



HOUSE OF REPRESENTATIVES FEDERAL REPUBLIC OF NIGERIA VOTES AND PROCEEDINGS

Thursday, 22 May, 2008

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1. The House met at 10.46 a.m. Mr Speaker read prayers.
 2. **Votes and Proceedings:**
Mr Speaker announced that he had examined and approved the Votes and Proceedings of Wednesday, 21 May, 2008.

By unanimous consent, the Votes and Proceedings were adopted.
 3. **Announcements:**
 - (i) **Visitors:**
Mr Speaker recognized the presence in the Gallery, of the National Association of Political Science Students, University of Nigeria, Nsugbe Campus, Enugu State.
 - (ii) **Obituary:**
Mr Speaker announced with regret the tragic death, on 21 May, 2008, of one officer and forty five (45) soldiers of the 243 Battalion, Nigeria Army in a ghastly road accident at Kukka Gado Village along Bauchi Maiduguri Road. The deceased were part of the Nigerian Army contingent that returned from Dafur, Sudan on 20 May, 2008.

A minute in silence was observed in honour of the departed patriots.
 4. **Jurisdictional/Constituency Tasks/Orders:**
Ordered, That the following Hon. Members take immediate necessary proactive measures: On the spot assessment, dialogue, alert of relevant Authorities, personal mediation and assistance, etc. towards finding speedy solutions to the under-listed urgent matters within their respective Constituency or Committee jurisdiction, and report back to Mr Speaker:
 - (i) Hon. Gbenga Makanjuola (*Chairman, Committee on Agriculture*) and Hon. Isah Ejah Dobi (*FCT*): Agitation by owners of farmlands at Dafa and Pini Areas of Kwali Area Council of the FCT over the activities of Prime Soil Agricultural Land Development Ltd without adequate compensation to them;
 - (ii) Hon. Farouk Lawan (*Chairman, Committee on Education*) and Hon. Ado Dogo (*Chairman, Committee on Labour*): Impending strike by the Academic Staff Union of Universities (ASSU) after the scheduled meeting at the Bayero University, Kano, on Wednesday, 28 May, 2008;
 - (iii) Hon. Mustapha Baba Shehuri (*Borno*) and Hon. Alaba Ojomo (*Chairman, Committee on Health*): Reports of plans for an indefinite strike action by the Medical and Health Workers in Borno State to press for demands for the implementation of HAYISS and 22% salary increase.

5. Petitions:

The following petitions were received and referred to the Committee on Public Petitions:

- (i) Hon. Gbenga Oduwaiye (*Ijebu-Ode/Ijebu North East/Odogbolu Federal Constituency*), from Mr F. A. Oluewu protesting the alleged denial of payment of his terminal benefits by the Nigeria Immigration Service and praying the House to intervene and pay him his entitlements;
- (ii) Hon. Dino Melaye (*Kabba/Bunu/Ijumu Federal Constituency*), from Baba Usman against the Nigerian Telecommunications Limited, praying the House to prevail on the management of Trans National Corporation to pay his severance entitlements;
- (iii) Hon. Dino Melaye (*Kabba/Bunu/Ijumu Federal Constituency*), from Y. Mohammed against the Nigerian Telecommunications Limited, praying the House to prevail on the management of Trans National corporation to pay his gratuity and pension entitlements;
- (iv) Hon. Daniel Reyenieju (*Warri North/Warri South/Warri West Federal Constituency*), from Itsekiri Ethnic Nationality protesting the alleged illegal ceding of the Atlantic Coastal Areas of Itsekiri lands and Communities in the Warri North LGA of Delta State, to Ondo State, and praying the House to intervene with a view to reversing the decision;
- (v) Hon. Yemi Adedeji (*Alimosho Federal Constituency*), from The Residents Association, Federal Low Cost Housing (*Human Rights Estate*), Isheri Olofin, Lagos, against the Federal Housing Authority and four others, protesting their eviction from the Estate and praying the House to intervene with a view to adequately relocating and resettling them;
- (vi) Hon. Oyeyemi Adedeji (*Alimosho Federal Constituency*), from Ex-Colonel I. O. Adebunmi and Ex-Lieutenant Colonel O. Telia, on behalf of eleven former officers of the Nigeria Army, praying the House to prevail on the appropriate authorities to reverse the unjust convictions and sentences meted out to them individually and collectively by the Nigerian Army;
- (vii) Hon. Oyeyemi Adedeji (*Alimosho Federal Constituency*), from Aboru Federal Ministry of Environment and Housing Allottees Association (*Olorun-Gbede Estate*), Aboru, Lagos State, against the Ministry of Housing and Urban Development, praying the House to investigate the circumstances surrounding the alleged demolition of houses in the estate between 2004 and 2005 with a view to adequately compensating victims of the exercise.

6. Matter of Urgent Public Importance:

Rising on Order VIII, Rule 4 (1) and (3), Hon John Eno drew the attention of the House to the matter raised in the previous days proceedings, in respect of the Call for Tenders by Ministries, Department and Agencies for projects only as presented by the President in the 2008 Appropriation Bill and not as passed by the National Assembly (*vide* Votes and Proceedings of Wednesday, 21st May, 2008). He stated that this blatant violation of the Appropriation Act, 2008, amounted to a breach of the 1999 Constitution of the Federal Republic of Nigeria. He therefore urged the House to consider the matter as one of urgent public importance, which should be debated forthwith.

Question that the matter be considered as one of urgent public importance, put and agreed to.

Question that Order VIII, Rule 4 (3) be suspended to enable the House debate the matter forthwith, put and agreed to.

7. Violation of the Appropriation Act, 2008:

Motion made and Question proposed,

The House:

Notes that Pursuant to Sections 58 (1), 59 (1) (a), 80 (2), (3) and (4) of the Constitution of the Federal Republic of Nigeria 1999, the Appropriations Act, 2008 has been passed by the National Assembly and assented to by Mr President;

Further notes the onerous tasks by the various Committees of the House in the course of the Budget defence by the Ministries, Departments and Agencies;

Aware that the implementation of the Appropriation Act, 2008 is legally binding on all concerned;

Worried by the recent Calls for Tenders by some Ministries, Departments and Agencies in violation of the said Act, for capital projects which were not provided for in the Appropriations Act, 2008.

Resolves to:

- (i) Call on Mr President to faithfully implement the Appropriations Act, 2008 in line with the doctrine of the rule of law and due process until the Act is amended by the National Assembly;
- (ii) Invite the Hon. Minister of Finance to appear before the Joint Committee on Finance, Appropriations, Public Procurement (Due Process), Justice and National Planning on Tuesday, 27 May, 2008 at 2.00 p.m. to address the matter (*Hon John Eno*).

Debate:

Executive Session — **11.58 a.m.**

House in Plenary — **1.24 p.m.**

Debate:

Question put and agreed to.

The House:

Noted that Pursuant to Sections 58 (1), 59 (1) (a), 80 (2), (3) and (4) of the Constitution of the Federal Republic of Nigeria 1999, the Appropriations Act, 2008 has been passed by the National Assembly and assented to by Mr President;

Further noted the onerous tasks by the various Committees of the House in the course of the Budget defence by the Ministries, Departments and Agencies;

Aware that the implementation of the Appropriation Act, 2008 is legally binding on all concerned;

Worried by the recent Call for Tenders by the Ministries, Departments and Agencies in violation of the said Act, for capital projects which were not provided for in the Appropriations Act, 2008.

Resolved to:

- (i) Call on Mr President to faithfully implement the Appropriations Act, 2008 in line with the doctrine of the rule of law and due process until the Act is amended by the National Assembly;
- (ii) Invite the Hon. Minister of Finance to appear before the Joint Committee on Finance, Appropriations, Public Procurements (Due Process), Justice and National Planning on Tuesday, 27 May, 2008 at 2.00 p.m. to address the matter (**HR. 25/2008**).

8. Matter of Urgent Public Importance:

Relying on Order VIII, Rule 4, (1), (2), and (3) Hon. Halims Ochuku Agoda (*Ethiop Federal Constituency*) drew the attention of the House to the recent fire outbreak in Ijegan area of Lagos State, owing to the ruptured petroleum pipelines by Hi-Tech Engineering road construction activities in the area at the instance of the Lagos State Government, and which claimed several lives and gutted property worth millions of Naira. He therefore urged the House to discuss the matter as one of urgent public importance.

Question put and agreed to.

Question that Order VIII, Rule 4 (3) be suspended to enable the House discuss the matter forthwith, put and agreed to.

Order VIII, Rule 4 (4) be suspended to enable the House debate another matter of urgent public importance same day, put and agreed to.

9. Recent Pipeline Fire Outbreak in Ijegun Area of Lagos State:

Motion made and Question proposed,

The House:

Notes with pain and regrets, the recent fire outbreak in Ijegun, a suburb of Lagos metropolis in which scores of people, including school children, died, and properties valued at millions of Naira destroyed;

Observes that the fire outbreak would not have occurred if the road construction firm whose grader ripped open an underground petroleum pipeline had exercised diligent care in excavating its way through a bush path that was cleared to make way for the construction of a road;

Worried that it has become a national ethos for public institutions such as the Pipeline Products Marketing Company (PPMC), a division of Nigerian National Petroleum Corporation (NNPC) not to be alive to their responsibilities in adequately providing for the security and safety of their properties;

Regrets that the nation continues to experience devastating fire outbreaks from our petroleum pipelines even though each succeeding incident often exposes us as a nation gripped with ineptitude in the conduct of public affairs and our non-preparedness to catch up with global best practices in matters of service delivery to the citizenry;

Disturbed that this constant oil pipeline spillage is not common in other oil producing countries, an indication that something is definitely wrong in our own case;

Understands that Pipelines Oil Spill and consequent fire outbreak has not only consumed human lives but has rendered a lot of farm land and valuable properties useless.

Resolves to:

- (i) call on the Executive branch of the Federal Government to immediately institute a Judicial Enquiry to establish the remote and immediate causes of the Ijegun Pipeline fire outbreak, and prosecute the culprits;
- (ii) urge the Federal Government to take urgent measures to recognize the PPMC, the owners and custodians of the oil pipelines nation wide with a view to making its decision makers to account for their often repeated and demonstrable incompetence in their duties;
- (iii) mandate the House Committee on Petroleum (downstream) to investigate the circumstances that led to the horrendous Ijegun pipeline fire outbreak that has left in its trail a string of woes and calamities;
- (iv) commiserate with the Government and people of Lagos State and particularly the relations of the victims of the pipeline fire outbreak and express the heartfelt sympathies of Members of the House of Representatives on the incident;
- (v) appeal to the President and Commander-in-Chief, Alhaji Umaru Yar'Adua, as the Minister of Petroleum Resources to bring to an immediate end, the frequent calamities in the oil sector, and to find solutions to the underlying issues that make poverty to blossom in Nigeria;
- (vi) urge the NNPC to carry out a holistic replacement and repair of the Pipelines as most of the spills are caused by rust and decay of the pipes whose ages are put at over 30 years (*Hon. Halims Ochuku Agoda*).

Debate.

Amendment Proposed.

Leave out Prayers (i), (ii), (v) and (vi) (*Hon. Tunde Akogun*).

Question that the amendment be made put and agreed to.

Main Question as amended put and agreed to.

The House:

Noted with pain and regrets the recent fire outbreak in Ijegan, a suburb of Lagos metropolis in which scores of people, including school children, died, and property valued at millions of naira destroyed;

Observed that the fire outbreak would not have occurred if the road construction firm whose grader ripped open an underground petroleum pipeline had exercised diligent care in excavating its way through a bush path that was cleared to make way for the construction of a road;

Felt sad that it has become a national ethos for public institutions such as the PPMC, a division of NNPC not to be alive to their responsibilities in adequately providing for the security and safety of their property;

Regretted that the nation continues to experience devastating fire outbreaks in our petroleum pipelines even though each succeeding incident often exposes us as a nation gripped with ineptitude in the conduct of public affairs and our non-preparedness to cash up with global best practices in matters of service delivery to the citizenry;

Disturbed that this constant oil pipeline spillage is not common in other oil producing countries, which means that something is definitely wrong in our own case.

Resolved to:

- (i) commiserate with the Government and people of Lagos State, and particularly the relations of the victims of the pipeline fire outbreak and express the heartfelt sympathies of Members of the House of Representatives on the incident;
- (ii) mandate the House Committee on Petroleum (Downstream) to investigate the circumstances that led to the horrendous Ijegan pipeline fire outbreak that has left in its trail a string of woes and calamities (**HR. 26/2008**),

10. Adjournment.

And it being 2.00 p.m., Mr Speaker adjourned the House till Tuesday, 27 May, 2008. at 10.00 a.m.

Dimeji Sabur Bankole
Speaker

CORRIGENDUM

In the Votes and Proceedings of Wednesday, 21 May, 2008, page 463, item 9 (Honouring a Worthy Nigerian), in Death — Amendment Proposed: *insert* another new Prayer (iii) as follows —

Mandate the House Committee on Information and National Orientation to undertake a comprehensive study of all worthy Nigerians who died without recognition to enable the House take a holistic approach towards their recognition (*Hon. H. S. Dickson*).

Question that the amendment be made put and agreed to.