

Leave of Absence

Wednesday, October 14, 2009

HOUSE OF REPRESENTATIVES

Wednesday, October 14, 2009

The House met at 1.30 p.m.

PRAYERS

[MR. SPEAKER *in the Chair*]

LEAVE OF ABSENCE

Mr. Speaker: Hon. Members, I received communication from the hon. Leader of the Opposition requesting leave of absence from the House for the period, today, October 14 to October 19, 2009. The leave which the hon. Member seeks is granted.

PAPERS LAID

1. The administrative report of the Ministry of the Attorney General for the fiscal period 2005/2006. [*The Minister of Works and Transport (Hon. Colm Imbert)*]
2. Thirty-first Annual Report of the Ombudsman for the period January 01, 2008 to December 31, 2008. [*Hon. C. Imbert*]
3. Annual Report of the Ministry of Public Administration for the fiscal year 2007/2008. [*The Minister of Public Administration (Hon. Kennedy Swaratsingh)*]
4. The audited financial statements of National Infrastructure Development Company Limited for the financial year ended September 30, 2007. [*The Minister of Finance (Hon. Karen Nunez-Tesheira)*]

To be referred to the Public Accounts (Enterprises) Committee.

ORAL ANSWERS TO QUESTIONS

The Minister of Works and Transport (Hon. Colm Imbert): Mr. Speaker, the Government can answer five questions today, but the questioner is not here. Those questions are: Nos. 102, 103, 104, 105 and 107.

The following questions stood on the Order Paper:

**Johns Hopkins University/Hospital
(Terms and Conditions of Arrangement)**

8. Could the hon. Minister of Health state:
 - (a) whether there is any formal arrangement between the Government of Trinidad and Tobago/Ministry of Health and the Johns Hopkins University/Hospital for the provision of services to the people of Trinidad and Tobago; and

- (b) if the answer to (a) is in the affirmative, could the Minister state the terms and conditions of the arrangement? [*Dr. H. Rafeeq*]

**Registered Private Hospitals
(Details of)**

- 25.** Could the hon. Minister of Health state:
- (a) how many private hospitals are registered under each of the (6) classes of private hospitals according to the Laws of Trinidad and Tobago, Chap. 29:03, section 8;
 - (b) the date the licence was issued for each; and
 - (c) what was the last date an inspector or inspection team inspected the hospital as required according to sections 18 and 19 of Chap. 29:03 of the Laws of Trinidad and Tobago? [*Dr. T. Gopeesingh*]

**Summit of the Americas
(Details of Cost)**

- 58.** Could the hon. Minister of Finance state:
- (a) The budgeted cost for the Summit of the Americas?
 - (b) Whether there were any cost overruns? and
 - (c) If the answer to (b) is in the affirmative, how much did the overruns amount to and the areas where they occurred? [*Mr. V. Bharath*]

**Pre-Summit Preparations
(Details of)**

- 64.** With respect to the pre-summit preparations could the hon. Minister of Trade and Industry and Minister in the Ministry of Finance please advise:
- A. the number of personnel who were hired;
 - (i) to clean the area along the route travelled by the summit participants; and
 - (ii) paint the curb walls and road barriers along the route? and
 - B. whether this work was done by existing CEPEP and URP workers? [*Mr. J. Warner*]

**Solicitor General
(Details of Appointment)**

- 67.** With respect to the appointment of a Solicitor General could the hon. Attorney General state:
- (a) the date on which the post became vacant;
 - (b) since the post became vacant, the number of times the Prime Minister objected to the appointment of persons recommended to fill the post;
 - (c) the names of the persons to whom he objected; and
 - (d) the reasons for his objection in each case? [*Dr. H. Rafeeq*]

**Chief Parliamentary Counsel
(Details of Appointment)**

- 68.** With respect to the appointment of a Chief Parliamentary Counsel could the hon. Attorney General state:
- (a) the date on which the post became vacant;
 - (b) since the post became vacant, the number of times the Prime Minister objected to the appointment of the persons recommended to fill the post;
 - (c) the names of the persons to whom he objected; and
 - (d) the reasons for his objection in each case? [*Dr. H. Rafeeq*]

**Director of Public Prosecutions
(Details of Appointment)**

- 69.** With respect to the appointment of a Director of Public Prosecutions, could the hon. Attorney General state:
- (a) the date on which the post became vacant;
 - (b) since the post became vacant, the number of times the Prime Minister objected to the appointment of the persons recommended to fill the post;
 - (c) the names of the persons to whom he objected; and
 - (d) the reasons for his objection in each case? [*Dr. H. Rafeeq*]

**Desalination Plant
(La Lune, Moruga)**

100. With respect to the desalination at La Lune, Moruga:

- (a) could the hon. Minister of Public Utilities state the period the plant has been out of service;
- (b) whether the shutdown of the plant resulted from the non-payment to the contractor and/or contractors associated with the plant; and
- (c) the total cost incurred, including the cost of truck-borne water as a result of the said shutdown? [*Mr. S. Panday*]

Questions, by leave, deferred.

Mr. Speaker: Question 102. Has anybody been asked to deputize? [*Mr. Peters stood*] You?

**Diego Martin Highway
(Cause of Landslip)**

102. Mr. Winston Peters (*Mayaro*) on behalf of Mr. Jack Warner (*Chaguanas West*) asked the hon. Minister of Works and Transport:

Could the Minister state whether an investigation was carried out by the Ministry of Works and Transport to determine the cause of the landslip on the Diego Martin Highway in 2008 and if so, what were the results of such investigation?

The Minister of Works and Transport (Hon. Colm Imbert): It was remiss of me, Mr. Speaker, to ask for the other questions to be deferred for a period of two weeks.

Mr. Speaker, question 102. An investigation was immediately conducted by the Ministry of Works and Transport following the road failure to determine the cause of the landslip on the Diego Martin Highway. It was determined that a section of the old retaining wall on the east bank of the Diego Martin River had failed during a period of torrential rainfall.

This masonry wall was built more than 35 years ago to contain the Diego Martin River and the external environment. However, over the years, as a result of the normal wear and tear caused by the continuous abrasion that is typically associated with the transport of sediment in major rivers, the wall had deteriorated in certain areas. Because of this deterioration, compounded with the resulting high

rainfall levels and excessive flooding, failure occurred. This resulted in a wash out of the roadway. It should be noted that this incident had nothing to do with the Diego Martin Highway project.

Following the incident, restoration works to the river wall and the highway began the very next day. The restoration of the roadway was completed within a period of two days, while permanent reconstruction of the river wall was completed within a two-week period.

Mr. Speaker: The hon. Member for Mayaro deputizing for the hon. Member for Chaguanas West.

**Asphalt Works
(Preferred Sub-Contractor)**

103. Mr. Winston Peters on behalf of Mr. Jack Warner (*Chaguanas West*) asked the hon. Minister of Works and Transport:

With respect to the Churchill Roosevelt and Uriah Butler Highway Interchange, can the Minister state whether Vinci was the preferred sub-contractor for the asphalt works and if not, how was Jusamco selected to undertake such works?

The Minister of Works and Transport (Hon. Colm Imbert): Thank you, Mr. Speaker. The original scope of Vinci's contract for the construction of Package B of the interchange at the intersection of the Churchill Roosevelt and Uriah Butler Highway did not include the supply and placement of granular material or asphalt. This aspect of the works was initially separate and distinct from the prime contract. However, in the interest of maintaining a single point of liability and responsibility in terms of time, cost and quality on the project, and for better overall coordination of the works, it was decided to include these works in Vinci's contract and scope of works.

In order to maximize local participation in the project, Vinci subsequently solicited bids for this work from the three major local road paving contractors in Trinidad who had the necessary resources, that is to say, Coosal's, Seereeram Brothers and Jusamco. This was done to determine the most attractive option available, and the offers were to be submitted for either the granular materials or the asphalt works, or both. After careful evaluation and consideration of all of the relevant factors, including cost, the time for execution and ease of execution, minimum disruption of the other contract works, quality and other relevant factors, Jusamco was determined to have the best evaluated offer. Vinci

subsequently entered into a subcontract with Jusamco under the umbrella of their original contract for the interchange. Separate variation orders were thus issued to Vinci for each of the granular and asphalt components. The works were completed on time and within budget, and to the required quality standards.

Highway Interchange
(Status of Contract)

104. Mr. Winston Peters on behalf of Mr. Jack Warner (*Chaguanas West*) asked the hon. Minister of Works and Transport:

Could the Minister state by how many months did the contract for the Churchill Roosevelt and Uriah Butler Highway Interchange exceed its original completion date and how much money, if any, did the contractor pay by way of liquidated damages?

The Minister of Works and Transport (Hon. Colm Imbert): The contract for the Churchill Roosevelt and Uriah Butler Highway Interchange was amended in August 2008 to extend the original completion date of the project by two months, that is, to January 31, 2009. This became necessary because of unforeseen soil conditions, which necessitated additional foundation works, and additional design and construction works. These are normal occurrences in the construction industry. In addition, variation orders were issued to the contractor, Vinci, to include the granular and asphalt works, as I have just stated, as part of the original contract. This additional work entitled the contractor to a further extension of time.

As the works were substantially completed by the revised completion date, the issue of liquidated damages did not arise.

Concrete Batching Plant
(Details of Erection)

105. Mr. Winston Peters on behalf of Mr. Jack Warner (*Chaguanas West*) asked the hon. Minister of Works and Transport:

Could the Minister state:

- (a) Which State authority gave approval for a concrete batching plant to be erected and operated in the vicinity of the Churchill Roosevelt and Uriah Butler Highway Interchange?
- (b) Whether a fee was paid for the use of such site and was the necessary statutory approval granted?

The Minister of Works and Transport (Hon. Colm Imbert): Thank you, Mr. Speaker. In response to part (a) of the question, as part of any major infrastructure project, temporary lay down sites are required to support that project. In this case, to support the construction of the interchange, Package B, an application was made to the Ministry of Works and Transport by the contractor on June 26, 2007, to install a temporary concrete batching plant to supplement the supply of concrete to the project.

Permission was granted by the Ministry on September 05, 2007, to install a temporary concrete plant, subject to the following conditions:

- (i) Prior to full operation of the plant, the contractor was required to submit and obtain approval from the Director of Highways on the following:
 - a detailed site plan showing all information on the use of the site, such as internal roads, fencing, et cetera.
 - a drainage plan showing all temporary drainage.
 - a detailed traffic management plan which included proposed entrances and exits from the site to the Uriah Butler Highway, and this access was required to be done in accordance with AASHTO standards.
 - a waste management plan.
 - a dust and mud control plan especially on the Uriah Butler Highway.
- (ii) The contractor was also required to ensure compliance with the EMA by obtaining a Certificate of Environmental Clearance.
- (iii) On completion of the project, or if and when requested by the Permanent Secretary or the Director of Highways, the plant was to be promptly removed from the site and the site restored to its original condition, including the removal of any associated structures.

It should be noted that CEC Certificate No. CEC 2055/2007 was granted by the EMA to the contractor to set up the plant.

With respect to part (b) of the question, no fee was paid for the use of State lands in the vicinity of the interchange where the temporary concrete batching plant was installed. It is not the normal practice to charge fees in these circumstances when the plant in question is directly associated with the execution of a Government project and the land in question, State land. No useful purpose would have been served by the imposition of such a fee.

In compliance with the Ministry's approval to set up the temporary concrete batching plant, the CEC Certificate, as I stated before, 2055 of 2007, was issued by the EMA in accordance with the Environmental Management Act, 2000.

As a general comment, Mr. Speaker, it should be noted that no fee was charged to either the main contractor or the subcontractor or the operator of the temporary batching plant for the use of the State lands or for the respective lay down yards. Both contractors were informed that their lay down yards lay within the footprint of Package C of the interchange, the next phase which we shall be doing and their lay down yards must be removed on or before the award of a contract for Package C, or as requested by the Permanent Secretary, or the Director of Highways.

**South Terminal Car Park
(Details of Contract)**

107. Mr. Winston Peters on behalf of Mr. Jack Warner (*Chaguanas West*) asked the hon. Minister of Works and Transport:

With respect to the south terminal car park can the Minister state:

- (a) The names of the contractors and the sums tendered for the paving of the south terminal car park? and
- (b) Why was the contract not awarded to the lowest bidder?

The Minister of Works and Transport (Hon. Colm Imbert): The last one. Answer to part (a): The scope of works for the South Terminal Car Park involved the rehabilitation of the roadway in front of the South Terminal Building at Piarco, the two existing access routes from the Golden Grove Road, removal of the median in front of Aviation Business Limited, expansion of the car park at the front of South Terminal and construction of a 100 mm PVC duct from the TSTT switch box to the terminal building. The contractor was required to complete all paving works within 10 days of the award of contract. The tenders that were received were as follows:

Seereeram Brothers—\$2,071,147.70;

Danny's Enterprises Limited—\$5,015,566.87;

Harry Persad and Sons Limited—\$5,380,786.75;

Coosal's Construction—\$5,741,018.50; and

Carib Asphalt Pavers Limited—\$7,272,830.

With respect to part (b), the contract was not awarded to the lowest bidder because the evaluation team which was comprised of the design engineer and the professional staff of the Airports Authority determined as follows:

- (i) The cost of the line items in the bid from Seereeram Brothers was 50 per cent below existing market rates, and in the opinion of the evaluation team, they did not reflect the cost of mobilization and the resources required to execute the work in the accelerated time frame as set out in the bid documents.
- (ii) The lowest bidder submitted a conditional bid which did not meet the 10-day completion date requirement of the tender invitation.

Finally, for record, the board of the Airports Authority supported the recommendation of the evaluation team.

1.45 p.m.

Mr. S. Panday: Could the hon. Minister indicate to whom the contract was awarded?

Hon. C. Imbert: Mr. Speaker, you would realize that this is a contract awarded by the Airports Authority, not by the Ministry of Works and Transport and not by the Minister. I am going to pull from memory here. I would not wish to be taken before the Committee of Privileges, so I am qualifying what I am saying. My memory tells me that the contract was awarded to Harry Persad and Sons Limited.

Mr. Speaker: It is very rarely that one Government Minister answers five questions at any one sitting, so I would like to congratulate the Minister of Works and Transport, and in doing so to urge his colleagues to follow his example. [*Laughter*]

Mr. S. Panday: Take that!

DEFINITE URGENT MATTERS

(LEAVE)

Cellphone Tower

(Stop Construction of)

Mr. Ramesh Lawrence Maharaj SC (Tabaquite): Mr. Speaker, in accordance with Standing Order 12 of the House of Representatives, I hereby seek your leave to move the adjournment of the House for the purpose of discussing the following matter as a definite matter of urgent public importance, namely, the need for Government to take immediate action to stop the construction and operation of a cellphone tower at Ramdass Street, Happy Hill, Gasparillo.

Cellphone Tower
[MR. MAHARAJ SC]

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The matter is definite as it pertains to the fact that the transmission of electromagnetic radiation which will be emitted from the operation of the cellphone tower, places at risk the health and lives of approximately 10,000 persons who live within close proximity to the site of the tower, and approximately 1,000 children who attend two schools which are in close proximity to the said site.

The matter is urgent because the adults and school children who are at risk found out a few days ago that the cell tower was being erected on private property and that the workers were seen working around the clock to have it operational.

The matter is of public importance because it appears that the procedural processes laid down by the law for the approval of this activity was not complied with, to wit, no environmental impact assessment was done and no certificate of environmental clearance was issued by the Environmental Management Authority (EMA) for this activity to proceed, and the Town and Country Planning Division has not held any consultation with the community in respect of any change of use of the land or in respect of the operation of the cellphone tower.

Mr. Speaker: Hon. Member, this matter does not qualify under Standing Order 12, but certainly would have done so under Standing Order 11.

**UDeCott Board of Directors
(Removal of)**

Mr. Ramesh Lawrence Maharaj SC (Tabaquite): Mr. Speaker, in accordance with Standing Order 12 of the House of Representatives, I hereby seek your leave to move the adjournment of the House for the purpose of discussing a definite matter of urgent public importance, namely, the immediate need for Government to remove the members of the board of directors of UDeCott and to take steps to appoint a new board.

The matter is definite as it pertains to the refusal of the board of UDeCott, a company wholly owned by the people of Trinidad and Tobago, to act in the public interest for it not to take action to obstruct the proceedings before the Uff Commission of Enquiry into UDeCott and the construction sector. The obstruction of those proceedings by the board of UDeCott would prevent the Commission from completing its mandate and from presenting its report to His Excellency the President.

The matter is urgent because it involves the obstruction of openness, transparency and accountability of the Government to the people. It also obstructs the principles of good governance. The conduct and action of the board of UDeCott adversely affects the public interest and strikes at the root of honest governance and integrity in public life.

The matter is of public importance because it involves the loss of public confidence in governance, which can have adverse effects on the enjoyment of democracy and the rule of law in Trinidad and Tobago.

Thank you.

Mr. Speaker: Hon. Members, had this matter not qualified under Standing Order 11, I would have given it some consideration.

STATEMENTS BY MINISTERS

Divali Greetings

The Minister of Community Development, Culture and Gender Affairs (Hon. Marlene Mc Donald): Mr. Speaker, on behalf of the Government of Trinidad and Tobago, I am pleased to extend warm Divali wishes to the Hindu community.

Divali is a time when Hindus, hand in hand with the rest of the national community, celebrate the triumph of light over darkness, good over evil and wisdom over ignorance.

Divali is a time when, thanks to the Hindu belief, we raise our awareness of our inner light. We reflect on the discernment and enlightenment that faith brings. We contemplate our responsibility to our fellow men because in them we see God.

Most Trinidadians and Tobagonians come to know Divali through their families, friends and communities. They come to know it as a time of celebration, as a time when families come together and friends share in our banquet. It is a time when total strangers leave with bags of delicious Indian sweets solely for sharing in humanity.

However, we also know that Divali is a most sacred time of the year. Intense worship and deep devotion characterize each Divali celebration. Hindus fervently offer pujas as they grow in reverence and Shakti, or divine energy. This holy time of Divali reminds us of some of the values shared across religions in Trinidad and Tobago: justice, fortitude, self-control and wisdom.

The charity that Hindus show to others during Divali reminds us of our collective responsibility to afford opportunity and harness an environment of prosperity for our fellow human beings, or, as one of our Vision 2020 developmental pillar states: "Nurturing a Caring Society".

We must all remember that the developed country we want to build by the year 2020 and the improvements we want to see in Trinidad and Tobago, must first come from within, from a strong personal commitment to national progress. We will only succeed as a nation together. We will only succeed as a nation as one people with one common goal, with one common vision.

Divali Greetings
[HON. M. MC DONALD]

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We must, therefore, strive to emulate the good spirit that pervades this time of Divali. We must renew our commitment to Trinidad and Tobago beyond party lines, beyond race and beyond religion. Government is proud to be very mindful of this and that is why we are building community centres, schools and homes across Trinidad and Tobago, regardless of constituency or voting patterns. That is why, through our skills training programmes at the Ministry of Community Development, Culture and Gender Affairs, we are empowering persons in places like Penal; Los Bajos; Bamboo, Duncan; Hardbargain; Waterloo and Preysal, just to name a few. This is how we are transforming and improving the lives of all the people of Trinidad and Tobago, and that is why in Trinidad and Tobago we will always stand as one united people.

Like the rest of Trinidad and Tobago, I look forward to Divali 2009 and I take the opportunity to reiterate the assurances of my highest consideration to the Hindu community. Once again, on behalf of the Government of Trinidad and Tobago, happy Divali 2009.

Thank you.

Committee Of Privileges
(News Media Sent To)

The Minister of Public Information (Hon. Neil Parsanlal): Mr. Speaker, the Parliament of the Republic of Trinidad and Tobago and its proceedings are open to every citizen locally and to the world via the World Wide Web. Any citizen could visit the Parliament and be accommodated in the Visitors Gallery, as, indeed, happens every week.

It was in the interest of transparency and accountability to the people of this country that the Parliament, recognizing that in practice most people are unable to physically visit the Parliament, substantial sums were expended to ensure that the proceedings of both Houses were carried live, from gavel to gavel, on the Parliament radio and television channels.

Even so, we recognized that there was still need to engage all the local media, both print and electronic, to inform the public about what takes place in this Chamber. To this end, media houses are free to use the footage obtained from the broadcast of parliamentary proceedings, and reporters who are physically present when either House meets, are provided with copies of all documents laid, rulings delivered and questions answered.

Therefore, it is a fact that both the media and the Parliament need each other. All we ask of the media is that they observe the rules of this House and provide the public with a balanced, fair and accurate account of our proceedings.

This rule has been expressly confirmed by this honourable House and circulated to the media, both print and electronic, and is common to all modern democracies. Indeed, as recently as November 18, 2008, in a statement about the relationship and the media in the other place, I made the following point, and I quote:

“No one is better convinced than we are, that the media has a tremendous responsibility as a detached informer, educator and entertainer. The media influences and marshals public opinion, but it also cannot be understated that only a press that is fair will retain the public confidence that is needed by a free press. I wish to repeat that statement: only a press that is fair will retain the public confidence that is needed by a free press.”

Consequently, the publication or broadcasting of a false, distorted or misleading account of proceedings of this House or a committee is a contempt of this House. Such reports could result in significant damage to this honourable House, its committees and/or its Members, including your good self, Mr. Speaker.

At the last sitting of this House on Friday, October 09, under the item "Announcements" you ruled on a matter of privilege brought by the distinguished Member for Siparia. Immediately after you concluded, copies of your ruling were circulated to all of us. I am advised that copies were also made available to the media, as is the norm. Indeed, the media gets copies of everything we get in this House and there is a member of the parliamentary staff dedicated to ensure this; a clear reflection of the degree to which the media is considered important to this institution.

Mr. Speaker, I was totally taken aback at the reporting of this matter by CCN TV6 at its 7.00 p.m. newscast later that very night. The first inaccuracy or distortion was made by Miss Samantha John who stated in her newscast that you, Mr. Speaker, and I quote:

“ruled that Mr. Jeremie, the hon. Attorney General, acted properly when he criticized the judge.”

Later on in the report Miss Sasha Mohammed stated that:

“She”—Mrs. Persad-Bissessar—“had also asked that the Speaker recuse himself from deciding on this matter based on his initial ruling that Mr. Jeremie was within his rights to criticize the judge.”

It is my submission, based on the information before you and this House, that these statements distort your rulings and the proceedings of this honourable House.

Neither in your initial ruling nor in your ruling on October 09, did you state that it was right for the Member to criticize the judge. I hasten to add that not

Committee of Privileges
[HON. N. PARSANLAL]

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every incidence of inaccurate reporting of our proceedings should provoke a reaction by this House. [*Interruption*]

Mr. Speaker: Order!

Hon. N. Parsanlal: This House must register concern on this occasion, since the manner of the reporting on this matter and the grave inaccuracies contained in the report could severely damage the comity that has always existed between the Legislature and the Judiciary and bring this House and your esteemed office into odium or ridicule. [*Interruption*]

Mr. Speaker: Order, please!

Hon. N. Parsanlal: It does not end there. Miss Mohammed, who, in the 23 months that I have been a Member of this House, has rarely ever deigned to visit this august Chamber, [*Crosstalk*] concluded her report on your ruling with the following striking argument, and I quote again:

“Within recent months several Opposition MPs have been referred to the Privileges Committee following complaints by Government Members. These include Mrs. Persad-Bissessar, for comments made about the President's continued delay in appointing an Integrity Commission; Dr. Tim Gopeesingh, for comments made about alleged racial discrimination at the Port of Spain hospital and Sen. Wade Mark for alleging corruption at UDeCott.”

Hon. Members: True; true!

2.00 p.m.

However, the Opposition UNC had not been successful when they sought to refer PNM MPs like Mr. Jeremie and Mr. Patrick Manning for allegedly misleading the House.

However, the public record of this House reveal a different picture to the one painted by Miss Mohammed in her report. Only two Opposition MPs have been referred to the Committee of Privileges within recent months, not several, as stated by Miss Mohammed and, certainly not for the reasons stated by her. [*Interruption*]

Mr. Speaker: Order!

Hon. N. Parsanlal: Quite strangely, she has either forgotten or deliberately failed to inform the public through her medium that this Government is already before the Committee on a motion of privilege moved by Dr. Hamza Rafeeq and agreed to by your good self in relation to the alleged failure of the Government to allow the Opposition its Private Members' Day. That was after your earlier, very novel

decision, to send the Government before the Privileges Committee for allegedly not answering questions in a timely manner. Not even the hon. Prime Minister has escaped your ruling, Sir, for he, too, has been referred for allegedly prematurely disclosing the deliberations of a committee. I am sure you would recall these rulings, Sir.

The privileges and immunities of this House, its powers to protect the integrity of its processes and to demand fair and accurate reporting of its proceedings, are critical. These privileges and powers are deeply engrained in the history of free democratic institutions, none of which—and this includes ours—would have survived and could today survive without them. Parliamentary privileges exist for the purpose of enabling the House and us, as Members of Parliament, to carry out our functions effectively. We therefore view as a serious matter of contempt, these gravely distorted reports of our proceedings and the subliminal attempt to paint you as being biased in your rulings on matters involving the privileges of this House.

I ask, therefore, that you refer this matter and the conduct of Miss Samantha John, Miss Sasha Mohammed and CCN TV6 to the Committee of Privileges for its urgent consideration and report. [*Desk thumping*]

Mr. Speaker: Whilst Members of the Opposition may feel this is a laughing matter, I do not. It is a very serious matter, because it affects the comity, as stated in the Motion, between the Parliament and the Judiciary. I have read this carefully and I am disturbed by what has come out of this and I have no hesitation whatsoever in referring this matter to the Committee of Privileges for its consideration and report. [*Desk thumping*] [*Interruption*] What is your problem? You are saying something to me? I said, for its consideration and report.

LAND ACQUISITION

The Minister of Agriculture, Land and Marine Resources (Sen. The Hon. Arnold Piggott): Mr. Speaker, I beg to move the following Motion:

Be it resolved that this House approve the decision of the President to acquire the lands described in Appendix II for the public purposes specified.

This Motion was debated in the Senate, in the other place, on March 17, 2009 and passed in that place. It is the role of Government to formulate public policy and initiate and facilitate programmes and projects that will increasingly benefit the citizens of Trinidad and Tobago. Time and time again we have brought proposals to this honourable House that have resulted in increased and improved access to public goods, services and facilities for the people of the Republic of Trinidad and Tobago.

*Land Acquisition**Wednesday, October 14, 2009*

[SEN. THE HON. A. PIGGOTT]

It is noteworthy that despite the fact that the State land accounts for approximately 53 per cent of all land in Trinidad and Tobago, the most appropriate location for development projects cannot always be found on land owned by the State. In view, thereof, it frequently becomes necessary to acquire privately-owned land to establish public facilities. While this can be done by private treaty, if such agreement is not forthcoming, as is frequently the case, it becomes necessary to compulsorily acquire the land under the Land Acquisition Act, 1994.

Today, this Government is presenting a Motion before this honourable House that has facilitated and/or will facilitate 15 significant projects for public purposes. These projects have impacted or would impact on the social and economic well-being of the overall development of the citizens of Trinidad and Tobago by addressing areas such as education, sport, health, recreation, road access, flood prevention and drainage.

The following are a summary of the development projects for which land is compulsorily being acquired on this occasion. Recreational grounds: five of these projects, namely, the extension of the St. Mary's recreation ground; the establishment of a recreation ground in Inner Mafeking Road, Mayaro; the establishment of a recreation ground at Springlands, San Fabien; the establishment of a playing field in South Street in Mon Repos, San Fernando and the establishment of a playing field for South Oropouche Government Primary School, are intended to promote the social and community development required for the well-being of citizens residing in these localities.

It is the philosophy of this Government to work and collaborate with our people in shaping their future in all facets of their lives. It is the intention of this Government to continue promoting healthy lifestyles as an integral component of the overall well-being of our entire citizenry. The Government intends to promote these lifestyles through the systematic and consistent provision of such facilities that would provide and enhance the infrastructure necessary for the activities related thereto.

These facilities have the potential to provide an avenue for the youth of our nation, to occupy their spare time in a productive manner and to express themselves in a positive fashion. Additionally, it is quite conceivable that these facilities will no doubt be positive breeding grounds for the development of great sportsmen and sportswomen in the not too distant future.

In terms of road improvement, three of these projects, namely the extension of the North Coast Road, the improvement works to the Providence/Culloden Road in Tobago and the construction of the Uriah Butler Highway, are part of this Government's ongoing initiative to improve the road infrastructure and network throughout Trinidad and Tobago for the benefit of all our citizens.

The continuous expansion of infrastructure facilities is, in fact, a major priority of this Government, particularly as it relates to improving the road network throughout the country. The traffic situation on the roads of our nation requires special attention and, in fact, these acquisitions have certainly gone a long way in advancing the Government's goal of reducing travel time and enhancing productivity.

In terms of rivers, drainage and improvement works, three of these projects: the widening of a stream related to the La Seiva River in Maraval; the widening of the Caroni River and drainage and improvement works to the Caparo River, were undertaken to reduce the incidence of flooding in these areas and to minimize the consequential damage and inconvenience caused to the population residing in these geographic areas. We are continually making efforts to alleviate flooding throughout Trinidad and Tobago.

Construction and extension of schools: Three of these projects: the construction of the Chaguanas North Government Primary School, the Mason Hall Secondary School and the extension of the Icacos Government Primary School, are all intended for the educational needs of the resident population of the immediate area and environs. The construction of schools throughout Trinidad and Tobago is part of this Government's commitment to providing quality and accessible free education to all. A sound education helps in the building of an inclusive society and is pivotal to the attainment of developed country status.

The construction of a natural gas pipeline: The 15th and final project related to these land acquisitions is the construction of a natural gas pipe line for improving the oil and gas sector, which plays an important role in this country's economic sustainability and viability.

The procedure for the acquisition of land for public purposes is standard in nature and such matters have been brought before this honourable House on an ongoing basis. However, in view of numerous issues that have been raised in the other place regarding land acquisitions, the following explanations from the Land Acquisition Act, 1994 will now be addressed.

With respect to the land acquisitions referred to in the Schedule, where work has commenced or is completed, the President issued an Order under section 4(1) of the Act authorizing the Commissioner of State Lands, without waiting for a formal vesting of land in the State, to take possession of the land and apply it for any purposes connected with the use to which it was intended to be put. Therefore, in all the instances where the work on the land acquired is complete or has commenced prior to this Motion, the President issued an Order authorizing those activities related to the land acquired.

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In relation to the issue of compensation for land compulsorily acquired, it is only after section 5(2) proceedings, which are these proceedings before this honourable House, and after publication and service of the declaration made by the Order of the President, that any person from whom land is being acquired, becomes entitled to compensation. That is section 5(7) of the Land Acquisition Act.

That explains the reason why, in some instances, persons entitled to compensation for acquisition of their lands, have not been paid to date. Additionally, in some instances, no compensation has been made because persons interested in the land did not make a claim for compensation as required by section 23(1)(c) of the Act. I should point out, however, that in some circumstances, advanced payment can be made if the person entitled makes a claim. Persons can be entitled to claim up to 80 per cent of their claim in that regard. The relevant section is section 22 of the Act which is quite extensive.

Permit me now to speak to the specific parcels of land which are being acquired with respect to the 15 projects. The extension of St. Mary's recreation ground: This honourable House is being asked to approve the decision of the President to acquire one parcel of land described in the schedule on the Order Paper under No. 1 and which is coloured raw sienna on a plan of survey signed by the Director of Surveys and dated July 02, 1996 and filed in the office of the Director of Surveys. The land in question, which is being formally acquired for the public purpose of the extension of the St. Mary's recreation ground, is a parcel of land comprising 1,909.3 square metres, more or less, situated at Moruga Road in the ward of Ortoire, in the county of Victoria and is said to belong now or formerly to Bridgelal.

This acquisition was at the request of the Ministry of Local Government in order to promote the social development and well-being of citizens of that locality, as well as provide facilities to promote healthy lifestyles. The then existing pavilion was structurally unsafe and was demolished and is being rebuilt. A rebuilt facility will include a playground for children, washroom, changing room facilities, jogging track and basketball court.

Extension of the North Coast Road: This honourable House is being asked to approve the decision of the President to acquire 11 parcels of land described in the Schedule on the Order Paper No. 2, and which are coloured raw sienna on a plan of survey, signed by the Director of Surveys and dated August 06, 2004 and filed in his office. More particularly, the 11 parcels of land comprised together, approximately 3,252 square metres, more or less, situated at Las Cuevas and La Fillette in the ward of Blanchisseuse, in the county of St. George. I wish to inform this honourable House that by notice published at item 1903 in the *Trinidad and Tobago Gazette*, Volume 17,

Number 284, dated September 20, 1987, several parcels of land together comprising 40,615 acres, more or less, situated at Las Cuevas and La Fillette were formally acquired in accordance with section 4 of the Land Acquisition Act for the extension of the North Coast Road from Las Cuevas to La Fillette.

2.15 p.m.

However, the 11 parcels referred to in Schedule II on the Order Paper were omitted at that time from the acquisition process. Upon discovery of the omission, the Director of Surveys issued a survey order to rectify the matter and the requisite survey plan was subsequently approved.

Construction of the Chaguanas North Government Primary School: This House is also being asked to approve the decision of the President to acquire the parcel of land described in the schedule on the Order Paper, under No. 3, and coloured raw sienna on a plan of survey signed by the Director of Surveys and dated November 30, 2001 and filed at the office of the Director of Surveys.

The parcel of land comprises 1.9976 hectares, more or less, and is situated at the southern extremity of the Endeavour Estate Development, at the corner of Tenth Avenue and Michael Street, Chaguanas, in the borough of Chaguanas, in the county of Caroni, and is said to belong now or formerly to Colonial Homes and Commercial Properties Limited. It is coloured raw sienna on a plan of survey signed by the Director of Surveys, dated November 30, 2001 and filed in his office. It is being formally acquired for the public purpose of the construction of the Chaguanas North Government Primary School.

Mr. Speaker, this acquisition was at the request of the Ministry of Education and is required to support the educational needs of the resident population of the immediate areas.

Fourthly, this House is being asked to approve the decision of the President to acquire the parcel of land described in the schedule on the Order Paper as No. 4, coloured raw sienna on a plan of survey signed by the Director of Surveys, dated June 13, 2005 and filed at the office of the Director of Surveys. It is being formally acquired for the public purpose of improvement works to the Providence/Culloden Road in Tobago.

The parcel of land comprises 1,368.1 square metres, more or less, situated at Culloden Road, in the parish of St. David, in the ward of Tobago and is said to belong now or formerly to Harold Sebro.

I wish to inform this honourable House that in June 2001, the Chief Administrator of the Tobago House of Assembly requested the initiation of the

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acquisition proceedings for the subject parcel of land, which was utilized for the improvement works on the Providence/Culloden Road.

Again, this honourable House is being asked to approve the decision of the President to acquire the parcel of land described in the schedule on the Order Paper, under No. 5, coloured raw sienna on a plan of survey signed by the Director of Surveys and dated June 18, 2004 and filed in the office of the Director of Surveys. That land is being formerly acquired for the public purpose of widening a stream or tributary related to the La Seiva River, Maraval.

It is a parcel of land comprising 247.7 square metres, more or less, situated at La Seiva Road, in the ward of Diego Martin, in the county of St. George, and said to belong now or formally to Johnson. Mr. Speaker, this acquisition was at the request of the Ministry of Works, Infrastructure and Decentralization, as it then was.

This House is also being asked to approve the decision of the President to acquire the parcel of land described in the schedule on the Order Paper, under No. 6, coloured raw sienna, on a plan of survey signed by the Director of Surveys and dated May 05, 1987 and filed in the office of the Director of Surveys.

This parcel of land, which is being formally acquired for the public purpose of the construction of a natural gas pipeline, comprises 0.652 hectares, more or less, situated at the eastern side of Kanhai Trace in the wards of Naparima and Moruga, in the county of Victoria and said to belong now or formerly to Sinanan Ramsubhag. This acquisition was at the request of the Ministry of Energy as it then was.

This House is also being asked to approve the decision of the President to acquire three parcels of land described in the schedule on the Order Paper, under No. 7, and coloured raw sienna on a plan of survey signed by the Director of Surveys and dated March 05, 2002 and filed in the office of the Director of Surveys.

These parcels of land are being formally acquired for the public purpose of establishing a recreation ground, together comprising 1.6222 hectares, more or less, situated along Inner Mafeking Road, Mayaro, in the ward of Coccal in the county of Nariva, and said to belong now or formerly to the heirs of William Taylor and further described as follows:

- (a) a parcel of land comprising 0.519 hectares known as Lot 5B;
- (b) a parcel of land comprising 0.9276 hectares known as Lot 6B; and
- (c) a parcel of land comprising 0.1747 hectares.

This acquisition was at the request of the Ministry of Community Development and Local Government as it then was.

This House is also being asked to approve the decision of the President to acquire the parcel of land described in the schedule on the Order Paper, under No. 8, coloured raw sienna, on a plan of survey signed by the Director of Surveys, dated August 15, 2001 and filed in the office of the Director of Surveys.

This parcel of land, which is being formally acquired for the public purpose of the establishment of a recreation ground at Springlands, San Fabien, comprises 2.7375 hectares, more or less, situated at Springlands, San Fabien, in the ward of Pointe-a-Pierre, in the county of Victoria and said to belong now or formerly to V. O. West.

This acquisition was at the request of the Ministry of Community Development and Local Government as it then was. The Permanent Secretary of the Ministry, by memorandum dated January 03, 1986, requested the initiation of acquisition proceedings in respect of the parcel of land at Springlands, San Fabien, for a recreation ground. There is no indication in the records of the Commissioner of State Lands Department that the land was donated by Mr. West, the owner of West Quarry.

This House is also being asked to approve the decision of the President to acquire the parcel of land described in the schedule on the Order Paper, under No. 9, coloured raw sienna on a plan of survey signed by the Director of Surveys and dated April 04, 1995 and filed in the office of the Director of Surveys.

These lands, which are being formally acquired for the public purpose of improvements to the Caroni River, phase 3, entails the widening of the Caroni River, and comprise two parcels of land containing together 39,948.9 square metres, more or less, situated off Kelly Road, St. Helena Village, Piarco, East of the Golden Grove Road, in the Ward of Tacarigua, in the county of St. George, as follows:

1. a parcel of land comprising approximately 339.0 square metres belonging now or formerly to Eddy Bachan; and
2. a parcel of land comprising approximately 39,609.9 square metres belonging now or formerly to Frederick Sui Butt.

This acquisition was at the request of the Ministry of Housing and Settlement as it then was. Its purpose was to improve the drainage in the area and to alleviate flooding, which has been a serious problem in that area.

The establishment of a playing field in Mon Repos, San Fernando: This honourable House is being asked to approve the decision of the President to

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acquire a parcel of land described in the schedule on the Order Paper, under No. 10, coloured raw sienna on a plan of survey, signed by the Director of Surveys, dated May 04, 2000 and filed in the office of the Director of Surveys.

This land, which is being formally acquired for the public purpose of the establishment of a playing field, comprises 583.2 square metres, more or less, situated at No. 19 South Street, Mon Repos, San Fernando, in the ward of Naparima, in the country of Victoria and is said to belong now or formerly to Rampersad Maharaj and Others. This acquisition was at the request of the Ministry of Local Government.

During these improvement works to the Caparo River, this honourable House is being asked to approve the decision of the President to acquire three parcels of land described in the schedule on the Order Paper, under No. 11, coloured raw sienna on a plan of survey, signed by the Director of Surveys, dated March 20, 2002 and filed in the office of the Director of Surveys.

These three parcels of land are being formally acquired for the public purpose of doing improvement works to the Caparo River. The three parcels of land comprise together approximately 1,929.7 square metres, more or less, situated along the Caparo River in the borough of Chaguanas, in the county of Caroni and described as follows:

- (a) 58.9 square metres said to belong now or formerly to Samatie;
- (b) 1,824.2 square metres said to belong now or formerly to Subhadra Chankadyai; and
- (c) 46.6 square metres said to belong now to Ramasar and Soogan.

This acquisition was at the request of the Ministry of Works and Transport.

In terms of construction works at the Uriah Butler Highway, this honourable House is being asked to approve the decision of the President to acquire a parcel of land described in the schedule on the Order Paper, under No. 12, coloured raw sienna on a plan of survey, signed by the Director of Surveys and dated January 16, 2004 and filed in the Office of the Director of Surveys.

This parcel of land, which is being formally acquired for the public purpose of the construction of the Uriah Butler Highway comprises 647.2 square metres, more or less, situated at Munroe Road, in the ward of Chaguanas, in the county of Caroni and is said to belong now or formerly to Salamat Khan and Twazul Khan.

In terms of establishing a playing field at the South Oropouche Government Primary School, this honourable House is being asked to approve the decision of

the President to acquire a parcel of land described in the schedule on the Order Paper, under No. 13, coloured raw sienna on a plan of survey, signed by the Director of Surveys and dated June 03, 2005 and filed in the office of the Director of Surveys.

This parcel of land, which is being formally acquired for the public purpose of the establishment of a playing field for the South Oropouche Government Primary School, comprises 3,362 square metres, more or less, situated at St. John's Road, South Oropouche, in the ward of Siparia, in the county of St. Patrick, and is said to belong now or formerly to Sumintra Partap.

This House is being asked to approve the decision of the President to acquire a parcel of land described in the schedule on the Order Paper, under No. 14, coloured raw sienna on a plan of survey signed by the Director of Surveys and dated September 02, 2004 and filed in the office of the Director of Surveys.

2.30 p.m.

This parcel of land which is being formally acquired for the public purpose of the extension of the Icacos Government Primary School, comprises 0.5201 hectares, more or less, situated at Icacos Erin Beach Road, in the ward of Cedros, in the county of St. Patrick, and is said to belong now or formerly to Agostini.

The construction of the Mason Hall Secondary School: Finally, this House is being asked to approve the decision of the President to acquire a parcel of land described in the Schedule on the Order Paper under No. 15, coloured raw sienna on a survey plan signed by the Director of Surveys and dated January 02, 2001 and filed in the Office of the Director of Surveys. The parcel of land which is being formally acquired for the public purpose of the construction of the Mason Hall Secondary School comprises 4.9698 square hectares, more or less, situated at Adelphi Road, Mason Hall in the parish of St. George, in the ward of Tobago, and is said to belong now or formerly to Adelphi Estate.

Mrs. Persad-Bissessar: And now Andre Monteil.

Sen. The Hon. A. Piggott: Mr. Speaker, in bringing this Motion to a close, as the Minister of Agriculture, Land and Marine Resources, I am indeed honoured to carry this process of acquisition of land for national development forward. [*Desk thumping*] I am indeed pleased to be taking the process forward to facilitate the payment of moneys to the owners of these lands. This Government had demonstrated, beyond all reasonable doubt, that it is committed to providing new and improved infrastructure; to providing facilities and essential services to communities and citizens in diverse locations throughout the country, including Tobago, which will bring social and economic benefits to all the citizens of this country.

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Three major hallmarks of the work programme of this Government are crystallized in these acquisitions—at least, three of the developmental pillars of Vision 2020—as we march forward to developed country status, namely: Promoting Effective Government; Developing Sound Infrastructure and the Environment; and Nurturing a Caring Society. [*Desk thumping*]

This Government will continue to distinguish itself illustriously. [*Desk thumping*] It will continue with its developmental programmes providing a range of user-friendly services to all the people of the Republic of Trinidad and Tobago.

Mr. Speaker, I beg to move. [*Desk thumping*]

Mr. Speaker: For a moment, I thought I was hearing the former hon. Jarrette Narine. [*Laughter*]

Question proposed.

Mr. Harry Partap (*Cumuto/Manzanilla*): Mr. Speaker, before I go into the Motion, on behalf of Members on this side, I want to offer our congratulations to Darren Ganga and the Trinidad and Tobago Cricket Team for winning the match in India. They won by four runs, so we want to congratulate them. [*Desk thumping*]

Dr. Moonilal: Petrotrin should pay him.

Mr. H. Partap: Yes, I think Petrotrin should pay him.

Mr. Speaker, the Motion that was just moved by the hon. Minister of Agriculture, Land and Marine Resources seeks to approve the decision of the President to acquire lands from private owners and the State for public use.

What is referred to in Appendix II as 15 projects, really amounts to 30 parcels of land owned separately and jointly by private owners. Of the 30 parcels of land identified in Appendix II, 28 are from private landowners; one from a private company; and one from the State. Seven parcels will be used to provide recreational facilities to communities; three parcels will facilitate the extension or the construction of schools; 13 parcels will facilitate the extension of public roads; six parcels will be used to facilitate the widening of the extension of rivers; and one parcel will allow for the laying of a natural gas pipeline.

Mr. Speaker, what I want to ask the Minister is: Why was there this delay in bringing this land acquisition Motion to Parliament? This matter had been on the Order Paper since June 18, 2008. At that time, there were only three items for acquisition: the extension of St. Mary's Recreation Ground; the extension of the North Coast Road and the construction of the Chaguanas North Primary School,

and no action was taken by the Minister. Five months later, on November 14, other parcels were added to the Motion. Again, there was no action taken by the Government and the matter lapsed in the First Session of the Ninth Parliament. Mr. Speaker, the Motion has re-emerged in the Thirtieth Sitting of the Second Session of the Ninth Parliament with an additional four parcels of land added.

The Minister said in his presentation that the Government had taken possession of the lands. The Government is using the land, and it has now come for approval. The Land Acquisition Act gives the Government the right to acquire, but it also imposes an obligation on the part of the Government to fairly compensate the affected landowners. [*Desk thumping*] The question is: Has the Government paid the landowners a fair compensation? In fact, were they paid? I did not get it from the Minister in his presentation that these landowners were paid. We did not get that coming from him. I make this enquiry because the Government has been very tardy in compensating landowners for lands which have been taken from them.

My information is—and I stand to be corrected, because I certainly do not want to be placed before the Committee of Privileges—that there are over 140 landowners in the country still waiting for compensation. I am advised by my colleague on this side that it is more than 140. I might have taken a conservative figure, but over 140 landowners are waiting for compensation. I am also advised that in Tobago alone there are more than 140 persons. I hope the Minister would advise this House as to how many landowners are waiting for compensation. These people are waiting for compensation even though the Government is on their land. It cannot be right for the State to deprive a private citizen of his property without fairly compensating him.

The spirit of the Land Acquisition Act is that once the land is acquired and the Government has taken possession of it, the landowners are entitled to, at least, 80 per cent of that fair price, and the remaining amount due on the land, according to the Land Acquisition Act, should attract an interest of close to 9 per cent. Of course, we hope that will change at some time. So, the Government has to pay interest of 9 per cent on the outstanding portion not paid.

I am told that the Government has been abusing the procedures and this has affected landowners whose lands have been taken from them. They are abusing the procedure for this 80 per cent. These landowners—I believe the Minister mentioned the section of the law—are required to make an application to access the initial 80 per cent. Why must they make an application for compensation when the Government can walk onto their property and take it? Why must they make an

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application? Is the State not aware that it has an obligation to pay them? Why not pay these people? Why the unnecessary bureaucracy? That is the problem.

Hon. Piggott: Clearly, Mr. Speaker, through you, if the State were to come onto your land or on a piece of land, you could not expect that the State would say: Okay, because MP Harry Partap is presently on this land he is the beneficial owner of the land and, therefore, should be paid. Clearly, there must be a process for the appropriate owner—the persons with the legal title—to make a submission to the State in order for the payment to be properly made.

Mr. H. Partap: Mr. Speaker, I thought that the State would have done the search before going onto the property. I think the Member used to work in a bank, and I think that is how they do it in terms of mortgages. They do a search before they enter into a mortgage arrangement. I am still saying that it is important that we pay these people as early as possible.

Minister, I do not know if you remember, but when the North Trace Government Primary School was built many years ago, they acquired the land from the owner and the owner of that land waited almost 20 years before he was compensated.

Mr. Speaker, when we examined the Motion, we noticed that lands have been taken for recreation grounds. According to Appendix II, lands have been acquired for three recreation grounds. My question is: Who will be developing these recreation grounds? As far as I am aware, the regional corporations are vested with the responsibility to develop and maintain recreation grounds, but they have been starved for funding, and because they have been starved for funding, they cannot develop or maintain these grounds. Some of the recreation grounds in the rural communities are in a horrible state, and because of the lack of funding, these recreational grounds cannot be maintained.

2.45 p.m.

How are we certain that the three recreation grounds—that you took the lands for—would be developed? Who will develop them? Soon you will hear the hon. Minister of Local Government coming to us to say that that the MORI poll is saying that recreation grounds are in a state. They are in a state because the Government has starved the regional corporations of funds to do maintenance. Soon the Minister would say because the regional corporations cannot maintain or develop recreation grounds, we will pass that responsibility on now to this sports company and they will find work now for this sports company. Already the sports company is developing some recreation grounds in the country, but only those recreation grounds controlled by PNM Ministers, not PNM Members of Parliament, not the backbenchers.

Mrs. Gopee-Scoon: That is not true.

Mr. H. Partap: Look at you, telling me it is not true. You do not drive around this country; you do more travelling outside of this country. Recreation grounds in the rural communities are disaster areas. When you have time, Prime Minister—I know you came to Cumuto/Manzanilla three times during the election campaign—and you want to come, I will take you around to show you some of those grounds.

Mr. Manning: I will come, you are not taking me around. [*Laughter*]

Mr. H. Partap: These recreation grounds in the rural areas are disaster areas because we are not getting the funding to do development and maintenance. As I said, it would appear as though the sports company is only developing grounds in constituencies controlled by Government Ministers, and the PNM backbenchers are not benefiting. Mr. Speaker, I am not saying that, you know; that is not for me; I am not making that up. It came from one of their own. I just want to read a Ria Taitt report, published in the *Express* of March 17, 2009. This is what Ria Taitt wrote in response to a protest demonstration in the St. Ann's constituency of my friend, the Member for St. Ann's East. The Member said:

“I can tell you bluntly that the new Chairman of the Board of the Sports Company has refused to meet with me... It seems to be a question of a square peg in a round hole. If you are not about people, you should not be involved in something like this.”—and he is right—“And that is the problem. The Sports Company is not doing what it is supposed to do, because we have a similar problem in Santa Cruz with the Brian Lara Recreation Grounds.”

I do not know if that project is completed.

“They are supposed to be developing that grounds into a Stadium and there has been no action over the last year,”

So, it did not come from our side; it came from your side. You are not fixing, you are not developing your recreation grounds. So, what is here in this Motion, how are we sure that these grounds would be developed. If you have some time, as I said, we will go to the Cumuto/Manzanilla constituency. There are only three recreation grounds that are in good condition: two maintained by the Mayaro/Rio Claro Regional Corporation and one by the Sangre Grande Regional Corporation.

Mr. Speaker, this Motion must not only deal with acquiring the property but in making sure that work is being done and that what you say about providing the facilities for the young people in these rural communities, that you would achieve, right now you are not achieving that.

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Minister of Agriculture, Land and Marine Resources, there is a state land unit in the Ministry of Agriculture, Land and Marine Resources, and that unit has become a nest for irregular and, well, to the point of corrupt activities, and I refer especially to your regional units. Some officers are circumventing the rules to crush poor farmers who occupy these lands. They are trying to force them out before leases are approved.

The Ministry has not provided them with leases and they are trying to force them out of these lands before leases are issued. They are using intimidation and they are threatening the farmers. They are using a kind of psychological scare tactic on them, so that these poor farmers who have been there for 15 and 16 years, are forced out.

There is a case in point, where this 70 year-old farmer in Plum Mitan Main Road, Manzanilla, has been farming this property for 16 years and more. Now, a few people from the URP came to him and they told him that he would have to vacate the land because the land will be taken over for public purposes, which is, they want to build the Sangre Grande Regional Complex on the property, and they also want to build a fire station. The poor gentleman was so frustrated, he did not know what to do. So, I made some contacts with the El Reposo and they said they understand this is what they want to do. They want to use it for public purposes. I could not get a proper answer, so I came to this Parliament—

Mr. Imbert: Mr. Speaker, Standing Order 36(1). That is wholly irrelevant to the matter under debate.

Mr. Speaker: You are speaking about a parcel of land intended to be acquired? Go ahead.

Mr. H. Partap: Apparently, the Minister of Works and Transport was not listening carefully, but you are threatening to acquire that land, is that the reason why you use Standing Order 36(1) on me.

To make a long story short, what has happened is that there was no intention to put a fire station on the land; there was no intention to acquire the land for a regional complex; it was merely to scare the farmer out of the land. That is not fair at all. What I want the Minister to do is, Minister, you must have a chat with your state land people and tell them do not try that on poor farmers. If you want to acquire the land, by all means go ahead and acquire the land, but do not scare people so that you can chase them out, so that other people can benefit from it.

Another critical problem that is facing some of the areas where lands have to be acquired— I would imagine in the acquisition of a land for and if you are

going to put a project on it, that the Lands and Surveys Division would be involved in the activities. Right now citizens are being ripped off because of private land developers not providing the facilities to people whom they sell their land to, like providing water, electricity, roads, the infrastructure and so on. There are several areas across the country where private landowners sell the land to citizens and then citizens now have to depend upon the Members of Parliament, the councillors and the Government to provide the infrastructure.

What I believe should happen is that the Lands and Surveys Division, Town and Country Division, should implement the law and not allow people to subdivide and sell their properties, without providing infrastructural facilities. I noted that in the Ombudsman Report, there are over 9,000 applications. Mr. Speaker, the acquisition of these lands—if you are taking lands from people, we need the Government to provide people with the compensation first. Do not allow an acquisition to take place and then you leave people in abeyance for five years, six years, 10 years or more for them to get compensation. If it is one thing that this Motion should do today, we hope that the Minister would take it back to his colleagues so that things could be arranged very quickly to provide these people with their payments.

Mr. Speaker, I thank you.

Dr. Keith Rowley (*Diego Martin West*): Thank you, Mr. Speaker. I just want to make a brief intervention on this matter, which is of great importance to the local areas in many places. I want to comment against the background of the Land Acquisition Act of 1994, which I had the privilege and honour at the time, as Minister of Agriculture, Land and Marine Resources, to have piloted through this House.

At that time, the Land Acquisition Act of 1994, was presented to this House with the expectation that we would have significantly solved the problems associated with land acquisition. Before that, it was recognized that there were other inefficiencies, bureaucracies and injustices associated with land acquisition. When that Bill was brought to the House we thought that the provisions would have eliminated those problems and created a new climate, a new regime of actions relating to land acquisition. That was in 1994, we are now in 2009, roughly 15 years later.

I dare say that as we speak about Vision 2020, sometimes very glibly, sometimes shockingly, as an excuse for wrongdoing, against the background that we are aiming to do a whole lot better than we used to do, and that we set higher standards than we had before. So, when we talk about Vision 2020, as the Minister mentioned today, with respect to the land acquisition, I simply want to point out that I think that there are significant problems still associated with land acquisition.

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I want to make reference to Item 15: the Mason Hall School on the Adelphi lands. This parcel of land was acquired or was entered upon about 10 years ago. The fact that we are only now bringing this matter to the Parliament, against the background of the Land Acquisition Act of 1994, should demonstrate quite clearly that the intent of the 1994 Act has not been met.

3.00 p.m.

What we were hoping to do with that Act was to create a situation where land that is entered upon would be paid for, 80 per cent, at the time to the known owners and then the other 20 per cent would have been applied for, bargained for, agreed upon, whatever and you would have had a system which would have concluded the transaction within a reasonable time frame. The fact that you have lands entered upon 10 years ago and is only now coming to the Parliament says that the system within which land is acquired is not an efficiently run system. And what is worse, this particular acquisition has some interest to me.

Mason Hall as you know is my home village in Tobago. The building of this particular school was a matter which I had to prosecute through this Parliament at an earlier time—and as my good friend gave the wrong figure a while ago about the victory over the Deccan Chargers, I do not think it was three runs, but it was on the last ball. Our team just beat a world class 2020 team on the last ball and I think they deserve a great victory. [*Desk thumping*]

As I say that I want you to also congratulate the Mason Hall Secondary School for winning the Tobago division in secondary schools football. [*Desk thumping*] The only trouble is they have no playing field. The Mason Hall Secondary School has no football ground, no cricket ground; all it has is a little paved area for basketball and some tennis which is not maintained to tennis standard.

This was an acquisition that was done from Adelphi Estate—I think there is an error on the Order Paper, but I think the Minister corrected it, is roughly 5 hectares of land. Where the school is located there is no land in that parcel of acquisition for there to be a playing field. That is not a big problem to solve. The school was opened in 2002; they had their first batch of graduates out of CXC this year. We know that there needs to be acquisition of neighbouring lands so as to have a playing field for this school. I was very happy when I saw Mason Hall here because I was hoping that this was the acquisition of a parcel of land nearby for the playing field. It appears as though this 5 hectares is for the school from Adelphi Estate. We must acquire neighbouring lands and we cannot wait until people build houses on the land and then go and acquire built up land or the school will never have a playing field. Either way it is unacceptable.

I would like the relevant Minister, whoever he or she is, to look into this matter and ensure in the speediest time that we acquire neighbouring lands so that Mason Hall Secondary School can have a proper playing field for the children because this acquisition here does not solve that problem. As we do that, if the site on which the school is located, 10 years it took to get before the Parliament, I hope in the context of Vision 2020 we would not take 10 years or 15 years, because it would be beyond 2020 when they get a piece of land for the playing field. We should not make these things big monumental issues, but because of the way things are done, and because I am seeing this I could say not much is happening differently, Vision 2020 or no Vision 2020.

We are not doing things differently, because it is still taking years to complete an acquisition; people are still not being paid—and as I am talking about Tobago there are still many—tens and possibly hundreds—of people in Tobago whose lands have been acquired and they are just there waiting for a fairy, some day, to come and pay them for their lands. Sometimes the owners have died leaving the land intestate to their heirs who cannot access the lands because in some cases the probate is difficult, it is not done and all that is happening is this thing is dragging on and on; the Government has use of the land and the owner has not been paid, the heirs are not being paid because it gets more complicated as you go further and further down the line.

So, I would like the Minister—as I asked the previous Minister—to look into this matter, because at one time this matter came to the fore and there were instructions coming from the office of the Prime Minister—and I will tell you the story how it happened, one member of the public whose land was acquired in the Crown Point area turned out to be a Government Minister and settlement was made of that parcel of land and it became a national problem because everybody in Tobago was saying, “how come my matter has not been solved and the Minister's matter was solved”. At the time the Prime Minister had given instructions—

Sen. Piggott: Would you give way, Sir? I do not want to go before the Privileges Committee either, so I would not make a conclusive statement. I am not too sure that you are correct in saying that payment was made in respect of the matter to which you just alluded for that particular ex-Minister, I cannot be sure that that is a correct statement for you to say.

Mrs. Persad-Bissessar: The matter was before the court and it was settled.

Dr. K. Rowley: Mr. Speaker, that only worsens the situation, because if payment was not made, then it should have been made because the man's land

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was acquired. [*Interruption*] The problem was that was one of many parcels of land that were acquired, this particular parcel was in the Crown Point area in the vicinity of the airport and it was in the public domain that settlement was being attended. That had caused the matter to come to the fore in the public domain and had caused a problem and it caused an instruction to have been given that those lands in Tobago, many parcels of land, the matter should have been addressed so that we could have settled all of those people.

So as to not let it be proven that there was discrimination in favour of the Minister, that is the point I was making. It was being put out in the public domain that the Minister was being favoured. Whether he was paid or not paid I do not know, but the issue had come to the fore that the Minister's land was being addressed and at the time it was said publicly that all those lands in Tobago—many of which the Government owes the owners for decades—at that time some special attempt would have been made to focus on the issue so that they could have been paid.

I am in Tobago fairly regularly and very frequently people come to me to complain that their lands have been taken and they have not been paid and they would like to know what the Government is doing about it. That tells me that the issue is still alive. All I am saying to the Minister is it is something that requires to be focused upon, it is a special problem in the context of land acquisition, especially in Tobago where there are serious title issues and there are many parcels in Tobago where people's lands have been entered upon and they have not been paid.

That brings me to the point, if we are talking about Vision 2020, as we should, we should move from what used to happen in the '40s and the '50s to what should happen in the 21st Century. I do not know in the face of a Tobago House of Assembly which we are aware that there is executive authority, where they have a budget, where they are handling billions of dollars; I do not know that it is still necessary for land acquisition in Tobago to be a matter for the national Parliament; we should amend the necessary legislation to give the Tobago House of Assembly the power to purchase and own lands.

The Tobago House of Assembly owns land already. The State land in Tobago which had belonged to the State is now de facto THA land. If a strip of land has to be acquired for a road, drain, school or post office that should not happen at the national Parliament. The THA's executive body should be able to deal with that matter, survey it, pay the owner and that is the end of it. That may go a long way to eliminate this kind of situation where somebody's quarter acre or 5,000 square feet of land has been taken, and because it has not been brought to the Parliament

by ministerial involvement, year upon year the person is not paid; the matter is not dealt with; it is lying on somebody's desk somewhere and it is not addressed.

I would like that we focus on making the necessary amendments to let the Tobago House of Assembly be responsible for land acquisition as a final action so it does not have to come to the Parliament. Because if land is bought by the THA, it is an arm of the State, the land can be transferred to the THA in the normal transaction; last owner John Brown; next owner Tobago House of Assembly; matter fixed. There was a time when every single thing in the country had to come to the Legislative Council or to the Parliament. We could change that, especially if you are talking about Vision 2020. The new vision should be that people in their neighbourhoods have more control over their environment, more control over their activities, and that is one area that we could demonstrate that. Of course, I see no problem with that and that would eliminate the kinds of problems where a little land acquisition is lying somewhere, maybe in an office in Trinidad for all you know; lying there for decades.

I met an old lady in Grande Riviere a couple years ago, she is from Castara and she told me the reason why she is living in Grande Riviere is because her land was acquired in Castara and she was never paid. Her immediate relative in Castara had died and she never got the benefits of the payment so she ended up in Grande Riviere. I think at last check not too long ago, she was still not compensated. Maybe, it might be a situation where the compensation has to be sorted out as to who the beneficial owner is. But that should not be beyond the Tobago House of Assembly or Central Government for that matter. These problems are affecting many people.

In many instances the acquisitions are small strips of land, especially for road improvement. They are strips of land, not large acreage required for erecting a building or so. In many instances they are road improvement issues, and what happens, is that the State cuts the land and takes it and the person just has to accept that there is no compensation to be had, because the process is not followed through.

Mr. Speaker, as I mentioned that, I was hoping that on this list of 15 parcels of land to be acquired that there would have been a 16th piece. I raise this in the context of—as I raised the Mason Hall school playing field, we know where some problems are and we have to focus on solving those problems. A couple of years ago the Ministry of Works and Transport attempted to award a contract for the construction of the absent portion of the Diego Martin Highway, the north bound carriageway from Victoria Gardens to Crystal Stream. Every afternoon from

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about this time or in a half hour's time, if you go out of this city and try to get to Diego Martin, there is a traffic jam that sometimes snakes all the way back to Woodbrook. The reason for that is when the Diego Martin Highway was built; the north bound carriageway between Victoria Gardens and Crystal Stream was not built. At that time it was convenient to use the Diego Martin Main Road as the north bound carriageway; that is still happening now.

That main road passes in front of the mall and there is a junction named quite aptly, Four Roads, and by having traffic crossing there and stopping there, which is the business district of Diego Martin, it results in a slowing and stopping of traffic which backs up all the way into Woodbrook. This has been going on for years and gets worse by the hour, day, week and month. The design for the construction of the highway from Victoria Gardens to Crystal Stream has been lying in the Ministry of Works and Transport for decades. I have seen it myself! I cannot understand why this piece of work is not being done to bring the necessary relief to all the people who suffer there every single evening. There are people who stay and lime in Port of Spain, because trying to get home in Diego Martin in the evening you are just sitting and wasting time in the cars.

We went there with that design. The design drawings and everything is already there. The new housing project that is going on there, we put the boundary of that compound in line where the road should be. There are a few parcels of lands to be acquired so that the highway could be constructed. What is surprising is that the Ministry of Works and Transport, at the time, had attempted to award a contract for the work. The contract came to naught for other reasons. But I could not understand how a contract could have been awarded when the acquisition was not done, because to get the work done you have to acquire the parcels of lands.

3.15 p.m.

The Act of 1994, I cannot remember what number it was, allows the Government to publish the section and enter upon the land immediately. So once you set the process in train, you can enter upon the land. I am not seeing the process being put in train. I was hoping that those parcels of land would have been on this list, so that we could proceed to do that bit of work. And interestingly enough, I heard, and I was quite happy to hear the Minister of Finance in her budget presentation identify this particular project as one of the projects that will be done within the context of the budget of 2010. But, Mr. Speaker, immediately, my concerns arose because there is no way it can be done in that budget, or the next budget, if there is no movement on the land acquisition.

We are already well within the first quarter of this fiscal year, and I would really love to see this project being executed as a project of the budget of 2009/2010, but that will not be done if the acquisition is not proceeded with. So I am appealing to the Minister of Works and Transport, who incidentally was the Minister when the first aborted attempt was made, to ensure that action is taken, that this acquisition of the relevant parcels of lands in the Diego Martin area is done with dispatch, so that the Minister of Finance can have her wish and all the people of Diego Martin can have their wish to have the construction of that missing section of the highway done so that there can be relief and there can be efficiencies, and what is going on now will be solved in the quickest possible time.

When that bit of highway is built, going in to Diego Martin should be a breeze, because you drive on the highway straight up to Patna if you need to, without having to enter the Diego Martin Main Road in the Four Roads area there.

Mr. Speaker, people are writing all kinds of letters, giving all kinds of solutions. We know the solutions. We know what has to be done. It starts with land acquisition of a few small parcels of land in that area. It is named as a project in the budget of 2009/2010, and I am appealing to the Minister of Works and Transport to make this project a reality in 2010.

Mr. Speaker, I thank you.

Mr. Ramesh Lawrence Maharaj SC (Tabaquite): Mr. Speaker, thank you very much. I stand to make a short intervention in this debate. If we look at the land to be acquired, let us take as an example, let us look at the last page of the Schedule, page 19, we will see the one with respect to Mason Hall Secondary School. We will see that the Director of Surveys signed that plan since January 02, 2001, and if we flip the pages, we would see it is either, 2001, 2002, 2004 or 2005. We have one I think, it is in 2000. So we have a situation in which the process for acquisition would take even sometimes more than 10 years, and if we look at the Act, we would see that the process starts with a notice that the President intends to acquire the land for public purposes under section 3.

When that happens, then after a period of time, the Commissioner of State Lands can enter the land for an investigative purpose in order to take certain information. Then what happens is that obviously by that the survey plan is done, then the President, under section 5, will make an Order and declare that the land is required for public purposes, and what happens then, is that order has to be approved by Parliament. So we are in the stage where the order is in the process of being approved by Parliament, and after that process, you still have a situation

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in which the process has to continue. So the problem seems to be that you have a problem of getting the approval stage of the Parliament. You have from the time of notice and entry, to getting to this stage of the Parliament, so there is a five years, six years, seven years, eight years, nine years, 10 years. That is unsatisfactory.

I would have expected the hon. Minister of Agriculture, Land and Marine Resources today, to tell us in respect of each one of these parcels of land, why it is that it has been delayed; in other words, for the Parliament to assess exactly what happened with this process. Because I do not think there could be any excuse, and I heard the Minister got up and talked about the land title. The people who are involved in this process, are the people who see about title. They have all the records, and if you look at the Act, you would see that the Registrar General has a role to play in the process. So that it is easy for the Government to determine title.

Now, if there is a dispute as to title, well then obviously, people can go to court and they can have their day in court. I have read the debate in the other place, and I do not think there was any question of anyone disputing title. I am subject to correction, but I have read the Minister's speech in that place and it is obviously a rehash today of what he said in the other place.

I think the hon. Minister has to come in his response because it is not right, Mr. Speaker, for the State to acquire land, go into possession of land and wait that length of time because the compensation which is given, is very limited compensation. One of the reasons as we all know—a person is entitled to enjoy his or her property—is that one of the exceptions to the rule, is that if the land is needed for public purposes, then the State comes first and the owner must give way. All these purposes are obviously clearly prima facie public purposes, and therefore, owners have to give way. Having said that, I do not think it is fair for owners to have to wait to get their compensation, although they may get 80 per cent, but the fact of the matter is that the land is being in possession and I think that injustice should be corrected.

But I want to mention that there is a package of legislation which could have assisted the Government with this process, and I would want the Minister to tell this country why this legislation has not been implemented and if it has not been implemented—well the Government is accustomed saying that there were errors, it was good legislation, it had plenty errors—what has happened? We are almost 10 years from that.

There is a package of legislation passed in 2000: the Land Adjudication Act, No. 14 of 2000, the Land Tribunal Act, No. 15 of 2000, and the Registration of

Titles to Land Act, No. 16 of 2000. Those pieces of legislation were requirements of the Inter-American Bank, and a lot of times and a lot of my time as the then Attorney General, was spent in working on those pieces of legislation. Mr. Speaker, I know a lot of your time also. But those pieces of legislation were aimed to solve some of the problems of title. In other words, where there was a dispute as to title, it could have been solved quickly and it could have been adjudicated quickly. People would have gotten their deeds very quickly, and if there was a dispute, you would have had a land tribunal to determine that dispute.

So it is a ready-made legal infrastructure for the Government to act upon, and therefore, I think that the Government owes an obligation, and the Minister of Agriculture, Land and Marine Resources, since he is responsible for land, to tell us, is it that the Government has forgotten this package of legislation? Is it that they are saying it is so bad that they cannot even touch it? Well, if it is so bad, then, they could come up with their own. Or is it because the UNC passed it and they do not want to implement it? Let us know.

Mr. Peters: That is it.

Mr. R. L. Maharaj SC: Let us know. But I do not think it is right to have those pieces of legislation on the book, where the Parliament has passed it—the House of Representatives passed it and the Senate passed it—and I think it is assented to, waiting for the proclamation date, from 2000 to now. Almost nine years or nine years.

Mr. Speaker, I heard the Minister of Agriculture, Land and Marine Resources talking about development, and this is all part of the development of Trinidad and Tobago. But I do not know, he probably has forgotten there is a constituency called, the constituency of Tabaquite.

Hon. Piggott: You will never say that?

Mr. R. L. Maharaj SC: Oh yes.

Hon. Piggott: You would not be able to say that.

Mr. Speaker: Order!

Hon. Piggott: You would not be able to say that.

Mr. R. L. Maharaj SC: I have not seen any piece of land here for Tabaquite.

Hon. Piggott: Not in respect of that, you would not be able to say that. "Come on, nah."

Mr. R. L. Maharaj SC: In all fairness to this Minister—[*Interruption*]

Hon. Piggott: At all. At all.

Mr. R. L. Maharaj SC:—I am not saying that the Minister has not done anything for the constituency of Tabaquite. Yes, he did. I am not saying that he did not. What I am saying is that you have come here for recreation grounds, road improvement, education, rivers, land for natural gas pipeline—but let us forget that for the time being—but I just want the Minister to know that in the constituency of Tabaquite, recreation grounds are needed. A lot of areas and villages, for example, Gran Couva, Mayo, those places do not have a recreation ground, and there is land available for recreation grounds. I also want him to know and I know he does not see about all of these things, but as the line Minister, he can initiate it. I just want him to know that in respect of education, with respect to schools, early childhood centres, the constituency of Tabaquite should be remembered. Therefore, the next time there is land acquisition, I would hope that the Minister of Agriculture, Land and Marine Resources would at least include one piece of the land to be acquired, is in the constituency of Tabaquite for a public purpose.

In fairness to the Minister of Agriculture, Land and Marine Resources, and I think I owe a duty to say this, there was a place called Lightborne and when I became the Member of Parliament, farmers did not have access to that road at all. The road was impassable. I took the media on a tour of that road, and I do not know how it is we got back from where we went because there was no road, but it was being used as a road. It was in effect a hazard everyday for farmers to get their crops out of the land and to go to their land. I do not know if the Minister ever went there, but it is one of the most beautiful—[*Interruption*]

Hon. Piggott: I was there last month.

Mr. R. L. Maharaj SC:—sights. Okay.

Hon. Piggott: I was there last month. I went on a tour there last month.

Mr. R. L. Maharaj SC: And you saw the beautiful sights when you go up on Lightborne. Mr. Speaker, representations were made to the Minister and the Minister intervened, and it is one of the best agricultural access roads the constituency of Tabaquite has had. So that I want to be very, very fair; very, very fair. [*Desk thumping*]

As a matter of fact, I have made representation to the Minister and the Minister has in effect said that, if we could get the land, he is prepared to look at it. There is a need for a farmers' market in the constituency of Tabaquite.

Mr. Manning: You all expecting an election—[*Inaudible*]

Mr. R. L. Maharaj SC: Tabaquite is an agricultural area—you see, the Member for San Fernando East, Mr. Speaker—

Mr. Peters: What election has to do with that?

Mr. R. L. Maharaj SC:—during the election campaign, he went to Tabaquite and he promised the people all these things. All these things and all I am doing, I am trying to remind him—and I am not talking about roads today—but I would hope that on the next occasion that we would have something for Tabaquite.

The only advice I want to give the Minister in closing, is I do not think that in presenting a debate like this, you should ever make the mistake again to talk about Vision 2020.

3.30 p.m.

Do you know why? It opens up the debate. I would not open it up today, but let me remind you what Vision 2020 says, and you would understand when I say not to talk about it. That is my advice to you. Vision 2020 vision statement:

“By the year 2020, we will be a united, resilient, productive, innovative and prosperous nation...” [*Desk thumping*]

Mr. Minister, with the Calder Hart fiasco, that will not be achieved. With crime in the country—[*Interruption*]

Mr. Imbert: Mr. Speaker, Standing Order 36(1), wholly irrelevant.

Mr. Speaker: No; he is making passing reference to what the Member said in terms of 2020. If it is more than passing, I will intervene. [*Crosstalk*]

Mr. R. L. Maharaj SC: With crime in the country, that would not be achieved. Therefore, when your colleagues knock the table, you must understand, stay afar away from this.

"with a disciplined, caring, fun loving, society..."—thank God we are fun loving in this country—caring? Not by the Government:

"comprising healthy, happy and well-educated people..."—who cannot get jobs? [*Laughter*]

"built on the enduring attributes of self-reliance, respect, tolerance equity and integrity..."—[*Interruption*—I noticed that he got up when I said integrity.

Mr. Manning: No; I got up, Mr. Speaker, when he said that they could not get jobs. I would just like to remind my good friend from Tabaquite—

Mr. Peters: At least, we would get something now, "Chinee gone back".

Mr. Manning: No, no, no. I would just like to remind my friend from Tabaquite that with difficult economic times all around the world, the unemployment rate in Trinidad and Tobago in the fourth quarter of last year was 3.9 per cent. In the first quarter of this year, it hit 5 per cent and in the second quarter, it is 5.1 per cent unemployment. Where unemployment in the US is 9.7 per cent, in the developed countries it is very high. In Trinidad and Tobago, we consider full employment to be 5 per cent. On what basis did my good friend from Tabaquite just make that passing remark?

Mr. R. L. Maharaj SC: That is why the hon. Prime Minister is making all these errors; it is an assumption. The Government makeshift programmes cannot be regarded as continuous employment. So the employment figures are being distorted. If you were looking at the television last night—[*Crosstalk*]

Mr. Speaker: Order; order!

Mr. R. L. Maharaj SC:—you would have seen when they carried the Chinese workers' fiasco; you would have seen a citizen of Trinidad and Tobago saying, "Please let them go back, so my husband and my brother could get a job." So the figures of the hon. Prime Minister do not reflect what is really happening in Trinidad and Tobago.

Mr. Manning: "Is your family say dat." Are you questioning therefore, the CSO figures; just for the record?

Mr. R. L. Maharaj SC: I am saying that they are distorted. They do not give the true picture; the CSO has taken into account the Government make shift programmes. I think they have been misled. They probably have been misled because of your campaign.

When the hon. Prime Minister stood up, I was on the point of integrity. I really thought that he got up to make an announcement in this House. I thought he got up to say that he had decided to fire the board of UDeCott and appoint a new board. [*Interruption*]

Mr. Imbert: Mr. Speaker, Standing Order 36(1). I have looked at the Minister's contribution very carefully; he made fleeting references to 2020, so this is wholly irrelevant.

Mr. Speaker: So you would be moving on.

Mr. R. L. Maharaj SC: Yes, My Lord. [*Laughter*]

The statement continues:

“Every citizen has equal opportunities to achieve his fullest potential.
[*Crosstalk*]

All citizens enjoy a high quality of life, where quality healthcare is available to all”—no no no—“...peaceful, environmentally-friendly communities...”—[*Interruption*]

Mr. Imbert: Mr. Speaker, Standing Order 36(1). We are not debating Vision 2020 today.

Mr. Speaker: I have been giving you a little latitude, but you need to move on.

Mr. R. L. Maharaj SC: The Minister mentioned it; I am not debating it, I am just mentioning it back. I give you that assurance. Why are you afraid?

Mr. Imbert: This is land acquisition.

Mr. Manning: "Fun loving"; go ahead. [*Interruption*] He lost his way.

Mr. Peters: Unrealistic expectations. [*Crosstalk*]

“All citizens are assured of a sound, relevant education system tailored to meet the human resource needs of a modern, progressive, technologically advancing nation.”

That is part of Vision 2020.

It goes on:

“...respect for the rule of law and human rights...”

Well, Mr. Speaker, the Chinese say—[*Interruption*]

Mr. Imbert: Standing Order 36(1); it is getting out of hand now.

Mr. Speaker: Yes, I have to agree with the Member for Diego Martin North/East; you need to move on.

Mr. Imbert: Land acquisition.

Mr. Manning: You are squatting on land to be acquired?

Mr. R. L. Maharaj SC: I notice that the hon. Minister of Works and Transport does not want me to talk about whether there is Vision 2020. Since he

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does not want me to talk about it, and I accept your ruling, I believe that the Government has things to hide, and the public would judge that. [*Crosstalk*] I will not go that route.

The last point I want to make is this, and it has been raised by the Member for Diego Martin West. I would like the Minister in his response to indicate whether any of these persons whose lands are being acquired have been paid moneys. If they were paid, I would like to know to what extent; what percentage they were paid.

I am being told, and you could tell me if it is correct, that the lands at Mason Hall in Tobago, which are being acquired for the Mason Hall Secondary School, belonged to the Andre Monteil family and that the family has been paid approximately \$4 million for the land. Does that represent the 80 per cent? Does that represent 100 per cent? If he was paid or if that family was paid, is it a fact that no other person was paid? If they were paid, who were paid and to what extent?

One of the issues which arise in a situation like this is that since the Government controls the purse and the Government controls that decision, is the land acquisition process being used to show favoritism to a former minister of the Government or to a high official of the governing party? Does the ordinary citizen, who has no connection to the Government, have to bat on a different wicket? That amounts to inequality of treatment, patronage and nepotism. Therefore, it is very important for the Minister, in winding up, to give us answers to these questions.

I do not have any problem with lands being acquired for public purposes but, in closing, I want to make a special appeal to the Government in respect of recreation grounds in the country as a whole. The Government, in light of the social problems in Trinidad and Tobago and in light of the fact that young people need to be engaged and occupied, there is not sufficient recreation grounds in Trinidad and Tobago. The Government should invest some of the moneys it is investing and allowing to be wasted in other directions, to put into recreation grounds, sporting facilities and sports, in order to get the country and the young people involved.

We have seen the kind of talent we have had in football and cricket. We saw today from the results of a match, what kind of talent Trinidad and Tobago has. I think more moneys should be allocated for sports, recreation grounds and sporting facilities, in order to encourage our young people to get involved in something that is productive, instead of getting involved in criminal activities.

Thank you.

Dr. Hamza Rafeeq (Caroni Central): Mr. Speaker, the question of land ownership and land acquisition is a very sensitive issue and, to a certain extent, a very emotional issue as well. When people have land, it is a sort of status symbol. When people have land, it is a kind of security for them; they could build on it; they could plant; they could subdivide it and pass it on to their children; they could rent their lands; they could sell lands. They could use the lands to stand security to get loans to do several things. They can pass the lands down to family. People do not like to part with their land so easily.

When the Government is acquiring land compulsorily from people, they should do it in a very sensitive manner. Sometimes the Government acquires a strip of land from a person who may have one or two lots of land. When you acquire a strip, whether it is one lot, two acres or three acres, you divide the land with a little piece on one side and a little piece on the other side. That makes it difficult for the owner of the land, or the previous owner of the land, to utilize the parcels that have been left on both sides of the parcel acquired. It should be done with a little more sensitivity.

Mr. Speaker, the Minister in his presentation of this Motion really read from the Order Paper the couple of pages in the appendix. I thought that he would have given us a little more information, as the other speakers have said, on the status of the projects involved here, more information on the question of payments for the different owners and when, in fact, the owners would be paid and compensated the full amount.

I really find it totally useless for the Parliament to be engaged in this activity, because most of the parcels of land that we are dealing with today have already been acquired or have already been taken by the Government, and a lot of these projects have already started. Take for instance the Chaguanas Government School. We are bringing a motion here today to acquire 1.9976 hectares of land to construct the Chaguanas North Government School. That school was opened in 2003. That school has been constructed and was opened in 2003. We are in 2009, and today we are discussing a motion to acquire that piece of land. That cannot be right.

What is the role of Parliament in this? This is what I am asking. Can Parliament say no to this Motion? Can we say that we are not giving approval for this piece of land? If we say no, then what happens to the school? What happens to the Chaguanas Government School if Parliament says no? I am asking: What is the role of Government in this?

Mr. Imbert: I thank the Member for giving way.

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It is highly unusual for the Parliament to say no. The only reason you would say no is if there is some issue with respect to the acquisition that is controversial or injurious to some citizens, but normally you would not say no. You should know that.

Dr. H. Rafeeq: That is the most ridiculous argument I have heard. [*Laughter*] Is Parliament a rubber stamp in this? It is highly unusual that Parliament would say no. What kind of argument is that? It is highly irregular or highly unusual for the Parliament to say no?

I am a Member of Parliament; you are a Member of Parliament. We are being asked to approve this today and we have the right or the prerogative to say yes or no; that is the point. Why is Parliament involved? If Parliament is involved, then Parliament must have a role? What is the role of Parliament in this acquisition? That is what I am asking.

Hon. Piggott: Would you give way?

Dr. H. Rafeeq: Just give me one second.

If, as the Member for Diego Martin West said, we should let the Tobago House of Assembly (THA) deal with lands in Tobago, then there should be some other agency to deal with the lands in Trinidad, rather than having to come to Parliament, stymie the process, just as a rubber stamp.

3.45 p.m.

Hon. Piggott: May I tell the Member of Parliament for Caroni Central, you are not wasting your time. The understanding is section 5(2) is triggered only after Parliament has approved the Order. The Order that is before you today is to allow Parliament to approve it. It is only after Parliament approves it that we can trigger section 5(2) and after a publication of the Order, that we can make payments effectively to the claimants. That is the process. That is embedded in the law.

Dr. H. Rafeeq: That is the point I am making. If it is in the Act; if it is only to satisfy a legal requirement, that is to satisfy the requirement of the Land Acquisition Act, that we are here today, then change the Act so that you do not have to come to Parliament. Why are you coming to Parliament 10 years after you have acquired a piece of land, to ask Parliament to approve it? What is the point? What is the point in coming 10 years after you have acquired a piece of land to tell Parliament, "Yes, we are going to acquire this piece of land"? What is the point? Change the Act so that you do not have to come to Parliament. That is the point I am making, because it is a waste of time.

Mr. Maharaj SC: Yes. We could have been talking about UDeCott today.

Dr. H. Rafeeq: Exactly. Mr. Speaker, let me tell you something. You know there is a piece of land here that is being asked to be acquired: "Land for Natural Gas pipeline" and this was surveyed since 1987. Is it that the Government took possession of that piece of land since 1987? That is 22 years now. What is Parliament doing today with this?

That is one point I wanted to raise, that Parliament, I think, is being used here as a rubber stamp and that needs to be corrected. There should be some other mechanism by a Government agency or so, that could deal with this, and if Parliament has to be involved, then Parliament must be involved in a relevant way, in a meaningful way, and that is that this must come to Parliament on time so that at least we can have some kind of meaningful input. That is the first point.

The second point I want to raise—and the others have mentioned it, but I still want to mention it—is when the Government enters on to a piece of land and as the process goes through, there is a point at which the landowner can make an application and get 20 per cent of the value of the land. If that valuation was done 15 years ago; 10 years ago, and the landowner made an application 10 years ago to get that sum of money, or made an application today to get that money, today the value of that land will be about 10 or 15 times the value it was 10/15 years ago.

So that person has been deprived of the use of his property; he has not been paid for it and when he is eventually paid for it, he will be paid at a rate that was applicable 10 or 15 years ago. That cannot be right. I thought, just as the Member for Tabaquite and other Members are saying, the Minister would have come today and told us, "Listen, you have 30 parcels of land here owned by 30 different persons and this person has got so much money and we owe him so much more; this person has got so much, and we owe him so much more." Because Parliament is being asked to approve the acquisition of these lands and we do not know how much money we are talking about.

What is the value of this today? What is the value of the lands that we are asking to be approved? Is it \$5 million, \$10 million? Is it \$100 million? We do not know. We do not know the monetary value of what we are approving here today. This is the Parliament. We are approving moneys here today and we do not know the value of the moneys that we are approving. Is it \$100 million? Is it 45 million? Is it \$10 million? We do not know. So the Minister, I thought, was quite deficient in his presentation of the Motion because he has not given us information as to the moneys that are actually involved in these lands.

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When they are valuing these lands, some of these lands have agricultural crops on them and I raised the matter on a previous occasion that the rates at which Government pays for these agricultural crops, are really ridiculous. What they pay for agricultural products; vegetables, most times, is \$1 and \$2 for a plant. That schedule was changed in 1996; this is 2009, 13 years since and we have had promises from this Government that that schedule will be amended. We recall that the previous Minister promised this House that the schedule was being looked at; that it was being revised. The schedule remains today as it was in 1996 and it is really ridiculous. We remember that the previous Minister went down to Dibe and gave cheques for \$50 and \$60 to people who had lost crops, and so on.

Mr. Imbert: Mr. Speaker, Standing Order 36(1). [*Interruption*] Talking about agricultural crops—

Mr. Speaker: Okay, I am on my feet. I think the point the Member was making was that in the acquisition of lands you have crops on them and he is making a comparison of whether you pay only for the land or for the crops and what value are the crops.

Dr. H. Rafeeq: Mr. Speaker, for the benefit of the Member, let me repeat what I said. I said that when the valuation is being done for lands sometimes there are crops on these lands, sometimes there are buildings on these lands. If you are valuing, you have to value the building on the land; you have to value the crops that are on the land. The schedule that is used to value the crops is 13 years old. I am saying that that schedule needs to be changed. No matter how dense you are, that is as simple as I can put it. [*Interruption*]

[*Mr. Speaker rises*]

Mr. Speaker, I am not talking about this Member; I am talking about anyone. No matter how dense anyone is, that is as simple as I can put it to be understood; that is, you are valuing the land, there are crops on the land and you need to value the crops. The schedule is 13 years old.

Mr. Speaker, the Member for Diego Martin West, when he was speaking, mentioned about a road in Diego Martin for which land was being acquired. There is another piece of road in Chaguanas, the construction of the Uriah Butler Highway, that survey was done since 2004 and some of that work is taking place as we speak. As I said, the land has already been acquired for all practical purposes, but along the Butler Highway, right at the Freeport exit, the same problem exists. Why is it that the Government could not include here today, the acquisition of a piece of land right in Freeport so that the same work that is going

on in Chaguanas on the Uriah Butler Highway, could have been going on in Freeport to ease the traffic situation? So that instead of having to come back here 10 years from today for the acquisition of a piece of land to deal with the Freeport exit, we would have been dealing with that today, rather than having to come back 10 years from today.

So I wanted to put that on the table so that the Minister can—

Mr. Maharaj SC: Ask him if he wants to acquire land for Parliament.

Dr. H. Rafeeq: Imagine that. Mr. Speaker, Caparo River—and I would like the Minister to explain this for me, please, when he is winding up. It says: "...to facilitate drainage improvement works in the Caparo River". I want to find out exactly what that means: "to facilitate drainage improvement works in the Caparo River"; whether the Minister of Works and Transport or the Minister of Agriculture, Land and Marine Resources, can tell us what exactly that means. Is it that you are acquiring lands so that you can pass your equipment there? Or is it that you are using the land itself to widen the river? What exactly does this mean? I really would have liked some clarity on that.

Finally, I want to make the point that Government has been using land as a weapon. It is acquiring land here from private individuals for public purposes. The Government itself—and the Minister mentioned it—owns 53 per cent of the land in Trinidad and Tobago. There are several people—and I am just going on what the Minister has said—who have been begging the Government to regularize their tenancies on land that they have been occupying for so many years. The ex-Caroni workers have been begging the Government for the land that has been promised to them. We have made the point on so many occasions, that people are making approaches to the Government to have their tenancies regularized and so far nothing has been done. But we know there are people who have had absolutely no connection with the sugar industry today, who are occupying Caroni land with the blessings of the Government.

We hope that these things will be regularized. I hope that some of the issues that I have raised will be addressed, especially in terms of compensation for people who have had their land taken away. As I said, land is a very emotional issue and people use it for so many different purposes and if you are going to take away the land, then you should, at least, compensate them on a timely basis and compensate them adequately.

Thank you very much, Mr. Speaker. [*Desk thumping*]

The Minister of Works and Transport (Hon. Colm Imbert): Mr. Speaker, I will make a very, very brief intervention just to deal with some of the mischief propagated by the Members opposite.

It is intolerable that a Member of Parliament can come into this House and speak about acquisitions done in 1987 under the NAR government, with which some of the Members opposite were associated; certainly the Member for Mayaro. And after that NAR government left office, we had six years of UNC government, from 1995 to 2001 and the hon. Member for Caroni Central, when he was a minister in the UNC government, did not care about the people whose land was acquired for a natural gas pipeline in 1987. He did not care during those six years that there was an intolerable delay. He saw no need, when he was a member of that government, to deal with this injustice that he pontificated about in this Parliament today.

When I look again, the extension of the St. Mary's recreation ground, July 1996, when the Member for Tabaquite was the Attorney General—am I correct, in 1996 this land was acquired? All these people over there crying crocodile tears—from 1996 to 2001, Mr. Speaker, through you, what did you do to deal with this long outstanding acquisition matter? Nothing! Nothing!

Mr. S. Panday: I will answer you.

Hon. C. Imbert: In fact, if we look into the record of acquisitions and payments during the six years that the UNC was in power, I am sure it will be a sorry tale; a story of inaction, negligence, indifference, complete contempt for persons whose land was acquired during that 1996—2001 period. But I have to come in here and listen to these crocodile tears; this sanctimonious nonsense from the Member for Caroni Central, talking about land that was acquired long before the UNC was in power and they did absolutely nothing. [*Interruption*] For six years he sat and watched these people in Moruga, whose land was acquired, and did nothing!

The second point, the purpose of the acquisition is so obvious. The Member for Caroni Central carried on about acquisition of land in Caparo. That was a project initiated by the UNC administration, the widening and straightening of the Caparo River. Obviously the land was acquired in order to widen and straighten the Caparo River; obviously! Only a fool would not be able to figure that out, and I know the Member for Caroni Central is not a fool. Therefore, his intervention has to be pure calculated mischief, because the Member for Caroni Central is not dotish. When one reads it, it says:

“...facilitate drainage improvement works to the Caparo River.

(a) 58.9 square metres said to belong now or formerly to Samatie;

- (b) 1,824.2 square metres said to belong...to Chankadyai; and
- (c) 46.6 square metres said to belong now to Ramasar and Soogan.”

I am sure he even knows who these people are. I am certain part of the Caparo River passes through the constituency of Caroni Central—that I know—and I am sure that hon. Member even knows these people and will know this land was acquired to widen and straighten the Caparo River.

4.00 p.m.

Yet he gets up here and wants to know what this acquisition is for. Was it for equipment to pass through the river? Was it for a piece of land to put a shed? Nonsensical questions! He had nothing to contribute but this nonsense about valuation of crops. We are here to acquire lands. We are here to deal with the acquisition of lands. We are not talking about agricultural crops here today. He could fool other people but he cannot fool me. That is not what we are about today. We are here to acquire lands on a schedule. There is a methodology for acquisition and the person whose land is being acquired can challenge it. The Member for Tabaquite knows that. I am sure that at some point in his lifetime he may have assisted someone to challenge a valuation in a land acquisition transaction. You did it, right?

Mr. Maharaj SC: Guayamare.

Hon. C. Imbert: Why do you not educate your Members over there? When the Commissioner of Valuations does the valuation in a compulsory acquisition situation you can challenge it. They do not have to use any schedule for crops. The value is based on the current value of the land. If there is a building on the land, the current value of the building. If there are other things on the land where compensation is required it is based on the value. A schedule that may or may not exist in the Ministry of Agriculture, Land and Marine Resources is wholly irrelevant. The Member only introduced that to make mischief.

All we are doing today is complying with the law, the Land Acquisition Act. There are three types of notices under the Land Acquisition Act. I am sure that the Member for Caroni Central knows that as well. They are sections 3, 4 and 5 of the Land Acquisition Act or the notices associated with those sections. When you publish a section 3 it is common knowledge. You have the permission or the authority to go on to the land in order to do surveys and soil tests, things that may not cause damage to the land. It is primarily for the purpose of surveys.

When you publish section 4, there is a period of time that you publish section 3 and I think that six weeks afterwards, you can go ahead with section 4. Am I

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correct Minister of Agriculture, Land and Marine Resources? [*Interruption*] Yes. There is a time frame. You publish section 3, a notice which is a declaration of intent that the government intends to acquire this parcel of land for a public purpose, be it the construction of a highway; the improvement of a river; the construction of a community centre or whatever it is. That is a notice to the landowner that the Government intends to acquire the land. That gives the Government permission to go on the land and carry out surveys.

Six weeks later, section 4 gives you permission to enter the land and do the work, whether it is the highway or river improvement and so on. Changes were made to the Land Acquisition Act, I believe by this Government. At that point when you enter the land to do the actual work you had to pay 80 per cent of the value of the land.

Section 5 completes the acquisition process. When section 5 is completed you pay the remaining 20 per cent, if my memory is correct.

Sections 3, 4 and 5 are requirements of the law. I repeat, section 3 is a notice to the landowner; section 4 indicates that the land is going to be used to construct the community centre whatever it is and section 5 completes the acquisition process. That is the law as it now stands.

The reason for a debate is so obvious. The reason we are here today is that there may be something that is known to a Member of Parliament and he or she may want to object to a section 5 notice. It is very rare. I have no experience of a section 5 matter being challenged in this Parliament. Maybe, it has, but I have no knowledge of a section 5 notice being challenged to the extent—let me qualify what I am saying—that the Parliament decided not to proceed with the acquisition. In other words, the information a Member brought to Parliament was so controversial or important that the House or the other place made a decision not to proceed with the acquisition. That is the purpose. You bring it here so that any Member who has an issue or a matter with respect to the particular parcel, that he or she is of the view that the acquisition should not be completed, then this is the forum to bring it out.

Of course, you can change the law. You can do exactly what the Member for Caroni Central has said. Make it so that it is no longer a requirement to come to Parliament and debate these things. I have mixed views on that. On one hand it is administratively efficient and would streamline the process. You would not have this situation where we are here talking about a matter which took place many years ago, on one hand, but, on the other hand, it would deny the Parliament of the opportunity to bring a matter to this House that may be of public importance. To me it is six of one and half dozen of the other. I do not know what cricket match.

I remember with these land acquisition Motions, the Opposition uses them as an opportunity to engage in a wide debate about virtually everything under the sun. I am not surprised that the Member for Tabaquite adventured his excursion into Vision 2020 which the Minister mentioned virtually in passing. That was totally en passant. He mentioned that in the pursuit of Vision 2020 we are building roads, drains and so on. That could not have been the substance of his contribution. It was not. The Minister was saying simply, that we are doing these things because we are improving the infrastructure in the country. *[Interruption]* You could talk about whatever you want on Monday. "Just make sure yuh relevant."

The fact of the matter is that all these things are very routine. On balance I will go along with the suggestion of the Member for Caroni Central, although I do not know if he had the permission of his parliamentary caucus and political leader to say in this House that we should do away with the section 5 requirement. I do not know if the Member for Caroni Central said that we should change the law and we should not be here debating this. On balance I am tending to agree with him. As I said, I do not know if he has the permission of his party and political leader to make that statement.

Many of these things happened under the UNC government. It is hypocritical in the extreme for Members opposite to complain about the long period of time and to ask for what are these acquisitions. They know because it was done by them, the great pretenders over there. I ask hon. Members opposite—I said that I was going to make a brief intervention. It is extremely brief. I have been talking for about 10 minutes, 15 minutes whatever and I intend to conclude now.

Dr. Rowley: Would the Minister give way for a second? Before you conclude, will the Minister say something about the acquisition for the Diego Martin Highway? Has it been done? Will it be done? If so, when?

Hon. C. Imbert: The cacophony on that side, relax, settle down. I will answer it in a short while. The point is that all the matters here that are contained in the Appendix, it is obvious that they are for public purposes. It is obvious that all these things are required:

- Extension of St. Mary's Recreation Ground
- Extension of the North Coast Road
- Construction of the Chaguanas North Government Primary School
- Improvement work to the Providence/Culloden Road
- Widening of La Seiva River, Maraval

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- Land for natural gas pipeline in Naparima
- Establishment of a recreation ground in Mayaro and Springlands
- Widening of the Caroni River
- Establishment of a playing field in San Fernando
- Improvement works to the Caparo River
- Construction of the Uriah Butler Highway
- Establishment of a playfield in Oropouche
- Extension of the Icacos Government Primary School
- Construction of the Mason Hall Secondary School

There is absolutely no doubt that all these public projects were required and the construction of these facilities has improved the standard of living of the people who live in these various communities. I ask Members opposite not to waste their time with stupidity, please.

To answer the question raised by the Member for Diego Martin West, as the Minister of Finance stated very clearly and unambiguously, in the 2010 budget presentation which was read in this House on September 07, 2009, the project for the widening of the section of the Diego Martin Highway between Victoria Gardens and Acton Court will be completed in fiscal 2010 inclusive of all necessary land acquisition matters.

Thank you.

Mr. Subhas Panday (*Princess Town North*): Mr. Speaker, this is the height of shamelessness by a Member of Government sitting in this Parliament. You have come here today and abused this Parliament in your typical arrogant manner and wasted so much time. All because of their incompetence, they try to blame the UNC. You were there and did nothing and try to berate them. He does not read. He has no institutional memory. It seems as though up here is empty. His grey matter has calcified to make this kind of contribution in Parliament. When you speak in Parliament you must have some shame and do some research, so that when you come here, people would not say that you come here to kicks in Parliament. You are kicking even without your feet. The UNC government had taken steps to deal with acquisition. Did you not hear? Where were you when Act 15 of 2000 was passed? Were you sleeping or engaged in mischief?

Mr. Speaker: You cannot say that the Member was engaged in mischief. Perhaps, that is imputing some improper motive to him. I think that you need to withdraw that.

Mr. S. Panday: What else can he be engaged in, may I humbly ask? When we started since 1994, there were problems in acquisition. People were not getting their money on time and they were crying out saying that this acquisition is creating extreme hardship on them. The United National Congress government being such a concerned and caring government decided to—I wanted to philosophize but I would come to that in a minute.

4.15 p.m.

When the hon. Member spoke about sections 5 and 8, it was the UNC that introduced that piece of legislation in order to accelerate the acquisition process and to pay the 80 per cent. What arrant nonsense he has been speaking! You must not come to the Parliament unprepared, merely to respond. You are a Minister of Government; you have staff to assist you, but you want to talk. You want to talk because you have a mouth and making no sense when you speak.

They went on to say that the acquisition process usually starts and stays in abeyance for a long time. Because of that, people suffer for long periods. Many a time, the President will issue notices for acquisition and the Government will sit on them and nothing happens. The UNC government, being a caring government, one that thought about the people; not being a slack government like this one—it says in section 8:

“Where in respect of any land a Notice has been”—given and if within six months, there is no movement in the acquisition process, then it will have been deemed to be abandoned.

So the person will know how to deal with his land. It also went on to say in that section, that it was a process that was necessary in effecting payment to the people. When you hear this, hon. Member, there are intelligent people in this Parliament. Why do you inflict yourself on us like that? Without any knowledge, you are inflicting yourself on us; not only that, but making a “pappyshow” of this Parliament and bringing it into hate, odium, scorn and disrepute. That is your behaviour, Mr. Minister. That is what you are doing to all of us in this Parliament. You must be much more circumspect when you open your mouth on the next occasion.

So the UNC had dealt with the issue of compensation to pay the person the 80 per cent the moment they go on the land, and after the acquisition is completed, pay the rest. How could the hon. Member attack the UNC in such a manner?

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The UNC was in office for six years. Why do they not speak about the number of pieces of legislation which we passed to assist the society and drive it forward? All the good legislation we passed, they try to spurn it by saying it is not good; just trying to cast aspersions. You say that we were there for six years, how long have you been there and sat on it?

Mr. Speaker, it is painful when one looks at this acquisition. We come here today, after 22 years, to have the lands acquired in Barrackpore. I know some of those persons in Barrackpore. The gentleman was an old man and shortly after the land was acquired, he passed away. After he passed away, the children attempted to obtain payment for the lands. That is the land in Kanhai Trace, Item No. 6.

Since 1987 this has been sitting on the desk of the Director of Surveys, what did the UNC do about that? When the UNC came into office, they passed legislation to deal with problems like these. They did take action to deal with problems, but they have been there seven years now and nothing has been done.

That man died and his children fought to obtain payment. The children have now died and it is now at the stage of the grandchildren. Can you understand the complexities and the legal problems which those grandchildren will endure in obtaining this? They are putting them through expenses. They have to probate or apply for letters of administration for two sets of estates. Will the candle cost more than the funeral? I thought that the hon. Member for Diego Martin North/East would have come today and apologized for what has been inflicted and say that the UNC did take action in 2002 to deal with this project, just before they demitted office.

I want to deal with another aspect of the legislation. When we speak about acquisition, this is really seizing people's property and this, to me, is one of the most draconian pieces of legislation in all of our law books. This probably started with the concept of democracy where the interest of the majority prevails over that of the minority. I did some research and it started under the Greeks when they were in the cities, and they said if you want benefits of the communal nature, you must have responsibilities. Then Aristotle came and carried the same argument. Then in the 16th Century, in England, when there was such social distress, Jeremy Bentham brought the principle of the greater good to the largest number and we see that trend going through democracy.

When one looks at the philosophical writings of those authors, one would see that all they are saying is that you are in a society and you must carry your responsibility as a part of a social framework. That is all that has happened and none of those philosophers went into the nitty gritty to protect the rights of those from whom we have taken property.

Mr. Imbert: Are you, therefore, justifying the section 5 debate?

Mr. S. Panday: Having said nothing for so long, I know this is above his head, but I see the Member for D'Abadie/O'Meara is listening and I feel so happy. I am happy that I see intelligence on her face. The point is: greater good for Jeremy, the utilitarian principle.

None of the philosophers really deals with the interest of the person with whom you are dealing. Then you have the Bill of Rights, which is sections 4 and 5 of the Constitution. When this was passed in 1994, they probably had the majority to protect the rights of the persons under sections 4 and 5. Even so, when we were debating it in 1994, I thought they would have gone through the 1994 legislation and see how we arrived at it. When one looks at the *Hansard* of that debate, when the 1994 Act was passed, although it was an Act passed by a special majority, there was very little argument on behalf of the person whose rights were being trampled upon.

Having said that, here we are today in acquisition and, since that person has that role and responsibility to play, have we treated him fairly in the law and in the acquisition process? Today is the day to stand for those single persons whose lands have been taken by compulsory acquisition. As a result of that, I look to analyze the acquisition process against Part III, section 11 of the Act. Section 11 speaks about the process, not only the process of acquisition, but the method of valuing people's property.

I humbly submit that people who are involved in land—I do not want to bring you into the debate, Mr. Speaker, but the market value measuring stick is something that can be manipulated. As I heard about the property tax, they are looking on the newspapers to see the price of land.

Section 12(1) says:

“The assessment of the amount of compensation shall be made in accordance with the following rules:”—and this argument is made against the backdrop of democracy where the views of the majority supersede the value or the interest of the minority.

I am against that argument. It says under section 12(1):

“The assessment of the amount of compensation shall be made in accordance with the following rules:

The value of land shall, subject as hereinafter provided, be taken to be the amount which the land, if sold in the open market...”—That is a nebulous definition. What is the open market?—“by a willing seller, in the

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condition in which it was, might be expected to realise at the date of the taking of the possession of the land under section 4(1) or the date of publication in the *Gazette* of the declaration made under section 5(3), whichever is the earlier;”

They are talking about special suitability or adaptability of the land for any purpose. They are saying that you are taking away a man's land and, in the process of valuing the land:

“...the special suitability or adaptability of the land for any purpose shall not be taken into account if that purpose is a purpose to which it could be applied only in pursuance of the statutory powers...”

Mr. Speaker, when one compares the law of adverse possession, one would see that the use of the true paper title owner would have been a relevant factor in determining whether there was adverse possession or not, that is usage of the land. If the adverse had gone in property and used the land, not for a purpose for which the real owner had decided to use it, adverse possession runs.

We are saying here in this law that suitability and adaptability of the land shall not be taken into account. So, in one area of the land law, we speak about suitability and use as being relevant and here, when you are confiscating a person's property by the process of land acquisition, you are not using that factor. Something is wrong with society. We all appear to be callous and we need to review the legislation.

I never wanted to cast any aspersions at anybody, but to view society in such an inhumane way provoked me into starting the way I started.

Mr. Speaker: Hon. Members, the sitting of the House is suspended for tea. We will resume at 5.00 p.m.

4.30 p.m.: *Sitting suspended.*

5.00 p.m.: *Sitting resumed.*

Mr. S. Panday: Thank you very much, Mr. Speaker. Just before this honourable House took the tea break, I was dealing with the issue of compensation to persons whose lands have been compulsorily acquired. The Act has a whole section, Part III, with approximately 24 sections. When one looks at the law one would see that half of the section is prohibiting, constricting and attempting to reduce the value of the land. It says that if I have this property and the State requires it urgently, they are not going to consider if I own this property,

that they need it right away and they will pay me extra for the urgency and necessity so that I may get time or be able to pay for alternative accommodation. Maybe, in those circumstances, I may be paid a lower price, because they would open the market value. Because of the urgency and the swiftness with which they acquire the land, the private land owner will end up being in a worse position after the acquisition than before. No law whatsoever could be so discriminating and still be supported; draconian.

It says further that we are dealing with market value. Market value is a situation where you have two consenting parties entering a contract, but they are saying that they are compulsorily acquiring your property. They are saying that they are not paying you anything for a disinclination of any person interested to part with the land acquired. Even if you purchased that land and you say: "Look, in my old age I want to put up a little shed in front my house to sell some provisions", they are not taking into consideration that I do not want to give up this land, because I have use for it.

Further than that, suppose I purchase this land so that my son or somebody might be able to open a small business, that land means so much to me, as the hon. Member for Caroni Central indicated; there is the emotional nature and the relationship between landowner and land. This is one of the circumstances in which somebody may not want to part with their land. What this draconian law is saying is: "That is your business. We are going on the market value. Here we are taking a situation where two consenting parties agree to contract, one to buy and one to sell. We are going with that." That cannot be fair. We as a Parliament represent all the people of Trinidad and Tobago and we should be more sensitive to the needs of the people.

It says if you develop this land and you did not get Town and Country Planning's permission, they are going to deduct from the value of land. They will value the land as though there was no Town and Country Planning permission, although you would have spent a lot of money to develop the land. The State itself breaks that law. For example, in all the housing estates that they are putting up, in half of the estates, they do not have any planning permission or regional corporation permission, but they want to build and they build without permission. They are telling you, although the State did it, if you do it, we are not going to give you any compensation for the development of the land. This argument today is really to touch the conscience of the society, so that the society and those various interest groups may look at the law. I do not want to go too much into the contiguous or adjacent lands and the values and subsequent acquisition. That will

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take too long. I think that I have driven home the point that the society must be more caring, especially we in the Parliament; the legislators should be more caring to ensure that the interest of the minority is protected.

It is strange that land—I know that is your forte—is such an important part of the law and yet when we come to compulsory acquisition, we stay backwards in the 18th Century. Mr. Speaker, you would know, in company law, when you have Articles of Association, there are rules and regulations to protect the rights of the minority shareholder. I am certain you will remember the famous Malaysian case of *Re: Manuweera*, I think it is. Even in company law, which is statute law, which has not been developed for so long, we have passed law to protect the minority rights and here we have a society where so many other persons are being affected and the Parliament has not taken a position to protect the weakness of the minority and the weakness of the single landowner. That is the argument which I wanted to put forward.

We move on to another argument of furthering the theory. You are saying that the will of the majority must prevail and supersede the will of the minority and, therefore, if you are in a society you must be able to make a contribution and have responsibility in the society. If even we have reached the stage and we have placed that burden on the single landowner, the question we must now ask, as we carry the argument further is: What does the society owe him? I humbly suggest and submit to you that the society owes him that it will be an equitable society and that his contribution, he will benefit from it. When you bring that argument into the prevailing circumstances that we are in, that man probably had his lot of land to sell to send his child to university. The land was compulsorily acquired at a low price and he may not have money to send his child to university. What we find here is a Government giving hundreds of scholarships to private people without the rest of society knowing.

Mr. Speaker, you would remember that there were questions which were asked in this Parliament as to scholarships given by the Ministry of Community Development, Culture and Gender Affairs for education. That is not fair, because if this man gives his land this man expects the Government to be transparent and when the benefits of society are being given, he would have had an equal opportunity. What this Government has done is that it has taken this legislation to this position and it is not responding in a like manner to the persons whose lands have been acquired.

Mr. Speaker, as I have said, there were scholarships going. Piece of land probably would have been acquired from somebody from Biche and the State has taken it. Yet, when the URP projects have to take place, every single URP project is under the heels of a PNM representative in Trinidad and Tobago. Where there are

Ministers, they decide where these projects would go. When there are no Ministers, there are shadow Ministers. Although the people who are working in URP—when you go to the URP and you say: "Oh gosh, look at this and look at dat." He would say: "I am sympathetic towards too, but the shadow Minister has to sign it." How could a society be fair? How could a society compulsorily acquire somebody's land and when it is time to share in the same village in which the land has been acquired, you see discrimination? The State has a duty to ensure that there is no discrimination and the resources of the State are distributed equally among all the peoples. If that is not done, we are a banana Republic and, therefore, Vision 2020, where we speak about uniting the country and the quality of the people, will never be achieved.

I humbly submit that the State should make arrangements. The hon. Minister indicated that the State owns 53 per cent of the land mass in Trinidad. Maybe, instead of walking in there like a pit bull and grabbing the land in the name of the interest of the majority, we could have a more humane face in the acquisition of land. Maybe we could give them an opportunity to choose another piece of state land, where the State would give him piece of land and compensate him for moving to ameliorate the pain and agony that person will suffer in acquisition. That might be a nice area.

In the system that exists at this time, they pay you on this nebulous formula called market value. Nine out of 10 times, when you are being paid, you cannot get land to buy anywhere. You may have that little money in your hand and you cannot find other property. We as a society and as a people should make sure that we are just and fair. Having regard to the peculiar circumstances of Trinidad and Tobago, where the State owns 53 per cent of land—I do not know, hon. Minister, if that includes Caroni lands also—there would probably be arable lands, where the contour is similar to the contour of the land which has been taken, so that we could deal with issues like that. I humbly submit that there might be no need to change the law, but merely that the State adopt another approach within the framework of the law to ease the pain of those people and speed it up.

I move on to another point. The hon. Member for Tabaquite spoke about the laws of 2000, but I want to mention a law which I am certain that—I do not want to bring you into the debate—in your private capacity, you would have met before, Act 11 of 1981, the Land Tenants (Security of Tenure) Act. That became effective on June 01, 1981. What does that law say? It is a law similar to this law; a type of acquisition in an indirect way.

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Section 4 says if you have a tenant on the land:

“Notwithstanding any law or agreement to the contrary...every tenancy to which this Act applies subsisting immediately before the appointed day shall...”—get a statutory release for 30 years.”

In 1981, that was the lease. On June 01, 2001, that will be renewed for another 30 years.

5.15 p.m.

So, I have 40 or 50 years, and this law is being passed, with that 30-year lease and the option to renew for another 30 years tantamount to acquisition. In many cases, the person may have purchased that land for his or her children to inherit. As a Government, we have actually passed a law to take away that right from your child.

We also have to be cognizant of the rights of tenants. We do not want to throw tenants out on the streets. As a Parliament, a state and as a society, we must try to balance the interest of the lands that have been acquired. I am saying that this Act, Chap. 11:81, is tantamount to an acquisition, almost a compulsory acquisition.

I want to humbly suggest to this honourable House that the land has been alienated from the landowner and, in the circumstance, the State should invite all those persons whose lands have been affected by the Land (Security of Tenure) Act, and enter into a private arrangement with them. I am certain that you are going to find willing sellers. If I know that I cannot get back my land until 20-plus years—I will long be gone by that time. The Government should invite people, as I have said, and they are going to find willing sellers. The State should purchase the land and free them of that burden, and let them go and see how they could develop it.

At the same time, when we are balancing the interest of the society, we are not throwing out the tenants. You are taking care of the tenants and the landowners. Mr. Speaker, let the tenants become the tenants of the State, and when they have become tenants of the State—just as you have the HDC and you have the rent-to-own agreement with the tenant—after they have paid the rent for a period of time, the tenants will become the owner in fee simple of that parcel of land which they will be able to use as collateral. [*Desk thumping*]

Mr. Speaker, that Act was passed in 1981 and it was passed because of political expediency. At that time, you had land tenants moving on people. That was an election year, and the Act was passed for political purposes. We have not revisited the Act, and there is no election in the air so that we may review it in a dispassionate manner in the

interest of the society. I humbly submit that the Government reviews the Land (Security of Tenure) Act, with a view to implementing that position and everybody will be happy. The landlord will be happy to get it off his hand; the tenant will be happy to stay there; and then we are going to have greater happiness where you can rent-to-own land. Everybody will be happy and we will not have to implement law like this where we have the compulsory acquisition of land.

I humbly submit that if the State behaves in such a manner, the whole tone of the society will change, and this will affect the whole thinking of the society and, perhaps, this could redound to even solving the social problems in the society, particularly where crime is concerned. They cannot deal with crime by shooting down people and then saying that they have solved four murders. We need to have a holistic view—whether it is in the short term, medium term or long term—at every aspect of the society and see where we can plug holes so that we make this society a better place to live in.

Mr. Speaker, I do not intend to go much longer—

Miss Le Gendre: That is a good exit point.

Mr. S. Panday: Mr. Speaker, I do not want to go there.

Mr. Speaker: I think she is telling you to end on a high. [*Laughter*]

Mr. S. Panday: Mr. Speaker, I would not be acidic. This Bill is too good. They do not understand. I am not going to go there. I am not going in the gutter to meet you. This matter affects the society so much that I would not even make a joke of it. I would not go and swim like a gutter rat in the mud.

I want to tell the hon. Minister that there are other cases where the State can rent property for public purposes. In the Princes Town North constituency, especially in Craignish Village, there is a large landowner who is willing to rent five acres of land so that the people in Craignish Village could establish a recreation ground. When the regional corporation attempted to enter into a contract at a peppercorn rent of \$100 a year for five acres of land—they are willing to rent the regional corporation that land so that the people of St. Julien Village could establish a recreation ground—the law states that it is only the State that could enter into any agreement and not the corporation.

Since June 24, 2009, the people were hoping to start the ground. The documents were sent to the Ministry, but they are sitting on them. I am asking the hon. Minister to look into this matter so that the people in that area could have their tenancy regularize so that they could develop a recreation ground that will assist them in dealing with crime and deviant behaviour in the society.

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Mr. Speaker, one would think that in the system of auditing, if the Auditor General's hands are filled, one would farm out the auditing to firms. What has happened with respect to the regional corporations is that some of them have surveying assistants and they have already completed the survey, but these documents are on the Minister's desk, and they have not gone before the Director of Surveys.

Mr. Speaker, I want to mention a few in the constituencies of some of my friends. For example, Reece Road Recreation Ground was submitted since April 06—that land is vested in Petrotrin—and the people want to put a recreation ground there.

Glod Road, which is in the constituency of my friend, the Member for Mayaro, is earmarked for a recreation ground. This was submitted since April 2009. We want you to look at that matter.

There is Craignish Estate—leasehold lands from Maloney Enterprises—and they are willing to lease the lands to the State at a peppercorn rent of \$100 per year, so we are asking the Government to expedite that project.

Mr. Speaker, in Matilda, there is the Ramleela ground, and this was submitted since March 25. That land is vested in the HDC, and it does not have to be acquired. Since the hon. Minister indicated that the vision of the Government is nurturing a caring society, I am merely mentioning one or two aspects.

Ste. Madeline is in the constituency of the Prime Minister and the land is vested in EMBD; there is Inverness private land and Dubison Park which are also vested in EMBD. All these are lands that have been acquired for public purposes. If we are really serious about dealing with this issue, we are humbly asking that you look at these areas. Hon. Minister, I am going to pass you a list later on.

Louie Figaro Trace, which is in the constituency of my friend, the Member for Princes Town South/Tableland, to establish an access road.

Pond Road, which is in the Princes Town North constituency, there is a landslip there and people cannot go to their homes. They have to put a piece of board over the landslip in order to get to their homes. They are in a very precarious position.

Mr. Speaker, on July 08, 2007 Cabinet approved the acquisition for private land which is awaiting publication of section 3 of the notice. The survey was undertaken by the Princes Town Regional Corporation and it was forwarded to the Director of Surveys. I humbly wish to bring these issues to the hon. Minister so that he could view them.

There is another matter with respect to Princes Town. Princes Town is bursting at its seams. Traffic congestion is the order of the day. Mr. Speaker, I would like you to visit Princes Town on any morning, afternoon or on a Saturday. The regional corporation has identified that land on the Naparima Mayaro Road—as you enter Princes Town there is an old gas station which is the Texaco Gas Station, and there are five or six acres of land—for a car park for the people and this was submitted to the Ministry of Local Government on June 24. I am asking the hon. Minister, in order to stimulate further commerce and business in Princes Town, to look into this issue because it affects everybody.

Finally, I, myself, wish to congratulate the Trinidad and Tobago Cricket Team, because Dave Mohammed “Tadpole” is from Princes Town. He lives on the periphery of Knolly's Recreation Ground. I wonder when we acquire land, what do we do with it? I have raised several questions in this honourable House asking for lights for that ground. Mr. Speaker, they had put lights for Carnival and I begged them to keep them and when Carnival was over the lights were gone.

I spoke to the Minister of Sport and Youth Affairs and he said to talk to the Minister of Public Utilities. Well, I am speaking to the both of them today. I am asking for lights for the Yolande Pompey Recreation Ground. That is a major ground in the Princes Town area. I want to guarantee you that if that ground is well lit, people will be on it 24/7.

So, with these few words, I humbly submit that we really need to review the issue of land acquisition. I want to tell my friend, the Member for Diego Martin North/East, that we do not have to behave in such a vulgar manner in the House. People are looking at us.

Mr. Speaker: I have given you extra time. So do not abuse the Member.

Mr. S. Panday: Mr. Speaker, having said that, thank you very much for your kind indulgence. Thank you. [*Desk thumping*]

The Minister of Labour and Small and Micro Enterprise Development (Hon. Rennie Dumas): Mr. Speaker, thank you for this opportunity to join in this debate. I think I am the Member of Parliament with the least time served in this House, making a contribution to this discussion. I would suggest that he does not let the Member for Fyzabad liberal use of cosmetology fool him about which one of us has been here longer. [*Laughter*]

Mr. Speaker, the contribution of the Member for Princes Town North demonstrated some confusion. Mr. Speaker, we have had basically three things

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happening with this debate, especially coming from Members opposite. There seems to be a contradictory statement in terms of how we treat with land acquisition as a mechanism for resource mobilization in the pursuit of public policy.

5.30 p.m.

We are in a situation in which the Minister of Agriculture, Land and Marine Resources, in pursuit of the instructions as laid out in the law, is facing us and then he is facing, along with the Government, abuse for following the law. In fact, what the Minister is doing is obeying the law by coming to the Parliament and following what is said in context of identifying the lands that were necessary for public policy pursuit, public acquisition and therefore the pursuit of public ends.

In that situation, the reality of the long outstanding usages for which different lands were put—Incidentally, I want to thank the Member for Diego Martin West for all the assistance he would have given to Tobago East, when it did not have an adequate PNM representative, as the Member of Parliament for Tobago East. I know that his birthright and all that are there. I thank him for all the efforts he has made, but I want to make sure that there is no doubt that Tobago East has no vacancy for a parliamentary representative. [*Laughter*] Mr. Speaker, I mean no offence, I am just making the point. I understand, I appreciate and I am quite grateful for all the assistance that the Member would have given to Tobago East, but I want to make sure that it is quite clear that there is an adequate representative for Tobago East in the Parliament of Trinidad and Tobago. [*Desk thumping*]

On the issue of Mason Hall Government Secondary School; in Tobago we go with the argument that appreciation is very much a valued quality. In that context, we want to appreciate what the Tobago House of Assembly has been able to do with the support of national Government in changing the education forum available for the citizens of Tobago East, in which Mason Hall Government Secondary School is a major input.

The Tobago House of Assembly and the central government have been quite clear and have, as a matter of public policy, established three government secondary schools in Tobago East, in areas where there were none previously. I want to make the point that this was done after the people of Tobago East had given their representative the authority to represent them in Parliament, and that authority resided in a coalition with the UNC government, including members presently opposite. Members presently opposite paid no regard to the needs for education in Tobago East, and therefore there was no Mason Hall Secondary School built.

In fact, the reason we have no recreation ground on the Mason Hall Government Secondary School grounds that were acquired is because it was an inadequate site; it was a site that was badly designed in which you had no auditorium. UNC did that. Therefore, when the change came with the change of the political wind in Tobago, the Tobago House of Assembly, acting quite rightly, redesigned the school on that site to give the maximum educational benefit that the school could have been used for. In that context, the use of the Adelphi Estate or the piece of property cut out from the Adelphi Estate, was in fact, put to the best use.

I heard the Member for Tabaquite also stepping into Tobago East to give representation to Mason Hall. Member for Tabaquite, there is no vacancy for parliamentary representative in Tobago East. [*Desk thumping*] The reality is, he tried to make mischief by joining the name of Monteil to the Adelphi Estate. A short lesson in land history of Tobago is required.

The situation is, the Adelphi Estate is quite an extensive area, which has been sub-divided at various times into various plots of land. The original piece that was taken for the school is not now part of the estate that is owned by the Monteil family. As I was indicating to the Member for Princes Town, good public policy, as exercised by the PNM in terms of its management of both the national Government and the Tobago House of Assembly, required that the Adelphi Estate—on which a significant portion of the village of Mason Hall has been developing on the east side of the North Side Road—be purchased by private treaty by the Tobago House of Assembly, not under the acquisition here.

So, any payments made, were made by the Tobago House of Assembly against a private treaty arrangement that was made by the Monteil family as you suggested. Again, there is no requirement for mischief. It was good public policy being pursued for the ends of settling those residents of Mason Hall on the property. That property is now being surveyed.

On the question of the playground at the Mason Hall Government Secondary School, when the decision was made as to the design, it took into account the fact that 200 metres, maybe 300 metres down from the school, will be the Mason Hall playground. It also took into account that land that is now available, as the Adelphi Estate is being redistributed, can also be made available for agricultural education purposes and for other recreational activity on that property. Also, across the road from the school, additional land has been acquired for the provision of a hard court, et cetera. So, the consideration for the playground is there.

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I just want to suggest that a representative working with the State really has no need, as the parliamentary representative for Tobago East, to shout in the Parliament in terms of what we seek to acquire working with the national Government and the Tobago House of Assembly, to serve my constituents in Mason Hall. I want to make that clear.

Mr. Speaker, improving the quality of life is what pushes every acquisition that has been made. What is quite surprising to me is that seasoned parliamentarians, most of whom have been a Minister at some time or the other, are complaining about the structure of the law for public acquisition, the implementation of the law and the administrative procedures in support of that. I heard the Member for Caroni Central saying that maybe we should disregard the law. I heard the Member for Princes Town North saying we should do the appropriate research as to how the law developed.

If we combine both concerns, we would see that in 1990 and in 1994, the concern was that the Parliament was to determine, give its opinion in terms of what was the policy being put in place and specific actions being taken by the government of the day. It was on the deliberate considerations of Members of Parliament that those provisions were put in the law. And when the changes were made, the Member for Tabaquite, as Attorney General, having had the responsibility for crafting the law, deliberately did not make those changes in the law that would have wiped out that regard for us coming here after the fact, after implementation, to bring validation to the actions of the Government.

The Member for Caroni Central, participant in three debates, in terms of the acquisition for public policy, or public purposes of land, did not make a contrary argument. In fact, when he was in government he made a pronouncement on this same piece of legislation, which spoke about how good this thing was, but some of us, although we were not in Parliament, were following the public debate and following the way in which this law developed. I have a particular grouse that when the UNC changed the law, the UNC aborted and used that device to make sure that the community, of which I was a member, the Plymouth/Black Rock/Bethesda community, in 1990, when we were in the process of seeking acquisition of the Courland Estate, you abandoned the acquisition of Courland Estate, which was started in 1991.

So, when the UNC was in government, that device you used for changing the law to make sure the acquisition process was abandoned after six months, lost Courland Estate for a price that should have been substantially lower than it is now and would have allowed a significant set of developments in that part of Tobago. I am suggesting that there was no costless change to the law that you made.

We want to make sure that if we agree that the law should change then let us do that now. If you agree there should be no requirement for the Government to come to the Parliament and therefore acquisition should be purely an administrative matter, let us say that now, and if the Member for Caroni Central wants to put that on the table, let us put that on the table and consider it for a change of law. And, Member for Caroni Central, can I remind you that the Opposition can also put a Bill as a private measure on the parliamentary table instead of all the bacchanal and other purposes that you choose to do.

Dr. Rafeeq: Thank you very much for giving way. All I am saying is that is not the only option. I am saying that is one option; the other option is to get the processes moving a lot faster than they are. My concern is—and that is what I expressed here this evening—that the process is taking far too long, and whatever we can do to hasten the process we should do it. Abandoning that is just one option, but there are several other options within the existing laws that can allow us to move the process plenty faster. That is all I was saying.

Hon. R. Dumas: I would ask you to look back in the *Hansard*. My first contribution in this Parliament was on the Land Acquisition Act, and I had some things to say then, but I was somewhere near your side, somewhere around there.

Again, if we think this requires change and we are willing— We have been speaking about Government authority and the way in which the Executive works, and the speed with which the Government, in terms of the politicians, managing the administrative system can get things to speed up and work. We say that through one side of our faces and on the other side we say, we must bind the hands of the Ministers and the Government. We cannot have it both ways.

You cannot say bring it here; when any law that is passed you say bring it here for consideration; bring it here for review; bring it here so we can have our say, and at the same time, you then want to hold the Executive accountable for not getting the things moving as fast as they should. I want to suggest to you that we have to abandon that posture. If you are going to hold me responsible for the speed, then let me have the speed and the means to move faster.

Mr. Speaker, 15 acquisitions, 15 items and we moved a number of them to this direction, in this speed. I want to congratulate the Minister of Agriculture, Land and Marine Resources. [*Desk thumping*] There are some people saying why you only bring it now. I am suggesting that every single time we came to the Parliament we dealt with a matter that was important; we did not come here and waste time. If there is any time wasting at all it is because of the length of time we

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spend debating Bills. Every day that we came there was a motion and a Bill on the agenda. You could tell me, well, you did not do this, you did not do that, but every time we came here there was one. Maybe we could talk to the Leader of Government Business to make sure we meet more often, and get more Bills passed and get more things done in the parliamentary agenda, if that is what you want.

The issue of the emotionalism and relevance comes up, and of course, I had to make the point; I had to note the point that some people come up with this issue of Caroni land, Caroni workers, who is on Caroni land.

5.45 p.m.

I want to suggest that all is now State land. Let us treat with it and treat with all land that is publicly owned and should be used for public purposes or purposes which drive public benefits to the people of Trinidad and Tobago—you know I heard an interesting argument from the Member for Princes Town North.

Mr. Imbert: That is not possible.

Hon. R. Dumas: Yes it is, he did say that if we understand public purpose and if you had to take from individuals for public purposes, everything is right with that. I asked myself, does that mean that the UNC is withdrawing its objections to the property tax?

Mr. Sharma: That is a tall order.

Hon. R. Dumas: Brother Sharma or should I say Member for Fyzabad, what does the law say? The Order declaring that the land is required for public purposes, the Parliament may approve the Order and the acquisition is a charge on the Consolidated Fund. Those are three critical issues.

Therefore, the issue of compensation, how compensation works and what it is, I want to suggest that the Government is following the law and is demonstrating that the Government respects the rule of law. In fact, Government is pursuing public ends as it is required to do by the law in the interest of the citizens of Trinidad and Tobago.

I thank you for the opportunity for that short intervention, Mr. Speaker.

Mr. Chandresh Sharma (Fyzabad): Thank you very much, Mr. Speaker. I would wait until the Member of Tobago East returns to the Chamber for me to address a few things he said.

Mr. Imbert: That would be a long time.

Mr. C. Sharma: That would be a long time? I would wait, I have 75 minutes.
[*Interruption*]

Mr. Speaker, I hope you would allow me a few minutes in keeping with the Government's policy earlier today to communicate Divali greetings to the national community. Would that be okay, Sir?

Mr. Speaker: When we are adjourning the House I would give Members an opportunity.

Mr. C. Sharma: Thank you. We heard from the Minister of Agriculture, Land and Marine Resources and we want to welcome him to this House. There is a system that obtains in Parliaments the world over especially, when Members from the other place, the Senate, visit to really bring good news to excite the national community, because it is not often the Minister of Agriculture, Land and Marine Resources comes here, and really, he came with nothing. This is not adding value and he tried to couch it by saying what he is bringing here would add value.

Well, let us look at some of the things he tried to hoodwink the national community with. Earlier today we heard from the Minister of Information—or misinformation—talking about this Parliament on Channel 11 and on the radio; people listening and they have the freedom to listen, but they also want us to make sure that when we come to this Parliament we treat with issues that are affecting their lives. For most of the day the Public Gallery was empty, my concern is, was it because of what the Minister had to say? Are they being denied the right in this land of Trinidad and Tobago to participate by not attending? But that is beside the point.

One has to be careful when Government speaks because Government must be embracing and nothing that was said by the Government today is embracing. It is a pity I did not get a chance to really respond to that Divali thing but I will do it later, hopefully, with my Chief Whip's permission. When he said we are acquiring lands for playgrounds at the schools, playing on the emotions of the national community, there are so many schools without playing grounds. The Member for Tobago East really took time to reply to a Government Member—the Member for Diego Martin West—because he really had nothing to say. This is not about defending whether you would be the candidate for Tobago East or not. I did not recall hearing the Member for Diego Martin West placing a challenge. He raised an issue and you spent 25 minutes talking about that.

Mr. Imbert: What are you defending the Member for Diego Martin West for?

Mr. C. Sharma: We heard about playgrounds but there are so many schools, so what is the Government's policy on all schools that are without playgrounds? That is what the Minister should be saying today, not to fool the national community and say we are dealing with one piece of land in the constituency of Fyzabad and Oropouche for a playground.

He is talking about roads. They are protesting about roads all over the country. What is the purpose of acquiring more lands to expand the roadways when the existing roads are not getting attention? We saw the community in PCO in the constituency of Fyzabad protesting for better roads, we saw it in Claxton Bay, in Laventille and all over the country, so you cannot come and fool the national community on the eve of Divali. You are not shedding light; you are adding darkness to the national community. Divali is a time of light, not darkness.

You talked about acquiring lands for schools. What is the Government's policy on acquiring lands? Is every school in the country going to be on a particular size of land? Maybe 5 acres, that will have a playground and will have the other things that the Minister of Education—they are going on the same piece of land and expanding the school base, making less and less room. The national PTA, the school educators and the school administrators have been complaining left, right and centre; the international standards at all schools should have a play area and they should have a parking facility. Today, many teachers have to park outside of the school compound. So, really the Minister came here to say nothing today.

He went on to talk about payments. How is it payments always go favourable to certain people? We heard of the Monteil arrangement and we have heard similar cases. Why the payment for lands acquired by the State cannot be a standard approach? Why does it have to be five, 10 and 15 years later? Why under the PNM nothing seems to work? Absolutely nothing!

This Government is surrounded by money and no intelligence. Delivery is zero. The Minister is not aware that many parcels of private citizens' lands have been acquired by the National Gas Company, WASA, T&TEC, Petrotrin and NHA. Should we not be hearing about that from the spokesman for the Government? Should those poor families not know that these lands would be compensated; they have to wait until their grandchildren get paid 30 years and 40 years later at no interest.

He spoke about infrastructure development, these lands are going to contribute to infrastructure development but the existing infrastructure development lacks everywhere we go. So, when you come to the national Parliament and you raise these things, the loyal Opposition has a responsibility, one that we are certain to demonstrate at every opportunity.

You talked about traffic congestion and how acquiring these parcels of lands will suddenly reduce traffic congestion, so you see on national television how silly you appear really?

Hon. Piggott: [*Inaudible*]

Mr. C. Sharma: Yes, I know, I apologize on your behalf. [*Interruption*] He is going to widen a stream. This Minister that is costing an amount of money to the taxpayers; something like \$60,000 per month says he is going to widen a stream acquiring a piece of land.

Mr. Imbert: How much?

Mr. C. Sharma: About \$60,000.

Mr. Imbert: I have to get back pay then. [*Laughter*]

Mr. C. Sharma: You qualified for it. Hear this, Mr. Speaker, this Minister of Government, who is a former diplomat—imagine what he might have done in Canada—says we are going to widen a stream and reduce flooding. God help us! This is the PNM in 2009 going to 2020. You are going to acquire 200 feet of land, widen a stream and flooding gone. How great is the PNM. It must prevail. [*Interruption*]

Natural gas pipeline, I just raised the point. So long NGC is waiting on moneys, so long NGC has acquired people's land and there is no system. The Minister spoke about compensation—[*Interruption*] You hear it, Mr. Speaker, the Government uses its majority to threaten the time of a Member, but whether one Member speaks for 45 minutes or 75 minutes, the truth will be told in 10 minutes or in 45 minutes. Do not threaten the Members of the Opposition by not extending the time. That is not important.

The Minister spoke about compensation as it relates to 23:16—the Minister should be telling us and should be apologizing to the national community and to the thousands of simple citizens who are waiting for compensation. This is the Minister of Agriculture, Land and Marine Resources, today, they are still paying five cents for a pepper tree and eight cents for a “bhaigan” and the food import bill is increasing daily. We have the most expensive farm in the world and the distinguished Member for Barataria/San Juan brought two cucumbers and told the country it was costing \$44 per pound to produce—\$6 million investment to obtain \$3 million and this is how we are putting our land to use.

Our history brought us to work the lands in this country, whether our forefathers came from Africa, China, India or where they came from to work on

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the lands, the lands are very emotional to all the people of Trinidad and Tobago. The State is the largest holder of lands. In true typical PNM style they hold the national community to ransom. Do you know what the Minister did not say and perhaps—oftentimes PNM Ministers come here and they come with the same story over and over. They have a large team of consultants and speech writers—acquire private lands for public purposes; acquire lands identified by Government agencies required for public purposes but, secondly, ensure no public land is available in close area to what you are looking at. None of these lands the Minister has told us would be public lands available.

Pay compensation to the owners with the least possible delay. This is the law of the land. This Government owes an apology to the national community. How is it 10 years later you still tell them the matter is being looked into when it is very clear—if you are acquiring lands for public purposes, first you acquire lands identified by Government agencies. Ministers in their private domain are using their ministerial power, gives advice on which lands to acquire. There are lands all over the country waiting to be acquired. In my own constituency in Akbal Trace, a playground, more than 25 years waiting, what is the delay? The Member for Princes Town North identified many other places.

The Minister talked about acquiring the lands for recreational purposes, so that our people will lead healthy lifestyle. Who is he fooling? In this very Parliament the Minister of Finance in delivering the budget indicated \$1 million for recreational grounds in regional corporations. Couva/Tabaquite/Talparo Regional Corporation, Tunapuna/Piarco Regional Corporation, more than 100 playgrounds, \$1 million; that is \$840 per year; less than two dollars per day. This is what the Government is delivering, so to come and fool the national community—

Mr. Speaker, it was under the UNC there was a manual established to acquire lands for State purposes, because there are too many agencies—in fact, there was a research document in 1992 entitled *New Administration and Policy for Land*, produced by the Ministry of Planning and Development listing 42 pieces of legislation relating to land management acquiring administration. After 1992 others came, the Environment Management Act, we see how the Government abused EMA and not acting in the interest of the people of Trinidad and Tobago. We had the THA in 1994, the Planning and Development of Land Bill, the State Land Bill, the Agricultural Small Holdings Bill; you see the frustration the Government puts on the farmers of this country to utilize the land.

We saw the sorry state of Caroni lands and how the Government mistreated and held the cane farmers in contempt. Now the Government wants to come and give the

impression that all is right, we are acquiring a few parcels of land and each Minister gets up and compliments the mover. This is earth-shattering legislation you have brought, congratulations; absolutely delivering nothing at the end of the day.

The National Parks and Other Protected Areas Bill, where is the legislation? When the Member for Tobago East—if you want we have these things existing already. What are they doing with the recreation grounds? The Member for Tobago East spoke about the playgrounds in Tobago and how they were acquired, what prevents the acquisition in Tobago different from Trinidad? Are they treated differently? Are they not the same taxpayers? Should they not be treated equally? The Tourism Industrial Development Company of Trinidad and Tobago—

Mr. Imbert: Mr. Speaker, Standing Order 36(1).

Mr. Speaker: Yes, Member, I must confess that the value you have added so far, I think you are beginning to subtract it. [*Laughter*] Try and get back into the plus side. [*Laughter*]

6.00 p.m.

Mr. C. Sharma: Mr. Speaker, I have gotten used to that, because that seems to be a concerted effort. It is unfortunate that you find it that way, and I must apologize to you because I am not—

Mr. Speaker: No. I think it is fair to say that you were straying. You were straying.

Mr. C. Sharma: Tell me at what point, Sir.

Mr. Speaker: All I am telling you is, come back. You always talk about adding value, so add some value to the debate, please.

Mr. C. Sharma: Mr. Speaker, are you suggesting that the EMA has nothing to do with the land acquisition? The THA Act? These are all related, every one of them. This is a map that was presented and I indicated a new administration and policy for land.

Hon. Piggott: Would you give way?

Mr. C. Sharma: Certainly.

Hon. Piggott: On the question of whether it is for Tobago or what about Trinidad, of the 15 parcels, only two are in Tobago and the others are in Trinidad. So what is the question are you raising? You did not quite understand what you are saying?

Mr. C. Sharma: What is your point?

Hon. Piggott: The point is you are asking the question, whether this is about Tobago, as to infer that it is about Tobago. I am saying it is not about Tobago, it is Trinidad and Tobago. That is what I am saying. [*Desk thumping*]

Mr. C. Sharma: Yes, Mr. Speaker, it is unfortunate for the hon. Minister, perhaps he is suffering from newness coming to the House. That was not said. What was said is that the same approach to acquire lands for any public purpose in Tobago, must also obtain in Trinidad. There is one law for Trinidad and Tobago, understand clearly. Do not let newness affect you. So, if we are gaining information for a piece of land to be acquired in Tobago for any purpose, from private, the same approach—

Mr. Speaker: Order, please! Order!

Mr. C. Sharma:—and if in Tobago as the Member for Tabaquite indicated, a landowner must be paid \$4 million +, whether it represented the 80 per cent, or whatever it represented, landowners in Trinidad must be paid similarly. That is the point we are making. There must be fairness, there must be equality. [*Desk thumping*]

Mr. Dumas: Where you get that nonsense from, nobody said that happens. [*Inaudible*]

Mr. C. Sharma: You had a chance to talk and you had nothing to say. [*Laughter*] [*Crosstalk*] Mr. Speaker, when we acquire lands, what are some of the considerations? I did not hear the Minister talk about that, the considerations for conservation of lands. We must be careful in getting these lands that we respect the law, and oftentimes that is not the case, because nothing the Minister said, indicated what were the procedures engaged, and whether in fact they were engaged. In my opinion, that in many instances and many speakers on this side indicated that when we go on NHA estates, the process is not maintained at all, but there is a process to engage.

In fact, the law says very clearly, make special note of environmentally sensitive areas, or land where environmentally sensitive species reside. Now, none of these things have been spoken about. So that for the Government to feel that it can come here and say anything and it must be accepted because there is a majority— There is a global concern about land use, there is a global concern about the environment, and we are talking about land acquisition. You cannot divorce it from those concerns.

If land is requested or identified for any form of development in close proximity to any forest reserve, nature reserve or any protected area, the first step would be to look at the need within the institution charged with the responsibility of the protected area, and here they talk about the Forestry Division in particular.

Land carriages such as slope angle flooding, erosion hazards, and landslides should be taken into account. The Minister in moving the Motion talked about reducing flooding, and we are seeing an increase in flooding. Action should be taken by all officers to maintain the nation's unique biological wealth and to preserve its diversity, namely genetic variations.

Only last week, the Minister of Legal Affairs hosted a WIPO conference here, talking about these things. So on the one hand, the Government is promoting through WIPO—maybe the WIPO, the World Intellectual Property Organization—talking about traditional knowledge, traditional plans and so, and none of these things— Every time the Minister moves a land acquisition, he does not identify these areas as well.

Mr. Speaker, I want to look at the Ministry of—

Mr. Speaker: Agriculture.

Mr. C. Sharma:—land administration, which is under the Ministry of Agriculture, Land and Marine Resources. The total area under the management of the Ministry is close to 17,000 hectare/acres. And again, for many years, we have been seeing the distribution of the land, the number of leases prepared and sent to the commissioner—298 during the period 1996 to 2000, which was under the UNC administration. When we look at the numbers today, they do not represent that. So it means that there is a concerted effort by the Government not to make lands available for agricultural purposes. When you look at the revenue collection in the past few years—if you are acquiring land, certainly, you have to pay the landowners.

There are opportunities for the Government to acquire income. Again, it has been reduced significantly. Every so often, you would hear the Minister of Agriculture, Land and Marine Resources making announcements that persons involved in the Agriculture Youth Training Programme would be given land. But here you have Caroni workers and you have persons who have applied for state lands for years and are still waiting to be treated with. Months required for lease renewal; up to three years—people are waiting three years, some are waiting five years and some are waiting seven years. The time required for lease assignment is two years.

Mr. Speaker, a simple thing, the issue of a new lease is taking between three and five years. So if you are saying that you are going to encourage agriculture and encourage the use of land, then you have to demonstrate your ability to deliver as well. You cannot come in the Parliament and say all these fancy terms and when you look on the ground, it does not apply the least bit.

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Mr. Speaker, I looked at some of the questions they asked for persons who wanted to obtain land, and I want to quickly run through this with you. On state lands they are looking at persons who encroach. They want the name of the encroacher; the address; the age; the occupation; the income; whether married yes or no; whether a citizen, yes or no; are there children under 21 years of age, yes or no; is the spouse living with the encroacher—what is the relevance of that question? In this Government policy? Total number in the family; total extent of land owned by the encroacher. The encroacher is encroaching on land and they are asking the total extent of land owned by the encroacher. Is the encroacher resident on the land? Where was the residence of the encroacher?

Mr. Speaker: I am having great, great difficulty in following your argument in relation to the land acquisition. Now, you are quoting from a document. You have not cited the document, but it may be relevant, I do not know. But so far, what you are saying and reading from that document, I am having great pains and a very great difficulty in trying to understand what you are saying in relation to the Motion before us. So again, I appeal to you.

Mr. C. Sharma: Mr. Speaker, I did identify the document earlier. It is unfortunate that—

Mr. Speaker: Could you identify it again for me?

Mr. C. Sharma: Certainly. *Manual of Procedures for Land Management*. This was a document prepared in 2000, Land Use Policy and Administration Project, and this is a consultancy service to the Government of the Republic of Trinidad and Tobago.

Mr. Speaker: So you are linking it up with what is before us?

Mr. C. Sharma: Definitely. The only matter in front of us is the matter I can treat with. If it is I am required to refer to the page on every occasion, I will. I looked at the Member for Tobago East, we are stuck on the same argument about the land that is being acquired, we are looking at what is taking place, we are looking at the value that it is adding and I am looking at all the authorities that are available to us. Now if I have to refer to the document on every occasion, I will do that.

I now turn to lands acquired by the NHA. It is important because if it is that the Government is going to acquire lands— you see, the lands that are acquired by NHA do not come to the Parliament in the same manner, and that is the difficulty we are having. Because here you have total area managed—

Mr. Speaker: No, listen, we are talking about lands acquired for public purpose in the Schedule. We are not talking about lands acquired by the NHA or

HDC as the case may be. So could you concentrate your argument on the lands that are on the Schedule?

Mr. C. Sharma: Mr. Speaker, the point I was making and if I am out, please advise me, I am saying that the lands—[*Crosstalk*] Allow me to finish the point, please. It is only fair.

Mr. Imbert: Allow you to finish?

Mr. C. Sharma: Yes.

Mr. Imbert: We do not have that time.

Mr. C. Sharma: The point I am making is that if we are dealing with lands to be acquired, we have to look at lands that are acquired by the State in every aspect, because that is the only way you can relate it to what is in front of us. We are saying that the acquisition of lands is not meeting the national good, it is not meeting the national needs and we are identifying it and we have to identify all the agencies. That is how I understood it for the many years I have been here. If that is changing, then, I certainly will be guided.

Mr. Speaker: Let me guide you. You can talk about the principle of land acquisition. Either relate it specifically to—more so, relate it to what is before you in the appendix. But you cannot talk about land being acquired by the NHA, and that is what I heard you saying, lands being acquired by the NHA. You need to concentrate on what is here. If you want to talk about the principle of land acquisition, certainly, you can talk about that, but in a broad sense, but you need to zero in on what is before you.

Mrs. Nunez-Tesheira: Put it all together.

Mr. C. Sharma: Mr. Speaker, as you correctly said, and perhaps you are right, you might be having frustration following my arguments, could you imagine the national community also having frustration that a Member of Parliament is doing his job as he is required, and the level of frustration—

The point I want to make, the Commissioner of State Lands is the agent of the President in this context, and all these lands come under the Commissioner of State Lands. Whether they are required by NHA, the land under Caroni, once it is state land, that is what the law says, that the Commissioner of State Lands is the agent of the President, and all state land comes under him. All the land that has been identified this far is under the Commissioner of State Lands, and what I am saying is that the lands to be acquired, there is only one person that is responsible in the law. That is very clear. That is the law of the country. I am not making that law.

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Mr. Speaker, I was going further. On numerous occasions we have argued on this side, that there should be perhaps the coming of all the bodies and I identified the bodies. I said that there were 42 pieces of legislation and, further to that, from 1992 to 1994, there were 42 pieces of legislation. After that, there were a number of other bodies that came, the EMA for instance. I am making the point and we are making the point that the time has come when there should be a single agency, so we could reduce this level of frustration. The Member for Tobago East advised, if we will consider that.

What the Government has to demonstrate, it has to earn the respect of the national community that what they are doing is always in the interest of the national community, because that has not been demonstrated. When you look at what obtains under UDeCott, it tells us it is not what the national community wants. When the Government acquire land, what it is putting up on the land, and the dollar value. When you look at the Brian Lara Stadium, it is close to \$1 billion; when you look at the land acquired in Tobago—the Scarborough Hospital, not yet done, \$300 million, \$400 million and all you are seeing are concrete slabs. The national community cannot be happy with that kind of thing. *[Interruption]*

Mr. Imbert: Mr. Speaker, on a point of order. The Motion before the House is for this House to approve the decision of the President, to acquire the lands described in the appendix for the public purposes specified. It cannot be development of state land, which is what the Member—it is to acquire land for state projects. Not to develop state land. It is obviously private land.

Mr. Speaker: Listen, do not force me to call the attention of the House to the fact that you are being irrelevant. This is an auspicious week. I do not want to do you that. So, please, get back to the point.

Mr. C. Sharma: Mr. Speaker, I am just deciding if to sit, but I think it would be unkind to the people who have elected me to this Parliament. It seems as if whenever certain Members of the Opposition speak, there are always protests of all kinds, but I am guided. I am always guided. When the Government is speaking they can say anything. All I have done, I said when the national community sees what they are doing on land acquired. You allowed the Leader of Government Business to get up and raise something. I said nothing about the State lands. I said when the land is acquired and I used the Brian Lara Stadium as an example, I used the Scarborough Hospital *[Interruption]* Hold on! It makes the point that the national community is concerned whether it is on state land or any lands acquired by the State for State purposes. We are talking about land acquired from the private sector for State purposes. I am making an example, the national community is concerned that when you spend citizens' money, as you have spent

on the Brian Lara Stadium, that that same thing does not obtain in the land you acquire. That is very, very clear.

6.15 p.m.

I went further and said that the national community was also concerned when you used taxpayers' money and have construction costs that were 300 and 400 per cent overrun; they are concerned. Some years ago, there was a recommendation for a single unit for land management. [*Interruption*]

Mr. Speaker: Hon. Member, no; I am going to rule you out of order, and you are being irrelevant. I am giving you this last warning; if you continue being irrelevant, I will have to ask you to take your seat.

Mr. C. Sharma: I will take my seat, Sir.

The Minister of Agriculture, Land and Marine Resources (Sen. The Hon. Arnold Piggott): Mr. Speaker, it is good to come to this point in the day where I could reiterate something that I said earlier, with a view that Members opposite, particularly the Member for Fyzabad, would have understood very clearly.

In relation to the issue of compensation for lands compulsorily acquired, it is only after section 5(2) proceedings, which are the proceedings presently before this honourable House today, and after publication and service of a declaration made by order of the President, that any person from whom land is being acquired, becomes entitled to compensation. Only after this process today, where the Order is adopted, is approved, that the process can move forward.

I said earlier that this would be under section 57 of the Land Acquisition Act. I also said and explained some of the reasons why, in some instances, persons entitled to compensation for acquisition of their land, have not been paid to date.

I would like to remind hon. Members as well of some of the reasons for payments not being made. There may not be any claimants at this time, or the claimants who are coming forward may not be bona fide claimants, or they may not have legal title to the land and, therefore, it cannot be processed. We have legal persons on that side who know about probates, wills and letters of administration. They know that the way to come into possession of residual assets from estates would be by virtue of probate of wills and letters of administration.

In the circumstances, we also spoke about the issue of interest that would be paid on lands that have been acquired, in the event that land is acquired, and the issue of the date on which entry took place and the fact that the market rate would apply. Interest at

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the rate of 9 per cent is payable on the outstanding sums. Mr. Speaker, as far as I know, and to the best of my knowledge, that 9 per cent interest paid is substantially greater than any deposit rate in the Republic of Trinidad and Tobago at banks. Therefore the rate of 9 per cent is substantially higher than the deposit rates; so there is a benefit to those persons who would finally be paid moneys for land acquired.

There has been the query of whether we could eliminate delays in payment. Of course; any system that is being practised and is being pursued can be improved. That is the mantra for this Government of the Republic of Trinidad and Tobago presently. We are seeking to modernize our systems and we are seeking to make improvements at every turn, so we welcome any ideas to move forward.

My colleague, Minister Dumas, did say to hon. Members opposite that if they had an idea they should come forward, but we are working on facilities to move the process forward.

The fact that we are able to bring a bundle of land acquisitions to this House today, 15 in number, suggests that we are concerned about the people whose lands we have taken or that the President has ordered be taken for acquisition. We are seeking to pay those people; to facilitate payment to those people and settle it. To the extent that we will not be able to settle it, is to the extent that legal personal representatives cannot be attested to or that persons do not have the appropriate documents to prove title to the land.

In terms of the Mason Hall School having no playground, we have heard the history of that; it was acquired under a previous administration. While the school has been built and we are educating our people in Tobago, and we are happy for that, I am sure that the THA and the Division of Education under the THA and our own Ministry of Education in Trinidad, would have taken note. I am sure some action would be taken to make sure that the students in Mason Hall, Tobago will get facilities which would allow them to engage in recreational facilities and better develop their minds in Tobago. I am sure that will be done, in due course.

In response to the question of outstanding matters and other payments to be made, some Members wanted to know whether any payments had been made. Well sure, payments have been made in respect of about six parcels of land; some partial, some full. For some seven of the 15 parcels which we are acquiring, we have received no claim; so, to date, there have been no claimants, no formal request made to the Ministry of Agriculture, Land and Marine Resources for that. Presumably, there are a whole range of issues I identified before; maybe they do not have the documentation to come forward; they do not have the legal title or they may not be properly identified as the heirs or heiresses to the transactions.

There was one civil matter, and that is before the court, so that is outstanding. We have four others that came forward and would be facilitated immediately, as the procedures following the adoption of this Order flows from this Parliament.

The Member for Tabaquite asked the question why it was taking so long. The Member, an eminent lawyer as he is, I am sure, fully understands the process. He was there before as Attorney General, and he understands all the issues surrounding what must be pursued. He reads the law very, very carefully sometimes, so that we would expect him to understand the process.

I must say to him that there are, at least, three agencies in the land acquisition process. You have the Director of Surveys; lands must be surveyed and we all know—anyone of us who owns some piece of land or anything around—that the lands must be surveyed. We must have a survey plan to identify the land; that does not happen overnight; it takes time. Then you have the Commissioner of State Lands who receives the survey plans and he must now send it to the Commissioner of Valuations in the Ministry of Finance to get a valuation done and to discuss the agreements around the values. So this is part of the process; those are only three steps in the whole process of land acquisition.

Mr. Maharaj SC: Could you, in that context, because of the package of legislation which was passed in order to remedy some of those defects, look at them or does the Government have a policy on that?

Sen. The Hon. A. Piggott: Trust me, Member for Tabaquite; this is a very proactive government. We are not asleep; we are working assiduously all the time. [*Desk thumping*] The package of legislation, as recently as this week, was discussed. The hon. Member, Stanford Callender, is behind me. The hon. Peter Taylor is behind me; I am here. We discussed this matter as recently as this week; we are making progress. I could stand here and tell you that, and they are right behind me. They were there when we were discussing this matter. [*Desk thumping*] The three pieces of legislation have been engaging our attention and we shall be coming forward with something quite soon, Sir; so have no fear; we shall remedy that situation.

In terms of the question from the Member for Caroni Central, I answered that already in terms of what the market value is then and then we add interest at 9 per cent; a rate that is substantially better than the bank rate, at this time.

I would like to treat with the Member for Tabaquite again, because given that today he congratulated the Minister of Agriculture, Land and Marine Resources, for providing excellent agricultural roads to farmers in Lightbourne Road, Bon Aventure, in a constituency called Tabaquite, I thought it would be fair to say that this Government

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is, in fact, developing sound infrastructure and the environment for moving the developmental process forward. [*Desk thumping*] I think it is fair to say that.

Dr. Browne: "Yuh want Vision 2020; take Vision 2020." [*Laughter*] [*Desk thumping*]

Sen. The Hon. A. Piggott: In terms of the Member for Fyzabad, well, I would leave him alone.

Hon. Members: Yes.

Sen. The Hon. A. Piggott: I was trying to put some pieces together myself, to be able to deal with the Member for Fyzabad, but I would not find any coherent pieces to put together so that I could respond to what he was saying. [*Laughter*] [*Crosstalk*]

Mr. Speaker, I would like to close by saying that it was a pleasure to be in this House today, to put forward the Government's developmental programme, to bring forward issues that would be beneficial to the people of the Republic of Trinidad and Tobago. For some 15 properties, people can now come forward, once we approve this, to claim their moneys, and there would be moneys to be paid on these claims.

Going forward, I propose to bring more of these motions to the Parliament, much more rapidly, so that my friends on the other side and, the Member for Tabaquite—we will do what we can.

Mr. Speaker, I beg to move.

Question put and agreed to.

Resolved:

That this House approve the decision of the President to acquire the lands described in Appendix II for the public purposes specified. [*Interruption*]

APPENDIX II

DESCRIPTION OF LAND	PUBLIC PURPOSES FOR WHICH TO BE ACQUIRED
1. The parcel of land comprising 1,909.3 square metres more or less, situate at Moruga Road, in the Ward of Ortoire, in the County of Victoria and described in the Schedule and coloured raw sienna on a plan of survey signed by the Director of Surveys and dated 2nd July 1996 and filed in his office, is required for a public purposed: extension of the St. Mary's Recreation Ground.	Extension of St. Mary's Recreation Ground.

<p style="text-align: center;">SCHEDULE</p> <p>A parcel of land comprising 1,909.3 square metres more or less, situate at Moruga Road, in the Ward of Ortoire, in the County of Victoria and said to belong now or formerly to Bridgelal.</p> <p>This parcel of land is more particularly shown coloured raw sienna on a Survey Plan filed in Book 1140 as Folio 190, survey order 64/1994 in the Vault of the Lands and Surveys Division, Old General Post Office Building, Wrightson Road, Port of Spain.</p> <p>2. Eleven parcels of land comprising 3,252 square metres, more or less situate at Las Cuevas and La Fillette, in the Ward of Blanchisseuse, in the County of St. George, and described in the Schedule and colored raw sienna on a plan of survey signed by the Director of Surveys and dated 6th August, 2004 and filed in his Office, are required for a public purpose: extension of the North Coast Road.</p> <p style="text-align: center;">SCHEDULE</p> <p>Eleven parcels of land comprising together approximately 3,252 square metres, more or less, situated at Las Cuevas and La Fillette, in the Ward of Blanchisseuse, in the County of St. George and further described as follows:</p> <ul style="list-style-type: none"> (a) 364.6 square metres said to belong now or formerly to Thomas Rudolph and Valerie Meyers; (b) 196.4 square metres said to belong now or formerly to John David Whiley; (c) 187.6 square metres said to belong now or formerly to person unknown; (d) 151.7 square metres said to belong now or formerly to Thomas Hermagild Meyer; (e) 237.1 square metres said to belong now or formerly to Lionel Roberts; (f) 261.7 square metres said to belong now or formerly to Hafeeza and Desmond Ali; 	<p>Extension of the North Coast Road</p>
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<p>(g) 438.4 square metres said to belong now or formerly to Mode Alive Limited.</p> <p>(h) 447.8 square metres said to belong now or formerly to Phillip Lawrence;</p> <p>(i) 554.5 square metres said to belong now or formerly to Glen Regist, Edward Miller and Fitzroy Dyer;</p> <p>(j) 36.5 square metres said to belong now or formerly to Conrad Lee Pack and Joan Lee Pack; and</p> <p>(k) 103.3 square metres said to belong now or formerly to Conrad Lee Pack and Joan Lee Pack.</p> <p>These parcels are more particularly shown coloured raw sienna on a Survey Plan signed by the Director of Surveys on the 6th August 2004, filed as JD 289 Order 217/2000 in the Vault of the Lands and Surveys Division, Old General Post Office Building, Wrightson Road, Port-of-Spain.</p> <p>3. The parcel of land comprising 1.9976 hectares , more or less situated at the southern extremity of the Endeavour Estate Development, at the corner of Tenth Avenue and Michael Street Chaguanas, in the Borough of Chaguanas, County of Caroni and described in the Schedule and coloured raw sienna on a plan of survey signed by the Director of Surveys and dated 30th November, 2001 and filed in his office, is required for a public purpose: the construction of the Chaguanas North Government Primary School.</p> <p style="text-align: center;">SCHEDULE</p> <p>A parcel of land comprising one point nine nine seven six hectares (1.9976 ha) situated at the corner of Tenth Avenue and Michael Street, Chaguanas, in the Borough of Chaguanas, County of Caroni and said to belong now or formerly to Colonial Homes and Commercial Properties Limited.</p>	<p>Construction of the Chaguanas North Government Primary School.</p>
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<p>This parcel of land is more particularly shown coloured raw sienna on a Survey Plan filed in Book 1269 as Folio 103 in the Vault of the Lands and Survey Division, Old General Post Office Building, Wrightson Road, Port of Spain.</p> <p>4. The parcel of land comprising 1,368.1 square metres more or less, situated at Culloden Road, in the Parish of St. David, in the Ward of Tobago and described in the Schedule and coloured raw sienna on a plan of survey signed by the Director of Surveys and dated June 13, 2005 and in filed in his office, is required for a public purpose: improvement works to the Providence/ Culloden Road.</p>	<p>Improvement work to the Providence/ Culloden Road.</p>
<p style="text-align: center;">SCHEDULE</p> <p>A parcel of land comprising 1,368.1square metres, more or less, situated at Culloden Road, in the Parish of St. David, in the Ward of Tobago and said to belong now or formerly to Harold Sebro.</p> <p>This parcel of land is more particularly shown coloured raw sienna on a Survey Plan filed in Book 1290 as Folio 195 under Survey Order 233/2003, in the Vault of the Lands and Surveys Division, Old General Post Office Building, Wrightson Road, Port of Spain.</p> <p>5. The parcel of land comprising 247.7 square metres, more or less, situated at La Seiva Road, in the Ward of Diego Martin, in the County of St. George and described in the Schedule and coloured raw sienna on a plan of survey signed by the Director of Surveys and dated 18th June, 2004 and filed in his office, is required for a public purpose: the widening of the La Seiva River, Maraval.</p>	<p>Widening of the La Seiva River, Maraval.</p>
<p style="text-align: center;">SCHEDULE</p> <p>A parcel of land comprising 247.7 square metres more or less, situated at La Seiva Road, in the Ward of Diego Martin, in the County of St. George and said to belong now or formerly to Johnson.</p>	

<p>This parcel of land is more particularly shown coloured raw sienna on a Survey Plan filed in Book 1243 as Folio 172, in the Vault of the Lands and Surveys Division, Old General Post Office Building, Wrightson Road, Port of Spain.</p> <p>6. The parcel of land comprising 0.652 hectares, more or less, situated at the eastern side of Kanhai Trace in the Wards of Naparima and Moruga, in the County of Victoria and described in the Schedule and coloured raw sienna on a plan of surveys signed by the Director of survey and dated 5th May, 1987 and filed in his office, is required for a public purpose: construction of Natural Gas Pipeline.</p>	<p>Land for natural gas pipeline.</p>
<p style="text-align: center;">SCHEDULE</p> <p>A parcel of land comprising 0.652 hectares more or less, situated at the eastern side of Kanhai Trace, in the Wards of Naparima and Moruga, in the County of Victoria and said to belong now or formerly to Sinanan Ramsubhag.</p> <p>The parcel of land is more particularly shown coloured raw sienna on a Survey Plan filed in the Book 1243 as Folio 174, Survey Order 47/2004 in the Vault of the Lands and Surveys Division, Old General Post Office Building Wrightson Road, Port of Spain.</p> <p>7. The three parcels of land together comprising 1.6222 hectares, more or less, situated along Inner Mafeking Road, Mayaro in the Ward of Cocal, in the County of Nariva and described in the Schedule and coloured raw sienna on a plan of survey signed by the Director of Surveys and dated 5th March, 2002 and filed in his office, are required for a public purpose: the establishment of a recreation ground.</p> <p style="text-align: center;">SCHEDULE</p> <p>Three parcels of land together comprising 1.6222 hectares more or less, situated along Inner Mafeking Road, Mayaro, in the Ward of Cocal, in the County of</p>	<p>Establishment of a recreation ground.</p>

<p>Nariva and said to belong now or formerly to the heirs of William Taylor and further described as follows:</p> <ul style="list-style-type: none"> (a) a parcel of land comprising 0.519 hectares known as Lot 5B; (b) a parcel of land comprising 0.9276 hectares known as Lot6B; and (c) a parcel of land comprising 0.1747 hectares. <p>These parcels of land are more particularly shown coloured raw sienna on a Survey plan filed in book 1243 as Folio 51 in the Vault of the Lands and Surveys Division, Old General Post Office Building, Wrightson Road, Port of Spain.</p>	
<p>8. The parcel of land comprising 2.7375 hectares, more or less, situated at Springlands, San Fabien, in the Ward of Pointe-a-Pierre, in the County of Victoria and described in the Schedule and coloured raw sienna on a plan of survey signed by the Director of Surveys and dated 15th August, 2001 and filed in his office, is required for a public purpose: establishment of a recreation ground.</p>	<p>Establishment of a recreation ground at Springlands, San Fabian.</p>
<p>SCHEDULE</p>	
<p>A parcel of land comprising 2.7375 hectares, more or less, situated at Springlands, San Fabien, in the Ward of Pointe-a Pierre, in the County of Victoria and said to belong now or formerly to V.O. West.</p> <p>This parcel of land is more particularly shown coloured raw sienna on a Survey Plan filed in book 1243 as Folio 47; Survey Order 81/1998 in the Vault of the Lands and Surveys Division, Old General Post Office Building, Wrightson Road, Port of Spain.</p>	
<p>9. The parcels of land containing together 39948.9 square metres, more or less, situated at St. Helena Village, Piarco in the Ward of Tacarigua, in the County of St. George and described in the schedule and coloured raw sienna on a plan of survey signed</p>	<p>Widening of the Caroni River.</p>

<p>by the Director of Surveys and dated 4th April, 1995 and filed in his office are required for a public purpose: Improvements to Caroni River, Phase III.</p> <p style="text-align: center;">SCHEDULE</p> <p>Two parcels of land containing together 39948.9 square metres more or less, situated off Kelly Road, St. Helena Village, Piarco, east of the Golden Grove Road, in the Ward of Tacarigua, in the County of St. George and comprised as follows:</p> <ol style="list-style-type: none"> 1. a parcel of land comprising approximately 339.0 square metres belonging now or formerly to Eddy Bachan; and 2. a parcel of land comprising approximately 39609.9 square metres belonging now or formerly to Frederick Sui Butt. <p>The parcels are more particularly shown coloured raw sienna on a survey Plan filed as JB 89 in the vault of the Lands and Surveys Department, Red House, Port of Spain.</p> <p>10. A parcel of land comprising 583.2 square metres, more or less, situated at No.19 South Street, Mon Repos, San Fernando in the Ward of Naparima in the County of Victoria and described in the Schedule and coloured raw sienna on a plan of survey signed by the Director of Surveys and dated 4th May, 2000 and filed in his office, is required for a public purpose: Establishment of a playing field.</p> <p style="text-align: center;">SCHEDULE</p> <p>A parcel of land comprising 583.2 square metres, more or less, situated at No. 19 South Street, Mon Repos, San Fernando, in the Ward of Naparima in the County of Victoria and said to belong now or formerly to Rampersad Maharaj and Ors.</p> <p>This parcel is more particularly shown coloured raw sienna on a Survey Plan filed in book 1243 as Folio 35</p>	<p>Establishment of a playing field.</p>
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<p>in the Vault of the Lands and Surveys Division, Old General Post Office Building, Wrightson Road, Port of Spain.</p> <p>11. The three parcels of land, together comprising 1,929.7 square metres, more or less, situated along the Caparo River in the Borough of Chaguanas, in the County of Caroni and described in the Schedule and coloured raw sienna on a plan of survey signed by the Director of Surveys and dated 20th March 2002 and filed in his office are required for a public purpose: to facilitate drainage improvement works to the Caparo River.</p> <p style="text-align: center;">SCHEDULE</p> <p>Three parcels of land comprising together approximately 1,929.7 square metres, more or less, situated along the Caparo River in the Borough of Chaguanas, in the County of Caroni and described as follows:</p> <p>(a) 58.9 square metres said to belong now or formerly to Samatie;</p> <p>(b) 1,824.2 square metres said to belong now or formerly to Subhadra Chankadyai; and</p> <p>(c) 46.6 square metres said to belong now to Ramasar and Soogan.</p> <p>These parcels are more particularly shown coloured raw sienna on a Survey Plan filed in Book 1243 as Folio 52, in the Vault of the Lands and Surveys Division, Old General Post Office Building, Wrightson Road, Port of Spain.</p>	<p>Facilitate drainage improvement works to the Caparo River.</p>
<p>12. The parcel of land comprising 647.2 square metres, more or less, situated at Munroe Road, in the Ward of Chaguanas, in the County of Caroni and described in the Schedule and coloured raw sienna on a plan of survey signed by the Director of Surveys and dated 16th January, 2004 and filed in his office, is required for a public purpose.</p>	<p>The Construction of the Uriah Butler Highway</p>

SCHEDULE	
<p>The parcel of land comprising 647.2 square metres, more or less, situated at Munroe Road, in the Ward of Chaguanas, in the County of Caroni and said to belong now or formerly to Salamat Khan and Twazul Khan.</p> <p>This parcel of land is more particularly shown coloured raw sienna on a Survey Plan filed in Book 1243 as Folio 149, in the Vault of the Lands and Surveys Division, Old General Post Office Building, Wrightson Road, Port of Spain.</p> <p>13. A parcel of land comprising 3,362 square metres, more or less, situated at St. John's Road, South Oropouche, in the County of St. Patrick, in the Ward of Siparia and described in the Schedule and coloured raw sienna on a plan of survey signed by the Director of Surveys and dated 3rd June 2005 and filed in his office, is required for a public purpose: establishment of a playfield for the South Oropouche Government Primary School.</p>	<p>Establishment of a playing field for the South Oropouche Government Primary School.</p>
SCHEDULE	
<p>The parcel of land comprising 3,362 square metres, more or less, situated at St. John's Road, South Oropouche, in the County of St. Patrick, in the Ward of Siparia and said to belong now or formerly to Sumintra Partap.</p> <p>This parcel of land is more particularly shown coloured raw sienna on a Survey Plan issued under Survey Order 97/2004 and signed by the Director of Surveys on 3rd June, 2005 and filed in Book 1243 as Folio 181, in the Vault of the Lands and Surveys Division, Old General Post Office Building, Wrightson Road, Port of Spain.</p> <p>14. The parcel of land comprising 0.5201 hectares, more or less situated at Icacos Erin Beach Road, in the Ward of Cedros, in the County of St. Patrick, and described in the Schedule and colored raw sienna</p>	<p>Extension of the Icacos Government Primary School.</p>

<p>on a plan of survey signed by the Director of Surveys and dated 2nd September, 2004 and filed in his Office, is required for a public purpose: extension of the Iacos Government Primary School.</p>	
<p style="text-align: center;">SCHEDULE</p> <p>A parcel of land comprising 0.5201 hectares, more or less, situated at Iacos Erin Beach Road, in the Ward of Cedros, in the County of St. Patrick, and said to belong now or formerly to Agostini.</p> <p>The parcel of land is more particularly shown coloured raw sienna on a Survey Plan filed as AN 82A in the Vault of the Lands and Surveys Division, Old General Post Office Building, Wrightson Road, Port of Spain.</p>	
<p>15. A parcel of land comprising 4,9698 square hectares more or less, situated at Adelphi Road, Mason Hall in the Parish of St. George, in the ward of Tobago and described in the Schedule and coloured raw sienna on a plan of survey signed by the Director of Surveys and dated 2nd January 2001 and filed in his office, is required for a public purpose: Construction of the Mason Hall Secondary School.</p>	<p>Construction of the Mason Hall Secondary School</p>
<p style="text-align: center;">SCHEDULE</p> <p>The parcel of land comprising 4,9698 square hectares, more or less, situated at Adelphi Road, Mason Hall in the Parish of St. George, in the Ward of Tobago and said to belong now or formerly to Adelphi Estates.</p> <p>This parcel of land is more particularly shown coloured raw sienna on a Survey Plan issued under Survey Order 86/91 and signed by the Director of Surveys on 2nd January, 2001 and filed in Book 1243 as Folio 45, in the vault of the Lands and Surveys Division, old General Post Office Building, Wrightson Road, Port of Spain.</p>	

ADJOURNMENT

The Minister of Works and Transport (Hon. Colm Imbert): Mr. Speaker, I beg to move that this House do now adjourn to Monday, October 19, 2009, at 1.30 p.m., on which day we will do Bill No.—well, it should be here. I am not

Adjournment
[HON. C. IMBERT]

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seeing it on this Order Paper that I have. Mr. Speaker, this is quite bizarre. I remember on the last Order Paper it was there, so it has mysteriously disappeared.

Mr. Speaker: I did enquire this morning when I came to the Parliament why that Bill was not here, and I was informed that it was on a previous Order Paper; but it should have been on this one. I think Members were well aware that Monday 19 is the day we will be doing the Validation Bill.

Hon. C. Imbert: It is an oversight obviously, on the part of the person who prepared the Order Paper.

On that day, we will do the Commission of Enquiry (Validation and Immunity from Proceedings) Bill. [*Crosstalk*] That is the title of the Bill; it is Commission of Enquiry (Validation and Immunity from Proceedings) Bill. That is the title. You will find out why it has that title on Monday. I will tell Members opposite that I intend to ask the House to be strictly relevant during that debate. I am warning you from now. [*Crosstalk*] [*Laughter*] I am not saying anything to the Speaker; I am telling the House that I am going to ask that the House be strictly relevant.

Mrs. Persad-Bissessar: We ask you to be relevant too.

Hon. C. Imbert: I will try my best. [*Laughter*]

6.30 p.m.

Divali Greetings

The Minister of Works and Transport (Hon. Colm Imbert): Mr. Speaker, I wish, on behalf of the Government, to offer greetings—

Mr. Maharaj SC: The Minister did that.

Hon. C. Imbert: I am aware of that. In my capacity as Leader of the House, since I expect the Opposition Chief Whip will do likewise, I intend to reiterate the greetings brought by the hon. Member for Port of Spain South, the Minister of Community Development, Culture and Gender Affairs with respect to the Hindu community and to wish them all the best on this very auspicious occasion, the celebration of Divali.

Divali is, in fact, a week-long celebration and this is why we had the sitting today, in recognition of the fact that it is, in fact, a five-day festival, culminating in the holiday. In fact most of the activities take place before the holiday. If I will digress, if you were to go out looking for Divali celebrations, deyas and so on, on the last day you might find a lot of the deyas have been put out because the festival is actually in full swing, as we speak in this Parliament.

It is, my research tells me, the most important festival in India. It has many manifestations. It is a celebration of prosperity; it marks the end of the harvest and farmers pray for a bountiful harvest in the coming year during the Divali celebrations. So it has many manifestations, many interpretations and many meanings.

During the Divali celebration as well, there is the Lakshmi Pooja that is a very important element of Divali, as Hindus pray to Mother Lakshmi for health, wealth and happiness. *[Interruption]* I am very relevant; I am speaking about Divali. So there are many, many faces to Divali. There is the community; there is the family aspect of it; the friendship aspect; the celebration; the prayers for prosperity, health, wealth and happiness in the coming year and then there is the devotional side of Divali, where Divali is—

Mr. Maharaj SC: You know about that too?

Hon. C. Imbert: I am afraid so. There are two schools of thought as to the origin of Divali. One of them is that Divali celebrates the—*[Interruption]* I am bringing greetings, Mr. Speaker. I have to put it in a context, Mr. Speaker.

One of the theories with respect to the origin of Divali is that Divali is a celebration of the return of Lord Rama from the forest after his victory over Rawan. Then there is another theory that is more predominant in southern India—

Mr. Maharaj SC: After 14 years of exile.

Hon. C. Imbert: After 14 years of exile in the forest; quite true. And there is another theory predominant in southern India which celebrates the victory over another demon—

Mr. S. Panday: Not you though! *[Laughter]*

Hon. C. Imbert: So because it is such an important Hindu festival, because there are so many faces to Divali, it is with great pleasure that on behalf of the Government, I bring greetings to the Hindu community and wish them all the best, health, wealth and happiness in the coming year.

Shubh Divali, Mr. Speaker. *[Desk thumping]*

Mrs. Kamla Persad-Bissessar (Siparia): Thank you very much. Mr. Speaker, I will attempt to match the hon. Minister.

Hon. Member: No match, no match.

Mrs. K. Persad-Bissessar: But there is no need, really for any lecture this evening. I just bring greetings on behalf of the UNC, the Members on this side and, certainly, to

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[MRS. PERSAD-BISSESSAR]

those in this House; to you, Mr. Speaker, and your family; to all of you here and your families and, of course, the Hindu community, in particular. But I am of the respectful view that my greetings go as well to the national community, because Divali is about good over evil and the lessons of Divali are not just for the Hindu community, but also for the national community. So we bring greetings to the Hindu community in particular and certainly to the national community.

I think if we were to give a very short message rather than the various theories for it, I think we are all very aware—but I thank the Minister for attempting to share his research—that the lessons that we learn and we know about Divali, should not just be for this Divali time but should guide us in our family life, as Minister McDonald talked about, family life, and should guide us throughout the year.

I would want to disagree with the hon. Minister, without going into a debate, it is true that festivities span a period of time, but those tend to be the public festivities, Mr. Speaker, and, in fact, on Divali day itself, that is the day when you get the activities; the prayers and the lighting up in the homes themselves. So both are very important.

But there is one thing, that we celebrate Divali night. Divali night is supposed to be the darkest night of the year and the lights that we light are to try to dispel that darkness. But if it is that we are to light one deya in all that darkness—and there is darkness in our nation at this time—that is not enough light. We could light two, three or four deyas, it is still not enough light to dispel that darkness.

So what we want to do—and I think this echoes the words of hon. Minister McDonald—is that we need to light all those deyas together to create a great light that can take away the darkness that is around us. So we must remain—and that is why I say I echo the Minister—united and focussed, committed to one people and one nation. In that regard, that is our message: that we stay together as a people, to work for the benefit of all of Trinidad and Tobago.

I thank you, Mr. Speaker, and Shubh Divali to all of you. [*Desk thumping*]

Mr. Speaker: Let me join the expressions of sentiments as expressed by the hon. Minister of Community Development, Culture and Gender Affairs, the Leader of the House and the hon. Member for Siparia. Before I go further, I would like to let the Member for Diego Martin North/East know that during your discourse, it is fair to say that you received the approbation of the Member for Fyzabad. I think he was very impressed. [*Laughter*]

So let me join all of you in wishing all of you and your families and the national community, a happy Divali. As has been said, it is an occasion of some

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austerity. It is a matter that we all need, as citizens of Trinidad and Tobago, to pay attention to. The Member said that there is certain darkness over the country and we do have one prominent matter, which is the issue of crime. I think if we can all collectively, as a nation, light that great big light, perhaps in the future we may receive some blessings.

So on behalf of all Members present and my own behalf, I would want to wish the national community and, particularly, the Hindu community, Shubh Divali.

Before I put the Motion on the adjournment, let me just indicate to Members that the reason the Validation Bill was not on today's Order Paper was that there was a qualifying period and it would qualify, I think, by tomorrow and not today.

Question put and agreed to.

House adjourned accordingly.

Adjourned at 6.38 p.m.