



FEDERAL REPUBLIC OF NIGERIA

NATIONAL ASSEMBLY DEBATES

**FOURTH REPUBLIC
SECOND NATIONAL ASSEMBLY
FOURTH SESSION**

HOUSE OF REPRESENTATIVES OFFICIAL REPORT

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with the objective of promoting and supporting the work of Parliamentarians in the design, implementation and monitoring of development policies and advocating in both rich and poor countries for development.

The PNoWB helps in strengthening the voice of parliamentarians on key developmental issues and advocates transparency, accountability and concrete action especially towards the realisation of the Millennium Development Goals (MDGs).

Among PNoWB's activities are field visits to World Bank projects to check results on the ground and assess the implementation of the country owned poverty reduction strategies; an online question and answer system enabling parliamentarians to ask any question about the Bank's projects and policies.

The launching of this chapter has come at a pivotal time, just a year after 2005, which has been called the "Year of Development". At last July's G8, summit at Gleneagles, September's UN World Summit in New York, and December's WTO Ministerial meeting in Hong Kong, governments committed to concrete development on the continent of Africa.

PNoWB, parliamentarians from Africa will be assessing how commitments made in the areas of aid, trade, climate change and debt relief are being implemented in their respective countries and within the continent at large.

I promise to use my position to promote superior parliamentary process and fashion out ways in which, as parliamentarians, we can accelerate the country's march towards meeting the Millennium Development Goals (MDGs) by 2015 through our legislative activities. Please accept the assurances of my highest regards.

Thank you, Sir.

(Signed)

Hon. Habeeb A. B. Fasinro

OATHS

OATH OF ALLEGIANCE

AND

OATH OF MEMBERSHIP

The Speaker: Hon. Members, we have a new member who replaced our late Colleague Hon. Usman Bapparu from Gombe. He is now ready to take his Oaths of Allegiance and Membership.

Thereupon, Abubakar Abubakar (Gombe/Kwami/Funakaye Federal Constituency) took and subscribed the Oaths required by Law.

ADDRESS BY THE RT. HON. AMINU BELLO MASARI, SPEAKER, HOUSE OF REPRESENTATIVES AT THE COMMENCEMENT OF THE FOURTH SESSION OF THE SECOND ASSEMBLY OF THE FOURTH REPUBLIC.

The Speaker: Hon. Members, on Wednesday, 7th June, 2006, this honourable House adjourned for recess at the end of the Third Legislative Session. I wish to most heartily welcome all of you to the Fourth and final Session of this Assembly. I hope that the recess period offered us another opportunity to interact with our constituents, obtain their views on political, economic and social developments in the country, feel their pulse, and explain the efforts of this august House at improving their lots and building a better Nigeria for them, and to reflect deeply on our achievements so far as a Legislative body and as individual Members.

As a critical branch of Government, we must re-dedicate ourselves to the service of the nation. In my Address to mark the end of the Third Legislative Session, I urged all the relevant Committees of the House to actively monitor sectoral implementation and to submit their mid-term appraisals of such implementation including impediments to the House for consideration as soon as we resumed. I also reminded the Committee on Appropriations to demand of the Minister of Finance, the Governor of the Central Bank and the Accountant-General of the Federation, submission of periodical reports on the implementation of the 2006 Appropriation Act, the status of regular accounts and the excess crude account to the National Assembly before resumption. These reports would not only acquaint the House with developments in the management of the national economy, they would also assist the House in drawing attention to perceived lapses, leakages, misappropriation and mismanagement wherever they occurred. As a Legislative body, it is

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HOUSE OF REPRESENTATIVES

FEDERAL REPUBLIC OF NIGERIA

Tuesday 8th August, 2006

The House met at 10.35 am

PRAYERS

(The Speaker in the Chair)

VOTES AND PROCEEDINGS

The Speaker: Hon. Members, I have examined and approved the Votes and Proceedings of Wednesday, 7th June 2006.

PRESENTATION OF PUBLIC PETITIONS

The Speaker: Any Member who has a petition to present to the House may please rise to do so. (No response)

CORRESPONDENCE

Letter from Secretary to the Government of the Federation

The Speaker: Hon. Members, I have a letter from the Office of the Secretary to the Government of the Federation in respect of the Resolution we passed in June, 2006 on the general insecurity in Abia State. It is addressed to the Clerk to the National Assembly. It reads thus.

SGF.22/S.16/276

21st July, 2006

Mallam Nasiru I. Arab,
Clerk to the National Assembly,
National Assembly,
Three Arms Zone,
Abuja.

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**GENERAL INSECURITY IN ABIA STATE DUE TO
INCESSANT ARMED ROBBERY (HR.55/2006)**

I refer to your letter Ref. No. NASS/CHR/020/VOL.IX/46 of 29th June, 2006 on the above subject and write to inform you that the resolution of the House was brought to the attention of Mr. President, who directed that copies of the Governor of Abia State's letter dated 2nd June, 2006; Mr. President's reply Ref. No. PRES/44 of 13th June, 2006; Governor's subsequent reaction dated 19th June, 2006; and the National Security Adviser's reply to the Governor's letter Ref.No.NSA/OPS/337/S of 28th June, 2006 should be forwarded to the House for their information.

2. Accordingly, I forward herewith, copies of the relevant correspondence on the subject for necessary further action.

(Signed)

Chief U. J. Ekaette, CFR, mni

Secretary to the Government of the Federation

I have other letters, which read as follows:

The Hon. Speaker,
House of Representatives
National Assembly Abuja.

Sir,

**APPOINTMENT AS DEPUTY CHAIRMAN,
WEST AFRICAN CHAPTER OF THE
PARLIAMENTARY NETWORK ON THE WORLD
BANK (PNoWB)**

I write to inform you that I have been elected as the Deputy Chairman, West African Chapter of the Parliamentary Network on the World Bank (PNoWB) at the recent meeting of the body held in Bamako, Mali.

Created in early 2000 as a small informal network, PNoWB has grown to include members from some 110 countries. The Network has expanded through the creation of four national and regional chapters in India, East Africa, Japan and Middle East/North Africa

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PRES/134

31 July 2006

The Honourable Speaker,
House of Representatives,
National Assembly Complex,
Three-Arms Zone,
Asokoro – Abuja

Dear Hon. Speaker,

**A BILL FOR THE ESTABLISHMENT OF
THE FEDERAL CAPITAL TERRITORY COLLEGE
OF EDUCATION 2006**

I hereby present, for formal consideration and passage into law by the House of Representatives, the attached Bill which seeks to establish the Federal Capital Territory College of Education and charged with the responsibility to, among other things:

- a) provide full-time courses in teaching, instruction and training:
 - i) in technology, applied science, commerce, arts, social sciences and technology, humanities and management;
 - ii) in such other fields of applied learning relevant to the needs of the development of Nigeria;
 - iii) research in the development and adaptation of techniques as the Council may from time to time determine.
- b) conduct courses in education for qualified teachers;
- c) arrange conferences, seminars and workshops in relevant fields of learning; and
- d) perform such other functions as in the opinion of the Council which may promote the objectives of the College.

I hope the Bill will receive prompt attention of honourable members of the House.

Yours sincerely,

Signed
Olusegun Obasanjo

**Federal Capital Territory Agency For Mass
Education**

PRES/134

31 July 2006

The Honourable Speaker,
House of Representative
National Assembly Complete,
Three Arms Zone,
Asokoro – Abuja

Dear Hon. Speaker,

**A BILL FOR THE ESTABLISHMENT OF
THE FEDERAL CAPITAL TERRITORY AGENCY
FOR MASS EDUCATION**

I hereby present, for formal consideration and passage into law by the House of Representatives, the attached Bill which seeks, among other things, to establish the Federal Capital Territory Agency for Mass Education to develop in the adults within the Federal Capital Territory, the ability to use skills acquired to enhance their social and physical status.

I hope the Bill will receive the prompt attention of honourable members of the House.

Yours sincerely,

Signed
Olusegun Obasanjo

**Federal Capital Territory Education Resource
Centre**

PRES/134

31 July 2006

The Hon. Speaker,
House of Representatives,
National Assembly Complex,
Three-Arms Zone,
Asokoro – Abuja

Dear Hon. Speaker,

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our constitutional duty to effectively monitor the implementation of every annual budget approved by the National Assembly as it is only through this instrument that development can reach the people who have elected us to serve them.

I also wish to seize this opportunity to draw attention to the many Bills pending before this august House and the need for the Committees to which they were referred to, to report the Bills without delay for consideration and passage. In my end of Session address on June 7, 2006, and published in the Votes and Proceedings in your possession, I expressed concern about the Public Procurement Bill, the Fiscal Responsibility Bill and the Revenue Allocation (Federation Accounts) Bill among others which have not been reported to the House. As we are resuming today, the Committees are urged to submit their reports before the end of the month – failing which the Rules and Business Committee would be directed to list for consideration in the Committee of Whole, all Bills committed to Standing or Special/Ad-Hoc Committees and pending in these Committees for up to six months. Progress must be recorded on these Bills in the next two weeks for their onward transmission to the Senate for concurrence on its resumption from recess. I am not unmindful of the fact that preparations for elections in 2007 are gathering momentum but this development should not slow down the activities of the House. Indeed, I am happy to note that this august House has impacted positively towards improving the quality of life in this country through the passage of people oriented legislations.

I also wish to urge all the Standing Committees to intensify their oversight functions over Ministries, Departments and Agencies under their respective jurisdictions. These bodies are accountable to the House as the House is accountable to the electorate. In due course, all the Standing Committees would be required to present their score cards to the House for assessment of their performance in Plenary Sessions.

Hon. Members today marks the commencement of the fourth and final Session of this Assembly. I thank God for bringing all of us back safely, and I pray that His Grace and Favours would see us through to the end of the Session.

Nigeria is an emerging democracy and there is no

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going back in our collective resolve to continue to work toward consolidating the gains of our nascent democracy and to leave behind an enduring legacy.

Once more, Hon. Colleagues, you are welcome back and may God continue to bless Nigeria and its people.

Thank you (Applause).

LETTERS FROM THE PRESIDENT

National Maritime Administration and Safety Bill, 2006

The Speaker: As I said earlier, we have so many correspondence to read today, the first one is addressed as follows;

PRES/134

31 July 2006

*The Honourable Speaker,
House of Representatives
National Assembly Complex,
Three Arms Zone,
Asokoro – Abuja*

Dear Hon. Speaker,

NATIONAL MARITIME ADMINISTRATION AND SAFETY BILL, 2006

I hereby present, for formal consideration and passage into law by the House of Representatives, the attached Bill which seeks to provide, among other things for the establishment of National Maritime Administration and Safety Agency and to provide for the administration of Maritime Safety and Security, Maritime labour, pollution of the marine environment, shipping registration and commercial shipping.

I hope the Bill will receive prompt attention of honourable Members of the House

Yours sincerely,

*Signed
Olusegun Obasanjo*

**Federal Capital Territory College Of Education
2006**

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passage into law by the House, the attached Bill for an Act for the establishment of the National Consumer Credit Regulatory Commission (NCCRC) for the general regulation of consumer credit and information in Nigeria, registration of credit bureau and credit providers, promotion of fair access to consumer credit and economic empowerment of Nigerians, prohibition of unfair credit marketing practices and other matters connected therewith.

I hope the Bill will receive prompt attention of honourable members of the House as it is a very important component of our economic reform and development agenda.

Yours sincerely,

Signed
Olusegun Obasanjo

ICJ judgment Agreement

The Speaker: A copy of the ICJ judgment Agreement between Nigeria and Cameroon is written to the Senate President and copy to me reads as follows;

PRES/134

13 June 2006

Senator Ken Nnamani,
President of the Senate,
Senate Chambers,
National Assembly Complex,
Three Arms Zone
Abuja.

Dear President of the Senate,

**ICJ JUDGEMENT : AGREEMENT BETWEEN
NIGERIA AND CAMEROON**

I hereby attach the Agreement between Nigeria and Cameroon on the modalities of implementation of International Court of Justice, ICJ, judgment on the land and maritime dispute between Nigerian and Cameroon.

I also attach a map signed by the Secretary-General of the United Nations, and President of Nigeria and Cameroon as an appendix to the Agreement.

I would appreciate your expeditious ratification of

the Agreement, please

Accept the assurances of my highest consideration.

Yours sincerely,

Signed:
Olusegun Obasanjo

Copy:

- Hon. Speaker, House of Representatives
- Hon. Minister of Foreign Affairs
- Attorney-General of the Federation
- Governor of Cross River State
- Secretary to the Government of the Federation

Financial Action Task Force, France

The Speaker: This is a letter written to Mr. President by FATF with regard to Financial Action Task force, France. It is minuted to the Senate President, Speaker of the House of Representatives of the Federation.

Please note for implementation and follow up action. We must do what we have to do to satisfy the monitors.

Copies would be made available to members.

This is the presentation of the Budget of Niger Delta Development Commission

**Budget of the Niger Delta Development
Commission**

The Honourable Speaker,
House of Representatives,
National Assembly Complex,
Abuja.

Dear Hon. Speaker,

**PRESENTATION OF YEAR 2006 BUDGET OF
THE NIGER DELTA DEVELOPMENT
COMMISSION**

I am forwarding herewith the 2006 Budget of the Niger Delta Development Commission for

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**A BILL FOR THE ESTABLISHMENT OF THE
FEDERAL CAPITAL TERRITORY EDUCATION
RESOURCE CENTRE**

I hereby present, for formal consideration and passage into law by the House of Representatives, the attached Bill which seeks to establish the Federal Capital Territory Education Resources Centre charged with the responsibility to, among other things, plan and implement curriculum; measure and evaluate students and other applicants for placement into schools under the administration of the Federal Capital Territory.

I hope the Bill will receive prompt attention of honourable members of the House.

Yours sincerely,

Signed
Olusegun Obasanjo

PRES/134

31 July 2006

The Hon. Speaker,
House of Representatives,
National Assembly Complex,
Three-Arm Zone,
Asokoro – Abuja

Dear Hon. Speaker,

**A BILL FOR THE ENACTMENT OF THE
MISCELLANEOUS OFFENCES ACT 2006**

I hereby present, for formal consideration and passage into law by the House of Representatives, the attached Bill for an Act to repeal the Miscellaneous Offences Act No. 20, 1984 and enact the Miscellaneous Offences Act 2006 to abolish life sentence and provide for other related matters.

I hope the Bill will receive prompt attention of honourable members of the House.

Yours sincerely,

Signed
Olusegun Obasanjo

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National Identity Management Commission Bill

PRES/134

17 July 2006

The Honourable Speaker,
House of Representatives,
National Assembly, Complex,
Three-Arms Zone,
Asokoro – Abuja

Dear Hon. Speaker,

**PRESENTATION OF THE ESTABLISHMENT
OF THE NATIONAL IDENTITY MANAGEMENT
COMMISSION BILL**

I hereby present, for formal consideration and passage into law by the House of Representatives, the attached Bill for an Act to make provisions for the establishment of a National Identity Database and the National Identity Management Commission charged with the responsibilities for the maintenance of the national database, the registration of individuals, and the issuance of general multipurpose identity cards for matter connected therewith.

I hope the Bill will receive prompt attention of honourable members of the House.

Yours faithfully,

Signed
Olusegun Obasanjo

National Consumer Regulatory Commission Bill

PRES/134

27 June 2006

The Honourable Speaker,
House of Representatives
National Assembly Complex,
Three-Arms Zone
Asokoro

Dear Hon. Speaker,

**PRESENTATION OF THE NATIONAL
CONSUMER REGULATORY COMMISSION BILL**

I hereby present, for formal consideration and

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second week of August, we are coming with a comprehensive report to the House on the readiness of INEC. We have established that what had been released to them had been utilised and that we have gotten an interim assurance from INEC that 2007 General Elections would be a reality; that there would be no hitches, and that there would be free and fair elections. That is the interim assurance we got from INEC.

The Speaker: Hon. Hamisu Shira, do you have anything to add?

Hon. Hamisu Shira (Shira/Giade): As the Chairman, House Committee on Finance has said, it is true that we met, discussed, and adjourned our meeting to the second week of August.

At the Committee level, I was able to take up the matter with the Commission after the adjournment of our meeting and I was made to understand that they have advertised about five projects for pre-qualification in preparation for meeting up the requirements of the Due Process.

If we are going to have any problem, I do not think it is going to be on the part of the Commission, but, maybe, with the Due Process. I think we need to go further by constantly meeting with the Due Process and exact pressure on them to live up to expectation by treating matters that have to do with elections with dispatch.

With that, I can assure you that I have no doubt whatsoever, even as I am talking to you now, that INEC is prepared for 2007 general election. So far so good, we would be in a position to throw more light on this all important issue by the time we meet in the next two weeks.

The Speaker: By the time you submit your report in two weeks' time, the House will convey in strong terms to Due Process that matters of INEC are now top priorities. So whatever they are doing, when any issue of INEC comes, they should suspend it and deal with that of INEC because we do not want anything that will cause hitches with regard to the process that would usher in 2007 elections.

Hon. Abdullahi Idris Umar: Mr. Speaker, we

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have been able to extract that commitment from the Due Process office.

Hon. Hamisu Shira: When we talk about the independence of INEC, this has been the issue I have always talked about. Really when you say the Commission is independent, there is no need for that Commission to go through these processes. I quite appreciate the position of Due Process because they have paid billions of Naira into the coffers of the Federal Government. When it comes to matters of election, I thought it would be imperative for the Federal Government to give an exemption to the electoral body. Going through the Due Process, apart from the fact that we have been assured by the Due Process that whatever comes from INEC would be treated with dispatch, I thought we should be able to have, at least, an exemption for the Commission so that whatever concerns the Commission will be treated. Possibly they can have a branch of the Due Process within the Commission so that whatever comes, they will not have recourse to the Villa. It can always be treated within the Headquarters of INEC because I am beginning to really feel that the Due Process is the only problem we may likely have.

The Speaker: I think by the time you submit this Report you should identify the problem that you have and make sure that Due Process does not constitute a problem on the way of INEC. You will also make sure that these things are done on time, in accordance with the laws of the land.

Hon. Bashir Idris Nadabo (Dandume/Funtua): I think we are supposed to hear from the Committee, because last week ₦15 Million allegation was levelled against Members. We should know from them how much they withdrew.

Hon. Hamisu Shira (Shira/Giade): Some of the problems emanated from CBN and the only problem of INEC is that of disbursement to political parties. This was confirmed by the Accountant General for the Federation (AGF).

The Speaker: Second week of August is next week. Is it not?

Hon. Audu Idris Umar (Yamaltu/Deba): I think it will be ready on Tuesday, 15th August 2006, which is next week.

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consideration and approval by the House of Representatives of the Federal Republic of Nigeria.

While it will be most appreciated if the budget is given urgent consideration and approval, please accept, Mr. Speaker, the assurances of my highest consideration.

Yours sincerely,

Signed
Olusegun Obasanjo

Merchant Shipping Bill, 2006

The Honourable Speaker,
House of Representatives,
National Assembly Complex,
Three-Arms Zone,
Asokoro – Abuja.

Dear Hon. Speaker,

**PRESENTATION OF THE MERCHANT
SHIPPING BILL 2006**

Please find attached herewith the Merchant Shipping Bill 2006 for formal consideration and passage into law by the House of Representatives.

I hope the Bill will receive prompt attention of Honourable Members of the House.

Yours sincerely,

(Signed)
Olusegun Obasanjo

Decampees into PDP

All hon. Members who have joined the PDP from 2003 till date should see the House Leader or submit their names to his Office before next week.

Also those intending to come over should do so before the end of September, 2006 to have their interest fully protected by the caucus.

Signed,
House Leader.

0014

**Report of the Joint Committee of Finance
Appropriation and Electoral Matters**

The Speaker: Hon. Members, if you could remember before we went on recess, we directed the Committee on Finance, Appropriation and the Committee on Electoral Matters to see the Minister of Finance, Director General of Budget and the Accountant General of the Federation, with regard to the issue of releases to the INEC. It is important to make sure that all monies due to INEC are released on time and promptly.

Before we commence the business of the House, the Chairman, Electoral Committee and the Chairman, Committee on Finance are here, and I think we should receive the Report on the assignment given to them by the House. We want to know how far they have gone and what the situation is now.

Hon. Abdullahi Idris Usman (Yamaltu/Deba): Mr. Speaker, following the mandate of this House to the three Committees to have interactions with INEC Chairman, Minister of Finance, Director General, Budget and the Office of the Accountant General of the Federation, we had series of meetings. From our interaction, the initial contradictions that were apparent in the presentations from the Office of the Accountant General of the Federation and that of the Ministry of Finance vis-à-vis the position of INEC on the releases so far were resolved.

However, we have not concluded our discussions with them because we have asked INEC to give us a time table on their performances, particularly with regard to compliance with due process. At a point, we had to invite the Senior Special Assistant to the President on Due Process to join the discussion because we realised that there was the issue of non-compliance with Due Process by INEC and therefore, INEC gave us a time table. We got a commitment from the Director-General, Budget and the Accountant-General of the Federation that as soon as there was compliance by INEC with the Due Process, adequate releases would be made to enable it carry out or execute the projects preparatory to the 2007 General Elections. Our next meeting, which hopefully will be the last in the series, will be by the second week of this month.

I would like to assure this House that after the

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Rhoderic Iwo,
Mr. Samuel Iwo,
Rev. Enoch Atuboyedi and
Gogo Bright.

Petition Against Suspension

Hon. Joseph Tolorunloju Faniyi (Yagba East/West/Mopamuro): This petition is from my constituent, Inspector Williams Obinimi. It reads:

I Inspector, Williams Obinimi attached to Igede Ekiti Division, Ekiti State on 29th May, 1997 together with two others were posted on duty to Akanaso area where armed robbers used to operate almost on daily basis along Iyin Ekiti road, Ado Ekiti.

The Commissioner of Ekiti State Monitoring unit came and disarmed us searching for us without any cause. On the following day, they called us to report for orderly room trial where we were joined with three other policemen they arrested while they were on their duty of "operation stop and search". In the orderly room, they alleged bribe in possession of ₦145,000 in area of duty. The six of us were recommended for dismissed after the trial.

In August, 1997 we were served with suspension letter, and in 1998 the rank and file among us were called back while I am still placed on suspension.

I wish to please kindly appeal to this honourable House to please look into my case through quick intervention so that I can be called back to duty like other people and payment of my personal emolument. "Justice delay is justice denied"

With your kind permission, may I lay the petition on the Table?

(Petitions laid on the Table)

The Speaker: If there is no other petition, those laid are referred to the Committee on Public Petitions.

Petitions accordingly referred to the Committee on

Public Petitions.

PRESENTATION OF BILLS

The Clerk: We have for First Reading presentation this morning six Bills.

I call on the Clerk to read the Short Titles of the Bills.

Petroleum Profits Tax (Amendment) Bill

Petroleum Profits Tax (Amendment) Bill, 2006 (HB.243) (Executive) – *read the First Time,*

Child's Right (Amendment) Bill

Child Right's Act (Amendment) Bill, 2006 (HB.244), presented by Hon. Chinonyerem Macebuh (Ikwoano/Umuahia North/South) – *read the First Time.*

Companies Income Tax (Amendment) Bill

Companies Income Tax (Amendment) Bill, 2006 (HB.245) (Executive) – *read the First Time.*

Central Bank of Nigeria Bill

Central Bank of Nigeria Bill, 2006 (HB.250) (Executive) – *read the First Time.*

Banks and Financial Institutions Bill

Banks and Financial Institutions Bill, 2006 (HB.249) (Executive) – *read the First Time.*

Ports and Harbour Authorities Bill

Ports and Harbour Authorities Bill, 2006 (Executive) – *read the First Time.*

PRESENTATION OF REPORTS

Report on the Investigative Hearing on the Alleged \$10.8 Billion Tax Evasion, Fraud and Corruption

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The Speaker: I think they are supposed to be concerned.

PRESENTATION OF PUBLIC PETITIONS

The Speaker: Any Hon. Member who has a petition to present may please rise to do so.

Petition Against NNPC, Port Harcourt Refinery

Hon. George Sekibo Thompson (Ogu/Bolo/Okrika): Mr. Speaker, I have a petition from members of my Constituency, against the Management of NNPC, Port Harcourt Refinery. It reads:

With deep sense of neglect, insecurity and loss, we humbly bring this petition against NNPC, PHRC and PPMC before you.

You might recall that on the afternoon of February 8, 2004 there was an inferno caused by a blow-out of one of the NNPC pipe lines running through Jetty Road Ibuluya Ama in Okrika Local Government Area of Rivers State. The consequences of this fire outbreak were enormous. Among others, five personal buildings were affected, out of which two were completely razed. Also affected were a newly built Education Trust Fund (ETF) Primary School building and an Anglican Church building.

The fire outbreak was brought under control not by NNPC fire fighters but by Shell fire devices complemented by the youths of the Community. The result of this collaborative fire combat left several tens of youths injured.

The consequences of this circumstance are better imagined than told. The owners and the numerous household of the affected buildings have been displaced and rendered homeless, while their properties worth millions of naira have been destroyed. The pupils of the affected school building are suffering untold hardship, while the community suffers the loss of her Church building.

This show of neglect or deceit by the authorities concerned is viewed as an extension of the age long inhuman treatment that was fashioned by constituted authorities in Nigeria to suppress, oppress and impoverish them: an attitude designed for the Niger

Delta people. However, as law abiding citizens of Nigeria, we have always met with the management of NNPC over an acceptable compensation to these victims but all to no avail.

It must be mentioned that out of frustration, one of the owners of the five personal buildings instituted has a suit against the companies. The particulars of the suit currently pending at the Federal High Court, No. 1, Port Harcourt are as follows:

Godspower Benson (Suit No. FHC/PH/CS/29/2004

Vs.

- (1) Nigerian National Petroleum Corporation
- (2) Pipelines and Product Marketing Company Limited.
- (3) Port Harcourt Refining Company Limited.

As innocent victims of the present circumstance, we expect that the relevant authorities should rehabilitate with adequate compensation but this is far-fetched. Our environment where the spill concurred is still unkempt. The owners of the affected buildings and the numerous households displaced are still suffering untold hardship under the present harsh economy.

Honourable Speaker, we have exhausted all possible means of achieving a result; hence this petition. We are pleading with you to use your good offices in ensuring that justice prevails in this matter. How can we suffer innocently? How else can we approach this matter? Do we all go to court or ask for our compensation direct from the companies? Or do

we continue to suffer impoverishment and degradation under the weight of these multimillion companies sited in our environment? Sir, this is a cry for Save Our Soul.

We are awaiting anxiously to hear from you.

We are:

*Dr. Issac Tamunobeleva,
Mrs. Ibifupara Tamunobeleva,
Godspower Benson,*

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Speaker, I rise to second the Motion for the consideration of the Reports.

Question put and agreed to.

Resolved: That the House do resolve into Committee of the Whole to consider the Reports.

Hon. Abdul Ningi: Hon. Speaker, I move that this House do resolve into Committee of the Whole to consider the Reports

Hon. Emeka Gilbert Nnaji: Mr. Speaker, may I second the Motion.

Question put and agreed to.

ANNOUNCEMENTS

The Speaker: Hon. Members, before we move into Committee of the whole I have two or three announcements to make, the first is from Hon. Adamu Gore Kalba (Makaman Kaltungo), a Member representing Kaltungo Federal Constituency. It reads as follows:

*The Honourable Speaker,
House of Representatives,
National Assembly,
Abuja.*

Dear Mr. Speaker,

NOTIFICATION ON CHANGE OF POLITICAL PARTY

I write to formerly convey to you and the Honourable House my decision to change my political party from All Nigeria People's Party (ANPP) to join the People's Democratic Party (PDP). (Applause).

After a wide consultation with my constituents, elders, leaders and, in particular, consideration of the invaluable and the inestimable achievements of the People Democratic Party (PDP) led Government of my state - Gombe State under the able leadership of his Excellency Alhaji. (Dr.) Mohammed Danjuma Goje, I have decided to and have indeed joined the People's Democratic Party (PDP). This decision is further re-

enforced by the unending crisis and deepening factional divisions in the ANPP party.

I therefore beg that you kindly convey this decision to the honourable House.

I remain your most faithfully,

*(Signed)
Hon. Adamu G. Kalba
(Makaman Kalatungo)*

ANPP Caucus Meeting

There will be a Caucus Meeting of the ANPP today 8th August 2006,

Venue: Hearing Room one

Time: 8 p.m.

Hon. Members are hereby urged to please attend as crucial matters will be discussed.

ANPP State Congress

Hon. Colleagues, the ANPP State Congress will be coming up on Thursday. All the ANPP members will be travelling tomorrow to attend their congresses.

*(Signed)
House Leader*

The Speaker: In keeping with the tradition of this House, they have kindly requested us to sit in the morning and also adjourn the House for them on Thursday to enable them attend the congresses. I think, this House, being a light-hearted House, will consider the request of the minority.

Meeting of the Revenue Ad-Hoc Committee

The Revenue Ad-hoc Committee meets today in Committee Room 1. The time is 2.30 p.m.

PDP New Members from 2003

Hon. Members who joined PDP from 2003 to date should see the House Leader or submit their names to

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The Speaker: The first business of the day is the Report on the Investigative Hearing on the Alleged \$10.8 Billion Tax Evasion, Fraud and Corruption, standing in the name of Hon. Cairo Ojougboh.

You will recalled that the Report was referred to the Petroleum Resources Committee on 22nd September, 2004. The Report is now ready for presentation. I invite Hon. Ojougboh to present his report.

Hon. Cairo Ojougboh (Ika North-East/South): Mr. Speaker, I move that this House do receive the Report of the Committee on Petroleum Resources on the Investigative Hearing on the Alleged \$10.8 Billion Tax Evasion, Fraud and Corruption by Chevron Nigeria Limited and its Associated Companies.

Hon. Ali Idoko U. Attai (Ankpa/Omalu/Olamaboro): Mr. Speaker, Sir, I second the Motion that this House do receive the Report.

Question put and agreed to:

Report accordingly laid on the Table

Customary Court Bill

The Speaker: The second business of the day is the presentation of the Report on the Establishment of a Customary Court Bill, standing in the name of Hon. Bala Ibn Na'Allah.

I call on Hon. Ibn Na'Allah to present his Report.

Hon. Bala Ibn Na'Allah (Zuru/Fakai/Sakaba/D/Wasagu): Mr. Speaker, I move that the House do receive the Report of the Joint Committee on Judiciary and Justice on a Bill for an Act to Establish a Customary Court for the Federal Capital Territory, Abuja and to Prescribe the Mode of its Operation; and Supervision, 2004.

Hon. Adamu Gore Kalba (Kaltungo/Shongom): Mr. Speaker, I rise to second the Motion moved by Hon. Bala Ibn Na'Allah.

Question put and agreed to

Report accordingly laid on the Table

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Prudent Management of the Nation's Resources Bill

The Speaker: The third business of the day is Presentation of the Report on a Bill for an Act to Provide for Prudent Management of the Nation's Resources Bill,, standing in the name of Hon. Farouk Lawan.

Members will recall that the Bill was referred to the Joint Committee on Appropriations, Finance and Justice on the 15th of December, 2005. The Report is now ready for presentation. Hon. Farouk Lawan or any of the co-chair, can make the presentation. please.

Hon. Abdullahi Faruk Umar (B/Kebbi/Kalgo/Bunzo): Mr. Speaker, although my Colleague Hon. Farouk Lawan is not here, my Colleague Hon. Alex Nwofe is here. Nevertheless, I want to crave the indulgence of this House to report that our Report will be ready at the end of this month. Before then, we intend to have public hearing with the Senate so that the Bill will be expeditiously passed as soon as the public hearing is conducted.

Report by leave of the House deferred to the end of the month.

ORDERS OF THE DAY

CONSIDERATION OF REPORTS

Petition by Mrs. A. A. Ojo

The Speaker: Hon. Orders 1 – 8 are Reports on various petitions referred to the Committee on Public Petitions.

May I call on Hon. Chidi Duru to move for the consideration of the Reports

Hon. Nze Chidi Duru (Aguata): Mr. Speaker, I move that this House do resolve into Committee of the Whole to consider the Reports on the petitions by Mrs. A.A. Ojo; Miss Funke Jimoh; Mr Chris Osah; Mrs Gbulie Chinwe; Mr. Dr. A.O. Adeniyi; Mr. Abba-Ahmed T.; Mr. Tijani S.O.; and Mr. Richard I. Olele

Hon. Solomon Agidani (Apa Agatu): Mr.

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i) We recommend that the Governing Board of UMTH reinstate Ojo into the service of the Teaching Hospital

ii) We also recommend that she refund the sum of money received as gratuity.

The Chairman: Is there any comment?

Hon. Abubakar Ehimen Momoh (Etsako/East/West/Central): Having listened to the Committee Chairman on Public Petitions, one would definitely have certain questions to ask as regards the recommendations herein presented to the House. This is somebody who was said to have been retrenched from service as far back as 1997 - almost 10 years ago - after attaining the position of a Deputy Director.

The first question that may arise is whether the present age of this same person that is being recommended to be reabsorbed into the system is within the Civil Service Rules age bracket. If his age is not within that bracket, should he still be in the service?

The second question that may arise from this kind of reinstatement is whether in the course of investigation, they also found out if she was the only person affected by that exercise. The reason being that the moment this House makes pronouncements reinstating this Madam, there may be quite a number of other persons that will come forward with similar arguments.

The third question is whether somebody can pay back the gratuity collected into the coffers of government and then be reinstated.

I think these are pertinent questions that require answers before this House can give its approval to these recommendations. I would want to urge the Chairman to let us have further background information as regards these issues that have been raised.

Hon. Leonard Okuwah Ogor (Isoko North/South): Looking at this Report, I am a little bit worried because this is somebody who was removed as far as ten years ago for gross misconduct. It is important that we find out exactly what this gross misconduct was because she was the Chief Nursing Officer of a Teaching Hospital. Now we are making

recommendations without really knowing what this gross misconduct is.

We are considering a recommendation that she should refund the sum of money received as gratuity. For how long has she collected this money? Is she paying interest on this money? Let us go to the basics and find out precisely what was the issue while this person was removed and if this person was, indeed, removed for gross misconduct, I think it will be totally wrong for us, as a House, to ask that this person be reinstated. I would want us to really look at the issue of gross misconduct - what are the offences she committed - before we can ask for reinstatement?

Hon. Andrew Uchendu (Emohua/Ekwerre): Mr. Chairman, I think the Report is quite explicit. The House Committee on Public Petitions did indicate very clearly that, in the course of this investigation, they established the fact that there was nothing in Mrs. Ojo's file that indicated gross misconduct. What happened was a case of overzealous civil servant. When we interrogated the management further, they were willing to recall her because there was nothing serious against her and the Board was not in place then. We all know what could happen during a military administration. In the absence of the Board, it was the responsibility of the Ministry to now recall her. In the process of taking her file from one desk to the other, there was delay in action. Now that the Board has been constituted and they are willing to accept her back, we felt we should recommend her reinstatement, particularly when she is willing to refund the gratuity she was paid, and she is not up to retirement age. We did a comprehensive job on this matter and I think the Committee's Report should be looked into a little bit more passionately because, as we indicated in our Report, there was nothing in her file that borders on gross misconduct.

Chairman: Hon. Uchendu, while would she ask for reinstatement after receiving her gratuity?

Hon. Andrew Uchendu: We found out that she was under great difficulty and according to her, she received it in error. Maybe she did not understand the full implication. A number of us do not even know the difference between gratuity and pension. When they asked her to come for her entitlements, she rushed there and when she discovered the implications, she was willing to refund the money.

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his office before next week. Those intending to join should do so before the end of September 2006 to have their interests fully protected by the caucus.

(Signed)
House Leader

Having come to end of the announcements, the House hereby resolves into Committee of the Whole.

Reports on Petitions

Reports on the Petitions by Mrs. A.A. Ojo; Miss Funke Jimoh; Mr Chris Osah; Mrs Gbulie Chinwe; Mr. Dr. A.O. Adeniyi; Mr. Abba-Ahmed T.; Mr. Tijani S.O. and Mr. Richard I. Olele –
CONSIDERED IN THE COMMITTEE OF THE WHOLE.

The Chairman: Hon. Members we have eight Reports to consider this morning. The Chairman of the Public Petition Committee will lead us in this Report.

Hon. Eze Chidi Duru (Aguata): Mr. Chairman, we have eight Reports, most of the Reports are very short. The first Report to the House is the Report of the House Committee on Public Petitions on the Petition by Mrs. A.A. Ojo against the University of Maiduguri Teaching Hospital.

The petition of Abigail Abike Ojo (Mrs.) was presented to the House on Wednesday, January 26, 2005 by Hon. Olufemi Adebayo Dada.

The Summary of the facts are:

i) The petitioner joined the service of the University of Maiduguri Teaching Hospital on January 4, 1982 as a Nursing Officer and rose to the position of Chief Nursing Officer in March 1997.

ii) She was removed from the Federal Civil Service on the grounds of gross misconduct vide a letter dated May 6, 1997 entitled *Removal of Officers from the Federal Civil Service* and signed by one Wulfu G. Mulfatu, a Deputy Director (Administration) in the service of the University of Maiduguri Teaching Hospital.

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iii) She protested her removal and the Bard of the University of Maiduguri Teaching Hospital resolved to recommend her recall without financial benefit. The letter from the Board was forwarded to the Federal Ministry of Health, which advised that the said letter be sent to the office of Head of Service of the Federation.

iv) The University of Maiduguri Teaching Hospital complied with the instruction of the Federal Ministry of Health and wrote to the Head of Service of the Federation recommending her recall.

v) However, having waited for some years without reply, she appealed to the House to intervene and prevail on the University of Maiduguri Teaching Hospital to reinstate her.

An Investigative Hearing on this petition was held on March 13, 2006. Mohammed A. Marte and 2 others represented the University of Maiduguri Teaching Hospital. Although Ojo was retrenched in 1997 on ground of gross misconduct, nothing in her record of service suggests any act of misconduct.

It also emerged that the UMTH are willing to reinstate her, however, they are hamstrung by the fact that the Federal Ministry of Health had reversed her termination of appointment to voluntary withdrawal from service and computed her gratuity which was paid to her.

However, with a Board in place, the UMTII affirmed that they may recall her without recourse to the Federal Ministry of Health.

We found that:

i) It is within the purview of the UMTH to recall the petitioner given her record of service.

ii) However, the petitioner had received her gratuity even though she claimed it was in error. On realising her error, she has refused to receive her pension to date.

Recommendations:

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destroyed during the accident. She stated that she later went back to the Doctor at UCH Ibadan in September, 2002 and he confirmed to her that she needed a bilateral hip replacement and due to the complexities in such operation, she was referred abroad for the operation.

Based on the Medical report, she wrote to the Inspector General of Police through her Commissioner of Police on the 12th August, 2003, for medical assistance to undertake the operation, but she was directed to Lagos by a letter from Mr. B. M. Nassarawa, Deputy Commissioner of Police Welfare, directing the Assistant Inspector General of Police Medical Falomo, Lagos to examine her for possible boarding.

She said that on the 28th December, 2003, a signal was sent to her Division Iyaganku for her to report at the Police Medical Service Falomo, Lagos, for the Medical Board and after the Medical Board, the Chairman, who was an AIG Medical, Dr. H. E. Akpowowo and three others recommended that, as a result of the bilateral vascular Necrosis of the Head of the femur, the patient cannot continue with the normal police duties except there is a surgical intervention to replace the damaged femoral heads.

After recommending her for boarding, the Police now discharged her from service on medical grounds on the 1st June, 2004 and asked the Commissioner of Police (Budget) to compensate her, which they never did.

She further explained that a signal was sent from COMPOL, Welfare, Abuja to her Command, Ibadan, directing that her salary should be stopped with immediate effect and that she should handover all other government properties in her care on 16th August, 2004. She wants the honourable House to prevail on Nigerian Police to reinstate her and be provided with the necessary medical treatment abroad.

The investigative hearing on this petition took place on Wednesday, September, 28, 2005. Femi Adenaike, Assistant Commissioner of Police represented the Inspector General of Police and he articulated that Miss Funke Jimoh needs to be reinstated by the Police in order to be able to continue with her medical treatment. He also confirmed to the Committee that Police ought to have continued with her treatment, since she has not been referred abroad for an operation.

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The Committee found that the Police purposely refused to foot the Medical expenses of Miss Funke Jimoh, as recommended by the University College Hospital, Ibadan for sustaining injury during active service; that the Nigerian Police did not compensate her even when the Commissioner (Budget) was directed by the COMPOL, Welfare, Abuja on the 1st June, 2004.

The recommendation of the Committee is that:

(i) Miss Funke Jimoh be reinstated by the Nigerian Police and be provided with adequate medical attention.

(ii) the petitioner be paid her entitlements to date without further delay.

The Chairman: Any comment, hon. Members?

Hon. Bala Ibn Na'Allah (Zuru/Fakai/Sakaba/D/Wasagu): My Colleagues, I think this is a straightforward matter and it is pathetic. Even on compassionate ground, the recommendation of the Committee ought to be upheld because this is somebody who had a problem on active service and instead of the Police taking the responsibility; they are leaving her to her fate. This is unfair and unjust. I think this House should frown at this conduct of the Police Command. I therefore urge my Colleagues not to waste time on this issue but to approve the recommendation of the Committee, as presented to the House.

Mr. Chairman: There are two recommendations. The first one is that Miss Funke Jimoh be reinstated by the Nigerian Police and be provided with adequate medical attention. The second one is that the petitioner be paid her entitlements to date without delay. So, let me put the question on the two recommendations.

Question put and agreed to.

Resolved:

(i) That Miss Funke Jimoh be reinstated by the Nigerian Police and be provided with adequate medical attention; and

(ii) That the petitioner be paid her entitlements to date without further delay

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Hon. Philemon Adegoke Adeniran (Irepo/Oorelope/Olorunsogo): After listening to the Chairman of Public Petitions Committee, I think I have a comment on the second recommendation *that she should refund the sum of money received as gratuity*. We have to be consistent as a House. I could recollect that late last year, an identical issue was treated and it was turned down simply because that employee had collected the gratuity. Anybody who knows that he was wrongly terminated or dismissed should not collect any entitlement but should go ahead and petition or go to court. After collecting gratuity or any entitlement, it will be absurd to say that she should go and refund the money into the coffers of government. I want us to be consistent.

Hon. Okeke Chris (Idemili/North/South): Having listened to the Chairman of the Public Petition Committee and other contributors, I find it difficult to know the time limit for justice to be done. Somebody suffered injustice when sacked 10 years or more ago and now this Committee found out that there was injustice somewhere. I think this House has to address that issue of injustice. She was unjustly sacked and no matter how long it took to discover this injustice, we can still address it. I think that University of Maiduguri Teaching Hospital being willing as at that time to reabsorb this person means that the issue of gross misconduct was never established.

On the issue of refund of gratuity, I want to say that she may have been pressurised into collecting it. What I think this House should do is to agree with these recommendations but that gratuity cannot be paid at once because that woman under pressure may have had cause to use part of that money. We have to spread it for her to pay and the issue of recalling her is very necessary in the interest of justice.

Hon. Ita Solomon James Enang (Itu/Ibiono/Ibom): I think all the questions raised have been answered in the Report. I only want to comment that the Committee on Public Petitions, whenever it is writing or presenting a Report like this, should state at least the summary of the course of action. For instance, if you say it was on account of gross misconduct, it is an offence. It is a particular act that constitutes gross misconduct; they should be able to tell us what that particular allegation was, at least in one sentence.

I believe that what my Colleague, Hon. Momoh said that she may be too old to be in the Civil Service,

did not arise as an issue. What is important here is the time the action was taken against her. It is that time that is of essence in this matter. If she is recalled and she is 65 or 68 years, then the recall takes effect from the date the action was taken and she can fully retire. What a lot of people want in life is a clean and immaculate record so that it does not stand against them or their family. I believe that the two recommendations are sound in law and in fact should be adopted.

Mr. Chairman: There are two recommendations here, so let me put the question on the two recommendations.

Question put and agreed to:

Resolved:

(i) that the Governing Board of UMTH reinstate ~~Mr.~~ *Mrs.* Ojo into the service of the Teaching Hospital; and

(ii) that she refund the sum of money received as gratuity.

Report on the Petition of Miss Funke Jimoh

The second Report is on the petition by Miss Funke Jimoh. Hon. Nze Duru should please lead us.

Hon. Nze Chidi Duru (Aguata): Mr. Chairman, this is a petition by Miss Funke Jimoh against the Nigerian Police for alleged wrongful dismissal. The petition was presented on the 14th April, 2005, by Hon. Samuel Olufemi Adeyemi. The facts are as follows:

Miss Funke Jimoh was enlisted into the Nigerian Police Force on the 1st April, 2000 and posted to Agodi and Iyaganku Division, Ibadan, Oyo State. She was struck down during the country race exercise of July, 2000 along Polytechnic Road, Sango, Ibadan and was rushed to the Police Clinic, Eleyele, for treatment.

The petitioner informed the Committee that sometime in 2001, she started feeling pains on her wounded knees and hips and went back to the Police Clinic Eleyele, Ibadan from where she was referred to the University College Hospital (UCH) Ibadan, for further treatment. She explained that a medical examination was conducted and the result revealed a vesicular Necrosis of the Head of the femur was

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Examination (UME) were cancelled by the Joint Admissions and Matriculation Board (JAMB) Registrar, Professor Bello A. Salim. According to them their candidates' results were cancelled because of their refusal to co-operate with the corrupt invigilators that demanded for money from them

The affected candidates' names were given as:

- (i) Gbulie. C. Kenechi – Reg. No. 07936365
- (ii) Ijeoma O. Gbulie – Reg. No. 07934109
- (iii) Ayozie Collins Ibe – Reg. No. 3231622AD
- (iv) Olawore Opeoluwa – Reg. No. 3231590JA.

They maintained that it was unfair to cancel their own candidates' results because some cheated in their centre as well. All efforts to get JAMB release their wards result have proved abortive.

Investigation

At the Investigative Hearing held on Wednesday, 28th January, 2004 JAMB written position was articulated by its Registrar, Professor Bello A. Salim. He claimed that report with the JAMB indicated massive cheating in and around the centres where the petitioners' wards sat for the EXAMS. A copy of the report was attached. According to him, based on the report, the management constituted a Committee to review and screen all results before they were officially published, and recommend appropriate action to be taken. The Committee, he said, employed a number of methods in the screening exercise which included Manual Marking, Comparative Analysis of scripts, the use of 'Corans' (correct answers) and other methods. These actions, he maintained, were taken in order to ensure that only those found guilty were penalised. The petitioners' wards were found to have colluded with others in cheating during the Examination. Based on the findings of the Screening Committee, the cases were recommended for outright cancellation of the results.

Findings:

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The Committee found that the results of the students mentioned above were withheld as a result of the recommendations of the supervisors in that Examination Town. The recommendation indicated massive cheating in and around these centres. The case of Mrs. Alfa could not be looked into, because she did not furnish the JAMB Registration Number of her ward.

Recommendation:

The Committee recommends that the affected candidates be advised by their parents to read hard and write another UME Exams next time.

The Chairman: Any comments on the recommendation of the Committee? Otherwise, I will put the question on the recommendations of the Committee.

Question put and agreed to.

Resolved: That the affected candidates be advised by their parents to read hard and write another UME Exams.

Report on the Petition by Dr. A. O. Adeniyi

The Chairman: Hon. Chidi Duru, lead us on the fifth Report.

Hon. Chidi Duru: The petition of Dr. A. O. Adeniyi against NAFADAC was presented to the House on 10th December, 2003 by Hon. Jumoke Okoya Thomas.

Summary of Facts:

Dr. A. O. Adeniyi informed the Committee that he is a licensed Medical Practitioner based in the United States as well as a businessman dealing in the sales and exportation of Pharmaceutical Products from United States to Nigeria and other countries in the West African Sub-region.

The petitioner is impressed with the spirited and tireless efforts of the Agency to curb the influx of fake and substandard Pharmaceutical Products into the Nigerian Market through its various guidelines and

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Report on the Petition of Mr. Chris Osah

The Chairman: The third Report is on the Petition by Mr. Chris Osah. I invite the Chairman, Hon. Nze Chidi Duru to also give us the brief.

Hon. Nze Chidi Duru: Mr. Chairman, hon. Colleagues, this petition is from Mr. Chris Osah, against the Federal Civil Service Commission over alleged denial of promotion from grade level 16 to grade level 17. The petition was presented to the House on Thursday, 30th October, 2003 by Hon. J. H. O. Agoda. The facts are that the petitioner was, on the retirement in 2003, a senior civil servant with the Federal Ministry of Foreign Affairs on grade level 16. He claimed to have sat and passed the prescribed promotion examination/interview twice, first in October, 2000 and then in November, 2002 having scored up to 60% of the overall pass mark as prescribed by the guidelines. However, the result of the promotion examination for the year, 2000, as issued by the Commission noted that although 13 candidates passed, seven could not be promoted because of vacancy constraints. The petitioner fell into that category.

In the 2000 examination, the result noted that some who passed the examination could not be promoted either for vacancy constraints or failure to submit Annual Performance Evaluation Report (APER). According to the petitioner, he fell into the later category, even though he claimed that his APER forms were duly submitted and received by the Commission three weeks before the results were released.

All effort to get the Commission reverse their decision and promote him came to no avail, as it ruled that his case was without merit having submitted his APER Form after the interview.

The investigation was held on Wednesday, 4th February and 3rd March, 2004. The Commission's position was articulated by Dr. C.I. Ibe, who is a Permanent Secretary in the Commission. He stated that available records on the 2000 promotion interview shows that 33 candidates attended the promotion interview to the post of Director, salary grade level 17, out of these 33, 13 candidates passed, six (6) candidates were promoted on merit while seven (7) candidates who passed could not be promoted due to vacancy constraint. He maintained that the petitioner came 11th

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out of 13 candidates that passed and was therefore not promoted due to vacancy constraints.

On the 2002 promotion interview, he stated further that the petitioner participated in the promotion interview and out of the 44 that applied 18 were promoted on merit while the petitioner and 6 others were not considered for promotion to the post of Director due to non-submission of APER score. In line with the Commission's extant rules, officers are required to process their APER to the Commission before the promotion interview and not after.

The Committee found out from the Commissions extant rules that candidates are required to submit their Annual Evaluation Performance Report (APER) before interview and not after as the petitioner did. This obviously disqualifies the petitioner from being promoted. The Committee therefore recommends that Mr. Chris Osah's petition is without merit as the Commission acted within the ambits of its extant Rules and Regulations

The Chairman: This is a straight forward Report, but is there any comment?. If there is none, I will put the question.

Question put and agreed to.

Resolved: That Mr. Osah's petition is without merit as the Commission acted within the ambits of its extant Rules and Regulations.

Report on Petition by Mrs. Gbulie Chinwe and 3 Others

The Speaker: Hon Chidi Duru, please brief us on the petition by Mrs. Gbulie and 3 others.

Hon. Chidi Duru: The petition of Mrs. Gbulie and 3 others was presented to the House on Wednesday, 27th August, 2003 by Hon. Tunde Akogun. The petition was referred to the Committee on Public Petitions to investigate and make recommendations to the House.

Summary of Facts

The petitioners claim that the results of their wards that sat for the 2003 University Matriculation

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Report on Petition by Abba-Ahmed T.

Hon. Chidi Duru: Mr. Chairman, this is the Report of the House Committee on Public Petitions on the Petition of Abba-Ahmed T. against the Management of Raw Materials Research and Development Council (RMRDC). The petition of Abba-Ahmed T. was presented to the House on June 2nd, 2005 by Hon. Chudi Offodile.

Summary of Facts

Mallam Abba-Ahmed T. gave the impression that he was writing from the Raw Materials Research and Development Council (RMRDC) and raised issues of fraudulent practices and corruption against the Management of the Council. These issues can be summarised under six headings:-

- (a) Operating of council's Account in Inland Bank, in which he accused the Director-General/Chief Executive Officer, Alhaji (Dr.) Abubakar Abdullahi of using the bank for money laundering
- b) Allocation of Council's land to privileged staffers, in which he accused the Director-General/CEO of carving out Council lands at Utako District and allocating same to privileged staffers free of charge, rather than develop the land for official quarters.
- c) Purchase of 22 Toyota Carina II Cars, in which he accused the Deputy Director (Finance) whom he alleged to be a blood relation of the Director-General/CEO of inflating the price of the used cars to over one million Naira (₦1m) per unit.
- d) Employment of Consultants by the Council wherein he accused management of contracting out surveys undertaken by the Council rather than utilize the services of seasoned professionals on the payroll of the Council.
- e) Purchase of Air-Conditioners and Laptops for director and Deputy-Directors wherein he accused the Director-General/CEO of buying the above mentioned articles as gift

for the aforesaid officers against the spirit of anti-corruption.

- f) Presentation of Scientific Equipment to Secondary Schools where he alleged that the Management over-invoiced the purchase of scientific equipment to selected Secondary Schools.

Investigation

An investigative hearing into this petition was originally scheduled for Wednesday August 31, 2005. However, Abba-Ahmed T. could not be reached at RMRDC as no one knew of him there, and he left neither a forwarding address nor a telephone number.

The Hearing was re-scheduled for Wednesday, September 7, 2005. Dr. Abubakar Abdullahi, the Director-General/Chief Executive Officer represented the Management of RMRDC while Abba-Ahmed T. was unavailable. Dr. Abdullahi responded to all the allegations raised in the petition of Abba-Ahmed T.

On the issue of Councils Account at Inland Bank, Dr. Abdullahi showed evidence from the Accountant-General of the Federation's office authorizing the Council's short-listed Banks including First Bank Plc, Inland Bank and Diamond Bank and the Committee saw no evidence of money laundering.

On the issue of Allocation of Council's Land at Utako District to privileged staffers, the Director-General showed proof of the development of 8 (Nos) three-bedroom flats in the property, which earned him the commendation of the House Committee on Science and Technology during an oversight visit.

On the purchase of Toyota Carina II cars, the Director-General provided documents for the quotation made by three firms for the cars, none of which exceeded ₦600,00 (Six hundred thousand Naira) per unit; including approval for same from the Hon. Minister of Science and Technology.

On the purchase of Air-Conditioners and Laptops for Directors and Deputy Directors and presentation of scientific equipment to secondary schools, the Committee found no evidence of any wrongful dealing

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regulations and strict enforcement, but is not comfortable with the high cost of registration of each of the pharmaceutical products with the Agency.

He further explained that one is expected to pay the official registration fees of ₦1 million on each product imported into the country besides the sum of US\$3,000.00 as inspection fees thereby passing the cost on the consumer and, as a result, the cost of drugs will be above the reach of the average Nigerian.

He stated that because of these outrageous mandatory costs, some unscrupulous importers try to circumvent the payment of the official registration and inspection fees and in the process some fake and substandard drugs are found in the Nigerian Market. He cited Ghana as an example where the cost of registration of imported drugs is \$1,500 whilst in Mali it is \$250. He remarked that these countries are guided by the well being of their citizenry as well as encouragement of local participation in the import business.

He requested the House to ensure that appropriate authorities are notified of this and to deal positively with fake and substandard drugs.

Investigation

At the Investigative Hearing held on 28th January 2004, the representative of NAFDAC, Hashim Ubale Yusufu – Deputy Director Head TS - acknowledged that no drug product shall be manufactured, imported, exported, advertised, sold or distributed unless it has been registered, in accordance with the provisions of Decree 15 of 1993 in Nigeria as amended with Food, Drugs & Related Products Decree No. 19 of 1993.

Mr. Ubale explained that NAFDAC was mandated by the existing laws to carry out these functions of ensuring the registration of wholesome products to safeguard the health of the nation. The agency charges a token amount of money to cover up for the expenses of Administration, Good Manufacturing Products (GMT) inspections, allowances for officers on the field, Quality assurance and laboratory analysis.

He further explained that the cost for registration of imported drugs Over the Counter (OTC) is all-inclusive one million naira (₦1,000,000.00) while Ethical Drug is

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₦250,000.00. There are no extra charges for inspection, as contained in the Federal Republic of Nigeria Official Gazette – NAFDAC Tariff Charges Regulations 2001.

He also stated that this amount is paid once in five years and it is used for carrying out GMT inspection of the Production Premises, Products staff of overseas factories to ascertain the genuineness of products in order to avoid making Nigeria a dumping ground for fake and counterfeit drugs and other related products which could pose serious Public Health Hazards.

Mr. Ubale observed that NAFDAC came out with the above fee because of the prevailing economic realities that exerted severe strain on its operational cost including the capital intensive nature of equipment maintenance and the patriotic zeal of sanitising chaotic drug distribution system and the need to stimulate production capacity of indigenous pharmaceutical companies.

He made it clear to the Committee that drug registration is higher here than Ghana and Mali because Nigeria is relatively more developed among the West African countries with a high Management Cost. He again cited examples that to register a new drug in Australia is over six million Naira (₦6,000,000.00). Netherland is (₦2,000,000.00); European countries – three million Naira (₦3,000,000.00) and in U.S.A. it takes two years to register after paying (\$300,000.00) as costs for registration.

Findings

The Committee found that NAFDAC strictly followed the provision of the Federal Republic of Nigeria Official Gazette – NAFDAC Tariff Charges Regulations 2001.

Recommendation

From the foregoing, the Committee rules that the petition cannot be sustained.

The Chairman: Is there any comments on this?

Question put and agreed to.

Resolved: That the petition cannot be sustained.

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Grade Level 10 step I and his pension was calculated on the aforesaid Grade Level 10.

Recommendation

We urge the House to discountenance Mr. S.O Tijani's petition, as it lacks merit.

The Chairman: Thank you very much. Is there any comment?

Question put and agreed to:

Resolved: That the House dismiss the petition of Mr. S.O Tijani, as it lacks merit.

Report on Petition by Mr. Richard I. Olele

Hon. Chidi Duru: Mr. Olele's petition against NITEL was laid on the 30th of March, 2006. He complained that he had not received any salary or compensation since February 1987, although he made spirited efforts either to be retired properly or have the suspension lifted, which NITEL refused.

He explained further that he lost all his property including the original documents that would have authenticated his claim in a fire incident. He attached computer print out of the Personnel Section of Nitel dated 9th October, 2000, indicating that he was actually on suspension as to nullify or repudiate NITEL claim that there is no record about his employment status as contained in Appendix "A".

In conclusion he stated that Disciplinary Record in Lagos Mainland Territorial Headquarters, Oyingbo, in custody of one Mr. Okoro also confirmed his being on suspension. He therefore prayed that the House intervene and prevail on NITEL to lift the suspension and retire him properly from the Service.

The Investigative Hearing took place on 17th September and 8th October, 2003 respectively.

Nigerian Telecommunications Limited (NITEL) was represented by Mr. Sonny Idasefiema and two others.

They acknowledged that Mr. Richard Olele was issued a letter of appointment in NITEL, but there was

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no evidence that a letter of re-appointment was given to him in 1986 and he was not audited during the company wide manpower audit exercise in 1989.

They explained that those who were not issued with re-appointment letters were not considered by NITEL and had to go back to their apparent Ministry which is the Ministry of Communication or a new Nigerian Postal Services (NIPOST) or were discharged accordingly after the exercise.

They further explained that they had searched through all the relevant records including the petitioner's personal file but could not find any document related to the purported suspension. They maintained that NITEL does not suspend its employees verbally because cases regarding suspension from duty are usually documented with reasons for such action.

Similarly, the computer print out of Nitel's staff on suspension that Mr. Olele attached with his petition to the House is not the list of staff of the company on suspension, rather it is the list of staff who left the company through retirement, termination, dismissal, resignation and or abscondment from duty or death since the inception of NITEL till date.

They maintained that Mr. Olele could not produce his suspension and re-appointment letters including other documents that would enable NITEL to take action on his case. They concluded that the onus is on Mr. Olele to prove that he is a staff of NITEL by providing all the above documents.

The Committee did find that Mr. Olele was issued an appointment letter by NIPOST but there is no evidence that he was re-appointed in 1986 by the Ministerial Committee who reviewed the placement exercise.

It was also discovered that Mr. Olele did not participate in the country-wide manpower audit exercise in 1989. And the suspension list he presented is not a list of staff on suspension but a record of former staff of NITEL disengaged for different reasons.

Recommendation

The Committee finds that Mr. Olele could not establish or prove his case against NITEL and therefore

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on the part of Director –General/CEO of the Raw Materials Research and Development.

Finding

Abba – Ahmed T. did not attend the hearing. We could not even trace him to serve him his letter of invitation.

Recommendation

We recommend that the House discountenance the petition of Abba-Ahmed T

The Chairman: Thank you very much.

Hon. Bala Ibn Na’Allah: Mr. Chairman, Sir, let me say that the effort made by the Committee is commendable. So, I move that the recommendation be substituted for dismissal to show the effort of the Committee in trying to arrive at a just decision

The Chairman: Hon. Nze Duru, do you have any problem with that?

Hon. Nze Chidi Duru: (Mr. Chairman, I have no comment; whatsoever it is, is left to the decision of the House.

Hon. Andrew Uchendu (Emohua/Ikwere): Mr. Chairman, I just want to add to what was suggested that when they received petition from our constituent, they should try to do some detailed work before bring it to the floor of the House because they keep the Committee busy over frivolous things. Like this particular case, we could not locate the petitioner; I do not think the man even exists. It could have been the responsibility of an hon. Member to be sure of who is presenting a petition before he presents such petition on the Floor of the House.

The Chairman: Hon. Members do not have the capacity to investigate and that was the essence of having the Committee on Public Petitions.

I will now put the question on the Committee’s recommendations as amended by Hon. Bala Ibn Na’Allah.

Amendment put and agreed to.

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Resolved: That Abba-Ahmed T be dismissed.

Report on the Petition of Mr. Tijani, S. O.

Hon. Nze Chidi Duru: Mr. Chairman, the petition of Mr. Tijani S.O was presented to the House on Wednesday, April, 20, 2005 by Hon. Taofeek Arapaja.

Summary of Facts

Mr. Tijani S.O. was retired compulsorily from the Nigerian Postal Service in 1997. However, there is some confusion as to the actual date of his exit, and even about his last rank. His letter of notification of retirement from service signed by L. A. Nwokoma states that his retirement took effect from November 1, 1997 and addressed him as Head Post Master III. Mr. Tijani referred to himself in his petition to the House as Head Post Master I, adding that he left service on GL 12, which further compounds issues. NIPOST in their response to Tijani’s petition stated that his retirement was with effect from 10th September, 1997 and insisted that he left service on salary Grade Level 10.

Investigation

An investigative hearing on this petition was held on September 28, 2005. Mr. H. O. Ogunyankin represented the Management of NIPOST.

The confusion as to Tijani’s date of retirement and his last salary grade level was cleared by his Record of Service and his Record of Emoluments which established that he was compulsorily retired with effect from November, 1 1997 gave his status at retirement as Chief Supervisor II on Salary Grade Level 10. This was further confirmed by the Civil Service Pensions Form which was filled by the petitioner in his own handwriting in which he gave the post from which he was retiring as P.P.O. III (HDPMR III) and gave his last promotion as Chief Supervisor II, GL 10.

Finding

We found no evidence to back up the petitioner’s claim that he retired from the Nigerian Postal Service as a GL 12 Officer, neither did we find any proof to substantiate his claim that he is being paid his pension on the old Salary Grade Level 08. Rather, his data sheet showed that he retired from NIPOST on Salary

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recommends that the petition's prayer, in accordance with our traditions, should be dismissed.

The Chairman: Is there any comments?

Question put and agreed to:

Resolved: That the petitioner's prayer be dismissed.

Hon. Abdul Ahmed Ningi (Ningi/Warji): Mr. Chairman, may I move that the Committee of the Whole reverts to Plenary.

(The Deputy Speaker in the Chair)

The Deputy Speaker: Hon. Members, the House in the Committee of the Whole considered eight Reports. The House adopted the Recommendation of the Committee in respect of the petitions by Mrs. A.A. Ojo against the University of Maiduguri Teaching Hospital (UMTH),

The Second Report is on the petition by Miss. Funke Jimoh against the Nigeria Police. The House adopted the Recommendations of the Committee.

The third is the petition by Mr. Chris Osah against the Federal Civil Service Commission. The House also approved the recommendation by the Committee.

The fourth is the petition by Mrs Gbulie Chinwe and three others against Joint Admission and Matriculation Board (JAMB). The House adopted and approved the recommendation of the Committee.

The fifth is a petition by Dr. A.O. Adeniyi against the National Agency for Food and Drugs Administration (NAFDAC). The House approved the recommendation of the Committee.

The sixth is the petition by Abba Ahmed against the Management of Raw Materials Research Development Council (RMRDC). The House approved

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the Recommendation of the Committee, as amended.

The seventh is the petition by Mr. Tijani S.O. against the Nigerian Postal Service (NIPOST). The House approved the recommendation of the Committee.

The eighth Report is on the petition by Mr. Richard I. Olele against the Nigerian Telecommunications Limited (NITEL). The House also approved the recommendation of the Committee.

Hon. Abdul Ahmed Ningi: Mr. Speaker, I move that the House do adopt the Report of the Committee of the Whole on the Reports of the Committee on Public Petitions.

Hon. Gilbert Nnaji (Enugu East/Isi-Uzo): Mr. Speaker, I second the Motion ably moved by the House Leader that the House do adopt the Reports of the Committee of the Whole.

Question put and agreed to.

Resolved: That the House do adopt the Report of the Committee of Whole.

ADJOURNMENT

Hon. Abdul Ningi: Mr. Speaker, may I move that this House do stand adjourned till tomorrow Wednesday, 9th August at 10.00 a.m.

Hon. Gilbert Nnaji (Enugu East/Isi-Uzo): Mr. Speaker, I second the Motion ably moved by the House Leader that the House do adjourned till tomorrow, Wednesday, 9th August, 2006 at 10.00 a.m.

Question put and agreed to.

Resolved: That the House do stand adjourned till Wednesday, 9th August, 2006 at 10.00 a.m.

The House accordingly adjourned at 12.35 p.m.