Speaker.

**Hon. (Ms.) Meso:** Thank you, Mr. Speaker. I just want to clarify a few observations in our findings since I am in the Agriculture Committee. I want to let the House know that, out of the 16 tractors which are operating we have:

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- A. Kilifi South - 3
- B. Kilifi North - 4
- C. Malindi - 1
- D. Magarini - 3
- E. Ganze - 2
- F. Kaloleni - Nil
- G. Rabai- Nil
- H. Mariakani - 2
- I. Mtwapa -1

Which comes to a total of 16, which is absolutely unfair. We have 35 Wards but now I can see maybe they did it according to the sub-counties. However, when you look at it closely it is not according to the sub-counties. So, I think we must work more seriously on these tractors.

According to our observations, we recommended that the Department should procure spare parts and employ more mechanics. It seems as if the mechanics are very few, which is why we have this problem with grounded tractors. At the same time, the Department should ensure the tractors are operated by trained personnel, which means that those who are operating it are not trained so the Department should consider that.

When we adopt this Report, we must follow it up with the Executive so that these tractors begin working and it is quite unfortunate because the first recommendation was that it should be repaired before the end of the year and the year is ending now. We are on December 5<sup>th</sup>; we have 25 days only, so, I do not know if these 25 days the Executive can manage to repair all these tractors. It is raining and the rains are just going for nothing. So, I support this Report, that we adopt it, and it should be implemented not only adopt it, but the Executive must work extra hard. When we come back after the recess everything will be clear. Thank you very much, Mr. Speaker. I support.

**Hon. Juma:** Asante, Bwana Spika, kwa kunipatia nafasi na mimi kuweza kusesitiza na kuweza kuunga mkono Ripoti ambayo iko mbele yetu ili tuweze kusaidia jamii yetu. Kama baadhi ya waheshimiwa walivyonena pale awali kwamba mambo ya Kilimo ni mambo muhimu sana. Mazingira ya Kaunti ya Kilifi yanachangia ukulima zaidi yeyote na tukifanya uchunguzi mataifa ya Afrika na ulimwengu kwa jumla tutakuta kwamba yale mataifa ambayo yamezingatia kilimo ndio yameendelea. Mimi nasisitiza jamani tuunge mkono. Zaidi ya yote ni kwamba hivi karibuni hii mvua ambayo inaendelea kunya...

*(Laughter)*

Ni kwamba kuna uwezekano mkubwa...

**The Deputy Speaker** (Hon. Kombo): Mheshimiwa Chengo (Juma), tumia lugha sanifu. Tumia lugha inayoeleweka ukiona waheshimiwa wamepasua kicheko ujue hapo umekosea...

*(Laughter)*

**Hon. Juma:** Mheshimiwa Spika, ni lugha mufti kabisa lakini wacha niseme kunyesha. Tuna imani kwamba mvua siku zijazo kuanzia mwaka ujao na kuenedelea itakuwa ni mvua ya vuli na mwaka. Ni vizuri haya matingatinga yarekebishwe mapema maana kule tunaelekea

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yatakuwa yanafanya kazi sana. Tukifanya hivyo, maswala ya maandamano ya kujitweka masufuria hatutakuwa tunayafanya tena. Tutakuwa tunajitweka majembe na kuboresha uchumi wetu. Sisi waheshimiwa tuko hapa tukitegemea ukulima tutakuwa hakuna shida nyingi. Ninaunga mkono ili chakula kipandwe na uchumi uzidi kwenda juu; lawama kama hizi hazitakuwepo tena. Nimekuwa nikipitia hii Hoja na mimi ni mmoja wa wanakamati na ni vizuri tuharakishe. Asante.

**Hon. (Ms.) Sidi:** Thank you, Mr. Speaker. I stand to support this Motion, but I think based on the Report we are getting, it seems that money is being collected and there is no way of monitoring where the money is going. So, maybe my recommendation would be to the Finance Committee to come up with a way where when the money is collected from the farmers, we know where it has been channeled to and there is proper follow-up for the money.

Secondly, we are also seeing here that the county employed staff that were not qualified so everywhere in this Report, the Committee has insisted that training should be always done. My recommendation is can we ensure that whoever we are bringing on board is qualified and that only a little training or orientation is done. I stand here to support this Motion that they should but let there be guidance from finance. If they can come up with an Act on how we are going to track these monies and next time when they do their budget, we know that we received so much from agriculture, and they can come up with funds for maintenance for these tractors.

Another very important question we wanted to see in this Report is when these tractors were purchased so that we know if so, many tractors are grounded, is it that they need to be disposed of or repaired because we are repairing something that needs to be disposed of? Thank you and I stand to support the Motion.

**Hon. Kea:** I dignify your dignity, Mr. Speaker, Sir. I am humbled to be given this opportunity to support this Motion in full. I am surprised to see this Report because one of the things that I have seen is that the County Government of Kilifi employed only one mechanic to take care of 54 tractors which were bought. This is a lack of seriousness, and we are not being sincere with ourselves. How do you expect one person to manage 54 tractors and then the Report states that this guy is stationed in Mariakani and he cannot be provided with transport to move around and repair these tractors? For heaven's sake, how do you expect these tractors to survive?

My humble request is we do a call to the CECM Agriculture and the whole team to come and shed light on these things because even if we adopt this Report, these people will not read this Report and they will not take our recommendations with the seriousness it deserves. Machines wear and tear. I want to go along with hon. Sidi that these tractors were bought a long time ago and we need to dispose of them, get new tractors and employ people who are experts because what I can see is we employed drivers.

I can also drive a tractor, but I cannot make proper use of that tractor. A hungry nation will not develop, not at all, so we are putting our county in a basket of those people who are hungry because we have the machines and assets to use but we are underutilizing them because of a lack of knowledge. The Bible says my people are perishing because of lack of knowledge and I think we are perishing here because we do not have the knowledge of using these tractors.

I support this Report but again I would like to ask this House to call the Department of Agriculture to go through this document and know what their mandate is because I believe every sub-county qualifies for a tractor. There are 54 tractors, and we have seven sub-counties; even every ward can have a tractor, but it is annoying because when you go to Bamba they do not

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know what a tractor is and that has been confirmed by the area MCA (Member of County Assembly). Thank you, Mr. Speaker, Sir, as I sit, I support the Motion.

**Hon. Mkadi:** Thank you, Mr. Speaker, for this opportunity. I stand to support this Report. First and foremost, I think the County Government of Kilifi had a good idea to help in the production of food but then we are seeing that those who are given that mandate to take care of those machines are not serious.

First, you cannot imagine that we have 40 tractors which are grounded and then every other time we go to our neighbouring counties, we buy food in the name of *msolo* (relief food) coming to help our citizens. I think if we are serious enough then we should not allow this. You can see even during the time of cultivation; these tractors are brought to the designated areas very late. I am a great farmer in my area and even from the first time of devolution, tractors used to come there but I never used one. So, we are giving an opportunity to the private tractor owners who are making a lot of money in our county. I think it is time we need to get serious so that apart from helping our farmers, we are also generating income from our farmers rather than leaving our people outside. I want to mention the Kamba's they are really reaping a lot of money from our areas. We need to get serious otherwise, I support the Motion. Thank you.

**The Deputy Speaker (Hon. Kombo):** Thank you, hon. Hinzano.

**Hon. Hinzano:** Asante sana, mheshimiwa Spika. Kabla sijaunga mkono ama kupinga ambayo hayo yote yako juu ya mamlaka yangu, kwanza katika Ripoti hii ni kwamba *tractors* 40 zimelala na 14 ndizo zinafanya kazi ni wazi kabisa kwamba walikuwa waongezee kwamba hizi tractor hazikununuliwa zikiwa mpya. Kwa sababu haiwezekani *tractors* 40 ziwe zimelala na nakumbuka hata ikiwa hawajaweka katika orodha hapa kwamba zilinunuliwa lini lakini nakumbuka ni kati ya huo mwaka wa 2016 ama 2015.

Na saa hii *tractors* 40 zimelala zikiwa zilinunuliwa mpya Kaunti ya Kilifi ikiwa iliweza kutumia pesa nyingi kununua *tractors* hizi. Kile ambacho tunakiona hapa ni ubadhirifu tu wa hela ya Kilifi, kwa sababu *tractors* 54 na sasa 40 hazifanyi kazi ni wazi kabisa kuna mahali kulikuwa na uzembe juu ya kununua *tractors* hizi. Hizi *tractors* kwa nje zilikuwa ni mpya kwa rangi lakini kwa huo muda ambao zilifanya kazi hazikuonekana zikifanya kazi hapa Kilifi Kaunti kwamba kila wakati zinafanya kazi ndio ziweze kuharibika zote 40 mara moja.

Kama tunavyojua tunalima kwa msimu. Itakuwaje kwa mwaka *tractors* zinalima mara moja ama pengine mara mbili na sio sana kwa sababu vuli mara nyingi kwengine watu hawalimi sana na ziweze kuharibika mapema namna hii. Huu ni ubadhirifu wa pesa za wananchi wa Kilifi ambao umekuwa ukiendelea na watu kuzembea katika ofisi pia kuweka wafanyaji kazi ambao hawana utaalim na hizi nafasi za kazi ambazo wamepatiwa wakazidi kuharibu.

Mheshimiwa Spika, mimi nataka niwaambie hivi, Kamati ilifanya kazi yake na ikaleta hii Ripoti lakini hata hivyo kama Bunge tunastahili kujua hizi *tractors* zilikuwa namna gani maanake hizi ni pesa za umma ambazo zilitumika na kwa sasa hivi ikiwa haziwezi kufanya kazi tena haina haja ya kutumia pesa tena kuzitengeneza na kuharibu pesa nyingine za wananchi wa Kilifi.

Kama hazifanyi kazi, tunaweza kupitisha katika bajeti tukahakikisha kwamba tumenunua mpya ambazo zitakuwa zina uangalizi mzuri na wataalam ambao watasimamia vizuri kuliko kuendelea kutengeneza *tractor* ambazo zinaendelea kutia garama katika Kaunti yetu ya Kilifi na hakuna lolote la thamani ambalo linaendelea ama linaonekana katika hizo *tractors* kwa sababu nakumbuka kabisa kuna wakati zilitengenezwa halafu zikarudi tena zikiwa zimeharibika na saa hizi zinahitajika, zishaharibika tayari.

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Kwa hivyo, kujaribu kutumia pesa za wananchi kwa kuendelea kurekebisha vitu ambavyo havitaleta msaada katika Kaunti yetu ya Kilifi, ichunguzwe kama haziwezekani ziwachwe tuwe na mpango tununue mpya na hao walioagizia hizo *tractors* waweze kujibu maswali kwa nini zimeharibika haraka namna hii ndani ya miaka sita, saba *tractors* mpya karibu 54 au 40 hazifanyi kazi halafu sisi tuwe tuko hapa tunalia kwamba hakuna kilimo Kilifi ilhali vigezo ambavyo vililetwa ni msaada wa kusaidia mkulima wa Kilifi kuweza kupata chakula na kuweza kumsaidia.

Vile vile, kuwe na mpango maalum; hii Kaunti iko na *sub-county* saba ambapo tuko na uwezo wa kuziweka katika kila *sub-county* hizi *tractor* sio lazima ziwe mahali pamoja ili tuhakikishe kwamba kuna urahisi wa wananchi kuweza kupata msaada wa hizi tinga zikiwa ziko salama. Lakini sio hizi tinga hizi, nadhani hizi tinga zitaleta shida kubwa sana na gharama kubwa sana. Na hapa ndio watu huwa wanatumia hizi *repair* kuanza kutumia pesa vibaya zaidi hata kuliko zile ambazo ni mpya zinunuliwe.

Ni kuwa makini katika maamuzi yetu ili tuhakikishe kwamba hatupotezi pesa za wananchi wa Kilifi maanake hii ni dhuluma kwa yule mwananchi ambaye alikuwa anasubiri kusaidika na hizi *tractors* sasa 40 zimelala.

Asante, mheshimiwa Spika, mimi niko katikati siwezi kuunga mkono wala kukataa Ripoti hii lakini Ripoti hii iko dhaifu ndio maana sitaweza kuiunga mkono. Asanteni.

**The Deputy Speaker** (Hon. Kombo): Mheshimiwa Paul.

**Hon. Paul:** Asante sana, mheshimiwa Spika, kwa nafasi hii. Kwanza, nataka kuipongeza ile Kamati ambayo ilifanya kazi nzuri kutembea Kaunti nzima ya Kilifi ili kuangalia hali halisi ya hizi *tractors* ambazo zinahusu sana upande huu wa ukulima. Mimi nataka niunge mkono Ripoti hii ambayo imeletwa na Kamati hii.

Kwanza, kusema kweli ugonjwa huu ambao uko katika Kilifi Kaunti kuhusu mambo ya ukulima imekuwa ni donda sugu; mahali ninapotoka mimi kwa wadi yangu imetegemea kilimo. Na nilipoingia katika uongozi naona mambo mengine tofauti sana kulingana na ukulima pale Magarini.

Niliongea na kiongozi ambaye alinitumania *tractors* mbili zikaja; akaniambia kwamba *tractors* hizi zitalima kwako kwa wiki moja halafu ziende mahali kwengine na mimi sikujua kwamba Magarini *Sub-County* kuna tinga 12 ambazo kati ya hizo tinga 12 ni tatu zimelala. Cha kushangaza, mheshimiwa Spika, tinga zile zilikuja hizo mbili na nikaambiwa kwamba zilitoka bila kujua nikaambiwa zishafika mashambani zinalima bila mimi mwenyewe kujua ni kitu gani kinaendelea na zilipofika kule mashambani moja ikasemekana inafanya kazi. Moja baada ya kuanza kazi ikafa hapo hapo. Kwa masikitiko makubwa na nilipopigiwa na watu wangu walikuwa huko nyanjani wakaniambia kwamba saa hii *tractors* zimefika lakini ni moja tu ndio inafanya kazi. Nikamuuliza yule afisaa mhusika ili nujue ni kitu gani kinaendelea akaniambia kwamba ni *tractors* moja tu peke yake ndio zinafanya kazi ile nyingine imelala.

Mheshimiwa Spika, nataka nikwambie hivi, nataka niunge mkono hii Ripoti na wale viongozi husika hapa Kilifi msimu wa mvua unapofika hizi tinga ziwe zimetengenezwa. Hizi tinga zitengenezwe ili wale wananchi wetu wanaolia kila siku kwamba matinga haya ya Kaunti hatuyaoni, kuna wakati wengine kwa masikitiko naongea tena hapa, nilifika mahali kwamba wale madereva ambao wamesema kwamba hawajafunzwa hawana ujuzi na hawajui sheria, tinga inachukuliwa inawekwa nyumbani kwa mtu asubuhi inaenda kulima na bei ile anataka yeye mwenyewe.

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Hapa tumesoma kwamba ni shilingi 1,750 lakini dereva anataka shilingi 2,500 kama yale matinga ya kibinafsi. Mimi nilichukua jukumu kulitafuta lile tinga na nilipofika nikalipata liko nyumbani kwa mtu hata picha bado niko nazo hapa. Nilipiga picha nikaona kabisa tinga limelala, nikampigia yule ofisaa wa *sub-county* nikamuelezea, akaniambia usijali mheshimiwa hili jambo tutalitatuwa. Na hii hali ambayo inaendelea mimi nasema tuilaani sisi kama viongozi na hawa watu waambiwe na waelewe kama watapata mafunzo wapate mafunzo na ikifika msimu wa ukulima haya matinga yawe yametengenezwa halafu yafuate sheria vile inavyotakikana na wasipofanya hivyo, mheshimiwa Spika, mambo mengine yatafuata kwa sababu hawa watu wana tabia ambazo si nzuri. Wananchi walituamini sisi kama viongozi kwamba tukija hapa na tukiwawakilisha mambo yao kule mashambani yatakuwa vizuri.

Kwa hivyo, mheshimiwa Spika, naunga mkono na sheria ifwatwe vizuri na wale madereva wafundishwe hii kazi na kulingana na malipo kama mheshimwa Sidi alivyosema kwamba kuwe na njia mwafaka ambayo hiyo itafuatiliwa kwamba hizi pesa hazitapotea hata shilingi moja; zitaelekea katika serikali halafu kuwe na mpangilio mwafaka pia kwa mafuta yale. Shida kubwa wanasema mafuta hayapatikani. Tinga lililala siku tatu na ukiwauliza wanasema halina mafuta na usiku linatoka linawekwa mafuta ya kibinafsi linaenda kulima. Hilo limenitia machungu na kama watu wa Magarini walivyunituma, nataka hili jambo liishe na wale viongozi ambao wanasimamia hii kaunti upande wa ukulima wawajibike na kila kitu kiwe sawa. Asante.

**Hon. Tete:** Asante, Bw. Spika, kwa nafasi hii. Nataka nizungumze machache ambayo nimeyanukuu katika Ripoti hii ambayo hayajanipendeza japo nitaiunga mkono. Kulala njaa na kutolala njaa kuko mikononi mwa viongozi wetu wa kitengo hichi cha Kilimo. Nazungumza haya kwa sababu nimeona Ripoti hii ni kama ambaye ilishughulikiwa kwa umakini lakini ina udhaifu ambao nataka tuuweke wazi wakati mwengine pia tuzidi kuongeza uzito katika Ripoti zetu.

Kwanza, tunaposema ya kwamba tinga zetu wale *operators* hawakufunzwa vizuri, Ripoti hii tukaitoa kwa nani aliyetuambia ya kwamba hawa *operators* hawakufundishwa vizuri? Pia, tukiuliza ni nani ambaye alihusika na kuwafundisha mpaka ikafikia mahali ikajulikana ya kwamba mkufunzi yule hakuwafundisha vizuri ndio wapate idhini ya kuajiriwa na kaunti kuenda mashambani kufanya hii kazi.

Ikiwa serikali yetu ya ugatuzi inaweza kuingia hasara ya kutumia mailioni ya pesa kuenda kununua *tractors* halafu zikija zinaingia katika mikono isiyokuwa salama badala ya kwamba zifanye kazi tumezipeana kwa wakufunzi ambao mpaka ishara ya kuonyesha kwamba wanajua hiyo kazi hakuna halafu *tractor* ile ile iharibike. Nikimnukuu mheshimiwa mwenzangu Morris Hinzano ya kwamba *tractors* hazikuwa mpya. Nataka kusema ya kwamba zilikuwa mpya kwa sababu sijaona mahali ambapo *tractors* zinauzwa *second hand* hapa Kenya. Zote zinazokuja huwa zinatoka nchi za nje na zinauzwa na kampuni zinazojulikana kwa mfano CMC na huwa wanashughulika na vitu vipya.

Hawa waliopewa hizi *tractors* kama *operators* mwanzo tumlaumu huyo msimamizi aliyepena hivi vifaa kwa watu ambao walikuwa hawajui kazi. Hiyo ilikuwa ni uharibifu wa zile bidhaa. Mahali kwengine ambapo niko na swali napo ni *tractors* ngapi kwa Ripoti inavyosema ya kwamba tinga zengine zilikuwa zinatolewa *spare parts* zikiwekwa kwengine. Ni *tractors* ngapi ambazo zilifikishwa hatua hiyo ya kutolewa *spare* fulani zikawekwa kwa tinga zengine ili zifanye kazi? Hiyo Ripoti pia hatuna. Haiwezekani iwe tunaambiwa tu tinga zengine zilikuwa zinatolewa *spare* zikifungwa zengine, zile zilizotolewa ni ngapi na zilizofungwa ni ngapi na

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zinafanya kazi ama hazifanyi. Na fundi aliyekuwa akifanya hiyo kazi ni wetu sisi watu wa Kilifi ama ilikuwa ni kandarasi?

Mahali pengine pia nataka tusaidiane ni nimeambiwa kwamba Kilifi South kwa Ripoti hii ilipata tinga saba halafu tatu zafanya kazi na nne zimelala. Nikafikishwa tena pale chini nikaenda kuona Mtwapa ATC ina tinga nyengine mbili. Mtwapa ATC ninavyofahamu mimi iko ndani ya Kilifi South. Sasa sijui zile pale zinafanya kazi nje ya Kilifi South tofauti na zile saba ama ni namna gani? Ama zile ziko pale kwa mikakati gani? Ikiwa tunaweza kupata jibu maalum kwa hilo tutasaidika kwa sababu hiyo Kilifi South sasa ni kama ilipata tinga tisa lakini zinazofanya kazi ni nne na zile zengine zote hazifanyi.

Vile vile tinga 40 hazifanyi kazi, ziko *grounded*; tinga 14 ndio zinafanya kazi. Hizi *spares* zilizokuwa ziking'olewa zilikuwa zikivishwa kwa zile zinazofanywa kazi ama zinatolewa pale zikifungwa kwa zile nyengine zinazolala? Mheshimiwa mwenzangu amesema ya kwamba zifanyiwe uchunguzi ijulikane hizi zilizolala kama zinaweza kufanya kazi ama haziwezi.

Niko na ujuzi kidogo wa kuuza *spare parts* za magari na mambo mengine na *spare parts* ziko za *second hand* ambazo gari yako ikiharibika unaenda unaangalia kama unaweza kupata kwa duka kama hilo ufufue gari lako. Nataka zifanyiwe utafiti vizuri, katika hizi tinga 40, ipi iliharibika lini, inahitaji nini na ni ikiwezekana tinga 20 zifufuliwe kupitia kwa tinga 20. Hizi zengine kama zitakatwa *scrap* lakini *spare parts* zake ziwe zimewekwa katika tinga nyengine ili zifufuliwe zile zinaweza kuwa *operational*.

**The Deputy Speaker** (Hon. Kombo): Nakuongeza sekunde tatu mheshimiwa umalize.

**Hon. Tete:** Mheshimiwa, kwa nini napimiwa hewa? Naomba uniongeze nyengine tatu.

*(Laughter)*

**Hon. Tete:** Mheshimiwa Spika, hizo tinga kama itawezekana tunaomba 40 zifufue tinga 20 kwa utafiti ambao utafanywa na mtu ambaye ana ujuzi huo.

Kilichoua hizi tinga, kuna kitu kimoja huwa kinafanyika; mimi ni Mijikenda Mgiriama halisi na huwa naambiwa nyumba iliyofungwa kama hailali mtu huwa inaharibika. Hizi tinga nyingi zilinunuliwa kweli lakini zikakosa matumizi kwa sababu ya bajeti ya mafuta.

Kwa hivyo, vifaa vingi pale vimeshika kutu kwa sababu hazikuekewa bajeti ya mafuta. Hapo ndio huwa tunafanya wananchi wetu kuwa maskini katika upande huo wa kulima. Naomba ikiwezekana zitengenezwe na ziwekewe bajeti ya mafuta zifanye kazi kwa wakati unaofaa.

Mwisho kabisa, nawaambia kwamba kuna tinga nyengine zinaitwa Holland; ni nzuri kuliko Millat na Massey Ferguson halafu nani kaondoka akaenda kuacha Holand na akaenda kununua Massey Ferguson akijua kile kizuri kipo. Mikakati hii huwa inapangwa na kina nani? Mbona tunaendea vya rahisi kwa bei ya juu kwa kunyanyasa wananchi halafu kitu kile kile kinakosa kufanya kazi vizuri tukidhani kuwa kuna uharibifu lakini kilitarajiwa kwa muda ule kiwe kimefika pale kimefika. Ombi langi hii sekta si ya kuchezea.

Kenya nzima ukulima ndio kila kitu na sisi kama wana Kilifi tunahitaji kutegemea ukulima kwa maisha yetu kuwa bora. Naomba tunapofanya vitu kama hivi vya *procurement* tuende vitu vilivyo bora, sio kwenda kununua vitu vya bora kufanya kazi tunataka vitu bora vya kufanya kazi bora. Haya mambo ambayo yako hapa kwenye hii Ripoti kuna vitu vingi ambavyo vinastahili kuangaliwa ili kufikia malengo ya kuboresha ukulima.

**The Deputy Speaker** (Hon. Kombo): Asante, Mheshimiwa Tete. Kama nimekuelewa ni kwamba ATC iko ndani ya Kilifi South na ninavyoelewa mipaka ni kwamba ATC iko katika

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wadi yako Mheshimiwa. Kwa hivyo, kulingana na majukumu yako ya *oversight* naomba usaidie Kamati hii ya Ukulima kwa maswali yale mawili uliyouliza uwe utatuletea jibu maanake Kamati naona ilifanya kazi nzuri na ukienda kwa Ripoti utapata haya yote uliyoyauliza yako pale ndani na kujibika vilivyo.

*(Question, that the Mover be called up on to reply, put and agreed to)*

**Hon. Changawa:** Thank you, Mr. Speaker. I want to give thanks to all Members who have contributed towards this Motion. Even those who have not contributed, I know they are positive about the Motion. I urge and pray that we pass this Motion.

*(Question put and agreed to)*

ADOPTION OF THE REPORT ON CONSIDERATIONS OF THE REPORT OF THE AUDITOR GENERAL FOR THE FINANCIAL STATEMENTS OF MALINDI WATER AND SEWERAGE COMPANY LIMITED FOR THE FINANCIAL YEAR ENDING 30<sup>TH</sup> JUNE 2019, 30<sup>TH</sup> JUNE 2020, AND 30<sup>TH</sup> JUNE 2021

**Hon. Mohamed:** Thank you, Mr. Speaker for this opportunity to move the Motion. On behalf of the Chairperson PIC/PAC Committee, I beg to move the following Motion: -

THAT, this House adopts the Report of the Select Committee on County Public Investments and Accounts on considerations of the Report of the Auditor General for the financial statements of Malindi Water and Sewerage Company limited for the financial year ending 30<sup>th</sup> June 2019, 30<sup>th</sup> June 2020, and 30<sup>th</sup> June 2021.

Before I call hon. Biryia to second, I wish to submit as follows; That, the Committee on PIC/PAC scrutinized the Auditor's Report on the said company and the issues noted or observed by the Committee are as follows: One, Financial performance. Two, performance by the accounting officers and three unresolved Audit matters, that is, prior Audit matters.

Under the financial performance, the Committee noted that there was laxity in the way the company dealt with the Auditors who made the financial statements and reconciled most of the accounts like the customer deposits, trade, and other payables and the company was an ongoing concern by the financial year 2018, 2019 considering that there were huge losses that the company was making.

Therefore, the Committee recommends that the company reconstruct the financial records, implement a new cost recovery tariff to boost revenue and move out of the losses that the company is making.

Also, the Committee recommended that the company irons out the financial issues with the Coast Water Company because we noted that there were issues that the company was undergoing like the handing over of the Report was not clear. There was a lot of water leakage, they call it unaccounted water, and this is the water that leaks, and the company is being billed by the Coast Water Company.

Under-performance by the accounting officers, the Committee noted with concern that the accounting officers had not been cooperating with the Auditor's General Report during the time of the Audit which is why most of these Audit queries have reached the PIC/PAC Committee. Otherwise, if these accounting officers could be cooperating with the Auditor General during the Audit process, then most of the queries could not have been raised.

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If the accounting officer could have promptly responded to the management letter raised by the Auditor to the Company, then most of these queries would have been answered rather than being queried.

The Committee recommended serious action to be taken by the Company against the accounting officers who do not want to cooperate with the Auditors during the Audit process. We expect that the accounting officers cooperate with the Auditors once they are in the institution rather than querying the institution after the Audit process has been done.

In simpler language here, the Committee noted that once the Auditors are in the institution, most of these accounting officers are not cooperating. We also noted that the management letters by the Auditor General to the accounting officers are simple questions which comprise records not provided and reconciliation of statements. These are issues that can easily be dealt with by the accounting officers, but it seems, or we observed from the financial statements, that these accounting officers are not responding to the management letters. That is why most of these queries showed up.

Further, the Committee recommends that most of the staff in the financial departments should undertake a serious training or fresher course training so that they can play their roles effectively.

Under unresolved matters, the Committee observed that there were some queries; prior year queries which had been raised by the Auditor General but the company or the financial department of the company had not taken it seriously and sorted out those queries. That is why the queries kept coming up year by year.

So, we noted that there had been queries from previous audits that have since remained unresolved. These queries for example include delegated work done by Coast Water Service Board amounting to Kshs18,313,353 which had not been cleared by the MAWASCO Company. While this is just a matter of reconciliation, when the Committee asked them when they came to the table, they said it was a reconciliation matter because Coast Water is billing MAWASCO all the water that it is giving them.

While MAWASCO are not able to sell all this water that it is being given, this is because even in our areas I think we can attest that sometimes there are leakages. At other times people deliberately or un-deliberately mess up with the water lines during the water shortage periods. So, all that water is taken by the community without pay because they are not billed but the Coast Water is billing.

All these things I am pointing out here are matters of reconciliation, but you wonder why the company is not taking this matter up seriously. So these are some of the matters from the previous year which have not been sorted and the County Government also has not paid... you see you are shocked, Mr. Speaker, to see that the County Government of Kilifi is supposed to pay shareholdings of Kshs100,000 to MAWASCO but up to now or by the time we were looking into these accounts which ended in June 2021, the County Government of Kilifi had not paid their shares. This is a matter of following up because if we as the County Government of Kilifi need to be part and parcel of MAWASCO, then we need to pay our shares. If we are not paying our shares, then we cannot say that MAWASCO is part of us. It will rather be ruled by Coast Water Services. These are some of the prior matters that the Committee observed.

The Committee recommended that there was need that these issues be properly resolved and a proper transition from Coast Water Services to MAWASCO be prepared and tabled to this

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House after adoption of this Report. So that this House can see the clearance of this Kshs18,313,353 that was supposed to be cleared.

The Committee has recommended that immediately after this transition Report because the officers said that they needed some time to go and do the transition Report, so we told them that immediately after the adoption of this Report then the company should furnish this House with the transition Report which will show the clearance of this amount.

The Committee tasked the Company to make a follow up of the Kshs100,000 that Kilifi County Government needs to pay because as it is then it will be like Kilifi County Government is not part and parcel of MAWASCO. Also, the burden of proof lies with MAWASCO and not Coast Water Services. We are not dealing with Coast Water Services we are dealing with MAWASCO, so when we are given Reports that show that most of these unresolved matters or some of the queries are of Coast Waters.

We us PIC/PAC Committee informed or recommended that the burden of proof lies with MAWASCO and not Coast Water Services. That is why the committee recommended that immediately after the adoption of this Report, Malindi Water should table a transition Report to see how it has become independent and how it has moved out of Coast Water Service, and it is running its activities independently.

Basically, in summary those are the observations and the recommendations of this Reports, but I kindly request hon. Biryia to second the Motion. Thank you, Mr. Speaker.

**Hon. Briya:** Thank you, Mr. Speaker. I rise to second the Motion but before I sit, I would like to make my submission on the performance of the accounting officer based on page 12. It is the Committees considered position that close to 60 per cent of the audit queries in the Report could have been resolved by ways of prompt action by accounting officers upon being invited by the Committee in this regard therefore the Committee recommends that the accounting officer should take the audit process seriously and ensure prompt action on the audit generals management letters. Thank you, Mr. Speaker. I rise to support the Report.

*(Question proposed)*

**The Deputy Speaker** (Kombo) the Motion has been tabled and seconded and is now ready for debate. Hon. (Ms.) Mary Anzanzi (Maneno).

**Hon. (Ms.) Maneno:** Thank you, Mr. Speaker, Sir, I rise to support the Motion on the consideration of Reports of the Auditor General on the Financial Statement of Malindi Water and Sewerage Company (MAWASCO) Limited for the Financial Year ending 30<sup>th</sup> June 2019. The Mover who is the Vice-Chairperson who has been standing for the Chairperson has said everything. I am a Member of the PIC/PAC and what has been submitted to this House, is what we discussed in the Committee.

Mr. Speaker, Sir, hon. Biryia has read my mind and has referred the hon. Members to page 12 of the Report. As the Committee Members, we recommended that the accounting officer of MAWASCO be serious when the matters of auditing arise in that company because they were not serious when submitting to the Committee. Otherwise, he will be surcharged in matters concerning finances of MAWASCO.

Thank you and I beg to support this Motion.

**Hon. (Ms.) Sidi:** Thank you, Mr. Speaker. I also rise to support this Motion with a few observations. I do not know if it is our practice, but it seems that we are not employing qualified

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people to come and do the work. If you are not listening to the Auditor, he is asking for a document and as an officer you are not able to provide the document at that time, then I think the officer does not know the seriousness of audit.

It will come to a situation where even after you come to the Assembly you still do not know where the document is as the officer. Maybe in this Third Assembly can we kindly ensure that the people that we employ know what they are doing in the offices because when you go through this Report, you will realize that most of these errors are just omissions or interchanging errors. I think if we go on with this trend then we will be exposing Kilifi as a place where we are just employing anyone to get a job.

This is a very serious Report that we should ensure such mistakes do not occur again in this Committee. If we as the Committee Members agree that if such a mistake happens again, then the officer in charge should be surcharged with the amounts because of negligence. That will be a way forward, but I stand here to support this Report and say that we expect that the next Quarterly Report that will come to the Assembly will not have such mistakes. Thank you.

**Hon. Changawa:** Thank you, Mr. Speaker, Sir. I rise in support of the Motion, but I am wondering since devolution 2013 to date, an account that receives a lot of money paying a shareholding cash of Kshs100, 000 just once, has not been done. We have always talked about the importance of water in this county. This means, we as a county are not serious before we go to the company.

Again, in this century, it is like a merry-go-round group dies at an Annual General Meeting (AGM) in a year, but you will be surprised in the audit queries raised in this Report. You will find that in page 37 the company violated their own Companies Act by having one AGM from 2014 to date. Are they serious?

Again, the Company Board of Directors had been in office illegally contrary to the Company's Act. They should therefore be made to refund the money that had been paid as allowances to these people who have been in the office illegally.

So, Mr. Speaker, we formed institutions whereby we need them to operate but not illegally. Therefore, I stand to support this Motion. Thank you.

**The Deputy Speaker** (Hon. Kombo): Hon. Members, I am not seeing any Member booking a chance to make his or her contributions, allow me to put the Question.

*(Question put and agreed to)*

## ADJOURNMENT

**The Deputy Speaker** (Hon. Kombo): Hon. Members, there being no other business to transact now, this Sitting stand adjourned until today at 2:30p.m. for the afternoon session. Thank you.

The House rose at 11:03 a.m.

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