

**REPUBLIC OF KENYA**  
**COUNTY ASSEMBLY OF KILIFI**

**THE HANSARD**

**Tuesday, 29<sup>th</sup> March, 2016**

*The House met at the Temporary Chambers at the defunct Malindi Municipal Council, Malindi  
Town, at 2.30 p.m.*

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

**PRAYERS**

**NOTICE OF MOTION**

**INSTALLATION OF HIGH MAST LIGHTS IN ALL TRADING CENTRES TO BOOST  
SECURITY**

**Hon. Mwambire:** Thank you Mr. Speaker, Sir. I beg to move a Notice of the following Motion directed to the County Executive Member for Energy.

AWARE THAT, street lighting is a fully devolved function.

AWARE THAT, street lighting boosts the security of the citizens.

FURTHER AWARE THAT, the trading centres across the County have either poor electricity connectivity or completely non-connectivity thereby making them very vulnerable in terms of security thus undermining the confidence of investors and entrepreneurs.

This County Assembly, urges the County Executive Member in charge of Energy to install high mast lights in all trading centres so as to boost security thus stimulate investments hence raise the County's revenue base.

**MOTION**

**COMPESATION OF LAND ADJUDICATION COMMITTEES SET UP IN WARDS**

**Hon. Pascal:** Thank you Mr. Speaker. I beg to move the following Motion directed to the County Executive Member in the Department of Lands, Energy, Housing and Physical planning.

AWARE THAT, the provisions of the Fourth Schedule Part 2 of the Constitution of Kenya, 2010 provides the County Planning and Development which includes Land Survey and Mapping, Boundaries and Fencings are devolved functions.

AWARE THAT, there are land adjudication Committees formed during every adjudication exercises.

AWARE THAT, the process of land adjudication and demarcation is tedious and hectic.

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NOTING WITH CONCERN THAT, these Land Adjudication Committees previously formed have been working without any remuneration from the County Government.

APPRECIATING THAT, there is need for the land adjudication Committees, the County Department of Lands and the County Management Board to work closely for the benefit of Kilifi County.

This County Assembly urges the Executive County Member for the Department of Lands, Energy and Physical Planning to come up with a mechanism that will ensure Land Adjudication Committee set up in the Wards to oversee land adjudication and demarcation process and their fully compensated for the work done.

May I call hon. Nzaro to second. Thank you, Mr. Speaker.

*(Hon. Nzaro stood at his place to second)*

*(Question proposed)*

**The Speaker** (Hon. Kahindi): Hon. Nzaro proceed.

**Hon. Nzaro:** Thank you Mr. Speaker. I rise to support the adoption of this Motion. Mr. Speaker, when this County Government was formed, there was a land adjudication exercise done in parts of this County. From the spirit... because I also happen to have been a beneficiary of this land adjudication exercises in our Ward. There have been a lot of problems in the way these projects were conducted. Mr. Speaker, you will find that the Members of those Committees in our Wards leave household duties and other meaningful activities so that they can perform this duty of land adjudication. They will wake up very early so that they do this exercise for the benefit of our people. This exercise has been hectic because sometimes it is very difficult to manage our work properly. At times you have to go and till your shamba at the same time you go to plan for adjudication for our people. In fact when they go to those adjudication duties they sometimes miss their meals because they do not have any food since they are not engaging in any meaningful economic activities.

Mr. Speaker, because this exercise is temporary sometimes you will find that normally they do not have land adjudication exercise going on across all Wards at any financial year. So, the financial burden in such an activity will come with the payment of these Committees. I think it is very minimal and by saying that is temporary, it does not go across that whole financial year. When that project is completed then everything else is through.

Mr. Speaker, one thing I would like to urge Members because this is a very good Motion for those areas which adjudication has already been done, it is my wish that the payments also be backdated because they have worked in very harsh conditions.

With those few words Mr. Speaker, I beg Members to support this Motion because it is very timely. Thank you.

**The Speaker** (Hon. Kahindi): Thank you hon. Nzaro. Yes hon. Lali sadi.

**Hon. Sadi:** Asante Sana Mheshimiwa Spika. Naunga mkono Hoja hii. Mheshimiwa Spika, utakubaliana na mimi kwamba katika majukumu yaliogatuliwa, ardhi ni miongoni mwa majukumu hayo ambayo yamewekwa mikononi mwa Serikali hii ya Kaunti. Katika Serikali yetu ya Kaunti ni ardhi nyingi sana ambayo haijaweza kupimwa na kupasuliwa na watu wakapewa hati zao. Hivyo, shughuli kama hii inapofanyika ni jambo la kwanza kwamba wananchi wetu wanasaidika kwa kiwango kikubwa kwa kuweza kumiliki ardhi na kuweza kuendelea kimaisha.

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Wale wanaopewa majukumu ya kugawa hizi ardhi ni binadamu ambao wana majukumu yao majumbani mwao na ikiwa hawatatengewa kitu wakaweza kulipwa inaweza kutoa sababu ya ufisadi kuingia hapo katikati.

Mheshimiwa Spika, ni maombi yangu kwa Waheshimiwa wenzangu ya kwamba tuangalie hawa wananchi wanaojitokeza kufanya kazi hii. Ni kazi muhimu sana kutetea haki za wenzetu na kuhakikisha kwamba kila mtu amepata haki yake. Hivyo ni wajibu wa Serikali yetu ya Kaunti ione kwamba kila anayehusika katika kufanya kazi hii ametengewa kitu ili apate pesa za kujikimu kimaisha. Kwa hayo machache, naunga mkono Hoja hii. Asante sana Mheshimiwa Spika.

**The Speaker** (Hon. Kahindi): Hon. (Dr.) Chitibwi.

**Hon. (Dr.) Chitibwi:** Asante sana Mheshimiwa Spika. Nimesimama kuunga mkono Hoja hii. Kazi inayofanywa na hawa wenzetu ni kazi ngumu sana. Ni watu ambao wanawacha shughuli zao za kibinafsi za kutafutia familia zao ili watengezee jamii. Ikifika jioni lazime kuwe kuna chakula nyumbani lakini hao wameshinda nje kutumikia wananchi. Matarajio gani ikiwa wataweza kutumikia wananchi kisawa ikiwa hao watalala njaa? Ikiwa hatutawapatia malipo fulani tunaanza kufungua milango ya ufisadi uingie.

Tunajua katika kupima mashamba kuna wengine huwa wana mgogoro. Kwa nini hawa watu ambao wanalala njaa wasikubali kuchukua malipo fulani kutoka kwa mmoja wa wale ambao wanazozana? Mimi naona kuna umuhimu sana... hapo nyuma mashamba yamesumbua kwa shauri yakuwa wale ambao walikuwa wanasimamia kwa niaba ya wananchi wengi walikuwa hawashughuliki. Kamati iko na watu saba lakini mwisho unaona yule ambaye anatuma, anaenda na mtu mmoja au watu wawili na makosa yanaanza kutokea hapo. Baada ya hapo kesi nyingi zinaendelea.

Sasa tukisema kila mwanadamu ni mwanadamu, mbona mimi Mwakilishi wa Wadi nikitumwa kazi ya nje ya Bunge kwanza, napata mshahara kisha naenda kwa usafiri wa Bunge na kisha baadaye pengine nitapata chakula cha mchana au pengine pesa za malazi. Aliyeandikwa na Serikali ya Jimbo au Serikali ya Kitaifa akienda nje anapewa usafiri wa Serikali na kisha anapewa chakula cha mchana au pengine pesa za malazi. Kwa nini huyu ambaye hana mshahara asipewe kitu fulani ili ajisikie naye kweli ile kazi anayofanya ni muhimu? Naunga mkono na naomba sana baada ya hii Hoja kupita kuwe na ufuatiliwa ili hii itekelezwe.

**The Speaker** (Hon. Kahindi): Hon. Mwingo.

**Hon. Mwingo:** Asante sana Mheshimiwa Spika. Nimesimama kuunga mkono Hoja hii ambayo iko mbele yetu na ningependa kumshukuru sana Mheshimiwa Pascal ambaye aliona vyema kuleta Hoja hii. Mheshimiwa Spika, watu wameumia kwa sababu ya kukosa muelekeo mwafaka. Mashamba mengi hayakugawanywa vizuri kwa sababu ya kukosa muelekeo. Mheshimiwa Spika, kamati ambazo zinachaguliwa haziangaliwi vizuri na kwa sababu haziangaliwi vizuri mambo mengi yanafanyika. Wakati mwingi sana hizi kamati zikichaguliwa ndio huwa zinasababisha mambo ya ufisadi.

Nataka nitowe mfano ikiwa mimi mwenyewe nimeathirika na kamati katika eneo langu la Mtepeni. Kamati inachaguliwa na inafanya kazi lakini kwa sababu hakuna malipo wanapanga njama na wale maofisaa husika na wanaambiwa; nyinyi kama kamati malipo yenu mutapewa mashamba. Sasa utakuta yule mwanakamati, mtoto wake na bibi yake wote wanapewa mashamba kama malipo yao. Ambapo sasa pale Mheshimiwa Spika, kuna wengine ambao watakosa mashamba lakini wanapewa hawa wanakamati kama mshahara wao. Haya yanafanyika kwa sababu hakujakuwa na muelekeo mwafaka wakupata malipo. Mheshimiwa Spika, nasimama

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kuunga mkono Hoja hii ili hizi Kamati ambazo zitachaguliwa kusimamia mambo ya ugawanyaji wakiwa na malipo yao, nina hakika mambo mengine yatasaidika. Asante Mheshimiwa Spika.

**The Speaker** (Hon. Kahindi): Yes hon. Bakari.

**Hon. Bakari:** Asante sana Mheshimiwa Spika. Mimi pia nimesimama kuunga mkono hii Hoja ambayo imeletwa na Mheshimiwa Pascal. Pia vile vile nampongeza sana kwa kuweza kukaa na kuona kwamba kila Wadi iweze kuunda Kamati ambayo itatambuliwa na Serikali ya Jimbo kusimamia ugawanyaji wa mashamba. Bw. Spika, kumekuwa na shida nyingi kama vile wenzangu wamezungumza kwa upande wa ugavi wa mashamba ama upimaji wa mashamba. Hizi kamati ambazo ziko pale ni kamati ambazo hazitambuliwi na Serikali ya Jimbo. Sasa hivi zinafikia mahali ambapo zinakuwa na ufisadi lakini iwapo Serikali ya Jimbo itaweza kuunda katika kila Wadi tuwe na kamati ambayo inatambuliwa na serikali ya Jimbo na iweze kupatiwa malipo, basi ninaamini kabisa...

*(Hon. Pascal stood on a Point of Information)*

**The Speaker** (Hon. Kahindi): Yes hon. Pascal, what are you saying?

**Hon. Pascal:** Point of information.

**The Speaker** (Hon. Kahindi): Yes.

**Hon. Pascal:** Okay, thank you hon. Speaker for giving me an opportunity. I would like to tell the Member who has just been on the floor that it is not our proposal that we have a Committee for each ward for any area which is under demarcation. Thank you, Mr. Speaker.

**Hon. Bakari:** Asante sana. Pengine nisome hapa, Bw. Spika utaniruhusu.

“This County Assembly urges the County Executive Member for the Department of Lands, Energy, and Physical Planning to come up with mechanisms that will ensure that Land Adjudication Committees (is) *word not in the Order Paper alters meaning* set up in Wards to oversee Land Adjudication and demarcation process and they are fully compensated for the work done”.

Sasa basi Bw. Spika mimi naunga mkono kwa hizo Kamati ziweze kuundwa kwa hizo Wadi na pia vile vile tuone ya kwamba wameweza kupawa yale malipo yao. Zitaweza kusaidia hata misukosuko na vita kati ya jamii wakati wa upimaji wa mashamba. Asante sana.

**The Speaker** (Hon. Kahindi): Yes hon. Matsaki.

**Hon. Matsaki:** Asante sana Bw. Spika. Mimi kabla sijazungumza kwanza nataka nimpongeze alieleta Hoja, Mheshimiwa Pascal Thuva ambaye pia ni *board Member* wetu hapa. Pili, nataka niseme hivi; kusema kweli wale watu ambao wanachaguliwa kule mashinani ni watu wetu na Hoja hii sioni Mheshimiwa hapa atakayesimama kuipinga kwa sababu ni kweli watu wamejitolea kutoka nyuma mpaka sasa kazi inaendelea. Itakuwa ni jambo la busara kama watu wakifanya kazi pia nao wawe watapata mapato na ikiwa hawatapata pesa au malipo mara nyingi ndio ufisadi unaingia pale. Yule mtu ambaye anagawanywa shamba mara nyingi kama kuna tetesi mahali na ana uwezo, yeye ndio huwa anatoa pesa kwa ile kamati halafu wanajaribu kumpendelea mtu yule. Kwa hivyo tukipitisha kama Bunge kwamba hawa ambao wamechaguliwa kule mashinani wafanye hii kazi ya kugawanya mashamba au kushirikiana na wale maofisaa wa mashamba itakuwa ni jambo la maana zaidi. Kwa hivyo, nimesimama kuunga mkono Hoja hii. Asante sana Bw. Spika.

**The Speaker** (Hon. Kahindi): Yes hon. (Ms.) Tecla.

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**Hon. (Ms.) Tecla:** Asante Bw. Spika. Nimesimama pia kuunga mkono Hoja hii ambayo imeletwa na Mheshimiwa Pascal Thuva. Kusema kweli, hizi kamati huwa zinaumia. Mimi ni shahidi ambaye nimeweza kutembea sehemu nyingi kama mwanakamati wa mashamba katika Bunge hili. Tulikuwa tukizunguka na tukaona kamati zilivyokuwa zikipangwa na wengi walikuwa maswali hayo wanauliza ni kwamba, “sisi tunawachiwa jukumu hili tufanye hii kazi malipo tutapata vipi?” Na tulijaribu pia kuwaelimisha kwamba malipo ni nyinyi wenyewe muangalie vile mtaweza kujilipa lakini tukaona pia ni shida, kwa sababu watu anatoka katika kila pembe ya hiyo sehemu ambayo pengine mashamba yanagawanywa na ni mbali. Halafu, wanarahisisha kazi ya wale maofisaa ambao wataenda pale ndani, wakifika wanafanya kazi wanaenda na magari yao.

Wengi tulishuhudia kina mama wana watoto migongoni na wanatoka asubuhi kuelekea hizo sehemu za kwenda kusimamia mashamba na mipaka kutengeneza halafu ndio ofisaa akifika pale anaweza kuchora na kutoka na kwenda mbele. Hawapati malipo yoyote na hata kama kulikuwa na makubaliano kuwa katika makundi mawili ya mashamba yani katika wale wawili ambao pengine wanapaka mashamba watalewa kwamba kila mtu analipa shilingi mia tatu tatu kama walivyokuwa wamepitisha lakini hizo zilikuwa hazitoshi maana kamati nyingi zilikuwa ni za watu kumi na wawili ambao ni katika hiyo sehemu wanayofanya kazi. Ilikuwa ni jambo la kusikitisha kuona watu kama hao wanakosa malipo kabisa na mwisho wakifika kwa afisi kwamba wamepeleka jumbe zao kule, wale wengine wanaendelea kugandamizwa na wale maofisaa. Mtu akipeleka jina lake ama lile limeandikwa kimakosa pia wanadaiwa tena pesa ilhali yule ofisaa pale ndani yeye ni kufanya kazi ile rahisi ambayo mwananchi ameweza kuitengeneza.

Kwa hivyo, ninaomba kwamba tukaweze kuunga mkono Hoja hii ili aweze kuangaliwa na kupatiwa chochote maana ni kazi ya muda na ikipita hicho kipindi nao kutakuwa hakuna tena kamati kuzungukiwa na pesa za Kaunti zinaenda. Tunesema kwamba wao pia wakaweze kuangaliwa na kupata chochote kile kitakachowasaidia katika hali hiyo. Nimesimama kuunga mkono. Asante.

**The Speaker** (Hon. Kahindi): Hon. Hassan.

**Hon. Hassan:** Asante Mheshimiwa Spika kwa kunipatia nafasi hii muhimu. Nimesimama kutounga mkono Hoja hii. Mheshimiwa Spika, kama viongozi utakubaliana na mimi kwamba tumepata kashfa nyingi sana hasa katika upande wa mashamba na upande wa ufisadi na kila kitu. Ningeliwaomba hata Waheshimiwa wenzangu kwamba tujaribu kujitenga na vitu kama hivi. Itakuwa ni vibaya sana ikiwa Kaunti itahusika moja kwa moja ilhali kuna watu maalum ama jopo maalum lililoundwa la kuhusiana na maswala ya mashamba.

Mheshimiwa Spika, asante sana kwa kunihifadhi. Ni muhimu tuangalie kazi ambazo sisi kwetu zinastahili kulingana na sheria au katiba inavyotulinda. Kazi yetu sisi kama Waheshimiwa ni kutunga sheria za Kaunti, kuwakilisha mwananchi ...

*(Hon. Kiraga stood on a Point of Information)*

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

**Hon. Hassan:** Mimi sitaki kwa sababu najua kila kitu. So, I do not need any information from anybody.

**The Speaker** (Hon. Kahindi): Proceed please.

**Hon. Hassan:** Asante Mheshimiwa naona kuna shida nyingi hapa. Napinga Hoja hii. Huu ni ufisadi.

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*(Laughter)*

**The Speaker** (Hon. Kahindi): Hon. Mramba.

**Hon. Mramba:** Asante sana Mheshimiwa Spika. Kwanza, ningetangulia kumpongeza Mheshimiwa Pascal Thuva na kumwomba kila la heri kwa yale aliyolenga mwaka unaokuja kwamba aende Bunge lile kuu. Mungu aweze kumbariki. Mheshimiwa Spika, Hoja hii imekuja kwa wakati unaofaa kwa sababu hawa wazee wanachaguliwa kwamba ni wanakamati wa kitengo cha kupima ardhi wanapata tabu sana. Wakati mwingine wanawindwa. Nakumbuka mzee mmoja kule kwangu anaitwa Abdallah Ndema aliponea chupuchupu kwa sababu shamba lilikuwa na matatizo na alipoonekana akaambiwa hawa ndio waliompokonya shamba. Mheshimiwa Spika ni jambo ambalo si la haki. Tuwapatie kazi hawa wazee alafu malipo hakuna. Wale maafisa ambao wanaenda mashinani kule wanalipwa tikiti, *allowance* na chakula cha mchana lakini hawa wazee wanaenda bila na hapo sasa ndio kunatokea mambo ya ufisadi manake huyu akimfata na kitu kidogo atamkatia shamba amwambie ni yake kwa sababu hakuna kitu anapata.

Hivi tunavyoongea Mheshimiwa Spika, kuna mipango ya kijiji cha Kakuyuni na imekamilika lakini wale wanakamati waliosimamamia hiyo mipangilio hata ndururu moja hawajapata. Hivi tunavyoongea...

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

**The Speaker** (Hon. Kahindi): Yes hon. Mwayaa.

**Hon. Mwayaa:** Asante Mheshimiwa Spika. Nilikuwa nataka kuuliza aliyekuwa akiongea kuhusu Hoja anasema ya kwamba Mheshimiwa Pascal ana azma ya kusimama ubunge. Walikaa wapi wakapanga ikiwa yeye mwenyewe si mkaazi wa Kaloleni? Asante Mheshimiwa Spika.

**Hon. Mramba:** Mheshimiwa Spika, ninaongea kwa sababu mimi niko na shamba Kaloleni. Wakaazi wa Kaloleni wameanibia wao wenyewe wana imani na Mjumbe wao aende akawa...

*(Hon. (Ms.) Mbeyu stood on a Point of Information)*

**The Speaker** (Hon. Kahindi): No, let him proceed.

**Hon. Mramba:** Basi Bw. Spika, kama tunavyoongea hivi leo kuna mkao wa *National Land Commission* ambao wanakaa Marafa kusuluhisha mzozo wa mashamba. Wanakamati kutoka Kakuyuni imewalazimu wapande magari ili kutoa ushahidi kwa sababu ya shamba moja ambalo liko Kakuyuni. Mheshimiwa Spika hawa wazee wameenda na tikiti zao, na chakula cha mchana. Kwa hivyo itakuwa si haki tuwapatie majukumu lakini malipo iwe hakuna. Tafadhali ninaomba Wajumbe wenzangu tupitishie hii Hoja ili inapoundwa Kamati ya kusimamia upimaji wa ardhi nao waweze kupata malipo kulingana na taratibu. Asante.

**The Speaker** (Hon. Kahindi): Hon. Kenga.

**Hon. Kenga:** Thank you very much Mr. Speaker. I beg to support the Motion that is before the floor of the House. I would have wanted to contribute when hon. Hassan, the only person who has opposed this Motion, was present in the Chambers. I do not know why he has opted to run out of the Chambers because I know that the few people who are opposing this Motion are the ones who maybe are engaging in corrupt activities and they know very well that once we have the Committee in place they will not have that ground for them to do their activities.

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Mr. Speaker, I am talking this out of experience. Last week on Wednesday, I had two meetings in my Ward. I was hosting the Director, Department of Lands and we were trying to address issues that have arisen from the issue of compensation for the Committee who are working. We declared Adu Kamale under adjudication. On the 22<sup>nd</sup> December, 2015 last year we formed committees. Members of the public were given an opportunity to appoint people who would form a committee to oversee the adjudication process. Mr. Speaker, when the committee Members sat, they decided to collect Ksh.500 from every person whose parcel of land was going to be put under adjudication. The Kshs.500 to the people of Kamale ...we are taking about 100 litres of water is retailing at Kshs.100. So, this was a very huge burden to the people. They were not in a position to raise Kshs.500, go home and are unable to cook their food because they have not been able to find water. So, they would rather get the Kshs.500 and get water than taking it for adjudication process.

Why am I supporting this Motion? It is because given an opportunity and once it is implemented, it is going to remove the burden that is placed on the people to make contributions for them to have their lands adjudicated. It is going to take away that burden even for those people who are not in a position and will have an equal opportunity for them to have their land surveyed and be able to have proper documents of ownership.

Mr. Speaker, we want these committees to be formed only in areas where the adjudication process is taking place and we want these committees to have strict timeliness that have been set. They should work under terms of reference, proper guidelines that will enable them to do quality work within a very short period of time.

Therefore, I want to urge all the hon. Members who are present apart from the one who has already gone and his vote is not going to count to pass this motion. This is because when you put the question he is not going to be present; that is as good as saying that all of us are in support and this means we are already adopting it. I want to urge the hon. Members to rise in support of this Motion and all the best to the Mover of the Motion who I am told today that he is intending to contest for a Parliamentary seat in the National Assembly. I wish him all the best.

**The Speaker** (Hon. Kahindi): Hon. (Ms.) Nashee.

**Hon. (Ms.) Nashee:** Asante Mheshimiwa Spika. Mimi naunga mkono Hoja hii na ninampongeza Mheshimiwa Pascal kwa kuleta Hoja hii kwa sababu kama hangeileta mimi pia ilikuwa kwenye roho yangu ningeileta. Naiunga mkono kwa sababu zifuatazo; nitazungumzia mfano, Lamu sisi tuko na mashamba yetu na yameleta shida sana. Kwanza mimi ninaomba kuchaguliwe kamati, tena kamati zichaguliwe watu wa maana sana. Na tumewekewa hivi bila serikali ya Kaunti kufikiria sisi tutaingia hasara na watu wetu watabaki na shida na sisi kama viongozi ile shida inatuhusu sana. Wale wanaoletwa na Serikali kuu ama wale maofisa wanaoletwa kupima mashamba wanachaguliwa Kamati kama ni watu saba ama kumi wanaenda nao na hawawalipi. Hali ya umasikini ndio hiyo; mtu akiona halipwi siku ya kwanza na siku ya pili anaenda kutafutia watoto wake chakula wanabaki kama wawili. Hao wawili wakibaki wanatumiwa, unakuta hao wanasoroveya waliokuja wana mashamba mengi na wananchi wa hapo hawana mashamba. Hiyo ndio hali iliyofanyika Lamu na Mpeketoni. Imesikitisha sana mpaka imekuwa vita mpaka kunarudiwa tena kupimwa.

Sasa, pia Kilifi Kaunti kusiwe hivyo. Sisi kama viongozi tuko hapa kuhakikisha wale wataochaguliwa ni watu wa kisawa sawa. Tena kama tungepata nafasi sisi kama viongozi tumepigiwa kura na tumechaguliwa tuwaelimishe wananchi wetu. Sio uingie pale ni kufa na

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kupona ni kama kupingania nchi yako. Manake hata ukifa njaa, wewe baki pale pale manake huyu aliyeletwa kukupimia mwenyewe ndio anataka kukuathiri wewe.

Sisi kama Serikali ya Kaunti tufikirie hawa watu wetu tutawalipa nini na tuwaelimishe wawe hapo na wawe macho na ardhi zao wapimiwe hata kama inayakuzidi hakuna kumpa mtu wa kutoka mbali. Afadhali umpatie yule mwenzako ambaye hana shamba. Usimwache ukasema eti huyu hana shamba wacha nimwache, ataenda wapi? Mgawanyie hiyo yako hata kama ni robo eka umpe, kuliko hata umpe mtu mwingine ambaye hata humjui. Mimi ninaunga mkono Hoja hii na ninamshukuru Mheshimiwa Pascal Thuva kwa kuileta kabla ya mimi. Asante Mheshimiwa Spika.

**The Speaker** (Hon. Kahindi): Hon. Teddy Mwambire.

**Hon. Mwambire:** Thank you hon. Speaker for giving me the opportunity to add my voice. I am impressed that even the Government side has already supported this Motion; so I have no other option but to support it.

We have been condemning the National Government for engaging able-bodied, great men and women opposition like village elders under the *Nyumba Kumi* initiative. These people devote most of their time in offering services to the National Government but they are not paid anything. This is part of the historical injustice that we have in this Country and that is why I am here today supporting this Motion. Simply because it's an indication that as a County we want to stand up and defend the great people of this County who are engaged to do particular jobs which are not well described. If we pass this Motion, there will be a need to regulate the number of people who will be engaged. Secondly, all the activities that are going to be undertaken will have a proper procedure that will be followed and we will be in a better position to hold them accountable in case they will not do what is expected of them.

Mr. Speaker, this habit of engaging people without pay has led to most of the committee members turning out to be brokers. If you look at what happened in Matandale, where the Leader of Majority represents, and if you look at where hon. Hassan represents in Madeteni adjudication scheme and where the Deputy Chief Whip hon. Japhet represents; Vitengeni Magogoni adjudication scheme. Those committee members were not paid and at the end we found that the names of the indigenous people were not appearing, which means the committee members were involved in selling part of that land. You will find out that immediately an adjudication scheme is advertised people from different parts of the country flood in those areas so that they can meet those committee members. They give them something little so that their names can be included; so at the end you find that the indigenous people's names are not there but the names of people from upcountry are the ones which are appearing, solemnly because they have not been paid.

There is nobody who can do any type of work without payments. If you read the Bill of Rights, it is very clear that everybody should do something that will generate something for him or her but you cannot just expose people to danger by giving them a lot of work without a justified remuneration.

That is why I feel if we adopt this Motion, I am very much sure that even the adjudication schemes that have already been budgeted for especially in my Ward, those committee members will be paid. This will guarantee that, there will be no shoddy work and as a Member of the Committee of Lands, Housing and Settlement, our Reports will be very healthy and everybody will be supportive in this Assembly and we believe that unnecessary land allocations to people who are not indigenous or are not supposed to get that piece of Land will no longer be

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experienced and sanity in this County will be achieved. Thank you very much Mr. Speaker. I stand very firm to support this Motion.

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

**Hon. (Ms.) Mbeyu:** Thank you Mr. Speaker. I rise to support this Motion. May I take this opportunity to congratulate the mover of this Motion. Mr. Speaker, land is such a touchy issue in Kilifi and by passage of this Motion, I think we will be better placed. Mr. Speaker, there are Committees which have worked not even in land adjudication only but even the settlement schemes working so hard but there is no even an incentive to such groups or Committees.

By passing this Motion in this House, I think we are helping hon. Pascal Thuva for his bid as an advocate on land issues in the Constituency he is running for and so as Kilifi County at large. I stand to support. Thank you.

**The Speaker** (Hon. Kahindi): Hon. Chiriba.

**Hon. Chiriba:** Asante Mheshimiwa Spika kwa nafasi hii. Ninaunga mkono Hoja hii kama ilivyoletwa na Mheshimiwa Pascal Thuva. Bila kuregelea mengi yaliyosemwa na Waheshimiwa waliotangulia ni kwamba ukiona tabia ya Bunge hili saa hii kila Mheshimiwa anasimama kuunga mkono ni kwa sababu hao wanaojitolea kufanya shughuli hii, mwishoni huwa mizigo kwetu sisi Waheshimiwa. Watakwenda kweli kama waliojitolea lakini mwisho wa kuisha atakwambia Mheshimiwa sasa tutafanyaje? Kwa hivyo hii ni mizigo ambayo mwishoni inatugeukia. Ukweli ni kwamba tutakapopitisha Hoja kama hii, maswala kama yale yanapoangaliwa vizuri utaona hata ule utendaji utakuwa wa rahisi na haraka ili kutimia kwa wakati ambao unatarajiwa. Kwa hivyo, Waheshimiwa sioni sababu ya kuikawisha Hoja hii hapa ndani ya Bunge ila kusimama na kuunga mkono ipitishwe na kuweza kutekelezwa kwa wakati unaofaa. Asante. Naunga mkono.

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

**Hon. Pascal:** Thank you Mr. Speaker. May I take this opportunity to thank all Members who have positively contributed to the passage of this Motion and still have the Member who has had a diverting opinion. Mr. Speaker, we know this House is a House of justice and by passing this Motion we are doing justice to our people. For a long time those Members who have had these schemes run in their Wards can bear me witness. The agony of disturbance they have had from the Committees. Mr. Speaker, the Members have had an opportunity to always foot the bills of conducting all the meetings that are done pertaining the running of these Committees in the Wards. Mr. Speaker let Members try to imagine because this processes normally takes long. For example, we have some processes that started in August last year and they are still running to date. Imagine somebody in that Committee assisting an officer who is under pay from the Government and then him or her is not getting a single penny from that process. That is why I thought of coming up with this Motion so that at least we can address these problems that are affecting many of the residents who have actually been appointed as Committee Members in these processes. Mr. Speaker, we have seen many of these Members passing through very rough terrain, harsh conditions as they execute their duty. So, if we can all agree as a House to pass this Motion then I believe we will only but have killed many birds with one stone.

Let me rest my case by asking my fellow Members to actually affirm the passage of this Motion. Thank you, Mr. Speaker.

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**The Speaker** (Hon. Kahindi): Thank you hon. Pascal. Hon. Members, the Motion has been presented by hon. Pascal Thuva. The same has been debate and I now put the question.

*(Question put and agreed to)*

### **ADJOURNMENT**

Hon. Members, in the absence of any other business in the Order Paper, we adjourn this sitting until tomorrow.

**The House rose at 3:15 p.m.**