



## Government fails to produce tractors deal documents

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Ministry of Agriculture, Irrigation and Water Development has failed to produce documents showing details of the loan agreement, procurement procedures and subsequent controversial auctioning of 177 tractors and other agricultural equipment which it sold to some top government officials and politicians.

On May 10 this year, the office of the Ombudsman ordered the ministry to explain how the machinery, which the government bought using a 2011 Parliament approved US\$55 million loan facility from the Export-Import Bank of India for smallholder farmers, were disposed off.

In the letter, Ombudsman, Martha Chizuma-Mwangonde, said her office received complaints of the tractors not reaching the intended beneficiaries and in light of that, the office sought the ministry's comments on the allegations within 21 days from May 10.

The government is said to have duped Malawians as it sold the equipment, at a loss, to top government officials and affluent private players leaving the taxpayer to clear the loan and the interest.

But over a month after receiving the letter, the ministry has failed to provide any response, prompting the Ombudsman to write another letter to the secretary for agriculture Erica Maganga with a warning of contempt proceedings.

“As you are aware under section 124(b) of the Constitution of the Republic of Malawi the Ombudsman has power to require the immediate disclosure of information and production of documents of any kind, from any public body. The said 21 days within which I requested you to make disclosure of the documents specified in the letter elapsed yesterday 8th June 2016. I, however, have not received any form of response from your office.

“In light of this and the powers vested in me by section 124(c) of the Constitution, I hereby write to inform you that on Monday 13th June 2016 at 10:00am, I will be sending my team of three people from the Legal, Investigation and Research sections to meet with you on the said subject. It is expected that during this interface, my team and yourself will have discussions on the above issue and that you will also handover documents that are required from you,” Chizuma-Mwangonde said.

In the follow up letter, Chizuma-Mwangonde said in the unlikely event that Maganga is not able to meet with the team from the Ombudsman, she should designate the next available senior officer within the ministry to do the needful.

“Kindly be advised that failure to comply with this letter could result in my office commencing contempt proceedings against yourself in the court of law. If you are in any doubt about the law on this matter I would suggest that you consult your legal counsel for full appreciation of the same,” she said.

In a phone interview yesterday morning, Maganga demanded a questionnaire. She was yet to revert to us as we went to press last evening.

According to the first letter, the office of the Ombudsman is asking the ministry to produce documents for the loan agreement between the government and Export-Import under which the loan was extended.

The ministry has also been tasked to produce a breakdown of the goods and services procured using the loan, clearly showing the amounts spent on the alleged tractors.

The government is also supposed to produce its agreement with the tractor vendors and any minutes or documentation pertaining to the manner in which the tractors were to be distributed.

The Ombudsman is also demanding that the ministry produces a list of individuals who bought the tractors, selling prices and sale agreements between the government and the purchasers.

The ministry is also required to produce evidence of payment for the tractors by alleged individuals apart from producing all statements and responses that the Minister of Agriculture made before the National Assembly regarding the government's purchase of tractors and the disposal.