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# HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS

## COMPENDIUM OF REPORTS AND RESOLUTIONS

2019-2023





HOUSE OF REPRESENTATIVES  
COMMITTEE ON PUBLIC  
PETITIONS

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## INTRODUCTION

The House of Representatives Committee on Public Petitions is a Special Committee that is empowered to consider petitions referred to it by the House of Representatives. The Committee is principally mandated to investigate petitions from both private and corporate individuals on matters bordering on the conduct of affairs of government ministries, departments and agencies. The procedure and process of the Committee are similar to that of other Committees of the House of Representatives, as regards legislative hearings. As a fact-finding body, the committee receives petitions, takes evidence from parties and witnesses, collates information and makes recommendation to the House, who considers the recommendations and passes a resolution on them. The Committee's work is a mechanism to respond to citizens who would otherwise be left without any recourse or be faced with lengthy litigation and complicated legal process to achieve justice.

Since 2013, PLAC has worked closely with the Committee via capacity building workshops and provision of technical assistance to its work in the areas of research, writing recommendations, recording of the Committee proceedings, IT and website management. This work is currently supported by the European Union Support to Democratic Governance in Nigeria Programme (EU-SDGN) which began in 2017.

This publication is a compilation of the resolutions passed by the House of Representatives on the Committee's reports that it considered during the period of the 9th Assembly (2019 to 2023). The details of these reports are reproduced in full in this document. The objective is to document and publicise the Committee's work for the benefit of new Committee Members, Petitioners, Respondents and members of the public, particularly those who have been affected one way or the other by the resolution/decision of the House respecting their matter, and those who wish to explore the committee's dispute resolution mechanism. It is expected to be a useful reference material for new members of the 10th House of Representatives, as it would enable them to be acquainted with the various petitions resolved by the 9th Assembly and also inform the setting of goals and targets for the 10th Assembly.



## GENERAL OVERVIEW AND SUMMARY OF ACTIVITIES OF THE 9TH HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS (2019- 2023)

The House of Representatives Committee on Public Petitions is designated as a special committee by virtue of Order 20 Rule 1 of the 11th Edition of the Standing Orders of the House of Representatives. The Special Status accorded the committee reflects the importance attached to the work and mandate of the committee which is derived from the power of the National Assembly to conduct investigations pursuant to section 88 and 89 of the Constitution Federal Republic of Nigeria (1999 as amended). The Mandate of the Committee promotes citizens engagement with the legislature as it is a fact finding and investigative body . By the provision of order 20(5)(2 of Standing Orders of the House of Representatives the jurisdiction of the Committee includes oversight of the Public Complaints Commission, powers to consider the subject matter of all petitions referred to it, power to make recommendations and observations to the House of representatives on actions to be taken on such petitions, annual budget estimates.

The Committee in the 9th Assembly was Inaugurated on 11th June, 2019 and Constituted on 2nd October, 2019. The Committee comprised of members reflecting the geo-political zones of Nigeria with Honourable Jerry Alagbaoso as Chairman and Honourable Lawal Kenken as Vice Chairman. A list of the committee membership is attached as Appendix 1. The Committee has a secretariat headed by a Clerk, assisted by a Deputy Clerk and other support staff.

The activities of the Committee during the time under review includes committee meetings, investigative hearings, locus/ location visits, research, seminars and workshops.

Six hundred and eight petitions (608) were referred to the committee as shown below:

**Table A: Total Number of petitions received by the Committee**

Legislative Year/ Session	First	Second	Third	Fourth	Total
Petitions Received	258	193	147	10	608

One hundred and Forty petitions (140) petitions were treated and the table below shows the status of the petitions



**Table B: Status of Petition Received**

Petitions Treated	Petitions resolved at the Committee	Petitions treated and laid at the House	Petitions, treated, laid and considered by the House	Petitions treated, laid but not considered	Petitions treated, laid but struck out for pendency in court	Petitions not treated
140	20	120	35	85	13	468



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# 2019



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## CASE 1:

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### REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS PETITION BY IBRAHIM MOHAMMED RABIU AGAINST THE NIGERIAN AIRFORCE ON ALLEGED DISMISSAL FROM SERVICE

#### 1.0 PREAMBLE

The House of Representatives at its plenary sitting on **Thursday, 18th July 2018** received a petition presented by **Hon. E.J Agbonayinma** on behalf of Ibrahim Mohammed Rabiu against the Nigerian Air Force praying that his dismissal be converted to voluntary retirement. (The petition is adopted by the 9<sup>th</sup> Assembly)

#### 2.0 PETITIONER'S CASE

The petitioner stated that he was enlisted into the Nigerian Air Force in January 20th 1992 and that after six months of intensive training course at BMTC NAF Base Kaduna, he was posted to NAFHQ Victoria Island Lagos where he served for eight years before his dismissal from service in 1999.

- 2.1 That he was dismissed for the alleged misuse of NAF communication gadgets while under orders not to allow any vehicle to park at the NA gate of NAF HQ in Victoria Island Lagos.
- 2.2 That he was posted on guard at NAF HQ Victoria island Lagos on the 2nd of August 1999 when Mrs.Patrin (wife of the former Chief of Defence, Air Chief Marshal O.O Patrin) parked her car at the gate of the entrance to the camp HQ NAF and according to him, she was as at that time unknown to him.
- 2.3 That on informing her not to park at the NAF gate as instructed on the notice board, she took offence and rained verbal abuse on him which led to the scuffle between both parties.
- 2.4 That this singular action later led to his dismissal from service without following due process.
- 2.5 The petitioner is praying the committee to convert his dismissal to voluntary retirement to enable him to seek for another job.



### **3.0 RESPONDENT SUBMISSION**

The Nigerian Air Force in their oral presentation stated that they could not go into details as to what led to the petitioner's dismissal from NAF.

- 3.1 The petitioner's record was characterized with various acts of misconducts and indiscipline which cannot be tolerated in the military circle that as result, they could not revisit the decision on the matter.

### **4.0 COMMITTEE FINDINGS**

The Committee came up with the following observations:

- 4.1 That the petitioner was at his lawful duty post at NAF when the incident occurred.
- 4.2 That the wife of the Chief Defence Staff who unlawfully parked at the gate was prohibited by Management of NAF and did not disclose her identity nor did she introduce herself to the petitioner before violating the rule thereby leading the petitioner to take action against her in error.
- 4.3 That such action should not have been used against the petitioner since he was at his duty post performing his lawful duty when the incident occurred.
- 4.4 That disciplinary action other than outright dismissal should have been served on the petitioner in line with the NAF Act.
- 4.6 That the Nigerian Air Force refusal to revisit the matter on account that the petitioner had been engaged in various acts of misconduct and indiscipline negates the core values of NAF.
- 4.7 That due process was not followed in the case of the dismissal of Ibrahim Mohammed Rabi'u from service.

### **5.0 COMMITTEE RECOMMENDATIONS**

The committee urges the House to inform the Minister of Defence to direct the Chief of Air Staff to follow due process and convert Mr Ibrahim Mohammed Rabi'u's dismissal letter to compulsory retirement to enable him apply for a job elsewhere

- 5.1 That the Management of NAF pays him all his entitlement and retirement benefits to enable him start to a new life.

### **6.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended. The 9<sup>th</sup> Assembly aligns itself with the resolution of the 8<sup>th</sup> Assembly.



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## CASE 2:

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### **REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS BY MARTINS AKINLAWON AYODELE AND JOHN OLUMIDE AWOSEYI AGAINST NIGER DELTA POWER HOLDING COMPANY (NPHDC) ON ALLEGED NON-REGULARIZATION OF EMPLOYMENT AND NON-PAYMENT OF SALARIES AND EMOLUMENT FOR STATION STAFF OF NPHDC SAPELE POWER STATION DELTA STATE**

#### **1.0 PREAMBLE**

- 1.1 The House of Representatives at its sitting on 12/12/2019 received a petition presented by **Honourable Taiwo Olukemi Oluga** on behalf of **Martins Akinlawon Ayodele** and **John Olumide Awoseyi** against **Niger Delta Power Holding Company (NPHDC)** on alleged non-regularization of employment and non-payment of salaries and emolument for station staff of NPHDC **Sapele Power Station Delta State**.
- 1.2 Pursuant to **Section 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria** (as amended) and in accordance with the **House Standing Order XX. Rule 5[b] of the 9<sup>th</sup> Assembly** and in line with principles of fairness, equity and justice, the petition was referred to the committee on public petitions for further legislative actions.

#### **2.0 PETITIONERS CASE**

- 2.1 The petitioners **Martins Akinlawon Ayodele** and **John Olumide Awoseyi** all hail from **Gbongan Ayedade L.G.A of Osun State**. That **Martins** is an **OND holder** in purchasing and supply while **John Olumide Awoyesi** is a graduate of **Computer Engineering**.
- 2.2 That the two men were engaged by the Management of **Sapele Power stations of the Niger Delta Power Holding Company (NDPHC)** since **1st November 2017** and have been working diligently at their assigned stations including participating in trainings sponsored by the company but without remuneration ever since they were engaged in the job which was over **25 months** at the time of this report.
- 2.3 That they were employed to address critical skills shortage in the planning, warehouse, instrumentation and control departments respectively, that their employments were authorized by the **Sapele power station**, upon discovery that



they have manpower shortages in the above departments.

- 2.4 That the usual practice was that the station has the mandate to engage station staff whenever the need arises.
- 2.5 That within 3 weeks of their resumption from the work as plant-based employers, the Human Resources Personnel of the Company (NPHDC) came to the Sapele power station and carried out a staff review.
- 2.6 That upon the review exercise, the Human Resources Team posited that the recruitment of all station employees was to be undertaken solely by the NDPHC Human Resources Department in Abuja, contrary to the previous practice.
- 2.7 That when the station Chief Operating Officers were allowed to recruit or engage station staff. The petitioner's names were sent to the Headquarters of the Company in Abuja for regularization and standard Human resources procedure.
- 2.8 The petitioners pray the Committee's intervention to ensure that the Management of NDPHC formally engages them and regularizes their appointment and pays them what they were owed since November 2017.

### **3.0 INVESTIGATIVE HEARING**

- 3.1 The investigative hearing was concluded on 2nd June, 2021 with both parties appearing in defence of the case while the petitioner presented both oral and documentary submissions, the respondents NDPHC made an oral presentation.

### **4.0 RESPONDENT'S SUBMISSION**

- 4.1 The respondent NDPHC in their oral presentation informed the Committee that the petitioners were engaged by the company on the basis of a gentleman's agreement that their allowances were paid to them through the imprest allocation of the power substation.
- 4.2 That on the issue of regularization of the petitioners work, it was not in their power to recruit people in their establishment but the Federal Ministry of Power as well as the Management of the NDPHC that such recruitment must reflect the principles of Federal Character.
- 4.3 That as at the time of the report most of their power stations had been advertised for privatization and as a result of the aforementioned the management of NDHPC may be unwilling to employ them.



- 4.4 That the respondent equally promised that the management of NDPHC will look into their request as regards to their unpaid job and reconcile with them amicably.

## **5.0 COMMITTEE FINDINGS**

- 5.1 The Committee after thorough investigation of the case in question with the documents tendered before the Committee by both parties in defence of the petition came up with the following observation:
- 5.2 That the petitioner Martins Awoseyi and John Olumide are employees of NDHPC Lot 6 Ogorode Generating Company Sapele Delta state from 1<sup>st</sup> November 2017 to date as power station technicians with the planning / warehouse/ materials and instrumentations which was controlled by the said department but without remuneration for a period of 24 months.
- 5.3 That they were engaged in line with station procedures for filling urgent critical vacancies which were core part of NDPHC standard station operations.
- 5.4 That the petitioners were surviving on stipends they got from imprest allocated to the officer in charge of the station as salary until 25 months ago when they stopped receiving such allowances.
- 5.5 That attempts were made by the Chief Operating Officer of the Company at Sapele station to recruit and regularize the petitioners' appointment so that they can be receiving full salary that the COO wrote to the Headquarters of the Company at Abuja for an approval to recruit and regularize their appointment but such request was turned down by the HQ of the company in Abuja.
- 5.6 That another reason why they could not regularize the petitioner's appointment was that the Company had been advertised for privatization and NDPHC may be unwilling to employ them and keep them redundant.
- 5.7 That at the end of the deliberation, the Committee appealed to the Management of NDPHC to assist the petitioners in their request which they agreed to reconcile with the issues raised by the petitioners.

## **6.0 COMMITTEE RECOMMENDATIONS /CONCLUSION**

- 6.1 The Committee in view of their findings urges the House to direct the Managing Director, Niger Delta Power Holding Company to regularize the employment of Martins Akinlawon Ayodele and John Olumide.



- 6.2 Pay them the backlog of their salaries from November 2017 to date in order to sustain their livelihood.

## **7.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as presented





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### CASE 3:

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## REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON THE PETITION BY INTERNATIONAL TRADING AND CONTRACTING LIMITED AND TWO OTHERS AGAINST NATIONAL INLAND WATERWAYS AUTHORITY (NIWA) & THREE OTHERS ON ONITSHA RIVERPORT CONCESSION:

### 1.0 PREAMBLE

- 1.1 The House of Representatives at its sitting on **Thursday 26th September, 2019**, received a Petition from **Hon. Ifeanyi Ibezim** on behalf of International Trading and Contracting Limited and two others against National Inland Waterways Authority (NIWA) and three others on Onitsha River Port Concession: a humble call for intervention in the process for transparency, fairness and public confidence. Joined in the Petition are; The Federal Ministry of Transport, The Federal Ministry of Finance, Green Stratos Consulting Firm, The Managing Director, Infrastructural Concession and Regulatory Commission, The SSG, Anambra State Government and The Managing Director Esylum Company Limited.

### 2.0 PETITIONER'S CASE

- 2.1 The Petitioner, International Trading and Contracting Limited informed the Committee that they participated in the request for expression of interest in the Concession of the Onitsha River Port.
- 2.2 That the consortium was prequalified for the next stage of the Concession process and requested to submit its technical and financial proposal on 22<sup>nd</sup> December, 2017.
- 2.3 That unfortunately, after the submission of the proposals, an error was discovered in the bid bond included in the proposals which was issued by one of the supporting banks.
- 2.4 That this error was rectified as soon as it was reported to the bank's top Management and the amended copy was resubmitted by the consortium to the Concessioneing Authority on 31<sup>st</sup> January, 2018, with a request for withdrawal and return of the first bid bond submitted earlier in December last year.
- 2.5 That following the resubmission of the amended bid bond, the ITC Consortium and the Government of Anambra State had made several appeals to the National Inland



Waterways Authority (NIWA) for consideration of the amend bid bond and also to the supervising Ministries of Transportation and Finance for intervention to ensure transparency, fairness, equity and justice, and for restoration of confidence in the ongoing Concession process.

- 2.6 That in their letter to the Supervising Ministries, they complained about the unclear intentions of NIWA and attempts made to exclude the Consortium from the Concession process. This situation caused the Consortium to approach the Federal High Court, Awka on 3rd May, 2018, for some reliefs to ensure that the process is fair, transparent and governed by the rules stipulated in the Request for Proposals document (RFP).
- 2.7 That NIWA in its response to the motion filed by the Consortium ignored all references to the RFP and chose to rely on notice of disqualification allegedly sent to the Consortium through some letters that were never received by the Consortium. That the entity the bid bond was issued on behalf of Austin Ejikeme Ilodibe properties Limited is not involved in any way in the bid for the Concession of the Onitsha River Port as it did not participate in the expression of interest and was not prequalified for the RFP stage. As a result, it would be safe to conclude that the insertion of Austin Ejikeme Ilodibe Properties limited in the bid bond by the bank was an error.

### **3.0 SUBMISSION (THE SECOND PETITIONER)**

- 3.1 The Anambra State Investment Promotion and Protection Agency (ANSIPPA) stated that they responded to the request for Expression of Interest (EOI) in the Onitsha River Port Concession by submitting its EOI for the Port Concession bid on Tuesday, 22nd August, 2017.
- 3.2 That the EOI was endorsed personally by His Excellency, the Governor of Anambra State who promised to create the required conducive environment for the River Port to be secured, successful and sustainable.
- 3.3 That the State and other Bidding parties were subsequently Pre-qualified for the 2nd stage of the process, the request for proposal (RFP).
- 3.4 That a Consortium Comprising ITC, ANSIPPA and Afrinvest was later formed and established to procure jointly the Onitsha River Port Concession.
- 3.5 That the Anambra State Government has observed the Interference of Conflict of Interest in the ongoing concession process. The involvement of Mr. George



Nwangwu, a Coordinator in the Public Private Partnership Division of the Federal Ministry of Finance, hassled to a serious Conflict of Interest and no doubt, contributed to a major setback in Port Concession drive.

- 2.6 That according to the Supervising Ministry of Finance, the situation was further aggravated by the involvement of the Infrastructure Concession Regulatory Commission (ICRC) in the bid evaluation process leading to non-adherence to the evaluation criteria and inexplicable discrepancies in the application of the scoring matrix established by the Evaluation Committee as reported in the Vanguard Newspaper of Wednesday, 29th August, 2018.
- 2.7 That the directive by the Supervising Ministry for NIWA to constitute a new evaluation team to re-evaluate the technical proposals was disregarded and all appeals by the Anambra State Government for transparency, equity, Fairness and Justice in the process had been equally ignored.

#### **4.0 INVESTIGATIVE HEARING**

- 4.1 The Committee conducted an investigative hearing on the matter on 7th November, 2019, with parties in attendance.

#### **5.0 RESPONDENT'S SUBMISSION**

- 5.1 The Respondent, National Inland Waterways Authority (NIWA) stated that the request for proposal (RFP) was prepared by Green Stratos Consortium as transaction adviser to National Inland Waterways Authority (NIWA) a parastatal under the Federal Ministry of Transportation, mandated to develop, maintain and sustain the Inland waterways of Nigeria.
- 5.1 That the RFP is being extended to those parties who have been pre-qualified or conditionally pre-qualified to bid for the Concession to operate Onitsha River Port, collect the bidding documents and signed the Confidential Agreement.
- 5.2 The RFP is not an agreement or an offer but an invitation by the Authority to the prospective bidders.
- 5.3 That each bidder accepts full responsibility for conducting an independent analysis of the feasibility of the project and for gathering and presenting all necessary information. Each bidder assumes all risks associated with the project and no adjustment will be made based on the bidder's interpretation of the information provided.



- 5.4 That all Information submitted in response to the invitation becomes the property of the Federal Government of Nigeria and NIWA.
- 5.5 That neither the Federal Government, NIWA nor their respective Directors, Officers, Members, Employees, Agents or Advisors (including the Transaction Advisors) shall have any responsibility or liability for any costs, expenses or other liabilities incurred by any participant in the tender process.
- 5.6 That International Trading and Contracting Limited was disqualified for submitting a Biding Bond in another name other than its Company's Name.
- 5.7 That clause 142 of the RFP disqualified the Petitioner's Biding Bond of interest by its acts of Commission or Omission.
- 5.8 That all Bidders affected were disqualified by the recommendation(s) of the Evaluation Committee for not conforming with the criteria set forth in the RFP.
- 5.9 That they requested the Committee to discountenance the Petition for lack of merit.

## **6.0 COMMITTEE FINDINGS**

- 6.1 The Committee after series of investigations to all parties involved on the matter came up with the following observations:
- 6.2 That the whole matter was based on a compliant about the unclear intentions of the National Inland Waterway Authority (NIWA) and the alleged attempt made to exclude the ITC consortium from participating in Onitsha River Port Concession process.
- 6.3 That there was a missing link and conflict of interest among the various parties involved on the matter which affected the normal procedure for the Bidding process by ICRC in choosing the preferred Bidder. As one group was insisting that due process was followed during the bidding process while the other group (Petitioner) is opposing that due process was not followed in the process of Onitsha River Port Concession hence the missing link and these need to be properly addressed for the interest of fairness, equity and justice and for the amicable resolution of the Matter.
- 6.4 That the International Trading and Contracting Limited could not quality for the final stage of the Bidding process because the Company in question submitted an invalid Bid bond bearing Austin Ejikeme Ilodibe Properties Limited instead of the Company's name with the validity period of 90days instead of 180days which was against the rule of the Bidding process.



- 6.5 In addressing the issues raised above, the Committee is of the opinion vide the letter by the Federal Ministry of Finance dated 27th April, 2018 that there were some irregularities in the Onitsha River Port Concession.
- 6.6 Having listened to the parties and read all the necessary documents as regards this case, the Committee notes that infrastructure Concession Regulatory Commission (ICRC) the regulator, is to check with the Government of Anambra State where the Port is situate, invite the parties to this case to review the case and resolve it accordingly.

## **7.0 COMMITTEE RECOMMENDATIONS**

The Committee in view of their findings above urges the House to:

Direct the Management of the Infrastructure Concession Regulatory Commission (ICRC), the regulator to invite the parties to this case, review the case and resolve it accordingly.

## **8.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended



## CASE 4:

### REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON THE PETITION BY DR. PATRICK OGBONNAYA AGAINST FEDERAL MEDICAL CENTRE, NGURU, YOBE STATE ON ALLEGED WRONGFUL TERMINATION OF APPOINTMENT BY THE FEDERAL MEDICAL CENTRE

#### 1.0 PREAMBLE

- 1.1 The House of Representatives at its sitting on **Wednesday, 18<sup>th</sup> December, 2019** received a petition presented by **Honourable Makwe Livinus Makwe** on behalf of Dr. Patrick Ogbonnaya on his alleged Wrongful Termination of Appointment by the Federal Medical Centre, Nguru, Yobe State.
- 1.2 Pursuant to Section 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and in accordance with the House Standing Order XX. Rule 5(2) [b] of the 9<sup>th</sup> Assembly and in line with principles of fairness, equity and justice, the petition was referred to the Committee on public petitions for further legislative actions.

#### 2.0 PETITIONER'S CASE

- 2.1 That on 24<sup>th</sup> October 2014, the Petitioner was appointed as the General Duty Medical Officer on salary CONMESS 03 on a probationary period of 2 years.
- 2.2 That on the 24<sup>th</sup> October, 2016, upon the completion of the two years probationary period, he became due for confirmation but did not receive any confirmation letter from the management.
- 2.3 That on 18<sup>th</sup> April, 2017, the Petitioner applied but, in a reply letter dated 9<sup>th</sup> May, 2017, the management stated that "*your application is receiving management attention.*"
- 2.4 That in 2018, he was shortlisted for promotion and on 22<sup>nd</sup> of October, 2018, he wrote the promotion examination with other colleagues but his promotion was not released because, according to the management, his promotion for the year 2018 will be deferred due to disciplinary cases against him during the reporting year.
- 2.5 That, on 4<sup>th</sup> May, 2019, the Petitioner wrote to the Management for the release of his promotion together with his confirmation letter. On 15<sup>th</sup> July, 2019, the



Management replied that “*due process has been observed with regards to the decisions of his deferment of promotion and withholding of confirmation of appointment and the Management decision stands.*”

- 2.6 That he petitioned the Chairman, Governing Board of Federal Medical Centre, Nguru.
- 2.7 And also petitioned the Chairman of the Federal Civil Service Commission and Honourable Minister of Health respectively. That, surprisingly, the Management of FMC, upon sighting these petitions, terminated his appointment with a letter dated 12th September, 2019.
- 2.8 That he had received few queries about a military man who came with a request to put him on admission, but after examination he was put as an out-patient as his case deserved. That the second case was an emergency of a woman in a pool of blood and he pleaded to rush and help the woman.
- 2.9 The Petitioner pleaded that the House should investigate his matter and direct the Federal Medical Centre to reinstate him.

### **3.0 INVESTIGATIVE HEARING**

The investigative hearing was concluded on 27<sup>th</sup> April, 2021 with both parties in attendance.

### **4.0 RESPONDENT’S SUBMISSION**

- 4.1 The Respondent represented by the CMD, Dr. Musa Abubakar confirmed that the Petitioner was a former staff of the Federal Medical Centre, Nguru, Yobe State and that he was given an appointment in 2014.
- 4.2 That just within 2 years of his appointment he had received 3 (three) queries.
- 4.3 That in 2015, a warning letter was issued to him because he failed to attend to a patient.
- 4.4 That in 2016, he was also issued warning letter.
- 4.5 That after the queries, a Committee was set up by the Senior Staff against him to review his case.
- 4.6 That there was no letter of Service that triggered the jurisdiction or the commencement of the panel that tried the Petitioner’s case.



## 5.0 COMMITTEE FINDINGS

The Committee after thorough investigation came up with the following observations:

- 5.1 That the Petitioner was given an appointment letter into the Federal Medical Centre, Nguru on 24th October, 2014 on salary CONMESS 3 for a probationary period of 2 years.
- 5.2 That the Petitioner was due for promotion after 2 years but was not promoted because he was queried thrice and warned one within his probationary period.
- 5.3 That a panel was set up by the FMC, Nguru to try the petitioner without a written invitation being sent to the Petitioner before his appointment was terminated.
- 5.4 That the appointment of the Petitioner was wrongfully and illegally terminated by the FMC Management in September, 2019 after the Petitioner had fulfilled probationary service at the FMC between 2014 and 2016 and had been deemed confirmed by provision of the Public Service Rules and relevant case laws.
- 5.5 That the said termination is illegal and wrongful because the Petitioner was not afforded fair hearing and the FMC Management lacked the legal power to exercise disciplinary action against the Petitioner because the 1999 Constitution, PSR 030102 of the Public Service Rules and extant case laws, viz; Aigoro V. University of Lagos [1979] 10-12 CCHCJ 9, O.A.U. Vs. Onabanjo [1991] 5 NWLR (Pt.193) 549; The Council of Federal Polytechnic, Ede & Ors v. Johnson K. Olowookere [2014] 49 NLLR (PT. 171) 144 AT 170-171 states that the Petitioner can only be subject to disciplinary action by the Federal Civil Service Commission.
- 5.6 That the FMC Management acted in contravention of the PSR 030307 of the Public Service Rules and Section 36 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) in the wrongful termination of appointment of the Petitioner (Dr. Patrick Ogbonnaya).
- 5.7 That during the Committee's hearing session, the CMD did not contradict the Petitioner's evidence backed by the Public Service Rules and relevant case laws of the Supreme Court viz Shitta-Bey V. Federal Public Commission (1981) 1 SC 41 that, after serving the probationary period of 2 years, the Petitioner is deemed confirmed as duly appointed staff and entitled to all applicable benefits included appropriate salary and promotion.
- 5.8 That the CMD did not contradict the Petitioner's evidence that he was shortlisted for confirmation and sat for and passed promotion examination before his appointment was purportedly terminated.





- 5.9 The Committee directed the CMD to liaise with the FMC Management for them to reconsider and reverse the termination of the appointment to enable him receive his entitlements and resign and move on with his life.
- 5.10 That the CMD sent a message that demonstrated his unwillingness to heed the advice of the Committee to reverse the illegal and wrongful termination to enable him receive his entitlements and resign and move on with his life.

## **6.0 COMMITTEE RECOMMENDATIONS / CONCLUSIONS**

- 6.1 The Committee urges the House to direct the Medical Director, Federal Medical Centre, Nguru, Yobe State to reinstate Dr. Patrick Ogbonnaya to the service of the above Medical Centre and confirm him as the permanent staff of the institution.
- 6.2 Pay him all his entitlements and benefits with effect from the day he was confirmed as a permanent staff of the FMC, Nguru, Yobe State.

## **7.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as presented



## CASE 5:

### REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON A PETITION BY INTERNATIONAL RECRUITMENT SERVICES AGAINST THE NATIONAL AGENCY FOR THE PROHIBITION OF TRAFFIC IN PERSONS ON THE UNLAWFUL ARREST, DETENTION, MALTREATMENT AND THREAT TO LIFE BY NAPTIP.

#### 1.0 PREAMBLE

The House of Representatives at its sitting of **Thursday, 17th September 2019**, received a petition presented by **Hon. Rotimi Agunsonye** on behalf of International Recruitment Services against National Agency for the Prohibition of Traffic in persons (NAPTIP) on the unlawful arrest, detention, maltreatment and threat to life by office of (NAPTIP); referred to the House for further legislative action.

#### 2.0 PETITIONER'S CASE

- 2.1 The Petitioner Mrs. Foluke Excel-Ogbeide, International Recruitment Services (IRS), informed the Committee that their company was registered under the Corporate Affairs Commission as International Recruitment Services, and was incorporated in 2008, it specialises in the business of recruitment and Human Resources.
- 2.2 That in 2014 their company (IRS) entered a contract with Arabia Taxi Transportation in Abu Dhabi LLC, to recruit Taxi Drivers from Nigeria for Arabia Taxi Transportation LLC in Abu Dhabi for the purpose of gainful employment after the training in UAE.
- 2.3 That the company is known for her good track record in the four years of existence as a registered company.
- 2.4 That on 19<sup>th</sup> of June 2019, the management of (IRS) company was invited by NAPTIP office requesting to know in details how they manage their recruitment exercise.
  - 2.4.1 That after explanations and presentation of documents to NAPTIP, they requested to be at the company's proposed seminar scheduled between 20<sup>th</sup> and 21<sup>st</sup> of July, 2019 in view to ascertain the credibility of all the information made available to NAPTIP.



- 2.5 That on the seminar date, both Mrs. Foluke Excel Ogbeide (MD IRS), the representatives of NAPTIP and DSS were at the seminar to observe the exercise.
- 2.51 That on their own, NAPTIP interviewed the delegate from Arabia Taxi Transportation LLC in Abu Dhabi along with the prospective application and also some beneficiaries of the programme in the time past who also attended the same programme.
- 2.5.2 That their response to the said interview by NAPTIP interviewers showed evidence of gainfully employments salary accounts, driver licenses, resident permits, taxi permits etc. but the officials of DSS and NAPTIP were not satisfied with the response of the interviewers therefore went further to carry out individual and private interviews of the beneficiaries to ascertain their welfare and payment of entitlements while working at UAE and their responses were satisfactory.
- 2.6 That it was ascertained that there was no case of human trafficking against the petitioner. Having established this fact NAPTIP went further advised the company to keep up good conduct upon arrival to the country and to report any contrary issues to NAPTIP anytime the need arises.
- 2.6.1 That after the aforementioned they received a call from the office of NAPTIP on Sunday 21<sup>st</sup> of July to report at NAPTIP office on Monday 22<sup>nd</sup> July 2019 to clarify issues as the Headquarters of their office was not satisfied with the investigations concluded so far on them.
- 2.6.2 That on 22<sup>nd</sup> July 2019 when MD IRS reported to NAPTIP office in response to the call, she was asked to write a statement and after the statement was made, she was detained and released on the 23<sup>rd</sup> of July 2019 on the ground that she must provide a surety before she can be released as directed by the Headquarters, Abuja.
- 2.7 That on 25<sup>th</sup> July 2019, the MD IRS (Mrs. Foluke Excel Ogbeide) was invited again to the NAPTIP Headquarters for questioning on the issue at stake and on getting to NAPTIP office she was informed that there was a formal petition against the management of IRS company where they were accused of running a syndicate of Human trafficking from Nigeria to Abu Dhabi.
- 2.7.1 That as a result of that, Mrs. Foluke Excel Ogbeide was detained for 5 days for an offence she was innocent of and the order was from NAPTIP Headquarters, Abuja.



- 2.7.2 During her detention, the petitioner was asked to write a disclaimer publication on the Newspaper against her company (IRS) that the said company has to be closed down and an upcoming programme on 26<sup>th</sup> July 2019 by a coming Emirates Taxi Transportation LLC should be cancelled. She was also forced to sign the cancellation of the programme.
- 2.7.3 That all efforts by the Company lawyers to remind the officers of NAPTIP that the issue being raised regarding the recruitment that the recruiter licence was under process and does not fall under the purview of NAPTIP law proofed abortive as they refused the petitioner bail until the intervention of Mr. Femi Falana [SAN].
- 2.8 That during her detention, the petitioner suffered untold hardship up to the extent that her condition became so critical that she was rushed to the hospital for medical attention and at the hospital a doctor directed that she should be medically examined for ECA and an X-ray taken on her bone after which she should be placed on drugs but such recommendation was ignored by the management of NAPTIP who took her back to detention.
- 2.9 The petitioner prays the Committee to investigate the case and intervene.

### **3.0 RESPONDENT'S SUBMISSION**

- 3.1 NAPTIP in their presentation informed the Committee that the International Recruitment Services was registered and issued a certificate of incorporation by the Corporate Affairs Commission (CAC) on 21<sup>st</sup> August 2008 as a 'business name' and not as a 'limited liability company'.
- 3.2 That on the issue at stake the respondent (NAPTIP) acted on an intelligence report on the activities of the company named International Recruitment Services through a video clip advertising its services on 10<sup>th</sup> July 2019. A video clip advertising its services was circulated via social media and as a result of that, NAPTIP immediately swung into action and discreetly gathered intelligence report which made them to carry out checks that eventually led the management of IRS to the new business address at No. 79 Asa Afariogun Street Ajao Estate, Lagos State.
- 3.3 That after the incident, a letter of invitation was served on the owner of the business (Mrs. Folake Excel Ogbeide) for interview at Lagos Zonal command office of the 2<sup>nd</sup> respondent.
- 3.4 That on 19<sup>th</sup> July 2019, the 2<sup>nd</sup> respondent NAPTIP was able to contact Mrs. Foluke Excel Ogbeide via cell phone after several efforts to reach her were to no avail.



- 3.5 That the management of NAPTIP and DSS worked together on the matter considering its international dimension.
- 3.6 That Mrs. Foluke Excel Ogbeide was requested to make her initial statement on the issue at stake and was instructed to deposit her international passport with promise that she will produce the relevant documents to the officer of NAPTIP and was never detained at that stage.
- 3.7 That on 23<sup>rd</sup> July 2019, the management of NAPTIP received a petition from the office of the Secretary to the Government Set to Recruit Nigerians.
- 3.8 That as an agency charged with the responsibility to fight against human trafficking in Nigeria, NAPTIP swung into action and arrested Mrs. Foluke Excel Ogbeide to respond to the allegations contained in the stated petition.
- 3.9 That an inquiry at the Federal Ministry of Labour (FMLE) showed that there was no contract on employment between FGN and Government of UAE.
- 3.10 That while briefing Mrs. Foluke Excel Ogbeide and eleven other victims (applicants), she claimed and produced a letter to be from Arabia Taxi to the DG and Transportation management Nigeria.
- 3.11 That arising from the forgoing, a charge marked Federal Republic of Nigeria Vs Mrs. Foluke Excel Ogbeide FHC/L285C/2019 was filed at the Federal High Court sitting in Lagos on 8th August 2019 and at the conclusion of the investigation, the charge was assigned to Hon. Justice C.J Aneke and the matter came up in court on 11th October 2019 for arraignment.
- 3.12 That Nigeria policy position on recruitment of unskilled labour outside the country in the case of Middle East is as follows;
- 3.13 That there be a moratorium on issuance of licenses by the Federal Ministry of Labour for recruitment of unskilled labour especially to countries in the middle east which has been in place since 2018 and the Federal ministry of labour has confirmed that no new licenses has been issued and clearance given for such recruitment since then.
- 3.14 That a draft bilateral labour agreement as well as standard operating procedures has been developed, that once these were approved by FML the moratorium will be lifted for only countries requiring unskilled recruitment from Nigeria who will sign the bilateral agreement with the Federal Government of Nigeria.



- 3.15 That further investigation into the matter also showed that Mrs. Foluke Excel (MD IRS), one Shonibo Abiodun and other members of the syndicate collected various some of money ranging from N650,350, N15,000 and others) from the applications for the driving job in Abu Dhabi and Dubai UAE.
- 3.16 The petitioner prays that the Committee should dismiss the petition for lack of merit.

#### **4.0 COMMITTEE FINDINGS**

- 4.1 The Committee after thorough Cross Examination of both parties observed as follows;
- 4.2 That the International Recruitment Services (IRS) is a registered Company under Corporate Affairs Commission and not a limited liability company which has legal right to sue and to be sued in its corporate names as managed by Mrs. Foluke Excel Ogbeide
- 4.3 That the action of NAPTIP against the management of IRS investigating and detaining the MD of IRS was because of the intelligence reports on the illegal activities of international recruitment agency which was reported in the main stream media as well as on social media, where they were advertising their illegal services and activities to the members of the public but NAPTIP need to have done something through assessment and verification of the matter before taken drastic action against the management of IRS.
- 4.4 That observation showed that the initial report of the investigation on the activities of IRS by NAPTIP and DSS at Zonal command clearly showed that there was no case of human trafficking against the petitioner (management of IRS) but the Headquarter of NAPTIP in Abuja was not satisfied with the said report of the investigation who then ordered for fresh investigation for proper records.
- 4.5 That the report of the fresh investigation on the petitioner by NAPTIP on 25<sup>th</sup> July 2019 in Abuja rather accused the management of IRS of running a syndicate of human trafficking from Nigeria to Abu Dhabi in United Arab Emirates (UAE) without any further claims in support of their findings.
- 4.6 That the petitioner was detained during the second investigation on the ground that she was operating without recruitment licence from the Federal Ministry of Labour and Productivity before engaging in the recruitment business of human resources but such action does not fall under the purview of NAPTIP Law.



## **5.0 COMMITTEE RECOMMENDATION/CONCLUSION**

- 5.1 The Committee in view of the findings above urges the House to direct the Director General of National Agency for Prohibition of Traffic in Person (NAPTIP) to write the management of International Recruitment Service officially to clear them of any wrongdoing.
- 5.2 That the management of IRS should desist from engaging in any illegal activities on international recruitment that is not approved by the Federal Ministry of Labour and Productivity. And as well facilitate the process of acquiring their Recruitment License from the Federal Ministry of Labour in order to make their business legitimate.
- 5.3 That the National Agency for the Prohibition of Trafficking in Person should try to limit their operation within the ambit of the Act that established it to avoid infringement into the activities of other Government Agencies.

## **6.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended.



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## CASE 6:

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### **REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON THE PETITION BY MR. SAMUEL UMEADI MOGEKWU AGAINST THE CENTRAL BANK OF NIGERIA FOR HIS ALLEGED WRONGFUL DISMISSAL FROM SERVICE AND THE BLUNT REFUSAL OF THE BANK TO COMPLY WITH THE RESOLUTION OF THE HOUSE**

#### **1.0 PREAMBLE**

The House of Representatives at its sitting on Tuesday, 19<sup>th</sup> November, 2019 received a petition from Hon. Ndudi Elumelu on behalf of Mr. Samuel Umeadi against the Central Bank of Nigeria for his wrongful dismissal from service and the blunt refusal of the Bank to comply with the resolution of the House.

#### **2.0 PETITIONER'S CASE**

- 2.1 The Petitioner informed the Committee that he was an employee of (CBN) where he served for thirty two (32) years as a senior Manager before he was wrongfully dismissed in the May 2011, as a result of conspiracy by few of his former colleagues.
- 2.2 That in September 2017, the House of Representatives intervened in the matter and resolved the Petitioner's dismissal be converted to retirement.
- 2.3 That on the 23<sup>rd</sup> of July, 2018, the House Committee on Compliance, in response to a letter from the Central Bank of Nigeria, informed the Bank that the House Committee's resolution is irreversible but up till now, the CBN is yet to comply.
- 2.5 In the light of the above, the Petitioner prays the Committee to intervene yet again to prevail on the Governor of the Central Bank of Nigeria to comply with the resolution.

#### **3.0 INVESTIGATIVE HEARING**

- 3.1 The Committee conducted an investigative hearing on the matter and concluded on 22<sup>nd</sup> July, 2020 with both parties in attendance.

#### **4.0 RESPONDENT'S SUBMISSION**

- 4.1 The Respondent stated that on 30<sup>th</sup> July 2009, the Bank Controller, CBN Minna with some Officers conducted a spot-check in the Branch Processing and Disposal





Unit (BPDU) and discovered that the amount of cash that was supposed to be in the float box, was over by Thirty-Six Thousand naira (N36, 000.00) which was a violation of the laid down procedure.

- 4.2 That Moge kwu who was the Head, BPDU at the time was issued a query dated 30<sup>th</sup> July, 2009 to explain the discrepancy.
- 4.3 That in his reply to query dated 31<sup>st</sup> July, 2009, he admitted keeping money in excess in the float box, apologized for the breach and promised not to repeat the grave error.
- 4.4 That the Branch Controller upon receipt of the reply set up a Branch Disciplinary Committee. The Committee submitted its report and indicted six (6) Staff of the BPDU including the Petitioner.
- 4.5 That the Committee's report was forwarded to the Head Office, the report was reviewed and an Inter-Departmental Investigation Panel was set up to further look into the case.
- 4.6 That the Inter-Departmental Panel inducted Mr. Moge kwu and four (4) others and recommended that they should be arranged before the Bank's Central Disciplinary Committee (CDC) to explain their actions.
- 4.7 That a query was issued to the Petitioner and in his written reply he admitted the infractions.
- 4.8 That the Petitioner challenged his dismissal at the National Industrial Court, the Court dismissed the suit and entered judgment in favour of the Bank.
- 4.9 That the Petitioner was given fair hearing by the Bank before he was dismissed from the Bank's service as he appeared before the Branch Disciplinary Committee, an Inter-Departmental Investigation Panel and the CDC.
- 4.10 That the Petitioner was dismissed for dishonesty and breach of trust, acts that were contrary to the Bank's core value of integrity.
- 4.11 That in the view of the above, the Bank appeals to the House of Representatives to discountenance Mr. Moge kwu's petition and reconsider the resolution for the Bank to reverse the dismissal and allow his dismissal to stand.



## **5.0 COMMITTEE FINDINGS**

- 5.1 The Committee aligned itself with the decision of the 8<sup>th</sup> Assembly that “The Central Bank of Nigeria (CBN) should reverse the dismissal of Mr. Samuel Umeadi Mogeckwu from service to retirement and pay all his entitlements, including gratuity and pension, with effect from the date he was dismissed from the service” which was communicated to the Respondent, Central Bank of Nigeria by the Clerk National Assembly,
- 5.2 Also, the Committee on Legislative Compliance wrote a letter to the Respondent, Central Bank of Nigeria upholding the letter written by the Clerk National Assembly which they have failed to comply.

## **6.0 COMMITTEE RESOLUTION / CONCLUSION**

- 6.1 The Committee urges the House to uphold the 8<sup>th</sup> Assembly Resolution on the matter as stated in the Votes and Proceedings of Tuesday, 26<sup>th</sup> September, 2017.
- 6.2 That the management of the Central Bank of Nigeria should reverse the dismissal of Mr. Samuel Umeadi Mogeckwu from service to retirement and pay him all his entitlements including gratuity and pension with effect from the date he was dismissed from service.

## **7.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as amended in recommendation.



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## CASE 7:

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### REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS BY P.T.E TITUS ONWUMIRI AGAINST THE NIGERIAN ARMY ON THE ALLEGED NON-PAYMENT OF SALARY SINCE MARCH 2001 – TO DATE AND UNLAWFUL DISCHARGE FROM DUTY

#### 1.0 PREAMBLE

- 1.1 The House of Representatives at its sitting on Thursday, 12th December 2019 received a petition presented by **Honourable Vincent Ofumelu** on behalf of **P.T.E TITUS ONWUMIRI** against the **Nigerian Army (NA)** on the non-payment of salary since March 2001 to date and unlawful discharge from duty. Pursuant to **Section 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria (as amended)** and in accordance with the **House Standing Order XX. Rule 5[b] of the 9th Assembly** and in line with principles of fairness, equity and justice, the petition was referred to the Committee on public petitions for further legislative actions.

#### 2.0 PETITIONER'S CASE

- 2.1 The petitioner in his presentation stated that he was employed into the Nigerian Army with a letter dated 21st May 1996 and reference number **ARR/RC/ANS/14/2/A** and posted to **82 Motorized Infantry Demonstration Battalion, Jaji, Kaduna** and was issued with Nigerian Army identification card with registration number **96NA/42/7512**.
- 2.2 That the petitioner has attended various training courses with his Unit Command with good performances.
- 2.3 That on 2/12/2000, the petitioner (PTE Titus Onwumiri) also applied for **Environmental Health Technician Course** and was given a PASS to attend the Exam at Ojo Cantonment Lagos by his Unit Head at Jaji on 14/12/2000.
- 2.4 That having passed the exams, he was shortlisted for the course and was released on PASS and Part Two which was billed to last for 5 years.
- 2.5 That at the completion of the course the school authority at Ojo, Lagos issued the petitioner a PASS Number 16/2000 dated 27/6/2005 with which he used in reporting back to his base unit at Jaji, Kaduna.



- 2.6 That on reporting to his office on 1/11/2000 to start work with his unit, that he was not paid his salary at the end of the Month.
- 2.7 That he complained about the non-payment of his salary to the Accountant of the Unit Command who told him that his name was not in the salary voucher.
- 2.8 That he explained to him that he had completed his course and as well gave him a copy of the authority to close and transfer account issued to him by **NIGERIA ARMY MEDICAL CORP SCHOOL (NAMCS)** but nothing was done about it.
- 2.9 That since 2005 that he returned to his Unit Command at Jaji, Kaduna up to date the petitioner had not been paid any salary that he was last paid on February 2001.
- 2.10 The petitioner prays the Committee to intervene in the case and direct the respondents to pay his outstanding salaries and duty assigned to him.

### **3.0 INVESTIGATIVE HEARING**

- 3.1 The investigative hearing was concluded on Tuesday, 21st July 2020 with both parties appearing in defence of the petition.
- 3.2 That while the petitioner made both oral and documentary presentations, the Nigerian Army (The Respondent) only made oral presentation in defence of the petition.

### **4.0 RESPONDENT SUBMISSIONS (NIGERIAN ARMY)**

- 4.1 The Nigerian Army did not bring any submission in defence of the petition meanwhile at the oral submission they stated that the petitioner (PTE Titus Onwumiri's) salary was stopped on account of him being AWOL for a long time but such allegation has no evidence to substantiate their claims.
- 4.2 In line with the above observation as stated by the Nigerian Army in their oral submission the Committee urged the representative of the Nigerian Army to go and put up their defence and position in writing so that the Committee can use them to prepare their reports on the findings which the Nigerian Army never did as at the time of filing the report.

### **5.0 COMMITTEE FINDINGS**

- 5.1 The Committee after series of interrogation and perusals of all the documents tendered by both parties in defence of this petition came up with the following observations:



- 5.2 That the petitioner was recruited into the service of the Nigerian Army on 21st 1996 as an Infantry Motorized soldier and has served at 82 motorized Infantry Demonstration Battalion, Jaji, Kaduna and also has undergone several Army Trainings before finding himself in his current predicament.
- 5.3 That the cause of his problem was that he got Admission to study a five-year course at Environment Health Technician Course Ojo Lagos on 11/12/2000 which was approved to go by his Unit Commander with a release PASS dated 12/1/2001 but did not follow due process.
- 5.4 That at the completion of the course the School Authorities at Ojo Lagos issued him the petitioner PASS NO. 16/2005 dated 27/6/2005 with which he went back to his Unit Command at Jaji, Kaduna.
- 5.5 That on Resumption of duty at his duty post he discovered that he has no schedule and his salary was also not paid at the end of the Month and the reason was that his salary was stopped because he went AWOL which had not been properly verified.
- 5.6 That the Nigerian Army was instructed by the Committee to produce their written position on the issue at stake within 2 weeks which they never did as at the time of this report.
- 5.7 That since the Nigerian Army has no submission in defence of the alleged petition; it meant that the petitioner is innocent on the alleged AWOL meted on him by the Nigerian Army at his Unit Command.

## 6.0 COMMITTEE RECOMMENDATIONS / CONCLUSIONS

- 6.1 The Committee in view of the findings above; urges the House to direct the **Chief of Army Staff (COAS)** to remobilize the petitioner P.T.E Titus Onwumiri back to his duty post.
- 6.2 Pay him all the arrears of his salaries and entitlement due to him from February 2001 when his salary was stopped to Date.

## 7.0 RESOLUTION ADOPTED BY THE HOUSE

Adopted as presented.



## CASE 8:

### REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS BY NNAEMEKA EJIOFOR & ASSOCIATES ON BEHALF OF THE MANAGEMENT OF SEALS CONSULTANTS AGAINST CENTRAL BANK (CBN) ON THE ALLEGED DETERMINATION AND MANAGEMENT INFORMATION OF DORMANT ACCOUNT BALANCES WITHIN THE NIGERIAN FINANCIAL SYSTEM (REQUEST FOR COMPENSATION)

#### 1.0 PREAMBLE

The House of Representatives at its sitting on Tuesday, 29<sup>th</sup> October 2019, received a petition presented by Hon. Toby Okechukwu in line with **section 88 and 89 of the 1999 Constitution (as amended)** on behalf of Nnaemeka Ejiofor & Associates (Counsel to SEAL Consultants) against Central Bank of Nigeria on the determination and management of the dormant account balance within the Nigeria financial system and requesting for adequate compensation.

The petition is referred to the House Committee on public petitions for further legislative actions in line with **Order XVIII Rule 133 of the House Standing Order of the 9<sup>th</sup> National Assembly**.

#### 2.0 PETITIONER'S CASE

- 2.1 The petitioner through his counsel informed the Committee on the need to readdress the authorized of the intellectual property rights of SEAL CONSULTANTS by Central Bank of Nigeria on the determination and management of dormant account balances in banks and other financial institutions within the Nigeria financial systems.
- 2.2 That part of the research work strengthening the proposal was carried out under the approval of the Central bank while the Preliminary works to the project were executed with the active support of the Central Bank of Nigeria.
- 2.3 That the management of CBN went ahead to terminate the activities of the project after six years of the preliminary work on the project with the active support of the CBN.
- 2.4 That the reason for the termination of the project was that the Management of the CBN claimed that they were officially engaged the petitioner with such projects but the idea of the stated projects had been secured by the Nigeria Copyright



Commission's notification of CN/L/2307 issued on 2nd May 2010 which has been presented to the National Assembly in the form of Draft Bill for considerations.

- 2.5 That the CBN has just copied the literary work of the petitioner on dormant accounts management as if it was their own idea and has been using same without due regards to the author of the idea.
- 2.6 That the CBN of Nigeria being the Bankers bank and head of other financial institution and having the ability of formulating policies that would promote financial system stability in Nigeria does not have the right of issuing the idea of the petition on the stated project without due acknowledgement given to the author of the idea.
- 2.7 The petitioners prays CBN to dully acknowledge that SEALS CONSULTANTS were the author of the Intellectual Property on the management of dormant accounts which rights were secured and acknowledged by the Nigerian copyright Commission on notification NO. CN/L/2307.

### **3.0 INVESTIGATIVE HEARING**

- 3.1 The investigative hearing was concluded on Wednesday, 19<sup>th</sup> February, 2020 with both parties appearing to make both oral and documented submissions.

### **4.0 RESPONDENT SUBMISSION**

- 4.1 CBN informed the Committee that in respect of the various issues raised against them by the petitioner that they have received the various correspondents between the petitioner and CBN and could not find any evidence of the CBN encouraging the petitioner in any manner to carry out the research work on its proposal for the establishment of the dormant account trust fund company.
- 4.2 That the CBN in their letter to the managing director of SEAL CONSULTANTS dated 24th August 2009, informed the company of the banks inability to accede to the company's demand due to the absence of the Act of parliament establishing the dormant account trust fund of the company.
- 4.3 That CBN also informed the company in question that it would consider the option of initiating a legislative process for enactment of the relevant law backing the company before having any legal dealings with the petitioner.
- 4.4 That where the CBN requires technical consultants to assist in the development of the regulation or engage in any venture in which the bank does not possess internal



capacity, there are laid down procedures as well as the provision of the public procurement Act to guides such engagement.

- 3.5 That the CBN Act has given them mandate to issue regulation for the management and orderly conduct of the banking system. In view of that the copyright obtained by the company does not invalidate the powers of the CBN to issue regulations of any aspect of the operations of banks and other financial institutions in Nigeria, including issuance of regulations for the managements of dormant account in the Nigeria banking system.
- 3.6 That the allegation raised by the petitioner against the CBN that it simply copied the petitioners literary work on dormant account management as if the idea was a CBN Initiative was not true because CBN regulation is guided by the fact that when a customer opens account with a bank, a contractual agreement has been established between the customer and the bank.
- 3.7 That as indicated in the company's letter dated 23rd September 2019, a petitioner proposed a two-phase approach to the dormant account in Nigeria.

## **6.0 COMMITTEE FINDINGS**

- 6.1 The Committee after careful examination of both oral and document submission of both parties observed as follows:
- 6.2 That the proposal written by the petitioner (SEAL CONSULTANT) to CBN on nineteen occasions and with supporting documents for the establishment of dormant account trust fund company for the professional management of dormant account balance in favour of the account owners and economy has no evidence to prove that CBN accepted and approved the proposal to be a working document in the bank.
- 6.3 That the petitioner was once a staff of the CBN which might have given him a wider experience for the establishment of such company and as a result of that, CBN cannot absolutely deny that his work has not assisted the bank in the management of dormant account.
- 6.4 That the CBN did not accept the proposal of the petitioner on the establishment of dormant account for the professional management of dormant account owners because of the following reasons.





- 6.5 That CBN believed that these were laid down procedures as well as the provisions of the public procurement Act where it requires a technical Consultant to assist in the development of the regulation or engaged in any ventures in which the bank does not possess the internal capacity.

## **7.0 COMMITTEE RECOMMENDATIONS /CONCLUSIONS**

The Committee in view of the findings above, recommends the Following:

- 7.1 Urges the House to direct CBN to come up with a draft Bill for the establishment of a dormant account trust fund company to enable the management of SEAL CONSULTANTS operate under a legal entity.
- 7.2 That on compassionate grounds the House should urge the CBN to review the petitioner's contract proposal and compensate him according to the fact that the petitioner was a former staff of CBN with wide experience of technical know-how of the banking system.

## **8.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended by the Committee.



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## CASE 9:

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### REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON THE PETITION BY AREWA R. OLUFEMI AGAINST THE FEDERAL ROAD SAFETY COMMISSION ON ALLEGED UNLAWFUL DISMISSAL FROM SERVICE (FRSC)

#### 1.0 PREAMBLE

- 1.1 The House of Representatives at its sitting of 7<sup>th</sup> November, 2019 received a petition from **Hon. Ade Adeogun** on behalf of Arewa R. Olufemi against Federal Road Safety Commission (FRSC) on dismissal from service.
- 1.2 Pursuant to section 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and in line with the House of Representatives Standing Order XVIII Rule 5(c) of the 9th National Assembly and in accordance with the principles of equity, fairness and justice, the petition was referred to the Committee on Public Petitions for further legislative actions.

#### 2.0 PETITIONER'S SUBMISSION

- 2.1 The Petitioner informed the Committee that he joined the service of the Commission in 1997 on the Rank of Route Commander.
- 2.2 That he was subsequently posted to Ijebu-Ode, Ogun State Unit Command where he headed the Admin and Finance Department for seven (7) years before being posted to the Birnin Gwari Unit Command, Kaduna as the Head of Operations.
- 2.3 That he was served a letter of dismissal from service dated 3rd March, 2005.
- 2.4 That he was Head of Operations in the Command for only four (4) months.
- 2.5 That the problem emanated from an anonymous petition, devoid of facts, written against the Unit Commander by one of the Officers of the Command who had acted as the Unit Head of Operations of the Command before his arrival.
- 2.6 That the National Headquarters of the Commission in Abuja ordered an investigation into three petitions despite the Unit Commander's protest that such petition should not have been entertained.
- 2.7 That both the Zonal Command and Section Command in Kaduna set up independent investigation panels and based on the report of the sector investigation panel, only him alongside the Unit Commander was tried and found guilty and dismissed from



service.

- 2.8 That he was jointly charged with the Unit Commander upon the implication that the guilt of one is the guilt of the other.
- 2.9 That he has written series of letters to both the Corps Marshal and the Governing Council of the Federal Road Safety Corps all to no avail.
- 2.10 In the light of the above, the petitioner prayed the House to:
- Reinstatement him into the service of the Commission, pay him the backlog of his entitlements from 2005 till date.
  - Effect his promotions of three (3) steps ahead of the rank by which he left the service of the Federal Road Safety Corps and place him at par with his colleagues.

### **3.0 INVESTIGATIVE HEARING**

- 3.1 The Committee conducted an investigative hearing on the matter on 1<sup>st</sup> December, 2020 with both parties in attendance.

### **4.0 RESPONDENT'S SUBMISSION**

- 4.1 The Respondent stated that in compliance with the House Committee's request that the case of the Petitioner be reviewed with a view to commuting his dismissal from service to retirement.
- 4.2 That the Corps has painstakingly reviewed the entire Federal Road Safety Disciplinary Court proceedings again and found that the dismissal of the Petitioner from the service of the Federal Road Safety Corps is well supported by evidence adduced at the Federal Road Safety Disciplinary Court proceedings.
- 4.3 That the dismissal of the Petitioner also followed due process and is in line with the Rules and Regulation of the Corps.
- 4.4 That on compassionate grounds and in total recognition of the cordial relationship between the National Assembly and the Corps, the Corps Marshal has directed that a recommendation to commute the dismissal of the Petitioner to retirement with effect from the date of his dismissal in 2005 be forwarded to Federal Road Safety Corps prerogative of mercy Board for consideration and approval.



## **5.0 COMMITTEE FINDING**

The Committee after listening to both parties noted the following:

- 5.1 That during the investigative hearing on 17<sup>th</sup> November, 2020 the Committee directed that the case of the Petitioner be reviewed.
- 5.2 In line with the above, the Respondent reviewed the Federal Road Safety Disciplinary Court Proceedings again and found that the dismissal of the Petitioner from the services of the Federal Road Safety Corps followed due process and in line with the rules and regulations of the Corps.
- 5.3 However, on compassionate grounds the Respondent has directed that a recommendation to commute the dismissal of the Petitioner with effect from the date of his dismissal in 2005 be forwarded to Federal Road Safety Corps Prerogative of Mercy Board for consideration and approval.

## **6.0 COMMITTEE RECOMMENDATIONS**

- 6.1 In line with the finding above, the Committee recommended that the House urges the Corps Marshal, FRSC to commute the dismissal of the Petitioner (Arewa R. Olufemi) to retirement.
- 6.2 Pay him all his arrears and benefit from 2005 till date.

## **7.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended by the Committee.



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## CASE 10:

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### **REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITION BY AYUBA DANTARO AGAINST THE NATIONAL SPACE RESEARCH AND DEVELOPMENT AGENCY (NASRDA) ON ALLEGED UNLAWFUL DISMISSAL FROM SERVICE**

#### **1.0 PREAMBLE**

- 1.1 The House of Representatives at its sitting on Thursday, 2<sup>nd</sup> July, 2019 received a petition presented by Hon. Garba Jonathan Gbafw on behalf of one Ayuba Dantaro who in this case, is the petitioner, on the wrongful, malicious, and undeserving dismissal from the services of the National Space Research And Development Agency (NASRDA) and had referred same to the committee for further legislative actions.

#### **2.0 PETITIONER'S CASE**

- 2.1 Ayuba Dantaro stated that he was employed into the services of the National Space Research and Development Agency on the 27 May, 2010 as an administrative officer grade 2. After the expiration of the requisite probationary period, his letter of regularization of appointment came outdated 22<sup>nd</sup> March, 2013. Consequent upon his performance and in the normal order of progression in the service, he was promoted to Admin Officer in 2014 and subsequently to Senior Admin Officer in 2016. He was later transferred to the Zonal Advance Space, Application Lab (ZASAL), Langtang, Plateau state on the 5<sup>th</sup> of December, 2018.
- 2.2 Accused for involvement in illicit employment saga, the agency constituted a Committee chaired by its Director-General to investigate him. The Committee's onward report indicted him for issuing fake employment letter to some unsuspecting members of the public.
- 2.3 Consequent upon 2.2 above, he was issued a query dated 20<sup>th</sup> December 2018 by the management of NASRDA with detailed allegations of gross misconduct and dereliction of duty against him which he responded to on 21<sup>st</sup> December, 2018.
- 2.4 The petitioner also presented that his schedule of duty was not to administer or issue employment letters to anybody whether original or fake.
- 2.5 The petitioner went further to submit that on 24<sup>th</sup> December 2018, the Management of the Agency served him a letter suspending him indefinitely from its service.



- 2.6 On the 28th of March 2019, to be precise, his Supervisor on behalf of the Management of the Agency served him a letter of dismissal which was back dated to 21<sup>st</sup> February, 2019.
- 2.7 That the Committee erroneously indicted, suspended and dismissed him from the service of NASRDA without fair hearing.
- 2.8 The petitioner prays the Committee to investigate the potency of the purported allegations levelled against him, order a re-trial and possibly confirm his innocence and give him justice.

### **3.0 INVESTIGATIVE HEARING**

- 3.1 The investigative hearing was conducted on 20th November, 2019 the petitioner, legally represented by an attorney appeared once. The respondent (NASRDA) attended all the sittings through its legal department.

### **4.0 RESPONSE TO THE PETITION BY THE RESPONDENT**

- 4.1 The National Space Research and Development Agency, represented by its team of legal practitioners from the Agency's legal department noted in their submission during the investigative hearing of the matter that the petitioner, Ayuba Dantaro was an employee of the Agency.
- 4.2 The respondent also affirmed that the petitioner had earlier initiated a civil proceeding against the agency at the National Industrial Court sitting in Abuja in a Suit No. NICN/ABJ/159/2019 on the same subject matter, copy of summon was attached in their submission.
- 4.3 That the court informed them that the above case is slated for hearing on Thursday, 30th October, 2019, copy of hearing notice was attached to the submission.
- 4.4 The respondent posited in their humble submission that the petitioner ought to have known that filing another petition against the Agency while the matter is still pending in the court amounts to contempt of the court thereby resulting in the abuse of the judicial process.
- 4.5 The respondent (NASRDA) requested that the Committee should discontinue the hearing of the case in order to allow the judicial process already set in motion by the petitioner run its full course before any further step to avoid jeopardy.
- 4.6 The respondent also prays the Committee to strike out the petition for lack of merit.



## **5.0 COMMITTEE FINDINGS**

- 5.1 The Committee after thorough Cross-Examination of both parties came up with the following issues for determination and deliberation.
- 5.2 That the Petitioner Ayuba Dantaro was employed into the Service of National Space Research and Development Agency on 27<sup>th</sup> May, 2010 as an Administrative Officer Grade II and rose to the Rank of Senior Administrative Officer before dismissal from Service.
- 5.3 That the Petitioner after using his counsel to represent him at the First Sitting on his Case, failed to appear in defence of his case in subsequent investigative hearings in which he was alleged to have issued fake Employment Letters to the public and show the level of his un-seriousness in defence of his case before the Committee.
- 5.4 That the fact that he was not given a fair Hearing before his dismissal was not true because he has no proof to substantiate his claims.
- 5.5 That the Committee observed that the case in question was in the Court of Law and will not intervene in the case until it is discharged from the Law Court.

## **6.0 COMMITTEE RECOMMENDATION**

- 6.1 The Committee in view of the findings above urges the House to dismiss the petition for lack of merit. The Committee recommends that the petition shall not be entertained by it or another Committee in the National Assembly.

## **7.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted.



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## CASE 11:

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### **REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITION BY YETUNDE OLADIMEJI AGAINST THE NIGERIA POLICE FORCE ON AN APPEAL FOR URGENT INTERVENTION FOR THE PURPOSE OF REINSTATEMENT.**

#### **1.0 PREAMBLE**

- 1.1 The House of Representatives at its Sitting on Wednesday, 20th November, 2019 received a petition from Hon. Omolafe Adedayo on behalf of Yetunde Oladimeji against the Nigeria Police Force on an appeal for urgent intervention for the purpose of reinstatement.
- 1.2 Pursuant to Sections 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and in accordance with the House Standing Order XX Rule 5(2) [b] of the 9th Assembly, and in line with the principles of fairness, equity and justice, the Petition was referred to the Committee on Public Petitions for further Legislative action.

#### **2.0 PETITIONERS CASE**

- 2.1 The Petitioner informed the Committee that she was enlisted into the Nigeria Police on the 18th of July 1991 as a Police Constable.
- 2.2 That she was promoted to the rank of a Sergeant on 1st of March, 2003.
- 2.3 That since her engagement as a Police Officer, she has never been involved in any criminal offence neither has she had any query or Orderly Room Trial.
- 2.4 That she had the cause to direct one gentleman in the person of Alhaji Yinusa Shittu who requested for police extract, to the officer in charge.
- 2.5 The Committee took and considered both Oral and Written Submissions of both parties to arrive at its recommendations.

#### **3.0 RESPONDENT'S SUBMISSION**

- 3.1 The Respondent stated that the Petitioner was a Woman Sergeant before her dismissal in 2015.





- 3.2 That the Petitioner's last place of Service was Yaba Division of Ondo State Police Command.
- 3.3 That the Petitioner's letter of appeal for reinstatement is still before the Inspector General of Police and is being given the necessary attention.
- 3.4 That the Office of the Provost Marshal has written and equally sent a reminder to the Commissioner of Police Ondo State, to avail the Inspector General of Police with the Orderly Room Trial Proceedings that formed the basis of the dismissal.
- 3.5 That the trial procedure and comments from Ondo State Command was still being awaited.
- 3.6 The Provost Marshall promising that as soon as the comments are received, he shall review it to be able to advise the Inspector General of Police on the justification or otherwise of the dismissal of the Petitioner.
- 3.7 That the Office of the Provost Marshal shall intensify its effort to make sure Ondo State Command forward its comments within the shortest possible time.
- 3.8 That Ondo State Command was yet to send its Orderly Room Procedures Proceedings.

#### **4.0 COMMITTEE FINDINGS**

The Committee after a careful perusal of the facts of this case notes:

- 4.1 That the Petitioner's dismissal from Service did not follow due process.
- 4.2 That the Respondent failed to show proof that the petitioner was involved in the issuance of the fake extract.
- 4.3 Also, the Respondent also failed to tender the orderly room trial proceedings that led to the dismissal of the Petitioner.
- 4.4 That the Committee confirmed that Sergeant Femi Atta who issued the Police Extract is still in service till date, and has even been promoted to the Rank of Assistant Superintendent of Police without any Trial/Investigation to determine his level of involvement in the matter at stake.
- 4.5 More so that, the Petitioner who was arrested and charged to court but she won her case because the court dismissed the case, but the Nigeria Police refused to obey the Court judgement.



## **5.0 COMMITTEE RECOMMENDATION**

- 5.1 In line with the findings above; the Committee recommends the House to urge the Respondent, the Nigeria Police Force and Police Service Commission to reinstate the Petitioner (Yetunde Oladimeji) back to Service and to pay all her entitlements and benefits and promote her to be at par with her Colleagues in office.

## **6.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended.



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## CASE 12:

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### **REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE OF PUBLIC PETITIONS ON THE PETITION BY TOLU BABALEYE & CO ON BEHALF OF MR. ANDREW AYERIM AGAINST THE POLICE SERVICE COMMISSION ON A PASSIONATE APPEAL FOR THE HOUSE INTERVENTION FOR THE PAYMENT OF ALL THE MONIES AND EMOLUMENTS INCLUDING PENSION AND GRATUITY DUE TO MR. ANDREW AYERIM, WHO WAS A FORMER ACTING SUPERINTENDENT OF POLICE AND WAS WRONGLY DISMISSED FROM THE SERVICE BY POLICE SERVICE COMMISSION BUT LATER RE-INSTATED BACK TO THE SERVICE**

#### **1.0 PREAMBLE**

- 1.1 The House of Representatives at its sitting on Tuesday, 29th October, 2019, received a petition presented by Hon. Akinfolarin Mayowa Samuel on behalf of Tolu Babaleye & co. against the Police Service Commission on a passionate appeal for the House intervention to ensure payment of all the monies and emolument including Pension and gratuity due to Mr. Andrew Ayerim, a former Acting Superintendent of Police, who was wrongfully dismissed from the service by the management of the Police Service Commission.
- 1.2 The Petition was presented in line with sections 88 and 89 of the 1999 Constitution as amended and was referred to the House Committee on Public Petitions for further legislative actions according to Order XVII Rule 6 of the House Standing Orders of the 9th Assembly.

#### **2.0 PETITIONER'S CASE**

- 2.1 The petitioner through his council informed the Committee that he joined the service of the Nigeria Police force (NPF) on 15<sup>th</sup> October, 1967 and served in several capacities including taking course outside the Country (Holland and London in 1975/1982 respectively) in respect to his meritorious service to the nation.
- 2.2 That in the year 1983 while he was on special patrol in his unit at Calabar, his team alongside some Naval Officers accosted and arrested some smugglers who were later taken to Naval based in Calabar for interrogation.
- 2.3 That the Petitioner with some other colleagues were alleged to be receiving bribes from the Smugglers and while interrogations into the allegation was still going, he



was dismissed from the service of NPF on account of having a pending criminal issues.

- 2.4 That at the end of the investigation, the petitioner was found not guilty or neither linked to the alleged crime. As a result of that, the then Police Commissioner of Cross River State (CP Don Madiebo) wrote to the then IGP in a letter dated 24<sup>th</sup> April, 1984 exonerating him from all allegations against him and also directed that the petitioner should be reinstated in the stated letter to the Inspector General of Police. That despite the said letter to IGP and with a reminder letter to the IGP written by another Police Commissioner (CP Sai Ossai) on 10th July, 1989 for his reinstatement) the Petitioner was not reinstated.
- 2.5 That in one of his meetings with the Management of the Police Service Commission concerning his reinstatement, he discovered that his file was placed among those officers who died in active service; he perceived a deliberate attempt to deceive the Commission and prevent it from doing the needful.
- 2.6 Praying for the Committee's intervention to ensure his reinstatement back to the service. That all the arrears of emolument, entitlement and benefit should be paid to him with effect from 1984 to 2002 which he was due for retirement.

### **3.0 INVESTIGATIVE HEARING**

- 3.1 The investigative hearings on the matter was concluded on Wednesday, 13th November, 2019 after first hearing with both parties appearing to make both oral and documentary presentation.

### **4.0 RESPONDENT SUBMISSION**

- 4.1 The Respondent in their presentation denied all the allegations level against them by the Petitioner and has resolved not to reinstate the Petitioner due to the following facts;
- 4.2 That judging from his date of birth (15th of October 1967), the petitioner ought to have been retired from the service of NPF in the year 2002 (35 years of service) which is the official recognized compulsory years of retirement. That the cause of action arose in 1984 and the issue at stake was never brought to notice of the Police Service Commission since its inception in 2001 for consideration.
- 4.3 That there was no record where the Petitioners case was challenged in any court of Law.



- 4.4 That by virtue of section 2 (a) of the Public Office Protection Act, the respondent will contend again that granting the request in the face of the statutory provisions will amount to the abuse of its power and will open a flood gate of such request in the service.
- 4.5 That the Police Service Commission has no power on issues of Monies; Pensions, Gratuity and Emolument which fall under the control of Inspector General of Police.
- 4.6 That the Committee should dismiss the Petition for Lack of Merit.

## **5.0 COMMITTEE FINDINGS**

After thorough investigation and cross examination of both parties, the Committee observed as follows;

- 5.1 That the Petitioner (Mr. Andrew Ayerim) joined the service of NPF on 5th October, 1967 and had meritoriously served in several capacities before he was wrongfully dismissed from the service in 1983.
- 5.2 That failure of the Nigeria Police Force to reinstate the Petitioner after he was cleared of the allegations labeled against him by the Nigeria Police Force led to the Petitioner seeking for the Committee's intervention to get justice.
- 5.3 That the Police Service Commission denied having any knowledge of the alleged issue at stake because the Commission was not yet in place when the incident happened. The Management of the PSC also insisted that the petitioner should have instituted a Court action against NPF if he was serious about his claims.
- 5.4 That the Police Service Commission has no power on issues of Monies, Pensions, Gratuity and Emolument which fall under the control of IGP.
- 5.5 That the Petitioner was not requesting for reinstatement as claimed by the PSC Knowing fully that he has attained the retirement age of 35 years but for the payment of arrears of all his entitlement and benefits.
- 5.6 That the Management of the PSC declined honouring the request of the Petitioner because by so doing, it will open a floodgate of such requests to the Commission.



## **6.0 COMMITTEE RECOMMENDATION/CONCLUSION**

- 6.1 The Committee in View of the Findings above recommends urging the House to direct the Chairman Police Service Commission to liaise with the Inspector General of Police to ensure that justice is done on the above Petition.
- 6.2 That the Inspector General, Nigerian Police Force should arrange for the payment of outstanding arrears of salaries, entitlement and benefits of the Petitioner (Mr. Andrew Ayerin) with effect from the day he was wrongfully dismissed.

## **7.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended.



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## CASE 13:

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### **REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON BEHALF OF SURU WORLDWIDE NIGERIA LIMITED'S ON PETITION OF ALLEGED ILLEGAL SEIZURE OF PROPERTY AGAINST ASSET MANAGEMENT CORPORATION OF NIGERIA (AMCON)**

#### **1.0 PREAMBLE**

- 1.1 The House of Representatives at its sitting on 28<sup>th</sup> November, 2019 received a petition from Hon. Ademorin Kuye on behalf of Suru World Wide Nigeria Limited (Petitioner) against Asset Management Corporation of Nigeria (AMCON) (Respondent) on the illegal seizure of property.
- 1.2 Pursuant to Sections 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and in accordance with the House Standing Order XX Rule 5(2) [b] of the 9th Assembly, and in line with the principles of fairness, equity and justice, the Petition was referred to the Committee on Public Petitions for further Legislative action.

#### **2.0 PETITIONER'S CASE**

- 2.1 The Petitioner identified himself as the Group Managing Director (GMD) of Suru World Wide Venture Nigeria Limited, the owner of Best Western Plus Hotel sited at 12, Allen Avenue, Ikeja Lagos.
- 2.2 That on 30th May, 2016 to be precise, the Respondent acted on and illegally and fraudulently obtained an order of the Federal High Court in suit No. FHC/L/CS/1059/2016, invaded their premises at Allen Avenue, Ikeja Lagos, a five star Hotel to carry out eviction, chasing away lodgers amongst who were foreign tourists and diplomats without joining the Petitioner or serving them the eviction notice.
- 2.3 That earlier in June 22, 2015, Justice Idris of the same Federal High Court had dismissed an action instituted by the Petitioner in suit FHC/L/CS/218/2014 against the Respondent with a fine of Fifty thousand Naira (N50, 000.00).
- 2.4 That the Petitioner had obtained Judgement in its favour in an appeal it filed against the judgement of the High Court in Suit No. CA/L/88/2018 at the Court of Appeal, Lagos on 2<sup>nd</sup> July, 2019 when a team of Judges led by Justice Ogochukwu A. Ogakwu, JCA set aside the judgement of the lower Court with a cost of N100,000.00



against the Respondent.

- 2.5 That the action of the Respondent has made the Petitioner to lose several millions of Naira from customer's apathy.
- 2.6 That the Respondent is doing this largely because its Chairman is benefiting from the customers diversion to the only competitor Hotel within the neighbourhood which he has interest in.
- 2.7 That the closure of the hotel is neither beneficial to the Respondent nor to the Country's economy but just an irresponsible action capable of stifling business growth in the Country.
- 2.8 That the Attorney General of the Federation and other relevant government officials had intervened with directives that the Respondent should vacate the Petitioner's premises yet the Respondent remained adamant and refused to comply.
- 2.9 That Petitioner however prayed the House to prevail on the Respondent to vacate the premises of the Petitioner immediately until a lawfully obtained Court Order is provided.
- 2.10 Order the Respondent to return to the Petitioner all the properties it seized from it, direct the IGP to withdraw his men from the premises of the Petitioner until such a time when a lawfully obtained order directs otherwise, also prevail on the Respondent to stop its interference and invasion of the Petitioner's property forthwith until a legal order from a competent Court of jurisdiction decides otherwise.
- 2.11 Direct the IGP to ensure safety of lives and properties of the Petitioner and his entire workforce as provided by the Constitution of the Federal Republic of Nigeria against any aggression from the Respondent.

### **3.0 INVESTIGATIVE HEARING**

- 3.1 The Committee concluded its investigative hearing on Tuesday, 16<sup>th</sup> March, 2021. Both parties made oral/written submissions and were cross-examined by the Committee.

### **4.0 RESPONDENT'S SUBMISSION**

- 4.1 That the Respondent acknowledges the receipt of the Committee's Summon/Hearing notice dated 18th September, 2020 on the subject matter.





- 4.2 That the Respondent wishes to inform the Committee that this matter is before the Supreme Court of Nigeria with suit No. SC/1098/2019: Asset Management Corporation of Nigeria vs. Suru World Wide Nigeria Ltd.
- 4.3 That the Committee should apply its Order 9 Rule 1 (5) of the standing orders of the House of Representatives, 2016 by waiting for the outcome of the Supreme Court's judicial decision before entertaining this Petitioner.
- 4.4 That the Respondent took several facilities from the defunct Oceanic Bank, now Eco Bank all amounting to about Twenty-Four Billion, Two Hundred and Thirty-Seven Million, Three Hundred and Ninety thousand, Six Hundred and Thirty-five Naira, Sixty-Seven Kobo (N24,237,390,635.67) and refused to pay back or service his indebtedness.
- 4.5 That due to the petitioner's inability to pay back or service its indebtedness, the facility was classified as non-performing and in pursuant to its statutory made under the Asset and Management Corporation of Nigeria Act, 2010 (as amended), the respondent had to acquire the non-performing indebtedness of the Petitioner in order to rescue the said bank from imminent collapse. The acquisition gave the respondent the status of primary creditor of the Petitioner.
- 4.6 That the respondent became vested with all the properties used as collateral with all their acquiring interest including but not limited of the one in question which is situate at No. 12, Allen Avenue, Ikeja Lagos. That the petitioners managing Director and Chief Executive Officer pleaded with the respondent to restructure its indebtedness after the acquisition took effect successfully.
- 4.7 That the respondent granted the petitioner several concessions pursuant to the policy of the Federal Government of Nigeria to expedite actions that will guarantee amicable resolution of the issue of indebtedness and yet the petitioner blatantly refused and neglected to repay its indebtedness.
- 4.8 That pursuant to the statutory and contractual rights vested on the respondent by its Act as well as the security document, especially the deed of legal Mortgage registered as No. 5 at page 5 in volume 1999 over the indebtedness of the petitioner, the respondent filed suit No. FHC/LS/L/1059/2006 where it sought and obtained orders of court directing the IGP and other security operatives to assist it (the respondent) to take over some of the petitioners properties used as collateral for the facilities.



- 4.9 That the respondent took over the property in question because the petitioner has persistently refused to honour any of its promises to settle its indebtedness despite negotiations and settlement meetings spanning (7) years.
- 4.10 That the takeover of some of the petitioner's properties used as collateral in obtaining the quoted facilities was sanctioned by a court order made on 30th May, 2017 in line with the Respondents establishment Act.
- 4.11 That the respondent never acted outside the law but with the knowledge and authorization of appropriate legal frameworks.
- 4.12 That since the order of the court authorizing the respondent to take over the properties of the petitioner used as collateral in obtaining non-performing facility, no other counter order of any court has divested the respondent to return the property situate at No. 12, Allen Avenue, Ikeja, Lagos or any other property whatsoever that the respondent took legal possession of and it refused.
- 4.13 That petitioner acknowledged its indebtedness and made several activities to the respondent to pay N11 billion in full and final settlement on a later date even after the judgement of the court of Appeal No: CA/L88/2018 set aside the order made in suit No: FHC/L/CS/1059/2016.
- 4.15 That the respondent is indebted to the Federal Government of Nigeria to the tune of thirty-three Billion Naira (N33 billion) and it is not disputing that neither can it deny it.
- 4.16 That the petitioner in a bid to circumvent the liquidation of its indebtedness, had written several petitions to the Attorney-General of the Federation, the Chief Judge of the Federal High Court and many others. None of these petitions succeeded because the facts are very clear. The Petitioner is indebted and must either redeem or have the properties confiscated and used as collateral.
- 4.17 That Respondent therefore prayed the House to use its authority to encourage the Petitioner to honour its obligation by immediately liquidating its indebtedness to the Federal Government vide the Respondent. It also prayed the House to dismiss the petition since the case is pending in the Court.



## **5.0 COMMITTEE FINDINGS/OBSERVATIONS**

- 5.1 That the Petitioner is actually indebted to the Respondent which acquired the non-performing facilities it took from the defunct Oceanic Bank, now EcoBank but failed to repay the indebtedness that stood at Twenty-Four Billion, Two Hundred and Thirty-Seven Million, Three Hundred and Ninety thousand, Six Hundred and Thirty-five Naira, Sixty-Seven Kobo (N24,237,390,635.67).
- 5.2 That the Petitioner, having pleaded through its Managing Director/CEO to give a deposit of 11,000,000.00 instalments has been making frantic efforts to repay its indebtedness.
- 5.3 That the Respondent obtained a legal order from a High Court of the Federal Republic in a suit No. FHL/L/CS/1059/2016 to eject the Petitioner from the properties it used as collateral for the said facilities but in appeal suit No. CA/L/88/2018 in the Appellate Court, the decision of the Federal High Court was set aside meanwhile, liquidating its indebtedness to the Federal Government vide the Respondent. It also prayed the House to dismiss the petition since the case is pending in the Court.

## **6.0 COMMITTEE RECOMMENDATIONS**

The Committee recommends the following:

- 6.1 That the Petitioner waits for the outcome of the appeal filed by the Respondent at the Supreme Court.

## **7.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended.



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## CASE 14:

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### **REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON THE PETITION BY STYBEN LAW FIRM ON BEHALF OF ANSELEM NWACHUKWU OF NPF FORCE NUMBER 164574 AGAINST THE NIGERIA POLICE FORCE ON HIS ALLEGED UNLAWFUL DISMISSAL FROM THE SERVICE**

#### **1.0 PREAMBLE**

- 1.1 The House Committee on Public Petitions at its Sitting on Tuesday, 5th December, 2019 received a Petition presented by Rt. Hon. Ugonna Ozurigbo 20 on behalf of Styben law Firm for Anselem Nwachukwu against the Nigeria Police Force on his unlawful dismissal from the service.
- 1.2 In line with sections 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and in accordance with the House Standing Order XX Rule 5(2) [b] of the 9th Assembly, and in line with the principles of fairness, equity and justice, the Petition was referred to the Committee on Public Petitions for further legislative action.

#### **2.0 PETITIONER'S CASE**

- 2.1 The Petitioner (Corporal Anselem Nwachukwu) hails from Amaigbo in Nwangele LGA of Imo State.
- 2.2 The Petitioner informed the Committee that he was the Staff of Police Service College in Oji River in Enugu State until June, 1995 when he was unlawfully dismissed from the service.
- 2.3 That he was dismissed from the service of NPF on the allegation of involvement on illegal duty and without hearing from him, the then Commissioner of Police in Charge of the College unilaterally dismissed him without following due process.
- 2.4 That all efforts made by him to seek redress on the issue was to no avail.
- 2.5 The Petitioner prayed the Committee to intervene and order his reinstatement to the service of NPF.
- 2.6 Finally he prayed that all the arrears of his salaries, benefits and entitlement be paid to him to enable him recover from the untold hardship he is currently passing through as well as promote him to be at par with his colleagues in the force.



### **3.0 INVESTIGATIVE HEARINGS**

- 3.1 The Hearings came to a close on Tuesday, 23th March, 2021 after several adjourned sittings for non-appearance by the Police. Both parties made appearance on 23rd March, 2021. Their oral and written presentations were taken and considered.

### **4.0 RESPONDENT'S PRESENTATION**

- 4.1 That during the first and subsequent hearings, the NPF repeatedly pleaded for more time to enable them trace and study the case file of the Petitioner.
- 4.2 That at the last investigative hearing of the case held on Tuesday, 23rd March 2021, the Provost Marshal of the NPF Force HQ, Abuja who represented the IGP said that the NPF has reviewed the Petitioners case and is in the process of reinstating him back to the service.
- 4.3 In view of the aforementioned, the Committee appreciated the Respondents efforts and urged them to expedite action in their plan to reinstate the Petitioner.

### **5.0 COMMITTEE FINDINGS**

- 5.1 The Committee in its findings observed that the Petitioner (Corporal Anselem Nwachukwu) was a victim of circumstances since the Management of NPF could not justify the reasons for dismissing him.
- 5.2 That the Management of NPF did confirm to the Committee that it has commenced the process of reinstating the petitioner back to the NPF.

### **6.0 COMMITTEE RECOMMENDATIONS**

- 6.1 The Committee recommended that the House urges the Inspector General, Nigeria Police Force to expedite actions in the process of reinstating the Petitioner to the services of NPF.
- 6.2 Pay him all the arrears of his salaries, benefits and entitlements as well as promote him to be at par with his colleagues in office.

### **7.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended.



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**CASE 15:**

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**REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON THE PETITION BY MR. JEROME ATSE, A FORMER STAFF OF THE NIGER DOCK COMPANY PLC. AGAINST THE MANAGEMENT OF THE COMPANY FOR AN ALLEGED WRONGFUL TERMINATION OF HIS APPOINTMENT****1.0 PREAMBLE**

- 1.1 The House of Representatives, at its Sitting on Tuesday 10th October, 2019 received a Petition, presented by Hon. Legor Idagbo on behalf of Mr. Jerome Atse against the Management of the Niger Dock on wrongful termination of his appointment.
- 1.2 Pursuant to sections 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and in accordance with the House Standing Order XX Rule 5(2) [b] of the 9th Assembly, and in line with the principles of fairness, equity and justice, the Petition was referred to the Committee on Public Petitions for further legislative action.

**2.0 PETITIONER'S CASE**

- 2.1 The Petitioner in his Presentation informed the Committee that he was a former Security Supervisor to the Niger Dock Integrated Free Zone Plc, Apapa Lagos which appointment was unjustly terminated on 10<sup>th</sup> August, 2009. On allegation of stealing which was not true.
- 2.2 That he, the Petitioner explored all available means of Alternative Dispute Resolution including the use of Citizen Mediation Center and Human Rights Commission to readdress the issue but to no avail.
- 2.3 That the Petitioner believes that the Human Resources Development Department of the Company did not follow due process in the termination of his appointment because no investigation was carried out before the termination of his appointment.
- 2.4 That in the cause of the Investigation in the above-mentioned dispute resolution Centers, the Niger Dock Company claimed that they have paid the Petitioner all his entitlements, but the Petitioner disputed the claims and acknowledged that the Company only paid him salary for that particular month (August 2009) alongside arrears of the last increment which was paid to every staff of the Company in that same month.



- 2.5 The Petitioner also complained that one of the challenges that he was having in following the case was that he was told that most of the Management Staff of the Company who were involved in the matter have all left the Company, but he still believed that the said company was still in existence.
- 2.6 That the Committee should intervene to ensure that the Company pay him for all the damages that was caused to him by the Human Resource Manager (Mr. Emmanuel Cole).
- 2.7 That the Company should reinstate him and pay him all entitlements right from the day of his unjust termination of appointment.

### **3.0 INVESTIGATIVE HEARING**

- 3.1 The investigative hearing was concluded on 23rd March, 2021 after several hearings with only the Petitioner appearing to make both oral and documentary presentations while the Management of Niger Dock Company never appeared for once in defence of the above Petition.

### **4.0 RESPONDENT'S SUBMISSION**

- 4.1 That the above-mentioned Company (The Respondent) never appeared for once in defence of the above Petition.
- 4.2 That the Company wrote to the Committee once stating its stand on the issue at stake.
- 4.3 That the Petitioner had no records of Service in their Company and could not do anything about that, but the Committee replied them with full details of records of service of the petitioner in the Niger Dock Company which the Company ignored.

### **5.0 COMMITTEE FINDINGS**

- 5.1 The Committee could not conclude their Findings because of the absence of the Management of the Niger Dock Company in defence of the above Petition.
- 5.2 That the only observation found by the Committee was that the Petitioner was a former Supervisor at Niger Dock Integrated Free Zone Plc, Apapa Lagos.
- 5.3 That on 10th August, 2009, his appointment was unlawful terminated on account of alleged stealing which was not investigated and proved.



- 5.4 That the Petitioner had previously attempted in futility, to seek redress through some organs of arbitration but the Respondent was adamant and could not yield to the voices of reasoning.

## **6.0 COMMITTEE RECOMMENDATIONS/CONCLUSION**

The Committee urges the House as follows;

- 6.1 Direct the Managing Director of Niger Dock Company to reinstate the Petitioner (Mr. Jerome Atse) to Service and commence payment of his salaries from the day he resumed office.
- 6.2 In the alternative pay him off all the areas of his salaries, entitlement and benefits from the day his appointment was terminated to enable him start life again elsewhere.

## **7.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended.





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**CASE16:**

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**REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON THE PETITION BY GREATER ABAK COMMUNITY DEVELOPMENT INITIATIVE (GACDD) ON THE ALLEGED POOR STATE OF THE RECONSTRUCTION OF ABAK-EKPARAKWA-ETE-IKOT ABASI ROAD PROJECT IN AKWA IBOM STATE BY CHINESE CONSTRUCTION COMPANY (CCECC)****1.0 PREAMBLE**

- 1.1 The House of Representatives at its plenary sitting on Thursday, 17th September 2019 received a Petition presented by Hon. Anukwu C. On behalf of Greater Abak Community Development initiative on the poor state of the reconstruction of the Abai-Ekparakwa-Ete-Ikot Abasi road project in Akwa Ibom State by Chinese construction company (CCECC contractor) handling the project which was referred to the Committee for further Legislative action.
- 1.2 In line with section 88 and 89 of the 1999 Constitution as amended and in accordance with the House standing Order XVIII Rule 5 of the 9th Assembly. The petition was referred to the Committee on Public Petitions for further legislative action.

**2.0 PETITIONER'S CASE**

- 2.1 The Petitioner & co. expressed the dissatisfaction of their people on the poor state of work executed on the above mentioned project by the contractor (CCECC) handling the projects.
- 2.2 That the said contract was awarded in 2018 to the Chinese company under the supervision of the Federal Ministry of works and housing but to the dismay of their people, the construction work was done below recommended standard and specification.
- 2.3 That some of the observations made by the greater Abak Community Development initiative were that instead of total reconstruction of the said road as awarded by the Federal Government of Nigeria, the contractor handling the project rather engaged in the rehabilitation of the said road which for obvious reasons will be substandard.
- 2.4 That they also observed that the contractor (CCECC) in handling the projects made no provision for drains in some critical areas and the destructively diverted some drainage areas into various farmlands, residential areas, feeder roads thereby



causing threats of in almost all sections of the road.

- 2.5 That the Contractor (CCECC) did not make provisions for local content in the engagement of workers from the host communities particularly in Abak LGA of Awka Ibom State
- 2.6 That the Federal Government through the Federal Ministry of Works should direct the Contractor to ensure full compliance with their construction terms stated in the project specifications.
- 2.7 That the Contractor ensure proper drainage outfall in order to control impending gully erosions that may ravage the Communities if left unchecked.

### **3.0 INVESTIGATIVE HEARING**

- 3.1 The investigative hearing was concluded on Tuesday, 5th November, 2019. All parties including the Representative of the Federal Ministry of Works and Housing and Director Highways South-South Zone made their appearances and were able to make both oral and documentary presentations.

### **4.0 RESPONDENT'S SUBMISSION**

- 4.1 The Respondent (CCECC Nigeria Ltd) in its presentation confirmed to the Committee that it is the Contractor engaged for the reconstruction of Abak-Ekparakwa-Ete-Ikot Abasi road Project in Akwa Ibom State under the supervision of the Federal Ministry of Works and Housing.
- 4.2 That the execution of the project commenced in March, 2019 and it was billed to be completed in 20 months which was to be due by November, 2020.
- 4.3 That the terms of agreement quoted in the Bill of quantity stated that the respondent was to reconstruct 20km and to overlay 15km of Asphalt.
- 4.4 That CCECC is a well-known Construction Company that has never compromised its work standard neither have they ever gone below recommended specifications as alleged by the Petitioners.
- 4.5 On the alleged issue of destruction and diversion of drainages that are posing erosion threats to the area, the Company observed that there were already existing Culverts controlling erosion at strategic locations along the road therefore it only constructed drainages and linked them to the existing culverts and did not divert them to farmlands, residential areas and feeder roads as alleged by the Petitioners.



- 4.6 That despite the 2km total length of drainages approved in their bill of quantity, the Company went ahead to source for extra funds to add it up to 6km length drainage.
- 4.7 That the Company clearly stated that they strictly adhered to the Local Content Laws by proving that a good number of the indigenes of the host communities were in their Employment especially the Abak LGA people. They added that, all the Security Personnel working with the Company were from Abak Community. The summary of the list showed that 21 members of the Community had been officially employed by the Company.
- 4.8 Engr. G.C Eke, Director Highways South-South in his presentation stated that the Contract was not for full reconstruction, explaining further that the total length of road awarded for the Contract was 48km, total length of road in bad condition requiring reconstruction was 20km, total length of road requiring improvement is 15km and total length of concrete lined drain was 2.2km.
- 4.9 He debunked the allegation that the CCECC Nigeria Ltd. engaged in total rehabilitation of the road instead of total reconstruction because not all the entire 48km road was billed for total reconstruction.
- 4.10 That the summary of payment of the contract project to CCECC Nigeria Ltd from February 2018 till date showed as follows:
- The contract was awarded on 18th September 2018.
  - Value of contract-195,898 779.260
  - Amount certified (VAT inclusive)-N884,216, 880.0
- PAYMENT MADE SO FAR
- 27th February 2019 - **N309, 535,168.67**
  - 31st May 2019 - **N250, 000,000.00**
  - 21st October 2019 - **N250, 000,000**

## 5.0 COMMITTEE FINDINGS

From the investigative hearing the Committee observed the following:

- 5.1 That the Greater Abak Community were briefed through their community representatives hence were carried along in the award and execution of the said contract but needed more social corporate services to be addressed.
- 5.2 That the Petitioner came up with various allegations on the construction work without convincing proof to support their claims.



- 5.3 That the respondent and the Federal Ministry of Works and Housing proved their compliance with local content with the list of over 20 members of Greater Abak Community and others as employees of CCECC Nigeria Ltd in the ongoing project which the Petitioners could not disprove.
- 5.4 That the fact that the presentation of Federal Ministry of Works and Housing and that of the Management of CCECC Nigeria Ltd. clearly agreed was proof of the respondent's position on the Petition.

## **6.0 COMMITTEE RECOMMENDATIONS/CONCLUSION**

Considering the facts before it, the Committee recommends as follows:

- 6.1 Urge the House to direct the Hon. Minister, Federal Ministry of Works and Housing to revisit the contract terms of the project with CCECC.
- 6.2 That management of CCECC Nigeria Ltd. should provide more job opportunities for the Greater Abak Community in line with the Local Conversions.
- 6.3 That Local Government through the Federal Ministry of Works and Housing provide more funds to the Chinese Company (CCECC) handling the project to enable them provide enough drainage to link them with existing culverts to avoid diversion of more drainage into the farms and other valuable assets of the Community.

## **7.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended.



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**CASE 17:**

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**REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON THE PETITION BY PASTOR YOHANNA U. HARRY AGAINST INDEPENDENT NATIONAL ELECTORAL COMMISSION ON APPEAL FOR CONDUCT OF FUTURE ELECTIONS IN NIGERIA ON DAYS OTHER THAN SATURDAY. THE BIBLICAL SEVENTH DAY SABBATH.****1.0 PREAMBLE**

- 1.1 The House of Representatives at its Sitting on Thursday, 18th July, 2019, received a Petition from Hon. Solomon Adaelu on behalf of Pastor Yohanna U. Harry against Independent National Electoral Commission on appeal for conduct of future Elections in Nigeria on days other than Saturday, the Biblical Seventh-Day Sabbath.
- 1.2 In line with section 88 and 89 of the 1999 constitution as amended and in accordance with the House standing Order XVIII Rule 5 of the 9th Assembly. The petition was referred to the Committee on Public Petitions for further legislative action.

**2.0 PETITIONER'S CASE**

In his submission, the petitioner advanced that:

- 2.1 His appeal was based on the inadvertent disenfranchisement of some Christian Religious groups, the Seventh - day Adventist and others, who keep the Sabbath Day (Saturday) Holy, in obedience to the express command of God, as contained in the Bible.
- 2.2 The Seventh-Day Adventist Church is a Universal Church, with Headquarters in Silver Springs, Maryland, USA and in operation in 230 Countries of the world including Nigeria.
- 2.3 The Church has contributed immensely to the national development especially in education and Health Sectors.
- 2.4 It is a Corporate Organization that operates numerous health facilities in the country.
- 2.5 Adventists believe and adhere strictly to the undiluted commands of God in the Holy Bible, including Biblical injunction to keep the Sabbath Day (Saturday) Holy.
- 2.6 Saturday is a sacred day of worship, fellowship and should not engage in any form of labour, recreational or civil activities.



- 2.7 That the general elections in Nigeria should be held on any of the days between Monday to Thursday.
- 2.8 Conduct of Election on Weekdays was not new in Nigeria and that INEC organized and conducted Adamawa State Gubernatorial Supplementary Election on a Thursday, 28<sup>th</sup> March, 2019.
- 2.9 Prayed the House to prevail on Independent National Electoral Commission (INEC) to conduct future elections in Nigeria on days other than Saturday, the Biblical Seventh-Day Sabbath.

### **3.0 INVESTIGATIVE HEARING**

The Committee sat on the matter on 29<sup>th</sup> October, 2019, with only the Petitioner in attendance.

### **4.0 RESPONDENT'S SUBMISSION**

- 4.1 The Respondent, The Independent National Electoral Commission (INEC) did not appear or make any written submission.

### **5.0 COMMITTEE'S OBSERVATION**

- 5.1 The Committee observed that the matter was a constitutional one and noted for the House to re-direct it to the relevant Committee.

### **6.0 COMMITTEE RECOMMENDATION**

- 6.1 At the investigative hearing of 29<sup>th</sup> October, 2019, the Committee advised the Petitioners to redirect their petition to the appropriate quarters and urge the House to discountenance the Petition on the ground that it is a Constitutional matter.

### **7.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended.



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## CASE 18:

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### **REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON THE PETITION BY OYENTUNJI AYOBAMI TOSIN ON BEHALF OF JOINT COMMUNITY DEVELOPMENT ASSOCIATION SIDI/ MILE 6 ROAD ABEOKUTA OGUN STATE AGAINST THE MANAGEMENT OF THE FEDERAL GOVERNMENT RAILWAY PROJECT (CHINA CIVIL ENGINEERING CONSTRUCTION COMPANY CCECC) ON THE LETTER OF COMPLAINT AND REQUEST FOR GOVERNMENT INTERVENTION ON THE HARDSHIP THE COMMUNITIES WERE SUBJECTED TO DUE TO THE ACTIVITIES OF THE CCECC CONTRACTOR HANDLING THE LAGOS-IBADAN RAIL PROJECT.**

#### **1.0 PREAMBLE**

- 1.1 The House of Representatives on its sittings on Tuesday, 16th July, 2019 received a petition presented by Hon. Isiaka A. Ibrahim on behalf of the Joint Community Development Association, Abeokuta, Ogun State against the management of the Federal Government Railway Projects (CCECC) on the letters of complaints and request for Government intervention on the hardship the communities are experiencing due to the activities of the CCECC contractors handling Lagos-Ibadan Rail projects.
- 1.2 In line with section 88 and 89 of the 1999 constitution as amended and in accordance with the House standing Order XVIII Rule 5 of the 9th Assembly. The petition was referred to the Committee on Public Petitions for further legislative action.

#### **2.0 PETITIONER'S CASE**

- 2.1 The Petitioner (Mr. Oyentunji Ayobami Tosin) in his presentation informed the Committee that the above-named association with membership of over 150 persons in over 70 communities has petitioned the House Committee on the urgent disturbing situation affecting them negatively since the commencement of the Railway projects that traverse their various communities.
- 2.2 That they (the petitioners) brought to the notice of the House of Representatives, the frantic efforts the aggrieved communities had been making to draw the attention of the Federal Government with pictorial evidence of CCECC handling the projects but no positive response from both parties.



- 2.3 That all human and vehicular movements in their various communities have become a daily nightmare as their cars get stuck in the mud and even trekking on road during the rainy season has become a threat to their lives because they can be easily swept away by the heavy flood.
- 2.4 That Pupils in Primary Schools residing in all these villages and communities are finding it difficult to go to school because they have to climb through a narrow staircase on the wall of the railway line which is very dangerous for them before they can get to their schools.
- 2.5 That the hardship of their people in various communities is increasing on daily basis as movement of people, goods and services in and out of the communities can only be imagined, also various social amenities and classroom blocks in primary schools were demolished as a result of the activities of the CCECC thereby making life more difficult to them.
- 2.6 The Petitioners are requesting for the Committee's intervention to ensure justice is done to relieve them of the trouble they are going through, restore their various social amenities and reconstruct the classroom blocks destroyed by the activities of CCECC and to meet up with Company corporate social responsibilities to the committees.

### **3.0 INVESTIGATIVE HEARINGS**

- 3.1 The investigative hearing was concluded on Tuesday, 5th November, 2019 after the 2nd Hearing with both parties in attendance.

### **4.0 RESPONDENTS SUBMISSION**

- 4.1 According to the management of CCECC, it was the Contractor handling the construction of Lagos-Ibadan Standard Gauge Double Track Railway. The Corridor for the rail line was acquired by the Federal Government through the Federal Ministry of Transportation and handed over to them for the construction work.
- 4.2 That the execution of the project commenced in April, 2020.
- 4.3 That in the course of the project, the company came across so many Communities along the Rail line and had to interface and cooperate with them in order to achieve the desired result.
- 4.4 That the issues charged against them by the Joint Community Development Association Abeokuta, Ogun State were summarized into four subheadings, which





includes, school issues, drinking water, access roads for the communities and over Pass Bridge. That the company (CCECC) had studied their submissions and responded as follows:

- a. On the issue of access road for the school, the respondent said that the terrain of the Rail line of DK83+840 which the school is located happened to be a deep cut area which occurs in order to balance the Rail line level in accordance with the approved projects design. This makes the Rail line lower than the ground level which was done according to the dictates of Railway Engineering.
- b. That on the Communities request for an over-pass bridge that can accommodate vehicle and pedestrian crossing, there is an underpass already built specifically for the school and all the communities like Akinseku T., Elegun and Jagede.
- c. That the entire project of Lagos-Ibadan Railway line has a specified number of approved bridges (overpass and underpass) including culverts embedded in the design. That getting additional bridge and culverts will require the Federal Government approval and extra budgeting allocation.
- d. That the school in question is St. Simon Primary School Olopa Owode Abeokuta Ogun State, the only Public Primary School serving the Communities as claimed by the petitioners was initially on the “right of way” which was relocated on the approval of the Federal Ministry of Transportation.
- e. That the said school was having a block of two classrooms with small office which was demolished from the right of way and replaced with construction of modern school block of three classrooms an office and a store with a square area coverage of about 279kms as well as with modern facilities.
- f. That despite provision of temporary alternative ways of entering and existing the various communities affected pending when a permanent solution will be provided, the management of the company had earlier assured the various affected communities that any road affected at the point of the construction work will be restored as soon as the construction work is completed.
- g. That the approved number of Overpass/Underpass Bridges captured in the entire contract provisions will be completed according to the design, therefore the assertion that the overhead bridges were abandoned is not true as work is ongoing on the construction of all the Bridges.



## **5.0 COMMITTEE FINDINGS/OBSERVATIONS**

The Committee at the end of its deliberations came up with the following observations:

- 5.1 That the destruction of the access roads and basic social amenities in the affected Communities has affected the economic activities of the areas thereby making life more miserable for the people. This has also led to the frequent motorbike accidents that has killed and injured so many people in the area.
- 5.2 That the claims by the Joint Community Development Association against the Management of CCECC of not responding to their complaints was not satisfactory because CCECC was already attending to the complaints raised by the host communities.
- 5.3 That the Company pledged to work harder to fast track the remaining construction work of the overpass of DK80+600 and DK82+430 traffic culvert and the diversion of road at DK83+840 to ensure that the local people and the pupils have access to their various destinations at all times.
- 5.4 That interactions and mediations have been ongoing on virtually all the complaints/agitations of the affected host communities and promises to ensure an amicable resolution are in place.

## **6.0 COMMITTEE RECOMMENDATION/CONCLUSION**

- 6.1 The Committee in view of the findings above urged the House to discontinue the matter as both parties have agreed to resolve the matter amicably.

## **7.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended.



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## CASE 19:

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### **REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON THE PETITION BY CHIDI HENRY ONYIUKE & CO. AGAINST JOINT ADMISSIONS AND MATRICULATION BOARD (JAMB) ON THE ALLEGED UNEXPLAINED, DELIBERATE, OPPRESSIVE AND CONTINUED WITHHOLDING OF 2019 JAMB RESULTS OF MASTER AKACHUKWU MATTHEW ONYIUKE**

#### **1.0 PREAMBLE**

- 1.1 The House of Representatives at its sitting on Tuesday, 17th September, 2019 received a petition presented by Hon. Valentine Ayika on behalf of Chidi Henry Onyiuke & Co. against Joint Admissions and Matriculation Board (JAMB) on the unexplained, deliberate, oppressive and continued withholding of the 2019, JAMB results of Master Ikechukwu Matthew Onyiuke.
- 1.2 In line with section 88 and 89 of the 1999 Constitution as amended and in accordance with the House standing Order XVIII Rule 5 of the 9th Assembly. The petition was referred to the Committee on Public Petitions for further legislative action.

#### **2.0 PETITIONER'S CASE**

- 2.1 The Petitioner informed the Committee that his son was on a 100% scholarship award offered him by his school. That he had maintained first position from Primary through Secondary School.
- 2.2 That his son sat for the 2019 UTME (JAMB) and was expecting to pass convincingly considering his previous academic exploits but upon the release of results, they checked and discovered that “invalid entrance into exams hall” was written on his status by JAMB.
- 2.3 That as confusing as his son's result status in 2.1 above seemed, they probed further to delineate its meaning only to realize through JAMB website that it meant “unauthorized entrance”, connoting that his son was not the person who sat for the exam.
- 2.4 That the trio of himself, his son and sponsor had at various occasions visited JAMB office to clarify issues to no avail.



- 2.5 That the Registrar requested them to open a certain ticket and lodge all complaints therein, this they did, according to the Petitioner, yet not a word from the respondent.
- 2.6 That the Petitioner was worried because the respondent had denied his son the opportunity of being admitted for 2019 academic session to pursue his dreams.
- 2.7 That his son deposed an affidavit of facts detailing the steps/processes he underwent before the respondent allowed him sit for the examination.
- 2.8 He claimed that it would not be out of place to assume that his son most likely scored very high marks and broke a record but JAMB had under played this fact for reasons best known to them.
- 2.9 The Petitioner prayed the House to intervene to ensure that Justice is done in this matter so that the result of his son can be released without further delay.

### **3.0 INVESTIGATIVE HEARING**

- 3.1 The Committee conducted and held several hearings into the matter and concluded its investigation on Tuesday, 29th October, 2019 on the matter.

### **4.0 RESPONDENT'S SUBMISSION**

- 4.1 The respondent, Joint Admission and Matriculations Board (JAMB) stated that the Petitioner, Chidi Henry Onyiuke Esq. has no contract in any form whatsoever with JAMB and thus has no locus standing to discuss a matter between JAMB and a candidate which he purported to be his son.
- 4.2 That JAMB does not disclose confidential information of a candidate with a third party without some processes being followed. That unless the Committee insists otherwise, they will ask the Petitioner to tell the candidate to open a ticket introducing the proxy and accepting liability for the claims of the Petitioner.
- 4.3 That the Board maintains some ethical standards on disclosure of confidential information. In this particular case, the candidate is above 18 years and has been presented as exceptionally brilliant to present his case.
- 4.4 That on the day of the examination, it was mandatory for each candidate to go through Biometrics Verification with any of his/her 10 fingers before admittance into the examination hall. That any candidate without record of biometrics verification, will not have his/her results processed.



- 4.5 That the Board determines whether or not there were cases of examination or registration infractions at any centre and where it is found that any candidate has committed any examination infraction, the result of such candidate is not processed.
- 4.6 That the Petitioner alleged that the candidate was expecting a very high result considering his antecedents. That normally, candidates are generally optimistic in any examination including the UTME.
- 4.7 That of 145 candidates slated for the examination at the centre, 145 answer scripts were submitted but that a problem arose when it was discovered that one person out of 145 candidates, wrote the exam without biometrics.
- 4.8 That the reason for not processing the result was clearly communicated to the candidate as testified by the Petitioner to be Invalid Entrance into Examination which means that there was no biometrics attendance verification of the candidate at the point of entry/exit.
- 4.9 That after biometrics attendance analysis, it was revealed that the candidate Mr. Akachukwu Matthew Onyiuke wrote the examination but was not biometrically verified before and after the examination.
- 4.10 That JAMB responded to the ticket lodged by the candidate.
- 4.11 That the Petitioner lied when he wrote that his son wrote a trial GCE and JAMB in his SS1 long before 2019 and that he made four (4) A's and three (3) B's and 270 respectively, contrary to the assertion, the candidate wrote only the 2018 UTME with registration number 85423100EE and obtained an aggregate score of 270. That it could not have been when he was in SS1 if he wrote 2019 UTME at SS3.
- 4.12 That the Board also wishes to clear the erroneous impression that the candidate most likely scored very high marks and broke a record and this may have explained the curiosity of the JAMB Authority. This is far from the truth. A 15-year-old candidate scored the highest during the 2019 UTME with an aggregate score of 347.
- 4.13 That the Board made it mandatory that each approved CBT centre must have CCTV coverage. However, the CCTV can only show the images of the candidates but not the screen of the biometrics verification machines. Therefore, only the biometric attendance register can establish whether or not a candidate was verified before entering examination hall.
- 4.14 That the Board due to its interest in ensuring that no innocent candidate is disenfranchised from writing the examination is analyzing all cases from candidates with challenges and verifying same.



- 4.15 That the case at hand which is “illegal entry” is not the same with those ones who were being invited for interrogation. They have invited those with genuine complaints in that category to write the examination after thorough analysis of each case, the candidates do not fall into that category.
- 4.16 That the Board deployed high level technology in the analysis of the 2019 UTME exercise, it was discovered that many candidates committed registration and examination infractions in active connivance with some other persons. The Board engaged the security agencies and some of the culprits have been arrested and are being prosecuted in some states of the federation. Some of them have been convicted.
- 4.17 That the Board undertakes thorough and forensic investigation of every complaint made by any candidate without attaching any emotion or sentiment.
- 4.18 That the Board does not take delight in withholding results of any candidate and it is hoped that with the help of everyone, justice, fairness, equity and integrity will be done in our National affairs.

## **5.0 COMMITTEE FINDINGS**

- 5.1 The Committee after a careful study of the facts and evidences of the case as presented by both parties came up with the following observations:
- 5.2 That there were contending issues on Biometrics Data capturing before and after the exam while JAMB claimed that the Petitioner was given invalid status in his result because of the unauthorized entrance into the exam hall without undergoing Biometrics Data capturing, the petitioner maintained that his son went through all the procedures of JAMB, hence his permission to successfully write the exam.
- 5.3 That the procedures for JAMB registration before examinations are highly automated to dictate any step missed.
- 5.4 That the fact that the Petitioner did very well in his WAEC result cannot be used as a parameter in determining the best candidates of JAMB Exams.
- 5.5 That a total of 823 Candidates who wrote 2019 JAMB Exams in that centre were still under investigation on the same issue of various forms of Examination Irregularities, Petitioners Son (Akachukwu Matthew Onyiuke inclusive).
- 5.6 That the Board was analysing all cases of Candidates with challenges of same issues and verifying them meticulously.



- 5.7 That though the Board deployed high level technology in the analysis of the 2019 UTME Exams, it was discovered that many Candidates committed Registration and Examination infractions in active connivances with people who were under investigation by Security Agencies.
- 5.8 That thorough forensic investigation of every complaint made by Candidates was still ongoing. That the JAMB Executive Secretary promised to look into the matter passionately and holistically.

## **6.0 COMMITTEE RECOMMENDATIONS**

- 6.1 The Committee urges the House to discontinue the Matter as the Executive Secretary of Joint Admission and Matriculations Board however promised to release the results of the 830 Candidates who had similar Cases as the Petitioner and to ensure that justice, fairness and equity prevail in their cases within the shortest possible time to enable the Petitioner's son (Akachukwu Matthew Onyiuke) gain admission into University in 2019, Hence the Committee urges the House to put the matter to rest.

## **7.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended.



# 2020





## CASE 20:

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### REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON THE PETITION BY TERRA MARINE ATTORNEYS ON BEHALF OF JIMSINA INTERNATIONAL LIMITED AGAINST NATIONAL INSURANCE COMMISSION (NAICOM) ON ALLEGED WILLFUL MALICIOUS AND CRIMINAL OMISSION TO ENFORCE COMPLIANCE WITH THE DECISION OF THE NATIONAL INSURANCE COMMISSION BY STANDARD ALLIANCE INSURANCE PLC.

#### 1.0 PREAMBLE

- 1.1 The House of Representatives at its plenary sitting on **Tuesday, 4th February, 2020** received a Petition presented by **Hon. Haruna I. Dederion** behalf of Terra Marine Attorneys, Counsel to Jimsina International Limited against National Insurance Commission (NAICOM) on Wilful, Malicious and Criminal Omission to Enforce Compliance with the Decision of the National Insurance Commission by Standard Alliance Insurance Plc.
- 1.2 Pursuant to Section 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and in accordance with the House Standing Order XX Rule 5(2) [b] of the 9th Assembly and in line with principles of fairness, equity and justice, the petition was referred to the Committee on public petitions for further legislative actions.

#### 2.0 PETITIONER'S CASE

- 2.1 The Petitioner informed the Committee that a matter for adjudication was placed before the National Insurance Commission between them and Standard Alliance Insurance Plc.
- 2.2 That the issue was the failure and refusal by Standard Alliance to settle the insurance claim based on the advance payment bond under reference.
- 2.3 That after several hearings, the Committee found and rendered a decision in their favour and directed Standard Alliance Insurance Plc. to settle their claim. Since the directive, Standard Alliance had refused to comply with the decision of the Committee.



- 2.4 That it is clear from the facts stated above that the Commissioner for Insurance and the Commission are aiding, abetting and comforting Standard Alliance to continue to recklessly flout the directions of the Commission with so much confidence and impunity.
- 2.5 That Standard Alliance tried to hide under the excuse that it had appealed the ruling which dismissed the application to relist. The decision essentially declared that Standard Alliance was not entitled to have the case struck out and relisted, as such, there is even nothing to enforce about it.
- 2.6 The Petitioner prayed the House to intervene in their plight to direct the Commission and the Insurance Commissioner to immediately ensure the compliance by Standard Alliance with the directive of the Commission to settle their claim with the sum of N25 million (Twenty-five Million Naira).

### **3.0 INVESTIGATIVE HEARING**

- 3.1 The Committee conducted an investigative hearing and concluded the matter on 20<sup>th</sup> January, 2020 both parties were present.

### **4.0 RESPONDENT'S SUBMISSIONS**

- 4.1 The Respondent, National Insurance Commission stated that they acknowledge receiving the Petitioner's complaints and have taken a number of regulatory steps to resolve the matter amicably.
- 4.2 That while the matter is sub-judice, the Petitioner insisted that the Commission should compel the Insurer to pay or take regulatory action to enforce compliance.
- 4.3 That the Commission exercises its powers within the ambit of the enabling laws and in handling complaints is always guided by the fundamental rights of the parties to exhaust the options of litigations especially where issues of allegations and defence border on fraud and other illegalities.
- 4.4 That the enquiry leading to the NNPC's letter of 10<sup>th</sup> January, 2007 stating that the crude oil allocation documents were not authentic and did not originate from the Corporation casted doubt on the basis of issuing the Insurance Bond which when established, would justify the repudiation of claims under Section 54 of the Insurance Act, 2003.



- 4.5 That the Commission was made to understand that some people connected with fraudulent practices were arrested by EFCC and some recoveries made on behalf of the Petitioner which would invariably affect the subject-matter of the current petition.
- 4.6 That contrary to the allegations of wilful and criminal omission, the Commission is guided by the principle of rule of law.
- 4.7 That when attention was drawn to the pending Appeal No. CA/L/55/2016, the Commission had to suspend its further intervention on the matter to allow for the exercise of the constitutional rights of the parties to exhaust their appeal.
- 4.8 That the court matters/appeal in the matter has affected the ability of the Commission to enforce the decision of the adjudication meeting and not what was alluded to in the Petition.
- 4.9 That the Commission should be cleared of the allegations of wrongdoings presented in the petition.
- 4.10 That the Petition should be discountenanced in the interest of the parties.

## **5.0 STANDARD ALLIANCE INSURANCE PLC. SUBMISSION**

- 5.1 Standard Alliance Insurance Plc. stated that, on or about the 20<sup>th</sup> day of September, 2004, Base Engineering Limited approached them for an Advanced Payment Bond in the sum of N25.2 million in respect of a contract awarded to it on September 15, 2004 by Jimsina International Limited (the Employer) for Programming and Clearing of a vessel into Bonny Terminal.
- 5.2 A day after declining confirmation of the Bond the Managing Director of Jimsina International called for confirmation of the Bond to enable his company release the sum of N25.2 million to the contractor, they asked him not to release the funds as their company could not confirm the authenticity of the Bond as the premium was not paid.
- 5.3 That nine (9) days after the discussion, the contractor claimed to have paid the premium through the Contractor's cheque dated 29<sup>th</sup> September, 2004 and issued in favour of their staff, Mr. Tayo Awodiya instead of the name of the company.
- 5.4 That two weeks after the alleged payment of premium, the Petitioner lodged a claim on 19<sup>th</sup> October, 2004.



- 5.5 That on 21<sup>st</sup> October, 2004, the Petitioner, Jimsina International Limited, wrote them withdrawing their claim and requested for an extension of the Bond.
- 5.6 That on 26<sup>th</sup> October, 2004, they replied the Petitioner's letter informing them that there was no valid contract ab initio between them.
- 5.7 That following pressure on their company to settle the claim despite the fact that requisite documents had not been provided.
- 5.8 That they decided to commission a private investigator to investigate the claim, the investigator wrote to NNPC to confirm the authenticity of the crude oil Allocation Documents which the contractor presented.
- 5.9 That NNPC replied on 10<sup>th</sup> January, 2007 stating that the documents did not originate from their office.
- 5.10 That based on the issue of non-payment of premium or receipt evidencing same coupled with the illegality of the entire contract on which the Bond was issued, they declined liability and communicated their reasons to them (Jimsina/Petitioner).
- 5.11 That Jimsina/Petitioner reported them to Nigeria Insurers Association (NIA) Yoruba Council of Elders (YCE) and the Economic and Financial Crimes Commission (EFCC). Upon their representation before them, they were exonerated.
- 5.12 That the suit was filed in 2008 at the Federal High Court, Ikoyi, Lagos which declined jurisdiction in its ruling dated 20<sup>th</sup> October, 2008 and instead of striking out the suit transferred same to the appropriate Lagos State High Court, Igboere, Lagos which has jurisdiction.
- 5.13 That because they were not in court as a result of their fraud, the court, relying on the forged proof of service on their company's solicitors, struck out the suit without their knowledge.
- 5.14 That consequent upon the ruling of 8<sup>th</sup> June, 2015, they filed a Notice of Appeal at the Court of Appeal, Lagos Division on 22<sup>nd</sup> June, 2015.

## 6.0 COMMITTEE FINDINGS

The Committee, after a careful perusal of the facts of the case notes:

- 6.1 That the Petitioner informed the Committee that the issue was the failure and refusal of Standard Alliance to settle the insurance claim.
- 6.2 That Standard Alliance tried to hide under the excuse that it appealed the ruling which dismissed the application to relist.



- 6.3 The Respondent, National Insurance Commission (NAICOM) on the other hand, stated that when attention was drawn to the pending appeal, the Commission had to suspend its further intervention on the matter to allow for exercise of the constitutional rights of the parties to exhaust their appeal.
- 6.4 That the Court matters/Appeal in the matter has affected the ability of the Commission to enforce the decision of the adjudication and not what was alluded to in the petition.
- 6.5 Also, Standard Alliance Insurance Plc. stated that there was no valid contact ab initio between them and the Petitioners.
- 6.6 That based on the issue of non-payment of premium or receipt evidencing same coupled with the illegality of the entire contract on which the Bond was issued, they declined liability and communicated their reasons to the Petitioner.
- 6.7 The Committee aligned itself with the fact that National Insurance Commission (NAICOM) urged Standard Alliance to pay the Petitioner, Jimsina International Limited, that Standard Alliance Insurance Plc, going to court was an afterthought.

## **7.0 COMMITTEE RECOMMENDATION/CONCLUSION**

The Committee recommends urging the House to direct Standard Alliance Insurance Plc. to pay the Petitioner Jimsina International Limited as advised by National Insurance Commission.

## **8.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as presented.



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## CASE 21:

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### **REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON THE PETITION BY K. E. OKORO & CO. ON BEHALF OF AYO OLATAYO DELAYO M. AGAINST THE INSPECTOR-GENERAL, NIGERIA POLICE FORCE ON ALLEGATIONS OF CONTINUED UNLAWFUL SEIZURE, SALE AND CONVERSION OF FINANCIAL PROCEEDS OF TRAILER TRUCKS WITH IMPUNITY BELONGING TO AYO OLATAYO DELAYO MAYO TAIYEWO LIMITED AND ALSO REFUSAL OF NPF TO OBEY COURT ORDER DIRECTING THE RELEASE OF THE SAID TRAILER TRUCK AND PAYMENT OF COMPENSATION TO THE PETITIONER SINCE 2008**

#### **1.0 PREAMBLE**

- 1.1 The House of Representatives at its plenary sitting on Wednesday, 7th October, 2020 received the above Petition presented by Hon. Joseph A. Belloon behalf of Barr. K. E. Okoro (Counsel to the Petitioner Ayo O. D) for the quick actions of the House.
- 1.2 Pursuant to **Section 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria** (as amended) and in accordance with the **House Standing Order XX Rule 5(2) [b] of the 9th Assembly** and in line with principles of fairness, equity and justice, the petition was referred to the Committee on public petitions for further legislative actions.

#### **2.0 PETITIONER'S CASE**

- 2.1 The Counsel to the Petitioner (K. E. Okoro & Co.) informed the Committee that on 10th October, 2005, men of the Nigeria Police Force in Warri, Delta State unlawfully arrested and seized Mr. Ayo Olatayo Delayo's truck with Registration No. X150 ABC, Model DAF 95 with Chassis No. XLRT 547 WS OE 354931 at CAT Trailer Park.
- 2.2 That pursuant to the said arrest, all efforts to convince the officers attached to IGP to release the trailer truck as the said vehicle was not linked to the commission of any crime proved abortive and the said trailer was still in the custody of Warri Police Station.
- 2.3 That in view of the aforementioned, the matter was tabled before the Federal High Court in FCT presided by Justice O. C. Agbaza who declared that the seizure and the continued detention of the said trailer violates Section 36(2) and 44 of the



Constitution of the Federal Republic of Nigeria, 1999 (as amended) and as a result ordered for the immediate release of the said trailer to the owner as well as awarded the sum of N1 million to be paid to the Petitioner by NPF as compensation for the collateral damage done to him by detaining the trailer.

- 2.4 That the said Order from the High Court was enrolled and served on the IGP but, to their surprise, the IGP, in contempt of the Court Judgement, went ahead to disobey the Order and instead sold the truck.
- 2.5 That all efforts to make the IGP obey the Court Order in respect of the case in question proved abortive as the IGP still failed to comply with the Court Order till date.
- 2.6 That the said trailer truck worth the sum of N14 million as at then which has a weekly income generation of N50,000 to the Petitioner and as a result of the above, has caused a lot of hardship to the family of the Petitioner.
- 2.7 The Petitioner urged the Committee to order the IGP to return the trailer truck as ordered by the Court or pay the sum of N14 million representing the current purchase price of the said complete trailer truck flagrantly auctioned.
- 2.8 That the IGP should pay the sum of N1 million ordered on him by the High Court of FCT.
- 2.9 That IGP should also pay N800, 000 representing the monthly earnings of the said trailer truck from the month of December, 2008 till date which amounts to N112, 000,000 and general damages of the sum of N15, 000,000 making it a total of N142, 000,000 (One Hundred and Forty-Two Million Naira) as the total claims of what the IGP should pay the Petitioner.

### **3.0 INVESTIGATIVE HEARING**

- 3.1 The investigative hearing was concluded on Thursday, 7<sup>th</sup> April, 2022 after several hearings with the Petitioner appearing in all the hearings to make oral and documentary presentations while the NPF only appeared twice without documents but made oral presentations in defence of the Petition.
- 3.2 Observation showed that, out of the six hearings scheduled for the case in question, the Nigerian Police Force only appeared twice and promised to inquire more into the reason for which the truck in question was seized by the NPF which they never did until the case was closed by the Committee for lack of diligent response on the side of NPF.



#### **4.0 RESPONDENT'S SUBMISSIONS (NPF)**

- 4.1 The Nigeria Police Force did not tender any document in defence of the above Petition but through their oral presentation, they claimed that they have no copy of the enrolment order of the High Court that will enable them release the seized truck and promised that they will inquire more into the reason the truck was seized by the NPF and get back to the Committee in the next hearing.

#### **5.0 COMMITTEE FINDINGS**

The Committee has investigated the matter and observed as follows:

- 5.1 That the Counsel to the Petitioner (K. E. Okoro) was worried over the unlawful arrest and seizure of Mr. Ayo Olatayo's trailer truck with Registration No. X150 ABC, Model DAF 95 and with Chassis is No. XLRT 547 WS OE 354931 at the CAT Trailer Park by NPF without any justification and wants the Committee to intervene for the quick release of the vehicle to him.
- 5.2 That the case in question was tabled before the Federal High Court sitting in Abuja presided by Hon. Justice O. C. Agbaza who declared that the seizure and continued detention of the said truck violates Section 36(2) and 44 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and ordered for the immediate release of the trailer truck by NPF to the owner which was never carried out by the authority of NPF.
- 5.3 In view of their request, the Committee mandated the Petitioner to serve the NPF a fresh copy of the Enrolment Order of the Federal High Court as regard to the issue at stake which they did and the matter was adjourned to another date to enable the Police bring their Brief on the subject-matter which they never brought despite several Summons/Hearing Notice letters served to them.
- 5.4 That the said trailer truck had been sold out to people by NPF.
- 4.5 That on 7<sup>th</sup> April, 2022 the Committee decided to close the case on account of lack of diligent response from the side of the NPF and resolved to align themselves with the Federal High Court's ruling which ordered for the immediate release of the said vehicle by NPF and also pay the sum of one million naira (**₦1, 000,000**) as compensation to the Petitioner.





## **6.0 COMMITTEE RECOMMENDATIONS/CONCLUSION**

In view of the findings above, the Committee urges the House to adopt the Federal High Court ruling on the matter by Hon. Justice O. C. Agbaza in 2008 as follows:

- 6.1 The Court Ordered for the immediate release of the said trailer (truck) in the custody of the NPF by the Inspector-General, Nigeria Police Force to the owner.
- 6.2 Ordered for the award of compensation of N1million to the Petitioner (Mr. Ayo Olatayo Delayo) for the collateral damages done to his trailer (truck).
- 6.3 In addition, replace his trailer truck if it has been sold out to people or pay him the sum of N14, 000,000 which is the current price of the said truck in the market.

## **7.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended.



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## CASE 22:

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### REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON PETITION BY MR. ENWEREM LAMBERT AHAMEFULE AGAINST FEDERAL INSTITUTE OF INDUSTRIAL RESEARCH OSHODI LAGOS; ON ALLEGED VICTIMIZATION, IMPUNITY AND ABUSE OF OFFICE BY THE BOARD AND MANAGEMENT OF THE ABOVE INSTITUTION

#### 1.0 PREAMBLE

- 1.1 The House of Representatives at its sitting on Wednesday, 16th December, 2020 received a petition presented by **Honourable Henry Nwamba** on behalf of **Mr. Enwerem Lambert Ahamefule** against Federal Institute of Industrial Research Oshodi Lagos, on the victimization, impunity and abuse of office by the Board and Management of the above mentioned Institution.
- 1.2 Pursuant to **Section 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria** (as amended) and in accordance with the **House Standing Order XX. Rule 5[b] of the 9th Assembly** and in line with principles of fairness, equity and justice, the petition was referred to the Committee on public petitions for further legislative actions.

#### 2.0 PETITIONERS CASE

- 2.1 The Petitioner (Mr. Lambert Enwerem) informed the Committee about the problems he was going through as a result of the ongoing restructuring and reorganization process embarked on by the **Federal Institute of Industrial Research** Oshodi, Lagos, which was deemed for ethnic flagging, profiling and possible cleansing in the Institution.
- 2.2 That the calculated plans was that, staff from other ethnic extractions other than the geo-political zone where the institute is located with potential for promotion were identified, flagged and placed in units where they would be stuck until retirement, thus foreclosing their progress thereby creating room for the favoured candidate to continue to make progress.
- 2.3 That the situations were worsened by the fact that even the said restructuring process did not put into consideration the job specialization of the affected staff as the political consideration would seemingly override the career development of staff.



- 2.4 That the Situation created ethnic tension and mistrust among the staff of the institution.
- 2.5 That a typical example was the case of **Mrs. Oluwatoyin Akinfire** who the petitioner claimed he was 11 years older than in the service but is now a Director, Human Resources Management (DHRM) is ahead of him in the office.
- 2.6 That he got his appointment into the service of **FIRO** April 1994 as an Administrative Officer II while Mrs. Akinfire joined the service as Admin Officer II in the year 2004, a clear seniority difference of 11 years. That the petitioner was already a Principal Admin Officer when the woman was employed into the service of **FIRO**.
- 2.7 That in addition, Mrs. Akinfire who skipped the post of Principal Administrative Officer was co-opted to run against him for the post of Assistant Chief Admin Officer (CAAO) in 2007 which put him at par with her as the appointment panel was now constrained to capitulate with the overwhelming evidence to show that the exercise was orchestrated.
- 2.8 That the same ethnic sentiment continued to be whipped up in her favour which further aggravated the scheme to rob the petitioner of his seniority in favour of Mrs. Akinfire.
- 2.9 That when the office of Director, Human Resources Management (DHRM) became vacant in January 2018, it raised the issue of who to step in as Ag. Director (HRM) pending the filling of the substantive post. That to satisfy the provision of the **Public Service Rule (PSR)** on Seniority, the petitioner was appointed **Ag (DHRM)** only in the name whereas Mrs. Akinfire was the one handling the schedule of the office while waiting for when she would be confirmed as a substantive DHRM.
- 2.10 That during promotion interview for the vacant position, he performed extremely well which was confirmed by the panel in charge of promotion but to his surprise the vacant position was compromised and was given to Mrs. Akinfire his Junior as DHRM and she was officially presented at the Annual General Meeting of the Non-academic staff union meeting held immediately after the interview as the substantive Director Human Resources Management of the Institution.
- 2.11 That the whole process of promotion, especially for the management staff of the institution was carefully choreographed and manipulated to suit the overall interest and objective of a particular ethnic group, that out of 12 Directors presently in existence at the institution's organogram all were from one ethnic extraction of the country.



- 2.12 That the current plans on ground against him was that there were ongoing processes to further deny him his promotion and possibly remove him from the system by forces who felt uncomfortable with his continued stay in the system.
- 2.13 The petitioner prays the Board and Management of FIIRO to stop any further disciplinary actions against him accruing from the aforementioned established breaches and ethnic profiling.
- 2.14 To ensure that proper administrative procedures are followed in the appointment and promotion of the next (DHRM) FIRRO devoid of ethnic bigotry.

### **3.0 INVESTIGATIVE HEARING**

- 3.1 The investigative hearing was concluded on Wednesday, 23<sup>rd</sup> June, 2021 with both parties present to make both Oral and Documentary presentation in defence of the petition.

### **4.0 RESPONDENT SUBMISSION(FIIRO)**

- 3.1 According to Dr. Mrs A.E Asagbra. (over seeing Dg/CEO) of the Institution, who informed the Committee that the petitioner's (Mr. Enwerem Lambert) petition has been his behaviour whenever his attention had been drawn to issues surrounding misdeeds perpetrated by him as he usually had running battles with his superiors.
- 3.2 That every effort of the Management and successive Heads of Human Resources Management and Admin Department to make him turn a new leaf in his office activities were always met with stiff resistance, blame shifting, verbal and written blackmail as he refuse to change.
- 3.3 That the petitioner was queried, cautioned and warned several times on account of his various misconduct in office such as indiscipline, ineffectiveness, perennial lateness, nonchalant attitudes and failure to meet deadlines in his office assignment but to no avail.
- 3.4 That when Mr. Enwerem Lambert was made the Ag. Director Human Resources Management and Administration from February 2018 to May 2019, he displayed gross incompetence and general lack of knowledge of the job which left the then Dg FIIRO with no choice than to pass most tasks that required Technical Expertise to the Deputy Director Appointment, Promotion and Discipline (APD) Dr. O.A Akinfire.



- 3.5 That Ag Director HRM, Mr. Enwerem Lambert proceeded on his 2018 Annual Leave without handing over the department to any officer of his choice as directed by DG/ CEO of the Institution.
- 3.6 That as was customary in the Institution the internal and external advertisement to fill vacant positions of Director, Deputy Director, Assistant Chief Admin Officers and Research Officer was made in 2007. Dr. Akinfire applied and was shortlisted with five other candidates within and outside the institution and got appointed as Assistant Chief Admin Officer.
- 3.7 That it was on record that several advertisement were made by the Institution after 2007 to fill the vacant position including that of Assistant Chief Admin Officer.
- 3.8 That the fact that the current Directors were from South West Zone was not due to any form of ethnic calculation as claimed by the petitioner but that all appointments to any post in the institutions followed due process as the interviews were supervised and approved by the Federal Ministry of Science and Technology Office, Office of the Head of Civil Service and Federal Character Commission.
- 3.9 The position of the Management of FIIRO on the issue at stake was that there is need to address Mr. Enwerem's ineptitude, misdemeanour, unfounded accusations and passing of derogatory comments against the governing board and management staff of the institutions.

#### **4.1 COMMITTEE FINDINGS**

The Committee after thorough investigation and cross examination of both parties observed as follows:

- 4.1 According to Dr. Mrs A.E Asagbra. (over seeing Dg/CEO) of the Institution, who informed the Committee of the petitioner's (Mr. Enwerem Lambert) nonchalant behaviour whenever his attention had been drawn to issues surrounding misdeeds perpetuated by him, as he usually had running battles with his superiors.
- 4.2 That the petitioner Mr. Enwerem Lambert joined the service of FIIRO sometime in April 1994 as administrative Officer II and rose to the rank of Acting Director, Human Resources Management as at the time of this report.
- 4.3 That the cause of the petition was that the petitioner was concerned and worried about the alleged ongoing restructuring and reorganization embarked upon by the Management of the FIIRO which was aimed at ethnic flagging, profiling and possible cleansing.



- 4.4 That the petitioner did not properly investigate the rationale behind the sudden rise of Dr. Mrs. Oluwatoyin Akinfire from her former rank to the post of Assistant Chief Admin. Officer, almost the same rank as him, despite him being her senior in office for 11 years.
- 4.5 That the problem of Mr. Enwerem was that he had consistently displayed general incompetence and failed to provide effective leadership, poor attitude to work and general laxity which had earned him several queries and verbal warnings from the management of the institution.
- 4.6 The Committee also observed that the principles of the Federal Character Commission were not properly implemented in the appointment of key officers of the institutions but observations also showed that all appointments at the FIIRO followed due process and the interviews were supervised and approved by the Federal Ministry of Science and Technology, Office of the Head of Civil Service and Federal Character Commission.

## **5.0 COMMITTEE RECOMMENDATIONS /CONCLUSIONS**

- 5.1 The Committee in view of the Finding above saw the petition as an in House matter and as such urged the House to direct the Chairman Board of the Federal Institute of Industrial Research Oshodi (FIIRO) as well as DG/CEO FIIRO to come up with amiable resolution to the matter.
- 5.2 Ensure that hence forth the Federal Character principles are maintained in the employment of the staff of the institution.

## **6.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended.



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## CASE 23:

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### **REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON PETITION BY NAVY CAPTAIN OBI FELIX O. (RTD) AGAINST THE NIGERIA POLICE FORCE ON THREAT TO LIFE, ARMED ROBBERY, KIDNAPPING, HOSTAGE TAKING AND OBTAINING RANSOM AGAINST INSPECTOR ONYECHERE, SYLVER UBAH AND TWO OTHERS OF THE NIGERIA POLICE MOBILE FORCE OF DELTA STATE COMMAND.**

#### **1.0 PREAMBLE**

- 1.1 The House of Representative at its sitting on 26th November, 2020 received a petition presented by Hon. Sam Chinedu Onwuaso on behalf of Captain Obi Felix on the above mentioned petition against the Nigerian Police Force.
- 1.2 Pursuant to Section 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and in accordance with the House Standing Order XX. Rule 5[b] of the 9th Assembly and in line with principles of fairness, equity and justice, the petition was referred to the Committee on Public Petitions for further legislative actions.

#### **2.0 PETITIONER'S CASE**

- 2.1 The petitioner Captain Obi Felix a retired Naval Officer informed the Committee that, on Wednesday 10th July 2019, at about 1240hrs GMT, he was stopped by a mobile police officer for a security check as has been the fate of travellers along Lagos, Ogun, Ondo and Edo states.
- 2.2 That he pulled up behind three other vehicles at that check point and an inspector by name Sylver Ubah came over to him from behind while a Mobile Police Sergeant also appeared from his front and treated him rudely with a gun threat on the account that the petitioner was arguing with his boss.
- 2.3 That he was ordered to park by the side by the team of the Mobile Police officers on patrol headed by Inspector Onyechere who asked him to identify himself as well as show the particulars of his vehicle which he did but was tagged a fake Naval Officer by the said Mobile Police Officer who seized his ID card, his vehicle particulars and his car keys and as well ordered the total search of his vehicle after which they could not find anything apart from his ATM card and his luggage which was at the back seat.



- 2.4 That after the search which lasted for about an hour the NPF mobile force demanded that he should give them the sum of N200,000 in order to regain his freedom.
- 2.5 That while trying to know what the money they demanded was meant for they were very angry about it and as a result they rough handled him by beating him and he was later taken to the bush and they later headed to Agbor in Delta State where they forced him to withdraw N50,000 from UBA which he later gave them as ransom before he was released at about 1700hrs GMT.
- 2.6 That when they released his entire documents in their possession, including his phone, he attempted to call some senior security officers but to no avail as his phone has been tampered with by the officers on patrol.
- 2.7 The petitioner is seeking the House's intervention to ensure that justice and due diligence prevails in the handling of his complaint and also to save other Nigerians who might have also been ill-treated but are unable to speak out.
- 2.8 Also, prays the Nigeria Police Force to pay compensation of the sum of N60, 000,000 (Sixty Million Naira) and prosecute the offenders.

### **3.0 INVESTIGATIVE HEARING**

- 3.1 The investigative hearing of the matter was concluded on 24/6/2021 with both parties appearing in defence of the petition.

### **4.0 RESPONDENT SUBMISSIONS (NPF)**

- 4.1 The NPF did not bring any submission in defence of their petition but in their oral presentation, the three suspects who appeared in defence of the petition confirmed that they knew the petitioner whom they met on their way along Asaba Expressway in 2019.
- 4.2 That the NPF also told the Committee that there is an already existing case on the matter brought by the petitioner to the NPF.
- 4.3 That NPF further stated that when the Petitioner was asked to come for further investigation in Abuja he requested for accommodation, feeding and flight money which the NPF could not afford to provide.
- 4.4 That when the petitioner finally appeared at the NPF Force HQ Abuja to lodge his complaint, he was asked to provide his bank details to enhance the investigation but he declined.





- 4.5 The suspects told the Committee that when the incident happened the Petitioner was not taken to any UBA Bank in Asaba as claimed.
- 4.6 That one of the suspects (Inspector Onyechere) stated that the Navy cap and belt he collected from the petitioner was taken to nearby police station for further clearance because the petitioner had no means of identification.

## 5.0 COMMITTEE FINDINGS

The Committee, after thorough investigation and perusal of all the presentation of both parties before the Committee, observed as follows:

- 5.1 That the petitioner reported the ordeal meted on him by the Mobile Patrol of the Nigerian Police Force, Asaba – Delta State Command on Wednesday, 10th July 2019 at about 1240hrs GMT along Agbor-Asaba Expressway near Ekwuoma village on account of park and search patrol instruction.
- 5.2 Confirmed on admission that he was roughly handled when the (MP Officers) noticed that the Petitioner could not provide the sum of N200, 000 before he could regain his freedom from their ordeal.
- 5.3 That the Petitioner (Captain Felix Obi) was initially suspected to be a fake Naval Officer until the they uncovered an expired ID Card in his Luggage identifying him as a Retired Naval Officer.
- 5.4 That the NPF suspects who carried out the operation in question were four in number, comprising of 2 Inspectors, 1 Sergeant and an officer without identification tag and they were all in mobile police force uniform, three of whom appeared before the Committee in defence of the petition having confirmed that they knew the petitioner whom they met on the way to Asaba Expressway on Wednesday, 10th July, 2019.
- 5.5 That the Representative of NPF Force HQ Abuja, told the Committee that the case in question is already existing at the Force HQ that when the petitioner was asked to come to Force HQ for investigation he could not come because the logistics he demanded for the trip from NPF was too much for the NPF who could not afford the bill. At this point, the Committee advised the Petitioner to state the amount he felt was adequate compensation for the ordeal he suffered and he quoted the sum of N50 million which he submitted to the Committee.
- 5.6 The Committee after thorough investigation of the issue at stake advised the NPF to command the four suspects to apologize to the petitioner in writing and the apology



letter jointly signed by Inspector Avbunudiogba Daniel, Inspector Onyechere Clifford, Inspector Asuquo Effiong and Inspector Sylver Ubah was tendered to the Committee on 25th June 2021.

## **6.0 COMMITTEE RECOMMENDATION/CONCLUSION**

- 6.1 The Committee urges the House to direct the Inspector General of Police to assuage the Petitioner (Navy Captain Felix Obi) by offsetting the expenses he incurred as his logistics expenses in trying to obtain justice as well as pay him a satisfactory amount of money according to their accord and terms of compensation regarding cases such as the above.
- 6.2 Call on the Inspector-General, Nigeria Police Force to caution all NPF officers to be cautious in discharging their duties.

## **7.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended.



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**CASE 24:**

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**REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON PETITION BY ADEWUNMI ADENIYI AGAINST THE NIGERIAN NAVY ON UNLAWFUL DISMISSAL, WRONGFUL IMPRISONMENT AND VIOLATION OF HUMAN RIGHTS****1.0 PREAMBLE**

- 1.1 The House of Representatives at its Sitting on Wednesday, 7th October, 2020 received a petition, presented by Hon. Jimoh Olajide on behalf of Mr. Adewunmi Adeniyi against the Nigerian Navy, on the unlawful dismissal, wrongful imprisonment and violation of Human Rights.
- 1.2 Pursuant to sections 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and in accordance with the House Standing Order XX Rule 5(2) [b] of the 9th Assembly and in line with the principles of fairness, equity and justice, the petition was referred to the Committee on Public Petitions for further legislative action.

**2.0 PETITIONER'S CASE**

- 2.1 The petitioner informed the Committee that he had served the Nigerian Navy at different levels, as a physical training instructor, as well as fought several battles against militants protecting the integrity of the Nigerian Territorial water ways for not less than thirteen years.
- 2.2 That he was unlawfully dismissed from the active service of the Nigerian Navy with inhuman Degrading and ill – treatment of all kinds.
- 2.3 That he was selected for a course in NNS QUORRA APAPA Lagos to enable him get promoted to the next Rank.
- 2.4 That in view of the issue at stake, a summary trial was set against the petitioner who made attempts to get his legal practitioner in defence of the case in question to no avail, instead the case was turned against the petitioner.
- 2.5 That on 29th September, 2017, the petitioner was imprisoned for more than three months in the cell with all kinds of punishments meted out to him and he was dismissed from the service of the Nigerian Navy without following due process.



- 2.6 That the petitioner's dismissal from the service of the Nigerian Navy without following due process, violates his right to liberty as guaranteed under section 35 (1) of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and under Article 6 of the African Charter on Human and Peoples Right.
- 2.7 That he was sentenced to imprisonment but his continuous detention in prison was merely borne out of vendetta, malice and personal vengeance against him.
- 2.8 That the injustice meted out to the petitioner on the issue at stake was born out of the influence of the big wigs whose attention were called into the case to save or cover up for the conduct of the petitioner's attackers which is an apparent and flagrant violation of the Rules, Regulations and Laws of the Nigerian Navy Institutions.
- 2.9 The petitioner prays the House to intervene to declare his alleged dismissal unlawful and to restore and rehabilitate him.
- 2.10 Also, declare his salary with effects from 29th September, 2017 in which he was dismissed with full payment.

### **3.0 INVESTIGATIVE HEARING**

- 3.1 The Investigative hearing was concluded on 18<sup>th</sup> May, 2021 with both parties appearing to make oral and documentary presentations.

### **4.0 RESPONDENT SUBMISSIONS (NIGERIAN NAVY)**

- 4.1 The Nigerian Navy in their presentation by F.O Isaac (Rear Admiral) informed the Committee that they acknowledged the receipt of the summon letter dated 12th April 2021 on the petition by EX ABPTI Adewunmi A JX10316 alleging that he was summarily tried, unlawfully dismissed and imprisoned and his fundamental Human Rights violated by the Nigerian Navy.
- 4.2 That the petitioner stated that a summary trial was set up and his request to call his legal practitioner was not granted.
- 4.3 That he further alleged that the case was turned against him to be that of assault and insubordination and that even those in the cabin who were witness to the incident on 29th September, 2017 were de-ranked alongside the petitioner.
- 4.4 That the available records in the Naval HQ vide the letter of confirmation of Summary trial at enclosure I indicates that the petitioner along with 13 others were undergoing physical training qualifying course in NNS QUORRA at the time of alleged offence.



- 4.5 That on Wednesday, 20th September, 2017, the officer of the day directed the assistant officer of the day to pipe for fire alarm, requiring all under training ratings in NNS QUORRA to muster at their mini parade ground.
- 4.6 That despite the pipe for fire after alarm by the Quarter Master, none of the under training ratings appeared at the parade.
- 4.7 Consequent upon the confirmation, the duty chief then directed one leading Regulator Baje and the Quarter Master to proceed to the under training rating's accommodation/ quarters and repeat the pipe but there was still no response from the students Navy Ratings.
- 4.8 In order to ensure compliance the duty chief then started knocking and entering the cabins of the students and shouting "Fire alarm" "Fire alarm" and entering the physical fire training cabin, the petitioner (EX ABPTI Adewunmi) shouted who are you and the duty chief in response pointed his torch light on himself and introduce himself as **WORS Mohammed UZ**. Therefore it was stated that the petitioner ABPTI Adewunmi jumped down from his bed, pulled the duty chief name tag and took the torch light from his hand then dropped the items into a bucket of water.
- 4.9 That because of the unusual conduct of the Rating at the scene. The incident was recorded by the duty chief in his phone who directed all the personnel in the cabin to move to the parade ground, that more trouble came up at the scene when **ABPTI Suleiman BX 11181** started shouting that the duty chief forcefully dragged him out from his bed and his rib was injured.
- 4.10 That at that point EX ABPTI Adewunmi then ordered the duty chief not to leave the cabin and instructed his cabin mates to lock the room. The altercation drew the attention of ABCOMP Precious OT. X10796 from the adjourning room who came to calm the situation to no avail as the Duty Chief was beaten up by the Navy Ratings on the allegation that he was a thief. It took the efforts of Assistant Officer of the day and some armed security to calm down the situation.
- 4.11 That based on the foregoing, an investigation was conducted on the prima facie case of disobedience of the standing order, insubordination, assault, aiding and abetting were established against the petitioner.
- 4.12 That having established the fact, the petitioner was arraigned with others on 29th September 2017, and that the end of the summary trial, he was dismissed along with 3 others while others were awarded various punishments.



- 4.13 That the petitioner being unsatisfied with his dismissal, approached the Federal High Court for enforcement of his Fundamental Human Rights and an award of N100,000,000 (Hundred million naira) as damages against post trial but the petitioner's appeal was dismissed by the court after noticing that the Nigerian Navy accorded the petitioner with all the necessary rights including payments of his emoluments while awaiting confirmation of sentences.
- 4.14 That the position of the Nigeria Navy on the issued at stake was that the petitioner as confirmed by the Chief of the Naval Staff lost the appeal for enforcement of his Fundamental Human Right at the Federal High Court as result of lack of sufficient evidence to substantiate his claims and urged the House to disregard the petition for lack of merit.

## 5.0 COMMITTEE FINDINGS

The Committee after series of investigations on the above petitions observed as follows:

- 5.1 That the petitioner was a Navy Rating officer who hails from Lagos mainland LGA of Lagos State and has been in the service of the Nigerian Navy in various capacities for a period not less than thirteen years.
- 5.2 That the Summary trial meted on the petitioner did not follow due process because, the petitioner was not given the opportunity to bring in his counsel or accorded fair hearing during his summary trial and this constitutes a breach of his Fundamental Human Rights.
- 5.3 That the action of the petitioner in defending his people at the porter cabin when the incident happened as a result of the sudden appearance of the duty Chief of NNS in their cabin to attack their members ABPTI Suleiman Bashir when the light was off was with cogent reasons.
- 5.4 That the petitioner along with 4 other members were dismissed on alleged account of disobedience e.g. Standing Order (not obeying pipe) insubordination, assault, aiding and abetting which was not properly verified and proved.
- 5.5 That the Summary trial indicates that the petitioner along with 3 others were undergoing physical trainers qualifying course in NNS QUORRA at the time of the alleged offence.
- 5.6 That the case in question was contended at the Court of Appeal where the Nigerian Navy informed the court that the petitioners application for enforcement of his Fundamental Human Right was misconceived and urged the Court to dismiss the suit and Nigerian Navy's request was upheld by the court.



## **6.0 COMMITTEE RECOMMENDATION /CONCLUSION**

- 6.1 The Committee in view of the findings above recommends and urges the House that on compassionate ground to urge the **Chief of Naval Staff** to convert the petitioner's (Adewunmi Adeniyi John) dismissal to compulsory retirement with full payment of his benefits and entitlement to enable him to go elsewhere to start a fresh life.

## **7.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended.



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## CASE 25:

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### **REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON THE PETITION BY ANDUL LEGAL CONSULTANTS ON BEHALF OF MRS. OGBOGU AGAINST NPF SARS, AWKUZU, ANAMBRA STATE ON THE ALLEGED SUDDEN DISAPPEARANCE OF HER HUSBAND (MR. EMMANUEL OGBOGU)**

#### **1.0 PREAMBLE**

The House of Representatives, at its plenary sitting on Wednesday, 11<sup>th</sup> November, 2020 received a petition presented by Hon. Sam Chinedu Onwuaso on behalf of Andul Legal Consultants against NPF, SARS Division in Anambra State on the sudden disappearance of her husband (Mr. Emmanuel Ogbogu) in Awkuzu SARS.

- 1.1 Pursuant with **Section 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria** (as amended) and in accordance with the House Standing Order XX Rule 5(2) (b) of the 9th Assembly and in line with the principle of Fairness, Equity and Justice, the Petition was referred to the Committee on public petition for further legislative actions.

#### **2.0 PETITIONER'S CASE**

- 2.1 The Counsel to the Petitioner (Andul Legal Consultants) informed the Committee that on 13<sup>th</sup> December, 2013 six (6) armed men believed to be operatives of the NPF SARs, Anambra State Command seized the Husband of the Petitioner and took him in a Hilux truck without plate number to an unknown destination.
- 2.2 That the incident happened the day after the Petitioner's husband reported to the 3-3 police post the kidnapping on 12<sup>th</sup> December, 2013 of their neighbour, one Mr. Uchenna Ifezi who was also in the vehicle used to whisk the Petitioner's husband away by the men from SARS, Awkuzu on 13<sup>th</sup> of December, 2013.
- 2.3 That it was thereafter that they discovered that they were detained on allegation of being kidnappers while it was public notice that their village was immersed in a land dispute.
- 2.3.1 That each time they send emissaries to visit Awkuzu SARS on their behalf, they must receive life threatening calls from an unknown number warning them to desist from looking for him.





- 2.4 That on March 2014, both Uchenna and Emmanuel Okonkwo were released without the Petitioners' Husband and they could not get any information on the condition of Mr. Emmanuel Ogbogu whether dead or alive because of the stern warning to them not to disclose anything that happened in the course of their arrest and subsequent release to anyone including their family.
- 2.5 That Mr. Celestine Ani is the main Chief suspect on the case in question because he was the then Awkuzu SARS Station Officer at the time of the incidence.
- 2.6 The petitioner prays the Committee intervene to unravel the circumstances surrounding the Petitioner's Husband's sudden disappearances for almost 7 years.

### **3.0 INVESTIGATIVE HEARING**

- 3.1 The investigative Hearing was conducted on 29<sup>th</sup> June 2021 after several hearings with parties appearing to make both oral and documentary presentations in defence of the petition.

### **4.0 RESPONDENT'S SUBMISSIONS (NPF DECOMPOL CIID AWKA)**

- 4.1 The NPF informed the Committee that the incident complained of by the Petitioner was alleged to have occurred on the 12<sup>th</sup> day of December, 2013 which is about 9 years ago.
- 4.2 That upon receipt of the petition and summons for the Hearings, the respondent NPF made a quick internal enquiry pertaining to the period the said case was said to have been investigated by the defunct SARS Awkuzu so as to avail itself of the relevant records/case files and exhibits relating to the case.
- 4.3 That it was found that the records case files tagged (sudden and unnatural death) case file investigations and exhibits of the case involving the said Emmanuel Ogbogu was among the concluded police case files and related exhibits achieved and kept at the complex of the defunct SARs outfit, Nnewi which was completely razed down by hoodlums following the EndSARS protest and destruction of facilities belonging to the respondents.
- 4.4 That on the strength of the facts and allegations contained in the petitioners complaint letter, the Respondents made findings that on 29<sup>th</sup> November 2013, one Chinedu Iloenyusi "M" of Abagana in Njikoka LGA of Anambra State Awkuzu lodged a report at the office of the then defunct SARS outfit, that in the early hours of 24<sup>th</sup> November 2013, some armed men stormed their residence at Abagana and kidnapped their aged father, one Ichie Francis Iloenyusi "M" of Abagana.



- 4.4.1 That Mr. Emmanuel Ogbogu was an accomplice to the kidnap incident and demanded for ransom to the tune of N1, 200,000 (One Million, Two Hundred Thousand Naira) for the release of Ichie Francis Iloenyusi who they took to the forest in Neyi Umuleri and held hostage for 5 days.
- 4.5 That on the outcome of their investigation, the SARS operatives commenced a search and rescue operation which showed that Emmanuel Ogbogu and some of the gang members were said to have been trailed to their den and hideout where they were subsequently arrested with bullet injuries after a gun battle with the operatives while some of the gang members escaped.
- 4.6 That the said Emmanuel Ogbogu was said to have been taken to the Hospital for treatment of his bullet wound where he reportedly died and medical reports and certificate of death was issued to the police operatives from the hospital and same was contained in the destroyed police SUD case file.
- 4.7 That all information, namely signals, medical forms, forensic examination reports, autopsy reports and relevant documents concerning the murdered victim (Pa Francis Iloenyusi) and the Petitioner's husband (Mr. Emmanuel Ogbogu and his gang) were contained in the SUD Case File destroyed during the END SARS inferno.

## 5.0 COMMITTEE FINDINGS

The Committee after thorough investigation of both oral and documentary presentation by parties involved on the case observed as follows:

- 5.1 That the Petitioner's Husband (Mr. Emmanuel Ogbogu) was arrested and taken to an unknown destination by the operatives of SARS in Awkuzu Police Station in connection to the sudden disappearance of one Ichie Francis Iloenyusi of Abagana on 24<sup>th</sup> November, 2013 whose dead body was later found in Neyi Umuleri forest by one Chinedu Iloenyusi of Abagan in Njikoka LGA on 29th November, 2013.
- 5.2 That the reason for his arrest was his alleged role as an accomplice to the earlier kidnapping incident and demand for N1,200,000.00 ransom for the release of one Ichie Francis Iloenyusi of Abagana.
- 5.3 That Emmanuel Ogbogu and his group were trailed to their den and were arrested after a gun battle with the operatives of SARS and he sustained a bullet wound which led to his death after several attempt to treat him in the hospital.
- 5.4 That investigation into the death of Emmanuel Ogbogu was properly carried out as well the signals, medical forms, forensic examination reports, autopsy report and all relevant documents concerning the murdered victims Ichie Francis Iloenyusi



and that of Emmanuel Ogbogu were contained in the Sudden and Unnatural Death (SUD) case file destroyed during END SARS inferno.

## **6.0 COMMITTEE RECOMMENDATIONS/CONCLUSIONS**

- 6.1 In view of the findings above, the Committee consider the investigation inconclusive due to the absence of the documentary evidence from the Nigerian Police Force in respect of the case in question which was said to have been destroyed during the END SARS protest.
- 6.2 Urges the House to mandate the Inspector-General, Nigeria Police Force to organize a condolence visit to the deceased's family (Emmanuel Ogbogu) and pay adequate compensation for the loss of their beloved one.
- 6.3 Ensure they offset the cost of the burial expenses of the deceased (Mr. Emmanuel Ogbogu)

## **7.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended.



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**CASE 26:**

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**REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON THE PETITION BY GODKNOWS KPABEE AGAINST THE NIGERIA POLICE FORCE ON THE ALLEGED UNLAWFUL DISMISSAL FROM SERVICE****1.0 PREAMBLE**

- 1.1 The House of Representatives at its plenary sitting on Thursday, 17th December, 2020 received a Petition presented by Rt. Hon. D. Dikar on behalf of Godknows Kpabee against the Nigeria Police Force on Unlawful Dismissal from Service.
- 1.2 Pursuant to Section 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and in accordance with the House Standing Order XX Rule 5(2) [b] of the 9th Assembly and in line with principles of fairness, equity and justice, the petition was referred to the Committee on public petitions for further legislative actions.

**2.0 PETITIONER'S CASE**

- 2.1 The Petitioner (Sergeant Godknows Kpabee with Force No. 241531) and native of Luere Beer, Khana LGA of Rivers State, last served at Mini-Okoro Divisional NPF HQ, Rivers State Command.
- 2.2 That the Petitioner was recruited into the service of NPF on 1st August, 2007 at the Nigerian Police Training School, Nonwa Tai, Rivers State with a professional training on Arms by the Israel Army at Niger-Delta Mangrove Cam, Tai, Rivers State from September to October, 2010 and was certified as a fully trained Police Officer with graduation Certificate.
- 2.3 That on the 9th of April, 2019, an armed robbery gang attacked him and his men at C41 Checkpoint at Igwunita, Port Harcourt and he was shot on his left hand while two of his colleagues were shot dead at their duty post.
- 2.4 That on the 15th day of January, 2020, he was transferred to Mini-Okoro Division despite that he was yet to recover from the gunshot injury on his hand.
  - 2.4.1 That the DPO in charge of the Division called the C41 Department to know why he had not reported to duty but she was fed with fake information about him and the matter was reported to the Police Commissioner, Rivers State Command for his immediate action.



- 2.5 The petitioner prays the Committee to summon the IGP along with SUPOL Noble Owoh who was taken to the hospital when the incident happened but they could not identify his whereabouts.
- 2.6 Also, pray the NPF reinstate him to the service and pay him all the arrears of his salaries and entitlements.

### **3.0 INVESTIGATIVE HEARING**

- 3.1 The investigative hearing was concluded on 10th November, 2021 with both parties appearing in defence of the petition.
- 3.2 That while the Petitioner came with both oral and documentary presentations, the Nigerian Police Force pleaded for more time to enable them investigate the matter and to report back to the Committee in due course which was granted to them.

### **4.0 RESPONDENT'S SUBMISSION (NIGERIA POLICE FORCE)**

- 4.1 The Nigeria Police Force (NPF) did not make any presentation during the first Hearing of the petition but pleaded for more time to be given to them to enable them investigate the matter and to report to the Committee their finding which was granted to them.
- 4.2 That on the last day of the Hearing, the Petitioner appeared and told the Committee that he has been reinstated to the service of the NPF; that the Committee should discontinue hearing of the matter.

### **5.0 COMMITTEE FINDINGS**

- 5.1 The Committee, during their investigation observed that the Petitioner (Mr. Godknows Kpabee) was wrongfully dismissed from the service of the NPF due to alleged desertion from his duty post which has been investigated by NPF and discovered that the allegation was not true.
- 5.2 That the Petitioner has been reinstated to the service of the NPF after discovering in their investigation that the said alleged desertion was not true.
- 5.3 That the Petitioner had an encounter with armed robbers who attacked his duty post and shot him on his hand and as well shot dead two of his colleagues at the scene of the incident



- 5.4 That it was on account of seeking medical treatment for the injury he sustained that resulted in his absence from duty within the period he was declared a deserter from his duty post.

## **6.0 COMMITTEE RECOMMENDATION/CONCLUSION**

- 6.1 The Committee, in view of their findings above, urges the House to discontinue hearing the matter as both parties have resolved the issues at stake amicably. That Sergeant Godknows Kpabee has been reinstated to the service of the NPF.

## **7.0 RESOLUTION ADOPTED BY THE HOUSE**

Approved as recommended



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## CASE 27:

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### **REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON THE PETITION BY M. O. OLAGUNJU ON BEHALF OF MR. ADELEKE TESLIM OYEDIRAN ON THE ALLEGED UNJUST PREMATURE AND UNFAIR RETIREMENT FROM THE DEPARTMENT OF PETROLEUM RESOURCES (DPR)**

#### **1.0 PREAMBLE**

- 1.1 The House of Representatives, at its sitting on Wednesday, 25th November, 2020 received a petition presented by Hon. Akin Adeyemi on behalf of M. O. Olagunju for Mr. Adeleke Teslim Oyediran on the unjust premature and unfair retirement from the service of Department of Petroleum Resources (DPR): A Passionate Appeal for the House Intervention.
- 1.2 Pursuant to **Section 88 and 89 of the 1999 Constitution** of the Federal Republic of Nigeria (as amended), and in accordance with the House Standing Order XX Rule 5 (b) of the 9th Assembly and in line with the principles of fairness, equity and justice, the Petition was referred to the Committee on Public Petitions for further legislative actions.

#### **2.0 PETITIONER'S CASE**

- 2.1 The Petitioner, Mr. Adeleke Teslim Oyediran from Oyo West LGA of Oyo State was employed into the service of Department of Petroleum Resources in 2008 as a Geophysicist.
- 2.2 That in 2012, he was awarded a Scholarship for further studies in Australia via the letter reference **HCSF/461/II/48/411** by the Office of the Head of the Civil Service of the Federation and was also granted Study Leave.
- 2.3 That after the successful completion of the Masters Degree in Petroleum Geoscience at the University of Adelaide in January, 2013, Mr. Adeleke Teslim Oyediran wrote the management of DPR of his scheduled graduation ceremony after which he is to receive the Certificate and to return back to duty, but his wife fell ill.
- 2.4 That, the sad news of the stoppage of Mr. Adeleke's salaries coincided with the depressing medical reports stating that his wife had post-traumatic stress disorder with significant mental issues and was a suicidal risk and must be admitted at a Specialist Hospital for treatment and monitoring. As her husband, he was forced



to stay behind for a while to look after his sick wife to ensure her recovery before returning home.

- 2.5 Owing to the situation, the Head of the Human Resources Departments at DPR quietly informed the Petitioner of the plan to dismiss him from the service and advised that the only alternative to the issue at stake was to resign his appointment which he obeyed and drafted the purported letter of resignation stating that it was not voluntary.
- 2.6 That in July, 2016 the Management of DPR sent a letter of approval for Mr. Adeleke (the Petitioner) to proceed on compulsory retirement.
- 2.7 That another letter followed immediately that his gratuity and monthly pension were being prepared and that he should fill the required forms which he did but payment of gratuity and monthly pension were never implemented for him as at the time the Petitioner brought the matter to the Committee.
- 2.6. The Petitioner is requesting for the Committee's intervention for his reinstatement to the service of DPR as he was 39 years of age at the moment and would not like to be a victim of premature retirement from the service.

### **3.0 INVESTIGATIVE HEARING**

- 3.1 The investigative hearing was concluded on Wednesday, 8<sup>th</sup> April, 2001 after several Hearings with parties appearing to make both oral and documentary presentation in defence of Petition.

### **4.0 RESPONDENT'S SUBMISSION**

- 4.1 The Department of Petroleum Resources (DPR) informed the Committee that the Petitioner was employed in January, 2008 but not in 2007 as stated by the Petitioner.
- 4.2 That Mr. Adeleke T. Oyediran applied for Study Leave with pay after three years of his employment into the Service of DPR and it was granted.
- 4.3 That, as part of the condition in which the Petitioner client was granted Study Leave, he was made to sign a Bond with the Federal Government that he will return back to the service of his employer (DPR) after expiration of his Study Leave.
  - 4.3.1 That, despite the bond agreement signed by the Petitioner, the Petitioner did not report to the organisation (DPR) instead resorted in verbal communication with the management of DPR from abroad and these were clear violation of the agreement entered into by both parties.





- 4.4 That the Management of DPR had paid the Petitioners Client (Mr. Adeleke T. Oyediran) more than N10 million (Ten Million Naira) for the allowances that were due to him.
- 4.5 That the offence committed by the Petitioner deserved outright dismissal but he was compulsorily retired on compassionate grounds.
  - 4.5.1 That, having violated about six rules that guide the DPR the organisation has no other option than to issue a compulsory retirement letter to the Petitioner.
- 4.6 That the Petitioner violated a contract agreement to study abroad and return within 4 years and the consequence of that was that he was to pay back to the Management of DPR the sum of N4.7 million for failure to execute the contractual agreement with the Management of DPR.
- 4.7 The Committee, in view of their observation advised the Management of DPR to review the case to ensure that justice prevailed on the issue at stake but DPR pointed out that the case in question was not a disciplinary matter and that was the reason why Mr. Adeleke T. Oyediran was compulsorily retired from the service.
- 4.8 That there was no rule in support of the Petitioner's reinstatement on the compulsory retirement given to him.

## 5.0 COMMITTEE FINDINGS

The Committee, after thorough investigation of the case in question observed as follows:

- 5.1 That Mr. Adeleke Teslim Oyediran was employed into the service of the Department of Petroleum Resources (DPR) in 2008.
- 5.2 That, after three years of service with DPR, he applied for 4 years Study Leave to Australia where he got Scholarship Award to study for his Masters Degree in Petroleum Geosciences at the University of Adelaide in January, 2013.
- 5.3 That, during the graduation period of Mr. Adeleke Oyediran (Petitioner) his wife became seriously ill and was hospitalized and as a result of that, the Petitioner quickly sent a notice informing the DPR of the challenge he had encountered as well as the date he was to graduate from the institution.
- 5.5 That the Petitioner worked for three years and applied for Study Leave with pay which was granted on the ground that he must return to the service of DPR after the expiration of the Study Leave.
- 5.6 That the assertion by DPR that the Petitioner did not return but resorted in



communicating with DPR from abroad was not true because clear evidence showed that the Petitioner had written to the management of DPR informing them about the ill-health of his wife which may lead to the extension of his stay for the purpose of taking care of her in the hospital where she was admitted which they ignored, claiming that it was a deliberate attempt by the Petitioner to extend his stay abroad.

- 5.6 That DPR has spent up to N10 million in support of Mr. Adeleke Oyediran's allowances for the scholarship programme, claiming that the Petitioner was to refund the sum of N4.7 million to the management of DPR for violating the signed bond agreement between them.
- 5.7 That the assertion that the Petitioner has violated the signed Bond Agreement as well as 6 rules guiding the organisation was not true because the Petitioner did not abscond from the service but gave reasons why he would not be able to return immediately as agreed.
- 5.8 That, in view of the aforementioned, it is established that the process leading to the purported compulsory retirement of Mr. Adeleke Teslim Oyediran did not follow due process of fair hearing as the Petitioner was never summoned to appear before any disciplinary panel before his compulsory retirement from the service.

## **6.0 COMMITTEE RECOMMENDATIONS/CONCLUSION**

- 6.1 The Committee, in view of their findings above, urges the House to direct the Executive Director, Department of Petroleum Resources, NNPC to reinstate Mr. Adeleke Teslim Oyediran to the service of DPR with immediate effect.
- 6.2 Pay him all the arrears of his salaries, entitlements and benefits and to promote him to be at par with his colleagues in office.
- 6.3 Or in the alternative reinstate and post him back to Office of Head of Civil Service of the Federation who can transfer him to a relevant Agency where his service will be effectively needed.
- 6.4 That, after three months of the House Resolution on the above Petition without any positive action by DPR the matter should return back to the House for further legislative actions.

## **7.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended.



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**CASE 28:**

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**REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON THE PETITION BY NEDIK GLOBAL CONCEPT LIMITED (NEDIK) ON BEHALF OF MR. CHINEDU SOLOMON ORISA AGAINST THE NIGERIA CUSTOMS SERVICE TO COMPEL THEM TO PAY THE SUM OF N200,000,000.00 (TWO HUNDRED MILLION NAIRA) ALLEGED MONEY THEY OWE HIM FOR VALUE OF GOODS PAID SEVEN YEARS AGO****1.0 PREAMBLE**

- 1.1 The House of Representatives, at its Plenary Sitting on Tuesday, 15th December, 2020 received the above petition presented by **Hon. Oghene Emma Egoh** on behalf of **Nedik Global Concept Limited (NEOIK)** for **Mr. Chinedu Solomon Orisa** against the **Nigerian Customs Service** on the above issue at stake.
- 1.2 Pursuant to Section 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria, 1999 (as amended) and in accordance with the House Standing Order XX Rule 5(2) (b) of the 9th Assembly and in line with the principles of fairness, equity and justice, the Petition was referred to the Committee on Public Petitions for further legislative actions.

**2.0 PETITIONERS' CASE**

- 2.1 The Petitioner (Mr. Chinedu Solomon Orisa) informed the Committee that he is an importer based in Lagos and that, upon the invitation of the Nigerian Customs Service to an Auction Sales; he bought eight (8) containers of rice on the 4<sup>th</sup> December, 2014. Numbered; (i) MSKU7692950; (ii) PONU2040796; (iii) MSKU7556790; (iv) MSKU232012; (v) MSKU7169765; (vi) MSKU3526988; (vii) MSKU2603061 and (viii) MSKU6792737.
- 2.2 Again, two containers of rice on the 22<sup>nd</sup> of December, 2014, with Container Nos. PONU 2028825 and (ii) PONU 0621277.
  - 2.2.1 That he paid a total sum of Thirty Million, Ninety Thousand Naira only (N30, 090,000.00) for all the above mentioned containers to the Nigerian Customs Service with sworn Affidavit of Purchase and Custom Duty receipt in respect of the containers.
- 2.3 That, for the past seven years, all efforts to get the goods he paid for proved abortive and all his efforts to get his monies back also was unsuccessful. That the total



amount Customs (NCS) owes him is N200,000,000.

### **3.0 INVESTIGATIVE HEARING**

- 3.1 The investigative hearing was concluded on 25<sup>th</sup> January, 2022 with both parties appearing to make oral and documentary submission in defence of the above petition.

### **4.0 RESPONDENT SUBMISSION (NIGERIAN CUSTOMS SERVICE)**

- 4.1 The Nigerian Customs Service, according to U. A. Lawal, informed the Committee that a careful look at the entire allocation papers presented to them by the Petitioner revealed that none was issued in the Petitioner's name which clearly contradicts the claim that the Petitioner was sold/auctioned the alleged containers.
- 4.2 That the conditions normally stipulated in the Auction/Allocation includes:
- 4.2.1 That the purchaser/allottee must make payment of the Auction Value in a Custom Duty Collecting Bank, which must be confirmed by the relevant Customs Area Controller.
  - 4.2.2 That payment of 25% of Auction Value to the concessionaire/Bonded Warehouse owners / NAHCO/SAHCOL as security and handling charges, Payment of 5% VAT on Auction Value, Payment of Refundable Container deposit or unstuffing of the goods at the port.
  - 4.2.3 That application for replacement of all allocated goods are not to be entertained.
  - 4.2.4 That any Allocation Letter transferred or sold by the Allottee to the Third Party shall be at the buyer's risk.
  - 4.2.7 Allocation Letter is valid for thirty (30) working days from the date of issue and any allocation which remains uncleared after this period shall revert to its pre-allocation status.
- 4.3 The Nigeria Customs Service has no case to answer because the Petitioner's papers were fake and they never had any contractual agreement with the Petitioner.
- 4.3.1 That the position of the law under the doctrine of privity of contract states is that only parties to a contract can sue and be sued and no third party has the capacity to sue or be sued.
  - 4.3.2 The Petitioner does not have any original documents to show as proof that he



was sold the containers and the photocopies he presented were not admissible under Section 131(1) and (2) of the Evidence Act, 2011.

- 4.3.3 The Respondent urges the Committee to dismiss the petition for being baseless, vexatious, self-defeating, lacking in merit, unwarranted and an act of gold-digging.

## 5.0 COMMITTEE FINDINGS

The Committee has investigated the matter and came up with the following observations:

- 5.1 That the client to the Petitioner (Mr. Chinedu Solomon Orisa) is an importer based in Lagos for his business activities.
- 5.2 That he bought eight (8) containers of Rice on 4<sup>th</sup> October, 2014 with the following identification numbers (i) MSKU7692950; (ii) PONU2040796; (iii) MSKU7556790; (iv) MSKU232012; (v) MSKU7169765; (vi) MSKU3526988; (vii) MSKU2603061 and (viii) MSKU6792737 and other items on Auction Sale from the Nigerian Customs Services and they neither delivered the goods to him nor paid the said money back to him.
- 5.3 That he paid the sum of N30, 090,000 for all the above mentioned containers on Auction Sale to Nigerian Customs Service and had an Affidavit of Purchase and Custom Duty Receipt with him as a proof to substantiate his claims.
- 5.4 That details of the current prevailing rate of the said goods in the market showed that he bought 8 containers that contained 500 bags of rice i.e. 500 bags @ N30,000 per bag amounting to N150,000,000; 1 40ft Container of 12 500KVa Transformers at N3,200,000 each total N38,400,000 and 1 40ft Container of 4 cars at N3, 000,000 each costing N12, 000,000.
- 5.4.1 That when the N150,000,000, N38,400,000 and N12,000,000 are added up, the amount will be a total of N200,000,000, being the amount the Petitioner is demanding as money to be given to him by the Nigerian Customs Service as the current price of the goods he paid for on Auction.
- 5.4.2 That the said money was borrowed by the Petitioner in order to boost his business activities.
- 5.5 The Committee debunked the assertion by the Nigerian Customs Service that they have no Contractual Agreement with the Petitioner and that the claims of issuance of allocation paper was disproved by the petitioner who brought all the relevant



documents issued by the Nigerian Customs before the Committee.

- 5.6 After a meeting with the Auctioneers officers at the Nigerian Customs Headquarters Abuja, the respondents considered all the Allocation Papers that directly bears the name of the Petitioner and pay him the sum of N200, 000,000.

## **6.0 COMMITTEE RECOMMENDATIONS/CONCLUSION**

- 6.1 In view of the findings above, the Committee urges the House to direct the Comptroller-General, Nigerian Customs Service to pay the Client of NEOIK (Mr. Chinedu Solomon Orisa) the sum of N200, 000,000 being the money he paid to Nigerian Customs Service on contract agreement for the purchase of goods in Auction at the current prevailing prices of goods and dollar exchange rate at the market, or in the alternative release the ten containers of goods he bought from them to him.

## **7.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted and approved as recommended.



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**CASE 29:**

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**REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON THE PETITION BY LUBRICANTS PRODUCERS ASSOCIATION OF NIGERIA (LUPAN) AGAINST THE PETROLEUM PRODUCTS PRICING REGULATORY AGENCY (PPPRA) FOR THE CESSATION OF ADMINISTRATIVE CHARGE OF N1.23 KOBO ON BASE OIL****1.0 PREAMBLE**

- 1.1 The House of Representatives, at its sitting on the 30<sup>th</sup> September, 2020 received a Petition by Lubricants Producers Association of Nigeria (LUPAN) (hereto referred as the Petitioner) against the Petroleum Products Pricing Regulatory Agency (PPPRA) (hereto referred as the Respondent) on alleged hike on administrative charges on Base Oil from N0.10k to N1.23k: An Appeal for Cessation.
- 1.2 Pursuant to Section 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and in line with the House Standing Order XVIII Rule 5(c) of the 9<sup>th</sup> National Assembly and in accordance with the principles of equity, fairness and justice, the petition was referred to the Committee on Public Petitions for further legislative action.

**2.0 PETITIONER'S SUBMISSION**

- 2.1 The Petitioner is the representative body of Lubricant blenders in Nigeria duly licensed by the Department of Petroleum Resources (DPR) to carry on the business of lubricant blending.
- 2.2 That members of the Petitioner are being unduly charged excessive Administrative levies and dues on Base Oil by the Respondents, the duo of PPPRA and LASEPA
- 2.3 That sometimes in 2017, the Respondents (PPPRA) demanded for an administrative charge of N1.0kobo. While the Petitioners were still grappling with the uneasiness that accompanied that policy, the Respondent unreasonably increased it to N1.2 kobo.
- 2.4 That the Respondents also demand for certification or licenses on Base Oil unnecessarily and even when the Petitioner's members show them their certificates and licences, they come back again to disturb their peace in no distant time.
- 2.5 That the duties performed by the Respondents are blatant duplications of the powers and functions of the Department of Petroleum Resources (DPR).



- 2.6 That Base Oil, unlike other petroleum products, attracts duty of 5% and it is not subject to pricing regulations because there is no benchmark price. Its prices are determined by market forces, fluctuations in prices and exchange rates.
- 2.7 That if the activities of the Respondents (PPPRA and Lagos State Environmental Protection Agency (LASEPA) is allowed to continue unabated, it will inflame the proliferation of unlicensed blending which will consequently lead to substandard blending.
- 2.8 The Petitioners prayed the Committee to call the Respondents to order as they do not have the jurisdiction to impose charges and levies of any kind on them, only the DPR has the prerogative of duty to do so. Secondly, the Petitioners prayed the Committee to prevail on the Respondents to cease forthwith their unlawful charges and demands.

### **3.0 INVESTIGATIVE HEARING**

- 3.1 Upon receiving the above petition, the Committee concluded its hearing into the matter on 15<sup>th</sup> December, 2020.

### **4.0 RESPONDENT'S SUBMISSION**

- 4.1 The Respondents did not deny the allegations that it hiked the administrative charges on Base Oil from N0.50k to N0.10k and subsequently to N1.23k but claimed it was done in line with the provisions by the Act. No. 8 of 2003 which established it and which stipulates that its duty is to primarily regulate the supply and distribution of petroleum products and to determine their pricing policy and that includes Base Oil.
- 4.2 That the Petitioners have made several appeals to them to reverse or crash the price but their appeals were turned down.
- 4.3 That the Petitioner's allegation that "they do not have the jurisdiction to regulate the prices of Base Oil" is outrageous. If their claim is true why then did they appeal to them to reverse the price.
- 4.4 The Respondents disclosed that the matter is in court and therefore will appreciate it, if the Committee puts on hold its investigations until when the court dispense justice.





- 4.5 The Respondent however prayed the Committee to trash out the case on the ground that it has no merit.

## **5.0 COMMITTEE FINDINGS AND OBSERVATIONS**

The Committee observed the following:

- 5.1 That the Respondent actually hiked the administrative charges on Base Oil from N0.50k to N0.10k and onward to N1.23k but did that in good faith and in congruence with its statutory functions as stipulated by the law that established it.
- 5.2 That the Petitioner has made several overtures to the Respondents to reverse the prices but their appeals were turned down by the Respondent.
- 5.3 That contrary to the Petitioner's claim that the Respondent has no jurisdiction to regulate prices of Base Oil rather it is DPR that is saddled with the responsibility to do that, it was proved beyond reasonable doubt that it is the statutory functions of the Respondent to regulate prices of all petroleum product Base Oil lubricants inclusive.

## **6.0 COMMITTEE RECOMMENDATIONS/CONCLUSIONS**

- 6.1 Urges the House to discontinue investigation of the matter as it is sub-judice, meaning that the case in question is before the court of law and cannot be heard pending the outcome of the matter from the court.

## **7.0 RESOLUTIONS ADOPTED BY THE HOUSE**

Adopted as recommended.



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**CASE 30:**

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**REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON THE PETITION BY COMMUNITY DEVELOPMENT COMMITTEE AGAINST THE NIGERIA NATIONAL PETROLEUM CORPORATION (NNPC) FOR COMPENSATION FOR THE VICTIMS OF THE PIPELINE EXPLOSION WHICH OCCURRED ON THE 19TH OF JANUARY 2020 AT EKORO ABULE EGBA (AGBADO OKE-ODO LCDA) ALIMOSHO L.G.A. LAGOS STATE**

**1.0 PREAMBLE**

- 1.0 The House of Representatives at its Sitting on Tuesday, 21st July, 2020 received a Petition, presented by Hon. Adebajo Alimosho on behalf of Community Development Committee against the Management of Nigeria National Petroleum Corporation (NNPC) requesting for compensation for the victims of the pipeline explosion which occurred on the 19th of January 2020 at Ekoru Abule Egba (Agbado Oke-Odo LCDA) Alimosho L.G.A. Lagos State.
- 1.2 Pursuant to Section 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and in accordance with the House Standing Order XX. Rule 5[b] of the 9th Assembly and in line with principles of fairness, equity and justice, the petition was referred to the Committee on public petitions for further legislative actions.

**2.0 PETITIONER'S SUBMISSION**

- 2.1 The Petitioners brought to the notice of the Committee the various letters written by its Members in the Estate pipeline Community Development Association on ways to avert the unfortunate and avoidable explosion of NNPC Pipeline Road at Ekoru Abule Egba (Agbado Oke-Odo LCDA) Alimosho L.G.A which occurred and were not attended to since the 19th of January 2020.
- 2.2 That such letters included also the one written to the Area Manager, Nigeria National Petroleum Corporation NNPC-PPMC, Mosimi Area office Sagamu Ogun State, and that of the Managing Director, PPMC office Block C NNPC Towers, Central Business District, Garki Abuja, on 8th June 2015 and 18th May 2016 respectively.
- 2.3 That a disaster of high magnitude befell their members through the activities of vandals of the Pipeline.



- 2.4 That most of the victim's Houses were away from the remote source of the incident but the flow of the fuel along the drainage conveyed the flames to their properties and subsequently destroyed them.
- 2.5 Appealed for the Committee's intervention to assist them push for compensation from Nigeria National Petroleum Corporation (NNPC) for these homeless and hopeless Members of the Community in question that lost all they worked for in their entire life to the inferno.
- 2.6 That the planned compensation should include relief materials, financial aid and the rebuilding of the affected houses and prevention of the reoccurrence in future.

### **3.0 INVESTIGATING HEARING**

- 3.1 The investigative hearing was concluded on Tuesday, 10th December, 2020 with both parties making appearances.
- 3.2 The Petitioners made both documentary and oral submission while the Nigeria National Petroleum Corporation (NNPC) made only oral presentation in defence of the Petition.

### **4.0 RESPONDENT'S SUBMISSION (NNPC)**

The Management of Nigeria National Petroleum Corporation (NNPC) did not submit any document to the Committee but told the Committee that investigation was carried out after the last fire explosions and they discovered the following:

- 4.1 That heavy trucks plying on the Pipeline ignited the fire explosion.
- 4.2 That lots of vandals on the Pipeline from the Community were the cause of the explosion.
- 4.3 That Nigeria National Petroleum Corporation (NNPC) has been warning the Community concerning the vandals causing damage to the pipeline but they refused to desist.
- 4.4 That for them to pay compensation to the affected people, Nigeria National Petroleum Corporation (NNPC) needed to liaised with Lagos State Government to come up with the modalities to be used in paying such compensation.
- 4.5 The Nigeria National Petroleum Corporation (NNPC) had been working with Lagos State to put up a blueprint to arrest the situation as well as to get a lasting solution to the issue at stake.



- 4.6 The Nigeria National Petroleum Corporation (NNPC) also informed the Committee that most of the financial expenses that arises from vandalism usually comes from the Federation Account which results in a huge loss to the revenue of the Government.
- 4.7 The Nigeria National Petroleum Corporation (NNPC) further stated that the petitioners should work with them in order to reduce the suffering of the people in the area.
- 4.8 That they would look into the prayers of the Petitioners based on their Corporate Social Responsibilities.

## **5.0 COMMITTEE FINDINGS**

The Committee after thorough investigation came up with the following observations:

- 5.1 That the Petitioners were seriously disturbed about the nonchalant attitude of the Management of Nigeria National Petroleum Corporation (NNPC) in responding as well as providing lasting solution to the incident of Pipeline explosion in the area despite several letters written to the concerned Agency (under NNPC supervisions) that manages the Pipeline.
- 5.2 That the Pipeline explosion was caused by a heavy truck plying on the pipeline and also that the activities of the few miscreants called vandals attributed to these losses within the Community.
- 5.3 That NNPC should liaise with all Stakeholders to proffer a lasting solution to this menace.

## **6.0 COMMITTEE RECOMMENDATION**

Considering the facts before it, the Committee urged the House to:

- 6.1 Mandate the Director General, National Environmental Standards and Regulations Enforcement Agencies (NESREA) to visit and conduct the environmental impact assessment of the area as well to ascertain the level of damage done to the people of the area in order to prevent further reoccurrence.
- 6.2 Mandate the Director General, National Emergency Management Agency (NEMA) to provide relief materials to the affected people of the area.
- 6.3 Mandate the Group Managing Director, Nigeria National Petroleum Corporation (NNPC) to come up with a compensation plan that will alleviate the suffering of the people of the affected area.



## **7.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended.



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## CASE 31:

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### **REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON THE PETITION OF UNLAWFUL WITHDRAWAL AND RELEGATION OF MOHAMMED IBRAHIM AND 53 OTHERS AGAINST NIGERIA DEFENCE ACADEMY**

#### **1.0 PREAMBLE**

- 1.1 The House of Representatives at its sitting of Tuesday, 4th October, 2020 received a petition presented by Hon. Fatulu Mohammed on behalf of Mohammed Ibrahim and 53 others against Nigerian Defence Academy.
- 1.2 Pursuant to section 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and in line with the House of Representatives Standing Order XVIII Rule 5(e) of the 9th National Assembly and in accordance with the Principles of equity, fairness and justice, the petition was referred to the Committee on Public Petitions for further legislative actions.

#### **2.0 PETITIONERS' CASE**

- 2.1 The Petitioners in a written submission on 10th October, 2020 adduced that they were Cadets of the Respondent's Academy who were admitted to various Faculties/ Departments but were unlawfully withdrawn and relegated after successfully completing their studies and due to be commissioned as Officers of the Armed Forces of Nigeria.
- 2.2 The Petitioners had successfully completed their academic and military training programs but were denied all the rights and privileges as graduates which includes the award of Certificates in their respective fields of study and their commissioning as Officers of the Nigeria Armed Forces.
- 2.3 The Petitioners alleged that the Respondent has violated its own rules of engagement as contained in Section 6 paragraph (5) (c), (4) of the cadet's handbook in Discipline and General Administration 2018 (as amended).
- 2.4 The Petitioners also alleged that Dossier reviews are to be conducted at the end of each training Section and only cadets that have more than four offences and have not been relegated for any offence before should be relegated based on number of entries.



- 2.5 The Petitioners went on to make reference to the part of the Cadet Handbook which states that “only offences committed within the last preceding years of a cadre’s training session should be considered during the dossier review.
- 2.6 Anchoring their argument on the above Rule, the Petitioners alleged that the Respondent’s action is devoid of fairness and equity and falls short of legality as some of them did not even commit up to four offences yet they were affected by the dossier review.
- 2.7 The Petitioners however accused the Respondent of partiality testifying that they knew some Cadets who already had a minimum of 5 entries and were to be relegated but instead they were prepared for Passing out Parade (POP) and were eventually commissioned.
- 2.8 The Petitioners prayed the House to compel the Respondent to graduate and commission them into their various Departments in the army.

### **3.0 RESPONDENT’S SUBMISSION**

- 3.1 Denying the above allegations, the Respondent had in a written submission made available to the Committee on 12th October, 2020 strongly supported its action by underscoring the rules of engagement quoted by the Petitioners claiming that it does not apply in a case of gross misconduct and absenteeism which were the cases established against the Petitioners.
- 3.2 The Respondent went on to give credence to the fact that general principles guiding the training of cadets in the Academy are contained in the cadets Handbook on Discipline and General Administration 2018 (Revised) herein referred to as Reference B.
- 3.3 The Respondent further re-echoed that the Handbook contains instructions, routine administration guidelines and disciplinary measures to regulate the activities of the cadets during the course of their training.
- 3.4 The Respondent claimed that Periodic Dossier reviews are carried out in line with the provisions of Section I Para 5 of Reference B.
- 3.5 The Respondent explained that it is part of the efforts to address observed gaps in Cadets Administration that a Dossier review commenced at the end of the NDA 2018/2019 session and completed in January, 2020.



- 3.6 The Respondent disclosed that Ex-cadet Mohammed Ibrahim and fifty-three others were among those found to have more than four disciplinary entries in their Dossier which led to their subsequent withdrawals provided for in Section 6 Para 21(c) and 4(d) of Reference B.
- 3.7 Debunking the Petitioners claims, the Respondent stated that after careful study of the petition, 5 claims were identified as areas upon which the ex-cadets hinged the contest of their withdrawal.
- 3.8 The ex-cadets alleged that the commandant had gathered them all and told them of their withdrawal which is outside the general rules and regulation of the Academy based on the Academy handbook. It is worthy to state that the commandant's action is an administrative procedure which was meant to provide avenue to counsel them in line with the norms of the Academy. Meanwhile, the formal publication of their withdrawal was contained in the Academy Routine Order (ARO) dated 22nd January, 2020.
- 3.9 The Petitioners purportedly claimed that the Dossier review was done at the end of each academy session but theirs was done in October 2019. However, they were surprised to see another dossier review done in January 2020. The outcome of the dossier review published in January 2020 was the concluding phase of the same dossier review of October 2019 which covered some cadets whose cases needed a closer study and decision by the commandant in order to ensure fairness.
- 3.10 The Petitioners also claimed that some of the cadets had done their convocations and even Passing out Parades. They further claimed that the Academy had no right to withdraw them since they had done their convocation and Passed Out. This assertion is false.
- 3.11 The Petitioners further claimed that some charges for which the cadets had been tried and found not guilty and thereby acquitted were brought back to still count against them. This is another false claim from the Petitioner's illusion in an attempt to malign us, the Respondent refuted.
- 3.12 And that the ex-cadets were handcuffed and kept in the guardroom overnight without food for a period of 36 hours. This assertion is also false because withdrawn cadets were handed over to their guardians immediately except for ex-cadets whose guardians were not available to receive them. Such ex-cadets were kept under watch overnight to ensure they were personally handed over to their guardians the following day.





- 3.13 Finally, the Respondent wants the Honourable Members of the distinguished House of Representatives, particularly members of Public Petitions Committee to note that the Nigerian Defence Academy under the watch of the commandant has zero tolerance for indiscipline and ineptitude as we strive to produce Junior Leadership for the Armed Forces of the Federal Republic of Nigeria, unfortunately, these ex-cadets have fallen short of the high standards of the NDA and their petitions are unfounded and based on grossly misrepresented facts aimed at tarnishing the image of the academy.

#### **4.0 COMMITTEE FINDINGS**

- 4.1 Having carefully scrutinized and perused both the Petitioners and the Respondent's submissions, the Committee deemed it expediently imperative to categorize the Petitioners and their disciplinary entries as given by the Respondent for ease of reference. Thirty-three out of the fifty-four cadets were withdrawn based on disciplinary action for conducts that are grossly prejudicial to the rules of engagement while the remaining were relegated based on academic grounds.
- 4.2 Thirty-three (33) Cadet officers withdrawn based on conducts prejudicial to extant rules relegated and from examination of the disciplinary entries against the Petitioners, it is obvious that the allegation that some of them did not commit up to four offences before they were sanctioned and withdrawn does not hold as the Respondent was able to prove beyond reasonable doubt that the least number of entries against the Petitioners is five (5) which is already above the stipulated benchmark. The Respondent also countered the allegation that their Commandant gathered them to inform them of their withdrawal as against the provision of the extant Laws buttressing that the Commandant's action is an administrative procedure which is meant to provide avenue to counsel them and this is in line with the norms of the Academy.
- 4.3 The Petitioners claim that the entry list was manipulated could not be ascertain but we discovered that some of the entries appeared disconnected and this is in tandem with that allegation.
- 4.4 The Petitioners claim that some of them graduated before October 2019 was strongly backed-up.
- 4.5 The Respondent also corroborated the stance of the Petitioners on this but swiftly counter-claimed that in the extant laws of the Academy, passing out is an inconclusive exercise.



## **5.0 INVESTIGATIVE HEARING**

- 5.1 The Committee conducted its investigative hearing on the matter on 5<sup>th</sup> October, 2020 with both parties making appearances.

## **6.0 COMMITTEE RECOMMENDATION/CONCLUSION**

- 6.1 The Committee opined that the 15 Cadet Officers in question had completed their courses of study, passed the prescribed examinations and had their graduation and convocation prior to the dossier review that indicted them against this backdrop, it is judiciously expedient that they should be given their academy Certificates and posted to their various Commands for onward redeployment.
- 6.2 The Committee however recommended that after their reinstatement, the 15 Cadets should be accorded all the requisite courtesies and privileges due to them as Officers of the Nigerian Army without any discrimination whatsoever.
- 6.3 Finally, the Committee urged the Commandant to temper justice with mercy by releasing the degree certificates of those Cadets whose disciplinary entries were below seven (7) so that they can seek integration in the larger society. These exclude those whose cases border on academic ineptitude and were withdrawn on such grounds.

## **7.0 RESOLUTIONS ADOPTED BY THE HOUSE**

Adopted as recommended.



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**CASE 32:**

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**REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON THE PETITION BY MR. BABA YUSUF AGAINST NAHCO FREE TRADE ZONE (NFZ) ON ALLEGED BREACH OF NEPZA, NIGERIAN CUSTOMS SERVICE (NCS), NIGERIAN IMMIGRATION SERVICE, NDLEA, NCAA AND AVSEC REGULATIONS AND CORPORATE GOVERNANCE STRUCTURE THAT COMPROMISES NATIONAL SECURITY AND THREAT TO THE NATIONAL ECONOMY****1.0 PREAMBLE**

- 1.0 The House of Representatives, at its sitting on Tuesday, 4th February, 2020 received a petition presented by Hon. Haruna I. Dederi on behalf of Mr. Bala Yusuf against the management of the NAHCO Free Trade Zone (NFZ) on the Breach of NEPZA, Nigerian Customs Service (NCS), Nigerian Immigration Service, NDLEA, NCAA and AVSEC Regulations and Corporate Governance Structure that compromises National Security and Threat to the National Economy.
- 1.2 Pursuant to Section 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and in line with the House Standing Order XVIII Rule 5 (c) of the 9th National Assembly and in accordance with the principles of equity, fairness and justice, the Petition was referred to the House Committee on Public Petitions for further legislative action.

**2.0 PETITIONER'S CASE**

- 2.1 The Petitioner informed the Committee that he was the Managing Director/Chief Executive Officer, NAHCO Free Trade Zone (NFZ) for a period of seven months from July, 2nd 2018 to February 29th 2019, That, NFZ is a subsidiary of the Nigerian Aviation Handling Company (NAHCO) Plc.
- 2.2 That, during his tenure in office as the Managing Director/Chief Executive Officer, he discovered some gross violations of various extant laws and Corporate Governance stipulations which compromises National Security and promotes economic sabotage by operating non-free trade zone businesses in a free trade zone.
- 2.3 That these violations include:
  - (i) smuggling activities
  - (ii) Cargo diversion to avoid payment of customs duties



resulting in the protracted unutilized Airways Bills issues leading to the loss of billions of naira that should accrue to Federal Government as revenue.

- 2.4 That illegal access and crossings from airside to landside and vice versa through gates in the airport that are not known to and concealed from the relevant Government agencies also constitutes a big problem to the activities of the Area.
- 2.5 That NFZ was not operating within the originally designed Free Trade Zone Area approved by the Presidency.
- 2.6 That the current operational area of NFZ is not in compliance with the Presidential Approval secured in 2014.
- 2.7 That the original area is the area within beacon coordinate CP/48, CP/49, CP/50 and CP/51 which are within the Murtala Mohammed International Airport, (MMIA), Lagos.
- 2.8 That the Area in question is the current location of the Import, Export Warehouses, Bulk-Break Area and the Commercial Complex of the Nigerian Aviation Handling Company (NAHCO) Plc.
- 2.9 That in May 2015, the transshipment warehouses adjacent to the land mentioned was approved as an extension of the original space of the Free Trade Zone with the area coverage of 5,730sq.m.
- 2.10 That the need for more vigorous Environmental Impact Assessment (EIA) by NFZ to evaluate the full and potential impact of setting up NFZ at the location in MMIA adequately addressed security issues, governmental, economic and accountability.
- 2.11 That the need for a more vigorous Environmental Impact Assessment (EIA) by NFZ to evaluate the full and potential impact of setting up NFZ at the location in MMIA adequately addressed security issues, governmental and economic accountability
- 2.12 That the Petitioner also uncovered the economic sabotage activities in NFZ warehouses, contrabands, illicit drugs, money diversion and concealment of cargo to avoid payment of customs duties which are very detrimental to the growth of the Nigerian economy.
- 2.14 That the Petitioner also uncovered illegal access from airside to landside and vice versa through gates in the airports that were not known to and concealed from the relevant agencies which compromises national security.
- 2.15 That on the issue of Non-Free Trade Zone operating in the NAHCO Free Trade Zone, NEPZA has written a query to NFZ on October 13, 2016 to explain the cause



of financial misappropriation on government duties and non-payment of statutory Government fees but they are yet to get reply.

- 2.16 That the Committee should carry out thorough investigation where necessary in order to ascertain why NAHCO Free Trade Zone were not operating within the originally designated Free Trade Zone approved by the Presidency.
- 2.17 That the Committee should find out why the management of NAHCO is violating government extant laws as well as verify the extent of such violation and proffer solutions aimed at forestalling future occurrence.
- 2.18 That the Committee should compel the Respondent (NAHCO) to put in place appropriate security measures to guarantee the safety of the incumbent and that of all the future Managing Directors/CEOs.

### **3.0 INVESTIGATIVE HEARING**

- 3.1 The investigative hearing was concluded on 5th November, 2020 after several hearings with all parties involved appearing to make both oral and documentary presentation; The Committee collated their submissions and gave a summary of each presentation.

### **4.0 RESPONDENT'S PRESENTATION (NAHCO)**

- 4.1 In their presentation, NAHCO informed the Committee that the Petitioner (Mr. Baba Yusuf) was an employee of NAHCO Plc. from June 21st 2010 to July 3rd 2018. That he initially resigned from NAHCO Plc. on April 30th, 2017 and was paid all his terminal benefits.
- 4.2 That, on 1st August, 2017 he was re-employed as a General Manager, Business Development and Strategy, a position he occupied till July 3rd 2018 when he resigned again to take on the appointment of Managing Director with NAHCO Free Trade Zone from July 2nd 2018 to February 2019.
- 4.3 That, after this resignation from NFZ, the Petitioner on 22 May, 2019 wrote NFZ requesting the payment of the sum of N125, 900,000 being his expected performance base incentive pay based on his own evaluation after working for seven months.
- 4.4 That the Company responded with a letter showing the computation of the amount due to the Petitioner and advised that he owed the company a refund based on the amount earned but not due.
- 4.5 That, having played a major role in setting up and in the development of NAHCO



Free Trade Zone for period of seven months and witnessed all the alleged breaches going on in NAHCO Free Trade, the Petitioner has never at any moment informed the management of NAHCO of any of the above stated regulation on how it was breached as regards the Corporate Governance Structure that compromises National Security and poses a threat to the National Economy.

- 4.6 That NAHCO is a leading Aviation handling company of over 40 years with three subsidiaries that regulates its activities and those three subsidiaries, namely NAHCO Free Trade Zone, Mainland Cargo Options Limited and NAHCO Energy Power and Infrastructures Limited have autonomous boards with separate management and different reporting lines.
- 4.7 That the recent arrest of NAHCO staff at MMIA on suspicion of collusion regarding trafficking on a South African Airline trip around September, 2018 clearly underscores part of the deliberate gaps in the NAHCO structures and operations but the case in question was the case of a check-in staff of NAHCO by name Ogunsona Oluwaseyi who was taken into custody by men of NDLEA while receiving a passenger that arrived on a South African Airline on 20<sup>th</sup> September, 2018 who was in possession of some hard drugs discovered during screening conducted on her while she was still at sterile/restricted area within the Arrival Hall.
- 4.7 That the search endorsement from NDLEA exonerated him from the drug deal but NAHCO later sanctioned him for accessing a restricted area in Arrival Hall while he was off duty which was a breach of Section 11 (3) (e) of the Staff Conditions of Service.
- 4.8 That the point raised by the Petitioner that NFZ never operated in the original land designated as Free Trade Zone was not totally true because, when the operations of Free Trade Zone began in 2015 it became obvious that NFZ could not operate the Free Zone business from the NAHCO Import and Export Warehouses.
- 4.9 That, as a result of this development, an additional land was made available to extend the approved licensed to cover the additional land and transshipment warehouses which were to be dedicated solely for the free zone business.
- 4.10 That the allegation by the Petitioner that NAHCO Import and Export Warehouses have been operating illegally without the knowledge of the Nigerian Customs Service (NCS) and other regulatory agencies was not true because NAHCO Plc., the parent company has had its warehouses in existence and operating as a Customs Bonded Warehouse prior to the approval of the designation of the Free Zone.



- 4.11 That all activities in the Zone has been undertaken independent of that of the Free Trade Zone and each company operates independently of the other, bearing in mind the relationships that exist between a parent company and its subsidiary.
- 4.12 That the assertion raised by the Petitioner that a team of NAMA and NAHCO staff were arrested while attempting to move contraband goods from NAHCO Plc. Bulk-Break Area next to NFZ transshipment warehouses was not true because the NAHCO Plot Bulk-Break areas is not within the designated Free Zone Area approved by the Presidency, therefore reference to the team of NAMA and NAHCO staff that were arrested has no bearing on the activities within the NAHCO Free Zone.
- 4.13 That the incident was promptly flagged by NAHCO Plc. staff to his line managers who took prompt steps to curtail the incident. In respect to that, a formal internal investigation was done and the culpable staff was dismissed.
- 4.14 That the allegation by the Petitioner that Assets capitalized as NFZ operational assets are operating illegally outside the FTZ at various airports in Nigeria without the approval or knowledge of the Regulations (GSE) was not true because the GSE Assets in question formed part of the assets transferred to NAHCO FTZ to enable it kick-start its business. That the NAHCO FTZ designated as part of the objectives in MEMART has leasing as one of its operational lease transaction was consummated with NAHCO Plc.
- 4.15 That the assertion raised by the Petitioner with regards to the action of NAHCO in the violation of Human Resources provisions of NEPZA Act and NEPZA regulations by NFZ through Human Resources shared services with NAHCO Plc was not true because NAHCO FTZ has developed its own staff Conditions of Service and they have been sent the draft Staff Conditions of Service to their regulators, NEPZA for review and approval.
- 4.16 That the Petitioner's claim that NAHCO has not complied in creating a Corporate Group structure whereby the entire NFZ management, through the Managing Director/CEO of NAHCO Plc. was not true because NAHCO FTZ are run independent of each other by two separate and autonomous boards with separate management with different reporting lines.
- 4.17 NAHCO prayer is for the House to discountenance the petition of Mr. Baba Yusuf as one based on acrimony and personal vendetta against a company he had at previous times helped to set up, for the House to stop the Petitioner from further defaming NAHCO Free Trade Zone and NAHCO Plc. and also for the House to





stop the Petitioner from abusing privileged information at his disposal by virtue of his position as a former management staff of NAHCO Plc. and Managing Director of NAHCO Free Trade Zone.

## 5.0 COMMITTEE'S FINDINGS

After thorough investigation and careful perusal of all the documents tendered before the Committee, the Committee observed as follows:

- 5.1 That the Respondent (NAHCO Free Trade Zone) grossly violated government extant laws and Corporate Governance stipulations which compromises National Security and encourages economic sabotage.
- 5.2 That prominent among these stated violations includes:
  - (a) Operating non-Free Trade Zone businesses in Free Trade Zones;
  - (b) Smuggling activities and cargo diversion to avoid payment of customs duties resulting in the protracted, unutilized airway bills issues leading to the loss of billions of Naira that should accrue to the Government as revenue.
  - (c) Illegal access and crossings from airside to landside and vice-versa through gate in the airports that are not known to and concealed from relevant government agencies. That in the Petitioner's attempt to curtail or stop their nefarious activities, there was a tactical internal resistance and threat to his life.
- 5.3 That the Petitioner (Mr. Baba Yusuf) was an employee of NAHCO Plc. from 2<sup>nd</sup> June, 2010 to 3<sup>rd</sup> July, 2010 who resigned from NAHCO Plc. on April 30, 2017 and was paid all his terminal benefits but if all the entitlements due to the Petitioner was paid to him as claimed by NAHCO, the Petitioner, after resignation from NFZ, would not have been requesting the payment of the sum of N125, 900,000 being his expected Performance-Based Incentive Pay based on his own evaluations after working for seven months.
- 5.4 That the above petition is an eye-opener and clarion call and message to all security agencies like the Nigerian Customs Service, Department of State Security, Nigerian Police Force, Nigerian Immigration Service, National Drug Law Enforcement Agency etc. to be on alert.
- 5.5 The Committee also observed that most of the issues raised by the Petitioner in his submission had been addressed by the regulatory agencies.
- 5.6 That FAAN, being the landlord, entered agreement with NAHCO which deals in





cargo facilities and handling and the land in question belongs to FAAN. In view of the aforementioned, any other person that entered a lease agreement with NAHCO without the approval of FAAN is operating illegally in the stated area.

- 5.7 That the assertion in which DHL was claiming that NAHCO is their landlord is not true because FAAN has a Lease Agreement with DHL which is still subsisting but NAHCO subleased their operational license to DHL and not the land as claimed by DHL.
- 5.8 That NAHCO applied for an operational licence to FAAN but never got approval because of the Federal Government's plans to build an aviation city in the stated area.
- 5.9 That NEPZA is the only regulating agency to all activities of the Free Trade Zones while Customs are being guided to the registered operators wanting to pay their custom duties.
- 5.10 That bank operations in NAHCO Free Trade Zone, is in contravention of the 2004 NEPZA Act, but FAAN never approved or objected to the operation of banks and International agencies in the area.

## **6.0 COMMITTEE RECOMMENDATIONS/CONCLUSION**

- 6.1 The Committee, in view of their findings above recommends urging the House to direct all the Anti-Graft Agencies in Nigeria to be on alert in the monitoring of all the economic activities going on at the NAHCO Free Trade Zone and to ensure adequate security measures as well as to avoid wastage of government resources in the area.
- 6.2 Urge the Management of the NAHCO Free Trade Zone to pay Mr. Baba Yusuf the amount commensurate to his expected Performance-based incentive from the N125, 900,000 he requested as his Performance-based evaluation.
- 6.3 Urge the Federal Airports Authority of Nigeria (FAAN) to ensure that all the unregistered operators within the NAHCO Free Trade Zones register forthwith.
- 6.4 That NAHCO should abide by the lease agreement entered with FAAN on the operations of the Free Trade Zones.
- 6.5 That it is considered illegal for banks to continue operating at the Free Trade Zones in contravention of the NEPZA Act, 2004.
- 6.6 That the entire duty fund collected illegally by NAHCO should be refunded and



transferred back to the Agencies saddled with the constitutional responsibility, viz. Nigerian Customs Services.

- 6.7 That the House should direct all the Anti-Graft Agencies to ensure that all the warehouses identified from the investigations used for smuggling and other illegal businesses going on at the transshipment corridor should stop.
- 6.8 That the House should urge NAHCO to compel all the banks functioning within the Free Trade Zone to withdrawal their operation licenses.
- 6.9 That FAAN should checkmate all the illegal access points from the airside to the landside as they claimed they were doing.
- 6.10 That FAAN should direct the NASRA to conduct Environmental Impact Assessment of the Free Trade Zone to ascertain the level of collateral damage done to the area.
- 6.11 That FAAN Personnel should be allowed to have access to NAHCO warehouses.

## **7.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended.



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**CASE 33:**

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**REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON THE PETITION BY FALANA AND FALANA'S CHAMBERS ON BEHALF OF A DISMISSED STAFF OF POLICE SERVICE COMMISSION FOR THE FAILURE TO COMPLY WITH THE JUDGEMENT OF THE NATIONAL INDUSTRIAL COURT IN SUIT NO. NICN/ABJ/199/2017 BETWEEN DISU KAYODE RASHEED AND NINE (9) OTHERS FOR THEIR REINSTATEMENT BACK TO THE SERVICE OF THE POLICE SERVICE COMMISSION****1.0 PREAMBLE**

- 1.1 The House of Representatives Committee on public petitions at its sitting on Wednesday, 12th February 2020 received a petition presented by Hon. Olujimi Adebajo on behalf of Falana Falana's Chambers against Police Service Commission for failure to comply with the judgment of the National Industrial Court in Suit No. NICN/ABJ/199/2017 between Disu Kayode Rasheed and 9 others for the reinstatement of those officers back to the service of the Police Service Commission.
- 1.2 In line with section 88 and 89 of the 1999 Constitution (as amended) and in accordance with the House standing Order XVIII Rule 5 of the 9th Assembly. The petition was referred to the Committee on Public Petitions for further legislative action.

**2.0 PETITIONER'S CASE**

- 2.1 The Petitioner informed the Committee that ten people were employed into the service of the Police Service Commission in April 2013, but without justification the Commission refused to capture their names in the Integrated Personal Payroll Information System of the Commission (IPPIIS) thereby denying them their salaries and allowances.
- 2.2 That this was a clear violation of Regulation 040102 and 130105 of the Federal Government Public Service Rules.
- 2.3 That in 2014, the Petitioners through their counsel (Falana and Falana Chambers) wrote the Management of Police Service Commission requesting the Commission to take steps to regularize their appointments with the full payment of their salaries but the Commission failed to do so.



- 2.4 That in trying to seek justice, the matter was taken to National Industrial Court.
- 2.5 That in October 2016, the court delivered judgment in their favour and ordered the management of Police Service Commission to pay all the Petitioners arrears of their salaries, allowances, benefits and entitlements with an injunction restraining the Commission from terminating the Petitioners Appointment.
- 2.6 That the PSC obeyed the judgment of the court by paying their salaries and allowances for a period of 4 years (April 2013 to March 2017) and went ahead to terminate their appointments on 30th March, 2017 in a letter with ref No PSC/L/PET/239/VOL1.
- 2.7 That the action of the Commission in was a clear violation of the orders of the Court.
- 2.8 In view of that, the Petitioners wrote the Commission in a letter dated 19th May, 2017 requesting the Commission to reverse its decision which the Commission turned down through a letter with Ref No. PSC/L/PET/1046/10.

### **3.0 RESPONDENTS SUBMISSION**

- 3.1 That the Petitioner returned to Court to challenge the termination by the Commission in suit No. NICN/ABJ/199/17 and the Court set aside the termination of the Petitioners Employment as well as dismissed the Commission's application to set aside the judgment.
- 3.2 That the Attorney General of the Federation in a letter to the Commission dated 20th July 2017 with Ref No. MJ/LIT/ABJ/153/117 advised the Commission to comply with the judgment of the Court and also in a similar letter from the Office of the Head of Civil Service of the Federation dated 1st June, 2017 with Ref no. HCSF/LU/CORR/SGF/833/111 supporting the Petitioners claims were all turned down by the Commission.
- 3.3 That the Commission also computed the Petitioners entitlements up to the date of disengagement in addition to the payment of one month salary in lieu of Notice.
- 3.4 That the disengaged Officers were thereafter paid off through the Office of the Accountant General of the Federation (as attached in their submission).
- 3.5 That despite paying them off, the affected officers (ten members) went ahead to file a suit against the Commission in Court where judgment was given in their favour on 12th March, 2017.



- 3.6 That the Commission filed a Motion to set aside the judgment on the grounds that the Originating Summon was not served to the Commission but the Motion was turned down by the National Industrial Court sitting in Abuja.
- 3.7 That because the Court refused to honour the application, a notice of appeal against the ruling was filed, and that the case was still pending in court.

#### **4.0 COMMITTEE FINDINGS**

The Committee at the end of its investigation came up with the following observations;

- 4.1 That the Petitioners were the Staff of PSC whose appointments were terminated and their benefits denied for years on account of the fact that they were not captured in the Integrated Payroll Information System (IPPIS) of the Commission.
- 4.2 That there was a judgment in favour of the Petitioners in a court of competent jurisdiction but that the Commission appealed against the ruling of the National Industrial Court.
- 4.3 That the Committee frowns at the Commission for employing people into its Service without following laid rules.

#### **5.0 COMMITTEE RECOMMENDATION/CONCLUSION**

- 5.1 The Committee upheld the judgment of the National Industrial Court in Suit No. NICN/ABJ/11/14 and urges the House to direct the Chairman of the Police Service Commission to reinstate the Petitioners to the Service of the PSC.
- 5.2 That the Commission should obey the court orders and pay the petitioners all the benefits and entitlements due to them.

#### **6.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended.



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**CASE 34:**

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**REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON THE PETITION BY UBANI & Co. TO AUTOMOBILE DEALERS AND FRIENDS ASSOCIATION LAGOS AGAINST THE NIGERIAN CUSTOM SERVICE ON THE ALLEGED INVASION AND SEALING OF THEIR BUSINESS PREMISES****1.0 PREAMBLE**

- 1.1 The House of Representatives, at its sitting on Tuesday, 20th February, 2020 received a petition presented by Hon. Chinedu Emeka Martins on behalf of Auto-mobile Dealers and Friends Association in Lagos against the Nigerian Customs Services for the invasion and sealing of their Business Premises in Lagos State.
- 1.2 Pursuant to Section 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and in line with the House Standing Order XVIII Rule 5 of the 9th National Assembly and in accordance with the principles of equity, fairness and justice, the petition was referred to the House Committee on Public Petitions for further legislative action.

**2.0 PETITIONER'S CASE**

- 2.1 The Counsel to the Petitioners (Ubani & Co.) in his submission and oral presentation informed the Committee that, on 30th September, 2019, the men and officers of the Nigerian Customs Service, invaded the business premises of all members of Auto-mobile Dealers and Friends Association in Lagos and sealed them without prior notice and reason.
- 2.2 That some of them who visited the Customs office to inquire about the cause of such actions were asked to provide their Customs Clearance documents for all the vehicles in their business premises for inspection and further clearance.
- 2.3 That the Counsel to the Petitioner claimed that duties in respect of all the vehicles in their car shops have been paid as stipulated by the Nigerian Customs Service.
- 2.4 That before delivery of the vehicles, they bought, they usually went through the process of clearing them from the Nigerian Ports Authority (NPA) as well as in the Nigerian Customs Service and were surprised to see the same Customs that cleared those vehicles turn around to start invading the premises of the Petitioner for reasons best known to them.



- 2.5 That the said business premises was sealed without any form of examination or inspection of papers that covers the purchase of the said vehicles.
- 2.6 That the only reason given by the Nigerian Customs Services for sealing up their premises was improper clearance of their vehicles which is an act of inefficiency and recklessness on the side of Customs.
- 2.7 That the Petitioners, being family men and women, are responsible men and women who have suffered untold hardship as a result of the arbitrary sealing up of their business outlets since 30<sup>th</sup> September, 2019 as they were unable to transact any business with their customers.
- 2.8 The Petitioners are soliciting the intervention of the House to direct the management of the Nigerian Customs Service to unseal their business premises with immediate effect to enable them go on with their business activities.

### **3.0 INVESTIGATIVE HEARING**

- 3.1 The investigative hearing was concluded on Tuesday, 20th October, 2020 after the first hearings with both parties tendering their oral and documentary presentations.

### **4.0 RESPONDENT'S SUBMISSION**

- 4.1 The Nigerian Customs Services, in their response to the issue at stake, denied all the allegations of facts contained in the Petitioners presentation, on the account that the Nigerian Customs Services is the government agency responsible for the control, management and administration of customs and excise laws and collection of revenues on behalf of the Federal Government of Nigeria.
- 4.2 That, pursuant to the provisions of Section 145 of the Customs and Excise Management Act, LFN 2004 that customs officers are empowered to examine, mark, seal and take account of goods imported and exported in Nigeria.
- 4.3 That, without prejudice to any other power conferred by the Act, “that an officer may examine, mark, seal and take account of any goods (a) that are imported, which are either at private or government warehouses, custom area or examination stations; (b) which have been loaded into any ship or aircraft at any place in Nigeria; or (c) which were entered for exportation or for use as stores; or (d) which are brought to any place in Nigeria for exportation or for storage (in the case of which any claims for drawback, remission or repayment of duty made and may for that purpose, require any container to be opened or unpacked.



- 4.4 That, based on the fact that the Nigerian Customs Service did not operate outside the powers of CEMA as stated by the Petitioner, the Nigerian Customs Service, in pursuance of its mandate, has to carry out the directives issued to them from the Customs Head Office to curb illegal importation and anti-smuggling activities.
- 4.5 That all cars marts met in the cause of their investigation be sealed and requests be made to the business owners to present customs clearing documents of the vehicles in their premises before such business premises can be unsealed.
- 4.6 That the Federal Operations Unit Zone 'A' of the Customs Commands carried out various sealings of premises of automobile dealers in Lagos and the petitioners' car marts were affected.
- 4.7 That many of the automobile owners affected duly complied with the directives, submitted the stated documents for verification and examination and those premises without smuggled vehicles were immediately unsealed.
- 4.8 That sequel to an agreement between the management of Nigerian Customs Service and the representatives of the Association of Automobile Dealers of Nigeria, a Circular No. HQ/007/2019 dated 10th October, 2019, was released, creating an open window for the payment of duty/penalty on detained and seized vehicles but the Petitioner refused to comply with the directive.
- 4.9 That the Nigerian Customs Service invited the Petitioner for an interview at the Customs headquarters on 8<sup>th</sup> November, 2019 on the status of vehicles in questioning relation to their custom duties.
- 4.10 At the interview, they all gave a written statement through their representative (Mr. Morgan Onyebuchi) stating that all the cars in their business premises were legitimately imported and duty paid on all of them.
- 4.11 That the Petitioners were asked to provide evidence to substantiate their claims that the vehicles in question have duly paid custom duty but to no avail.
- 4.12 That, according to Section 131(2) of the Evidence Act which states that the burden of proof in a suit or proceedings lies on that person who would fail if no evidence at all was given on either side.
- 4.13 The Respondent stated that the Petitioner was given fair hearing and adequate opportunity to defend himself in accordance with the Constitution of the Federal Republic of Nigeria, 1999 (as amended) but failed to do the needful and on account of that, urges the Committee to discontinue hearing the Petition for lack of evidence to buttress their claims.





## 5.0 COMMITTEE FINDINGS

The Committee, after series of investigation and thorough examination of facts brought before them on the issue at stake, observed as follows:

- 5.1 That the Nigerian Customs Service is a government agency responsible for the control, management and administration of customs and excise laws as well as collection of revenues on behalf of the Government and has not derailed in their duties as complained by the Petitioner.
- 5.2 That the Petitioner complained that on 30<sup>th</sup> September, 2019 the men of the Nigerian Customs Service invaded their car business premises and sealed them without official reasons and prior notice but there is no proof to substantiate their claims.
- 5.3 That the Nigerian Customs Service who is supposed to examine, inspect, mark as well as take account of the particulars of vehicles identified as not being properly cleared, did not do so but went ahead and sealed the stated business premises without cogent reasons.
- 5.4 That this singular action of the Nigerian Customs Services on their business premises has caused a lot of untold hardship to the Petitioners as they can no longer transact any business with their customers as regards to the delivery of vehicles already paid for by their customers.
- 5.5 That, pursuant to Section 145 of the Nigerian Customs Excise and Management Act LFN, 2004 which empowered them to examine, mark, seal and as well as take account of goods under their control, the Federal Operation Unit Zone 'A' of the Nigerian Customs Service, according to the directives issued to them by Nigerian Customs Service Headquarters carried out various sealings of premises of automobile dealers in Lagos and the Petitioners' car mart was affect and because they acted within the ambit of the law, nothing can be done.
- 5.6 That the statement that all the cars on the Petitioner's business premises were legitimately imported and custom duties duly paid on all of them was not true because the Petitioners could not provide evidence of any clearance document to substantiate their claims.
- 5.7 That, according to Section 13(2) of the Evidence Act, when a person is bound to prove the existence of any fact, the burden of such proof lies on that person and on the issue at stake the Petitioners have failed to do the needful to substantiate their claims.



## **6.0 RECOMMENDATION/CONCLUSION**

- 6.1 In view of the findings above, the Committee urged the House to discard the petition for lack of merit.
- 6.1 That the Petitioner should go and officially clear his cars from the Nigerian Customs and Excise Service to enable them unseal their business premises.

## **7.0 RESOLUTIONS ADOPTED BY THE HOUSE**

Adopted as recommended.



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## CASE 35:

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### **REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON THE PETITION BY AKINDELE EBENEZER ADEBISI & 12 OTHERS AGAINST STANDARD ALLIANCE INSURANCE PLC. FOR ALLEGED FINANCIAL IMPROPRIETY AND EMBEZZLEMENT**

#### **1.0 PREAMBLE**

- 1.1 The House of Representatives, at its sitting on Tuesday, 13 October, 2020 received a Petition presented by Hon. Akinfolarin Mayoira on behalf of Akindele Ebenezer Adebisi and 12 Others against Standard Alliance Insurance Plc for financial impropriety and embezzlement.
- 1.2 Pursuant to Section 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and in line with the House Standing Order XVIII Rule 6 of the 9th National Assembly and in accordance with the principles of equity, fairness and justice, the petition was referred to the House Committee on Public Petitions for further legislative action.

#### **2.0 PETITIONER'S SUBMISSION**

- 2.1 The Petitioners entered into series of policies with the Respondent (Standard Alliance Insurance Plc.) with the intention that they will get paid at the expiration of the agreement.
- 2.2 That to their surprise, after the policies had expired and having fulfilled all obligations of the terms of the agreement, the Respondent refused/failed to pay them their money.
- 2.3 That they went to their head office at Plot Block 94, Province Street Scheme, Lekki, Lagos State, Nigeria and all efforts to get their contribution from the left-over staff at the head office in Lagos proved abortive.
- 2.4 That they also referred the matter to the National Insurance Commission of 1234, Samuel Ladoke Akintola Boulevard, Garki, Abuja, but till date nothing has been done despite series of letters written to them.
- 2.5 That the Respondent has defrauded and duped a lot of people from different parts of the country.



2.6 That some of them (Petitioners) made statements of fact regarding the petition.

2.7 The Petitioners are praying the honourable Committee to use its powers to investigate the matter and cause everyone involved to collect their money back.

### **3.0 INVESTIGATIVE HEARING**

3.1 The investigative hearing of the Petition was concluded on Thursday, 8th October, 2020. The Petitioners tendered both oral and documentary submissions, while the Respondent made only oral submissions.

### **4.0 RESPONDENT'S SUBMISSION**

4.1 The Respondent is a public limited liability company with its head office at Plot Block 94, Province Street Scheme, Lekki, Lagos State.

4.2 That the Managing Director of Standard Alliance Insurance Plc. represented the matter.

4.3 That the Managing Director inherited this petition from his predecessor and that when he came in, in January, 2020, he engaged in the review of the issues at hand.

4.4 That they (Standard Alliance Insurance Plc.) have started paying the Petitioners in batches and that there is a schedule of payment of when and how the payment would be made monthly.

4.4 That by July 2021, all the Petitioners would be fully paid.

4.5 That, in accordance with the Committee's bidding, an updated list of the Petitioners with the schedule of their allotted payment batch and dates has been submitted to the Committee and the list will be strictly observed.

### **5.0 COMMITTEE FINDINGS**

In view of the above, the Committee observed the following:

5.1 That the Petitioners invested different amounts of money in the Insurance Company.

5.2 That when the investment was mature, the Petitioners submitted all the necessary documents to claim their money and interest but were denied their money.

5.3 That the Respondent is Standard Alliance Insurance Plc., an insurance company where the Petitioners invested their money.

5.4 That the Respondent has agreed to pay the petitioners their money; and

5.5 That the Respondent has made a list and schedule of how the money will be paid.



## **6.0 COMMITTEE RECOMMENDATION/CONCLUSION**

- 6.0 The Committee recommends urging the Managing Director of Standard Alliance Insurance Plc. to pay off the Petitioners who brought the matter before the Committee first and this should be done before 1st July, 2021 and to also bring a signed letter to the Committee to that effect.

## **7.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended.



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**CASE 36:**

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**REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON THE PETITION BY UJU KEN OHANENYE AGAINST CENTRAL BANK OF NIGERIA, NIGERIAN DEPOSIT INSURANCE COMMISSION, INDEPENDENT CORRUPT PRACTICES COMMISSION, SECURITY AND EXCHANGE COMMISSION, FORTIS MICRO-FINANCE BANK BOARD MEMBERS AND ATTORNEY-GENERAL OF THE FEDERATION OVER THE NON-PAYMENT OF THE BALANCE OF N222,400,000 FROM THE N301, 000,000 HER COMPANY INVESTED INTO FORTIS MICRO-FINANCE BANK FOR LESS-PRIVILEGED PEOPLE**

**1.0 PREAMBLE**

- 1.1 The House of Representatives, at its sitting on Wednesday, 14th November, 2020 received a Petition presented by Hon. Haruna Dederi on behalf of Uju Ken Ohanenye against the Central Bank of Nigeria, Nigerian Deposit Insurance Commission, Independent Corrupt Practices Commission, Security and Exchange Commission, Fortis Micro-Finance Bank Board Members and the Attorney-General of the Federation over the non-payment of the balance of N222,400,000.00 from the N301,000,000 her company invested into the Fortis Micro-Finance Bank for the less- privileged people.
- 1.2 Pursuant to Section 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and in line with the House Standing Order XVIII Rule 5(c) of the 9th National Assembly and in accordance with the principles of equity, fairness and justice, the petition as referred to the House Committee on Public Petitions for further legislative action.

**2.0 PETITIONER'S CASE**

- 2.1 The petitioner (Barr. Uju Ken Ohanenye) informed the Committee that she and her husband were investors in the Fortis Micro-Finance Bank.
- 2.2 That they had an investment of N301,000,000 with Fortis Micro-Finance Bank and have been paid the sum of N78,600,000 out of the money leaving a balance of N222,400,000.
- 2.3 That the said money was meant to be used for humanitarian services for the less privileged people in Nigeria but was misused by the said bank.



- 2.4 That they have written severally to the Governor of Central Bank of Nigeria and the Director of other financial institutions etc. as well as to the Managing Director, Nigeria Deposit Insurance Corporation and Director, Operations explaining that the trapped money is meant to be used to help the less-privileged as well as sponsor treatments and surgeries of indigent patients in Government hospitals, e.g. National Hospital, Abuja.
- 2.4 That they have done a lot of humanitarian services in Nigeria including the empowerment of youth and women as well as less privileged people in our society by giving them scholarships, giving free medical equipment to hospitals and have also donated lots of money to government hospitals for the payment of surgeries, treatment of indigent patients, discharging of poor innocent Nigerians held back after treatment due to lack of funds etc.
- 2.5 That the effect of not getting their fund back from the said bank had led to the following issues:
- (a) To the death of many sick less-privileged people that could have been helped.
  - (b) Difficulty in maintaining health centres donated to villages through the LGA.
  - (c) That over 600 workers under their payroll have lost their jobs and have no funds to feed.
  - (d) That the less-privileged children they are training in school cannot go back to school due to lack of funds to send them back to school.
- 2.6 Requesting for the Committee's intervention to direct the Central Bank of Nigeria and NDIC to ensure the release of her money from Fortis Micro-Finance Bank to enable them continue their humanitarian program for less-privileged Nigerians.

### 3.0 INVESTIGATIVE HEARING

- 3.1 The investigative hearings were concluded on Tuesday, 8th December, 2020 after the second hearings with all the parties mentioned appearing to make both oral and documentary presentation.

### 4.0 RESPONDENT'S SUBMISSION

- 4.1 **FORTIS MICRO-FINANCE BANK:** There was neither oral nor documentary submissions from the management of Fortis Micro-Finance Bank in defence of the above petition but the reliable information before the Committee showed that the bank in question had been liquidated and its operations and management handed



over to NDIC by the Central Bank of Nigeria.

- 4.2 **CENTRAL BANK OF NIGERIA:** The Central Bank of Nigeria, in their presentation, stated that Fortis Micro-Finance Bank (in liquidation) was the second largest micro-finance bank in the Nigerian banking sub-sector as at the end of 2017 but with a liability of over N16 billion and over 24,000 depositors.
- 4.3 That Fortis MFB was distressed and in line with section 35 of BOFIA, Cap.83 LFN 2004, the Central Bank of Nigeria and Nigeria Deposit Insurance Corporation (NDIC) appointed an Interim Management Committee (IMC) to take over the management of the Micro-Finance Bank and see the possibility of salvaging it from imminent collapse.
- 4.4 That the IMC subsequently took over the management of the MFB in March, 2018 and made frantic efforts to redeem the precarious condition of the bank through cost reduction, downsizing, streamlining processes, loan recovery and negotiation with the international lenders for a possible debt cancellation or equity swap unfortunately, the bank could not be salvaged as the international lenders did not accede to the IMC's offer of debt equity swap.
- 4.5 That, due to the large number of vulnerable depositors of the bank retirees, customers with chronic sickness and all kinds of problems and the likely impact on the sub-sector if the bank failed, the management of the Central Bank of Nigeria approved some funds to be paid to the vulnerable customers to prevent loss of confidence in the sub-sector and the licence of the Bank was subsequently revoked in December, 2018 after payment to the vulnerable customers and was subsequently transferred to NDIC for liquidation.
- 4.6 That, in the case of the Petitioner (Uju Ken Ohanenye), the Petitioners had three accounts in the bank Joint Status with her husband which includes two fixed deposit account and a saving account which bore the account names of Kennedy N. Ohanenye and Uju Ken Ohanenye.
- 4.7 That the two fixed deposit accounts (Nos. 4015018995 and 4015020972) had a combined balance of N301, 000, 000, while the saving accounts (No. 1015346835) had a balance of N103, 867.65.
- 4.8 That, in July, 2018, the IMC received an appeal from the Petitioner appealing for the payment of part of their deposit to enable her husband travel to USA for a medical treatment.





- 4.9 That IMC made recommendation to the CBN Management to approve part payment to the Petitioner to enable her husband to travel to the USA for a scheduled surgery in USA and that in response, the CBN Management approved the sum of N18 million which was paid to her.
- 4.10 That when the IMC obtained additional funds from CBN Management to settle the vulnerable depositors, the Petitioners were also given an additional N56.6 million thereby making a total of N74.6 million.
- 4.11 That all the fixed deposit and current accounts with balances of N1 million and below were paid 100% of their deposits as they were considered the core customers of the MFB that were at the bottom of the pyramid and the Petitioner were also paid the entire N103,867.65 balance in their Savings Account.
- 4.12 That pursuant to Section 41 (3) (b) of NDIC Act of 2006, the NDIC will make liquidation dividend available to the Joint Account owners as they realize the assets of the bank and also pursuant to Section 2(d) of the CBN Act of 2007, the Bank is to promote a sound financial system in Nigeria.
- 4.13 The Central Bank position on the above subject-matter is that having received the sum of N74, 703,867.65 from her Current Account and N103, 867.65 from her Savings Account from the NDIC, the NDIC as a liquidator were expected to pay the minimum insured deposition and any available liquidation dividend as well as to pay the Joint
- 4.14 **NDIC:** Account liquidation dividend when the assets of the bank are realized.
- 4.15 The NDIC, in their presentation, informed the Committee that, as the fortunes of Fortis MFB Plc. began to decline due to mismanagement, abysmal corporate governance practices, that several actions were put in place to address the deteriorated financial condition of the MFB by the Management of the CBN in conjunction with the NDIC.
- 4.16 That the CBN commissioned a forensic investigation of the books and affairs of the defunct bank which unearthed series of malpractices perpetuated by the management of the MFB.
- 4.17 That the CBN forwarded the investigation to the Economic and Financial Crimes Commission (EFCC) to enable them investigate the management of the defunct MFB.
- 4.18 That during the process the intervention of the regulatory agencies in the resolution of the defunct MFB included the provision of N2 billion by the CBN to Fortis MFB



to enable the management of the Bank utilize interest on this funding to run its operations.

- 4.19 That another regulatory intervention also included the sacking of the Executive Management as well as dissolving the Board of Directors and appointment of a four- person Joint CBN/NDIC Interim Management Committee (IMC) to manage the affairs of the Bank and to protect the interest of the depositors.
- 4.20 That the regulatory supervisor could not turn around the activities of the MFB which made CBN to immediately revoke its operating license in December 2018 and thereafter handed it over to NDIC to manage.
- 4.21 That NDIC managed the defunct MFB and paid the entire insured sum to the tune of a maximum of N200, 000.00 to the depositors pursuant to Section 40 (1) of the NDIC Act, 2006.

## 5.0 COMMITTEE FINDINGS

The Committee, after careful observation and perusal of all the documents, including oral submissions tendered by all the invited parties on the matter, observed as follows:

- 5.1 That Fortis Micro-Finance Bank Plc. was the second largest micro-finance bank in Nigeria as at 2017 with a staggered liability of over N16 billion and over 24,000 depositors.
- 5.2 That the said bank was distressed because of mismanagement and liabilities incurred by the people assigned to managed the bank.
- 5.3 That in line with section 35 of BOFIA Cap. B3 LFN 2004, the CBN in collaboration with the management of NDIC because of the Bank distress, appointed an Interim Management Committee to take over the management of the MFB pending when it will bounce back to life but to no avail.
- 5.4 That, despite the sum of N2 billion released to the IMC to manage the distressed bank as well as to pay back all the depositor's money in order to remedy the situation on ground, they could not account for how they used the money.
- 5.5 That, in the case of the Petitioner (Uju Ken Ohanenye and her husband) who deposited the sum of N301 million with the MFB, the IMC/NDIC was able to refund her the total sum of N74,703,867.65, leaving a balance of N226,296,133 unrecovered.
- 5.6 That Fortis Micro-Finance Bank Plc. began to decline in its operations due to mismanagement and abysmal corporate governance practices which were not



properly addressed by its management before it ran into total collapse.

- 5.7 That the case was referred to EFCC by the Petitioner for investigation in December.
- 5.8 That, while investigations were on-going the Petitioner wrote a letter of withdrawal of the case from EFCC on 12th March, 2018, without any reason and therefore, the investigation were stopped at the instance of the Petitioner.
- 5.9 That the Ministry of Justice has no direct power to decide on the claims of the Petitioner with Fortis Micro-Finance Bank and in view of this, they urge the Corporation that manages the depositors' investment to expedite action to see that CBN in collaboration with NDIC ensures that the Petitioner is paid along with other depositors with the FMFB within the shortest possible time.

## **6.0 COMMITTEE RECOMMENDATIONS**

- 6.1 The Committee, in view of the findings above, urged the House to direct the Chairman of EFCC to conclude the investigation of the Petitioner's case (Uju Ken Ohanenye) and see that the Petitioner gets back her balance of N226, 296,133 deposited with FMFB from NDIC within the shortest possible time.
- 6.2 Urged the CBN/NDIC with all the Corporations that manages Depositor Investments in Fortis Micro-Finance Bank Plc. to expedite action to ensure that the Petitioner (Uju Ken Ohanenye) along with other depositors before the collapse of Fortis Micro-Finance Bank get back their money within the shortest possible time.

## **7.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended.



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## CASE 37:

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### **REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON THE PETITION BY TOYIN USMAN & ASSOCIATES ON BEHALF OF THE JUNIOR WORKERS OF THE NATIONAL UNION OF FOOD, BEVERAGES AND TOBACCO EMPLOYEES AGAINST MR. LATEEF IDOWU OYELEKAN (THE NATIONAL PRESIDENT) OF THE ABOVE UNION: A CALL ON THE NATIONAL ASSEMBLY TO SAVE THE NIGERIAN JUNIOR WORKERS IN THE FOOD, BEVERAGES AND TOBACCO EMPLOYEES TRADE UNION**

#### **1.0 PREAMBLE**

- 1.1 The House of Representatives, at its sitting on Tuesday, 13th October, 2020 received a Petition presented by Hon. Rotimi Agunsaye on behalf of the Junior Workers in the Food, Beverages and Tobacco Employees Trade Union against Mr. Lateef Idowu Oyelekan (the National President of the Union): A Call on the National Assembly of Nigeria to save the Nigerian Junior Workers in the company.
- 1.2 Pursuant to Section 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and in line with the House Standing Order XVIII Rule 5 (c) of the 9<sup>th</sup> National Assembly and in accordance with the principles of equity, fairness and justice, the petition as referred to the House Committee on Public Petitions for further legislative action.

#### **2.0 PETITIONER'S CASE**

- 2.1 The Counsel to the Petitioners (Mr. Toyin Usman), in his presentation, informed the Committee that the National Union of Food, Beverages and Tobacco Employees Union is the umbrella tree for all employees of Companies and Organizations within the Food, Beverages and Tobacco Trades in Nigeria, such as Nigerian Breweries, Coco-Cola Company, Nestle Nigeria Plc. etc.
- 2.2 That pursuant to the Constitution of the Union, members of the Union make monthly contributions to the Union's purse and these financial contributions are deducted directly from the members' salaries and remitted to the Union as contributions.
- 2.3 That the monies realized from the contributions have over the decades in the life of the Union ran into billions of Nigeria.



- 2.4 That the Union also owns several business ventures such as Hotels, Relaxation Centres and Multi-Purpose Hall, Warehouse and Water Factory among others.
- 2.5 That Lateef Idowu Oyelekan has turned the entire Union and its finances to his personal estate, running same as he wishes and dealing with the finances of the trade union in any manner he likes without the consent of the members of the union who contributed their hard earned money and also have ownership of the funds.
- 2.6 That, for the past 13 years in office, Lateef Idowu Oyelekan has perpetuated himself in office as the National President of the Union without the intention of leaving the office as he has refused to allow the holding of elections in the union as provided by the Union's Constitution.
- 2.7 That the State Council, the Branch and the Units' Triennial Delegates Conference which would be held in the first, second and third quarters respectively as well as the National Delegates Conference scheduled for November, 2020 was put on hold because of his personal interest to stay longer in office.
- 2.8 That Lateef Idowu Oyelekan and some national officers of the Union who want to remain longer in office against the constitutional provisions have decided not to allow the union to conduct elections by giving themselves two years tenure elongation in office despite several objections from members of the Union.
- 2.9 That the outcome of the 2019 National Executive Council (NEC) Meeting of NUFBTE in Abuja held on 20th February, 2019 was where the EXCO recommended the extension and postponement of the period for the conduct of elections into various elective positions/all structures of the Union against the wishes of the members.
- 2.10 That consequent upon the aforementioned, the aggrieved members of the Union, through some 30 selected representatives went to the National Industrial Court sitting in Lagos to ventilate their dispute with Lateef Idowu Oyelekan in suit No. NICN/LA/189/2020 for interpretation and application of the action of Lateef Idowu Oyelekan and his group against the constitutional provisions on the issue at stake.
- 2.11 That, on the 13th of August, 2020, Hon. Justice I. J. Essien of the National Industrial Court, Lagos Division granted an Interim Injunction restraining the union and all its officers and members from holding or conducting the emergency delegates conference or tenure elongation which Mr. Lateef Oyelekan and his group flagrantly disobeyed and went ahead to conduct the emergency delegates conference along with the President of the Nigerian Labour Congress (Comrade Ayuba Wabba) who also brought in truck loads of NPF officers to disperse all the objecting members



and this was held on 21st August, 2020.

- 2.12 That those who complied with the Court Order by refraining from attending the illegal emergency delegates conference as well as those loyal to Mr. Lateef Idowu Oyelekan had been drafted to be among the list of staff compiled by the management of the company to be laid off under the redundancy exercise recently undertaken by some employers whose members are under the Union.
- 2.13 That all the several letters and complaints written to the Advisory Bodies such as Trade Union Congress of Nigeria, and the Registrar of the Trade Unions with respect to the issue at stake were all ignored by these officers as a result of the powerful influence of Lateef Oyelekan.
- 2.14 That the truth of the matter was that the Respondent's intention to retain himself in the office unconstitutionally was not for any development purposes but purely to enrich himself and his group from union funds and investments.
- 2.15 That a typical example happened in 2018 when Mr. Idowu Lateef withdrew the sum of N26 million and subsequently N38 million for newspaper allowance and for official car purchases respectively without following due process.
- 2.16 That Mr. Lateef Oyelekan whose retirement period is due on 2<sup>nd</sup> April, 2020 has decided to change the norm by increasing his retirement age from 60 to 63 years all in a bid to retain himself as the President of the Union and continue to deal with the funds and investments of the union as he wishes.
- 2.17 The members of the Union are praying for the Committee's intervention to rescue the current situation within the Union as the Union were presently helpless because the Respondent (Mr. Lateef Idowu Oyelekan) has institutionalized himself deeply that he now has the Advisory Bodies such as the NLC, Trade Union Congress and Registrar of Trade Unions backing his actions on the helpless members.

### **3.0 INVESTIGATIVE HEARING**

- 3.1 The investigative hearing of the Petition was concluded on Thursday, 19th October, 2020 with both parties appearing to make both oral and documentary presentation.
- 3.2 The Respondent, through his Counsel (9 SANs), informed the Committee that the case in question is before a court of law.



#### **4.0 RESPONDENT'S SUBMISSION**

- 4.1 That, as a law-abiding and respectable Trade Union organization, they were obliged to accord the highest respect to the Committee by honouring the invitation despite the case being sub-judice.
- 4.2 That, as a registered Trade Union which is entitled to the respect of its autonomy and management in accordance with its internal rules, regulations and with a registered constitution, that the powers of the National Assembly, as enshrined in Sections 88 and 89 of the same Constitution do not extend to interfering in the management activities of trade unions or its officers.
- 4.3 That a Trade Union is not a public institution and does not draw money from public revenue by way of appropriation or oversight and can only be subject to oversight by its duly constituted organs.
- 4.4 That, an aggregation of ordinary members has no right to seek any form of redress against the union or its leadership other than as provided in the union's constitution.
- 4.5 That the Petitioner's lawyer does not represent any of the parties that were the major players of the case in question including Mr. Peter Onoja who is one of the main originating processes referenced in the Petition.
- 4.6 That the said Peter Onoja was among those who were sued as one of those complained against as involved in the alleged elongation of tenure.
- 4.7 That he proceeded to constitute an illegal rival Trade Union over which he parades himself as the President and was issuing correspondence to the Union, financial institutions as well as Employers' Association as the President of the Union.
- 4.8 That the relevant organs empowered to discipline members first placed him on suspension and subsequently as required by the Union's Constitution, he was invited to defend himself before the disciplinary committee of the union and thereafter he was given an expulsion letter.
- 4.9 That, as at the date of the above Petition submitted before the Committee, Mr. Onoja had already been suspended and expelled and therefore could not represent over 5,000 members of the union in defence of the above Petition before the Committee therefore in view of the above, urges the Committee to discontinue the hearing of the Petition for lack of merit.



## **5.0 COMMITTEE FINDINGS**

- 5.1 In the course of investigative hearing of the above Petition, the Committee observed that the Petition is pending before the Industrial Court with Suit No. NICN/LA/189/2020 as well as in the Court of Appeal which suggests that the Committee cannot go further to investigate the case pending the outcome of the hearing in court.
- 5.2 The Committee also advised both parties that, if they want the Committee to continue their investigative hearing on the matter, that they should withdraw the case from the court of law.
- 5.3 The Committee also advised both parties that, for the interest of justice, fairness and equity, both parties should strike a balance as well as come up with an amicable resolution of the matter.

## **6.0 COMMITTEE RECOMMENDATION/CONCLUSION**

The Committee, in view of their findings above, urged the House to discontinue the hearing of the matter because of the following reasons:

- 6.1 That the case in question is sub-judice (this means that when a matter is before the Court of Law, it cannot be heard outside the court).
- 6.2 That the Committee has advised both parties to go and reconsider their matter with the aim of finding amicable resolutions of the case in question.

## **7.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended.





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**CASE 38:**

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**REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON THE PETITION BY MR. PEACE OBIALLOR AGAINST THE UNIVERSITY OF NIGERIA NSUKKA OVER THE ALLEGED N3, 831, 100.00 SALARY INDEBTEDNESS TO HIM****1.0 PREAMBLE**

- 1.1 The House of Representatives at its sitting on Tuesday, 13th October, 2020 received a Petition presented by Hon. Haruna Dederi on behalf of Mr. Peace Obiallor over N3, 831,100 salary indebtedness to him.
- 1.2 Pursuant to section 88 and 99 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and in line with the House Standing Order XVIII Rule 5 (c) of the 9th Assembly and in accordance with the principles of equity, fairness and justice, the Petition was referred to the Committee for further legislative actions:

**2.0 PETITIONERS CASE**

- 2.1 The Petitioner informed the Committee that he resubmitted his Petition against the University Of Nigeria, Nsukka (UNN) Enugu State, over the non-payment of contract salary and allowances, to the tune of three million, eight hundred and thirty one thousand, one hundred naira only (N3, 831,100).
- 2.2 That the amount represented contract salary indebtedness between October 2010 and October 2011 (thirteen months (13) salary at N3, 103,100 and N728, 000 representing the allowances.
- 2.3 That the University had on 10th November, 2016 paid him the sum of two million, three hundred and ninety-nine thousand naira only (N2, 399,200) only representing part payment of his total claims.
- 2.4 That the said Petition was investigated in the 8th National Assembly on 26th September, 2017 and was concluded on February, 2018.
- 2.4 That the Committee recommended in its conclusion that the sum of N3,103,100 be paid to Mr. Peace Obiallor as payment of the arrears of the contract payment of his salary.



### **3.0 INVESTIGATIVE HEARING**

- 3.1 The investigative hearing was concluded on Thursday, 4th March, 2021 and only the Petitioner made appearance and submissions.
- 3.2 The Vice Chancellor, University of Nigeria (UNN) failed to appear before the Committee despite several summon letters issued to him through Courier Services, consequently the Committee had to rely on the evidences available to it to make decisions.

### **4.0 RESPONDENT'S SUBMISSION (UNN)**

- 4.1 For the three-consecutive hearings of the above Petition, the Vice Chancellor University of Nigeria, Nsukka failed to appear without any reason either through verbal or written communications to the Committee for engagement as quoted on the letter of summon thus, "If you do not attend the hearing as required, the case may be heard or determined in your absence"

### **5.0 COMMITTEE FINDINGS**

- 5.1 That the Vice Chancellor UNN could not appear or tender any written submission, in defence of the petition before this Honourable Committee.
- 5.2 In line with 4.2 above, the Committee rather upheld. The prayers of the Petitioner thus;
- 5.3 That the sum of N 3,831,100 requested by the Petitioner be paid to him (Mr. Peace Obiallor) as full payment of the arrears of the contract sum of the salary arrears owned him by the Management of UNN.

### **6.0 COMMITTEE RECOMMENDATION**

- 6.1 The Committee hereby urges the House to mandate the Vice Chancellor University of Nigeria, Nsukka to pay Mr. Peace Obiallor, the sum of three million, one hundred and three thousand one hundred naira (N3, 103,100) being the amount approved by the University's Contract Verification Committee.

### **7.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended.



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**CASE 39:**

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**REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON THE PETITION BY CLP CLETUS KIKIMME AND CPL APPEAL UGORJI AGAINST NIGERIA POLICE SERVICE COMMISSION FOR ALLEGED UNLAWFUL DISMISSAL FROM SERVICE****1.0 PREAMBLE**

- 1.1 The House of Representatives at its sitting of Thursday, 27th February 2020, received a Petition from Hon. Nnam-Obi on behalf of CLP Cletus Kikimme and CPL Ugorji against Nigeria Police Service Commission for unlawful dismissal from service.
- 1.2 Pursuant to Sections 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and in accordance with the House Standing Order XX Rule 5(2) [b] of the 9th Assembly, and in line with the principles of fairness, equity and justice, the Petition was referred to the Committee on Public Petitions for further Legislative action.

**2.0 PETITIONER'S CASE**

- 2.1 The Petitioner CLP Kikimme informed the Committee that he was a Mobile Police Officer attached to Area Command, Akwa, Anambra State.
- 2.2 The second Petitioner was also Mobile Police Officer attached to AIG Abang Mushishi and Mopol 21, Abuja.
- 2.3 That in 2013 while serving at the Area Command, Akwa CPL Cletus Kikimme fell ill seriously and complained to his superiors, he was advised to go and take care of himself medically.
- 2.4 That while in the hospital, his wife reported the seriousness of this illness to his office but the area command, Akwa Ibom wickedly transferred him to Nnobi Division, Njikoka, Anambra without informing his authority that he was on admission.
- 2.5 That upon resumption at Nnobi Division he was told that he has been declared deserted since July 2013.
- 2.6 That CPL Ugorji upon reporting sick to the retired AIG which he was attached to, the AIG informed MOPOL 21 to change him and allow him to take care of his medical condition.



- 2.7 That upon returning to MOPOL 21 after treatment he was informed that he has been transferred to Adamawa State Command he resumed there only to be told that he is a deserter.
- 2.8 That they (the Petitioners) have been making frantic efforts to get re-absorbed into the system but things proved futile.
- 2.9 That after several letters, a signal was raised to Anambra State Command to confirm their ill-health claims, the Commander wrote back confirming that both officers were sick and were under treatment as they both declared.
- 2.10 That after receiving this confirmation from the Anambra Police Command, the headquarters was yet to reinstate them.
- 2.11 The Petitioners prayed the House to intervene in their case and order the Inspector General of Police and the Police Service Commission to re-instate them.

### **3.0 INVESTIGATIVE HEARING**

- 3.1 The committee concluded an investigative hearing on the matter on 23rd March, 2021 with parties in attendance.

### **4.0 RESPONDENT'S SUBMISSION**

- 4.1 The Respondent stated that the Petitioners CPL Cletus Kikimme and CPL Appeal Ugorji were both serving members of the Nigeria Police Force before their dismissals in 2013 and 2014 respectively.
- 4.2 That the Petitioners appeal for re-instatement into the Nigeria Police Force was received and being studied by the Inspector General of Police.
- 4.3 That based on the Proceedings of the Orderly Room Trials and comments of the Commissioner of Police from their last Command. That the office of the Provost Marshal has reviewed their cases and accordingly forwarded its advice and recommendations to the Inspector General of Police for final verdict.
- 4.4 That the verdict of the Inspector General of Police on CPL Cletus Kikimme and CPL Ugorji were received and that, they should be reinstated and the Petitioners have been communicated accordingly.



## **5.0 COMMITTEE FINDINGS**

- 5.1 After careful perusal of the Case, the Committee noted;
- 5.2 That the Petitioner's dismissal did not follow due process being that, they were both sick and got the permission of their Command but upon resumption they were transferred to a different Command without being notified of their ill-health which led to their dismissal.
- 5.3 During the investigative hearing, the Respondent, the Nigeria Police Force presented a letter dated 23rd March 2021 from the Inspector General of Police informing the Committee that the Petitioners cases were received and the verdict of the Inspector General of Police is that the Petitioners should be reinstated.

## **6.0 COMMITTEE RECOMMENDATION**

- 6.1 In line with the Finding above the Committee recommends that since the Respondent, Nigeria Police Force has reinstated the Petitioners CPL Cletus Kikimme and CPL Appeal Ugorji, the House should direct the Respondent to promote them to be at par with their colleagues and pay them all their entitlements.

## **7.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended.



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**CASE 40:**

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**REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON THE PETITION BY TETFUND SPONSORED STRANDED SCHOLARS AGAINST TERTIARY EDUCATION TRUST FUND (TETFUND) ON THE APPEAL TO RECONSIDER REIMBURSING THE REMAINING 2013/2014 TETFUND SPONSORED SCHOLARS****1.0 PREAMBLE**

- 1.1 The House of Representatives at its sitting of Tuesday, 18th February, 2020 received a Petition from Hon. Haruna I. Dederi on behalf of TETFUND Sponsored Stranded Scholars against Tertiary Education Trust Fund (TETFUND) on the appeal to reconsider reimbursing the remaining 2013/2014 TETFUND Sponsored Scholars.
- 1.2 Pursuant to Section 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and in accordance with the House Standing Order XX. Rule 5[b] of the 9th Assembly and in line with principles of fairness, equity and justice, the petition was referred to the Committee on public petitions for further legislative actions.

**2.0 PETITIONER'S CASE**

- 2.1 The Petitioner informed the Committee that following the decision made by the management of the Tertiary Education trust Fund (TETFUND) to suspend the reimbursement of 2012-2017 Sponsored Scholars in 2019, they were all affected.
- 2.2 That they were sponsored in 2012-2014 to various countries when a Dollar was exchanged for about 180 Naira.
- 2.3 That many of them studied in their various universities for at least a period of 3-4 years (PhD) and up to 2 years for masters.
- 2.4 That within this period, the exchange rate rose to 420 Naira to 1 Dollar and 1 Pound from 250 Naira to over 500 Naira.
- 2.5 That for those of them that studied in Malaysia within this period, they were badly affected by the introduction of the 6% Goods and Service Tax.
- 2.6 That they were part of the exchange rate crisis because there was no possibility for them to graduate in one year or less.
- 2.7 That the funds they were given for their study became obviously insufficient even



though many of them wrote to their various institutions seeking for upward review of their allowances which proved abortive and they had to resort to borrowing of monies and selling of their properties to complete their studies.

- 2.8 The Petitioners prayed the House to look into their plight and to reimbursing the remaining affected 2013/2014 TETFUND sponsored Scholars.

### **3.0 INVESTIGATIVE HEARING**

- 3.1 The Committee held a number of investigative hearings on the matter and concluded on Tuesday, 8th of June, 2021 with only the Petitioner in attendance as the Respondent was present only once.

### **4.0 RESPONDENT'S SUBMISSIONS**

- 4.1 The Respondent stated that the TETFUND Scholarship was for Academic Staff of Public Tertiary Institutions for Post-Graduate Program in local and foreign institutions.
- 4.2 That TETFUND does not nominate scholars for this program rather the beneficiary institutions do.
- 4.3 That the beneficiary institutions by the fund's guidelines were to disburse the funds in instalments to the Scholars as they progressed in their studies. If the period of study is over twelve months, disbursements are made after the initial one to scholars depending on a favourable progress report from their training institutions.
- 4.4 That Scholars who were deemed stranded were those whose study commencement dates were limited to the year 2015, 2016 and 2017 when Nigeria first entered recession and that any scholar outside the above was not considered a stranded scholar.
- 4.5 That some scholars claimed to have borrowed money to pay their tuition but were yet to forward supporting documents to validate their claims.
- 4.6 That there were Scholars whose tuitions had actually been fully paid by their beneficiary institutions, yet they still forwarded same request to the fund without recourse to their employers.
- 4.7 That there were Scholars who may have hiked the tuition fees on approval but at the point of payment, the invoices approved for them were different yet they were requesting that the difference be paid to them in naira.



- 4.8 That some scholars changed their institutions of study without approval from the fund and without cognizance of the fact that approvals for the scholarship are based on the original institution of study. The invoice submitted for payment of tuition from new institutions of study could not be tenable.
- 4.9 Investigations revealed that some scholars were granted approval for institutions of study in Europe for instance, yet changed their institutions of study to Africa or East Asia which was far cheaper in tuition.
- 4.10 That some Applicants did not wait to confirm receipt of approval (and other clearances) from the fund before they proceeded overseas and they turn out to claim being stranded scholars.
- 4.11 That some scholars unilaterally deferred their admissions or resumptions expecting to begin at their preferred time, failing to understand that the Fund strategically planned its interventions and sponsorship of candidates in batches and could not pay attention to whimsical decisions by prospective scholars at the expense of others.
- 4.12 That some Scholars raise fake invoices for fees, contrary to those presented by their Training Institution's record of fees, thereby blackmailing TETFUND to honour their requests, irrespective of an avalanche of evidence proving such as false.
- 4.13 That those that merited a reimbursement received approval and were paid accordingly.

## 5.0 COMMITTEE FINDINGS

The Committee after a careful perusal of the facts of the case came up with the following:

- 5.1 That the Petitioners were paid in Naira; they became stranded as a result of the upsurge of exchange rate.
- 5.2 That the slide in exchange rate affected all the 2013-2017 Scholars who were studying in their various Institutions at that time, the 2013-2014 Scholars inclusive.
- 5.3 That since the Management had paid some Scholars of 2013-2014; the remaining Scholars, who commenced studies within the same period should as well be verified, authenticated and paid accordingly.
- 5.4 That the Respondent's claims that some Scholars changed their Institutions of study without approval from the Fund and without cognizance of the fact that approval for the Scholarship were based on the original Institutions of study. adding that





there were Scholars who may have somewhat hiked their tuition fees on approval but at the point of payment, the invoices submitted were found to be less than the sum approved for them in Naira and had no supporting documents to substantiate such claims.

## **6.0 COMMITTEE RECOMMENDATION/CONCLUSION**

- 6.1 In Line with the findings above, the Committee urges the House to direct the Executive Secretary of TETFUND to pay the sponsored Scholars who became stranded as a result of the upsurge of exchange rate, the balance of the money owed to them.

## **7.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended.



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**CASE 41:**

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**REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON THE PETITION BY KOKO AMA COMMUNITY, PORT HARCOURT RIVERS STATE AGAINST THE NIGERIA LIQUEFIED NATURAL GAS COMPANY INLINE ON THE CRIMINAL NEGLECT AND PAUPERIZATION OF KOKO AMA ANCIENT KINGDOM****1.0 PREAMBLE**

- 1.1 The House of Representatives at its Sitting of Wednesday 29th July, 2020 received a Petition from Hon. Haruna I. Dederi on behalf of Koko Ama Community Port Harcourt, River State against the Nigeria Liquefied Natural Gas Company (NLNG) on the criminal neglect and pauperization of Koko Ama Ancient Kingdom.
- 1.2 In line with sections 88 and 89 of the Constitution of the Federal Republic of Nigeria 1999 (as amended) and in accordance with the House Standing Order XVIII Rule 5(c) of the 9th Assembly; the petition was referred to the Committee on Public Petitions for further legislative action.

**2.0 PETITIONER'S CASE**

- 2.1 The Petitioner informed the Committee that they have persistently been subjects of denial, oppression and suppression in terms of employment, scholarships and corporate social responsibilities to the Koko Kingdom by the NLNG (The Respondent).
- 2.2 That with the commencement of the NLNG project on their land, despite the Land Use Act, they made presentations, sent emissaries and have written petitions to the NLNG Management intimating them to grant the Koko Kingdoms openings for employment opportunities to their teeming Youths, Scholarships to deserving sons and daughters in Tertiary Institutions, skill acquisition training and other corporate social responsibilities beneficial to them as a host Community.
- 2.3 That NLNG have refused, neglected and deliberately failed to attend to their peaceful demands till date.
- 2.4 That the deliberate and calculated actions of the NLNG to sideline the Kingdom gets clearer with each passing day with some persons within the Management piloting the criminal neglect of Koko Kingdom anticipating a violent resistance by the good people of the Kingdom, to them as a solid base to execute their evil plan of pogrom against the Kingdom.



- 2.5 They alleged that there were desperate moves by these criminal agents of NLNG orchestrating mercenaries to carry out a violent protests in the name of the Kingdom so that the Government will react with deadly force against their people.
- 2.6 That peaceful demands of being seen and treated as beneficiaries of the accruable rights, have pushed NLNG to deploy threats, subterfuge, pauperization and marginalization of their people as weapons to subdue the lawful demands by the Koko Kingdom.
- 2.7 That before the coming of the Respondent into their Community, the natives of their Community were well known Commercial fishermen. That most of the people in their Community were into fish farming and operate many fish farms or ponds across the Community making huge use of the navigable water ways that pass through the Community which in turn connect the Respondent to their various activities and operation.
- 2.8 That as the Respondent began operations and other various activities, they (the Respondent) directly polluted the water which is the major source of livelihood and survival of the people of their Community.
- 2.9 In the light of the above with graphic evidences, the Petitioners prayed the House to use their good offices to look into their cry of neglect and pauperization of Koko Kingdom by NLNG.

### **3.0 INVESTIGATIVE HEARING**

- 3.1 At the last hearing date, the Committee constituted a Seven (7) Member Committee on a fact finding visit to Koko Ama in Port Harcourt to ascertain the veracity of the claims and counter claims of the two parties. The oversight was fixed for Wednesday, 4<sup>th</sup> November, 2020 and the following Members were nominated.
  1. Hon. Lawal Ken Ken
  2. Hon. Muktar Ahmed
  3. Hon. Kwamoti B. Laori
  4. Hon. Shaba Ibrahim
  5. Hon. Bamidele Salami
  6. Hon. E. Mbora
  7. Hon. Mohammed Bio



#### **4.0 RESPONDENT'S SUBMISSION**

- 4.1 The Respondent stated that they were a Private Limited Company which has been in existence for 30 years with offices in Abuja, Lagos and River State as its headquarters.
- 4.2 The Respondent identifies with 110 host Communities in Bonny Kingdom and the contiguous pipelines Communities by supporting the improvement of their infrastructure, health and educational Facilities.
- 4.3 That the Respondent has been in peaceful co-existence with its host Communities claiming that Koko Ama is not one of these Communities as no NLNG facility was located within Koko Ama or in close proximity to Koko Ama.
- 4.4 The Respondent said it had acted on the allegations against it on issues of oppression and suppression in employment and scholarship. NLNG emphasizing that it was committed to her vision of helping to build a better Nigeria by adopting a holistic approach to infrastructural and Community development, Youth Empowerment and recruitment adding also that any qualified member of Koko Ama was therefore at liberty to obtain from the NLNG website ([www.nlng.com](http://www.nlng.com)) information concerning recruitments.
- 4.5 The Respondent refuted the allegation that criminal agents of NLNG were making desperate moves to orchestrate Mercenaries to carry out violent protests in the name of Koko Ama arguing that NLNG has high reputation and standards which earned it an ISO 14001:2015 Certification which represents the latest global standard in Environmental Management.
- 4.6 That the Federal Ministry of Environment, Rivers State Ministry of Environment and the Department of Petroleum Resources (DPR) regularly inspect NLNG's operational site/permit for NLNG to ensure strict observance of the terms and conditions of their issuance.
- 4.7 The Respondent refuted all the allegations in the Petition and urged the Committee to discontinue the Petition and encourage Koko-Ama to embrace peace and join NLNG in its journey to help build a better Nigeria.



## 5.0 COMMITTEE FINDINGS

- 5.1 The Committee after series of investigations and meetings on this matter.
- 5.2 Resolved that in view of the disputed facts, there was need for the Committee to visit the locus with a view to doing an “On the spot” assessment of the respective claims.
- 5.3 On the 6th day of November 2020, the Committee embarked on an “On the Spot” assessment tour of the locus, Koko Ama Community and the NLNG Headquarters in Port Harcourt.
- 5.4 The interaction was first with the Management of the Respondent who took the Committee on a Site Seeing Tour of the relevant areas and showed the Members of the Committee certain landmarks in support of their position.
- 5.5 The Committee thereafter proceeded to Koko Ama Community which is about 1.2 km from the Respondent’s facility, where Members were shown boundaries between the NLNG Headquarters and the Community both of which were separated by a lagoon or a body of water. Arising from the said visit, the Committee made findings as follows:
  - a. That the Respondent’s Headquarter and Petitioner’s Community are contiguous and separated only by a Lagoon of about 800 meters.
  - b. That the erstwhile owners of the land housing the Respondent’s Headquarters Inter Oil Inv. Nigeria Ltd, derived their title from the Petitioner.
  - c. That Inter Oil Inv. Nigeria Ltd according to the Petitioners had always recognized and treated the Petitioners as a “host Community”, a fact that was never confronted by the Respondent.
  - d. That of all the Communities recognized as “host community” by the Respondent, none had the proximity of the Petitioner’s Community to the Respondent’s facility.
  - e. That a major obstacle to the recognition of the Petitioner as “host community” by the Respondent seem to be the Amadi Ama Community who appears locked in a battle of supremacy with the Petitioners.
  - f. That from the Physical examination of the location of the both parties to this Petition, the Petitioner’s Community is too proximate to the Respondent’s Headquarter facility to be glossed over or denied recognition as “host community”, as in the written submission of the Respondent over 100 other



Communities most of which are farther located from the Respondent's Headquarter enjoy recognition as "host community" to the Respondent.

## **6.0 COMMITTEE RECOMMENDATIONS/ CONCLUSION**

- 6.1 In view of the foregoing and in the overall interest of joint and peaceful Co-existence, this Committee has come to the conclusion that Koko Ama Community is and deserves to be accorded recognition by the Respondent as a "host community"
- 6.2 The Committee therefore strongly recommends that all the rights, privileges and incidences of being so recognized be accorded the Petitioner by the Respondent without further ado.

## **7.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended.



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**CASE 42:**

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**REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON THE PETITION OF NON-COMPLIANCE OR IMPLEMENTATION OF THE HOUSE RESOLUTION OF 15-09-04 BY FHA (NOW FEDERAL MINISTRY OF HOUSING AND URBAN DEVELOPMENT) BY MESSRS AGHAEBE AND TWO OTHERS AGAINST FEDERAL MINISTRY OF HOUSING AND URBAN DEVELOPMENT****1.0 PREAMBLE**

- 1.1 The House of Representatives at its sitting on 17th March, 2020 received a Petition from Hon. Yusuf A. Tajuddeen on behalf of Messrs Aghaebe and two others on the non- compliance or implementation of the House Resolution of 9th November, 2004.
- 1.2 Pursuant to sections 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and in accordance with the House Standing Order XX Rule 5(2) [b] of the 9th Assembly, and in line with the principles of fairness, equity and justice, the Petition was referred to the Committee on Public Petitions for further legislative action.

**2.0 PETITIONERS CASE**

- 2.1 The Petitioners testified that they were former employees of the Respondent.
- 2.2 The Petitioners alleged that sometime in August 2003, the Respondent recalled them from Federal Housing Authority (FHA) Mortgage Bank (A Subsidiary of the Respondent) where they were on Secondment as Pioneer Staff.
- 2.3 The Petitioners also alleged that without any query, warning or reprimand, they were eventually dismissed albeit illegally.
- 2.4 Not satisfied with the way and manner they were dismissed the Petitioners said they petitioned the 5<sup>th</sup> Assembly seeking for redress.
- 2.5 The Petitioners claimed that the 5<sup>th</sup> Assembly adjudicated and passed judgment in their favour after series of investigative hearings.
- 2.6 The Petitioners also recalled that to ensure compliance, the 5<sup>th</sup>, 6<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup> Assemblies had all written several reminders to the Respondent yet the Respondent persistently and blatantly refused to comply.



- 2.7 The Petitioners however prayed the House to compel the Respondent to comply with its earlier Resolution that the Petitioners be reinstated and all their entitlements paid without further delay.

### **3.0 RESPONDENT'S SUBMISSION**

- 3.1 The Respondent testified that the Petitioners were actually their former employees.
- 3.2 The Respondent posited that the Petitioners were employed in 1998 and posted on secondment to one of its subsidiary FHA Homes (Saving and Loans) same year.
- 3.3 The Respondent corroborated that the Petitioners were recalled from its subsidiary in 2003 and later that same year their appointments, along with 772 others were terminated as their services were no longer required, with payment of one month in lieu of notice as stipulated in the Respondent's Staff Conditions of Service and as specified in the Petitioners Letters of Appointment.
- 3.4 The Respondent debunked the allegation that the Petitioners termination was illegal and malicious, it went further to clarify that it was enmeshed in financial crisis that culminated to its commercialization. It therefore had no option than to rationalize and down-size. The rationalization affected 775 Staff including the Petitioners.
- 3.5 The Respondent adduced that as part of required procedures for exited Staff in the authority, all the affected Staff were promptly paid their severance benefits but the Petitioners declined, instead they petitioned the Respondent's supervising Ministry and National Assembly severally seeking for reinstatement.
- 3.6 The Respondent posited that both Parties had an employee/employer relationship that was guided by existing laws/regulations and specified in the letters of employment issued them: In view of this, the termination of the Petitioners' employment was done within the law and as contained in their Letters of employment, the Respondent claimed.
- 3.7 The Respondent eventually prayed the House to uphold its position on the matter and foreclose the case. They also pleaded that the House should direct the Petitioners to come forward for their applicable entitlements.

### **4.0 INVESTIGATIVE HEARING**

- 4.1 The Committee concluded its investigative hearing into the matter on the 4th of March, 2021. Both parties were in attendance to give evidences.





## 5.0 COMMITTEE FINDING/OBSERVATIONS

Arising from the investigative hearing, the Committee observed the following:

- 5.1 That the Petitioners were former employees of the Respondent.
- 5.2 That the Respondent upon engaging the services of the Petitioners in 1998, redeployed them on Secondment to its subsidiary, FHA Homes (Saving and Loans) the same year.
- 5.3 That in 2003, the Respondent recalled the Petitioners from its subsidiary and eventually terminated their appointment alongside other 772 other Staff because it was enmeshed in financial crisis that erupted from its commercialization, and which rendered it financially incapable to meet its wage demand.
- 5.4 That the Petitioner was not satisfied with the reason for disengagement given to them by the Respondent because the three (3) Petitioners were not laid off jointly with the 772 workers but were laid off 3 years after the general rationalization exercise by the Respondent. Therefore, they petitioned the Respondent's supervising Ministry in the 5th National Assembly to redress the matter.
- 5.5 That the Resolution of the 5th Assembly was in their favour but the Respondent vehemently refused to implement the Resolution made therein.
- 5.6 That 4.5 above prompted the Petitioners to write the House Committee on Compliance to implement the Resolution of the House.
- 5.7 The Committee invited the Respondent and directed them to comply, yet the Respondent was adamant. The Petitioners went on to petition the 6<sup>th</sup>, 7<sup>th</sup>, 8<sup>th</sup> and 9<sup>th</sup> Assemblies seeking for the implementation of the Resolution of the 5<sup>th</sup> Assembly. Both the 6<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup> Assemblies resolved that the Respondent should implement the Resolution of the 5<sup>th</sup> Assembly but the Respondent insistently refused to comply.

## 6.0 COMMITTEE RECOMMENDATION

Based on the Findings above, the Committee recommends the following;

- 6.0 The Committee urges the House to uphold the subsisting Resolution of the 5<sup>th</sup> Assembly which the 6<sup>th</sup>, 7<sup>th</sup>, and 8<sup>th</sup> Assembly upheld respectively.
- 6.1 The Resolution of the 5<sup>th</sup> Assembly therefore stated thus; The 5<sup>th</sup> Assembly directed the Respondent to reinstate the Petitioner.
- 6.2 The 5<sup>th</sup> Assembly also urged the Respondent to pay the Petitioners all their



entitlements from the time of the purported illegal disengagement. The 5<sup>th</sup> Assembly finally directed the Respondent to, after reinstatement, effect promotion of the Petitioners to their commensurable position.

6.3 The 9th Assembly hereby aligns with the Resolutions of the 5<sup>th</sup>, 6<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup> Assemblies as upheld above in Resolutions 5.1.

6.4 The Committee further urged the House to mandate the Respondent to implement the House Standing Resolution without treating it with the same levity it treated that of the previous Assemblies.

## **7.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended.



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**CASE 43:**

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**REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON THE PETITION BY CPL UMEH AND TWO OTHERS AGAINST THE NIGERIA ARMY AND THE CHIEF OF ARMY STAFF REQUESTING FOR THE REINSTATEMENT OF ALLEGED DISMISSED SOLDIERS FROM OPERATION ZAMAN LAFIA DOLE (188 TASKFORCE BATTALION) MAIDUGURI****1.0 PREAMBLE**

- 1.1 The House of Representatives at its sitting on 18<sup>th</sup> February, 2020 received a petition presented by Hon. Comrade Chinedu Ogah Nweke on behalf of CPL Umeh Sunday and two others referred to as Petitioners against the duo of Nigeria Army and the Chief of Army Staff hereto referred as the Respondent.
- 1.2 In line with section 88 and 89 of the 1999 Constitution (as amended) and in accordance with the House standing Order XVIII Rule 5 of the 9th Assembly. The petition was referred to the Committee on Public Petitions for further legislative action.

**2.0 PETITIONER'S CASE**

- 2.1 That they were Soldiers from Ebonyi State posted to Maiduguri and redeployed to operation Zaman Lafia Dole (118 Task Force battalion).
- 2.2 That without committing any crime and or being granted fair hearing they were unceremoniously dismissed from the service of the Nigeria Army.
- 2.3 That their dismissal has rendered them jobless and has caused them untold hardship.
- 2.4 That they were Committed Soldiers who were among the soldiers in the battalion that quelled the Boko Haram onslaught that led to the capturing of Mongunu, Kekenu, Mile 90, Cross Kauwa, Kukawa, Baga and Damasak. The allegation that they deserted the battalion was not true.
- 2.5 The Petitioners further claimed that during the Battalions advancement to Damasak, they were attacked by Boko Haram terrorists leaving them with casualties as a result of equipment failure.
- 2.6 That those of them who escaped the attack ran to Gubio Forward Operational Base (FOB) and after the burial of their colleagues they were asked to return to Maimalari



Barracks in Batches. The last batch turned on the 1<sup>st</sup> and 2<sup>nd</sup> of December, 2015.

- 2.7 That on the directive of their commanding officer Col. RS Omolori with Army No. N/10369, they were to moved to another location in a civilian trailer loaded with luggage ammunition and drums of fuel, which in the first place was unethical. That the trailer could not contain all the battalions and the equipment, consequently, some of them were left behind and they had to start trekking until vehicles on Admin patrol came to their rescue. Thereafter, they were deployed to their trenches and continued their normal duties.
- 2.8 That to their amazement, they were invited by the orderly CPL to appear before the commanding Officers, without any Board of Enquiry, they were charged with desertion and subsequently dismissed on that ground.
- 2.9 That they were however de-kitted on the 4th of January, 2016 on the orders of the Brigade Commander.
- 2.10 That to their dismay four Senior NCO amongst them who were also dismissed on account of the same offence were later reinstated after serious legal tussles. These reinstated NCOs are:
  - a. SSGT Bulus Reuben
  - b. SSGT Ita Effiong
  - c. SSGT Ismail Yahaya
  - d. SSGT Idris Ali
- 2.11 That about 30 of them are yet to be reinstated.
- 2.12 That the rules of engagement contained in section 172 and 173 which clearly defined the laid down regulations for post Desertion procedure in the NA was not applied before the Petitioners were dismissed. They were only subjected to a mock trial with a fabricated offence of desertion hanging on their necks, arraigned and charged before a one-man panel (Col. R.S Omolori, NA/10369) and dismissed on the 4th of February, 2016.
- 2.13 That no prima facia case was established against the Petitioners by their battalion (118 Taskforce Battalion) therefore, the dismissal should be declared null and void.
- 2.14 The Petitioners prayed the House to reinstate them so that they could continue with their services to Nigeria.



### **3.0 RESPONDENT'S SUBMISSION**

- 3.1 That the Petitioners were deployed to the defunct 188 Taskforce battalion Damasak which was under the Command of Lt. Col. R.S Omolori and was at the frontline in the fight against insurgency hence the high expectations of discipline and commitment on the troops.
- 3.2 That the unit was advancing from Gubio to Damasak when they came under attack by BHT on 11<sup>th</sup> November, 2015.
- 3.3 That the attack resulted into the withdrawal of the unit and dispersal of the troops in disarray which later converged at Gubio where the CO addressed and informed them that they would be moving to Maimalari cantonment in Maiduguri town for onward movement.
- 3.3 That the troop was conveyed to Maiduguri in vehicles provided for them and were asked to stay around while awaiting the arrival of the other troops left behind.
- 3.4 That the troops were camped by the ASA until the last batch arrived on 2nd December, 2015 and were duly addressed and directed to get ready for the return to Cross Kauwa where they will be redeployed to essential tactical operations.
- 3.5 That the ASA provided them with long trucks to convey the troops but so many of them, in a mutiny like manner, refused to join the movement.
- 3.6 That the CO and the law-abiding ones among the troops joined the trucks and proceeded to Kauwa where they continued tactical operations against the insurgents.
- 3.7 That the Petitioners and the other troops who choose to remain behind in defiance of the order deserted to unknown destinations.
- 3.8 That as at the time the Petitioners and other defiant troops deserted, there were adequate equipment and facilities for them to use for onward deployment to the area being threatened by Boko Haram Terrorists.
- 3.9 That after so many days of desertion and the defiant troops including the Petitioners realized that the Boko Haram Terrorists threat in the area must have doused, they returned to the Barracks.
- 3.10 That the return of the erring troops coincided with the arrival of trucks convicts of 119, which they joined to the location where their colleagues were in defence.
- 3.11 The petitioners and other erring troops were quickly subjected to unit level investigations and it was established that they deserted at the point of movement to



face the enemy.

- 3.12 That in the CO's quest for discipline and successful operation he ordered for their charge and subsequent trial.
- 3.13 That the Petitioners and other erring troops were made to appear before the CO summarily on a charge of desertion and they all pleaded guilty.
- 3.14 That the dismissed soldiers were given copies of the charge sheets and accorded all the time and facility required to defend themselves but failed.
- 3.15 That the order was carried out on 4<sup>th</sup> January, 2016 in due compliance with the extant rules and regulations as well as principle of natural justice.
- 3.16 That the unit has since been disbanded and taken over by 94BN. in line with laid down rules. The 94BN. has confirmed that the order was carried out as indicated in Part 2 and 3 of the Order.
- 3.17 That the outcome of the trial was communicated to the AHQ where the process was subjected to review and it was found to be in due compliance with the law.
- 3.18 That the occurrence and the punishment were further documented at the HQ CAR which signifies the endorsement of the punishment.
- 3.19 The Respondent however prayed the House to discountenance the petition for lack of merits.

#### **4.0 INVESTIGATIVE HEARING**

- 4.1 The Committee concluded its investigative hearing on the matter with both parties making appearances and submissions of both oral and written presentations.

#### **5.0 COMMITTEE FINDINGS/OBSERVATIONS**

From the facts collected from the investigation, the Committee observed the following:

- 5.1 That the Petitioners were actually soldiers among the troops that were redeployed from Maiduguri to 118 Taskforce Battalion to combat the Boko Haram terrorists.
- 5.2 That the 118 Taskforce Battalion was actually under the Command of Col. R.S Omolori.
- 5.3 That the Unit was attacked by Boko Haram Terrorist while advancing from Gubio to Damasak on 11<sup>th</sup> November, 2015.



- 5.4 That after the attack the unit was dispersed but later converged at Gubio where they received an order from the CO to return to Maimalari cantonment, Maiduguri and wait for another order for onward movement.
- 5.4 That when all the troops finally gathered at the Maimalari cantonment, they received another order to get ready to return to Kawwa for onward deployment for essential tactical operation against the insurgents.
- 5.5 That when it was time for the movement, the Petitioners and other erring troops in defiance of the order absconded and boycotted the movement in a mutiny-like manner.
- 5.6 That the Petitioners and other erring troops deserted the unit to unknown destinations and therefore went contrary to extant laws that established the respondent.
- 5.7 That the charge, trial and dismissal that followed the violation of the provision of the extant laws were all in compliance with the law.
- 5.8 That the Petitioners and other dismissed soldiers were given copies of the charge sheets and accorded necessary time and facility to challenge their dismissal but they never did.
- 5.9 That the order to dismiss the Petitioners and the other erring troops were carried out in compliance with the extant rules and regulations as well as principles of natural justice and not in contravention of it as alleged by the Petitions.

## **6.0 COMMITTEE RECOMMENDATIONS/CONCLUSION**

From the above findings and observations, the Committee recommends as follows:

- 6.1 The Committee urges the House to discountenance this petition for lack of merit.
- 6.2 The Committee urges the House to direct the Respondent to uphold the dismissal it carried out on the Petitioners to serve as a deterrent to other defiant soldiers.
- 6.2 That discipline in the Army is sacrosanct therefore cannot be allowed to be neglected by any individual or group, in that respect, the Committee urges the House to allow the punishment meted out to the petitioners stay.

## **7.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended.



# 2021





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## CASE 44:

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### REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON THE PETITION BY THE AGGRIEVED DRIVERS OF ADDAX PETROLEUM AGAINST THE MANAGEMENT OF ADDAX PETROLEUM DEVELOPMENT NIGERIA LIMITED FOR ALLEGED SLAVERY, UNFAIR INHUMAN TREATMENT AND UNLAWFUL TERMINATION OF EMPLOYMENT

#### 1.0 PREAMBLE

- 1.1 The House of Representatives at its sitting on 15<sup>th</sup> April, 2021 received a petition presented by **Hon. Haruna I. Dederi** on behalf of the **Aggrieved Drivers of Addax Petroleum Development Nigeria Limited** against the **management of Addax Petroleum Development Nigeria Limited** for slavery, unfair inhuman treatment and unlawful termination of employment.
- 1.2 Pursuant to Section 88 and 89 of the 1999 Constitution of the Federal republic of Nigeria (as amended) and in accordance with the House Standing Order XX Rule 5(2) (b) of the 9th Assembly and in line with the principles of fairness, equity and justice, the Petition was referred to the Committee on Public Petition for further legislative actions.

#### 2.0 PETITIONER'S CASE

- 2.1 The Petitioners informed the Committee that Addax Petroleum Limited formerly Ashland Oil Nigeria Limited, employed Mr. Lambert Emenugha and six (6) others as direct contract staff in 1992 on six months probations without employment letters.
- 2.2 That after the probation period elapsed, the company failed to confirm or regularize their appointments but insisted that they should continue working for the Company for a while before their confirmation.
- 2.3 That they have worked for Addax Petroleum Company for a period of between 24 to 26 years without confirmation.
  - 2.3.1 That while waiting for their confirmation letters, the Human Resources Manager of the Company quickly recommended that, they should be contracted out to Servtrust Company from December, 1994 to December, 1998.



- 2.3.2 That in his address before they were contracted to work with Servtrust Company, the Human Resources Manager Addax Petroleum told them that Servtrust will only serve as their paymasters and they will soon be confirmed but such did not happen until Servtrust contract with Ashland expired in December 1999.
- 2.3.3 That they were reabsorbed into Addax Petroleum as direct contract drivers when Ashland Oil and all her liabilities were sold to Addax Petroleum in May 1998-2000.
- 2.4 That in January 2001 to 2004, the aggrieved drivers of Addax Petroleum were also moved again to Linkso Company acting as another pay master.
  - 2.4.1 That from February 2004 to September 2005, they were moved again to Mandilas Auto mobile Company.
  - 2.4.2 That within that period Addax Petroleum had moved them to up to 4 different contractors to work with and that Addax Petroleum never paid them off rather kept transferring them from Ashland Oil to the new contracted Group 4 Securicor Security Company which expired in 2009.
  - 2.4.3 That they were neither paid the ₦13million transferred years of service nor got their ₦16million payoff as approved by Jim Pearce, the Managing Director of the company as at then.
  - 2.4.3 That all these transfer movement from one company to another of the petitioners was single-handedly done by the Human Resource Manager just to avoid their confirmation.
- 2.5 That the Managing Director, Addax revealed to them that Addax only pays through their contractors and not to drivers.
  - 2.5.1 That the MD Addax Petroleum also told the petitioners that management has also been directed from the Geneva HQ office to pay the sum of ₦16million each to all Ashland drivers who have put in 12 to 18 years in service to the company.
  - 2.5.3 That despite the approval for the payment of the N16 million to the drivers of Addax Petroleum, they were not paid but assured that the said amount will be paid to them during their retirement period.
- 2.6 That after his death Mrs. Grace Onosode, the Administrative Manager in Addax Petroleum took over all drivers issues and also promised in a meeting that all their



money will be paid on or before the expiration of the G4 contract with Addax Petroleum.

- 2.7 That in 2009 Addax also moved them to another contractor called Hobark International Ltd and their services terminated in September 2016.
- 2.8 The petitioner prays the Committee to investigate the inhuman, servitude and unfair treatment for the period of 24 to 26 years while working with the company without their rightful entitlements.

### **3.0 INVESTIGATIVE HEARING**

- 3.1 The investigative hearing was concluded on 21<sup>st</sup> October, 2021 after several hearings with all the parties invited appearing to tender both their oral and documentary presentations in defence of the petition.

### **4.0 RESPONDENT'S SUBMISSIONS (ADDAX)**

- 4.1 Addax Petroleum Nigeria Ltd., through their Senior Manager (Victoria Iroko) informed the Committee that the Petitioners were casual staff and have never had direct contract with Addax.
  - 4.1.1 That they only have direct contract with the contracting firms who Addax usually pays directly to before the Petitioners would be paid.
  - 4.1.2 That Addax also stated that their concerns about the Petitioners claim was the fact that their salaries were short charged by the contracting firms which they know nothing about.
  - 4.1.3 That the casual workers were issued letters of employment since 1998, and the drivers were paid off when they were disengaged and the money paid to them covers their medical care, salaries and all their entitlements.

### **5.0 COMMITTEE FINDINGS**

The Committee after thorough examination of both oral and document presentations of all the parties tendered in the above petition, observed as follows:

- 5.1 That the aggrieved drivers of Addax Petroleum (formerly Ashland Oil Company Nig. Ltd) were employed as a Direct Contract Staff in 1992 on six months probation without issuance of employment letters.
  - 5.1.1 That at the end of the probation period the Human Resources Manager insisted



that they should continue on the contract for a while before their confirmation or regularization which they never did for the period of 26 years they have put into the service of the company.

- 5.2 That during their years of service with Addax Petroleum Company, they were moved from one contractor to another such as Servtrust Company, Linkso Company, Mandilas Automobile Company, Group 4 Securicor Security Company and Hoberk International Limited, to work as contract staff under 3rd party agreements with Addax Petroleum.
- 5.3 That in their terms of agreement with the contractors, the services to be provided by the contractors shall be provided as independent contractors and such services shall be rendered under the control of Addax as to the results to be accomplished but not as to the means of such accomplishment.
- 5.4 That contractors were not agents or employees of Addax for any purpose and will not participate in any Addax employee fringe benefits programme.
  - 5.4.1 That the agreements were stipulated to last for an initial period of one (1) year from the effective date and thereafter from one month to another unless the contracts were terminated according to their terms of agreement.
  - 5.4.2 That Addax, in their terms of agreement, were meant to be paying the contractor a maximum fees of ₦18, 383 per month for services performed pursuant to their contract agreement.
- 5.5 That the aggrieved drivers of Addax Petroleum claimed that from 1992 to October 2005 when Addax contracted them to Group 4 Securicor Company which expired in April 2009, they were never paid off, neither have they been paid the ₦13 million for transferred years of service from Ashland to Addax and vice versa. They also were not paid the ₦16 million payoffs approved by Jim Pierce, the Managing Director as at then for drivers who had put in up to 12 and 18 years of service to the Company but such claims have no sufficient proof to back them up.
- 5.6 That all the other companies which the aggrieved drivers entered into contract with through Addax Petroleum stated that they were not owing any money to any of the aggrieved drivers, that all their salaries and entitlements were paid to them at the point of termination of their contract agreement with Addax.
- 5.7 That the drivers of Addax Petroleum assumed that the same conditions of service applied to the full staff of Addax Petroleum could have been applied to them also since the terms of their employment were not properly defined by Addax Petroleum.



- 5.8 That the Federal Ministry of Labour and Employment observed that the case in question did not follow due process in terms of the processes involved in reporting the matters to FMLE due to the fact that the concerned drivers were not members of NUPENG who would have reported the case in question on behalf of the aggrieved drivers of Addax Petroleum to the ministry.
- 5.9 That management of FMLE also frowned at the inhuman treatment to the aggrieved Addax Petroleum drivers who were kept on contract appointment for a period of 24 years without confirmation and regularization, to the point that they were too old to start looking for another job elsewhere.
- 5.9.1 That Addax Petroleum/SINOPEC Petroleum must compensate them by paying their full retirements benefits and entitlements to enable them start life elsewhere.
- 5.10 That both parties were told by the Committee to go and meet with the Federal Ministry of Labour to strike a balance on the way forward but to no avail as each party came up with different reports of what transpired in the meeting.

## **6.0 COMMITTEE RECOMMENDATIONS/CONCLUSION**

- 6.1 Having observed that the Petitioners (Direct Contract Staff of the Respondent (Addax Petroleum Development Nigeria Ltd) were over time contracted out to several organisations without their appointments being confirmed or regularized after their probation period elapsed resulting in their unfortunate plight after working for a period of between 24 to 26 years, justice and fairness demand that they need to be compensated.
- 6.2 In view of the above, the Committee urges the House to mandate the Managing Director, Addax/SINOPEC Petroleum to liaise with all the companies to which the aggrieved drivers were contracted to work with to ensure that adequate compensation is paid for their retirement benefits and entitlements to enable them start new life elsewhere.

## **7.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended.



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## CASE 45:

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### REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON PETITION BY EX PC OJO AIYEETAN AGAINST THE NIGERIA POLICE FORCE ON THE ALLEGED UNLAWFUL DISMISSAL FROM THE FORCE

#### 1.0 PREAMBLE

- 1.1 The House of Representative at its sitting on Tuesday, 16<sup>th</sup> February 2021 received a petition presented by **Honourable Haruna Dederi** on behalf of EX-PC Ojo Aiyeetan against the Nigeria Police Force (NPF) on the unlawful dismissal from the force.
- 1.2 Pursuant to **Section 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria** (as amended) and in accordance with the House Standing Order XX. Rule 5[b] of the 9<sup>th</sup> Assembly and in line with principles of fairness, equity and justice, the petition was referred to the Committee on public petitions for further legislative actions.

#### 2.0 PETITIONER'S CASE

- 2.1 The petitioner EX Pc Ojo Aiyeetanis from Kabba in Kogi State enlisted in the service of the NPF on the 1st of March 1990.
- 2.2 That during the course of his duty, he was serving in Gwagwalada Divisional NPF HQ FCT Abuja and was posted on a night duty from 2200-0600hrs GMT at the resident of CSP ("A") Administration FCT command Abuja.
- 2.3 That within an hour of his duty in the stated residence; he developed ill health that affected his vision which made him to leave his duty post to lodge a complaint about it to the nearest Police Hospital for medical treatment.
- 2.4 That when he reported back to his duty post to resume work, that one **Sergeant Major Christopher Uli** ordered for his detention on the instruction of DPO and after the detention, he was given an orderly room trial for the offence of leaving his duty post and outright dismissal from the office on 24/4/1995.
- 2.5 The petitioner is pleading that the punishment of dismissal meted on him on leaving duty on condition of illness were harsh in accordance with the NPF regulations.



- 2.6 The petitioner is requesting for the Committee's intervention to ensure he is reinstated back to service.

### **3.0 INVESTIGATIVE HEARING**

- 3.1 The case was concluded on 7<sup>th</sup> July 2021 after several hearings with both parties appearing to make both oral and documentary presentations.

### **4.0 RESPONDENT SUBMISSIONS (NPF)**

- 4.1 The Nigeria Police Force through CP Olubunmi Osoko PSC Force HQ Abuja informed the Committee that the petitioner was a serving member of NPF until 1995 when he was dismissed from service. That the petitioner seeks reinstatement on ground that he was dismissed unlawfully.
- 4.2 That on receipt of the summons and based on the petitioners application a letter requesting CP's comment and orderly room proceedings was forwarded to the FCT command.
- 4.3 That no formal response had been received from the FCT command due to difficulty in tracing the records of his case judging by lapses of time of over 26years.
- 4.4 That the petitioner's dismissal went through the proper procedures as recognized by the law.

### **5.0 COMMITTEE FINDINGS**

The Committee after thorough scrutiny of both oral and documentary presentation by parties in defence of the above petitions observed as follows:

- 5.1 That the petitioner was unlawfully dismissed from the service of NPF on account of leaving duty without recourse to his complaint of ill health.
- 5.2 That he has only served in one unit's commands at Gwagwalada FCT Abuja for a period of 5 years (1990- 1995) and being an alleged first offender with clean records before his unlawfully dismissal from office.
- 5.3 That the NPF did not do proper investigation in the determination of the petitioner's case before his outright dismissal from the service as they claimed that no formal response with respect to the petitioner's case was brought and that the case was long overdue for receiving after over 26 years of the occurrence of the incident.



- 5.4 That the petitioner was dismissed on 24/4/1995 on account of abandoning duty and discreditable conduct but has insufficient evidence by NPF to substantiate their claims.
- 5.5 That the petitioner has attained a retirement age of service and cannot be reinstated to the service.

## **6.0 COMMITTEE RECOMMENDATIONS /CONCLUSIONS**

- 6.1 The Committee in view of their findings above urges the House to direct the Inspector General, Nigeria Police Force to reinstate and retire EC PC Ojo Aiyeetan to the service of NPF.

## **7.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended.





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## CASE 46:

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### **REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON THE PETITION BY ACCURATE SOLICITORS LEGAL PRACTITIONERS AGAINST SIGMA PENSIONS LIMITED AND NATIONAL PENSION COMMISSION FOR ALLEGED CHEATING, INTIMIDATION, DIVERSION OF FUNDS AND UNCONSCIONABLE REFUSAL TO PAY THE DEATH BENEFITS OF LATE MR. ABDULLAHI HASSAN TO HIS NEXT OF KIN, MRS. AISHA ABDULLAHI HASSAN**

#### **1.0 PREAMBLE**

- 1.1 The House of Representative at its sitting on Tuesday, 30<sup>th</sup> November, 2021 received a petition presented by **Honourable Mukhtar Ahmed** on behalf of Accurate Solicitors Legal Practitioners against Sigma Pension Ltd and National Pension Commission for alleged Cheating, Intimidation, Diversion of Fund and Unconscionable Refusal to pay the Death Benefit of Late Mr. Abdullahi Hassan to his next of kin, Mrs. Aisha Abdullahi Hassan.
- 1.2 Pursuant to **Section 88 and 89 of the 1999 Constitution** of the Federal Republic of Nigeria (as amended) and in accordance with the House Standing Order XX. Rule 5[b] of the 9<sup>th</sup> Assembly and in line with principles of fairness, equity and justice, the petition was referred to the Committee on public petitions for further legislative actions.

#### **2.0 PETITIONER'S CASE**

- 2.1 The petitioner informed the Committee that, despite various correspondence and clearance from the Nigerian Customs Service to the authorities of Sigma Pensions and recurrent verification from all quarters by the Director and management of Sigma Pensions, they have wilfully and negligently refused to pay the Death Benefits in respect of the deceased.
- 2.2 That the Petitioner has been exposed to serious financial hardship, penury, loss of dignity and has been compelled to travel all the way from Kebbi State to Abuja, thereby exposing them to danger and imminent loss of their lives as the management refused to pay the accrued death benefit to the Petitioner without reason.
- 2.3 That aside withholding the said sum for over a period of five (5) years letter of demand dated 8th day of November, 2021 was addressed and received by the authorities and the management of Sigma Pensions to pay the Petitioners but they



have paid no heed to the said letter.

- 2.4 The Petitioner prays the House to direct the authorities and management of Sigma Pensions to pay the beneficiaries of the said sum with immediate effect.

### **3.0 INVESTIGATIVE HEARING**

- 3.1 The Committee conducted an investigative hearing on the matter on Thursday, 17th March, 2022.

### **4.0 RESPONDENT'S SUBMISSIONS**

- 4.1 The Respondent (Sigma Pensions Limited) stated that their Pension Fund Administrator (PFA) was notified of Mr. Hassan's demise on 22nd January, 2018 and a member of the team provided the next of kin with the list of required documents to be submitted; they received some of the documents but submission could not be made because there were still other outstanding documents.
- 4.2 That the complete documentation only came in on 16th April, 2019 after which submission was made to PENCOM.
- 4.3 That within the time the Commission introduced additional documentation requirement via their letter dated 27th August, 2020 which had to be complied with, several attempts were made to contact the Next of Kin in October, 2020 but without success.
- 4.4 That they reached out to the deceased's employer, Nigerian Customs Service via telephone requesting their assistance with the required documents. On 27th August, 2021, contact with the Next of Kin was re-established where they informed her of the additional requirements.
- 4.5 That on receipt of the Petition, they wrote the Solicitors on 23rd November, 2021 informing them of the processes involved, highlighting the request for additional documentation that came in from PENCOM.
- 4.6 That they invited the Solicitors of the Petitioner to a meeting to explain the law, the processes involved and how it affected the death benefits of the deceased.
- 4.7 That they have since the meeting, been liaising with PENCOM to inform as regards the matter. They have the assurances of PENCOM that the matter is closely monitored and that Savings Account (RSA) will be received on or before the end of February, 2022.



## **5.0 COMMITTEE FINDINGS**

The Committee, after a careful perusal of the facts of the case and thorough investigation of the matter came up with the following:

- 5.1 That the Petitioner informed the Committee that the management of Sigma Pensions have wilfully and negligently refused to pay the death benefit in respect of the deceased.
- 5.2 Also the Respondent stated that they have, since the meeting, been liaising with PENCOM to inform as regards this matter.
- 5.3 More so, the Respondent stated that they have the assurances of PENCOM that the matter is closely monitored and that the reconciliation of the Retirement Savings Account (RSA) will be received on or before the end of February, 2022.
- 5.4 During the investigative hearing, the National Pension Commission (PENCOM) was invited and they informed the Committee that upon conclusion of the processing, the deceased's death benefits (Accrued Rights and Pension contributions of the deceased) would be remitted into his Retirement Savings Account (RSA) with Sigma Pensions Limited.
- 5.5 At the last investigative hearing of 17th March, 2022 the Respondent informed the Committee that the Petitioner has been paid all the death benefits of the deceased.

## **6.0 COMMITTEE RECOMMENDATIONS /CONCLUSIONS**

- 6.1 In view of the findings above, the Committee urged the House to discontinue the matter as both parties have resolved the matter amicably.

## **7.0 RESOLUTION ADOPTED BY THE HOUSE**

Approved as recommended.



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**CASE 47:**

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**REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON THE PETITION BY ASSOCIATION OF PUBLIC POLICY ANALYSIS AGAINST THE NATIONAL POWER TRAINING INSTITUTE OF NIGERIA OVER AN ALLEGED ACT OF FRUSTRATION ON THE IMPLEMENTATION OF MEMORANDUM OF UNDERSTANDING****1.0 PREAMBLE**

- 1.1 The House of Representatives at its plenary sitting on Wednesday, 1st December, 2021 received the above Petition presented by **Hon. Mukhtar Ahmed** on behalf of the Association for Public Policy Analysis for urgent action of the House.
- 1.2 Pursuant to **Section 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria** (as amended) and in accordance with the **House Standing Order XX Rule 5(2) [b] of the 9th Assembly** and in line with principles of fairness, equity and justice, the petition was referred to the Committee on public petitions for further legislative actions.

**2.0 PETITIONER'S CASE**

- 2.1 The Petitioner (Association for Public Policy Analysis) informed the Committee that they were constrained to draw the attention of the House to the frustrating experience they were having in the hands of the National Power Training Institute of Nigeria (NAPTIN) which is discouraging their patriotic efforts to contribute towards prevention of corrupt practices in the nation's power sector through educating electricity consumer groups on Consumer Protection component of Electric Power Sector Reform Act of 2005, despite their MoU with the Institution signed on 23<sup>rd</sup> September, 2020 based on the directive from the Hon. Minister for Power in December, 2019.
- 2.2 That they sent a proposal dated 18<sup>th</sup> November, 2019 to the Hon. Minister of Power for collaboration with the Ministry of Power through NAPTIN to deliver National Electricity Consumers Protection Education Programme (NECPEP) with the theme "Implementing Electricity Consumers Protection and Licensee Performance Standards through NECPEP."
- 2.3 That the aim of the programme was to prevent corrupt practices perpetrated against electricity consumers due to poor or no education of consumer groups and weak implementation of the Consumer Protection component of the Electric Power Sector



Reform Act (EPSRA), 2005 in line with sections 80, 81 and 82 which provides for Consumer Protection and Licensee Performance Standards.

- 2.4 That, the meetings and submissions which NAPTIN had made the Association to submit as regards the implementation of the MoU was to no avail; instead NAPTIN continued to give excuses of lack of money to execute the programme as if there was no budgetary provisions for the programme.
- 2.5 That the Association went ahead to present a concept note on the programme to SSAP/SDG on 6<sup>th</sup> October, 2021 and in their response dated 26<sup>th</sup> October, 2021 SSAP/SDG advised that they should liaise with the relevant MDAs that have a mandate for the implementation of their proposals, not minding that NAPTIN has the mandate to train skilled and unskilled manpower in the power sector.
- 2.6 That as a consumer protection advocacy and education NGO in Nigeria, they honour and recognize the oversight responsibilities of the Nigerian Legislature as captured in Section 88 (1) and (2) of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and that the refusal of NAPTIN to implement the said MoU does not only amount to lack of honesty to the Association but has also flouted the directive of the Minister of Power who initiated the programme.
- 2.7 That since 2009 when NAPTIN was established the Institution has trained 15,000 personnel drawn from Government Power Sector Organisations like Transmission Company of Nigeria, NEMSA, Federal Ministry of Power and Privatized Distribution and Generation Companies.
- 2.8 That out of over \$17 billion (dollars) that has been injected into the power sector by the Federal Government and International Development Partners since 2016, they have not heard of any portion of the funds dedicated to Electricity Consumer Enlightenment and Education in demonstration of their commitment to implementing Consumer Protection components of the Electric Power Sector Reform Act of 2005.
- 2.9 The petitioner prays the House of Representatives to intervene and investigate NAPTIN.

#### **4.0 INVESTIGATIVE HEARING**

- 4.1 The investigative hearing was concluded on Thursday, 7<sup>th</sup> April, 2022 with both parties appearing to make both oral and documentary presentations in defence of the petition.



- 4.2 That the available information within the domain of the Committee showed that both parties have agreed to work together towards the successful implementation of the MoU entered into by both parties.

## 5.0 RESPONDENT'S SUBMISSIONS (NAPTIN)

- 5.1 The Respondent (National Power Training Institute of Nigeria) in their presentation informed the Committee that the parties have agreed to work together towards the successful implementation of the Memorandum of Understanding (MoU) between the two parties and also appreciated the Committee's intervention to that effect.
- 5.2 That on the 31<sup>st</sup> of March 2022, the parties organised a Stakeholders' Forum at NAPTIN's Headquarters in Abuja with the Petitioner titled **"Effective Implementation of Consumer Protection Component of Electric Power Sector Reform Act, 2005"** That the programme recorded a huge attendance as many stakeholders such as BERC, REA, NEMSA, Governors' Forum, ALGON as well as Federal Competition and Consumer Protection Commission (FCCPC) all graced the occasion.
- 5.3 That the Forum was organised by NECPEP Committee as the first strategic step towards the implementation of MoU between NAPTIN and APPA for the execution of the National Consumer Protection Education Programme.
- 5.4 That the aim of the Forum was to create awareness and enlist support and participation of critical stakeholders in the Nigerian Electricity Supply Industry (NESI) and representatives of the target groups for the training programme being designed to educate relevant consumer groups and organisations at Federal, State and Local Government levels.
- 5.5 That the summary focus of the Forum was the need for synergy amongst the various stakeholders and that Consumer Protection Education should be given more attention in the power sector as a way of improving consumer rights and that the major instrument for achieving Consumer Protection Education awareness is through training and continuous interaction.
- 5.6 That his appointment was terminated for services no longer required during the corporate wide rationalisation exercised and approved by the then Head of State and his benefits were duly paid.



## 6.0 COMMITTEE FINDINGS

The Committee, after thorough investigation and perusal of all the documents tendered before it in defence of the Petition observed as follows:

- 6.1 That the Petitioner (Association for Public Policy Analysis) was worried over the act of frustration by the management of National Power Training Institute of Nigeria (NAPTIN) in the implementation of the MoU the Institute signed with the Association for the execution of the National Electricity Consumer Protection Education Programme (NECPEP) which amounts to corrupt practices against the consumers in the power sector and as a result, want the House to intervene on the matter.
- 6.2 That the intervention of the House Committee on Public Petitions on the issue at stake who advised both parties to go and do the needful and as well reconcile on their areas of differences among them yielded positive result as both parties have to work together towards the successful implementation of the MoU.
- 6.3 That some of the means used in resolving the matter to the parties involved was that, on the 21<sup>st</sup> of March, 2022, the parties organised a Stakeholders Forum at NAPTIN Headquarters, Abuja with a theme titled “Effective Implementation of Consumer Protection Component of Electric Power Sector Reform Act, which was graced by important dignitaries from all sector of the economy within the country, Nigeria.
- 6.4 That the outcome of the programme showed that there is need for synergy among the various stakeholders as Consumer Protection Education should be given more attention in the power sector as a way of improving consumer rights.
- 6.5 That training on rights and obligations of consumers should be embarked upon and should be supported by stakeholders like NNPC, Oil Companies, Donor Agencies as well as Power Utilities and organized private sector.
- 6.6 That the major instrument for achieving Consumer Protection Education Awareness Programme is through training and continuous interaction but efforts should be made to engage and encourage the participation of licensed DISCOs in further engagements as service providers with direct interface with Consumers and Tariff Collection.
- 6.7 That the action of both parties in resolving as well as agreeing to work together towards the successful implementation of the MoU is a welcome development for both parties and that calls for the need to discontinue the hearings of the Petition.



## **7.0 COMMITTEE RECOMMENDATION/CONCLUSION**

- 7.1 The Committee, in view of their findings above, urges the House to discontinue hearing of the petition as both parties have resolved the matter amicably based on the letter tendered before the Committee dated 7<sup>th</sup> April, 2022 urging the Committee to dismiss the Petition on the grounds of settlement.

## **8.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended.





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## CASE 48:

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### REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON THE PETITION BY GBENGA AJISAFE & CO. LEGAL PRACTITIONERS ON BEHALF OF BEREKETE MARKETING LIMITED AGAINST NIGERIA CUSTOMS SERVICE OVER ALLEGED ILLEGAL EXPORTATION OF WOOD IN CONTRAVENTION OF EXTANT LAWS WITH ACTIVE CONNIVANCE.

#### 1.0 PREAMBLE

- 1.1 The House of Representatives at its plenary sitting on Tuesday, 18th May, 2021 received a Petition presented by **Hon. Mohammed Omar Bio** on behalf of **Mr. Gbenga Ajisafe & Co.** (Legal Practitioners/Counsel representing Berekete Marketing Limited) against Nigeria Customs Service over Illegal Exportation of Wood in Contravention of Extant Laws with active connivance.
- 1.2 Pursuant to Section 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and in accordance with the House Standing Order XX Rule 5(2) [b] of the 9th Assembly and in line with principles of fairness, equity and justice, the petition was referred to the Committee on public petitions for further legislative actions.

#### 2.0 PETITIONER'S CASE

- 2.1 The Petitioner informed the Committee that they and some other indigenous Nigerian companies lawfully engage in the business of wood felling, cutting, processing, marketing and selling to local users, particularly for industrial and commercial usage.
- 2.2 That the processed woods are used by individuals and factories for the manufacturing of tables, chairs, beds, doors, frames and other types of household furniture and are used by industries and breweries for packaging and storage.
- 2.3 That the aforesaid lawful business of wood felling, cutting, processing, marketing and selling extensively provides stable means of livelihood to millions of others and huge revenues to different tiers of government in the country.
- 2.4 That it is very disheartening that some officers and men of the Nigeria Customs Service connive with foreigners to export wood at the expense of the nation's economy and to the detriment of the local companies and our environment.



- 2.5 That the major culprits are Chinese, Koreans and Lebanese who gain unrestricted access to forests and indiscriminately cut down trees for export in the most callous manner.
- 2.6 That there is adverse damage to the nation's image as the Customs Officers who connive with the foreigners to facilitate the illegal exportation are Nigerian citizens.
- 2.7 That the main target of the dubious foreigners and their Nigerian collaborators in the illegal exportation are expensive precious trees like Rosewood, Araria, Mahogany, Iroko which they do not replace.
- 2.8 That approximately 350,000 hectares of trees are illegally cut down annually for wood exportation.
- 2.9 The Petitioner prays the House to give stronger effect to the implementation of the Export Prohibition List, particularly the rampant exportation of woods.

### **3.0 INVESTIGATIVE HEARING**

- 3.1 The Committee conducted an investigative hearing on the matter on 4<sup>th</sup> October, 2021 with both parties in attendance.

### **4.0 RESPONDENT SUBMISSION**

- 4.1 The Respondent denied each and every allegation of facts as contained in the Petition.
- 4.2 That it is not enough for the Petitioner to allege that there is illegal exportation of wood at the Nigerian ports in violation of the extant laws and Federal Government fiscal policy which they enforced and is consistent with international convention ratified by the Nigerian Federal Government.
- 4.3 That there is no specified port through which the alleged illegal exportation takes place as there is nowhere in the entire Petition where the name of the alleged Chinese company or names of the Chinese nationals from a specified company were brandished.
- 4.4 That the Petitioner failed to mention the ship(s) where the alleged logs were deposited and shipped out of Nigeria.
- 4.5 That the spurious allegation of the Environmental Agency of approximately sixty (60) containers is superficial, unsubstantiated and unfounded, as the Petitioner has



refused and/or neglected to serve them with any of such allegations to enable them investigate the alleged perpetrators and prosecute them in court.

- 4.6 That the Petitioner has failed woefully to prove by credible, cogent and compelling evidence before the Committee to clearly show that the alleged illegal exportation does actually exist and as a matter of fact men and officers of the Nigeria Customs Service actually connive with the alleged Chinese national(s).

## **5.0 COMMITTEE FINDINGS**

The Committee, after thorough investigation and perusal of all the documents tendered before it in defence of the Petition observed as follows:

- 5.1 That the Petitioner alongside other indigenous companies in Nigeria engaged in the business of wood felling, cutting, processing, marketing and selling to local users, particularly for industrial and commercial usage.
- 5.2 That some officers and men of the Nigerian Customs Service connive with foreign nationals/companies to export wood at the expense of the nation's economy and to the detriment of the local companies.
- 5.3 Also, the Respondent stated that the Petitioner could not specify the ports which the alleged illegal exportation took place.
- 5.4 That the Petitioner failed to mention the ships where the alleged logs were deposited and shipped out of Nigeria.
- 5.5 The Committee resolved that the Petitioner has failed to prove that men of the Nigeria Customs Service connived with the foreigners to export wood illegally.
- 5.6 More so, the Petitioner failed to state the ports which the alleged illegal exportation took place.
- 5.7 The Committee is of the view that the petition should be discountenanced for lack of merit.

## **6.0 COMMITTEE RESOLUTION/CONCLUSION**

In line with the findings above, the Committee urges the House to discountenance the matter based on lack of merit.

## **7.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended.



## CASE 49:

### REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON THE PETITION BY M. U. ALAETO & CO. ON BEHALF OF MR. SALVATION DANIEL PARKER AGAINST THE NIGERIAN AGIP OIL CO. LIMITED OVER THEIR ALLEGED NON-CHALLANT ATTITUDE OVER THE SUSTAINABLE DEVELOPMENT OF THE IKOROMOGBENE COMMUNITY IN LINE WITH THE MEMORANDUM OF UNDERSTANDING (MoU) SIGNED ON THE 24<sup>TH</sup> DAY OF APRIL, 2009.

#### 1.0 PREAMBLE

- 1.1 The House of Representatives at its Plenary sitting on Tuesday, 7th December, 2021 received a petition presented by **Hon. Mukhtar Ahmed** on behalf of **Mr. Salvation Daniel Parker** against **Nigerian AGIP Oil Company Ltd.** over their nonchalant Attitude Over the Sustainable Development of the Ikoromogbene Community in consonance with the Memorandum of Understanding (MOU) signed on the 24th day of April, 2009.
- 1.2 Pursuant to Section 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and in accordance with the House Standing Order XX Rule 5(2) [b] of the 9th Assembly and in line with principles of fairness, equity and justice, the petition was referred to the Committee on Public Petitions for further legislative actions.

#### 2.0 PETITIONER'S CASE

- 2.1 The Petitioner's Counsel (M. U. Alaeto & Co.) informed the Committee that their client (Mr. Salvation Daniel Parker) is the authorized representative of the Ikoromogbene Community, an oil-hearing host community in Southern Ijaw Local Government Area of Bayelsa State where Nigerian AGIP Oil Company Limited has been conducting their oil and gas business.
- 2.2 That before NAOC commenced their operation in the host community, there was neither an Environmental Impact Assessment (E.I.A.) study nor an Environmental Impact Statement to ascertain the likely adverse and negative effects of the oil exploration embarked on by NAOC on the Ikoromogbene Community which has resulted in continuous loss of their farmlands, economic trees and fishing waters.
- 2.3 That due to unabated hardship life became so difficult for the people in the host



community to the extent that they prevailed on NAOC to enter into a Memorandum of Understanding on 24<sup>th</sup> April, 2009 whereby the Management of NAOC was requested to pay due attention to the people of Ikoromogbene by implementing their Corporate Social Responsibility and execution of projects in the Ikoromogbene Community.

- 2.4 That the Memorandum of Understanding signed in 2009 was to end in 2012. When it was to be reviewed after the projects they demanded was executed to cushion the effects of the environmental degradation caused by NAOC oil and gas exploration, namely, the construction of five land jetties, provision of two speed boats, siting of good potable water projects and road construction to open the community to other communities to enable them seek better economic empowerment.
- 2.5 That their demands which included N5,000,000,000.00 (Five Billion Naira) compensation and Scholarship Awards and Employment of Ikoromogbene youth upon their graduation are yet to be acceded to by the management of NAOC as at the time of this petition.
- 2.6 That the nonchalant attitude of the management of NAOC over the implementation of the Employment and Scholarship Awards has tested their resolve to have a good working relationship with NAOC leading to the revision of their petition on 6<sup>th</sup> December, 2021 requesting for the full and continued implementation of the Abandoned Projects and Commencement of Projects from 2012-2022 according to the said MoU.
- 2.7 That the Memorandum of Understanding was a voluntary agreement which was subject to review after three years by all affected host or transit communities desirous of ameliorating the effects of the disastrous environmental degradation that followed the commencement of NAOC oil and gas exploration to the extent that the communities can overcome the adverse effects such as loss of livelihood brought about by NAOC's oil and gas exploration.
- 2.8 The petitioner prays for the commencement of new projects from the period of 2013 to 2022.
- 2.9 In the alternative, payment of 2 Billion Naira compensation to the Ikoromogbene Community and another N1 billion for non-implementation of Clause 2 and 3 of the Memorandum of Understanding which was for Scholarship Awards and Employment by NAOC.



### **3.0 INVESTIGATIVE HEARING**

- 3.1 The Committee concluded its investigative hearings on the matter on 21<sup>st</sup> September, 2022 with both parties in attendance.

### **4.0 RESPONDENT'S SUBMISSION**

- 4.1 The Respondents (Nigerian AGIP Oil Co. Ltd.) is an oil and gas exploration company with Head Offices at Lagos and Abuja and a District Office in Rivers State from where it oversees its operations in the oil wells spread over various communities and kingdoms in the Niger Delta Region.
- 4.2 That their documentary evidence shows that they had captured all host and transit communities in Southern Ijaw Local Government Area in 5 Clusters while their Scholarship Diary shows that they awarded Post-Primary Scholarship to 3 and Tertiary Scholarship to 5 indigenous youth of Peremabiri Kingdom.
- 4.3 Observations showed that there was neither evidence of Ikoromogbene Community being listed in any of the five clusters they presented nor was there any beneficiary from Ikoromogbene from their Scholarship Awards.

### **5.0 COMMITTEE FINDINGS**

The Committee, after thorough investigation and perusal of all the documents tendered before it in defence of the Petition observed as follows:

- 5.1 That Petitioner's client (Mr. Salvation Daniel Parker) is the authorized representative of the Ikoromogbene Community, an oil-bearing host community in Southern Ijaw Local Government Area of Bayelsa State where Nigerian AGIP Oil Company Limited has been conducting their oil and gas business.
- 5.2 That the Petitioners claim was that there was neither an Environmental Impact Assessment (E.I.A.) study nor an Environmental Impact Statement to ascertain the likely impact of the oil exploration and this resulted into hardship for the indigenes upon the commencement of oil exploration by NAOC as the people were continuously losing their farmlands, economic trees and fishing waters due to environmental degradation.
- 5.3 That the people in the host community prevailed on NAOC to voluntarily sign a Memorandum of Understanding on 24<sup>th</sup> April, 2009 as a means of reversing hardship if NAOC accedes to the request for the construction of five land jetties, provision of two speed boats, siting of good potable water projects and road construction to



open the community to other communities to enable the deprived indigenes seek better economic opportunities.

- 5.4 That their demands included payment of N5, 000,000,000.00 (Five Billion Naira) as compensation for the destruction and adverse effects of the environmental degradation caused by NAOC as well as death and sickness caused to the indigenes as a result of the nonchalant attitude of the Management of NAOC.
- 5.5 That after three years the Memorandum of Understanding which was agreed to by all parties should have been reviewed in 2012 to ascertain which of the projects were executed before new ones are embarked upon to help the indigenes cushion the destructive effects of NAOC oil and gas exploration in addition to their demands for Scholarship Awards and Employment of Ikoromogbene youth.
- 5.6 The Committee further observed that the Memorandum of Understanding was a voluntary agreement which was subject to review after three years by all affected host or transit communities desirous of ameliorating the disastrous environmental degradation that followed the commencement of NAOC's oil and gas exploration which resulted in their loss of means of livelihood and consequential hardship.

## **6.0 COMMITTEE RECOMMENDATION/CONCLUSION**

- 6.1 In light of the findings above, the Committee urges the House to mandate the Managing Director, Nigerian AGIP Oil Co. Limited to review the Memorandum of Understanding they entered into with the Ikoromogbene Committee with a view to commence new projects for the period of 2013-2022 and take steps to incorporate the youths of the host community in their Scholarship Awards and employment in fulfilment of their Corporate Social Responsibility.

## **7.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended.



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**CASE 50:**

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**REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON THE PETITION BY MRS. SALIHU DAHIRU AGAINST THE UNITED BANK FOR AFRICA (UBA PLC.) ON THE ALLEGED FRAUDULENT AND UNAUTHORIZED WITHDRAWAL OF SIX HUNDRED AND FORTY-SIX THOUSAND NAIRA FROM HER ACCOUNT ON 24<sup>TH</sup> JANUARY, 2022****1.0 PREAMBLE**

- 1.1 The House of Representatives at its plenary sitting on **Tuesday, 11<sup>th</sup> November, 2021** received the above Petition presented by **Hon. Mukhtar Ahmed** on behalf of **Mrs. Salihu Dahiru** against **United Bank for Africa (UBA Plc)** on the fraudulent and unauthorized withdrawal of N646, 000.00 from her bank account on 24<sup>th</sup> January, 2022.
- 1.2 Pursuant to **Section 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria** (as amended) and in accordance with the **House Standing Order XX Rule 5 (2) [b] of the 9<sup>th</sup> Assembly** and in line with principles of fairness, equity and Justice, the petition was referred to the Committee on Public petitions for further legislative actions.

**2.0 PETITIONER'S CASE**

- 2.1 The Petitioners informed the Committee that, sometime in December, 2021 the sum of N646,000.00 was credited to her account with United Bank for Africa which she had earlier been informed had been closed.
- 2.2 That on 24<sup>th</sup> January, 2022 she went to the UBA branch in Area 3, Garki to unblock her account in her bid to access the money in her account and was assured by the officer who attended her that the account would be unblocked within two hours.
- 2.3 That she went home with the assurance that she can withdraw the money only to receive several debit alerts on her phone on the same day which were definitely illegal and fraudulent withdrawals since she had not made any withdrawal to warrant the alerts.
- 2.4 That she reported the development to the UBA Branch Manager and up to the time of her petition, no explanation had been given for the illegal, fraudulent and unauthorized withdrawal and the sum of N646, 000.00 was yet to be reversed into her account.





- 2.5 The petitioner prayed the intervention of the House to ensure that UBA Plc. reverses the illegal withdrawal back into her UBA account.

### **3.0 INVESTIGATIVE HEARING**

- 3.1 The Committee conducted investigative hearing into the Petitioner's claims on 23<sup>rd</sup> November, 2022 with both parties in attendance to make oral and documentary presentations in defence of the petition.

### **4.0 RESPONDENT'S CASE (UBA PLC)**

- 4.1 The Respondent submitted a letter with reference No. LSD/OL/L\ES/11/22/001/2022 dated 22<sup>nd</sup> November, 2022 by which their Legal Officer informed the Committee that the matter has been resolved amicably and conclusively with the Petitioner.

### **5.0 COMMITTEE'S FINDINGS**

- 5.1 The Committee, having confirmed from the Petitioner (Mrs. Salihu Dahiru) claims and what was stated in the letter from UBA Plc. submitted by the Legal Officer (Mr. Opeyemi Lakanse) closed the case on 23<sup>rd</sup> November, 2021.

### **6.0 COMMITTEE RECOMMENDATIONS/CONCLUSION**

- 6.1 As a result of the Summons of the Committee to UBA Plc. and perhaps its implications before the bank, the officials who were to meet with the Committee Members and the Petitioner suddenly sent in a letter dated 22<sup>nd</sup> November, 2022 informing the Committee that they had settled the Petitioner out of petition and thus paid the Petitioner (**Mrs. Salihu Dahiru**). However, the letter from UBA proved that she had received a credit alert of N646, 000.00, being the money earlier withdrawn illegally from her account.
- 6.1 In view of the above findings, the Committee hereby urges the House to discontinue the matter as both parties have resolved it amicably.

### **7.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended.



## CASE 51:

### **REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON THE PETITION BY C. E. OBIAZI & CO. ON BEHALF OF JOCEG ENERGY SERVICES LTD. AGAINST MAKA OBINNA MARTINS FOR ALLEGED FORGERY AND FRAUDULENT CONVERSION OF THE SUM OF N78, 834,000 (SEVENTY-EIGHT MILLION, EIGHT HUNDRED AND THIRTY-FOUR THOUSAND NAIRA) IN WHAT APPEARS TO BE A MONUMENTAL CONSPIRACY WITH PILLAR OIL LIMITED NIGERIA AGIP OIL COMPANY AND HON. FRIDAY OSANEBINNA**

#### **1.0 PREAMBLE**

- 1.1 The House of Representatives at its plenary sitting on Tuesday, 30th November, 2021, received a Petition presented by **Hon. Mukhtar Ahmed** on behalf of **C. E. Obiazi & Co.** for **JOCEG Energy Services Limited** which was tabled for deliberation and further action.
- 1.2 Pursuant to Section 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and in accordance with the House Standing Order XX Rule 5(2) [b] of the 9th Assembly and in line with principles of fairness, equity and justice, the petition was referred to the Committee on Public Petitions for further legislative actions.

#### **2.0 PETITIONERS CASE**

- 2.1 The Petitioner informed the Committee that his client (JOCEG Energy Services Limited) deals with an oil and gas, construction, import and export, general contractors and is based in Abuja.
- 2.2 That their main objective is to expose the attitudes of fraudulent contract racket/dealings anchored by one Mr. Maka Obinna Martins who is based in Ndokwa West LGA of Delta State.
- 2.3 That the said Maka Obinna also claimed that he is working as a licensed link/Agent to Pillar Oil Ltd of No. 10 Elsie Femi Pearse Street of Adeola Odeku Street, Victoria Island, Lagos, Nigeria AGIP Oil Company of Mile 4, Ikwerre Road, Port Harcourt, Rivers State and Hon. Friday Osanebi of Delta State House of Assembly, Ndokwa East Legislative Quarters, Okpanam, Asaba, Delta State.



- 2.4 That he wants to recover the total sum of N78, 834,000 from the said Maka Obinna Martins in his role as a link/Agent to the above-mentioned companies and as well to fight against corruption on the unsuspecting Nigerian public.
- 2.5 That the Petitioner (JOCEG Energy Services Ltd) further informed the Committee that sometime in November, 2020, a client (Maka Obinna Martins) represented to being a licensed agent to Pillar Oil Ltd., AGIP Oil Company Ltd and one Hon. Friday Osanebi.
- 2.6 That Mr. Maka Obinna Martins was charged with getting contractors to supply granite and stone base/dust and he further represented that fees were usually paid for registration to become a registered supplier after which supplies were to be made by himself on behalf of Pillar Oil Ltd. which would make monthly returns to him while Hon. Friday Osanebi was to make weekly payments to him also as he relies on bank loans with a yielding interest.
- 2.7 That the Petitioner, in agreement, paid the sums of N18, 800,000, N420, 000 and N1,650,000 to Mr. Maka Obinna Martin's bank account from November, 2020 to March, 2021 for the purpose of being a registered supplier and service charge thereto of the above referred three companies with the understanding that Mr. Maka Obinna Martins will do the supply job anytime there is a supply contract and raise an invoice for the purchase in his favour.
- 2.8 That sometime in March, 2021, Mr. Maka Obinna Martins, represented to the Petitioner that Pillar Oil Limited has supplied granite etc. for the months of April and May, 2021 which required the total sum of N47,751,500 (Forty-Seven Million, Seven Hundred and Fifty-One Thousand) for the supply job.
- 2.9 That during investigations of the supply dealings of Maka Obinna Martins it was discovered that Mr. Maka Obinna Martins, in conspiracy with Pillar Oil Limited and others, forged invoices of three suppliers in the month of April, 2021 which appears that the said invoice were forged for the purpose of committing fraud which caused the Petitioner to transfer/pay the said sum to Obinna's Keystone Bank Account No. 6018257838.
- 2.10 That Mr. Maka Obinna Martins, in what strongly appears to be a conspiracy with Pillar Oil Ltd., forged Invoices No. 001 dated 14<sup>th</sup> April, 2021 raised for the sum of N16,931,250.00 for the supply of stone base, Invoice No. 002 dated 19<sup>th</sup> April, 2021 for the sum of N16,931,250.00 for the supply of stone base/dust and granite to Nigerian AGIP Oil Company, and Invoice No. 003 dated 12<sup>th</sup> May, 2021 raised for another sum of money which exact amount was not quoted - that the said three



invoices were forged for the purpose of perpetrating fraud.

- 2.11 That sometime in June, 2021, while acting on the false representation put up by Mr. Maka Obinna Martins, that he would make payments for the invoices. The Committee was further informed that Hon. Friday Osanebi, in conjunction with the Nigerian AGIP Oil Company, had supplied ten (10) trips of stone base/dust and fifteen (15) trips of granites respectively in the month of June, 2021 which required the payment of the sum of N10, 212,500.00 which resulted in their transferring the said amount into the account of Maka Obinna with Keystone Bank (Account No. 6018257838).
- 2.12 That no payment had been made till date to the Petitioner for the supply for which Mr. Maka Obinna Martins represented the Petitioner.

#### **4.0 INVESTIGATIVE HEARING**

- 4.1 The investigative hearing was concluded on Wednesday, 29<sup>th</sup> June, 2022 with Petitioner appearing in all the hearing while the Respondent (Mr. Maka Obinna Martins) appeared only once with his Counsel and pleaded for an opportunity to be given to him to go and settle with the Petitioner which he never did till date.

#### **5.0 RESPONDENT'S SUBMISSION**

- 5.1 The Respondent (Mr. Maka Obinna Martins) explained his role as a link/Agent to the Pillar Oil Ltd. as well as that of Hon. Friday Osanebi in the purported supply job on behalf of Nigeria AGIP Oil Company whom he had represented as the one who will make weekly payments to him also as he relies on bank loans with a yielding interest.
- 5.2 That from November, 2020 to March, 2021 he received the sums of N18,800,000, N420,000 and N1,650,000 for the purpose of registering JOCEG Energy Services Ltd. as supplier of stone base/dust and granite, job settlement and service charges.
- 5.3 That sometime in March, 2021, he obtained the total sum of N47, 751,500 (Forty-Seven Million, Seven Hundred and Fifty-One Thousand) on the grounds that Pillar Oil Ltd. had supplied granite etc. for the months of April and May, 2021
- 5.4 That Hon. Friday Osanebi whom he earlier claimed represented Nigeria AGIP Oil Company played no role in the money transfers made to him by JOCEG Energy Services Ltd. in respect of Invoices No. 001 dated 14<sup>th</sup> April, 2021, Invoice No. 002 dated 19<sup>th</sup> April, 2021 and Invoice No. 003 dated 12<sup>th</sup> May, 2021.



- 5.5 The Respondent pleaded for an opportunity to be given to him to go and settle with the Petitioner within two weeks.

## 6.0 COMMITTEE FINDINGS

The Committee has investigated the matter and observed as follows:

- 6.1 That JOCEG Energy Service Limited, an oil and gas, Construction Company as well as an importer and exporter, contractor and general merchandize businessman whose objective is to expose the suspected fraudulent contract racket/dealings with his business partners.
- 6.2 That their dealings were anchored by Mr. Maka Obinna Martins who made a fraudulent misrepresentation to the Petitioner by claiming that he is a licensed link/ Agent to Pillar Oil Ltd., Nigeria AGIP Oil Company and Hon. Friday Osanebi.
- 6.3 That the supposed work of Mr. Maka Obinna Martins was to represent the Petitioner as a licensed field Link Agent charged with getting contractors as well as a facilitator between JOCEG Energy Service Limited and other companies mentioned above that are willing to be supplying granite and stone base/dust to Pillar Oil Limited and AGIP Oil Company and these companies would have to register with the above companies prior to any transaction coming up.
- 6.4 That between November 2020 and March, 2021 the Petitioner JOCEG Energy Service Limited paid the total sum of N18, 800,000, N420, 000 and N1, 650,000 to Mr. Maka Obinna Martins for registration, supply of stone base/dust and granite as well as service to his Keystone Bank Account No. 6018257838 but did not do any due diligence about the presentation of Mr. Maka Obinna which later turned out to be a misrepresentation to the Petitioner.
- 6.5 That the mistake the Petitioner made was that the money paid would have been made directly into the relevant companies' accounts and evidence of payment made available to the purported Licensed Field Link/Agent to assist the payee company process at Pillar Oil and AGIP Oil Company respectively without any problem.
- 6.6 That another mistake made by the petitioner (JOCEG Energy Service Ltd) was made in the month of April and May 2021 when the Petitioner also transferred the sum of N47,751,500 to Maka Obinna Martins' account for the supply of granite and stone base/dust without any Local Purchase Order (LPO) or any verification or award letter and Maka Obinna Martins went ahead to collect the money on false pretence and instead of paying the said amount to the designated companies'



account, he conspired with Pillar Oil Limited to forge the invoice of the said amount released to him by the Petitioner for the supply of stone base/dust and granite.

- 6.7 That during investigation of the matter the invoice for both companies in favour of JOCEG Energy Ltd was inspected and confirmed as fake stamp and signature on falsified invoice for Pillar Oil and AGIP and the Committee concluded that the said fraud was committed but the Respondent (Mr. Maka Obinna Martins) stated that his boss (Hon. Friday Osanebi) Pillar Oil and AGIP Oil Company mentioned on the issue at stake were not parties to the case and the Committee quickly exonerated them.
- 6.8 Trying further to appeal to the Committee for amicable resolution of the matter, Mr. Maka Obinna Martins pleaded with the Committee to grant him a period of two weeks to meet with the Petitioner for amicable settlement but to no avail after several summon letters issued to him to report back progress to the Committee despite the fact that he was made to commit his statement in writing.
- 6.9 That the summary of all his supplies dealings with JOCEG Energy Ltd and the affected companies amounted to N78,834,000 which showed that:
  - a. Total supply dealings with Pillar Oil = N47, 751,000(for the cost of supply of 100 trips of stone base/dust and 33 trips of granites)
  - b. Total supply dealings with AGIP =N10, 212,500 (being the cost of 10 trips of stone base/dust and 15 trips of granites)
  - c. Money obtained as fees for becoming a registered Supplier
  - d. Job Settlement/PRO and Service Charges = N20, 870,000

Grand Total A + B + C = N47, 751,500 + N10, 212,500 + N20, 870 = N78, 834,000

## 7.0 COMMITTEE RESOLUTION/CONCLUSION

Having investigated and confirmed that the Respondent (Mr. Maka Obinna Martins) has not been able to exonerate himself on the fraudulent supplier's dealings to Pillar Oil Limited and other companies involved in the issue at stake against the Petitioner (JOCEG Energy Service Ltd) the Committee urges the House to:

- 7.1 Direct Mr. Maka Obinna Martins to pay the Petitioner (JOCEG Energy Service Limited) all his money mismanaged as a result of his fraudulent supply dealings with the Pillar Oil and other companies.



7.2 Pay him the interest of 2% for the two years he borrowed the loan from the bank.

## **8.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended.



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## CASE 52:

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### **REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON THE PETITION BY MR. NDUBUISI NWEZE NWOSU AGAINST FIRST BANK OF NIGERIA PLC. ON THE ALLEGED FALSE ALLEGATIONS OF PAYMENT OF TWO FAN MILK PLC. KANO CHEQUES FOR N4,620,000.00 AND N2,750,000.00 TALLING N7,370,000.00**

#### **1.0 PREAMBLE**

- 1.1 The House of Representatives, at its plenary sitting on **Wednesday, 28<sup>th</sup> April, 2021** received the above petition presented by **Hon. Sam Onuigbo** on behalf of **Mr. Ndubuisi Nweze Nwosu** against **First Bank of Nigeria Plc.** on the false allegations of payment of two FAN Milk Plc, Kano cheques for N4,620,000.00 and N2,750,000.00 totalling N7,370,000.00.
- 1.2 Pursuant to Section 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and in accordance with the House Standing Order XX Rule 5(2) (b) of the 9<sup>th</sup> Assembly and in line with the principles of fairness, equity and justice, the Petition was referred to the House Committee on Public Petitions for further legislative actions.

#### **2.0 PETITIONER'S CASE (MR. NDUBUISI NWEZE NWOSU)**

- 2.1 The Petitioner informed the Committee that he joined the service of First Bank of Nigeria Ltd. on 29<sup>th</sup> March, 1980 at Abdullahi Fodio Road Branch, Sokoto and was transferred to Kano Main Branch of the said bank in November, 2000.
- 2.2 That on 7<sup>th</sup> November, 2001, his appointment was unlawfully terminated without him committing any offence and that there was no case of redundancy, retrenchment or any disengagement exercise through which his appointment was unlawfully terminated because the said bank was actively recruiting when his appointment was unlawfully terminated.
- 2.3 That the terms of his Employment Agreement with the bank shows that the Petitioner was to serve First Bank for a period of 35 years before retirement from service but had only served twenty-one years and 8 months before the termination of his appointment by the management of First Bank of Nigeria Plc.
- 2.4 That throughout his service with the bank, his performance appraisal scores for 1998, 1999 and 2000 were very good, yet they went ahead to terminate his





appointment on 7<sup>th</sup> November, 2001.

- 2.5 That the major cause of termination of his appointment was because of allegations levelled against him that he paid two FAN Milk, Kano cheques for N4,620,000.00 and N2,750,000.00 which was contained in their letter of allegation dated 11<sup>th</sup> October, 2001.
- 2.6 That he was made to face disciplinary proceedings on 23<sup>rd</sup> October, 2001 and out right termination of his appointment on 7<sup>th</sup> November, 2001.
- 2.7 That the Petitioner during his briefing to the Committee reaffirmed that he did not pay the said money as alleged by First Bank.
- 2.8 That two of the First Bank staff (Mr. F. O. Ogo and Mr. C. O. D. Wanatoi) who were negligent in the discharge of their duties in respect of the two FAN Milk cheques were responsible for the issues at stake.
- 2.9 That the termination of his appointment by First Bank was based on miscarriage of justice and false allegations.
- 2.10 That Mr. C. O. D. Wanatoi, the Petitioner's senior officer as at then, was supposed to pass the cheque for N2, 750,000 to the manager after appending his initials on the cheque but he did not do so which is a gross neglect of his duties; that Mr. F. O. Ogo, the then manager of the First Bank at the area in question paid the cheque for N4, 620,000 and not the Petitioner as alleged by the bank. That these two major culprits were exonerated while the Petitioner became the victim of circumstance.
- 2.11 That Mr. Godwin Yarjem (Assistant Manager) who earlier saw the mistakes on the cheques returned the cheque for N4,620,000 unpaid because it was not good for payment but Mr. F. O. Ogo ignored the observation made by the Assistant Manager (Mr. Godwin Yarjem) on the cheque and went ahead to pay the cheque without any convincing reason.
- 2.12 That First Bank letter dated 10<sup>th</sup> September, 2008 to Human Rights Commission states that the Petitioner breached a very fundamental banking procedure which must be punished with termination of appointment.
- 2.13 That the First Bank Employee Handbook in pages 43-48 made it clear that termination of appointment in First Bank is the penalty for offences committed by a member of staff but his case has to do with a miscarriage of justice.
- 2.14 The petitioner urges the House to investigate the matter from the root cause to ensure justice prevails.



- 2.15 Direct the management of First Bank Nigeria Ltd. to reinstate his unlawfully terminated appointment with effect from 7<sup>th</sup> November, 2001 on which his appointment was terminated.
- 2.16 Or in the alternative, pay him compensation for the miscarriage of justice against him.

### **3.0 INVESTIGATIVE HEARING**

- 3.1 The investigative hearing was concluded on Thursday, 11<sup>th</sup> November, 2021 with both parties appearing with all the relevant documents in defence of the petition.
- 3.2. The parties also provided oral and supporting documents in defence of the petition which made it easy for the Committee to conclude their findings and make recommendations.

### **4.0 RESPONDENT'S CASE (FIRST BANK OF NIGERIA LTD.)**

- 4.1 In their presentation, First Bank of Nigeria Ltd. informed the Committee that the termination of the Petitioner's appointment followed due process in which a constituted Disciplinary Committee investigated the matter and recommended that his appointment should be terminated.
- 4.2. That upon completion of the verdict, the Petitioner exercised his right to appeal the decision and the Appeal Committee reviewed the verdict and upheld same as it adjudged that the Disciplinary Committee's decision was fair and valid.
- 4.3 That the Bank paid all the accrued entitlements to the Petitioner (Mr. Ndubuisi Nwabueze Nwosu) upon the termination of his appointment.
- 4.4 That at the Committee's investigative hearing of the matter dated 27<sup>th</sup> May, 2021, First Bank was urged by the Committee to look into the case and see what they can do to assist the Petitioner.
- 4.5 That the update on the Committee resolution showed that the bank reviewed the case again with the following outcomes:
- 4.6 That the Petitioner's employment was terminated in line with the Conditions of Service as captured in the Bank's Employment Handbook that governed the employment.
- 4.7 That there was no new evidence or facts presented by the Petitioner or found by the Bank that could warrant a different decision on the termination.



- 4.8 That the Bank acted in line with the terms and Conditions of its employment contract with the Petitioner, having adhered to the approved Disciplinary Processes and the Petitioner's employment was not terminated based on poor performance or redundancy.
- 4.9 That the Petitioner's Contract of Employment was terminated for breach of the bank's policy and in line with the Conditions of Service as captured in the Employment Handbook on disciplinary matters which included appearance before a duly constituted Disciplinary Committee of the Bank, communication of sanction and an appeal hearing in exercise of the Petitioner's right of appeal.
- 4.10 That the Petitioner exercised his right of appeal in line with the provisions of the Employment Handbook and the appeal was considered and declined for lack of merit and that the Petitioner was given a fair hearing process before the employment was terminated.
- 4.11 That the Petitioner and one Mr. Miko verified cheques that led to the fraudulent transactions on a customer's account; they were negligent in the performance of their duties and their negligence led to the loss of funds.
- 4.12 That the Bank claimed that they paid all the entitlements due to the Petitioner at the point of the termination.
- 4.13 That the Bank made unsuccessful attempts at contacting other five employees indicted during the investigative hearing of the case by the Committee.
- 4.14 That the ex-employees include; Messrs. Garuba, Miko, Census Wanatoi, Francis Ogo, Godwin Yarjem and Maikachalla Gujba who exited the bank in 2001, 2007, 2002, 2006 and 2004 respectively and have since moved on with their lives.
- 4.15 That under extant laws and regulations and given the date of exit of the Petitioner, the Bank is not required to still retain the records or entertain this petition due to effluxion of time since the contract of employment ended about 20 years ago.
- 4.16 That while appreciating the efforts of the Committee in trying to resolve the matter, the management of First Bank Nigeria Plc. still maintain that the termination of the petitioner's appointment with the Bank which was effective in 7<sup>th</sup> November, 2001 was valid and in accordance with the terms of his Contract of Employment.



## 5.0 COMMITTEE FINDINGS

- 5.1 The Committee, after thorough investigation and perusal of all the documents tendered before it in defence of the Petitioner observed as follows:
- 5.2 That the case is all about alleged false allegations of payment of two Fan Milk Plc., Kano cheques for N4,620,000 and N2,750,000 totalling N7,370,000 by the management of First Bank against the Petitioner, Mr. Ndubuisi N. Nwosu which was not properly investigated by the Bank before the termination of his appointment on 7<sup>th</sup> November, 2001.
- 5.3 That the Employment Agreement entered into by him and the First Bank stated that he was to serve for thirty-five (35) years but following a disciplinary proceedings involving four officers of the bank over two cheques payable to Fan Milk Plc., Kano, his appointment was terminated unlawfully on 7<sup>th</sup> November, 2001.
- 5.4 That the Fan Milk Plc., Kano cheque for N4,620,00 which is contained in the letter of allegation against the Petitioner was paid and signed by Mr. F. O. Ogo, the then Manager, while the cheque for N2, 750,000 was handled by Mr. C.O.D Wanatoi.
- 5.5 That the Bompai Police Station, Kano interrogated Mr. F. O. Ogo and Mr. C. O. D Wanatoi in respect of the two Fan Milk Plc, Kano cheques in the month of July, 2001 but First Bank, Kano exonerated both officers and instead issued him a letter of allegation dated 11<sup>th</sup> October, 2001 which resulted in him undergoing disciplinary action on 23<sup>rd</sup> October, 2021, the outcome of which was termination of appointment on 7<sup>th</sup> November, 2001.
- 5.6 That Alhaji M. K. Gujba, the then Deputy General Manager/Head North Banking Operations, Kano signed his letter of termination of appointment under instruction from First Bank Head Office, Lagos.
- 5.7 That Alhaji M. K Gujba was personally convinced that he (the Petitioner) was completely innocent after studying the event that took place. As a result, he recommended to Head Office, Lagos for two times to reinstate his appointment.
- 5.8 That he protested the termination of his appointment in line with the Conditions of Service applicable in First Bank's employment letter dated 22<sup>nd</sup> November, 2001, pleading miscarriage of justice and false allegations contained in the First Bank letter of allegation dated 11<sup>th</sup> October, 2001.
- 5.9 The Respondent (First Bank Plc.) on the other hand, stated that the Petitioner's Contract of Employment was terminated for breach of the Bank's Policy and in line with the Conditions of Service as captured in the Employment Handbook on



disciplinary matters.

- 5.10 That the Petitioner was given a fair hearing and passed through all relevant stages of the disciplinary process before the employment was terminated.
- 5.11 That the Petitioner and one Mr. Miko verified the cheques that led to fraudulent transactions on a customer's account.
- 5.12 That at the last hearing date, the Committee advised First Bank to produce the people mentioned in the Petition for thorough investigation to be done in the matter but First Bank failed to do so.
- 5.13 The Committee is of the view that since First Bank failed to produce the people as advised by the Committee it means that if they have produced those people, the matter will be against them.
- 5.14 More so, considering the timeframe as regard the time the Petitioner's appointment was terminated, he cannot be reinstated – instead he should be retired.

## **6.0 COMMITTEE RECOMMENDATIONS/CONCLUSION**

- 6.1 The Committee, in view of their findings, above, urges the House to mandate the Managing Director, First Bank Nigeria Plc. to convert Mr. Ndubuisi Nweze Nwosu dismissal to compulsory retirement.
- 6.2 Pay him all the arrears of his entitlements and benefits to enable him start life elsewhere.

## **7.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended.



## CASE 53:

### **REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS BY OUTDOOR ADVERTISING ASSOCIATION OF NIGERIA AGAINST THE DEPARTMENT OF OUTDOOR ADVERTISEMENT AND SIGNAGE FCT ABUJA, A CRY FOR URGENT HELP TO RESCUE THEIR PRACTICE AND BUSINESS IN THE FEDERAL CAPITAL TERRITORY (FCT) FROM THE INSENSITIVITY AND STRANGULATING GRIP BY THE ABOVE STATED DEPARTMENT.**

#### **1.0 PREAMBLE**

- 1.1 The House of Representatives at its sitting Tuesday, 16th March 2021 received a petition presented by **Honourable Augelcan Umuaf** in behalf of **Outdoor Advertising Association of Nigeria (OAAN)** against the **Department of Outdoor Advertisement and Signage FCT (DOAS)**, A Cry for Urgent Help to Rescue their Practice and Business in the Federal Capital Territory (FCT) from the above mentioned department of FCT, Abuja.
- 1.2 Pursuant to sections 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and in accordance with the House Standing Order XX Rule 5(2) [b] of the 9th Assembly and in line with the principles of fairness, equity and justice, the petition was referred to the Committee on Public Petitions for further legislative action.

#### **2.0 PETITIONERS CASE**

- 2.1 The petitioner informed the Committee that they were members of the Outdoor Advertising Association of Nigeria (OOAN), the umbrella body of all forms that engage in professional outdoor advertising practice and business in Nigeria and their business contributes quite significantly to the economy of the Federal Capital Territory through the annual permit fees they pay on their billboards and other display platforms as well as through the various levies and taxes that they also pay to FCT.
- 2.2 That as law abiding citizens of the country, it is their civic responsibility both as individuals and a corporate organisation to pay these levies and taxes but also believed that their businesses activities in the FCT and its environs should not be stifled and strangulated as result of the excessive regulation and taxes /fees.



- 2.3 That despite the aforementioned, the Department of Outdoor Advertising and Signage (DOAS) created by the Federal Capital Territory Administration to regulate some aspects of their practice in the FCT for revenue generation and other purposes were on a mission to scuttle their business activities in FCT Abuja.

### **3.0 PETITIONERS PRAYER**

- 3.1 That they need the Committee's intervention in the following specific areas:
- 3.2 That DOAS should carry out cancellations of the high indebtedness accumulated by their members as a result of arbitrary manner in which the fees were fixed without any consideration for the prevailing market and economic realities. That the DOAS should cut down to 45% both old and current annual permit fees charged to Graphic Projects Ltd. by the Department on all their billboards and other platforms across board.
- 2.3 That as a result of non-patronization of the company by their customers/clients, they no longer earn revenue from the vacant and empty billboard platforms.
- 2.4 That out of the total bills of N133,432,000 charged by the DOAS as permit fees from 2019 to date, Graphic Projects Ltd has been able to pay N11,202,000 (2019), N28,000,000 (2020) and N23,000,000 (2021) and with the reduction of the charges by 45% discount which amounts to N60,044,400.00, the outstanding amount equals N11,185,600.00.
- 2.5 That the DOAS should issue Practice Permits to Graphic Projects Limited and desist from taking Laws into their hands by illegally removing the display materials of their members (APCON) for any infractions without following laid down processes of engagement with them.
- 2.6 That DOAS should be compelled to grant waivers (exemptions from Payments) on the fees Payable for the Year 2020 as palliative for their members in view of the negative impact of COVID-19 pandemic on their business activities in FCT Abuja.
- 2.7 That the DOAS should not concession any stretch of road within the FCT to any individual company but should give all the companies recognized by the Advertising Practitioners Council of Nigeria (APCON) especially members of OAAN equal opportunities to operate within FCT.
- 2.8 That the DOAS should seek to regularize their legal status, as the department is currently unknown to any laws of the land and as such were acting and operating illegally.



### **3.0 INVESTIGATIVE HEARING**

- 3.1 The investigative hearing was concluded on Tuesday, 8th June, 2021 with the petitioner presenting both oral and documentary submissions while the respondent DOAS only made oral presentations.

### **4.0 RESPONDENT PRESENTATION (DOAS)**

- 4.1 The Department of Outdoor Advertisement and Signage (DOAS) created by the Federal Capital Territory Administration (FCTA) stated in their oral presentation that they were created to monitor the activities of billboards and other electronic advertising companies within the FCT as well as pay taxes to the Federal Treasury Account.
- 4.2 That since its inception, the management of (OAAN) owes the FCT DOAS N2 billion naira without showing signs of paying the money to the government coffers.
- 4.3 That they have been lenient with the petitioner in charging them when it comes to Outdoor advertisement activities.
- 4.4 That on the issue of charging them on the vacant billboards, the billboards are occupying space in the FCT which could have been utilized by other advertising agencies that were ready to foot the bill and that was why they were charging them with huge discount rate.
- 4.5 That FCTA (DOAS) has done a lot in reducing their bills/fees to a considerate rate still they were not cooperating with them.
- 4.6 That for the interest of justice equity and fairness, they will look into their demand with a promise to come up with a downward review of their charges.

### **5.0 COMMITTEE FINDINGS**

- 5.1 The Committee after thorough investigation of both parties involved in the above petition observed as follows:
- 5.2 That Outdoor Advertising Association of Nigeria (OAAN) is the umbrella body of all firms that engage in professional outdoor advertising practices and business in Nigeria.
- 5.3 That the problems of this body (OAAN) was that they were finding it difficult to meet up with the levies, fees and taxes billed to them by DOAS in FCT to pay.





- 5.4 That the problem was caused as a result of economic meltdown in their advertisement industry as a result of the COVID-19 pandemic in the country which made their customers to reduce the rate of patronizing them in their business.
- 5.5 That the DOAS FCT was factual in telling the Committee that they have been lenient with the management of OAAN in charging their business activities in FCT.
- 5.6 That currently the OAAN owes DOAS the sum of N2, 000,000,000 which they were yet to pay as at the time of this report.
- 5.7 That as a test case, Graphic Projects Limited represented that with 45% discount granted on the total bills of N133,432,000 (N60,044,400) charged by the DOAS as permit fees from 2019 to-date they were able to offset N11,202,000 out of the N70,442,000 charged in 2019; N28,000,000 out of N31,245,000 charged in 2020 and N23,000,000 out of N31,245,000 charged for 2021 leaving outstanding bills of N11,185,600.00.
- 5.8 That OAAN is requesting for the House's intervention to reduce their current annual permit fees charged to 45% and graciously grant waivers (exemptions from payments) on the fees payable for the year 2020 as palliative to their members in view of the negative impact of COVID-19 pandemic on their business activities in FCT Abuja, which the DOAS has agreed to look into.

## **6.0 COMMITTEE RECOMMENDATIONS/CONCLUSIONS**

- 6.1 The Committee, in view of her findings above, recommends the House to urge the Honourable Minister of FCT to:
- 6.2 Direct the Executive Director of Department of Outdoor Advertising Signage (DOAS) to stop charging the Management of Outdoor Association of Nigeria (OAAN) on vacant billboards because of their clients' low patronage which makes them earn less revenue.
- 6.3 That the Department of Outdoor Advertising Signage (DOAS) should issue Practice Permits to Graphic Projects Limited for them to reinstall the billboards along Herbert Macaulay Way, Abuja having met with all the requirements.
- 6.4 To reduce their annual charges, fees, levies etc. on their billboard business activities to 45% as done in the case of Graphic Project Ltd. – an advertising company - that has been able to substantially offset DOAS' three years bills amounting to N113,432,000 after 45% discount of N60,044,400.



- 6.5 That the Department of Outdoor Advertising Signage (DOAS) should also consider reducing the 2 billion naira debt owed by Outdoor Advertising Association of Nigeria (OAAN) to 45% to enable them sustain their ongoing and future business activities in FCT.

## **7.0 RESOLUTION ADOPTED BY THE HOUSE**

The House adopted the recommendation by the Committee.



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## CASE 54:

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### REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON THE PETITION BY G. B. DIAMOND & CO. ON BEHALF OF MR. JOSEPH OHWOJORHO AGAINST FEDERAL MINISTRY OF COMMERCE & TOURISM ON ALLEGED UNLAWFUL DISMISSAL AND FLAGRANT ABUSE OF FUNDAMENTAL HUMAN RIGHTS.

#### 6.1 PREAMBLE

- 1.1 The House of Representatives at its sitting on Wednesday, 13th October, 2021 received a petition presented by **Hon. Ben Igbakpa** on behalf of **G.B. Diamond & Co.** Counsel to **Mr. Joseph Ohwojorho** against **Federal Ministry of Commerce & Tourism** on the alleged Unlawful Dismissal and Flagrant Abuse of Fundamental Human Rights. Pursuant to Section 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and in accordance with the House Standing Order XX. Rule 5[b] of the 9th Assembly and in line with principles of fairness, equity and justice, the petition was referred to the Committee on Public Petitions for further legislative actions.

#### 2.0 PETITIONER'S CASE

- 2.1 The Petitioner informed the Committee that he was employed by the Ministry of Commerce and Tourism in 1983 as an Assistant Produce Superintendent in-Training and thereafter rose to the rank of Higher Produce Superintendent.
- 2.2 That his appointment was confirmed on 3rd August, 1992 without any outstanding query or disciplinary case against him.
- 2.3 That his appointment was terminated through a letter of dismissal with reference No. EC.6284/S21/201 dated 8th April, 1997 which implied some wrongdoing on his part which was an abuse of his fundamental human rights and contrary to Section 36 (1) of the 1999 Constitution of the Federal Republic of Nigeria.
- 2.4 That since there was no disciplinary matter brought to his attention he appealed through Ikoghode Yakubu Sambo & Associates to the Chairman Federal Civil Service Commission against his dismissal vide their letter dated 28th May, 2001 wherein he argued that he was never invited to make the representation as stated in his dismissal letter.



- 2.5 That he was informed that his dismissal was ostensibly the outcome of Circular Ref. No. FC4054/S.1/V/768 of November 6th, 1995 LFN Cap. 55 and the Special Provision Decree No. 17 of 1984 and the Civil Service (Reorganization) Act, 1999 which was done nationwide.
- 2.6 That the Civil Service Commission forwarded a letter to the Hon. Minister, Federal Ministry of Commerce & Tourism coded FC.62125/S.I/C.I/46 dated 7th April and signed by one Ahmed S. Ahmed requesting for the purported query that prompted his supposed representation and the Senior Staff Committee recommendations but till date the letter was yet to be attended to.
- 2.7 That in addition to the unlawful dismissal which was a setback to him and his family his father's rubber plantation measuring over 20 acres was taken over by Shell Petroleum Development Corporation without adequate compensation which shows that his declining fortunes were the result of gross abuse of his fundamental human rights by the authorities who were supposed to safeguard the lives and properties of all citizens.
- 2.8 That as a law-abiding Nigerian, he refused to disrupt the oil exploration activities of Shell Petroleum on the six functioning oil wells on the land, but sought reprieve by appealing, among other avenues, to the Head of the Civil Service of the Federation and Chairman, Senate Committee on Human Right Violation but to no avail.
- 2.9 That the Federal Ministry of Commerce and Tourism should reinstate him to his post and pay him all the arrears of salaries from April, 1997 to date after reflecting his due promotions.

### **3.0 INVESTIGATIVE HEARING**

- 3.1 The Committee concluded its investigative hearing on the issue at stake on Tuesday, 1st November, 2022 after several hearings with all parties involved in the issue at stake.

### **4.0 RESPONDENT'S SUBMISSION**

- 4.1 The Respondent (Federal Ministry of Commerce & Tourism but now known as Federal Ministry of Industry, Trade and Investment) revealed that the Petitioner was a Higher Produce Superintendent when he was dismissed on grounds of gross misconduct during the nation-wide restructuring of federal MDAs.
- 4.2 That the decision to dismiss the officer was premised on the Circular Ref. No. FC4054/S.1/V/768 of November 6, 1995 pursuant to the Special Provisions



Decree No. 17 of 1984 which has been domesticated as the Public Officers Special Provisions Act, 1984 (No.17) Cap. 381, LFN 1990.

- 4.3 That following the petitioner's appeal to the Chairman, FCSC the Federal Ministry of Commerce & Tourism was requested to provide the query and representations which informed the decision but there was no representation from the Ministry on the date the Minister was expected to appear before the Committee with facts of the matter.
- 4.4 That despite the initial failure of the Ministry, Federal Civil Service Commission and the Head of Service of the Federation to locate the quoted Decree the officers of the Legal Department were able to retrieve it and confirmed that by virtue of Section 1 (1) the Public Officers Special Provisions Act, 1984 (No.17) Cap 381, LFN 1990 all cases of removal or compulsory retirement of public officers were prohibited from the institution of civil proceedings.
- 4.5 That the Petitioner was removed by the Office of the Head of Civil Service of the Federation on behalf of the Appropriate Authority (Head of the Federal Military Government, General Sani Abacha) on grounds of gross misconduct which was yet to be established, and failed to take advantage of the window of opportunity opened to Public Officers who had similar cases as his own for them to obtain justice.
- 4.6 That virtue of the Office of the Head of the Civil Service of the Federation Circular Reference No. HCSF/A/APPEALS/001/VOL.1/333 of 9th February, 2007 informed all concerned about the procedure for implementation of the Report on the Outstanding Appeals Against Removal from the Public Service in April, 1999 under (Special Provisions) Decree No. 17 of 1984.
- 4.7 That the Hon. Minister, Federal Ministry of Industry, Trade and Investment recommended a peaceful humanitarian resolution of the matter by overriding the Legal Department's citation of a case (Shitta-Bey vs. A.G. Federation & Anor) and by so doing, reversed the Petitioner's plight for the past 25 years.
- 4.8 That in the light of the Hon. Minister's intervention, the Ministry will not be averse to any humanitarian efforts that the Federal Civil Service Commissions deems fit to make in the circumstances in assisting the Petitioner receive his gratuity and pensions as obtainable "under the pension regime that was operating during the period the Petition could be deemed to have retired statutorily from service."



## 5.0 COMMITTEE FINDINGS

- 5.1 The Committee, having perused and heard from all parties involved in the issue at stake, was able to make the following observations:
- 5.2 That the Petitioner started work as an Assistant Produce Superintendent in-Training in the Ministry of Commerce & Tourism in 1983 and was confirmed on 3rd August, 1992 till 8th April, 1997.
- 5.3 That he rose from the rank of Assistant Produce Superintendent to Higher Produce Superintendent within the period of 14 years of meritorious service without any outstanding disciplinary case against him.
- 5.4 That he was relieved of his appointment with a letter of dismissal with reference No. EC.6284/S21/201 dated 8th April, 1997 which implied some wrongdoing on his part, which was contrary to Section 36(1) of the 1999 Constitution of the Federal Republic of Nigeria.
- 5.5 That when he appealed to the Chairman Federal Civil Service Commission against his dismissal vide their letter dated 28th May, 2001 arguing that he was never invited to make the representation as stated in his dismissal letter; he was informed that his dismissal was the outcome of the Civil Service reorganization contained in Circular Ref. No. FC4054/S.1/V/768 of November 6, 1995 LFN Cap.55 pursuant to the Special Provision Decree No. 17 of 1984.
- 5.6 That in the course of addressing his appeal, the Civil Service Commission forwarded a letter to the Hon. Minister, Federal Ministry of Commerce & Tourism coded FC.62125/S.I/C.I/46 dated 7th April, 2009 requesting for obviously non-existent “query” that prompted his supposed “representation” and the Senior Staff Committee recommendations but till date the letter had not been attended to.
- 5.7 That his plight became worse following the unlawful dismissal when his father’s rubber plantation measuring over 20 acres was taken over by Shell Petroleum Development Corporation without adequate compensation but as a law-abiding Nigerian, he refused to disrupt the oil exploration activities of Shell Petroleum on the six functioning oil wells on the land, but sought reprieve by appealing, among other avenues, to the Head of the Civil Service of the Federation and Chairman, Senate Committee on Human Right Violation to no avail.
- 5.8 That Federal Ministry of Commerce & Tourism could not provide facts of the matter, namely; the query and representations which informed the decision to



dismiss on the date they were request to do so but afterwards the officers of the Legal Department were able to produce it and pointed that by virtue of Section 1 (1) the Public Officers Special Provisions Act, 1984 (No.17) Cap 381, LFN 1990 all cases of removal/dismissal or compulsory retirement of public officers were not open for litigation and civil proceedings.

- 5.9 That since the Petitioner was removed by the Office of the Head of Civil Service of the Federation on behalf of the Appropriate Authority (Head of the Federal Military Government, General Sani Abacha) on the grounds of gross misconduct which was not established, he should have taken advantage of the window of opportunity opened to Public Officers who had similar cases as his own to obtain justice in line with Circular Reference No. HCSF/A/APPEALS/001/VOL.1/333 of 9th February, 2007.
- 5.10 That despite the military decree that was contested in court (Shitta-Bey vs. A.G. Federation & Anor) Clause ii of the said Circular which was the framework for the implementation of the Report on the Outstanding Appeals Against Removal from the Public Service in April, 1999 should have been applied in his case if he had taken advantage of the window of opportunity.
- 5.11 That in his quest for a peaceful humanitarian resolution of the matter the Hon. Minister, Federal Ministry of Industry, Trade and Investment disregarded advice of the Legal Department on the issue with a view to reviewing the Petitioner's plight for the past 25 years.
- 5.12 That in light of the Hon. Minister's intervention, the Ministry will not be averse to any humanitarian efforts that the Federal Civil Service Commission deems fit to make in the circumstances in assisting the Petitioner receive his gratuity and pensions as obtainable **“under the pension regime that was operating during the period the Petitioner could be deemed to have retired statutorily from service.”**

## 6.0 COMMITTEE RECOMMENDATIONS /CONCLUSIONS

- 6.1 The Committee recommend that the House discountenances the petition for lack of merit.

## 7.0 RESOLUTION ADOPTED BY THE HOUSE

Dismissal approved.



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## CASE 55:

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### **REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS BY E.K MUONEKE AND CO (MATER AMABILIS CHAMBERS) AGAINST ECONOMIC AND FINANCIAL CRIMES COMMISSION (EFCC) ON THE ALLEGED REFUSAL TO CONCLUDE INVESTIGATIONS ON THE PETITION AGAINST ANAMBRA STATE MINISTRY OF ENVIRONMENT, UTUH MICRO FINANCE BANK LIMITED AND CORNELIUS AGINA WHO CONSPIRED TO DIVERT THE SUM OF N31.8 MILLION MEANT FOR CONTRACT EXECUTED BY EZUSON INTEGRATED CONCEPT SERVICE LIMITED OF NO. 37 SOKOTO ROAD ONITSHA ANAMBRA STATE**

#### **1.0 PREAMBLE**

- 1.1 The House of Representatives at its sitting on Tuesday, 15th March 2021 received a petition presented by **Honourable Barr. Lynda Chuba Ikpeazu** on behalf of **E.K Muoneke and Co** Pursuant to **Section 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria** (as amended) and in accordance with the **House Standing Order XX. Rule 5[b] of the 9th Assembly** and in line with principles of fairness, equity and justice, the petition was referred to the Committee on public petitions for further legislative actions.

#### **2.0 PETITIONER'S CASE**

- 2.1 The petitioner E.K Muoneke and Co (Counsel to Ezuson Integrated Concept Service Limited) informed the committee that Anambra State Ministry of Environment advertised for contract for the collection and disposal of waste in Nnewi North LGA of Anambra State.
- 2.2 That having bid for the job through his manager (Chief Sebastian Aginam) and got the award through a document on Ref **MOENV/AN/PS/VOL1/12** dated 15th January 2015.
- 2.3 That the petitioner's client was out of the country at the time the award of the contract paper was given but his manager (Chief Sebastian Aginam) informed the Chairman of the company of his effort to co-opt Chief Cornelius Aginam who promised to assist in securing a loan for the execution of the contract pending when the chairman returns to the country to reimburse him of his expenses made in securing the contract.





- 2.4 That Chief Cornelius after sourcing for the loan for the execution of the contract then claimed to be the owner of the company at UTUH Micro Finance Bank Limited and consequently secured the loan on that guise.
- 2.5 That after discovering that the said Chief made fraudulent representation by claiming ownership of the company which made the chairman of the company step up action by writing a petition to the manager of UTUH Micro Finance Bank Limited dated 21/5/2015 and 9/6/2015 but the said bank ignored the information and continued their transaction with the said Cornelius.
- 2.6 That all efforts made by the petitioner including writing the NPF Anambra State to address the issue at stake were to no avail.
- 2.7 That the petitioner also wrote to EFCC on 22/2/2017 who invited both parties including the Ministry of Environment Anambra State to Abuja on 18th January 2018 and having looked into the matter by EFCC began investigation and advised parties that the report of the investigation will be made available to them.
- 2.8 That the petitioner wants the Committee to intervene on the matter to ensure that EFCC responds to their demand.

### **3.0 INVESTIGATIVE HEARING**

- 3.1 The Hearing was concluded on Thursday, 7th July 2021 with both parties appearing to make Oral and Documentary presentations to defend their position

### **4.0 RESPONDENT PRESENTATION(EFCC)**

- 4.1 The EFCC through their deputy Head of Operations (Adebayo Adeniyi) informed the Committee that the case in question was reported to their Commission on 27th February 2017.
- 4.2 That the bank aspect of the fraud had been investigated by the Commission.
- 4.3 That in their finding the petitioner alleged that on 4th August 2014, he applied for the Management of waste disposal in Nnewi L.G.A through Anambra State Ministry of Environment using his company name (Ezuson Integrated Services Ltd).
- 4.4 That one Cornelius Agina who is the manager of his company forged a board resolution of the company and fraudulently opened a corporate account with UTUH Micro Finance Bank Limited and transferred the contract to himself with



the knowledge of the Anambra State Ministry of Environment using the company name (Ezusun Integrated Service Limited).

- 4.5 That he Cornelius Agina collected the sum of N35 million and travelled to USA with the assistance of UTUH Microfinance Bank where the entire contract sum was remitted outside the prescribed Bank account by the Anambra State Government.
- 4.6 That investigation of the case in question by EFCC was conducted on all parties involved on the matter such as fidelity Bank, UBA and Zenith Bank requesting detail of Cornelius Agina account.
- 4.7 Observation showed that:
  - 4.7.1 Contract of solid waste collection and disposal was awarded to Ezusun Integrated Concepts Service Limited in 2015.
  - 4.7.2 That the suspect Cornelius worked with Volkswagen company in California USA and was also the operation Manager of Ezusun Integrated Service Limited.
  - 4.7.3 That the response from UTUH Microfinance Bank indicated that an account was opened in the name of Ezusun Integrated Concept Service Limited based on the board's resolution signed by Chief Sebastian Aginam. Chief Cornelius Agina and Philip C. Azuibuike who were also signatories.
  - 4.7.4 That the sum of N35, 584,123.01 was paid into the said company account by the Anambra State Ministry of Environment.
  - 4.7.5 That the complainant reported the matter to Anambra Police Command and Anambra State Ministry of Environment where the case was investigated.

## 5.0 COMMITTEE FINDINGS

- 5.1 The Committee after thorough investigation and base on both parties submission came up with the following:
- 5.2 That the petitioner E.K Muoneke was worried over the non- conclusion of the investigation of his matter by EFCC which was tendered in their office for investigation. That the case in question bothered on fraudulent representation by Chief Cornelius Agina who claimed ownership of the company named UTUTH Micro Finance Bank Limited.



- 5.3 That the said Cornelius was co-opted by Chief Sebastian Aginam to assist to secure Loan for the execution of the contract that was awarded to Ezuson Integrated Concept Service Limited.
- 5.4 That Chief Cornelius Agina went ahead to source for the Loan and then claimed to be the rightful owner of the company after securing the loan.
- 5.5 That during investigation by EFCC the response from UTUHH Micro Finance Bank Limited showed that an account was opened in the name of Ezuson Integrated Limited Service base on the board resolution signed by Chief Cornelius Agina and also Philip C. Azuibuike who were also signatories to the account.
- 5.6 That the sum of N35, 584,123.01 were paid into the said company account by the Anambra State Ministry of Environment.
- 5.7 That it was discovered that the entire sum was withdrawn by the suspect Cornelius Agina and the account was closed sometime in October 2015.
- 5.8 That investigation is ongoing as CAC has requested for the company's profile and efforts were ongoing to settle the matter.
- 5.9 That as soon as the investigation is concluded and a prima facie case is established against the suspect, the case will be charged to court immediately.

## **6.0 COMMITTEE RECOMMENDATIONS /CONCLUSIONS**

The Committee in view of the findings above urges the House to direct the EFCC Chairman to expedite action in the process of concluding the investigation of the matter to bring the culprit to book.

- 6.1 That after 3 months of waiting without getting result from the EFCC the petitioner E.K Mouneke should report back to the House for further legislative actions.

## **7.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended.



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## CASE 56:

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### REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS BY IDONIJE OYAKHILOME AGAINST NATIONAL YOUTH SERVICE CORPS ON THE ALLEGED GRAVE INJUSTICE DONE AGAINST HIS PERSON OVER AN OFFENCE HE DID NOT COMMIT

#### 1.0 PREAMBLE

- 1.1 The House of Representatives at its sitting on Tuesday, 23rd February, 2021 received a petition presented by **Honourable Prof. Julius Ihonvbere** on behalf of **Mr. Idonije Oyakhilome** against the **National Youth Service Corps (NYSC)** on grave injustice done against his person over an offence he did not commit.
- 1.2 Pursuant to Section 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and in accordance with the House Standing Order XX. Rule 5[b] of the 9th Assembly and in line with principles of fairness, equity and justice, the petition was referred to the Committee on public petitions for further legislative actions.

#### 2.0 PETITIONERS CASE

The petitioner Mr. Idonije Oyakhilome a dismissed staff of NYSC informed the Committee that his ordeal started when he was alleged to have connived with an imposter to fraudulently collect the discharge Certificate of an absconded corps member by name **Kolawole Akinwale** with State Code No **OG/08C/0472**.

- 2.1 That a panel was set up by the then Ogun State NYSC Coordinator in the person of Mr. Arokoyo (a retired Deputy Director) to investigate the matter.
- 2.2 That in the course of the panel's sitting, the head of the panel Mr. Kuoye Kuoye, Deputy Director (DD) concluded that he might have connived with one Mrs. Adesunloro, a staff of the Abeokuta NYSC zonal office who was a prime suspect to commit the fraud.
- 2.3 That the petitioner's dismissal was contained in a letter dated 16th November, 2011.
- 2.4 That ever since, the petitioner had tried all legal actions to get justice but to no avail.



- 2.5 That the petitioner insists that due process was not followed in his dismissal because there was no panel that represented the NYSC HQ Abuja during the investigation of his case and that he was never given any warning letter or suspended before he was dismissed from the service.

### **3.0 PETITIONER'S PRAYER**

- 3.1 For the House intervention to ensure his reinstatement back to service with all his benefits fully paid.

### **4.0 INVESTIGATIVE HEARING**

- 4.1 The investigative hearing was concluded on Wednesday, 29th June, 2021 with petitioner appearing to make both oral and documented presentation while NYSC only sent their documented submissions.

### **5.0 RESPONDENT PRESENTATION (NYSC)**

- 5.1 According to NYSC in their submission through DG (Brig Gen. Shuaibu Ibrahim) informed the Committee that the National Youth Service Corps (NYSC) is a Federal Government Agency, established by Decree No 24 on 22nd May 1973 which was repealed and replaced by Decree No 51 on 16th June 1993 now an Act Cap. 84 Law of the Federation of Nigeria 2004
- 5.2 That it had the mandate to mobilize qualified Nigerian graduates both at home and abroad, for a compulsory one year National Service.
- 5.3 That on the issue at stake the petitioner Mr. Idonije Oyakhilome was employed as Inspector II on Salary Grade Level 8 with effect from 5th February 2007 and was posted to NYSC Ogun State Secretariat where he worked as Local Government Inspectorate at NYSC zonal office Abeokuta South L.G.A of Ogun State.
- 5.4 That sometime in 2010, the State Coordinator NYSC Ogun State forwarded a report of gross misconduct to the National Directorate HQ Abuja on the officer and another staff of the Service.
- 5.5 That Mr. Idonije was reported to have been involved in a case of extortion and connivance with an imposter to fraudulently collect the Certificate of National Service (CNS) of an absconded corps member named Mr. Kolawole Akinwale with State Code No OG/08C/0472.



- 5.6 That in view of the aforementioned according to the laid down procedures the petitioner was queried and a committee was constituted to investigate and deliberate on the allegation.
- 5.7 That in the course of the investigation, the committee received both oral and written submissions from the officer and other staff involved.
- 5.8 That inspite of the glaring evidence on the involvement of Mr. Idonije Oyakhilome and other staff Mrs. Adesunloro the petitioner denied any knowledge of the involvement of the alleged fraudulent act.
- 5.9 That some of the allegations levelled against the petitioner was that he received gratification in the sum of N25, 000 offered to them by the absconded corps member Mr. Kolawole Akinwole with State Code No. OG/08C/0472 in which his own share was money N7, 000 though he claimed that the said money was a loan he collected from Mrs. Adesunloro.
- 5.10 That both officers arranged for a fake NYSC Identity Card obtained in October 2009 and final clearance letter from Kolawole's employer through another corps member.
- 5.11 That the officers used their offices to lure a corps member named **Benjamin Francis** to obtain clearance letter from his place of primary assignment for their use and instructed the corps member to complete relevant document in the name of Kolawole Akinwole.
- 5.12 That the absence of thorough checks of monthly clearance and the final clearance by the then zonal Inspector made it easy for the officers to engage another corps member to obtain the document with which the absconded corps member Mr. Kolawole Akinwole was cleared.
- 5.13 That Mr. Idonije's actions contravened the rules in operation at the time; Civil Service Rule CSR 04401, (IX) (XVII) and (XX) which borders on corruption dishonesty, falsification of records which were acts of serious misconducts.
- 5.14 That the Committee who investigated the matter recommends as follows: That the petitioner should be made to refund the sum of N25, 000 gratification which he collected and be returned to the government coffers.
- 5.15 That the two officers indicted should be reposted from NYSC zonal office to the State Secretariat for proper monitoring and be given schedules that will prevent them from having direct access to corps members and other sensitive duties.



- 5.16 A strong warning letter with loss of seniority for one year by the officers.
- 5.17 That such recommendation was overruled by the Legal Unit of the NYSC who were of the view that the offence committed by the petitioner fall under serious misconduct which attracts outright dismissal in line with the provisions of **Chapter 3.4 (1)** of the NYSC Condition of Service.
- 5.18 That arising from the consideration of the Senior Staff Committee and the approval of the National Governing Board at its meeting on 20th July, 2021 that the petitioner Mr. Idonije Oyakhilome to be dismissed from the service for gross misconduct with a dismissal letter handed over to him on 16th November, 2001.
- 5.19 That while the **Human Resources Management Department of NYSC** with input from the Legal Unit commenced work to present the case to the Senior Staff Committee for review. The petitioner has already gone to the **National Industrial Court (NIC) Abuja** with a suit against the scheme, alleging that he was unlawfully dismissed and therefore asking for reinstatement, salaries and payment of N2 million for general damages.
- 5.20 That the legal team of the NYSC successfully defended the action and the case was struck out by the National Industrial Court on 23rd September, 2013 for being statute barred.
- 5.21 The position of the NYSC on the matter was that the decision followed due process and the petitioner was not punished unjustly as the scheme always strived to ensure that bad eggs among its personnel were fished out punished in accordance with the **Public Service Rules (PSR)** with a view to preventing other staff from towing the same path.

## 6.0 COMMITTEE FINDINGS

- 6.1 The Committee after thorough cross examination of both parties in their oral and documentary presentations, observed as follows:
- 6.2 That Mr. Idonije Oyakhilome was employed into the service of NYSC on grade level 8 as an inspector II and had worked barely 2 years before his dismissal from the service.
- 6.3 That he was dismissed from the service on allegations of gross misconduct in a case of extortion and connivance with an imposter to fraudulently collect the Certificate of National Service (CNS) of an absconded corps member named Kolawole Akinwale with Ogun State Code No OG/08C/0472 which he denied despite of the



clear evidence of his involvement in the matter.

- 6.4 That a Committee was constituted to investigate the matter and came up with a recommendation of lighter punishment on them but their recommendations was overruled by the Legal Unit of NYSC HQ Abuja who insist that the petitioner's offence was a gross misconduct that required outright dismissal from the service which is in line the provisions of Chapter 3.4 (i) of the NYSC Condition of Service.
- 6.5 That the Human Resources Management Department of NYSC was in the process of reviewing the decision of the NYSC to dismissed the petitioner when the petitioner Mr. Idonije O. instituted a suit at the National Industrial Court sitting in Abuja against the scheme where he claimed the sum of N2 million and other entitlements as damages done to him as a result of the wrongful dismissal but the matter was struck out of court for being stature barred.
- 6.6 The Committee also observed that since the offence was not directly committed by the petitioner but through collaboration with an imposter he would have been given a lighter punishment other than outright dismissal from service.

## **7.0 COMMITTEE RECOMMENDATIONS /CONCLUSIONS**

The Committee in view of the findings above urges the House to Direct the Director General of NYSC HQ Abuja to uphold the recommendation of the committee constituted to investigate the matter which stated as follows: That the N25, 000 gratification collected by the officer should be returned to the government coffers.

- 7.1 That the two officers involved in the matter Mr. Idonije Oyakhilome and Mrs. Adesunloro should be posted from NYSC Zonal office to State Secretariat for proper monitoring and will be given a schedule that will prevent them from having direct access to the corps member and other sensitive duties.
- 7.2 Loss of seniority for one year by the officers with strong warning letter should be issued to the officers.
- 7.3 Reinstate the petitioner Mr. Idonije Oyakhilome back to service without arrears of salaries and entitlement to service as a deterrent to those who have plans to do same in the future.

## **8.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended.





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**CASE 57:**

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**REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS BY RABIU OKIKIOPOSU AKKEM ADEMOLA ON BEHALF OF LATE MRS. RABIU AMORI MUYIMAT AGAINST PENSION TRANSITIONAL ARRANGEMENT DIRECTORATE (PTAD) ON ALLEGED NON-PAYMENT OF BENEFITS AND ENTITLEMENTS****1.0 PREAMBLE**

- 1.1 The House of Representatives at its sitting on Tuesday, 23rd February 2021 received a petition presented by Honourable James Adise O. on behalf of Late Mrs. Rabiu Amori Muyimat against Pension Transitional Arrangement Directorate (PTAD) for non-payment of benefits and entitlements.
- 1.2 Pursuant to Section 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and in accordance with the House Standing Order XX. Rule 5[b] of the 9th Assembly and in line with principles of fairness, equity and justice, the petition was referred to the Committee on public petitions for further legislative actions.

**2.0 PETITIONERS CASE**

The petitioner **Mr. Rabiu Okikioposu** on behalf of **Late Mrs. Muyinat Amori Rabiu** informed the Committee that he wrote to express their worries over the non-payment of entitlements and benefits of **Late Mrs. Muyimat Amori Rabiu** by the Management of PTAD.

- 2.1 That the above named deceased was disengaged by NITEL on 30th September, 2006 after which she died on 17th July, 2021.
- 2.2 That efforts made by the deceased family to claim her entitlements after the submission of all required documents with the organization for five years now has proven abortive.
- 2.3 That the available information within their domain showed that other deceased defendants have been paid as displayed on their website, thereby leaving their own unpaid.
- 2.4 The petitioner prayed for the House's intervention to ensure prompt payment of their Late Mother's entitlement.



### 3.0 INVESTIGATIVE HEARING

- 3.1 The Hearing was concluded on Wednesday, 17th March, 2021 with both parties making oral and documentary presentation to defend their position.

### 4.0 RESPONDENT PRESENTATION(PTAD)

- 4.1 According to **Dr. Chioma N. Ejikeme (ES PTAD)** informed the Committee that the deceased pensioner's name was on the list of NITEL/MTEL Ex-Workers database received from the Bureau of Public Enterprise (BPE) at the time of takeover of pension obligation for that category of Ex-workers.
- 4.2 That the directorate carried out a specific verification exercise for all bona fide NITEL/MTEL EX-workers and next of kin in 2018 also in addition held a nationwide verification exercise from April to November 2019 for all bona fide agencies pensioners under defined benefit scheme but do not have any evidence that the next of kin to Late Mrs. Rabi Amori participated in the verification exercise.
- 4.3 That during the comprehensive review of late Mrs. Rabi A.M career document and other records submitted pursuant to the next of Kin verification exercise that had been carried out.
- 4.4 Observation showed those pensioners that were disengaged on 30th December, 2006 were paid their 5 years lump sum by the Nigeria Telecommunication Plc. which expired in September 2011.
- 4.5 That in view of the death of Late Mrs. Rabi Amori which was on 17th July, 2011 the deceased had enjoyed the statutory 5 years guaranteed pension hence the deceased next of kin were not entitled to any further payment.

### 5.0 COMMITTEE FINDINGS

- 5.1 The Committee after thorough investigation and based on both parties submission came up with the following:
- 5.2 That the petitioner was worried over the non-payment of their deceased mother's entitlement after submitting all required document to PTAD.
- 5.3 That available information from the petitioner also showed that other deceased defendants have been paid their entitlement and benefits as displayed on the website except their mother.
- 5.4 That the comprehensive review of the Late Mrs. Rabi Amori Muyinat's career documents showed that she was disengaged on 30th December 2006 and has



been paid 5 years lump sum by Nigeria Telecommunication Plc. which expired in September 2011.

- 5.5 However in view of the death of Late Mrs. Rabi A.M on 17th July 2011, she had enjoyed the statutory 5 years guaranteed pension and the next of Kin were not entitled to any further payment.

## **6.0 COMMITTEE RECOMMENDATIONS /CONCLUSIONS**

- 6.1 The Committee in view of the findings above recommends to the House to discard the petition for lack of merit.
- 6.2 That Late Mrs. Rabi Amori had enjoyed and collected all her statutory 5 years guaranteed pension from NITEL before her death on 17th July, 2011.

## **7.0 RESOLUTION ADOPTED BY THE HOUSE**

Dismissal approved.



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**CASE 58:**

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**REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS BY TYOWANYE COMMUNITY FOR THE INTERVENTION OF THE HOUSE OF REPRESENTATIVES TO FACILITATE THE DIVERSION OF HIGH VOLTAGE TRANSMISSION CORRIDOR OF MAMBILLA HYDRO-POWER PROJECTS AWAY FROM TYOWANYE TOWNSHIP/MARKET IN SHOROV COUNCIL WARD****1.0 PREAMBLE**

- 1.1 The House of Representatives at its sitting on 23rd March, 2021 received a petition presented by Honourable Kpam Jimin Sokpo on behalf of Tyowanye Community for the intervention of the House of Representatives to facilitate the Diversion of the High Voltage Transmission Corridor of Mambilla Township/ Market in Shorov Council Ward.
- 1.2 Pursuant to Section 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and in accordance with the House Standing Order XX. Rule 5[b] of the 9th Assembly and in line with principles of fairness, equity and justice, the petition was referred to the Committee on public petitions for further legislative actions.

**2.0 PETITIONERS CASE**

The petitioner (Tyowanye Community) informed the Committee that Tyowanye town is a commercial centre in Buruku LGA of Benue state which is situated between Km 19-23 Gboko-Katsina Ala Road with a population of about 500 households. It also serves as the only market servicing the people of Shorov Council ward as well as Kusuv, Mbagen, Etulo and other surrounding villages and communities with little or no government presence.

- 2.1 That towards the end of January 2021, the inhabitants of the said community started noticing some movement of strangers who were laying beacons in the town and upon inquiry were informed that Mambilla Hydro power Project High Voltage Corridor proposed by the Federal Government through the Ministry of Power was mapped to pass through the said town and that government intends to acquire the said land for the purpose without recourse to the inhabitants of the community.



- 2.2 That the beacons had already been erected in the stated area by the contractors handling the projects, that the high voltage transmission corridor will wipe away almost half of the town if allowed to be executed as proposed.
- 2.3 That the transmission corridor measures approximately 300 metres wide and if this corridor were not diverted to pass at the outskirts of the town, it will displace at least 500 people's residential and commercial houses, schools farmlands, churches cemeteries, market places, health institutions etc which will cause a lot of collateral damage to the people of the area.
- 2.4 That Tyowanye market is a major distribution centre, its agricultural products such as Yams, Tomatoes, Rice, Soya beans, Oranges, Groundnuts etc to states like Kano, Rivers, Kastina, Anambra, Lagos, FCT, Plateau, and Cross River etc.
- 2.5 That the proposed High Voltage Corridor will destroy the means of livelihood and expose the community to serious security challenges if not diverted to another area.
- 2.6 That Shorov Community where Tyowanye town were located has kept her culture and tradition for over 200 years, that demolishing the cemeteries in that community for instance will have a serious adverse effects on the culture/traditions of the people hence there will be no place to move the traditional Cemetery.
- 2.7 That they have complained severally to the contractor handling the project and instead of forwarding their complaints to Federal Ministry of Power he went ahead to obtain a power of Attorney without following due process in their actions.
- 2.8 The petitioner prayed for the House to intervene on Federal Ministry of Power to divert the proposed High Voltage Transmission Corridor to outskirts of Tyowanye Town/ Community where fewer residential houses, schools, health institutions etc. will be affected by the High Voltage Transmission Corridor and payment of adequate compensation on the part of the Government to the people of the community.

### **3.0 INVESTIGATIVE HEARING**

- 3.1 The investigative hearing was concluded on Tuesday, 27th May, 2021 with both parties appearing to make both oral and documented presentation in defence of the petition.

### **4.0 RESPONDENT SUBMISSION**

- 4.1 The Permanent Secretary Mr. William Alo informed the Committee that actions had been taken by the Ministry to address the issue raised by the petitioner, according to the letter of the Federal Ministry of Power to the District Head of Tyowanye on



the need to divert the High Voltage Transmission Line Corridor of the upcoming Mambilla Hydro Power Projects.

- 4.2 That the careful analysis of the issues raised by the petitioner showed that the Ministry has taken some steps to ensure that it would take advantage of the ongoing survey of the transmission line Corridor by the Ministry and relevant stakeholders to avert passing through communities with existing infrastructures such as schools, Houses, Churches as much as enshrined in the Terms of Reference of the newly inaugurated project delivery committees.
- 4.3 That the project development committees would prioritize technical, socio-economic and legal consideration in the ongoing survey to keep the project cost within the acceptable limits.
- 4.4 That the ongoing surveying would be carried out with strict adherence to approved laid out regulations of the federal Government to avert undue litigation where the line would eventually pass through.

## **5.0 COMMITTEE FINDINGS**

- 5.1 The Committee after thorough investigation of the issue at stake came up with the following observations:
- 5.2 That Tyowanye town is a commercial Centre in Buruku L.G.A of Benue State which is situated between KM 19- 23 along Gboko and Katsina-Ala Road with a population of about 500 Households settlement.
- 5.3 That the said Community was worried over the plans on ground by the Federal Ministry of Power over the laying of Beacons in towns for the High Voltage Corridor of the Mambilla Power Projects.
- 5.4 That if such is allowed, it will cause severe economic hardship to the people of the community as it will affect their residential commercial houses, farmland, schools, churches, markets, cemeteries and health institutions, since the High Voltage Transmission Corridor will wipe away almost more than half of their town if executed as proposed.
- 5.5 That the Federal Ministry of Power has plans on ground to avert passage of the transmission line through communities with existing structures such as Houses, Schools, Churches, Mosques, Markets etc and this was done after the carefully analysis of the issues raised by the petitioner on their petition.



- 5.6 That the ongoing survey in the stated area would be carried out with strict adherence to approved laid out regulations of the Federal Government to avert undue litigation where the lines would eventually pass.

## **6.0 COMMITTEE RECOMMENDATIONS /CONCLUSIONS**

- 6.1 The Committee in view of their findings above recommends the House to direct the Permanent Secretary Federal Ministry of Power to expedite action in the process of diverting the transmission line corridor of the Mambilla power projects within the existing infrastructure at the Tyowanye Communities to the outskirts of the town where it will cause less damage.
- 6.2 To stop further action that will cause economic hardship to the people of the area.

## **7.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended.



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**CASE 59:**

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**REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON A PETITION BY INSPECTOR JOHN IGHODALO (RTD) AGAINST THE NIGERIA POLICE FORCE OVER ALLEGED UNPAID SALARIES, PENSION BENEFITS AND GRATUITY AFTER RETIREMENT FROM THE NIGERIA POLICE FORCE****1.0 PREAMBLE**

- 1.1 The House of Representatives at its sitting on Wednesday, 1st December, 2021 received a petition presented by Hon. Deacon Sergius Ose Ogun on behalf of Inspector John Ighodalo (Rtd) against the Nigeria Police Force over Unpaid Salaries, Pension Benefits and Gratuity after Retirement from Service.
- 1.2 Pursuant to Section 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and in accordance with the House Standing Order XX. Rule 5(2) [b] of the 9th Assembly and in line with principles of fairness, equity and justice, the petition was referred to the Committee on public petitions for further legislative actions.

**2.0 PETITIONER'S CASE**

- 2.1 The Petitioner informed the Committee that he was enlisted into the Nigeria Police Force on 4th December, 1967 and rose to the rank of Inspector before he was wrongfully dismissed in 1999 from the Nigeria Police Force.
- 2.2 That after he made several appeals for his reinstatement into the Nigeria Police, his case was considered by the Police Service Commission who reinstated him with effect from 16th February, 1998 vide a letter Ref. No. PSC/1524/111/253 dated 25th October, 2017 which informed him of his retirement with effect from 4th December, 2002. The letter also directed the Police Authority to pay him all the arrears of his salaries and entitlements.
- 2.3 That he submitted the letter and relevant documents to the Pension Transitional Arrangement Directorate sometime in 2017 for their verification and enrolment and the PTAD wrote to the Commissioner of Police, Delta State Police Command and Police Service Commission for clarification of his records.





- 2.4 That in the month of September, 2017, he was paid his accumulated pension from 2010 to date, leaving out his pension benefit and his gratuity dating from 4th December, 2002 when he was retired up to December, 2009.
- 2.5 That the PTAD informed him that the reason for their non-payment of his pension from 2002 to 2009 was due to the fact that the bank statement he submitted during verification indicated the year 2010 whereas as at the time of his wrongful dismissal table payment was the practice before bank payment of Policemen became mandatory in 2007.
- 2.6 That he approached the Police Pension Department, Jabi, FCT-Abuja who wrote to the Executive Secretary a letter of complaint with reference No. GH8475/DFA/PEN/ABJ/Vol.7/142 dated 6th September, 2021 after waiting for the Police Pension Office to pay his outstanding salary arrears from February, 1998 to December, 2002 which he had applied for since December, 2017.
- 2.7 PTAD wrote to the Commissioner of Police, Delta State Command a letter with reference No. PTAD/PPD/07/VOL.III/103 dated 11th July, 2019 requesting for his service records which they obliged them through their letter with reference No. AH:7150/DTS/VOL.2/283 dated 7th August, 2019.
- 2.8 That PTAD wrote a letter reference No. PTAD/PPD/07/VOL.III/123 dated 13th September, 2019 requesting the Police Service Commission to authenticate his claims to enable them process his pension and PSC replied affirming that he was reinstated and subsequently retired with effect from 4th December, 2002 vide their letter Reference No. PSC/1866/Vol.I/163 dated 8th September, 2020.
- 2.9 That he deposed to an Affidavit of Facts on oath stating that he did not receive his salary arrears from February, 1998 to December, 2002 as recommended by the Police Service Commission who reinstated and retired him after his wrongful dismissal.
- 2.10 The Petitioner prays the Committee to mandate the Police Finance Department, Police Account and Budget Department, in conjunction with the Federal Ministry of Finance to pay him the outstanding unpaid salaries and allowances from February, 1998 to 4th December, 2002.
- 2.11 Direct the PTAD to pay him his gratuity and pension benefits from February, 1998 to December, 2002 when he was compulsorily retired.



### **3.0 INVESTIGATIVE HEARING**

- 3.1 The Committee conducted investigative hearing on the matter on Wednesday, 5th July, 2022 with parties appearing to make both oral and documentary presentations in defence of the petition.

### **4.0 RESPONDENT'S SUBMISSIONS**

The Respondents presented documentary evidence as follows:

#### **4.1 POLICE SERVICE COMMISSION**

According to the Deputy Director (Legal), the Police Service Commission is one of the Executive bodies established by the Police Service Commission (Establishment) Act, 2001 and charged with the responsibilities of appointment, promotion, dismissal and exercise of disciplinary control over all police officers with the exception of the Inspector-General of Police.

- 4.2 That the Petitioner appealed his dismissal from the Nigeria Police Force in 1999 and the Police Service Commission, during its 24th Plenary Meeting held on 27th and 28th September, 2017 reinstating him with effect from 16th February, 1998 vide a letter Ref. No. PSC/1524/111/253 dated 25th October, 2017; the letter also retired him with effect from 4th December, 2002.
- 4.3 That when they received a letter dated 13th September, 2019 from the Pension Transitional Arrangement Directorate (PTAD) requesting for authentication of their letter Ref. No. PSC/1524/111/253 dated 25th October, 2017 they affirmed same through their letter with Reference No. PSC/1866/Vol.I/163 dated 8th September, 2020.
- 4.4 That the Commission has no case to answer having discharged its constitutional responsibilities by reinstating and retiring the Petitioner during its 24th Plenary Meeting which held between 27th to 28th September, 2017 by reinstating him with effect from 16th February, 1998 vide a letter with Ref. No. PSC/1524/111/253 dated 25th October, 2017 before retiring him with full benefits.
- 4.5 The Deputy Commissioner of Police in charge of Finance and Accounts submitted a letter explaining that the Inspector-General of Police could not honour the invitation to appear before the Committee because he was attending to an official assignment on the date of the meeting.
- 4.6 That the Committee should reschedule a hearing to enable them gather the necessary data for presentation which he never appeared till closing of this petition.



- 4.7 The Executive Secretary, PTAD submitted that based on the bank statement that the Petitioner (Inspector John Ighodalo (Rtd) submitted from October, 2009 to 30th June, 2021 he had been paid his full pension arrears which they effected in two instalments of N3, 782,087.32 in June, 2021 and another sum of N2, 198,765.14 paid to him in May, 2022 covering his gratuity and the balance of his pension arrears after retirement on 4th December, 2002.
- 4.8 That Inspector John Ighodalo is currently entitled to a monthly pension of N36, 682.41 which is reflected in the computation sheet submitted.

## 5.0 COMMITTEE FINDINGS

The Committee, after a careful perusal of the facts of the case observed as follows:

- 5.1 That the petitioner is a retired Inspector of Police after putting 35 years of service spanning from 4th December, 1967 to 4th December, 2002 in between which period he was allegedly dismissed wrongfully.
- 5.2 That he successfully appealed for his reinstatement into the Nigeria Police after being wrongfully dismissed in 1998 and based on facts and their findings, the Police Service Commission reinstated and also retired him with effect from 4th December 2002 with their letter (Ref. No. PSC/1524/111/253) dated 25th October, 2017 which also directed the Police Authority to pay him all arrears of his salaries and entitlements.
- 5.3 That he fulfilled the conditions of the Pension Transitional Arrangement Directorate sometime in 2017, he was enrolled and PTAD proceeded to verify his record file with the Commissioner of Police, Delta State Police Command and Police Service Commission in preparation of payment of his pension arrears and gratuity.
- 5.4 That after the Petitioner was paid accumulated arrears of pension in the month of September, 2017 he complained that the accumulated pension was from 2010 to date leaving pensions from 2002 to 2009 unpaid. He was requested by PTAD to submit another bank statement different from the one submitted for his verification and enrolment whereas at the time of his wrongful dismissal, table payment was the practice before bank payment of Policemen became mandatory in 2007.
- 5.5 That after waiting for the Police Pension Office to pay his outstanding salary arrears from February, 1998 to December, 2002 which he had applied for since December, 2017 he approached the Police Pension Department, Jabi, FCT, Abuja who wrote a letter of complaint (reference No. GH8475/DFA/PEN/ABJ//Vol.7/142) dated 6th September, 2021 to the Executive Secretary, PTAD.



- 5.6 That after reviewing his service records released to them by the Commissioner of Police, Delta State Command, PTAD paid him an accumulated arrears of pension N3, 782,087.32 in June, 2021 and another sum of N2, 198,765.14 in May, 2022 to cover his gratuity and the balance of his pension arrears after retirement on 4th December, 2002.
- 5.7 That the PTAD has discharged their constitutional responsibility to the Petitioner with the two instalmental payments and therefore does not owe the Petitioner except for the monthly pension of N36, 682.41.
- 5.8 That the Petitioner agrees that PTAD is not indebted to him, but that the Police Authority is yet to pay him the arrears of salaries and allowances from the date of his dismissal to his subsequent retirement from the Nigeria Police Force.

## **6.0 COMMITTEE RECOMMENDATION/CONCLUSION**

The Committee, in view of its findings above, urges the House to discontinue the hearing for lack of merit since PTAD has settled all the Petitioner's pension arrears and monthly pensions to date.

## **7.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended.



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## CASE 60:

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### **REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITION ON PETITION BY THE RISE NIGERIA PROJECTS AGAINST BORDER COMMUNITIES DEVELOPMENT AGENCY (BCDA) ON THE CASE NEED TO TAKE LEGISLATIVE NOTICE AND CRITICALLY INVESTIGATE THE REMITTANCES, ADMINISTRATIVE FRAMEWORK OF REGULATION, AUDIT OF THE PROCUREMENT UNIT, INSIDER ABUSES OF PROCUREMENT DUE PROCESS, MISAPPROPRIATION OF FUNDS AND DECAY IN GENERAL ADMINISTRATION OF THE STATED AGENCY AND THE ACTIVITIES OF EXECUTIVE SECRETARY, PROCUREMENT OFFICERS AND ACCOUNT OFFICERS FROM 2015 TILL DATE**

#### **1.0 PREAMBLE**

- 1.1 The House of Representatives at its sitting on 24th May, 2021 received the above mentioned petition on behalf of the RISE Nigeria Projects against Border Communities Development Agency (BCDA) on the need to take legislative notice and critically investigate the remittances, Administrative framework of regulations, Audit of the procurement unit, Insiders abuses, Abuse of Procurement due process, misappropriation of funds and Decay in General Administration in the above stated agency and the activities of the executive Secretary, Procurement officer and account officers from 2015 to date.
- 1.2 Pursuant to section 88 and 89 of the 1999 constitution of the Federal Republic of Nigeria (as amended) and in accordance with the House Standing Order XX rule 5(2) [b] of the 9th Assembly and in line with the principles of fairness, equity and justice, the Petition was referred to the Committee on the public petitions for further legislative actions.

#### **2.0 PETITIONERS CASE**

Rise Nigeria projects according to the petitioner were a coalition of anti-corruption group in Nigeria, who came together to advocate for transparency and accountability in public service in Nigeria.

- 2.1 That the above stated group is apolitical and unbiased in their quest to ensure that public resources are utilized for the development of our fatherland.

That the petitioner stated that as an interventionist agency set up by government to provide the much needed infrastructure in Border Communities to bring



development to the people and making their lives more meaningful, the House has to beam her legislative and investigate search light on them to ensure they deliver on their mandate.

- 2.2 That the agency is also mandated to ensure the economic wellbeing of indigenes of border communities through poverty alleviation programmes in the border communities which were spread across over 2000 communities, over 155 LGA within 21 states of the federation that have International boundaries.
- 2.3 That the petitioners were also worried by the apparently unsatisfactory roles and lack transparency in the management of the affairs of the agency which had made it difficult for Nigerians in the border areas to feel the impact of the various capital projects despite the huge resources at their disposal expended by the Agency annually.
- 2.4 That there were several allegation of mismanagement of the procurement process, gross violation of procurement process, extra budgetary expenditure on hotel accommodations, insiders abuse of procurement Acts and General Administrative lapses within Agency; calls to question the abilities of the executives Secretary, procurement as well as the Account Unit of the Agency in the management of Border Community Development Fund.
- 2.5 That the Committee should look into all the allegations of injection of extraneous companies and projects after advertisement and bidding has been concluded, contract splitting, initiation of Procurement contracts without budgetary allocations, conversion and switching of one fully bided projects to another and other related infractions on the extant financial regulations as enshrined in the procurement Act of the parliament.
- 2.6 That the Committee should investigate all the allegations levelled against the management of BCDA as well as the activities of the Executive Secretary, Procurement officers and Account officers from 2015 to Date.

### **3.0 INVESTIGATIVE HEARING**

- 3.1 The investigative hearing was concluded on Tuesday, 8th June, 2021 with both parties sending their submissions in defence of the case.

### **4.0 RESPONSE OF THE MANAGEMENT OF BCDA**

- 4.1 The BCDA in their response in defence of the above petition through their Executive Secretary (Captain Junaid Abdullahi) informed the Committee that



according to section 3 of the Border Communities Development Agency Act, 2003 (as amended) it is empowered to prepare a comprehensive programme of action for the development of the Border Communities.

- 4.2 Prepare and submit proposals on projects for Border Communities to the President, plan and develop strategies towards ensuring efficient and effective implementation of federal projects within the Border States, implementation and finally; receive and administer such funds as may be allocated to it from the Federation Account.
- 4.3 That based on the content of the petition presented to the House by the petitioner on 4th May 2021, it seems the petitioners were not aware of the developmental strides and achievements of the agency in the Border States and Communities.
- 4.4 That the false allegation of prevalent corruption, sharp practices, complacent attitudes of staff in the implementation of the programmes of the Agency, lack of transparency, mismanagement and violation of procurements processes, extra budgetary expenditure on hotel accommodations, inflation and racketeering of contracts and general administrative lapses were untrue, vague and bogus and lack substances to substantiate.
- 4.5 That they were saddened by these contradictory and exaggerated assertions, coupled with imputations of motives and conclusions.
- 4.6 That if these wide and unnecessary allegations were true, the honourable members of the National Assembly who domicile their various Zonal Intervention Projects (ZIP) with the Agency on a yearly basis would have since been stopped from doing so.
- 4.7 That BCDA is a respected and transparent organisation which the Federal Government uses and values as one of its intervention bodies which have been up and doing in maintaining their responsibility in a laudable manner that these were evidenced by large number of request from sister organizations seeking to partner with the Agency in an effort to collaborate and work together towards achieving a sustainable development and inclusiveness for our border communities.

## 5.0 COMMITTEE FINDINGS

- 5.1 The Committee after cross examination of both parties as well as going through their submissions came up with the following observations. The Committee in their findings considered the petition frivolous because the petitioner had no supporting document in defence of the petition.



- 5.2 That the alleged claims by the petitioner that the management of the Border Community development agency engaged in all forms of gross misconduct such as connivance in project allocations with the contractors, contract splitting, initiation of procurement contract without Budgetary allocations, injection of extraneous companies and projects after advertisement and bidding etc. were all forms of corrupt practices mentioned by the petitioner against BCDA and they have no proof to substantiate their claims.
- 5.3 That BCDA is a respected and transparent organisation which the Federal Government uses and values as one of its intervention bodies and has never failed in the discharge of their duties.
- 5.4 That the Committee could not go further into the investigation of the matter when they find out that the petitioner was not ready to provide evidence in defence of the petition.

## **6.0 COMMITTEE RECOMMENDATION/ CONCLUSION**

The Committee in view of their findings above considers the petition frivolous and as a result of that, urges the House to discard the Petition for lack of merit.

## **7.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended.





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## CASE 61:

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### REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON THE PETITION BY KEHINDE FADAHUNSI AGAINST THE NIGERIAN SECURITY AND CIVIL DEFENCE CORPS ON A PASSIONATE APPEAL FOR THE INTERVENTION OF THE HOUSE IN ENSURING A SEAMLESS PROGRESSION OF HIS CAREER IN NSCDC

#### 1.0 PREAMBLE

- 1.1 The House of Representatives at its plenary sitting on Tuesday, 2nd March, 2021 received a Petition presented by **Hon. Olarenwaju Ibrahim Kunle** on behalf of **Barr. Kehinde Fadahunsi** against **Nigerian Security and Civil Defence Corps (NSCDC)** on a passionate appeal for the House intervention in ensuring a seamless progression of his career in NSCDC and tabled for House for deliberation.
- 1.2 Pursuant to Section 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and in accordance with the House Standing Order XX Rule 5(2) [b] of the 9th Assembly and in line with principles of fairness, equity and justice, the petition was referred to the Committee on Public Petitions for further legislative action.

#### 2.0 PETITIONER'S CASE

- 2.1 The Petitioner (Kehinde Fadahunsi) informed the Committee that he was recruited into the service of Nigerian Security and Civil Defence Corps (NSCDC) in 2012 and going by the above service procedure he was to be eligible for promotion every three years.
- 2.2 That he was promoted once in 2016 without gaining from the consequential financial adjustment accruable to this elevation that commenced in 2018.
- 2.3 That in 2018 some officers were selected and among the promoted officers from Inspector of Corps to Senior Inspector of Corps, three months arrears of salaries were paid and monthly salary of Grade Level 08 was implemented while forty (40) of them in Edo State Command were left without promotion up till date for reasons best known to them.
- 2.4 That since 2012 to date, the Petitioner stated that he had been on Grade Level 07 salary despite having been promoted once.



### **3.0 INVESTIGATIVE HEARING**

- 3.1 The investigative hearing was concluded on 2nd June, 2021 with parties appearing to make both oral and documentary presentations in defence of the Petition.

### **4.0 RESPONDENTS SUBMISSION**

- 4.1 The respondents were represented by Stephen Z. Lar and made presentations.
- 4.2 According to Stephen Z. Lar (Assistant Commandant-General, NSCDC) informed the Committee that it was a fact that the officer was promoted and not paid immediately as the payments were made in batches and he was in the last batch.
- 4.3 That the said promotion came in 2020 from the Civil Defence, Fire, Correctional and Immigration Services Board (CDCFIB) which is their regulatory body.
- 4.4 That the officer in question has demonstrated impatience as his placement had been made before his petition to NASS which was indicated in his payslip in September, 2020 when he was not placed and from October, 2020 to May, 2021 when he was placed.
- 4.5 That a directive had been issued by the Administrative Department to the Finance Department for his placement.
- 4.6 That since the above actions has been taken in favour of the petitioner, there is need for the Committee to close the matter.

### **5.0 COMMITTEE FINDINGS**

The Committee has investigated the matter and observed as follows:

- 5.1 That the Petitioner (Kehinde Fadahunsi) was worried over the non-implementation of his arrears of salaries as well as consequential financial adjustment that is accruable to his elevation and wanted the House to intervene in order to get what is due to him in his office.
- 5.2 That the issue at stake has already been addressed by the management of NSCDC who claimed that the officer's arrears of salaries were not paid immediately because the payment was made in batches and that the Petitioner's batch was in the last stage and the evidence to substantiate their claim was in his September 2020 pay slip when he was not placed for payment and from October, 2020 to May, 2021 when he was placed for payment.



## **6.0 COMMITTEE RECOMMENDATIONS/CONCLUSION**

The Committee urges the House to direct the Commandant-General, NSCDC to expedite actions in the process of payment of arrears of salaries of the Petitioner (Kehinde Fadahunsi) as well as consequential financial adjustment that is accruable to his promotion in office.

## **7.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended.



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**CASE 62:**

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**REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS BY ONORIODE ODJEGBA MANAGING DIRECTOR EURAFIC ENERGY LIMITED AGAINST THE HONOURABLE MINISTER OF STATE PETROLEUM AND DIRECTOR DEPARTMENT OF PETROLEUM RESOURCES AND PETRALON ENERGY LIMITED ON ALLEGED DAWIS ISLAND MARGINAL FIELD AND THE REVOCATION OF THEIR FIELD LICENSE ON APRIL 2020 FOR FAILURE TO BRING FIELD TO PRODUCTION.****1.0 PREAMBLE**

- 1.1 The House of Representatives at its sitting on Tuesday, 8th June, 2021, received a petition presented by Honourable Mukhtar Ahmedon behalf of the Management of Eurafric Energy limited against the Honourable Minister of State Petroleum, Department of Petroleum Resources and Petralon Energy Limited on Dawis Island Marginal Field and the revocation of their Field Licence on April 2020 for failure to bring field into production.
- 1.2 Pursuant to Section 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and in accordance with the House Standing Order XX. Rule 5[b] of the 9th Assembly and in line with principles of fairness, equity and justice, the petition was referred to the Committee on public petitions for further legislative actions.

**2.0 PETITIONERS CASE**

The petitioner Management of Eurafric informed the Committee that the Dawis Island Marginal Field located in Okirka River State was awarded the Marginal Field bid rounds of 2004.

- 2.1 That due to restiveness in the area, Eurafric suspended its field development plan until cessation of militant activities in 2011.
- 2.2 Thereafter a company known as Makmera Nigeria Limited (Makmer) with Wole Sola as a promoter proposed a Farm-In into the field and provision of its drilling Rig and services as consideration for equity in the Field.
- 2.3 That in 2013, Makmera Company partnered with Funaty Global Resources Limited promoted by Mr. Funso Awo and confirmed Funtay as the special purpose vehicle for the Farm-in, Funtay in turn introduced Petralon Energy Limited as its partner in provision of the said consideration.



- 2.4 That prior to executing respective Farm-In documentation, Funaty requested a change of name to TAKO E&P Solutions Limited while Petralon requested a change of name to Petralon 54 Limited.
- 2.5 That in 2014 Eurafric Energy Limited mobilized to site for re-entry and Side Track of the existing Well which was completed in June 2016. Thereafter, the company in question then proceeded to post Well re-entry activities which was funded by them and in the process was able to produce circa of 62,000 barrels of crude oil from the field. 30,000 barrels of which had already been ferried to front puffin export terminal waiting while the balance remaining at their field awaiting evacuation.
- 2.6 That despite all these efforts put in place by the Management of Eurafric Energy to ensure that their company will start production, the DPR went ahead to revoke their field licence in April 2020 for failure to bring the field to production.
- 2.7 That while making frantic efforts to recover their filed licence, Petralon which have been partner in provision has been scheming to cheat Eurafric and Tako by obtaining the licence for itself and as well as misdirecting and misinforming the members of the public on the issue at stake.
- 2.8 That the assertion claimed by Petralon among others that it single-handedly funded all activities on the field was not true because Petralon funded only Well re-entry of the Marginal Field Projects while Eurafric funded all the activities of the operation prior to well re-entry campaign and has funded 51% of the expenses post well re-entry.
- 2.9 That the following were the fraction of the expenses funded by management of Petralon in the Joint Venture Partnership with Eurafric.

### **3.0 INVESTIGATIVE HEARING**

- 3.1 Several hearings with both petitioner and respondents in attendance, the investigative hearing was concluded on Wednesday 7th July, 2021 after and made their oral and documentary submissions.

### **4.0 RESPONDENT SUBMISSION (DPR)**

- 4.1 According to DPR, Eurafric has been in operation for a period of 18 years without performance.
- 4.2 That no value was added to the Oil field that they only carried out extended Well Test and was able to produce 62, 000 barrels of crude oil which is quite insignificant



when you divide 62,000 within 18 years of operation it will only give you 3 barrels of crude per day.

- 4.3 That in 2016 letters were sent to Eurafric Energy to inform them that at the end of the extension period of 36 months that their licence will be revoked if they do not put their field into full production.
- 4.4 That Eurafric has not submitted their field development plans for 18 years in operation.
- 4.5 That their oil field was revoked because of non-performance and field development plans which is in line with its powers to cancel or revoke licence.
- 4.6 That the Honourable Minister of State further granted Eurafric additional 5 years and still no performance and went as far as extending their year of production to 36 years before the termination of their operating licence.
- 4.7 That though Eurafric, Petralon 54 and others were under a Joint Venture Agreement, Eurafric is regarded as an Operator.
- 4.8 That the Joint Venture Agreement, covering the field were executed between Eurafric Energy Limited, TAKO E&P Limited and Petralon 54 Limited to serve as technical and financial partners to Eurafric in the development of Dawis Island Marginal Field.
- 4.9 That an agreement was also executed between Eurafric and Tako and another between Eurafric and Petralon, That Eurafric being the lead company in the tripartite joint venture sought and obtained Ministerial consent. That the Farm-In arrangement bought equity participation in Dawis Island Marginal Field to 51% for Eurafric Energy 35% to Petralon 54 and 14% to Tako E&P Solutions Limited.

## 5.0 COMMITTEE FINDINGS

- 5.1 The Committee after series of investigation and perusal of all the documents tendered before it by the parties involved in the issue at stake came up with the following:
- 5.2 That Dawis Island Marginal field located in Okirka, River State was awarded to Eurafric Energy Limited by Ministry of Petroleum Resources through its Department of Petroleum Resources during the Marginal Field bid round of 2004, but could not go into the field to produce their field development plan due to restiveness in the area.



- 5.3 That after several extension period of Operating Licence were given to Eurafric to go into production which they failed to attain, there was another performance review that was carried out by DPR in which 12 companies including Eurafric Energy Limited were invited for a review meeting with DPR, that at the end of performance review it was observed that Eurafric Energy and the other companies involved did not attain full production which led to the revocation of their licence.
- 5.4 That the assertion that DPR revoked Dawis Marginal field on 6th April, 2020 due to alleged failure to develop their field was not true because in 2014 the Eurafric along with its partners were able to mobilize to site for re-entry and side track existing D1 well which was completed in June 2016.
- 5.5 That their post well re-entry activities were able to produce 62,000 barrels of crude oil from the field, 30,000 barrels of which had already been ferried to The Front Puffin Export Terminal awaiting export while the balance remained in the storage at the field awaiting evacuation.
- 5.6 That DPR insisted that Eurafric was in operation for a period of 18 years without performance, which they only carried out an extended well test and produce 62,000 barrels of crude oil which is quite insignificant compare to what is expected from them for the period of 36 months they have operated without production.
- 5.7 That Petralon 54 invested a total of \$30 million as at April 2020 into the Joint Venture Agreement by the 3 companies and had claimed that Eurafric did not suspend its field development plans due to restiveness but waited for a period of 11 years when they entered an agreement with Petralon 534 and Tako before going into the field development plan.
- 5.8 That during investigation by the Committee both parties of the JOA tried to deceive each other by sidelining each other to try to get renewal of the Field.
- 5.9 That the Committee also observed that the operating licence of the Eurafric was single-handedly revoked by DPR without recourse to their JOA and that created room for suspicion of foul play on the side of DPR.
- 5.10 That at the time of filling this petition the Field in question has not been awarded to any of the partners though there are plans on ground to do so by DPR.
- 5.11 That for fairness, equity and justice to reign within the JOA of all parties involve on the issue at stake. It is advisable that the field should be awarded to both parties rather than an individual company.



## **6.0 COMMITTEE RECOMMENDATIONS /CONCLUSIONS**

- 6.1 The Committee in view of the findings above recommends the House to direct the Honourable Minister of State for Petroleum and the Executive Director of Department of Petroleum Resources to review the process involved in the revocation of the Eurafric Energy Limited operating licence and come up with an amicable resolution of all the parties involved in the Joint Operating Agreement in the production and development of the oil field in question.
- 6.2 That for justice, fairness and equity to prevail in the Joint Operating Agreement among the parties involved, the Federal Ministry of Petroleum Resources through the Department of Petroleum resources should ensure that the field in question should be awarded to both parties rather than the already existing JOA.

## **7.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended.





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**CASE 63:**

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**REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON THE PETITION BY SOUTHEND ESTATE MUSLIM RESIDENTS COMMUNITY AGAINST CHAIRMAN/C.E.O. OF MESSRS MERCY SAMUELSON PROPERTY LIMITED****1.0 PREAMBLE**

- 1.1 The House of Representatives at its plenary sitting on Thursday, 8th July, 2021, received the above mentioned Petition presented by Hon. Haruna I. Dederion behalf of the Southend Estate Muslim Residents Community which presented for consideration and action by the House.
- 1.2 Pursuant to Section 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and in accordance with the House Standing Order XX Rule 5(2) [b] of the 9th Assembly and in line with principles of fairness, equity and justice, the petition was referred to the Committee on public petitions for further legislative actions.

**2.0 PETITIONER'S CASE**

- 2.1 The Petitioner (Southend Estate Muslim Residents Community) informed the Committee that their petition bordered on the failure of the Estate Developer (Mercy Samuelson Property Ltd) whose corporate Head Office is located at Plot 115, Ajoye Adeogun Street, Utako, Abuja to abide by the FCDA policy on mass housing estate development.
- 2.2 That the policy mandates all estate developers with an approval to commence the development of a mass housing estate on a plot of land allocated by the FCTA to make provision for places of worship for both Muslims and Christians, playgrounds, hospitals, schools and shopping centres.
- 2.3 That it was based on this premise that the South end Estate Muslim Community of Aviation Village, Kyami District, Plot 414 Cadastral Zone EOS, Abuja, approached the developer (Messrs. Mercy Samuelson) to request for a plot of land originally set aside for the religious places to enable them start building of their mosque but their request was turned down on the grounds that there were no provision for places of worship for either Muslims or Christians.



- 2.4 That the Petitioner even wrote to the Hon. Minister of the FCTA twice for his intervention but had not gotten any response from the Hon. Minister on the issue at stake.
- 2.5 That after several communications about their complaints to the management of the FCDA and follow-up by several visits to the FCTA, that the only unofficial response from them was that they have written to the Developer for him to provide the approved site development plan which has not been responded to by the Respondent.
- 2.6 The petitioner prays for the Committee's intervention for fairness, equity and justice to prevail on the case.

### 3.0 INVESTIGATIVE HEARING

- 3.1 The investigative hearing was concluded on Wednesday, 9th March, 2022 with both parties appearing to make both oral and documentary presentation in defence of the petition.

### 4.0 RESPONDENT'S CASE (MERCY SAMUELSON PROPERTIES LTD)

- 4.1 The Respondent (Mercy Samuelson Properties Limited) informed the Committee that the issues raised by the Petitioner were not applicable to the development plan of the estate and noted as follows:
- 4.2 That the Approved Plan for the Estate could be referenced from file No. **FCDA/DC/BP/RSP/20075** which has no provisions for the development of places of worship whether for Muslims and Christians and there is presently no place designated for any form of religious worship in the estate.
- 4.3 That the estate in question is nevertheless fully developed as per the Approval Plan **FCDA/DC/BP/RSP/20075** and there is no available place left for the development of the place of worship.
- 4.4 That the issue on non-availability of places of worship was however conveyed to the subscribers who inquired at the inception of subscribing into the Estate.
- 4.5 That there were no case of the availability of place(s) of worship and it is not being offered.



## **5.0 COMMITTEE FINDINGS**

- 5.1 The Committee, during the investigation of the matter, came up with following observations:
- 5.2 That the Petitioner was worried over the non-approval of site for the development of the place of worship (mosque) for the Muslim faithfuls living in the Southend Estate and the Muslim Residents Community's worries were based on the growing number of Muslim faithfuls in the Estate without a place of worship especially during the rainy season within the estate.
- 5.3 That the assertion that the Estate in question has no provisions for the development of places of worship, whether Christian or Muslim, as well as other social amenities in the area was not true because the FCDA policy on Mass Housing Estate Development mandates all estate developers with an Approval to make provisions for places of worship for both Christians and Muslims, playgrounds, hospitals, schools and shopping centres and the above estate in question cannot be an exception.
- 5.4 The Committee also observed that the management of FCTA and FCDA were showing lackadaisical attitude in resolving the matter and want them to do the needful on the issue at stake since the case in question falls under their jurisdiction.

## **6.0 COMMITTEE RECOMMENDATION/CONCLUSION**

- 6.1 The Committee, in view of their findings above urges the House to mandate the Hon. Minister FCTA/FCDA to direct the Managing Director/C.E.O. of Mercy Samuelson Properties Ltd. to provide spaces for place of worship for both Muslims and Christians living in the Estate as well as basic social amenities in the area.
- 6.2 That the Hon. Minister of FCTA, in collaboration with Director of Lands, FCDA to ensure that the policy of FCDA is strictly followed in any given mass Housing Estate development to make provisions for places of worship and basic social amenities for both Muslims and Christians in order to avoid further occurrence of similar issues in future.

## **7.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as presented.



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## CASE 64:

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### REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON THE PETITION BY AWOPETU ADEYINKA & OTHERS AGAINST POLARIS BANK ON THE ALLEGED TERMINATION OF THEIR APPOINTMENTS

#### 1.0 PREAMBLE

- 1.1 The House of Representatives at its plenary sitting on Thursday, 8th July, 2021, received a Petition presented by **Hon. Oluwa Okeh** on behalf of **Adeyinka Awopetu and Others** against **Polaris Bank** on the alleged termination of his appointment. Pursuant to Section 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and in accordance with the House Standing Order XX Rule 5(2) [b] of the 9th Assembly and in line with principles of fairness, equity and justice, the petition was referred to the Committee on public petitions for further legislative actions.

#### 2.0 PETITIONER'S CASE

- 2.1 The Petitioner (Mr. Awopetu Adeyinka) informed the Committee that he joined the banking industry through Legacy Bank (Skye Bank Plc.) on August 21st, 2008 as a Contract Staff and was appointed as a full staff in October, 2014 with same Legacy Bank before all members of staff were re-employed by Polaris Bank Ltd. in September, 2018.
- 2.2 That he had worked in many branches of the Bank as Resident Control Officer and Cluster Control Officer and had never had any records of misconduct or negligence of duty and that his good track records with the bank has led to his promotion because of his high score of 90% in the 2019-2020 Performance Evaluation Appraisals.
- 2.3 That he was redeployed from Ilorin Cluster to Ibadan Agbowo/Iwo-Road Cluster in November ending 2019 and in February, 2020, the Cluster was relocated from University of Ibadan (III) Branch to Agodi Regional Office on request.
- 2.4 That on August 21st, 2020, the Petitioner was re-deployed from Agbowo/Iwo Road Cluster of Ife Cluster as a Cluster Control Manager (CCM) and within a space of six (6) months based on the information available, the Petitioner furnished his group head on the un-reconciled difference of about N600,000,000 on 15th August, 2020.



- 2.5 That the Petitioner was away to Ibadan Main Cluster for three months on relief assignment of colleagues that was on maternity leave from 5th May to early 3rd August, 2020 and had spent less than three (3) months in Ago Branch during which he discovered the huge difference in bank reconciliation which he knew nothing about the said fraud.
- 2.6 That when the Petitioner quickly drew the attention of his immediate supervisor he assured him that the Regional Internal Control Manager's (RICM) attention had been drawn to the said matter and it was already actioned.
- 2.7 That on 5th March, 2021, instead of appreciating his good work, the Petitioner was issued a query by the Head Office Investigation Unit to state his level of involvement in the aforementioned fraud and what he had done as Internal Control Officer on the matter.
- 2.8 That in his response to the query he stated that he did not have any involvement in any of the transactions that aggravated the said fraud, that he discovered it and his observation was made known to his immediate Line Supervisor for immediate action.
- 2.9 That the observations showed that there was a breach of process by the management of Polaris Bank right from the Head Office, that if a branch failed to close her batch in a day, that particular branch will receive a query from the Head Office Branch Coordination for not closing but Agodi Branch was not closed for almost one year and nothing happened because everyone believed that the transactions were made up by the management and instituted through Regional Branch Coordinator whom everyone knows to be a Management Boy.
- 2.10 The petitioner is seeking the Committee intervention for the management of Polaris Bank to reverse their decision of termination of appointment to reinstatement.

### **3.0 INVESTIGATIVE HEARING**

- 3.1 The investigative hearing was concluded on 3rd March, 2022 with both parties in attendance to make both oral and documentary presentation in defence of the petition.

### **4.0 RESPONDENT'S SUBMISSION (POLARIS BANK PLC)**

- 4.1 According to Barr. Sunday Adegoke of Polaris Bank he informed the Committee that, prior to their disengagement from the Bank, the Petitioner(s) were handling different levels of control functions in the bank.



- 4.2 That the appointments were terminated because of their negligence and breach of policy which aided the perpetration of fraud on the cash operating General Ledger at the Agodi Branch of the Bank which led to loss of substantial amounts by the bank.
- 4.3 That the Bank Disciplinary Committee invited members of staff who were indicted in the case to the Disciplinary Committee's hearings.
- 4.4 That the enquiries and findings at the Disciplinary Committee implicated those staff including the three Petitioners and there were variously sanctioned in accordance with the bank's disciplinary grid.
- 4.5 Pursuant to the directive of the Committee, the management of Polaris Bank invited the Petitioner(s) for Zoom meeting on 27th January, 2022 for a re-evaluation of the facts which led to their disengagement as follows: To review what transpired at the previous disciplinary meetings, to review what transpired at the session held at the National Assembly. For the Petitioners to provide any new information/development for further consideration by the Bank and presentation of each Petitioner's case for further consideration by the Bank.
- 4.6 That, according to Adekola Olaniran (ex-Cluster Control Manager) he admitted that he noticed some abnormal figures in the operating cash GL Account which he claimed to have been reported to his then Supervisor (Sola Adeagbo) who was the Regional Internal Control Manager as at then; that he further admitted that the Cash count was conducted on a monthly basis contrary to the Bank's policy of weekly basis which constitute a breach of the bank's policy that the weekly exercise would have led to the timely discovery of the imbalance in the GL Account if it was done. That there was no written evidence showing that he reported the matter to his Group Head and that is why the Bank terminated his appointment.
- 4.7 According to Sola Adeagbo (Ex-Regional Internal Control Manager) claimed at the meeting that he was in Lagos at the time the anomalies in the account were discovered but the Bank reminded him that the transactions occurred when the branches were under his supervision and the material time were when the fraud occurred and not when it was discovered.
- 4.8 According to Adeyinka Awopetu (Ex-Resident Control Officer – Agodi Branch) was in charge when the fraud happened and he claimed to have forwarded complaints to the bank's Head Office and the Group Head on the outrageous balances but could not provide any evidence to buttress the alleged escalations; that the identified lapses, negligence and failure to carry out the control functions effectively contributed



immensely to the fraudulent losses for which was sanctioned appropriately.

## 5.0 COMMITTEE FINDINGS

- 5.1 The Committee, after series of investigations and perusal of all the documents tendered before it by both parties observed as follows:
- 5.2 That the Petitioner (Mr. Awopetu Adeyinka) and two others were unlawfully dismissed from the service of Polaris Bank on account of indiscriminate allegation of fraud levelled against them by the management of the said Bank.
- 5.3 That Mr. Awopetu Adeyinka was employed through Legacy Bank (Skye Bank Plc.) on 21st August, 2008 as a Contract Staff and as a full staff in October, 2014 before re-employment with the Polaris Bank Ltd in September, 2018.
- 5.4 That the assertion that the Petitioner was handling different levels of control functions in the bank and that their appointments were terminated because of their negligence and breach of policy which aided fraud on the Cash Operating General Ledger at Agodi Branch, Ibadan of the Bank was not true.
- 5.5 That the Petitioner was dismissed on the allegations of not reporting a balance of about N588,000,000 outstanding operating cash General Ledger of Agodi Branch in Oyo State to his supervisor which was not true.
- 5.6 That the matter was taken to EFCC who investigated the matter and did not link any criminal infractions or benefits to the Petitioner in respect of the said balance.
- 5.7 That the Petitioner's dismissal was based on the fact that the bank's management was trying to cover up their tracks after deliberately compromising the system.
- 5.8 That some of the evidence Mr. Ayodeji Ajibike, the main brain behind the outrageous balance confirmed during the EFCC investigation shows that the transaction was done according to the management instructions.
- 5.9 That in the financial year end report of the bank in 2020, the said huge figure in the operating cash GL was used to create risk assets on some accounts throwing them into huge debts of millions of naira.
- 5.10 That observation also showed that the said transactions were posted on 31st of December, 2020 and reversed on 1st January, 2021; that the said huge risk asset creation cannot go undetected by the Risk Management Team who monitors the process, approval and recovery of all risk assets of the bank.



- 5.11 That the said team reports to the GMD and Board of the Bank but nothing was heard of such nefarious action until management started arresting people in February, 2021.
- 5.12 That the effects on the profitability of any branch are being overlooked by ALCO (the highest business decision-making organ of the Bank) with the Group Managing Director in attendance most of the time.
- 5.13 That ALCO meets weekly to analyse performances of branches, Regions and the bank as a whole and in such situation, it is strange to have claimed that this very high management organ ignored the figures for over two years with its devastating effects on the bank's performance.

## **6.0 COMMITTEE RECOMMENDATION/CONCLUSION**

- 6.1 The Committee urges the House to mandate the CBN Governor to urge the GMD, Polaris Bank to review the incident that led to the termination of Mr. Awopetu Adeyinka; Adeago Olusola Babatunde and Adekola Olarinwa appointment and reinstate them to the service of Polaris Bank;
- 6.2 Pay them all the arrears of their entitlements and benefits that falls within the period of infringement;
- 6.3 Or, in the alternative, convert their dismissal to compulsory retirement and pay them off to enable them start life elsewhere.

## **7.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended.





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**CASE 65:**

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**REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON A PETITION BY THE CONCERNED PENSIONERS, DELTA STEEL COMPANY LTD. AGAINST PENSION TRANSITIONAL ARRANGEMENT DIRECTORATE (PTAD) OVER ALLEGED UNLAWFUL REMOVAL OF FEDERAL GOVERNMENT DULY APPROVED EXISTING INCREASE IN PENSION RATES OF 150% WITH EFFECT FROM 1ST JANUARY 1999 AND 30% WITH EFFECT FROM 1ST JANUARY, 2000 RESPECTIVELY**

**1.0 PREAMBLE**

- 1.1 The House of Representatives at its sitting on Wednesday, 15th December, 2021 received a petition presented by Hon. Barr. Haruna I. Dederi on behalf of the Concerned Pensioners of Delta Steel Company Ltd. against the Executive Secretary, Pension Transitional Arrangement Directorate (PTAD) over the unlawful removal of 150% and 30% Increases in Pension Rates which was tabled for deliberation and further legislative action.
- 1.2 Pursuant to Section 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and in accordance with the House Standing Order XX. Rule 5(2) [b] of the 9th Assembly and in line with principles of Fairness, Equity and Justice, the petition was referred to the Committee on public petitions for further legislative actions.

**2.0 PETITIONER'S CASE**

- 2.1 The Petitioner informed the Committee that they were pensionable staff of the defunct Delta Steel Company, Aladja with head office at No. 22 Katsina-Ala Crescent, off Yedseram Street, off IBB Way, Maitama, Abuja whose pension payments were drastically decreased by the Pension Transitional Arrangement Directorate during the computation of same in 2017/2018.
- 2.2 That their membership comprised of all Delta Steel Company Ltd staff who retired from service or by 31st August, 1998 and therefore were Federal Government ex-workers qualified for all increases in pension rates in accordance with extant rules and regulations, specifically the Section 7(2) of the Pension Decree, 1979.
- 2.3 That with the sale of Delta Steel Company to private investors in 2005, their pensions were stopped but was later restored by the Federal Government in 2017



who created PTAD in 2014 to be responsible for the payment of monthly pension and other pension related matters to including the DSC pensioners.

- 2.4 That the Federal Government, in compliance with the Circulars (Ref. No. B.63216/S.1/X/1) dated 19th July, 1999 and (B.63216/S.1/X/840) dated 5th October, 2000 from the Office of the Head of Civil Service of the Federation had set up a Board of Trustees to manage the payment of their monthly pension in 2001.
- 2.5 That when the Pension Transitional Arrangement Directorate (PTAD) pay rolled DSC Pensioners in 2018 they failed to comply with the Office of the Head of Civil Service of the Federation directives thereby denying officers who retired from service on or before 31st August, 1998 the increased pension rates contained in the quoted circulars.
- 2.6 That PTAD applied the discarded Unified Grading and Salary Structure which was replaced 37 years ago with the Elongated Salary Structure on the recommendation of the Onosode Commission of 1981, now termed the Consolidated Public Service Salary Structure (CONPSS).
- 2.7 That following the outcry over the decrease in their pension pay checks instead of the expected increase by the pensioners the PTAD issued a document which they titled “Explanation of the Basis for the Calculation of Pension Entitlements of Federal Government Employers under the Defined Benefits Scheme (DBS) – A Sample Case Study of the Delta Steel Company Limited.”
- 2.8 That the case study illustration in the recalculation of pension was based on a template that featured officers of DSC who were all still in service as at 31st August, 1998 who were not entitled to the 150% and 30% increases which applied to the concerned 1,370 pensions, an action that violated Section 45(3) of the Pensions Reforms Act, 2014.
- 2.9 That PTAD’s failure to create a template for Concerned Pensioners and resorting to arbitrary allocation of monthly pension to them drastically decreased their monthly pension pay checks contrary to the Federal Government directive which was an infringement of their rights as pensioners as enshrined in Section 173(2) of the Constitution of the Federal Republic of Nigeria, 1999 (as amended).
- 2.10 The Salaries and Wages Commission in their Circular (Ref. No. SWC/S/S.54/II/298) of 28th April, 2021 on the Consequential Adjustment in Pension Arising from the Implementation of the New Minimum Wage, 2019 was not extended to the Petitioners and the PTAD could not explain why it failed to apply the consequential adjustment in pension arising from the new National Minimum Wage, 2019.



- 2.11 That in a bid to tackle the intricacies of the issue at stake the National Salaries, Incomes and Wages Commission on 7th December, 2021 directed the PTAD to meet with the Management of Delta Steel Company Limited and the result was the convention of a Stakeholders Meeting made up of the Ministry of Mines and Steel Development, Federal Ministry of Finance, Budget and National Planning and Bureau of Public Enterprises, Office of the Head of Service of the Federation in addition to the National Salaries, Income and Wages Commission with a view to resolving the issues at stake.
- 2.12 That at the first Stakeholders meetings held on 11th January, 2021, 1st December, 2021, 24th February, 2022 and 4th, 5th and 6th April, 2022 only the Federal Ministry of Finance, Budget and National Planning was not in attendance but the meeting was attended by PTAD and the Concerned Pensioners who expressed satisfaction over the pension of pension arrears by PTAD.
- 2.13 That the Stakeholders meeting was convened nine times between 1st December, 2021 to July 4, 2022 at the end of which the meeting resolved that PTAD should apply the salary structure and allowances of the pensioners of Steel Rolling Mills and their recommendations were channelled back to the National Salaries, Incomes and Wages Commission for consideration.
- 2.14 That despite the repeated calls by Concerned Petitioners on the Presidency, the Senate President and Speaker, House of Representatives for the implementation of the 150% and 30% increases in their pension rates which all Federal and State pensions are entitled to under the Defined Benefits Scheme, the matter is yet to be resolved.
- 2.15 That the denial of PTAD to grant the demand of Concerned Petitioners for the release of audited computation sheets for them to study how PTAD arrived at the current monthly pension of their members is a violation of their rights under the Nigerian Freedom of Information Act.
- 2.16 The petitioner prays the hallowed Chambers to compel the PTAD to restore the 150% and 30% increase in pension rates unlawfully removed from the pension entitlements of their members along with all other increases of 142%, 6%, 15% and 33% without further delay.
- 2.17 Also, pray the payment of all the accruing pension arrears as a result of the unlawful removal of the 150% and 33% increases in pension rates of members, including the shortfall of the 12 months pension arrears paid to members in December, 2019 as a result of the unlawful removal of same.



### 3.0 INVESTIGATIVE HEARING

- 3.1 The Committee concluded investigative hearing on the matter on 28th October, 2021 with both parties appearing to make both oral and documentary presentations in defence of the petition.

### 4.0 RESPONDENT'S SUBMISSION (PTAD)

- 4.1 According to the representatives of the Executive Secretary, PTAD (Mr. Jibrin Idris), sometime in 2017 PTAD received directives from the Federal Ministry of Finance to take over the pension liabilities of ten Enterprises that were privatized/ liquidated by the Bureau of Public Enterprises which included Delta Steel Company Ltd. (DSC) Aladja.
- 4.2 That in compliance with the directives, they conducted a field verification exercise of the Delta Steel Company retirees between 20th and 28th November, 2017 in Lagos, Abuja and Orhuwhorun, Delta State.
- 4.3 That while the exercise was still ongoing, PTAD reviewed the records inherited from the BPE and was able to establish the total number of DSC retirees as being 3,656 in number whose monthly pension stood at **N110, 498,896.35** which represented 96 months arrears as at July, 2018.
- 4.4 That they commenced payment of the pensioners in July, 2018 and have been able to pay 24 months of pension arrears to date, leaving a balance of 72 months arrears when the Pensioners complained about several issues such as abolishment of service allowance of 10% and the reduction in the House Rent Allowance component from 60% to 40%.
- 4.5 That there were complaints by 1,370 pensioners (Concerned Pensioners of DSC) who retired on or before 31st August, 1998 and 2005 which bordered on reduced monthly pension pay checks as well as demand for the full Consequential Adjustment increments recently approved by the Federal Government which they claimed was wrongly implemented in their cases, stating that those with mixed services being underpaid.
- 4.6 That the DSC pensioners were among those owed 96 months arrears of pension from the period of the commuted pension that was hitherto paid to them at the time of their disengagement and PTAD pay rolled them in July, 2018 using the Revised Unified Grading and Salary System.



- 4.7 That PTAD has been able to make 24 months payments of pension arrears out of the total of 96 months arrears, leaving a total of 72 months for the two categories of pensioners, namely those that were already pensioners prior to the privatisation of the company and those that became pensioners as a consequence of the privatisation.
- 4.8 That PTAD's categorization of pensioners contained in the document issued and captioned "Explanation of the Basis for the Calculation of Pension Entitlements of Federal Government Employees under the Defined Benefits Scheme (DBS) – A Sample Case Study of the Delta Steel Company Limited" revealed that while existing pensioners were eligible for the 150%, 30%, 142% and 6% pension increment, subject to specific date of retirement, the e-workers who exited in 2005 were only entitled to the 15% and 33% pension increment.
- 4.9 That the DSC pensioners who retired on or before 31st August, 1998 and 2005 complained that their monthly pension were unlawfully reduced because they did not apply the 150% and 30% pension increases and that the Consequential Adjustments in pension rates approved by the Federal Government were wrongly applied to their members.
- 4.10 That the Concerned Pensioners of DSC who were 1,370 in number raised several complaints over the template used for the calculation of their monthly pension which PTAD proceeded to trashed out during the Stakeholders Meeting which included the Public Complaints Commission, National Pension Commission, Federal Ministry of Finance, Budget and National Planning National Salaries, Income and Wages Commission and Federal Ministry of Mines and Steel Development as the ministry who approved the contentious template.
- 4.11 That despite the fact that they were never served with the Petition they were summoned to attend the Hearing held on Wednesday, 13th October, 2021 during which the Committee Chairman directed them to call for a meeting with DSC to tackle the issues raised during the Hearing and report back on Thursday, 28th October, 2021 which they did.
- 4.12 That the complaint of the concerned pensioners of Delta Steel Company was based on the wrong assumption that PTAD unilaterally applied the NSIWC Circular on some of the ex-workers who were qualified for the 150% and 30% pension increment of 1st January, 1999 and 1st January, 2000, a claim that PTAD denied because they were not based on verifiable facts.
- 4.13 That PTAD was in compliance with the extant Federal Government of Nigeria Laws/Circulars which guided the computation of the pension rates and also insists



that all pensioners Total Pension Emolument are based on the applicable Salary Structure in use at the time of their exit from service.

- 4.14 That the Concerned Petitioners' misinterpretation of the Circular on the applicable to salary structure for the payment of Pensioners at the time of their exit can be clearly seen in their misunderstanding over the abolishment of service allowance of 10% which was a one-off payment made to workers at the time of exit and not a component of monthly pension.

## 5.0 COMMITTEE FINDINGS

The Committee, after a careful perusal of the facts of the case notes:

- 5.1 That the concerned pensioners was worried over the outcome of the sale of the Delta Steel Company during the privatization and liberalization of government-owned companies by the Bureau of Public Enterprises which culminated in the stoppage of the pension of ex-workers of the company.
- 5.2 That the concerned pensioners who were 1,370 in number belonged to the category of pensioners who retired on or before 31st August, 1999 and who objected to the wrong computation of their pension pay checks current CONPSS.
- 5.3 That the stoppage of payment was later reversed by the Federal Government who created the Pension Transitional Arrangement Directorate in 2014 to take over the pension liabilities of the company in 2017 by which time the Public Sector Salary Structure applicable to the Concerned Petition was Universal Grading Salary Structure through the Harmonized Public Sector Salary Structure.
- 5.4 That the failure by PTAD to create a template for the concerned pensioners and resorting to arbitrary allocations of monthly pension to them drastically decreased their monthly pension pay checks contrary to the Federal Government directive for MDAs to periodically review upwards pension rates which was an infringement to the rights of the Petitioners which was enshrined in Section 173(2) of the Constitution of the Federal Republic of Nigeria 1999 (as amended).
- 5.5 That PTAD in trying to resolve the issue at stake as directed by the Committee convened Stakeholders meetings on the matter, which later resolved to adopt the salary structure of the Steel Rolling Mills to replace the contentious template which PTAD claimed was approved by the Federal Ministry of Mines and Steel Development for the computation of the petitioners current monthly pension arrears and benefits.



- 5.6 That the Concerned Pensioners of Delta Steel Company complaint was based on the wrong assumption that PTAD unilaterally applied the NSIWC Circular on some of the ex-workers who were qualified for the 150% and 30% pension increment of 1st January, 1999 and 1st January, 2000,
- 5.7 Further observation showed that the Salaries and Wages Commission Circular (Ref. No. SWC/S/S.54/II/298) of 28th April, 2021 on the Consequential Adjustment on the Implementation of the New Minimum Wage, 2019 was not extended to the petitioners and the PTAD could not explain the rationale behind its failure to apply the Consequential Adjustments in pension arising from the new National Minimum Wage, 2019.
- 5.8 That PTAD denied the allegation of misapplication and unlawful removal of the 150% and 3% pension increment and insisted that they are in compliance with the extant Federal Government of Nigeria Laws/Circulars which guided the computation of the pension rates.
- 5.9 That at the time of their exit from service the applicable salary structure meant for the payment of Concerned Pensioners was the Revised Universal Grading and Salary Structure and the only two out of the six increments, namely the 15% pension which took effect from 1st January, 2007 and 33% pension increment which was with effect from 1st January, 2010 were applied in the calculation of their monthly pension arrears.
- 5.10 That the abolishment of Service Allowance of 10% by PTAD which was a one-off payment made to workers at the time of their exit were based on the fact that it was not a component of monthly pension as claimed by the Petitioners.

## **6.0 COMMITTEE RECOMMENDATION/CONCLUSION**

- 6.1 Having observed that the Stakeholders Meeting organised by PTAD with relevant Agencies and the Petitioners between 1st December, 2021 and 4th July, 2022, with the aim of resolving the issue at stake had resolved that the National Salaries, Income and Wages Commission is to mandate PTAD to adopt the salary structure and allowances of the pensioners of Steel Rolling Mills for the computation of the 1,370 Concerned Pensioners' arrears of salaries and entitlements, the Committee urges the House to adopt the recommendation of the Stakeholders Meeting thus:
- 6.2 Mandating the Chairman of National Salaries, Income and Wages Commission to adopt the salary structure used for computation of pension of Steel Rolling Mills in the re-computation of pension arrears of the Concerned 1,370 Pensioners of Delta





Steel Company Ltd.

- 6.3 To also mandate the Executive Secretary, PTAD to implement the recommended salary structure for the payment of pension arrears of the 1,370 Concerned Pensioners.
- 6.4 Also urge the Executive Secretary, PTAD to restore the 150% and 30% increase in pension rates unlawfully removed from the pension entitlements of the 1,370 concerned pensioners without further delay.

## **7.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended.





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## CASE 66:

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### REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS BY EKHASOMI HENRY SAMBO AGAINST THE MANAGEMENT OF NIGERIAN SOCIAL INSURANCE TRUST FUND (NSTIF): AN APPEAL FOR RECALL AND REINSTATEMENT

#### 1.0 PREAMBLE

- 1.1 The House of Representatives at its sitting on Tuesday, 1st December, 2021 received a petition presented by **Honourable Shaaba Ibrahim** on behalf of **Ekhasomi Henry Sambo** against the management of the **Nigeria Social Insurance Trust Fund (NSTIF)**, an Appeal for recall and reinstatement.
- 1.2 Pursuant to **Section 88 and 89 of the 1999 Constitution** of the Federal Republic of Nigeria (as amended) and in accordance with the **House Standing Order XX. Rule 5[b] of the 9th Assembly** and in line with principles of fairness, equity and justice, the petition was referred to the Committee on public petitions for further legislative actions.

#### 2.0 PETITIONER'S CASE

- 2.1 The petitioner informed the Committee that in 2007 the Economic and Financial Crimes Commission investigated the Board and management of NSITF, that a group of suspects were subsequently charged to court that on further investigation the petitioner was found not guilty and was removed from the list of suspects and discharged by the Federal Capital Territory High Court, Apo, Abuja which was presided over by **Justice Sylvanus Chinedu Orji**.
- 2.2 That since his testimony against the Board and Management of NSTIF in 2018 all effort for a recall and reinstatement in the office was to no avail, despite his appeal to Honourable Minister of Labour and Employment to intervene on the matter.
- 2.3 That having served the Agency for a period of 30 years as at 2019 with several commendation letters over the years and due to retire from service in 2021 the petitioner deserved to be well treated instead of disengagement from the service.
- 2.4 The petitioner prays the Committee to intervene and direct the respondents to immediately recall and reinstate him.
- 2.5 To direct the management of NSTIF to restore all his rights and privileges as a staff of the Agency.



- 2.6 To Direct the Management of NSTIF to ensure the payment of all the petitioners salaries and allowances from 2017 to date.

### **3.0 INVESTIGATIVE HEARING**

- 3.1 The hearing of the matter was concluded 22nd June 2021 after several hearings with parties appearing to make both oral and documentary submission in defence of the petition.

### **4.0 RESPONDENT PRESENTATION (NSTIF)**

- 4.1 The NSTIF in their presentation, informed the Committee that the petitioner Mr. Henry Sambo Ekhasomi was employed by NSTIF under the National Provident Fund on the 19th April 1989 as an Assistant Executive Officer (Account) on Grade level 06 vide letter with (Ref No NPF/Ar/6n/T/B1) of 3rd April 1989. That while in the Service of NSTIF, he rose to the rank of Deputy General Manager from 16th May 2014 and has acted as Head of Finance and Accounts Department.
- 4.2 That on 23rd November 2017, the EFCC arraigned Mr. Ekhasomi together with some other officers of NSITF to the High Court of the FCT sitting in Apo on 26 count charge bordering on conspiracy, abuse of office and illegal diversion of public funds.
- 4.3 That following that arraignment the Honourable Minister approved the immediate interdiction of the concerned officers in line with Sections 06, 09 and 10 of the NSTIF staff Conditions of Service.
- 4.4 That EFCC investigation proved that about N72 billion was siphoned from the NSTIF by the Board Chairman, three Executive and Non-Executive Directors with the active connivance of the Managing Director, the General Manager, Legal and the Deputy General Manager, Finance and Account.
- 4.5 In view of the aforementioned, the Honourable Minister promptly invited the Auditor General of the Federation (AUGF) to conduct a periodic check on the fund for 2013-2018 in order to examine the financial records.
- 4.6 That in above consideration, an administrative panel of enquiry into financial and other affairs of NSTIF from 2013 to 2017 was also set up by Honourable Minister of Labour and Employment on the approval of the President to investigate the financial state of the affairs of NSTIF and auxiliary matters.



- 4.7 That in the course of the panel's investigation several lapses in the functions of the Finance and Account Department were observed among which are; inadequate supervision of the accounting functions leading to several irregularities, inability to maintain an adequate ledger and lack of preparation of financial statements of funds from the inception to 2018, lack of maintenance of vote control books to monitor expenditure of various vote (account) to ensure that there is no extra budgetary expenditure of votes as approved Audited account of the fund spent for the past five years etc.
- 4.8 That having discovered all these several lapses in the discharge of the petitioners accounting functions Mr. Ekhasomi was invited severally by the panel but he refused to appear.
- 4.9 That following series of letters from Mr. Ekhasomi through his counsel requesting to be recalled back to service and considering the fact that Mr. Ekhasomi was discharged and not acquitted, NSTIF wrote series of letter to EFCC to confirm whether the petitioner has been cleared of any indictment from the Commission but no response was provided by EFCC.
- 4.10 That on 12th April, 2019, the Honourable Minister of Labour and Employment approved the report of the administrative panel on the financial Affairs of the fund and the Auditor General's periodic report on NSTIF and approval of the recommendations. Mr. Henry Sambo among others were directed to proceed on compulsory retirement from the fund with effect from 1st April, 2019.
- 4.11 That these were due to the existence of financial malfeasance ranging from misappropriation, dereliction of duties and breach of financial regulations.
- 4.12 That the above directive was there after being communicated to Mr. Ekhasomi via a letter dated 22nd May 2019.
- 4.13 That the Minister in the instance also acted as the Board of NSTIF in the absence of a Board.

## **5.0 COMMITTEE FINDINGS**

- 5.1 The Committee after series of interrogation as well as perusal of all the documents tendered by parties in defence of the petition observed as follows:
- 5.2 The Committee observed that Mr. Henry Sambo was employed by NSTIF under the National Provident Fund and has risen to the rank of General Manager Finance and account before his compulsory retirement from the service.



- 5.3 That the rationale behind the petitioners compulsory retirement from the service of NSTIF was a case of victimization since he was found not culpable and his name was also removed and discharged from the list of suspects by the Federal High Court FCT Apo, Abuja.
- 5.4 That he was compulsory retired on alleged financial misappropriation, irregularities and lack of competence in handling of the affairs of the department of Finance and Account which he was the Deputy General Manager but the allegation was not properly investigated before such actions were taken against him.
- 5.5 That the approval for the petitioner's compulsory retirement was given by the Minister of Labour and Employment instead of the Board of Trustees, who have the sole responsibility to take such action.
- 5.6 The Committee also received a letter of withdrawal of the petitioner's petition on 22nd June, 2021 on the account that he has consulted with people who advise him to discontinue the pursuit of the matter for reasons best known to him.

## **6.0 COMMITTEE RECOMMENDATIONS /CONCLUSIONS**

- 6.1 The Committee urges the House to suspend hearing on the petition on the account that the petitioner has withdrawn his petition from the Committee with a letter dated 19th June, 2021.
- 6.2 That for the petition to be investigated by the House it has to be re-introduce to the House who would refer it back to the Committee officially for further legislative actions.

## **6.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended.



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**CASE 67:**

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**REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON THE PETITION BY EMIKO & ASSOCIATES ON BEHALF OF MR. ISAAC DUVWERI AGAINST THE NIGERIA POLICE FORCE ON ALLEGED REFUSAL TO PAY JUDGEMENT DEBT IN SUIT NO. FHC/ASB/CS/23/09****1.0 PREAMBLE**

- 1.1 The House of Representatives at its plenary sitting on Thursday, 8th July, 2021 received a Petition presented by Hon. Haruna Dederi on behalf of Emiko & Associates for Mr. Isaac Duvweri against the Nigeria Police Force (NPF) on their Refusal to pay Judgement Debt in Suit No. FHC/ASB/CS/23/09.
- 1.2 Pursuant to Section 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and in accordance with the House Standing Order XX Rule 5(2) [b] of the 9th Assembly and in line with principles of fairness, equity and justice, the petition was referred to the Committee on public petitions for further legislative actions.

**2.0 PETITIONER'S CASE**

- 2.1 The Petitioner informed the Committee that his client (Mr. Isaac Duvweri) was the owner of a large wooden boat which he hired out to one Dennis Gebekama for a period of six (6) days at the rate of N10, 000.00 per day.
- 2.2 That the boat in question was seized from Dennis Gbenekama by officers and men of the Nigeria Police Force for no just cause.
- 2.3 That, in spite of several interventions and appeals and without lawful cause or excuse, the NPF refused or neglected to release the boat to the Petitioner.
- 2.4 That a court action was instituted against NPF at the Federal High Court, Asaba for several relief including a declaration that the arrest and detention of the boat was wrongful, illegal and injurious to the Petitioner, on order that the Police should pay the Petitioner loss of income and damages.
- 2.5 That the Judgement of the Federal High Court sitting at Asaba, Delta State was delivered in the Petitioner's favour on 7th December, 2010.



- 2.6 That in that judgement, the total sum of N80, 370,000 (Eighty Million, Three Hundred and Seventy Thousand Naira) was awarded to the Petitioner as a result of loss of income and damages done to his wooden boat.
- 2.7 That on 16th June, 2015, the Federal High Court, Asaba granted an order to the Petitioner for leave to a Writ of Execution against the Police Service Commission, the Inspector-General of Police and the then Commissioner of Police, Delta State.
- 2.8 That despite following due process in delivering the Court Judgement to the Nigeria Police Force, the NPF has failed, refused or neglected to pay attention to the Petitioner's rights.
- 2.9 The Petitioner prayed requesting for the Committee's intervention to ensure the recovery of the Judgement Debt as delivered by the Court.

### **3.0 INVESTIGATIVE HEARING**

- 3.1 The investigative hearing was concluded on Tuesday, 5th October, 2021 with both parties involved in the matter appearing in defence of the Petition.
- 3.2 That while the Petitioner came with oral and documentary presentations, the Respondent (NPF) did not come with any document but with oral submissions in defence of the Petition.

### **4.0 RESPONDENT'S SUBMISSION**

- 4.1 The Nigeria Police Force, in their oral presentation, stated that whenever Judgement is passed in the law court, there are laws to enforce the judgement.
- 4.2 In view of that, they will liaise with the Petitioner to help in the execution of the court Judgement of the case in question.

### **5.0 COMMITTEE FINDINGS**

- 5.1 The Committee, after thorough investigation of the matter observed as follows:
- 5.2 That the case in question has to do with seizure of a wooden boat belonging to Mr. Isaac Duvweri which he hired out to one Mr. Dennis Gbenekama for a period of six (6) days at the rate of N10, 0000.000 per day.
- 5.3 That the boat was seized by the officers of the Nigeria Police Force without lawful cause.



- 5.4 That the Nigeria Police Force (NPF) could not offer any statement in defence of the case during the investigative hearing but promised to liaise with Petitioner to ensure the execution of the Court Judgement.
- 5.5 The case in question has already been concluded at the Federal High Court sitting at Asaba, Delta State with Judgement delivered in favour of the Petitioner.
- 5.6 In view of the aforementioned, the Committee upheld the Judgement of the Federal High Court and mandates the NPF to ensure the execution of the court judgement in favour of the Petitioner to pay him the sum of N80,370,000 (Eighty Million, Three Hundred and Seventy Thousand Naira).

## **6.0 COMMITTEE RESOLUTION/CONCLUSION**

- 6.1 The Committee, in view of the findings above, urges the House to direct the Inspector General, Nigeria Police Force, the Chairman Police Service Commission and the Police Commissioner, Delta State to pay the Petitioner (Mr. Isaac Duvweri) the sum of N80, 370,000 (Eighty Million, Three Hundred and Seventy Thousand Naira) as delivered by the Federal High Court, Asaba, Delta State in Suit No. FHC/ASB/CS/23/09.
- 6.2 To expedite actions in the process involved in the payment of the said money to the Petitioner.

## **7.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended.



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**CASE 68:**

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**REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON THE PETITION BY EX-CPL ALFRED EREMEN AGAINST THE NIGERIA POLICE FORCE ON ALLEGED WRONGFUL DISMISSAL FROM THE NIGERIA POLICE FORCE****1.0 PREAMBLE**

- 1.1 The House of Representatives at its Plenary sitting on Wednesday, 15th September, 2021, received a Petition presented by Hon. Ben Igbakpa Rolland on behalf of Ex-Cpl Alfred Eremen against the Nigeria Police Force on the Wrongful Dismissal from the service of the Nigeria Police Force has been tabled for consideration and legislative actions.
- 1.2 Pursuant to Section 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and in accordance with the House Standing Order XX Rule 5(2) [b] of the 9th Assembly and in line with principles of fairness, equity and justice, the petition was referred to the Committee on Public Petitions for further legislative actions.

**2.0 PETITIONER'S CASE**

- 2.1 The Petitioner (Ex-Cpl Alfred Eremen) informed the Committee that he was enlisted into the Nigeria Police Force in 1992 with Force Number F.193849 and at the time of his wrongful dismissal was part of the Federal Patrol Team under the Edo State Command.
- 2.2 That on 17th June, 2007, he was posted for Morning Duty at Benin/Ore Ohonsu Village together with ASP Augustine Asekhamen, Cpl. Philemon Mansari and Constable Emmanuel Alewu at a time when the Commissioner of Police issued a standing order requiring all police officers to be at their duty post no matter the circumstances.
- 2.3 That their Patrol Jeep with Registration No. PF 689 HQ attached to Team A, B and C developed mechanical fault resulting in their hiring a vehicle to convey them from Benin to Okada instead of joining public transport which is not proper and unsafe for Policemen bearing firearms.
- 2.4 That upon arrival at their duty post in the hired vehicle at 1013hrs, they handed over all their monies totalling N7,645 in their possession to ASP Augustine Asekhamen





for safe-keeping as follows ASP Augustine Asekhamen (N3,500); Cpl Philemon Mansari (N1,340), Constable Emmanuel Alewu (N1,005) and the Petitioner (N1,800).

- 2.5 That they were invited for searching by men who informed them that they were from the IGP Monitoring Unit from Force C.I.D., Abuja who found nothing in their pockets but ASP Sylvester Onuchukwu noticed a bag by the roadside belonging to ASP Augustine Asekhamen and went ahead to seize it before ordering them to report to the Force C.I.D. Abuja.
- 2.6 That after being detained in police cell for over month, they were tried by Orderly Room procedure after investigation by the C.I.D., the end of which was their being discharged and acquitted.
- 2.7 That after their discharge and acquittal, he was dismissed by a signal dated 10th August, 2007 with effect from 30th July, 2007.
- 2.8 That the appeal he wrote to the Inspector-General, Nigeria Police Force through the DIG, (Admin.) and Chairman of Police Service Commission dated 25th March, 2021 has not been replied to date.

### **3.0 PETITIONER'S PRAYERS**

- 3.1 The Petitioner appeals to the Committee to consider his petition for reinstatement into the service of the Nigerian Police Force and correct the injustice meted out to him after 15 years of service to the country.
- 3.2 That the IGP, Nigeria Police Force promotes and pays him all his promotion salaries and entitlements.

### **4.0 INVESTIGATIVE HEARING**

- 4.1 The investigative hearing was concluded on 7th December, 2021 with both parties involved in the above petition appearing to make both oral and documented presentation.

### **5.0 RESPONDENT'S SUBMISSION**

- 5.1 In his submission, the Commissioner of Police, Force Headquarters, Abuja confirmed that the Petitioner (Ex-Cpl. Alfred Eremen) was a Police Corporation in Edo State Command before he was dismissed in 2007 for official corruption.



- 5.2 That the IGP Monitoring Team arrested him alongside ASP Augustine Asekhamen; Cpl Philemon Mansari; Constable Emmanuel Alewu when they found N7,645 in a bag left on the roadside belonging to ASP Augustine Asekhamen which was more than the amount (N5) stipulated by the standard operation guideline for police officers on search duty.
- 5.3 That there was an extant directive from the Inspector-General, Nigeria Police Force against such discreditable conduct and the Corporal was among many corrupt police officers dismissed for their refusal to eschew corrupt practices.

## **6.0 COMMITTEE FINDINGS**

The Committee, having perused all the documents and presentations by both parties appearing during the Hearing in defence of the above petition, observed as follows:

- 6.1 That the Petitioner was enlisted into the service of the Nigeria Police Force in 1992 and as at the time of his dismissal had served for 15 years in the Force.
- 6.2 That the Petitioner was one of the officers detailed for patrol duty along the Benin Ore express way on 17th June, 2006 but had to travel to their duty post in a hired vehicle together with his colleagues because their Patrol Jeep developed mechanical fault on the fateful day.
- 6.3 That the Petitioner and his colleagues was arrested by the IGP Monitoring Unit and tried for contravention of standard operation procedure for police officers on search duty and discharged and acquitted.
- 6.4 That that the Petitioner was dismissed with effect from 30th July, 2007 by a signal dated 10th August, 2007.
- 6.5 That the appeal he addressed to the Inspector-General through the DIG (Admin.) and Chairman of Police Service Commission on 25th March, 2021 proved abortive.

## **7.0 COMMITTEE RECOMMENDATIONS/CONCLUSION**

The Committee, in view of the findings above, urges the House to discountenance the Petition for lack of merit.

## **8.0 RESOLUTION ADOPTED BY THE HOUSE**

Petition discountenanced for lack of merit.



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**CASE 69:**

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**REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON THE PETITION BY I. EJEDEGBA & CO. ON BEHALF OF MR. SUNDAY MAGBA OF NIGERIA POLICE FORCE (F/NO. 364586) AGAINST THE NIGERIA POLICE FORCE ON HIS ALLEGED WRONGFUL DISMISSAL FROM SERVICE AND APPEAL FOR REINSTATEMENT.****1.0 PREAMBLE**

- 1.1 The House of Representatives at its plenary sitting on 14th July, 2021 received a Petition presented by Hon. Chinedu Ogahon behalf of PC Magba Sunday (F/No. 364586) against the Nigeria Police Force on his unlawful dismissal from service.
- 1.2 Pursuant to Section 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and in accordance with the House Standing Order XX Rule 5(2) [b] of the 9th Assembly and in line with principles of fairness, equity and justice, the petition was referred to the Committee on public petitions for further legislative actions.

**2.0 PETITIONER'S CASE**

- 2.1 The Counsel to the Petitioner, I. Ejedegba & Co. informed the Committee that his client (PC Magba Sunday) was enlisted into the service of NPF on the 1st August, 2001 in Ekiti State and had since then served in several formations within and outside the state before his unlawful dismissal.
- 2.2 That on 17th June, 2009, he was on an official duty of Stop and Search at Gbogan Junction with his colleagues in office and while in the process they noticed and stopped a Peugeot Car with five (5) occupants and driver who was driving recklessly.
- 2.3 That, in the course of interrogation of the driver on why he was driving recklessly, and ordering him to open his car boot and to present his vehicle particulars, that one of the occupants of the car by name Naomi Adeogun interrupted that the NPF has no power to request for a vehicle particulars.
- 2.4 That the said action of the woman on the issue at stake generated a hot argument in which the said lady threatened that she will ensure that the Petitioner is dismissed from the service of the NPF.
- 2.5 That on the 18th of June, 2009, the father of the said lady reported the matter to the Office of the AIG Oshogbo, Osun State and upon very strong but frivolous



allegations against him, he was tried and eventually dismissed by NPF.

- 2.6 That despite his dismissal, the Petitioner was promoted to the rank of Corporal with a Signal (Reference No. CH2300/WEL/FHQ/ABJ/T/86) dated 12th June, 2009.
- 2.7 That from the circumstances surrounding his dismissal, it showed that there was a communication gap somewhere as the punishment recommended for the Petitioner during the Orderly Room trial was out of tune with the offence they claimed that he committed whereas other team members were still in the Police Force as at the time of investigating this case.
- 2.8 The petitioner prayed appealing for the Committee's intervention as series of efforts made to get the relevant authorities to look into the issue has proved abortive as regard to his reinstatement back to the service of NPF.

### **3.0 INVESTIGATIVE HEARING**

- 3.1 The investigative hearing was concluded on 15th December, 2021 after several hearings with both parties appearing with oral and documentary presentations in defence of the Petition.

### **4.0 RESPONDENT'S SUBMISSION**

- 4.1 The Nigeria Police Force, in response to the above Petition, did not tender any document before the Committee in defence of the above petition. According to their oral presentation they stated that three Police Officers affected were alleged to have engaged in the collection of N2, 000 from people while on their duty post.
- 4.2 That the said allegation was reported to their Unit Command in AIG Office, Oshogbo Osun State who investigated the matter and recommended punishment of reduction in ranks for all of the three affected police officer.
- 4.3 That two out of the three NPF Officers (Corporal Olalekan Idowu and Corporal Clement Adeyemo) were later reduced in rank from Corporal to Lance Corporal, while the Petitioner (PC Magba Sunday) was dismissed on the ground that he has no other lower rank to be reduced to and his punishment will rather be outright dismissal and that was why the Petitioner was dismissed from the Service.



## 5.0 COMMITTEE FINDINGS

The Committee has investigated the matter and observed as follows:

- 5.1 That the Petitioner was enlisted into the service of NPF on 1st August, 2001 and has served for a period of eight (8) years before his dismissal on 18th June, 2009 from the Service.
- 5.2 That the cause of his dismissal was that he was alleged by the father of one Miss Naomi Adeogun to have, along with his group, collected the sum of N2, 000 from them while in operation at the duty post.
- 5.3 That the three officers were investigated and during trial were found guilty and awarded N10 major Entry with a warning notice.
- 5.4 That, contrary to the punishment awarded to them during Orderly Room trial, the Petitioner was dismissed while the two other Police Officers (Corporal Olalekan Idowu and Corporal Clement Adeyemo) were reduced in rank and got transferred to another formation.
- 5.5 That the assertion of the NPF that the Petitioner has no rank and that was why he was dismissed was not true because the Petitioner had already been promoted to the rank of Corporal with **Signal (Reference No. CH2300/WEL/FHQ/ABJ/T/86)** dated 12th June, 2009.

## 6.0 COMMITTEE RESOLUTION/CONCLUSION

- 6.1 The Committee, in view of their findings above, urges the House to mandate the Inspector-General, Nigeria Police Force to reinstate PC Magba Sunday to the service of NPF.
- 6.2 Promote him to be at par with his other colleagues who were reabsorbed back to service after the Orderly Room trial.
- 6.3 Start paying his salaries, allowances and benefits from the day he will be recalled back to office.

## 7.0 RESOLUTION ADOPTED BY THE HOUSE

Adopted as recommended.



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**CASE 70:**

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**REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON THE PETITION BY IBRAHIM K. BAWA SAN & CO. (LEGAL PRACTITIONERS) ON BEHALF OF ABUBAKAR MAMMAN ABAKA (NPS 28901) AGAINST THE NIGERIAN CORRECTIONAL SERVICES ON THE ALLEGED UNLAWFUL DISMISSAL FROM THE SERVICE OF THE NIGERIAN CORRECTIONAL SERVICES****1.0 PREAMBLE**

- 1.1 The House of Representatives at its Plenary sitting on Wednesday, 29th September, 2021 received the above Petition presented by Hon. Haruna Dederi Isah on behalf of Mr. Abubakar Mamman Abaka against the Nigerian Correctional Services on the Unlawful Dismissal from the service of the Nigerian Correctional Services and has been tabled for consideration and legislative actions.
- 1.2 Pursuant to Section 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and in accordance with the House Standing Order XX Rule 5(2) [b] of the 9th Assembly and in line with principles of fairness, equity and justice, the petition was referred to the Committee on Public Petitions for further legislative actions.

**2.0 PETITIONER'S CASE**

- 2.1 The Counsel to the Petitioner (Ibrahim K. Bawa SAN & Co.) on behalf of the Petitioner Mr. Abubakar Mamman Abaka informed the Committee that he was appointed in 1990 as an Assistant Superintendent of Prison on GL. 08.
- 2.2 That the Petitioner has served in various Prisons/Correctional Centres across the country for the past 27 before his posting as the Deputy Controller of Prisons, Yola Prisons, Adamawa State in 2016.
- 2.3 That throughout his 27 years in the service of the Nigerian Prisons (Correctional Service) he had never been found wanting but recognized as a loyal, honest and hardworking officer and has been commended by the Controllers-General, Kuje Prisons and Edo State Correctional centres.
- 2.4 That the Petitioner was suspended from office vide letter (reference No. CDFIB/PRS/28/V.III/361) dated 3rd April, 2017 and was being queried on 4th April, 2017



and finally dismissed from service vide letter of dismissal dated 11th December, 2017 which he received on 30th January, 2018.

- 2.5 That the reason given for his dismissal were allegations of indiscipline by conniving with court officials while serving as Deputy Controller of Prisons in charge of Yola Prisons while handling the court appearances of an inmate, namely Bala James Ngilari whose release by the Yola High Court on bail on 27th March caused public outrage because of the inmate's status as former Deputy Governor.
- 2.6 That the Petitioner's appeal over the unlawful dismissal from service addressed to the Controller-General of Prisons/Correctional Services has been to no avail.
- 2.7 The petitioner prayed the House intervention to ensure that a review of his dismissal is carried out to enable him to be compensated for his 27 years of service.
- 2.8 That the House upheld Section 287(3) of the Constitution of the Federal Republic of Nigeria, 1999 (as amended) to ensure that he is punished for disobeying court order.
- 2.9 That the Controller-General should direct the Civil Defence, Fire Service, Immigration and Prisons Board (CDFIPB) to reinstate him and pay him all his salaries and allowances in accordance with his current rank.

### **3.0 INVESTIGATIVE HEARING**

- 3.1 The investigative hearing was concluded on 27th February, 2022 with both parties involved in the above petition appearing to make both oral and documentary presentation.

### **4.0 RESPONDENT'S SUBMISSION**

- 4.1 The Controller of Corrections/Provost Marshall in charge of Discipline, in his submission informed the Committee that the Petitioner was a senior staff appointed by the Nigerian Prisons (now Nigerian Correctional Services) and his last posting was as the Deputy Controller of Prisons in-charge of Yola Prisons in Adamawa State.
- 4.2 That the Petitioner was involved in a case of indiscipline as the then Officer in Charge of Yola Prisons, Adamawa State in the year 2017, which culminated in his suspension and subsequent dismissal from the services of the Nigerian Correctional Services on 4th November, 2017.



- 4.3 That the Nigerian Correctional Services is one of the paramilitary agencies regulated by Civil Defence, Fire Service, Immigration and Prisons Board (CDFIPB) which ensures proper discipline, promotion or dismissal of officers working in the various government organizations as enshrined in Part 1 (D) of the Third Schedule of the Constitution of the Federal Republic of Nigeria, 1999 (as amended).
- 4.4 That according to the Immigration and Prisons Services Board Act, CAP. 12, Laws of the Federation of Nigeria, (LFN) 2004, the power to appoint, discipline and dismiss staff such as the Petitioner is vested in the Senior Staff Disciplinary Committee (SSDC) constituted by the CDFIPB which also entertains all appeals against their decisions.
- 4.5 The Deputy Director (A&P) representing the Board stated that the matter at stake was deliberated on by the Senior Staff Disciplinary Committee who found him liable for the infringement of Public Service Rules 030301(h), 030402 (a) (i) and (w) as well as Order 258 and 596 of the NPSO, 2011 during his tenure as the Deputy Controller of Prisons in charge, Yola Prisons with regards to his handling of the court case of an inmate (Bala James Ngilari (M.324/1017)).
- 4.6 That the Petitioner's response in his reply to the query issued him showed that he admitted to having acted illegally even though while carrying out legal court orders.
- 4.7 That the decision to dismiss the Petitioner by the Senior Staff Disciplinary Committee was upheld by both the BDGPC and the CDFIPB as a means of preventing the Petitioner from laying down bad examples for other officers not only in the Nigerian Correctional Services but in the Public Service at large.

## 5.0 COMMITTEE FINDINGS

The Committee, having perused all the documents and presentations by both parties appearing during the Hearing in defence of the above petition, observed as follows:-

- 5.1 That the Petitioner was enlisted into the service of the Nigerian Correctional Service in 1990 as the Assistant Superintendent of Prisons and have served in various capacities across several prisons/correctional centres in Nigeria for 27 years.
- 5.2 That the Petitioner has an impeccable record of meritorious service having been recognized by two Controller-General of Kuje Prisons and Controller-General, Edo State Command.
- 5.3 That the Petitioner was involved in a case of indiscipline which resulted in his suspension and subsequent dismissal from the service of the Nigerian Correctional





Services, specifically the complicated handling and haphazard release of the inmate (Bala James Ngilari) remanded to the custody of the Prison authorities in Yola, Adamawa State by the High Court of Adamawa State.

- 5.4 That, it was alleged that the Petitioner caused his Superintendent of Prisons/Medical in the person of John Bukarto to write to the High Court a letter recommending the referral of the inmate to the Canadian Specialist Hospital, Dubai and approval of 10-days bed rest for the inmate when he was not a medical doctor.
- 5.5 That the manner of the bail granted the inmate caused public outrage and all suspicion was on the Petitioner who came under fire as the probe into the matter showed that the court officials and prisons authorities were negligent in their duties.
- 5.6 That the Petitioner's request for the Nigerian Correctional Services to review his dismissal should have been directed to the Chairman, Senior Staff Disciplinary Committee constituted by the CDFIPB as the Controller-General of Prisons had no case to answer.
- 5.7 That the assertion by the Investigative Team that probed the matter claiming that the Petitioner was involved in connivance with either prisons or court officials requires more evidence given the impeccable track record of the Petitioner.

## **6.0 COMMITTEE RECOMMENDATIONS/CONCLUSION**

The Committee, in view of the findings above, urges the House to:

- 6.1 Mandate the Board of Correctional Service, Civil Defence, Fire Service and Immigration (CSCDFI) to review the dismissal of the Petitioner.
- 6.2 That the Investigative Report recommending that the Petitioner (DCP Abubakar Mamman Abaka) be posted to the State or Zonal Headquarters should be enough punishment for his role in what was regarded as a hasty and suspicious release of the former Deputy Governor who was an inmate during his tenure.
- 6.3 Appeal to the Board (CSCDFI) to possibly convert the Petitioner's dismissal to compulsory retirement because outright dismissal would amount to denial of his retirement benefits that will enable him start a new life.

## **7.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended.



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## CASE 71:

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### **REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON THE PETITION BY FREAL LAW FIELD ON BEHALF OF MAJOR JATAU, COMRADE SULEIMAN ABDULMUMIN AND 120 OTHERS AGAINST THE MANAGEMENT OF SHERATON HOTEL, ABUJA FOR ALLEGED NON-PAYMENT OF ARREARS OF SALARY, REDUNDANCY BENEFITS AND OTHER SEVERANCE PACKAGES OF THE ABOVE PETITIONERS WHO WERE RECENTLY DISENGAGED FROM THE SERVICE OF THE HOTEL**

#### **1.0 PREAMBLE**

- 1.1 The House of Representatives at its plenary sitting on Tuesday, 10th June, 2021, received the above mentioned Petition presented by Hon. Haruna I. Dederi on behalf of the above-mentioned Petitioners.
- 1.2 Pursuant to Section 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and in accordance with the House Standing Order XX Rule 5(2) [b] of the 9th Assembly and in line with principles of fairness, equity and justice, the petition was referred to the Committee on public petitions for further legislative actions.

#### **2.0 PETITIONER'S CASE**

- 2.1 That the client to the Petitioner Freal Law Field (Major Jatau, Comrade Suleiman Abdulmumin and 120 Others were employees of Abuja Sheraton Hotel & Towers, Abuja who have served their employer meritoriously at both the junior and senior cadre before they were disengaged in 2021 by the Management's letter dated 3rd March, 2021.
- 2.2 That before the abrupt and unfortunate disengagement from the hotel by the Management of Sheraton Hotel, Abuja in March, 2021 as a result of COVID pandemic the management of Sheraton Hotel owed them arrears of 8 months salaries, severance entitlements including Redundancy Benefits yet to be paid as the time of this report.
- 2.3 That the affected staff of Sheraton Hotel, Abuja on the issue at stake had put in more than 25 years of service and were permanent and pensionable staff statutorily favoured as enshrined in the Public Service Rules and Conditions of Service as duly signed by Management of Sheraton/Capital Hotels and the staff representatives.



- 2.4 That, according to the Condition of Service of Sheraton Hotel, Abuja the following are the list of severance packages which the Petitioners involved in this matter were entitled to but were denied by the Management of Sheraton Hotel: **(1) Economic Relief; (2) Leave Allowances; (3) N3.5million and N4 million Final Exit package; Burial Assistance (for those who lost loved ones); (5) Long Service Award; (6) None Uniform Allowance; (7) One month salary in lieu of Notice; (8) Outstanding Salaries from July, 2020 to February, 2021; (9) Compensation under Employment Compensation Act; (10) None Accident Bonus of 3 Months; and (11) Gross Salary per year to Hotel Drivers.**
- 2.5 That the Counsel to the Petitioners involved in this matter wrote Letter of Complaint on 29th March, 2021 to the Management of Sheraton Hotel, Abuja, requesting them to address the issue at stake.
- 2.6 That as a Federal Government-owned company under Abuja Investments Company (AICL), Capital Hotels Plc. holds 49% of the shares and Sheraton Hotels holds 51% whose employees are pensionable who are entitled to seek redress in the event that their terminal benefits are not granted them whether disengaged or not.
- 2.7 That the Management of Sheraton Hotel bluntly refused to address the issues raised by the Petitioners in their submission with the reason that the said Condition of Service with which they were employed expired on 30th April, 2020 and no other Condition of Service was negotiated and agreed upon after the expiration of the previous one in 2020.

### 3.0 PETITIONER'S PRAYERS

- 3.1 Requesting for the intervention of the House for the payment of their 8 months arrears of salaries, Final Exit Package Lump Sum, Redundancy Benefits and other entitlements that is due to them by the Management of Sheraton Hotel, Abuja.
- 3.2 For the Management to pay them COVID-19 Palliatives since that was the period of their retrenchment which the Management referred to as re-organization in their disengagement letter.

### 4.0 INVESTIGATIVE HEARING

- 4.1 The investigative hearing was concluded on Tuesday, 5th October, 2021 with both parties appearing in defence of the Petition.
- 4.2 That while the Petitioners (Major Jatau, Comrade Suleiman Abdulmumin and



120 others) appeared on all the hearing dates with both oral and documentary presentations in defence of their matter, the Respondent (Management of Sheraton Hotel, Abuja only appeared once and made only oral presentations in defence of the petition.

## **5.0 RESPONDENT'S SUBMISSION**

- 5.1 The Management of Sheraton Hotel, Abuja informed the Committee that it lacked jurisdiction to handle the case in question according to Sections 88, 89 and 254 of the 1999 Constitution of the Federal Republic of Nigeria (as amended).
- 5.2 That for the benefit of doubt, they told the Committee that, as far as they were concerned, they had settled all the disengagement benefits and entitlements that were due to the Petitioners.
- 5.3 That the reason why they refused to address the issues raised and claimed by the Petitioners on Condition of Service in their submission was that the said Condition of Service under which the Petitioners were employed expired since 30th April, 2020 and since then no other Condition of Service was negotiated and agreed upon by parties involved in the above Petition.
- 5.4 That the Management of Sheraton Hotel, Abuja were advised by the Committee to go and meet with the 120 disengaged staff, revisit the matter and come up with an amicable resolution and report back to the Committee on 15th July, 2020 which they did but the Management of Sheraton Hotel were still maintaining their stand on the matter.

## **6.0 COMMITTEE FINDINGS**

- 6.1 The Committee, after thorough examination and perusal of the ownership and capital structure of the stated establishment confirmed that the Federal Government of Nigeria (FGN) has a certain percentage of their share in the ownership of the company and permanent and pensionable staff of Sheraton Hotels, Abuja before their disengagement from office.
- 6.2 That Major Jatau, Comrade Suleiman Abdulmumíín and 120 others abruptly disengaged March, 2020 on account of redundancy without following due process with regard to permanent and pensionable staff.
- 6.3 That the Petitioners were also denied all the arrears of salaries, severance packages as well as redundancy benefits from July, 2020 to February, 2021 when they were designated by Sheraton Hotel, Abuja.



- 6.4 That the assertion by Sheraton Hotel that no other Condition of Service was negotiated and agreed upon by both parties after its expiration in 2020 cannot be used as a yardstick to debunk the Petitioners' right of entitlement because it is not the duty of the staff of the stated establishment to review the Condition of Service but the Management of Sheraton Hotel's statutory obligation, so leaving a vacuum after a year of the expiration of the stated Condition of Service is a calculated attempt to deny the Petitioners their entitlements and benefits.
- 6.5 That, despite the Committee's advice to the Management of Sheraton Hotel to go and review their decision in disengaging the affected staff of Sheraton Hotel from service and come up with an amicable resolution of the matter, they came back and still maintained their stand on the issue at stake.
- 6.6 That the assertion by the management of Sheraton Hotel that the Committee has no jurisdiction over the case in question was not true because the same Section 88 and 89 of the 1999 Constitution (as amended) also empowers the Committee to summon and investigate any matter brought before them and make recommendations to the House for final resolution.

## **7.0 COMMITTEE RECOMMENDATIONS/RESOLUTION**

Having observed that the affected staff of Sheraton Hotel, Abuja had put in more than 25 years of service as permanent and pensionable staff who are statutorily favoured as enshrined in the Public Service Rules before their retrenchment as a result the company re-organization, the Committee, urges the House to:

- 7.1 Direct the Managing Director/Chief Executive of Sheraton Hotel and Towers, Abuja to pay Major Jatau, Suleiman Abdulmumin and 120 Others the arrears of their salaries from July, 2020 to February, 2021 as well as pay severance packages itemized in their Condition of Service (vide Clauses 5; 24; 30; 46; 47; 49; 50 and 68 of their Condition of Service) to enable them start life elsewhere since the disengagement did not follow due process.

## **8.0 RESOLUTION ADOPTED BY THE HOUSE**

The House adopted the Committee recommendations.



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**CASE 72:**

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**REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS BY MR. DUNG DALYOP (SP) RTD. AGAINST THE NIGERIAN EROSION AND WATERSHED MANAGEMENT PROJECT (NEWMAP) ON THE ALLEGE ENCROACHMENT ON HIS ANCESTRAL FARMLAND SITUATED AT CHONGOPYENG, AYEL DISTRICT IN JOS-SOUTH LOCAL GOVERNMENT AREA OF PLATEAU STATE.****1.0 PREAMBLE**

- 1.1 The House of Representatives at its plenary sitting on Wednesday, 14th July 2021, received the above petition presented by Hon. D. Bogos on behalf of Mr. Dung Dalyop (SP) Rtd. which was tabled at the floor of the House for deliberation.
- 1.2 Pursuant to Section 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and in accordance with the House Standing Order XX Rule 5 (2) [b] of the 9th Assembly and in line with principles of fairness, equity and justice, the petition was referred to the Committee on public petitions for further legislative actions.

**2.0 PETITIONER'S CASE**

- 2.1 The Petitioner, Mr. Dung Dalyop (SP Rtd.) informed the Committee that the Management of the Nigerian Erosion and Watershed Management Project (NEWMAP) approached him in respect of his farmland which has a stream that they needed to work on in order to avoid erosion. That a portion of his farmland measuring 5 metres from both the right and left side of the stream was granted to them by the petitioner based on their demands and they agreed on the terms of compensation.
- 2.2 That his greatest surprise was that the management of NEWMAP called him one day to pick up a cheque of N400, 000 as compensation of his plots of land they used from his land for their project but he refused to collect the said money on the grounds that the said offer was not commensurate with the value of the portion of his land used for the project.
- 2.3 That the said amount was later increased to N2.4 million which he still rejected because it was not even up to the value of one plot out of the 9 plots of land used for the project in the stated area.



- 2.4 That as a law-abiding citizen he prefer following due process instead of violent means in trying to reclaim his land back and that is why he is appealing to the House to do justice to the issue at stake by calling the management of NEWMAP to order.
- 2.5 The Petitioner prayed requesting for the Committee's intervention to ensure that he recovered his land back which was forcefully claimed by NEWMAP for their project without adequate compensation.

### **3.0 INVESTIGATIVE HEARING**

- 3.1 The investigative hearing on the matter was concluded on 20th December, 2021 after several hearings with Petitioner appearing with both oral and documentary presentation while the management of NEWMAP only sent documents but failed to appear in defence of the petition.

### **4.0 RESPONDENT'S PRESENTATION (NEWMAP)**

- 4.1 The management of the Nigerian Erosion and Watershed Management Projects (NEWMAP) informed the Committee that NEWMAP is a World Bank assisted projects established on 16th September, 2013 with the objective of reversing land degradation in a targeted sub-watershed.
- 4.2 That Plateau State Government effectively joined the Projects on the 26th June, 2016 to assist the State upgrade its degradation by also paying compensation to the identified and marked farmlands affected by erosion/land degradation.
- 4.3 That the projected affected person which have been identified, thus beneficiaries of compensation paid by NEWMAP for the purpose of erosion control and also upgraded the farmlands against further erosion and land degradation.
- 4.4 That in the case of Mr. Dung Dalyop whose property was situated at Ch'lon'opyeng, Ayel District of Jos South LGA of Plateau making him one of the project affected persons.
- 4.5 That his grievances were centred on the amount allocated to his plot of land which he inherited from his father.
- 4.6 That initially, the sum, as captured by the Consultant in the resettlement Action Plan Report that was done in 2019 was N440,000 for the 5 metres offset in which during implementation in 2020, he filled and signed the Compensation template for resettlement plan (RAP) on the 30th of May, 2020 agreeing to the stated amount





but on site during measurement, there was a review as to the size of land to 20 metres offset in which he was communicated and an offer of N2.6 million only was proposed to him which he refused and insisted on the N3 million compensation for the plot of land.

- 4.7 That the total land size affected by the project is 20 metres offset which was in total of 9 plots of land.
- 4.8 That the total amount to be paid to the Petitioner as compensation will be N5, 017,200 only consisting of N500, 000 per plot totalling N4.5 million for the 9 plots and crops destroyed was valued at N517, 200.

## **5.0 COMMITTEE'S FINDINGS/CONCLUSION**

- 5.1 The Committee after thorough investigation and perusal of all the documents tendered before the Committee by the petitioner came up with the following issues for determination:
- 5.2 Whether the officer was promoted from DCP to CP without payment of his salary arrears
- 5.3 What led to taking such actions by the then Controller General of the Nigerian Prison Service.
- 5.4 That retired CP Bata Bukar Mshelia Biu was promoted from the Rank of Deputy Controller of Prison (DCP) to the rank of Controller of prison notionally on 1st January 2016 and actually on 1st January 2010, and the promotion letter was released to him by the Board in charge of Prison, Immigration, Civil Defence and Fire Service on 14th February 2012.
- 5.5 That the said promotion letter was released to him without all the privilege attached to the rank such as payment of salary and arrears, provision of a driver and a security guard salaries, etc.
- 5.6 That the petitioner was not paid his salary arrears due to the issue raised against his group by the then Controller General of the Nigerian Prison Service on the dichotomy between HND holders and Degree holders.
- 5.7 That the schemes of Service of the Public Service on Nigerian Security and Civil Defence Corps and extant regulation on appointment, approves of placement of HND holders in the Executive/Inspectorate Cadre of the Service with their progression bar as chief inspectors. In view of that, the officers in NIS and NPS are claiming that this position is not only discriminatory but also contrary to the provisions of





the Schemes of the Service of the Nigerian Customs, Immigrations and Prisons Service of 1999 which granted Inspectors the opportunity for conversion to the rank of a superintendent Cadre provided they possess at least a Higher National Diploma (HND) from a recognized institution.

- 5.8 That the petitioner has been promoted to the rank of CP by the Board without recourse to the schemes of service was an error but such action cannot be attributed as cause by the petitioner but the fault of the Board and as a result of that, such reason cannot be used against the petitioner for not paying the arrears of his salary and other benefits and entitlement accrued to him.
- 5.9 That a house guard was granted to the petitioner by CP Borno State on the instruction of Controller General of Prisons on 25th July 2018 without monetary attachment.

## **6.0 COMMITTEE'S RECOMMENDATION/CONCLUSION**

In view of the findings above, the Committee recommends the following;

- 6.1 Urges the House to direct the Controller General of Nigerian Prison Service to pay Rtd. CP Bata Bukar Mshelia Biu the sum of ₦7, 591,515.00 being the arrears of benefits and entitlement for the salary of his Driver and Security Guard for a period of 69 and 93 months respectively in which he was denied such benefit.
- 6.2 Pay him the arrears of his salary for a period of 9 months he served as CP before retirement.
- 6.3 Approve the restoration of his security guard and driver for life as recommended by the board, with all the benefit and entitlement accrued to them.

## **7.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted



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**CASE 73:**

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**REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON THE PETITION BY MR. AZIGERE PRINCEWILL AGAINST THE NIGERIA POLICE FORCE FOR ALLEGED UNLAWFUL DISMISSAL FROM THE SERVICE OF THE NIGERIA POLICE FORCE****1.0 PREAMBLE**

- 1.1 The House of Representatives at its plenary sitting on Thursday, 1st July, 2021 received a Petition presented by Hon. Julius G. Pondi on behalf of Mr. Azigere Princewill against the Nigeria Police Force on the unlawful dismissal from service.
- 1.2 Pursuant to Section 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and in accordance with the House Standing Order XX Rule 5(2) [b] of the 9th Assembly and in line with principles of fairness, equity and justice, the petition was referred to the Committee on public petitions for further legislative actions.

**2.0 PETITIONER'S CASE**

- 2.1 The Petitioner (Mr. Azigere Princewill), a citizen of Nigeria from Burutu LGA of Delta State, informed the Committee that he was recruited into the service of Nigeria Police Force as Constable on 1st of April, 2003, trained at Oji River Police College in Enugu State with Service NO. 410215 and was promoted to the rank of Corporal on the 1st January, 2011 as members of State Intelligence Bureau attached to Area Command in Delta State.
- 2.2 That on the 9th December, 2015, while awaiting to proceed to Staff College, Jos, Plateau State, for ASP In-Service Training, he was invited for an interview by the Commissioner of Police, Delta State (CP Alkali Baba Usman) via O/C SPB Asaba on the 18th of April, 2016 as a result of a petition written against him by one Mr. Kwalekeme Egbeke Cletus of Tanigbe Town in Burutu LGA of Delta on the allegation that he worked in two different Government Departments which was investigated by a team of State CID, Asaba and as well detained him for 24 days unjustly.
- 2.3 That on the 8th of April, 2016, the Petitioner was tried in Orderly Room and as well arraigned him before the Chief Magistrate Court holden at Asaba who later ordered for his remand in prison custody for another 28 days and while in the prison custody, he was promoted to the rank of Sergeant on 6th June, 2016.



- 2.4 That on the 17th January, 2017, the Court, upon the unsatisfactory absence of the Prosecution Witness, struck out the case list for want of diligent prosecution.
- 2.5 The petitioner prayed for the House intervention to ensure his reinstatement to the service of the NPF.
- 2.6 That NPF should restore his ASP rank and as well pay him all his entitlements and salaries from 2016 April till date.

### **3.0 INVESTIGATIVE HEARING**

- 3.1 The investigative hearing was concluded on 16th March, 2022 with the Petitioner appearing with all the relevant documents in defence of the petition while the Nigerian Police Force appeared twice without any document in defence of the petition but made oral submission.
- 3.2 During the investigative hearing of the case, the Committee could not get the needed information that will help them close the case from the NPF who, on several occasions, failed to appear in defence of the petition but made do with what they have to close the case.

### **4.0 RESPONDENT'S SUBMISSION**

- 4.1 The Nigeria Police Force did not tender any documents in defence of the Petition but in their oral submission, they told the Committee that the available information within their reach emanating from Delta State Police Command where the Petitioner last served, showed that the Petitioner was accused of engaging on extra-marital affairs with a wife of one Mr. Kwalekeme who he was alleged to have given the sum of N20,000 for assistance, he was also accused of trying to destroy the property of the man as well as threatening to kill him.
- 4.2 The Petitioner was also accused of involving in working in two different government establishments but was dismissed on account of extra-marital affairs with the woman that he claimed was his ex-wife which the NPF claimed that it will dent their image if such action is not taken against him by NPF.
- 4.3 That the matter was investigated through Orderly Room trial and he was found guilty of the said offence and was subsequently dismissed.



## **5.0 COMMITTEE FINDINGS**

The Committee could not get to the root of the matter during the investigative hearing of the matter because of the inability of NPF to provide enough evidence in defence of the matter, but observed as follows:

- 5.1 That the Petitioner (Mr. Azigere Princewill) was recruited into the service of NPF on 1st April, 2003 and trained at Oji River Police College, Enugu and was awaiting to proceed to Staff College, Jos for ASP In-Service Training when he was dismissed from the service in 2016 as a result of the petition written against him on alleged extra-marital affairs with somebody else's wife as well as threat to life of the husband of the said woman.
- 5.2 That the Petitioner was accused of engaging in double job with two different Government Agencies which is against the Federal Civil Service Rule.
- 5.3 That the matter was taken to the Court of Law for hearing on 17th January, 2017 and the court, upon the unsatisfactory absence of the NPF Prosecuting Counsel to prosecute the matter, struck out the case for want of diligent prosecution.
- 5.4 That the Petitioner was dismissed on allegations of extra-marital affairs with somebody's wife which the NPF considered as a dent on their image if such action is allowed to reign in NPF.
- 5.5 That the woman in question was an ex-wife of Mr. Azigere Princewill who had a son for him and the N20,000 he was accused of giving to the said woman was the money that he gave to take care of his son and nothing more; that the said of assertion of extra-marital affair is a misconception against the Petitioner.
- 5.6 That if the cause of the Petitioner's dismissal did not border on his alleged working in two different Government agencies, he has no case to answer.

## **6.0 COMMITTEE RECOMMENDATIONS/CONCLUSION**

- 6.1 The Committee in view of their findings above urges the Inspector-General, Nigeria Police Force to review the Orderly Room trial of the Petitioner to ensure justice, fairness and equity on the issue at stake since the matter was struck out of court for want of diligent prosecution.



- 6.2 Reinstatement of the Petitioner (Mr. Azigere Princewill) if found in their review of Orderly Room trial that the Petitioner was dismissed on account of extra-marital affairs which is a family matter and not by his contravening the Federal Civil Service Rules which prohibits public officers from engaging in working in two different Government Agencies.

## **7.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended.



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**CASE 74:**

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**REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON THE PETITION BY MESSRS MUAZU BOBBO SAMAILA (MANAGING DIRECTOR, UBA GLOBAL ENTERPRISES LTD.) AGAINST JAIZ BANK PLC IN RESPECT OF ALLEGED MISSING FIVE MILLION NAIRA (N5,000,000.00) ONLY CREDITED TO HIS JAIZ BANK ACCOUNT NO. 0005052253****1.0 PREAMBLE**

- 1.1 The House of Representatives at its plenary sitting on Tuesday 14th December, 2021 received a petition presented by Hon. Jonathan Gaza Gbefri on behalf of MBBS Muazu Bobbo Samaila (Managing Director, UBA Global Enterprises Ltd.) against Jaiz Bank Plc. in respect of a missing Five Million Naira (N5, 000,000.00) only credited to his Jaiz Bank Account No: 0005052253.
- 1.2 Pursuant to Section 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and in accordance with the House Standing Order XX Rule 5(2) [b] of the 9th Assembly and in line with principles of fairness, equity and justice, the petition was referred to the Committee on public petitions for further legislative actions.

**2.0 PETITIONER'S CASE**

The Petitioner (MBBS Muazu Samaila) informed the Committee that he is a car dealer with UBA Global Enterprises Ltd. which is located at Gwandara (Opposite Power House) in Karu LGA of Nasarawa State.

- 2.1 That, on the 20th of September, 2021, one Mr. Joseph Amos credited his account with the sum of N5,000,000.00 (Five Million Naira only) in respect of a business transaction involving sale of a car (Toyota Camry UK 2011)
- 2.2 That he acknowledged the receipt of a credit alert of the said amount from the bank which was added to the initial N40,129.02 putting up his current Account balance to N5,040,129.02
- 2.3 That he received the alert at about 4.37p.m. and bank business was closed for the day; he went to the ATM to check his balance and discovered that the said credit did not reflect in the account.



- 2.4 That on the following day being 21st September, 2021, the Petitioner rushed to Jaiz Bank to find out what the problem was and the customer care Desk Officer confirmed that the said alert was authentic but when his account was opened, the Petitioner observed that only the initial balance of N40, 029.02 was found in the said account, meaning that the said N5 million he saw in his phone alert has not been reflected in his bank account.
- 2.5 That the Jaiz Bank alert, whether credit or debit, usually come alongside with the Jaiz Bank Call Centre number 07007730000 which would as well accompany the N5 million alert he received in his phone.
- 2.6 That having discovered foul play on the whole issue, the Petitioner reported the issue to the Police Authorities, New Nyanya, Karu LGA of Nasarawa State who raised an investigative report on Jaiz Bank on 30th September, 2021 and by 5th October, 2021, Jaiz Bank replied the Police that there was no inflow of N5, 000,000 into the Petitioner's account and that the said alert did not emanate from them but that their Jaiz Bank contact centre number (0700773000) was correct.
- 2.7 The Petitioner prayed in an appealing way to the House to intervene to prevail on Jaiz Bank Plc. to refund his money to enable him settle his problem with the owner of the car and free himself from constant Police calls.

### **3.0 INVESTIGATIVE HEARING**

- 3.1 The Investigative Hearing was concluded on Wednesday, 23rd March, 2022 with parties involved in the above petition appearing to make both oral and documentary presentation in defence of the above Petition.

### **4.0 RESPONDENT'S PRESENTATION (JAIZ BANK PLC)**

- 4.1 The management of Jaiz Bank informed the Committee on how the Petitioner (Mr. Muazu Bobbo) visited their Bank to lodge a complaint on how 3 men in Army camouflage uniform visited his car stand on September 20, 2021 to purchase one vehicle and after agreeing on the price, the car dealer customer claimed that he had transferred the agreed purchase price into the Petitioner's account with Jaiz Bank which made him to release the car to them.
- 4.2 That their interaction with the Petitioner and his inability to provide them with the details of the buyer such as the Buyer's name, means of Identification, telephone number, address and the name of the Bank through which the said transfer was purportedly initiated, indicated that the Petitioner might not have obtained those information from the unknown men before releasing the car to them.



- 4.3 That the opening preliminary investigation carried out on the Petitioner's account by the bank revealed as follows:
- 4.4 That the opening balance in the Petitioner's Account No. 0005052253 as at 20th September, 2021 was N40,129.02 and the closing balance was also the same amount but with a slight difference of N100.00 airtime top-up transaction carried out by the Petitioner at 4:50:45 p.m.
- 4.5 That the transaction alerts for the top-up was sent to the Petitioner's registered mobile number of 07037732067 at 4:51:21 pm.
- 4.6 That the analysis of the alleged SMS alert provided by the Petitioner revealed the following facts:
- 4.7 That the alleged balance of N5,040,129.02 after the alleged N5,000,000 inflow showed that there was no N50 stamp duty charge which were usually deducted automatically by the system for any such inflow of N10,000,000 and above in compliance with the Stamp Duty Act.
- 4.8 That the transaction time (04:37pm) is contrary to the time format for alerts generated by the Bank SMS Alert platform, that the genuine alert time structure is a three-digit 12 hours format, which should have read 4:37 pm.
- 4.9 That the Banks' standard transaction narration usually shows the source bank name, sender's account name, medium of transfer e.g. NIP/Mobile. However, for the alleged alert, the source bank's name was not stated while the medium of transfer was written as MB instead of Mobile.
- 4.10 That the time stamped on the alleged SMS notification showed that the SMS was delivered to the Petitioner's mobile phone number at 12:33pm and the transaction time shown in the alleged SMS Alert reads 04:37pm.
- 4.11 That the summary of it all shows that the Bank was unable to confirm the alleged inflow from the originating banks because the complainant failed to provide the source bank account name and number.

### **RESPONDENT SUBMISSION (CBN)**

The Central Bank of Nigeria (CBN) informed the Committee that, in a bid to resolve the issues raised in the Petition, the CBN commenced its investigation by contacting the Bank, obtaining its response and reviewing it along with the Petition and their position according to their findings on their investigations were as follows:-





- That the disputed transaction was not carried out within the premises of Jaiz Bank.
- That no staff of the bank was involved in the transaction.
- That there was no inflow of the sum of N5, 000,000.00 on the 20th September, 2021 (the day the alleged transfer was supposedly made) in the Petitioner's Statement of Account obtained from the bank for the period.
- That the purported credit received by the Petitioner did not state the source bank and account of the sender and, as a result of that, it became very difficult for either Jaiz Bank or CBN to conduct further investigation into the matter.
- That the accused Bank (Jaiz Bank Plc) did not violate any banking regulations regarding the operation of the Petitioner's account.
- That they have communicated this position to the Petitioner and advised him to engage a law enforcement agency for the possible recovery of his funds/ car.

### **RESPONDENTS SUBMISSION (NPF)**

That the NPF findings in their investigation revealed that, on the 21<sup>st</sup> September, 2021, at about 1920hrs, a case of criminal conspiracy, cheating and theft was reported by one Muazu Bobbo Samaila 'M' of MBBS Motors, Gwandara, Karu LGA of Nasarawa State against his missing N5,000,000 at Jaiz Bank Plc.

- That, on the 20th September, 2021, at 1600hrs GMT, three unknown customers came to his car stand at Gwandara and bought a Toyota Camry 2011 model, Foreign-used with Chassis No. ACV41504471.
- That the Customer priced the said car at N4,100,000 and made a cash transfer of N5,000,000 through his phone and told the petitioner to give his boys the balance of N1,900,000.
- That the customer came fully dressed in Army uniform and credited his account number 0005052253, Account Name MBBS Muazu Bobbo Samaila, UBA Bank Name: Jaiz Bank Plc with N5, 000,000.00.
- That the Petitioner left with the three customers from his car stand to Jaiz Bank with the car to withdraw the said money.
- That when he was inside the Bank to withdraw the said money while the customers were outside the bank with the sold car waiting for him, he contacted the Customer Service who made him to realize that the said money was missing from his account and he quickly ran outside to meet the customers in the car only to discover that they were nowhere to be found again.
- That the suspects left with the said car including the particulars to unknown destination.



- That NPF, in view of their findings, recommend that Jaiz Bank should assist in tracing and tracking of the fleeing suspect, Mr. Joseph and his cohorts with number 09075775507.

## 5.0 COMMITTEE FINDINGS

The Committee, after series of investigations and perusals of all the documents as well as oral submissions by parties involved on this matter observed as follows:-

- 5.1 That the Petitioner (Mr. MBBS Muazu Bobbo) of UBA Global Enterprises Ltd. is a car dealer with the above-named company who reported a case against Jaiz Bank in respect of a missing N5 million credited to his Jaiz Bank Account No. 0005052253.
- 5.2 That the Petitioner (Mr. Muazu Samaila of UBA Global Enterprises Ltd) is a car dealer with the above-named company who reported a case against Jaiz Bank in respect of missing N5 million credited to his Jaiz Bank Account No. 0005052253.
- 5.3 That the said money was transferred to his account on 20th September, 2021 by his customer (Mr. Joseph Amos) in respect of a business transaction involving the sale of a car (Toyota Camry UK 2011).
- 5.4 That the case was reported to the police authority at New Nyanya, Karu LGA, Nasarawa State who raised an investigative report on Jaiz Bank on 30th September, 2021 and by 5th October, 2021, Jaiz Bank replied the Police that there was no inflow of N5million into the Petitioner's account and that the said alert did not emanate from them.
- 5.5 That the Police Investigation further revealed that, on the 20th September, 2021, at about 1600hrs GMT, three unknown customers dressed in Army uniform came to the Petitioner's car stand at Gwandara and bought a Toyota Camry 2011 model (foreign-used) with Chassis No. ACV41504471.
- 5.6 That the customer priced the said car at N4,100,000 but later made a cash transfer of N5,000,000 to the Petitioner's account No: 0005052253 in Jaiz Bank and told his boys to collect the balance of N1,900,000 from the Petitioner.
- 5.7 That the Petitioner went to the Bank to withdraw the said money in Jaiz Bank, only to discover that the said amount was missing from his bank account and the customer in question has disappeared with the said car to an unknown destination.
- 5.8 In view of their findings above, the Nigeria Police Force recommends that the management of Jaiz Bank Plc. should assist in tracing and tracking of the fleeing suspect (Mr. Joseph Amos and his cohorts) with phone number 09075775507.



- 5.9 That the analysis of the alleged SMS Alert provided by the Petitioner revealed that the alleged balance of N5, 040,129.02 shown after the alleged N5 million inflow has no Stamp duty charge which is usually deducted automatically by the system for any such inflow of N10, 000,000 and above in compliance with the Stamp Duty Act, and that the Bank was unable to confirm the alleged inflow from the originating bank because the Petitioner failed to provide the source bank account and number.
- 5.10 The Committee also observed that the Petitioner was into genuine business since he had registered with the Special Control Unit Against Money Laundering as designated non-financial Business and Profession in line with the Money Laundering Prohibition Act, 2011 which imposes a responsibility on Petitioners to conduct due diligence on its customers before consummating any transaction which he failed to do.
- 5.11 That the CBN during their investigations on the issue at stake, concluded that the management of Jail Bank was not liable for the alleged missing funds from the Petitioner's account, since the said bank did not play any role in the transaction and did not violate any banking regulations regarding the operation of the Petitioner's account.
- 5.12 That the disputed transaction was not carried out within the premises of Jail Bank and that no staff of the bank was involved in the transaction.

## **6.0 COMMITTEE RESOLUTION/CONCLUSION**

The Committee, in view of their findings above, urged the House to mandate the Managing Director/C.E.O. of Jaiz Bank Plc to assist the Petitioner (Mr. MBBS Muazu Babbo S.) in tracing and tracking of the fleeing suspects (Mr. Joseph Amos) using the GSM No. 09075775507 and with all the available records within their domain.

- 6.1 Urged the Inspector-General, Nigeria Police Force to embark on more investigative actions on the issue at stake for the possible recovery of the Petitioner's funds/and car.
- 6.2 Urge the Petitioner (Mr. MBBS Muazu Bobbo) to always be cautious in dealing with his business as well as to always conduct due diligence on its customers before consummating transactions with them to avoid future reoccurrence of this act.



## **7.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as amended.



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**CASE 75:**

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**REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON A PETITION BY ELOKA BERNADINE IFEOMA ON BEHALF OF CLARION SHIPPING WEST AFRICA LTD (OFF DOCK TERMINAL) AGAINST THE NIGERIA CUSTOM SERVICE ON THE ALLEGED SHUTTING DOWN OF THE FOUR (4) TERMINALS OF CLARION SHIPPING WA LTD BY THE DEPARTMENT OF TARIFF AND TRADE OF THE NIGERIA CUSTOMS SERVICE****1.0 PREAMBLE**

- 1.1 The House of Representatives at its sitting of Tuesday 23rd November, 2021 received a petition presented by Hon. Haruna I. Dederi on behalf of Clarion Shipping West Africa Ltd against the Nigeria Customs Service on the shutting down of four (4) terminals of Clarion Shipping WA Ltd by the DCGT&T of the Nigeria Customs Service.
- 1.2 Pursuant to Section 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and in accordance with the House Standing Order XX. Rule 5(2) [b] of the 9th Assembly and in line with principles of fairness, equity and justice, the petition was referred to the Committee on public petitions for further legislative actions.

**2.0 PETITIONER'S CASE (CLARION SHIPPING WEST AFRICA LTD)**

- 2.1 The Petitioner (Clarion Shipping WA Ltd.) informed the Committee that on the 2nd of July, 2021, the Comptrollers of these port terminals:
  - (a) Alakija Apapa – Lagos - Warehouse No. TC 031
  - (b) Kirikiri, Apapa – Lagos - Warehouse NO. APO 45
  - (c) Onitsha, Anambra State - Warehouse No. EN 002/EN 052
  - (d) Mile 2, Apapa – Lagos - Warehouse No. APO 46 Area Commands gave verbal instructions to their Officer to suspend their operation listing a phone call from the DCG T&T.
- 2.2 That the reason for that action was that there were unpaid Assessments generated by numerous Customs Licensed Agents and Importers; they said Clarion Shipping should pay for the duties before their transfer operations will resume.



- 2.3 That there had been no official communication or notice to their company on the issue at stake.
- 2.4 That it was through enquiries that an unofficial and casual list of unpaid assessments were given to them to pay which totalled N445, 000,000.
- 2.5 That the entries were indiscriminately assessed through several cyber cafés by different Customs Licensed Agents and Importers that Clarion Shipping WA Ltd was asked to pay the entire liability before it could be heard by Deputy Comptroller-General, Trade and Tariff (DCG T&T).
- 2.6 That based on the intelligent information gathered by the Petitioner on the issue at stake, they were able to identify the units, chassis numbers and the container numbers of the goods in question.
- 2.7 That other observations showed that some of the cargoes were still domiciled in the terminal and the bulk of the cargoes were not transferred to the Clarion Terminal at all.
- 2.8 That some of the cargoes customs duties were paid, released and exited by the Customs but afterwards customs post Audit Unit issued additional duties for them to pay.
- 2.9 That the Clarion visit to DCG T&T on 29th of July, 2021 to present their findings and reports which shows that there were not liable for the unpaid assessments were to no avail. As the DCG T&T insisted that they must pay all the assessments 100% before they can be listened to or their reports seen.
- 2.10 That the Petitioner have a Cash Bond of N200,000,000 deposited with the Nigeria Customs Service and an additional N100,000,000 Cash Bond to serve as additional security bringing their total Bond with Customs to N300,000,000 just to enable their transfer operation to commence while investigation is on.
- 2.11 The Petitioner prays the House intervention for the Nigeria Customs Service to release their 4 bonded terminals mentioned in the above petition to commence operation while investigation is ongoing.

### **3.0 INVESTIGATIVE HEARING**

- 3.1 The investigative hearing was concluded on Thursday, 12th December, 2021 with both parties appearing in defence of the petition.



- 3.2 That while the Petitioner appeared with both oral and documentary presentations in defence of the above petition, the Nigeria Customs Service presentation in defence of the petition was made orally.

#### **4.0 RESPONDENT SUBMISSION**

- 4.1 The Nigeria Customs Service, in their oral presentation by Deputy Comptroller-General Trade & Tariff stated that they did not shut down four (4) terminals of Clarion Shipping West Africa Ltd. as claimed by the Petitioner.
- 4.2 That they made a publication for the unpaid assessments at the four (4) terminals in question for the Petitioner (Clarion Shipping WA Ltd,) to come and pay so that their bonded terminals can be opened and they refused to comply.
- 4.3 That the bonded terminal was only closed for the incoming container ships but those containers that are still within the bonded terminals of the stated ports were not closed or sealed by Customs that such goods were still in the custody of the Petitioner.
- 4.4 That the Petitioner was owing up to N300 billion which has been drastically reduced by Customs and they were yet to pay while the investigations were on-going.
- 4.5 That if they pay all they are owing to the Nigeria Customs Service, their bonded terminal will be completely open for their business operations.

#### **5.0 COMMITTEE FINDINGS**

- 5.1 That the case in question was all about the alleged shutting down of four (4) terminals belonging to Clarion Shipping WA Ltd from receiving transfer of cargoes and having access to the Customs portal by the DCG Trade & Trade of the Nigeria Customs Service which they denied but admitted that it was only goods that was coming into the port from another country that was closed from operation.
- 5.2 That the reason for the closure of the bonded terminal against incoming ships was as a result of unpaid assessments generated by numerous Customs Licensed Agents and Importers in which Clarion Shipping WA Ltd were one of them and should pay their duties before transfer operations will resume in the port.
- 5.3 That the matter has been investigated and that all efforts made by the Petitioner to readdress the issue at stake on their visit to Nigeria Customs Headquarters on 29th July, 2021 was to no avail as the DCG T&T insist that the Petitioner (Clarion Shipping WA Ltd) must pay all the assessments of the Bonded Terminal up to



100% before they can listen to their plea.

- 5.4 That the Petitioner has paid a total cash bond of N300 million to the Nigeria Customs Service to enable their transfer operations to commence while investigation goes on but to no avail.
- 5.5 That the issue at stake is seriously affecting the Nigerian economy as the livelihood of over four hundred workers as well as those of thousands of other business made up of importer, agents, transporters etc. were also locked up on the above avoidable subject matter and needs the urgent intervention of the House and Federal Government to ensure that justice is prevailed on the above subject-matter.

## **6.0 COMMITTEE RECOMMENDATION/CONCLUSION**

- 6.1 The Committee, in view of their findings above, urged the House to direct the Comptroller-General, Nigeria Customs Service via DCG Trade and Tariff to allow the management of Clarion Shipping West Africa Limited to continue with their business operation without further closure while the investigation of the unpaid assessment of the bonded terminals continues.
- 6.2 That the management of Clarion Shipping WA Ltd to expedite action in the process of payment of what they are owing the Nigeria Customs as regards to the bonded terminal and as well to be of good conduct in all their dealings with Customs so that their transfer operations will be completely opened by the Nigeria Customs Service.

## **7.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as amended





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## CASE 76:

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### **REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON THE PETITION BY MR. CALVIN FUNTHIGE CHINGIR AGAINST THE ALLEGED SAVE THE CHILDREN INTERNATIONAL) ON WRONGFUL TERMINATION OF EMPLOYMENT CONTRACT**

#### **1.0 PREAMBLE**

- 1.1 The House of Representatives at its sitting on 9th April, 2021 received a petition by Mr. Calvin Funthige Chingir against the management of the Save the Children International on wrongful termination of his Employment Contract.
- 1.2 Pursuant to Section 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and in accordance with the House Standing Order XX Rule 5(2) [b] of the 9th Assembly and in line with principles of fairness, equity and justice, the petition was referred to the Committee on Public Petitions for further legislative actions.

#### **2.0 PETITIONER'S CASE**

- 2.1 The Petitioner (Mr. Calvin Funthige Chingir) informed the Committee that he was employed into the service of Save the Children International, a non-governmental organisation whose office address is No. 4 Danube Close, Maitama – Abuja.
- 2.2 That he was a pioneer staff of the said organisation and had held different positions across the organisation in developing the organisation in Nigeria and internationally and had worked for 14 years from 2001 to 2008 and from 2015 to 2021 and had also worked in other organisations between 2009 and 2014.
- 2.3 That the Petitioner received a letter of temporary suspension dated 8th December, 2020 from the Chief Executive Officer of the NGO on alleged account of suspected breach of Code of Conduct of the Save the Children International Global Anti-Harassment Policy in which the investigation were not properly handled.
- 2.4 That during the investigation of the matter, the Petitioner was alleged to have committed the following offences:
  - Harassment and bullying claims;
  - Non-reporting of cases which ought to have been reported on Datix;
  - Failure to adhere to the Code of Conduct of the organisation;



- Infringing the fraud, bribery and corruption policy and Contravention of the Protection from Sexual Exploitation and Abuse (PSEA) policy.
- 2.5 That the Petitioner was invited on 9th April, 2021 for a formal disciplinary hearing/meeting against his wish as he was told to maintain whatever that was discussed during the hearing as confidential. That at the conclusion of the investigative hearing of his case, a letter of termination of appointment was served to him on 10th May, 2021 by the Chief Executive Officer of the NGO, claiming that the Petitioner has violated the Code of Conduct of the organisation by failing in his duty as a Field Manager by not reporting concerns of policy breaches through the approval channels provided by the organisation.
- 2.6 That despite several appeal letters written by the Petitioner's lawyer to the NGO for a redress of his case, it was to no avail.
- 2.7 That Save the Children International is in fraudulent breach of the signed Cooperative Agreement between Save the Children International and the Federal Government of Nigeria in which the said organisation were expected to recruit not more than 3 expatriates but have not less than 15 expatriates in their employment database.
- 2.8 That it is good to note that each expatriate collects allowances of \$20,000 dollars per child and they are entitled to the allowances in respect of 4 numbers of children which is \$80,000 dollar which when multiplied by 15 expatriates amounts to \$1,200,000 dollars.
- 2.8.1 The Petitioner also want the Committee to note that there is also fraudulent disparity between the expatriates and Nigerian nationals in recruitment and remunerations which is also contrary to the Cooperation Agreement between the Save the Children International and the Federal Government of Nigeria.
- 2.8.2 That, despite that the jobs meant for the Nigerian nationals were being taken over by the expatriates at the cost of \$20,000 per child, Nigerian nationals were entitled to N300, 000 for a total of 4 children as a whole per year against the \$80,000 dollars allocated to expatriates for the same number of children; that these so-called expatriates were enjoying lots of dividends with the NGO to the detriment of the Nigerian nationals working at the NGO.
- 2.9 The petitioner wants the Committee to declare, that the termination of appointment by the Save the Children International was wrong and amounts to wrongful termination.
- 2.9.1 For the Committee to give an Order compelling the respondent to reinstate



the Petitioner to his former position as a Field Manager of the NGO.

- 2.9.2 For the Committee to place an Order compelling the Respondent to pay the Petitioner's salaries from May 12th, 2021 to December 31st, 2021 i.e. N900,000 x 8 months which amounts to N7, 200,000 as employee's contracts are renewed yearly.
- 2.9.3 An order from the Committee compelling the Save the Children International to pay the Petitioner his monthly pension contributions from the 12th day of May, 2021 to the 31st day of December, 2021 of the sum which amounts to N170, 000 x 8 months i.e. N1, 360,000 and unused leave of 25 days in 2020 and in 2021 which amount to N1, 200,000.00.
- 2.9.4 An Order by the House of Representatives Committee on Public Petitions for the Respondent to pay the Petitioner terminal grants of N900,000 x 2 years = N1,800,000.
- 2.9.5 That the Respondent should pay him (Petitioner) general damages of the sum of N10million suffered by the Petitioner for the wrongful termination of his employment.

### **3.0 INVESTIGATIVE HEARING**

- 3.1 The investigative hearing was concluded on Wednesday, 23rd March, 2022 with both parties appearing to make both oral and documentary presentations in defence of the Petition.
- 3.2 That during the investigative hearing of the petition, the Committee observed that the host communities were worried over the routine range classification exercise which have impacted negatively on the socio-economic activities of the people of the host communities but the Nigerian Army insist that the prior notice of many days were usually given to the host communities before embarking on such activities in the area.

### **4.0 RESPONDENT'S SUBMISSION**

- 4.1 In their response on the issue at stake, Save the Children International stated as follows:
- 4.2 That in October, 2015, the Petitioner (Mr. Calvin Funthige Chingir) applied for a job at the above mentioned NGO and was hired as a State Operations Manager in Borno State.



- 4.3 That upon his employment in 2015, the Petitioner (Mr. Calvin Funthige) as mandated by the organisation's policy, underwent the mandatory Induction Sessions on the 6th October, 2015 before his final employment into the service of the said organisation.
- 4.4 That during the Induction Course of the NGO with the Petitioner, he was given a copy of the Organisation's Fraud Policy and Code of Conduct documents and by the above information, the Petitioner was fully aware of the organisation's policies on fraud, fraud reporting, reporting of suspicion of fraud and the general employee Code of Conduct.
- 4.5 That sometime in 2019, Mr. Calvin violated the NGO's Procurement Process while negotiating the sum of N4,900,000 facilitators' fee for a vocational skill training programme and was issued a warning letter dated 19th April, 2019 after due and adequate investigation was carried out.
- 4.6 That a few months after being issued a warning letter Mr. Calvin in total disregard to the administrative and organisation procedures flagrantly entered into an agreement with a Third Party on behalf the Save the Children International without the knowledge of the approval authority, that the Petitioner bogusly undertook on behalf of the said NGO and agreed to repair the vehicle of the Third Party which got damaged in an accident involving the Petitioner's vehicle and that of the Third Party which he did without informing the management of Save the Children International for their approval.
- 4.7 That the Petitioner, by his unauthorized conduct not only incurred liability to the organisation but also exposed them to possible litigation and public ridicule if dragged by the Third Party for an alleged breach of agreement which it neither executed nor authorised.
- 4.8 That the NGO also confirmed that the Petitioner did not follow the organisation's Procurement Process and also did not provide adequate supporting documents to the relevant payment voucher, it was indeed confirmed that he signed an Agreement on behalf of the organisation when he had not delegated authority to do so from either the Country Director or the Humanitarian Team leader.
- 4.9 That the Petitioner has a platform called Datix where staff were meant to report issues related to fraud or staff misconduct to the organisation's management but did not do so.



- 4.10 That in December 2020, the management of the INGO received multiple reports on the online platform, Datix and the Petitioner was one of those mentioned directly in the allegation that borders on the following:
- 4.11 Failure to escalate or report fraudulent allegations involving two members of staff through the SCI Reporting channels.
- 4.12 Concerns of safeguarding and fraud on incidents that occurred in the Ogoja field office which is often handled or dealt with at the FO level instead of through SCI local reporting channels which led to the breach of confidentiality and lack of trust and willingness among staff to report safeguarding and fraud related incidents.
- 4.13 Having inappropriate relationships with the volunteers and giving them employment as a result, he was cleared off the allegation in view of the insufficient evidence to substantiate the allegation.
- 4.14 That the above matters was investigated by the Management Team of the INGO on 8th December, 2020 following which he was placed on immediate suspension and later dismissed based on the outcome of the investigation which showed that the Petitioner had a total disregard for the correct process in the management of his office.

## **5.0 COMMITTEE FINDINGS**

The Committee, after thorough investigation of the subject-matter based on both oral and documentary presentations of the parties involved observed as follows:

- 5.1 That the Petitioner (Mr. Calvin Funthige Chingir) was employed into the service of INGO (Save the Children International) in October, 2015 as a State Operations Manager in Borno State and upon his employment he was mandated to go for an Induction Course where he was educated about the organisation's fraud policy and Code of Conduct on the activities of the organisation.
- 5.2 That the Petitioner was worried over his suspension and subsequent termination of his appointment over allegations of suspected breach of the INGO Anti-Harassment Policy as well as the organisational Code of Conduct policy which the said INGO had investigated and found him guilty of the offence.
- 5.3 That the offences in question as allegedly committed by the Petitioner was that he was accused of failure to report fraud and safeguard cases on Datix (official reporting platform) which the Petitioner claimed that such was never discussed with him before it was concluded to have been proven; that upon being interviewed



on the issue he quickly claimed that he wanted to prove the fraud before escalating the concern.

- 5.4 That the Petitioner was also accused of violating the INGO Procurement Process while negotiating the sum of N4,900,000 facilitator's fee for vocational skill training programme in 2019 and was issued a warning letter dated 19th April, 2019 after an adequate investigation was carried out.
- 5.5 The Petitioner was also accused of entering into agreement with a Third Party without any approval or knowledge of the management of the INGO that employed him.
- 5.6 That the allegation of his involvement in sexual harassment of people was also investigated and the outcome showed that there was insufficient information to substantiate the claims and in view of that the Petitioner was exonerated.
- 5.7 That the Petitioner's appointment was terminated not because of his offence but because the period of his contract appointment had elapsed.
- 5.8 That the Petitioner's employment contract duly ended on 31st December, 2020 while the Petitioner was still in suspension; that when the investigations were concluded, the period after December 2020 factored in and as a result the last day of his employment was deemed to be 12th May, 2021 and that is why his employment was terminated.
- 5.9 That the assertion by the Petitioner, that the INGO in question is in fraudulent breach of the signed Cooperative Agreement with the Federal Government of Nigeria where Save the Children International is expected to recruit not more than 3 expatriates but were now recruiting more than 15 expatriates in their employment records was not true because the Save the Children International MoU with the Federal Government of Nigeria does not have restriction to number of expatriate staff they can have.
- 5.10 That currently the INGO has staff strength of over 500 staff but only 15 were expatriates.
- 5.11 That the salaries and allowances of the expatriate staff are paid directly from the NGO headquarters in the United Kingdom. In view of that, it is impossible for donor funds meant for Nigerian projects to be utilized to fund expatriate remunerations.
- 5.12 That the claim of the sum of N2 million by the Petitioner as compensation to offset the fund spent on his Counsel in dispensing the case was very outrageous because the Counsel to the Petitioner, in his oral submission, stated clearly that he was



doing the matter on pro bono and in view of that, does not require any legal fees but that all other claims made by the Petitioner was not countered by the Respondent.

## **6.0 COMMITTEE RECOMMENDATIONS/CONCLUSION**

The Committee, in view of their findings on the above, urged the House that since the appointment of the Petitioner was terminated and not dismissed the Managing Director, Save the Children International should calculate the entitlements and pay the Petitioner (Mr. Calvin Funthige Chingir) off in order to enable him start life elsewhere.

- 6.1 That the Managing Director, (SCI) should scrutinise all the arrears of salaries and entitlements (N7, 200,000) as claimed by the Petitioner and pay him if found to be genuine.
- 6.2 Urge the Federal Government of Nigeria to beam their searchlight on the activities of the International Non-Government Organisation in Nigeria to ensure that they are in line with the constituted authority.

## **7.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended.



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**CASE 77:**

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**REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON THE PETITION BY MR. PULU SHADRACH YOGOI ON BEHALF OF OBOGORO COMMUNITY IN BAYELSA STATE AGAINST THE FEDERAL MINISTRY OF ENVIRONMENT, ECOLOGICAL FUND OFFICE, NIGER-DELTA DEVELOPMENT COMMISSION, NATIONAL INLAND WATERWAYS AUTHORITY AND INTERNATIONAL OIL COMPANIES (SHELL PETROLEUM AND AGIP OIL COMPANY LIMITED) IN RESPECT OF THE MASSIVE EROSION OF THE SHORELINE OF OBOGORO COMMUNITY****1.0 PREAMBLE**

- 1.1 The House of Representatives at its plenary sitting on Tuesday 8th June, 2021 Received the above Petition presented by Hon. Steve Azaiki, (OON) on behalf of Obogoro Community and has been tabled for consideration and legislative actions.
- 1.2 Pursuant to Section 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and in accordance with the House Standing Order XX Rule 5(2) [b] of the 9th Assembly and in line with principles of fairness, equity and justice, the petition was referred to the Committee on public petitions for further legislative actions.

**2.0 PETITIONER'S CASE**

- 2.1 The Petitioners informed the Committee about the devastating effect of the on-going shoreline erosion in Obogoro Community, (Atissa Clan of Yenagoa LGA of Bayelsa State).
- 2.2 That, according to geographical location, the above-mentioned community is located on the banks of River Ekole which flows across Ogbia, Yenagoa and Southern Ijaw LGA of Bayelsa State.
- 2.3 That Obogoro Community is an oil and gas-bearing community and it is one of the host communities of Yenagoa City.
- 2.4 That the major cause of the devastating effects on the community is that the community is situated at the banks of the River Ekole which is a busy water way regularly used by vessels (including barges and dredgers) belonging to international oil companies like Shell Petroleum and Agip Oil companies among others to transport their oil equipment and facilities to their various oil fields and locations





in and around Bayelsa State.

- 2.5 That the continual movements of vessels belonging to these oil companies have deepened the water ways of River Ekole as well as caused more environmental degradation in the area.
- 2.6 That the impact of the continuous waves generated by the movement of these vessels has deepened the riverbed, cause fast-flowing water and flooding on the shoreline of Obogoro Community leading to massive erosion of the shoreline which is now threatening the very existence of Obogoro Community.
- 2.7 That in the year 2012 there was a major flood that affected several communities in Nigeria, especially in the Niger-Delta area and the Obogoro Community was one of the communities that were heavily affected by the flooding and the effect was worsened by the continuous movements of vessels belonging to the oil majors.
- 2.8 That section 14 (2) (b) of the 1999 Constitution of the Federal Republic of Nigeria (as amended) provides that security and welfare of the people shall be the primary purpose of Government and by law, the Federal Ministry of Environment, the NDDC, the NIWA and the Ecological Fund Office all have a mandate to protect the environment including shorelines of riverine communities situated along the banks of River Ekole like Obogoro Community.
- 2.9 That unless something urgent is done to remedy the situation, the Obogoro Community will be totally eroded and removed from the landmass of our dear nation, Nigeria.
- 2.10 That in the course of devastating effects of the said erosion to the community, over 50 houses, including St. John Primary School, Community Square, concrete electric poles has been completely destroyed and its occupants have been rendered homeless.
- 2.11 That the shoreline base of the Goodluck Jonathan Bridge which connects Yenagoa mainland with Obogoro Community and several other communities in both Yenagoa and Southern Ijaw LGA of Bayelsa State are under serious threat unless something is done urgently to arrest the situation.
- 2.12 That the Obogoro Community has sent several delegations and letters to relevant Federal Ministries, Departments and Agencies (MDAs) such as Federal Ministry of Environment, Ecological Fund Office, the NDDC and the NIWA informing them about the devastating effects of the erosion but to no avail.



### 3.0 INVESTIGATIVE HEARING

The Investigative Hearing was concluded on Wednesday, 27th October, 2021 with both parties involved in the above petition appearing to make both oral and documentary presentations.

### 4.0 RESPONDENT'S SUBMISSION

- 4.1 That the Ecological Projects Office (EPO) has carefully studied the submissions of the Obogoro Community Council of Chiefs as contained in their petition and came up with the following positions:
- 4.2 That the Ecological Projects Office is an emergency intervention office with the mandate to, on the approval of Mr. President, responds to emergency ecological problems throughout the entire federation.
- 4.3 That the projects executed by the EPO does not form part of the Federal Government's Annual Budgets, they are projects selected from the unforeseen emergency ecological problems nationwide and are funded from the 1% Federal Government of Nigeria share of the Ecological and Derivation Fund upon the approval of the President of the Federal Republic of Nigeria.
- 4.4 That EPO has over 2,000 requests from the entire federation for ecological intervention amounting to more than N3 trillion and the request by the community amounting to **N3, 562,292,491.28** is among the said requests and it is from the data bank of requests that approvals for intervention are usually made by the President according to the available resources and exigencies.
- 4.5 That EPO did not refuse the request of the Obogoro Community Council of Chiefs to award the projects for their community shorelines instead had taken note of their problems and would address it when resources are available while ensuring that intervention is shared equitably nationwide.
- 4.6 The Management of Shell, according to Mr. Igo Weli (Director SPDC)/Head Corporate Relations, Nigeria) has no specific allegation against them except for insinuations and generic reference to the company as an example of the international oil companies whose vessels, including barges and dredgers, have allegedly deepened the Ekole River with the alleged consequence of causing shoreline erosion threatening Obogoro Community.
- 4.7 That, Shell Petroleum Development Company (SPDC) also denies any responsibility or liability in respect of the allegations in the Petition and reaffirms that its operations were conducted in compliance with applicable laws and with due



regard to environmental regulations and that there is no specific request (or prayer) made by the Petitioner that was directed or requires any response from SPDC.

- 4.8 The Management of Agip Oil Company Nigeria Limited did not make any presentation in defence of the Petition on the account that the key personnel that were conversant with the issue at stake were not available for the meeting.
- 4.9 Nigerian Inland Waterways Authority (NIWA) stated that if the petitioners need help they can write them officially for actions to be taken in their favour.
- 4.10 The management of the Federal Ministry of Environment did not appear or submit any document in defence of the case during the investigative hearings of the matter.

## **5.0 COMMITTEE FINDINGS**

The Committee, after thorough investigation of the parties that appeared during the Hearing in defence of the above petition, observed as follows:-

- 5.1 That the Obogoro Community is located on the banks of River Ekole which flows across Yenagoa and Southern Ijaw LGA of Bayelsa State and is an oil and gas-bearing community.
- 5.2 That the impact of the continuous waves generated by the movement of oil companies' vessels along the said river has deepened the bed of the river, caused the fast-flowing of water and consequent flooding of the shorelines of the said community and has constituted the major factors that is causing the massive shoreline erosion that is now threatening the lives and properties of the people of the area.
- 5.3 That the major concern at present is that the Federal Government should come to their rescue as the erosion on the shoreline is posing serious threat to the entire land mass, physical and territorial existence of Obogoro Community and unless something is urgently done, the community will be totally eroded and removed from the landmass making up the map of Nigeria.
- 5.4 That, at present over 50 houses, school premises, community squares, concrete electric poles and other valuable projects of the Federal Government in the vicinity has been rendered useless.
- 5.5 That several letters from the said Petitioner to the relevant Federal ministries, Departments and Agencies in charge of the matter to come to their rescue was to no avail.



- 5.6 That the Ecological Project Office (EPO) has over 2,000 requests from the entire federation for ecological intervention amounting to more than N3 trillion which are still in their domain and that the request from the Obogoro Community Council of Chiefs in the sum of N3,562,299,491.28 was among what they captured in their data bank.
- 5.7 That it is from the data bank of requests that approvals for intervention are made by the President according to the available resources within the Federation Accounts.
- 5.8 That the Ecological Projects Office interventions are usually based on the six geo-political zones and at least 2 projects are annually executed in each zone according to the resources available.
- 5.9 That the projects executed by the EPO does not form part of the Federal Government Annual Budget, but are projects selected from the Unforeseen Emergency Ecological Problems Nationwide, and were funded from 1% FGN share of the Ecology and Derivation Fund upon the approval of the President of the Federal Republic of Nigeria.
- 5.10 That the said 1% FGN share of the Fund is also utilized by five (5) agencies of the Federal Government of Nigeria which includes National Emergency Management Agency (NEMA); NEDC, NALDA, NAGGW an EPO, and, at present, EPO has taken note of their problems and will address it when resources become available for them.
- 5.11 That the multi-national oil companies, viz. Shell Petroleum Development Company and Nigerian Agip Oil Company mentioned by the Petitioner's Brief has no responsibility or liability in respect of the allegations in the Petition but only have vague and generic reference of the international oil companies whose vessels including barges and dredgers have been using the said river as regards to shoreline erosion threatening Obogoro Community.

## **6.0 COMMITTEE RESOLUTION/CONCLUSION**

In view of the findings above, the Committee urges the House to:

- 6.1 Direct the Hon. Minister, Federal Ministry of Environment, Director-General, Ecological Projects Office, Director-General, National Inland Waterways Authority and all the Chief Executives of the oil companies that operate their vessels in the said area to meet with the Traditional Councils of the Obogoro Community to come up with an amicable resolution on how to resolve their problems.



- 6.2 Urge the House to direct the Director-General, National Emergency Management Agency (NEMA) and the Hon. Minister of Federal Ministry of Housing to urgently provide relief materials to the affected community to ameliorate the suffering of the problem of Obogoro Community as well as award a contract project for the Obogoro Shoreline Protection.

## **7.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended.



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**CASE 78:**

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**REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON THE PETITION BY EKE BARTHOLOMEW AGAINST THE NIGERIA ARMY ON ALLEGED WRONGFUL DISMISSAL FROM THE NIGERIAN ARMY****1.0 PREAMBLE**

- 1.1 The House of Representative at its sitting on Thursday, 6th May, 2021 received a petition presented by Hon. Bede Eke on behalf of Eke Bartholomew (Cp/97/NA/45/5628) against the Nigerian Army: A Complaint of His Wrongful Dismissal from the Nigerian Army.
- 1.2 Pursuant to Section 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and in accordance with the House Standing Order XX. Rule 5[b] of the 9th Assembly and in line with principles of fairness, equity and justice, the petition was referred to the Committee on public petitions for further legislative actions.

**2.0 PETITIONER'S CASE**

- 2.1 The Petitioner (Cpl Eke Bartholomew (97/NA/45/5628), an indigene of Ngor-Okpala LGA of Imo State, joined the Nigerian Army in 1997 and had been in active service for about eighteen (18) years before his alleged wrongful dismissal from the service of the Nigerian Army.
- 2.2 That he had written to many letters to the then Chief of Army Staff (Lt. Gen. T. Y. Buratai) for a redress of his case but to no avail.
- 2.3 That in his letter to the Chief of Army Staff, he stated that he was on duty at Sokoto Prison on 27th July, 2015 for two weeks and was later reassigned to go for another duty at Gusau, Zamfara State for 3 months but on his preparation to go, he realized that his name appeared among those going to Bauchi for internal security and they were instructed to appear on Parade Ground on Sunday, 9th August, 2015 for briefing.
- 2.4 That he came late at the briefing because he was still at Sokoto Giginya Barracks when the call for briefing was announced which took place between 06:00 and 09:30 and as a result of some challenges he was facing.



- 2.5 That he was detained for five days from 10th August, 2015 – 14th August 2015 for reasons of lateness and was thereafter dismissed from the Nigerian Army on alleged offences of desertion and Absence without Leave (AWOL).
- 2.6 The Petitioner claimed at he was dismissed without being court-martialled or convicted by court-martial and want reinstatement to the service of Nigerian Army.
- 2.7 That under Section 59 and 60 of the Armed Forces Act Cap. A20 states that “any person that is accused of committing the offence of desertion and AWOL is to be tried, convicted and sentenced by the court-martial but he was tried by Lt. Col. O. O. Ejere and dismissed in his office without following due process.
- 2.8 That what amounts to offence of desertion were stated in Section 60 sub-section 1 (a & b), 4 (a, b & c) of the Armed Forces Act Cap. A20 and that his absence from the parade ground is not one of the acts that amount to desertion under the said section 60 of the Armed Forces Act (supra).
- 2.9 That, according to Armed Forces Act Section 60 and sub-section (1) (2) and (3) dismissal from the Armed Forces is not one of the prescribed punishments for desertion.
- 2.10 That, in view of the above requests that the House should conduct a thorough investigation on the matter and with immediate recall of the Petitioner to the service of Nigerian Army and as well pay him the arrears of his salaries, benefits and entitlements.

### **3.0 INVESTIGATIVE HEARING**

- 3.1 The Investigative Hearing was concluded on 3rd February, 2022 with both parties appearing to make both oral and documentary presentations.
- 3.2 While the Army was claiming that the Petitioner was dismissed on alleged AWOL and Desertion, the Petitioner insisted that the punishment for the alleged offence he committed was not outright dismissal but imprisonment for a term not exceeding 2 years or any less punishment and not dismissal.

### **4.0 RESPONDENT’S SUBMISSION**

According to Brigadier General M. U. Wambai who represented the Nigerian Army, he informed the Committee that a careful look at the Petition showed that the Petitioner was



enlisted into the service of the Nigerian Army in 1997 and last served at 26 Battalion Giginya Barrack, Sokoto before his dismissal.

- 4.1 That the Petitioner alleged that sometimes between 9-10th August, 2015, he absconded from the parade ground for about 4 hours (06:00-09:30) while the troops were about to be briefed by their Commanding Officer (CO) for deployment into Operation Lafiya Dole.
- 4.2 That in respect to the above allegations that the Nigerian Army did not pay the August-September 2013 salary of the Petitioner was not correct because his August, 2013 salary was initially withheld on account of absence from duty without Office Leave (AWOL) but later cleared and paid accordingly.
- 4.3 That, contrary to the Petitioner's allegation that his dismissal did not follow due process, 26 Battalion also forwarded the Charge Sheet, Conduct Sheet and Schedule 3 to the Rules of Procedure in Nigerian Army of 1972 and records of proceedings of Summary Trial showing that he was duly tried and dismissed for desertion punishable under Section (1) (a) of the Armed Forces Act, Cap. A20 LFN, 2004.
- 4.4 That the Petitioner's dismissal was based on the fact that he absconded to an unknown destination when nominated for Operation Lafiya Dole and during his Summary Trial he was accorded fair hearing and given the opportunity to defend his case as envisaged under the extant laws.

## 5.0 COMMITTEE FINDINGS

The Committee has investigated the matter and observed as follows:

- 5.1 That the Petitioner was enlisted into the service of the Nigerian Army in 1997 and last served in 26 Battalion Giginya Barrack, Sokoto before his dismissal from the service on allegation of AWOL/Desertion.
- 5.2 That the Nigerian Army ought to have given the Petitioner a lesser punishment other than outright dismissal because by Section 173(1) of the Armed Forces Act, a personal can only be said to have committed an offence of AWOL if he was absent without leave for a period not less than twenty-one (21) clear days and by Section 59 of the Armed Forces Act, a personal guilty of the offence of AWOL is liable on conviction by court-martial to imprisonment of not more than 2 years but in the case of the Petitioner, he was unjustly dismissed without due process.
- 5.3 That the Nigerian Army is claiming that due process were followed in the dismissal of the Petitioner based on the Charge Sheet forwarded to them by 26 Battalion showing that he was duly tried and dismissed for Desertion punishable under





Section 60 (1) (a) of the Armed Forces Act, Cap. A20, LFN, 2004.

- 5.4 That his dismissal was based on the fact that he absconded to an unknown destination when he was nominated for a special assignment on the defunct Operation Lafiya Dole and that is what made him to arrive late at the venue 4 hours after the briefing by Lt. Col. O. O. Ejere.
- 5.5 That the Petitioner's dismissal was in error as well as clear case of victimization because, judging from the submission of both parties in defence of the case in question, there were several other officers as mentioned by the Petitioner who committed a similar offence as the Petitioner but who were later re-absorbed to the service of the Nigerian Army.

## **6.0 COMMITTEE RECOMMENDATIONS /CONCLUSIONS**

- 6.1 In view of the findings above, the Committee urges the House to mandate the Chief of Army Staff to review the Charge Sheets of Ex-Cpl. Bartholomew Eke and reinstate him to the service of the Nigerian Army without the arrears of benefits and entitlements.
- 6.2 Or, in the alternative, convert his dismissal to Compulsory Retirement and pay him the arrears of the entitlements and benefits to enable him start life elsewhere.

## **7.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended.



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## CASE 79:

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### **REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS BY AKINDELE EBENEZER ADEBISI AND 12 OTHERS AGAINST STANDARD INSURANCE PLC FOR ALLEGED FINANCIAL IMPROPRIETY AND EMBEZZLEMENT BY THE INSURANCE COMPANY**

#### **1.0 PREAMBLE**

- 1.1 The House of Representative at its sitting on Tuesday 13th February 2020 received a petition presented by Honourable on behalf of Akindele Ebenezer Adebisi and 12 others against the Management of Standard Alliance Insurance plc for financial impropriety and embezzlement by the above mentioned Insurance Company.
- 1.2 Pursuant to Section 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and in accordance with the House Standing Order XX. Rule 5[b] of the 9th Assembly and in line with principles of fairness, equity and justice, the petition was referred to the Committee on public petitions for further legislative actions.

#### **2.0 PETITIONERS CASE**

- 2.1 The petitioner Mr. Adebisi Ebenezer Akindele is a professional Health worker and currently the Principal Partner of Bisi Medical Clinic at No. 16 Odole Street, Akure.
- 2.2 The petitioners informed the Committee that their petition against Standard Alliance Insurance Plc is to express their grievances in respect of financial impropriety and embezzlement perpetuated by the above mentioned insurance company.
- 2.3 That Standard Alliance Insurance Plc. rolled out series of policies with intention to defraud and swindle the citizens of Nigeria without recourse to the implication on them.
- 2.4 That the list of the affected people with what they were defrauded of includes:



S/N	NAME	POLICY NO	AMOUNT	MATURITY DATE
1	Akindele E. Adebisi	FAS/17/000/3494/AKR	N4,850,303.31	1/6/2019
2	Agunbiade Tola A.	06/2010/041096	N441,145.00	Terminated
3	Adeneye Moturayo E.	IPP/10/007628/PHC	N441,145.00	Terminated
4	Auta Madaki J.	ESP/15/0004443/AKR	N1,200,000	Terminated
5	Adebayo Gbenga	ESP/15/0004517/AKR	N1,200,000	Terminated
6	Ajayi Olayinka F.	SPP/17/00485/AKR	N30,000.00	Terminated
7	Aganbi Gladdys E.	SPP/13/004353/BNi	N1,379,660.00	1/8/2018
8	Initiated by Late Raymond Igwenagu in the name of his son Emmanuel Igwenagu	FAS/16/00812/AKR	N1321,00.00	10/2018
9	Okike Ade E.	CAP/14/0000687	N1,362,558.00	1/3/2019
10	Okike Ade E.	CAP/14/0000688	N1,362,558.00	1/3/2019
11	Olugbenga Paul B.	SF/0085/LA	N150,000	2018
12	Adeniyi Reuben	SIP/14/0008042/IKJ	N3,250,000	31/12/2014

- 2.5 That they entered into series of policies with Standard Alliance Insurance Plc. with the intention that they will pay them at the expiration of the policies in accordance with the agreement they entered into with the company.
- 2.6 That having fulfilled their terms of the agreement with the company the insurance company in question refused to pay their money back to them after the expiration of their terms of agreement.
- 2.7 In view of the aforementioned, they all went to the Head Office in Lagos to confirm the situation report but were not happy when they found out that the company in question was about winding up and as a result of that they could not make head way on what they were looking for.
- 2.8 Requesting for the Committees intervention, to investigate the matter and bring the culprit to book.
- 2.9 To ensure that each and every member of the people involved collect back their money from Standard Alliance Insurance Company without any delay.



### **3.0 INVESTIGATIVE HEARING**

- 3.1 The investigating hearing was concluded on with only the petitioner who appeared with oral and documentary presentation, the respondent did not appear or send any letter or document in defence of the petition.

### **4.0 RESPONDENT'S SUBMISSIONS**

- 4.1 The respondent (Standard Insurance Alliance) did not appear or send any documents in defence of the above petition, despite several summoning letters sent to them to appear in respect of the issue at stake. This made it difficult to conclude the investigation, the Committee decided to work with the available information before them to conclude the case.

### **5.0 COMMITTEE FINDINGS**

- 5.1 The Committee could not come with concrete findings on the case in question because of the absence of the Management of Standard Alliance Insurance Company to stand in defence of the petition but the available information before them showed that:
- 5.2 The petitioner wrote to express their grievances over the financial impropriety and embezzlement perpetuated by the above mentioned insurance company which they sought for redress in so many Human Right Agencies to no avail.
- 5.3 That the Standard Insurance Company Plc. rolled out series of policies with the intention to defraud and swindle the citizens of Nigeria without recourse to implications on their customers.
- 5.4 That the amount invested into the company by the 12 affected petitioners was over N30 million which they neither got the dividend of nor recover their actual money invested in the company.
- 5.5 That the said company was at the point of winding up when the petitioner started raising alarm over how to recover their money.

### **6.0 COMMITTEE RECOMMENDATIONS /CONCLUSIONS**

- 6.1 The Committee in view of their findings above urges the House to direct the Managing Director, Standard Alliance Insurance Plc. to pay Mr. Akindele Ebenezer Adebisi and 12 others all the money they deposited in the said company with interest accrued to them.



- 6.2 Direct the Chairman of Economic Financial Crime Commission (EFCC) to visit the Standard Alliance Insurance Company to investigate the fraud perpetrated by the Management of the Company and bring the culprit to book.

## **7.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended.



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**CASE 80:**

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**REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON THE PETITION BY VICTOR INYIAMA & CO. ON BEHALF OF NNAMDI AZIKIWE UNIVERSITY TEACHING HOSPITAL, NNEWI, ANAMBRA STATE AGAINST THE CENTRAL BANK OF NIGERIA AND FIRST BANK (NIGERIA) PLC. FOR ALLEGED NON-COMPLIANCE WITH THE RESOLUTION OF THE FOURTH REPUBLIC, 8TH NATIONAL ASSEMBLY, FOURTH ASSEMBLY**

**1.0 PREAMBLE**

- 1.1 The House of Representatives, at its plenary sitting of Wednesday, 15th September, 2021 received a petition presented by Hon. Haruna I. Dederi on behalf of Victor Inyama & Co, Consultants of the Management of Nnamdi Azikiwe Teaching Hospital, Nnewi, Anambra State.
- 1.2 Pursuant to Section 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and in accordance with the House Standing Order XX Rule 5(2) [b] of the 9th Assembly and in line with principles of fairness, equity and justice, the petition was referred to the Committee on public petitions for further legislative actions.

**2.0 PETITIONER'S CASE**

- 2.1 The Petitioner informed the Committee that it earlier invited, received submissions and listened to the parties to the Petition and a report was written which was in their favour.
- 2.2 That in addition to the formal communication of the Resolution to the Governor of the Central Bank by the House, they also made another independent communication of the House's Resolution to the Central Bank of Nigeria on June 3, 2019 to the same effect.
- 2.3 That United Bank for Africa (UBA), Zenith and Ecobank have complied with the Resolution of the House and have reversed the excess charges they passed on the accounts of the institution appropriately but First Bank Nigeria Plc. has refused to comply.



- 2.4 That they have sent so many reminders on this subject-matter to the Central Bank of Nigeria (CBN) but it has failed/refused to comply with the Resolution of the Honourable House.
- 2.5 In the light of the foregoing, the Petitioner prayed the House to prevail on the Central Bank of Nigeria to comply with the Resolution of the 8th Assembly and direct First Bank of Nigeria to make the requisite refunds of the excess charges of N32, 791,793.29 which have N113, 222,294.30 amounting a total of N146, 014,087.59 as at July, 18, 2021 to the Petitioner.

### **3.0 INVESTIGATIVE HEARING**

The Committee concluded investigative hearings on the matter on 28th October, 2021 with both parties in attendance.

### **4.0 RESPONDENT'S SUBMISSION (CENTRAL BANK OF NIGERIA)**

- 4.1 The Respondent, Central Bank of Nigeria stated that on 20th February, 2017, the Bank received a petition from Victor Inyama & Co. on behalf of Nnamdi Azikiwe University Teaching Hospital, Nnewi, Anambra State.
- 4.2 That the Petitioner complained about fraudulent excess charges on its accounts with four banks, namely ECOBANK, First Bank, UBA and Zenith Bank for the periods between 2004 and 2016.
- 4.3 That, having lodged the complaint on February 20, 2017, the complaint was treated by the banks in line with the existing Time Barred Policy for complaints handling and reviewed by the Bank.
- 4.4 That the Petitioner was informed via a letter dated October 26, 2017, that their complaint was Time Barred because the complaint was lodged more than 6 years after the transactions occurred.
- 4.5 That on receipt of the Bank's decision, the Petitioner escalated the complaint to the House of Representatives Committee on Public Petitions because, according to him the Bank's position which was in tandem with that of the banks, that the complaint was Time Barred.
- 4.6 That the Committee has had four (4) sittings on the complaint to date. At the 3rd and 4th sittings, the Committee expressed strong view that the CBN Time Barred Policy on complaints handling should be jettisoned and the Petitioner paid its claims against the banks.



4.7 That at the 3rd sitting of the Committee on the complaint, the banks resolved to review the complaint with the Petitioner in line with extant regulations and guidelines. This was done, resulting in 3 (ECOBANK, UBA and Zenith) out of the 4 banks, refunding the claims against them of N347,583.30, N172,179.20 and N11,099,716.34 respectively to the Petitioner.

4.7.1 That the banks stated that their decision to refund was based on their business relationship with the Petitioner (Nnamdi Azikiwe University Teaching Hospital) notwithstanding that the complaint was time barred.

4.7.2 That the fourth bank (First Bank of Nigeria Plc) which has a claim of N31,042,969.86 against it by the Petitioner, insisted that its treatment of the complaint was in line with extant regulations and guidelines.

## **5.0 COMMITTEE FINDINGS**

After a careful perusal of the case, the Committee observed as follows:

5.1 That United Bank for Africa (UBA), Zenith and ECOBANK have complied with the Resolution of the House and have reversed the excess charges they passed on the accounts of the institution appropriately but First Bank (Nigeria) Plc has refused to comply.

5.2 That First Bank of Nigeria Plc which had a claim of N31,042,969.86 against it by the Petitioner, stated that the complaint is time barred and insisted that its treatment of the complaint was in line with extant regulations and guidelines.

5.3 That Central Bank of Nigeria also stated that following their receipt of the letter dated 15th October, 2020 from the House of Representatives Committee on Legislative Compliance, they conveyed a letter to the Committee requesting for the Resolution but they have not received any response from the Committee on their request.

5.4 The Committee aligned itself with the 8th Assembly Resolution.

## **6.0 COMMITTEE RESOLUTION/CONCLUSION**

In line with the findings above, the Committee upholds the 8th Assembly Resolution dated Tuesday, 28th May, 2019 as follows:

6.1 Urges the Central Bank of Nigeria to direct the affected Banks (First Bank, UBA, Zenith Bank and ECOBANK) to reverse the excess charges to the account of Nnamdi Azikiwe University Teaching Hospital, Nnewi, Anambra State.





- 6.2 The House should urge the Central Bank of Nigeria to direct First Bank to reverse the excess charges to the account of Nnamdi Azikiwe University Teaching Hospital as dictated by the consultant.

## **7.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended.



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## CASE 81:

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### **REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON THE PETITION BY MRS. TONIA JOHN NWEZE AGAINST THE MANAGEMENT OF THE NATIONAL SOCIAL INSURANCE TRUST FUND (NSITE HOS, ABUJA) FOR ALLEGED OF NON-REFUND OF THE SUM OF N748, 800.00 (SEVEN HUNDRED AND FORTY-EIGHT THOUSAND, EIGHT HUNDRED NAIRA) SHE DEPOSITED WITH THE COMPANY AS HER INSURANCE PREMIUM FOR A PERIOD OF 13 YEARS (1988-2001)**

#### **1.0 PREAMBLE**

- 1.1 The House of Representatives at its plenary sitting on Wednesday, 15th September, 2021, received the above petition presented by Hon. Haruna Isa Dederi on behalf of Mrs. Tonia I. John Nweze for investigation and consideration on the floor of the Chamber.
- 1.2 Pursuant to Section 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and in accordance with the House Standing Order XX Rule 5(2) [b] of the 9th Assembly and in line with principles of fairness, equity and justice, the petition was referred to the Committee on public petitions for further legislative actions.

#### **2.0 PETITIONER'S CASE**

- 2.1 The Petitioner (Mrs. Tonia I. John Nweze) informed the Committee that she worked with the British Council from Kaduna to Abuja and entered into Insurance Agreement with NSITF Company as required by her employer (British Council) who stated that all Nigerian employees domiciled in Nigeria would be required to contribute to the National Provident Fund from which deductions will be made from their salaries.
- 2.2 That she complied with policy directive of her employer by registering with NSITF to which her remittances were made from her salaries.
- 2.3 That at the end of the service year, she was issued a Certificate of Service by NSITF which could enable her to get refund of the account contributed so far.
- 2.4 That she submitted the said NSITF Certificate of Service to BTC her pension Manager in 2001 to enable her get hold of her money and the man she met told her to do Change of Name to enable the process of her application and forward



same to Trust Fund Pension Plc. and PENCOM to enable the transfer of her NSITF contributions.

- 2.5 That she did the Change of Name with the Guardian Newspapers on 4th September 2010 and as well sent it to them on 2nd June, 2014 but since then she had been waiting for the transfer of the said money to no avail.
- 2.6 Prayed the Committee to ensure that her money is transferred to her by NSITF without further delay.

### **3.0 INVESTIGATIVE HEARING**

- 3.1 The investigative hearing was concluded after the 2nd hearing with parties appearing to make both oral and documentary presentations in defence of the Petition.
- 3.2 During the investigation, the Management of Trust Fund Pension claimed that they have no records of pension of the Petitioner in their domain but the Petitioner insisted that she had Certificate of Service issued to her by NSITF which would enable her to access the amount she contributed so far to the company.

### **4.0 RESPONDENT'S SUBMISSIONS**

- 4.1 In the response, the Nigeria Social Insurance Trust Fund informed the Committee that NSITF was established vide Decree No.73 of 1993 to succeed the defunct National Provident Fund which had been in operation since 1961.
- 4.2 That the Agency was established to provide a defined Benefit Scheme through Social Insurance method for employees in the organised private sector.
- 4.3 That the Scheme covered contingencies of old age, invalidity, survivors and emigration (for contributing members relocated permanently outside Nigerian.
- 4.4 That the Trust Fund Pension Plc. was licensed by the National Pension Commission in December, 2005 and commenced operation in January, 2006 with the transfer of pension funds and assets held and managed by NSITF as a custodian.
- 4.5 That the provision of Section 71(2) of the PRA 2004 which repositioned the NSITF to provide every contributing citizen social insurance services other than pension in accordance with the NSITF Act of 1993 led to the new mandate of the Fund vide Employees Compensation Scheme (ECS established by Employee Compensation Act (ECA) of 2010.



- 4.6 That the Petitioner had never at any point in time, communicated the challenges experienced in recovering her pension from Trust Fund Pension Plc. to the Fund for proper guidance on the matter until the receipt of the above petition.
- 4.7 That the Petitioner was aware that Trust Fund Pensions Plc. is the custodian of the pension contributions remitted to the old NSITF as established in her petition.
- 4.8 That NSITF does not have a case to answer in the above petition because Trust Fund Pensions Plc. has taken over the pension business of old NPF and NSITF Scheme from the Fund in 2004 as noted above and has overtime been addressing issues from these defunct Scheme.
- 4.9 That due to legitimate handing/taking over of pension business between NSITF and Trust Fund Pension Plc., the Petitioner was advised to redirect her petition to the Trust Fund Pension Plc for adequate attention and resolution.
- 4.10 The British Council informed the Committee that the facts as stated by the Petitioner in her petition as to the scope and terms of her employment with the British Council have been accurately captured.
- 4.11 That the Petitioner worked with the British Council from 1988 to 2001 and therefore she ceased to be an employee of the British Council over 20 years ago.
- 4.12 That, in view of the aforementioned, and in consonance with the extant laws regarding record-keeping, all her personal records have been destroyed since about 2008 (14 years ago).
- 4.13 That the British Council is not the appropriate entity to pay the Petitioner her pension funds and the Petitioner did not bring a Petition against the British Council in that regard.
- 4.14 That Stanbic IBTC, the Petitioners PPA and Trust Fund Pensions Plc, the successor entity to the NSITF pension business are the appropriate entities to engage in order to unravel the mystery surrounding the non-payment of the Petitioner's pension funds.
- 4.15 According to Mr. Uche Ihechere and Musa Nasir who represented the Trust Fund on the Petition, Trust Fund Pension Plc. is a Pension Fund administrator set up to manage pension funds including the pension assets hitherto managed by NSITF under the defunct NSITF Scheme.
- 4.16 That all contributions made under the defunct NSITF Scheme were transferred to Trust Fund Pensions Ltd. for the management and administration to the benefit of



the respective contributors.

- 4.17 That they have maintained transfers of contributions to retirement savings Account (RSA) and records of various contributors under NSITF Scheme from 2006 till date.
- 4.18 That based on the available records with them upon a comprehensive search through the records that were transferred to them by the defunct NSITF there was no records of Mrs. Gosicha Antonia's name as were shown on her Certificate neither did they find any records of her NSITF registration number 20089991-1 on the NSITF database and that showed that no remittance were made for her by the British Council, her former employers
- 4.19 That they are of the opinion that Mrs. Tonia John Nweze should visit British Council (her former employers) in order to resolve the issues relating to the contributions she made during her employment years.

## **5.0 COMMITTEE FINDINGS**

The Committee, after series of investigations and engagement of all the parties involved observed as follows:

- 5.1 That the Petitioner (Mrs. Tonia John Nweze) worked with the British Council from Kaduna to Abuja for a period of 13 years (1988-2001) before being suppressed 2001.
- 5.2 That during the period she entered into Insurance Agreement with NSITF as required by her employer (the British Council) hoping that, at the end of her service year, she will get her money back.
- 5.3 That despite submission of the Certificate of clearance issued to her by NSITF to her Pension Manager (IBTC) which would have enabled her get the refund of all the amounts she had contributed so far from the company, her Pension Manager (IBTC) claimed after promising that they will process her refunds that they have searched their database and discovered that they have no records of the Petitioner's name as shown in her membership Certificate, neither did they find any records of her NSITF registration number 2089991-1 on the NSITF database which the Committee observed is as a result of poor record keeping by IBTC.
- 5.4 The British Council acknowledged that the Petitioner (Mrs. Tonia John Nweze) had worked with them from 1988 to 2001 (a period of 14 years) and had the appropriately issued her a certificate to indicate that all her entitlements on pensions were duly transferred to NTFP.



- 5.5 That the cause of the Petitioner's challenges in getting her refund from her Pension Manager was that she had never, at any point in time, communicated to NSITF her challenges experienced in recovering her pension benefits from the Trust Fund Pension Plc for proper guidance on how to go about it.
- 5.6 That the three parties involved on the issue refused to claim responsibility of being defaulters in the Petition, but the Committee insisted that both NSITF Trust Fund Pension (IBTC) who are the major players in the case should be held culpable and should source for the fund and pay the Petitioner her money.

## **6.0 COMMITTEE'S RECOMMENDATION/CONCLUSION**

- 6.1 In view of the findings above, the Committee urges the House to mandate the Managing Director/CEO, Nigeria Social Insurance Trust Fund and the Managing Director/CEO, Trust Fund Pensions Plc. to pay Mrs. Tonia John Nweze the sum of N748, 800 she deposited with NSITF as her insurance premium for a period of 13 years (1988-2001).

## **7.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended.



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**CASE 82:**

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**REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON THE PETITION BY IGAHACHI DEVELOPMENT ASSOCIATION (IDA) AGAINST THE VICE CHANCELLOR, FEDERAL UNIVERSITY LOKOJA LGA OF KOGI STATE: A COMPLAINT OF NON-RECOGNITION AS THE BONAFIDE HOST COMMUNITY AND NON-COMPLIANCE WITH THE CORPORATE SOCIAL RESPONSIBILITY TO THE IGAHACHI COMMUNITY BY THE ABOVE MENTIONED INSTITUTION****1.0 PREAMBLE**

- 1.1 The House of Representatives at its plenary sitting on Wednesday 17th March, 2021 received the above Petition presented by Hon. Shaba Ibrahim on behalf of Igahachi Development Association (IDA) on the above subject matter.
- 1.2 Pursuant to Section 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and in accordance with the House Standing Order XX Rule 5 (2) [b] of the 9th Assembly and in line with principles of fairness, equity and justice, the petition was referred to the Committee on public petitions for further legislative actions.

**2.0 PETITIONER'S CASE**

- 2.1 The Petitioner (Mr. Zachaeus Jonathan on behalf of Igahachi Development Association (IDA) informed the Committee that Igahachi Autonomous Community is located in Oworo District of Lokoja LGA of Kogi State.
- 2.2 That as a community, they have enjoyed relative sovereignty over the land covering part of Oworo land bounding from Apata Oworo and Olu of Oworo Stool in Felele, Krusher and extended to Shegar settlement in Igahachi land at Meme Bridge River and Oba with the boundary at CBN, Bakomba and Akpomoba respectively.
- 2.3 That the size of the land that belongs to the community were put at over 13,000 hectares and is abundant with natural resources like iron ore, kaolin and quartz in large deposits.
- 2.4 That based on the survey map of the Area the Federal University Lokoja located within the area of the map covering the land which measured over 500 hectares in size with other several State and Federal establishments located within the area.



- 2.5 That Igahachi community has been very peaceful in the administration of their vast ancestral land until sometime in the year 2008 and 2012 respectively when a group of land speculators in the name of Ilegba Community and Igbara Community conspired and leagued up to challenge their territorial sovereignty which was vehemently resisted by the people of Igahachi Community.
- 2.6 That the case in question was reported to the Paramount Ruler of the area (Olum of Oworo Council) who, after thorough investigation of this matter, appealed to (Igahachi Community to grant part of their land to the contending side which the Igahachi Community obliged and accepted in reference to the respected Council.
- 2.7 That the decision of Olum-Council on the issue at stake came up at about the time the Federal University, Lokoja was announced and Igahachi land was located to host the permanent site.
- 2.8 That on noticing the sitting of the university in Igahachi Community land the speculators (segba and Igbara Communities) went ahead to reject the decision of the Council on the subject matter and filed a suit in Koton-Karfe against the Igahachi Community to determine the rightful owner of the land in question.
- 2.9 That the matter went through rigorous court processes and after eight years of investigation, the court considering the evidences, facts and age-long ancestral possession reaffirmed the decision of the traditional council as per the ownership and ruled 100% in favour of Igahachi Community.
- 2.10 That the court also accepted Igahachi Community's Survey Map which clearly described the boundaries including the Federal University, Lokoja permanent site sitting within the Igahachi community lands.
- 2.11 That when the people of Igahachi had an initial interface about the issue at stake with the Federal University, Lokoja under the management leadership of Professor Abdulmumuni Rafindadi at the instance of the then Governor of Kogi State (Alhaji Ibrahim Idris), the discussion was led by the then Commissioner of Lands and Urban Development. It was agreed that the National University Commission (NUC) required between 200 to 250 hectares of land for the university site but the Governor out of excitement increased the said site to 500 hectares which the Community obliged to.
- 2.12 That after the Court Judgment which was in favour of the Igahachi Community, the Igahachi people through their Solicitors wrote and informed the management of the Federal University, Lokoja on the authenticity and affirmation of Igahachi Community ownership of the said land as given by the Judgement of the High





Court sitting at Koton-Karfe.

- 2.13 That the immediate Vice Chancellor of the University (Prof. Angela Miri) was misled not to attend, respond or recognize Igahachi Community as the bona fide host community and as a result did not acknowledge any of their letters due to the manipulation within the University system by the current University Registrar.
- 2.14 That the Government Agency in charge of land administration in the State (Bureau for Lands and Urban Development) who appears not to be on the side of the law but in support of the land speculators led by Hon. Idris Idakwo, a member of Kogi State House of Assembly were the people frustrating the Igahachi Community from taking possession of their ancestral inheritance and the Director-General of the Bureau for Lands and Urban Development who also appeared not to be disposed to the rule of law by not respecting the Court's judgement and went ahead to introduce strange persons as the owners of the university land.
- 2.15 That a closely related issue was the unjustified allocation of the same university community land to individuals and companies at a fee which was tagged as logistics by the Director-General, Land and Urban Development while the rest of Igahachi Community and outside the 1000 hectares which were being held under the guise of 16km Government Overriding Interest which is not in consonance with the Land Use Act of 1976.
- 2.16 That it is on record that Igahachi Community has neither enjoyed nor benefited from any Corporate Social Responsibility as a host community like employment, admissions into the university and financial compensation from the university.
- 2.17 Prayed to recognize Igahachi Community in Oworo LGA of Kogi State as a major host community of Federal University, Lokoja permanent site.
- 2.18 To direct the Federal University, Lokoja to pay appropriate compensation to Igahachi Community as a stakeholder of the two host communities.
- 2.19 That for over ten (10) years of the existence of the University, no Igahachi community son(s) or daughter(s) has been employed as part of the catchment area.
- 2.20 Prays Federal University, Lokoja to immediately correct this anomaly and give priority employment to Igahachi sons and daughters in line with the principles of equity, fairness and justice.
- 2.21 Prays the House to recognize the existence of the judgement by Hon. Justice Alaba Omolaye Ajileye delivered on the 6th of May, 2020 in favour of the Igahachi Community on the same ownership matter, to uphold the judgment and direct the



Respondents to recognize and comply with the Judgment in accordance with the Rule of Law and to further note the grave consequences of non-compliance to such standing ruling.

- 2.22 Prays the House to invite the Law Enforcement Agency to give force to the court judgment obtained in Koton-Karfe Federal High Court on the 6th of May, 2020.
- 2.23 To rename the University as Federal University, Igahachi-Felele, Lokoja, Kogi State instead of Federal University, Lokoja as typically exemplified in the case of the Federal University named, Alex Ekwueme Federal University Ndufu- Alike, Ikwo, Ebonyi State (AE-FUNAI).

### **3.0 INVESTIGATIVE HEARING**

- 3.1 The investigative hearing was concluded on Wednesday, 13th October, 2021 with the two parties appearing to make both oral and documentary presentations in defence of their positions, it is noted that the counsel to the respondent could not make available the map capturing the university and its surrounding villages at the request of the Committee.

### **4.0 RESPONDENT'S SUBMISSION (FEDERAL UNIVERSITY, LOKOJA)**

- 4.1 According to Barr. Ogala Omachoko, Counsel to the Federal University, Lokoja informed the Committee that the Federal University, Lokoja started from Adankolo Campus immediately after its establishment in 2011 when the permanent site was being negotiated with the Kogi State Government.
- 4.2 That it was Isegba Obah Felele Community that later presented the permanent site for its establishment where the said university is situated, that the permanent site earlier mentioned as take-off site was the then Government Science Secondary School which is now called Adankolo Campus.
- 4.3 That the Felele Campus given as the permanent site was the true reflection of the collective opinion of the representatives of the indigenous communities under the leadership of the Isegba Obah Felele Community.
- 4.4 That apart from the contract and negotiation of the land settled with them, the members of the Felele Community were practically involved in the initial survey and measurement of the hectares of land acquired by this representatives of the Federal Ministry of Education and the Kogi State Ministry of Lands, Environment and Housing.



- 4.5 That in 2018, the Bureau for Land and Housing Services approached Obah Felele Community for addition of 50 hectares which was agreed and the Surveyor-General of Kogi State led other staff of the Bureau together with Isegba Obah Felele for survey and measurement of the additional acquisition that in the process they were able to acquire land for the Federal University, Lokoja which stands at 250 hectares situated in Felele Community believed to be under the control of Isegba Obah of Felele Community.
- 4.6 That the available records showed that the land in question where the permanent site of the Federal University, Lokoja, belong to Isegba-Obah Felele Community with whom the University authority has been having meetings as the Host Community on various issues which can be regarded as a mark of recognition and responsibility and currently negotiating for the payment of the land so acquired with the Kogi State Government in line with the provisions of the Constitution.
- 4.7 That the name Igahachi is new to the University Community which started appearing as of recent in February, 2021.
- 4.8 That it is proper for anybody coming to lay claims on the university's land for the purpose of recognition and Corporate Social Responsibility to first of all determine within themselves the issues of ownership of the said land with the Felele Community that has been known to them legitimately as the host community from the onset.
- 4.9 That when the above is first and foremost settled, that any other community or party can be heard, which will be the first time that it will be heard that they have interest in the land where the university is situated, otherwise, the university authority was entitled to believe that they have been dealing with the Felele Community known to them as the Host Community of the Federal University, Lokoja for the time being.
- 4.10 That Igahachi Community, as a segment coming to lay claim on the university land only in 2021 after ten years of its existence leaves every right-thinking persons in doubt as to the truthfulness of the above Petition and such setback for the progress of the university and urges the Committee to disregard hearing on the Petition and that if such Petition is allowed to stand, there is a likelihood other groups will come up with such claims and demands.
- 4.11 That for all intents and purposes, the university has exhibited what is regarded as a veritable Corporate Social Responsibility with the natives of Felele under the leadership of Isegba Oban Falele.



- 4.12 That by and large the university authority of Federal University, Lokoja were appealing that the Committee should not be misled by the above Petition for it lacks merit. That the said Petition constitutes a serious distraction to the Administration of the University which has come on board and is barely four months into its inauguration.

## **5.0 SUBMISSION BY AN INTERESTED PARTY (ABDULRAHMAN TANKO)**

- 5.1 The above named is a Counsel to Isegba Obah Felele Community of Oworo in Lokoja LGA of Kogi State under the leadership of the Eleson of Feile, HRH Alta is Noako Mohammed (Member representing Lokoja Constituency at Kogi State House of Assembly Lokoja.
- 5.2 In their presentation, they informed the Committee that the Federal University, Lokoja was established in 2010, and permanent site was allocated to Isegba Obah Felele community with the approval of the Federal Ministry of Education and the temporary take-off site was the then Government Science Secondary School, Lokoja which was then the Adankolo Campus.
- 5.3 That the name Felele Campus was given to the permanent site as a reflection of indigenous owners of the land (Isegba Obah Felele Community).
- 5.4 That in 2003, some indigenes of Agbeja (headquarters of Oworo land) made attempts of allocating the Felele land where Igahachi is making a baseless claim to individuals and corporate bodies in which they resisted the move by filing a suit with suit No. HCKK/01CV/2003, and Motion on Notice for Injunction was also filed alongside the Writ of Summons
- 5.5 That when the Motion on Notice was moved, the court delivered its ruling restraining them from further action on the said land.
- 5.6 That Felele land is owned by Isegba-Obah Felele Community and does not belong to Igahachi as claimed in their petition that the people of Felele Community were not only contacted and negotiations for the acquisition of the land settled with them but were also involved in the initial survey and measurement of the hectares of land acquired by the representatives of the Federal Ministry of Education, the Federal Ministry of Land, Environment and Housing and the Kogi State Ministry of Land. Environment and Housing in view of the aforementioned, the acquired land in question stands at 250 hectares and is situated at Isegba-Obah Felele Community.



- 5.7 That Isegba-Obah Felele Community was not sharing any boundary mark with pal Community as there were several other villages in between the land of Isegba-Obah Felele and the Igahachi Community.
- 5.8 That some time ago, Igahachi Community had a land dispute win the community of Igala also in Oworo land at High Court of Justice sitting in Koton-Karfe in Suit No. HCKK/02CV/2012 botan Banjimin A. P. & 1 Other Vs. Mallam Mohammed Bayerni & 1 other and on 6 May, 2020, that the High Court of Justice, Koton-Karfe awarded the dispute land to Igahachi Community who were defendants in the suit but was appealed by for Igahachi Community to Court of Appeal sitting in Abuja with Suit No. CA/ABJ/883/2020 and parties have filed their Briefs awaiting date of hearings from the Appeal Court, sometime ago, the current Olu of Oworo land, after his coronation came up with the idea of taking over the entire Felele land which they resisted that the matter is still pending at the High Court of Justice, Koton-Karfe in Suit No HCL/KK/001/CV/2014 despite the intervention of some of the chiefs in Oworo land for peaceful resolution of the matter.
- 5.9 That at present, the management of the Federal University. Lokoja have held several meetings with the people of Isegba-Obah Felele Community as regards to fulfilling Corporate Social Responsibility of people in the area by the management of the university those names of competent and qualified youths were engaged in the university as vigilantes to oversee the multi-billion naira projects on-going at the Felele Campus for the purpose of protecting same from destruction and theft.
- 5.10 That Igahachi Community's claim to the Federal University, Lokoja Felele Campus and just in 2021, ten years after the university was established in 2010 by putting a building, was not only absurd but without a foundation and as such should be discountenanced.
- 5.11 That the land ownership is not determined by resolution of National Assembly as disputes relating to land can only be resolved by a competent Court of Law. That though the Petition is against the Federal University, Lokoja, the respondent - Obah) is worried over the issue at stake as the Federal University, Lokoja campus is situated on their ancestral land.



## 6.0 COMMITTEE FINDINGS

The Committee, after thorough investigation and perusal of all the documents tendered by the parties observed as follows:

- 6.1 That the Igahachi Community is an autonomous community situated in Oworo District of Lokoja LGA of Kogi State with the area coverage of over 13,000 hectares bounding with evidences of land and boundary maps to prove that they share clear boundary with Isegba-Obah Felele Community and other adjacent community where the university permanent site is situated. The Igahachi community further proved their ownership claims by presenting an Appeal Court judgement won in its favour at the Federal High Court of Justice, Koton Karfe on 6 May, 2020 in a suite case No. HC/KK02CV/2012 which same Petition determined the land ownership on the sites where the Federal university Lokoja is situated and within which the Igahachi and Isegba-Obah Felele community are bounded.
- 6.2 That the map presented by the Petitioner's illustrating the neighbouring communities and villages within the University environment established the fact that the Igahachi community is one of them. That the facts and evidences before the Committee have convincing proof to the fact that the Igahachi autonomous community have every reason to be regarded and considered as a co-host community entitled to all rights and privileges accrued to the land ownership where the university permanent site is situated.
- 6.3 That while the Committee appreciated the long standing rapport between the University and the Isegba-Obah Felele communities, the respondent failed to prove with convincing reasons why they are not co-hosting the University as an Institution and therefore recognize the Petitioners as catchment area with full rights and privileges to enjoy the Corporate Social Responsibilities rendered to the host communities in the interest of peace and harmony and in accordance with the laws of the land.
- 6.4 That the voices and pieces of advice from the paramount Rulers of the land as the custodians of the land traditions should be headed to for a peaceful resolution and harmony.
- 6.5 That the Committee, in its findings observed that the survey map presented by the Counsel to Isegba-Obah Felele Community in defence of their case does not showcase the position of Igahachi community in the map and insisted that they must bring the map showing the location of the university in relation to all the communities around is environs to enable them resolve the matter which Isegba Obah Community never did until the case was closed.



## **7.0 COMMITTEE RESOLUTION/CONCLUSION**

- 7.1 The Committee, in view of its findings above, urges the House to uphold the Judgement of the High Court sitting at Koton-Karfe LGA of Kogi State in Suit No. HC/KK/02CV/2012 which awarded the disputed land to Igahachi Community.
- 7.2 Direct the Vice Chancellor, Federal University, Lokoja, Kogi State and Director-General, Lands Kogi State Ministry of Works and Housing to implement the Court Judgement on the above subject-matter and to ensure due recognition is granted to the people of Igahachi Community on the on-going Corporate Social Responsibilities as per employment and compensation.
- 7.3 Urges the Inspector-General Nigeria Police Force to ensure immediate enforcement of the court judgement of the above subject matter.
- 7.4 Urges the Attorney-General and Commissioner of Justice, Kogi State Government to ensure immediate recognition of Igahachi Community in Oworo District of Lokoja LGA of Kogi State as the major host community of the Federal University, Lokoja permanent site.
- 7.5 To direct the Vice-Chancellor of the Federal University, Lokoja to ensure full compensation to Igahachi Community as the stakeholder of the host communities when the time arises.

## **8.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended.





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## CASE 83:

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### **REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS BY SIYAKA SALAMI AGAINST THE NIGERIA POLICE FORCE ON AN ALLEGED CASE OF SARS MALTREATMENT**

#### **1.0 PREAMBLE**

- 1.1 The House of Representatives at its sitting on 15th March 2021 received petition presented by Honourable Joseph Asuka Bello on behalf of Siyaka Salami against NPF (Nigeria Police Force) on a case of Maltreatment by SARS (Special Anti-Robbery Squad).
- 1.2 Pursuant to Section 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and in accordance with the House Standing Order XX. Rule 5[b] of the 9 Assembly and in line with principles of fairness, equity and justice, the petition was referred to the committee on public petitions for further legislative actions.

#### **2.0 PETITIONER'S CASE**

- 2.1 The Petitioner said he hails from Adavi Local Government Area of Kogi State and was enlisted into the service of NPF in 1980. That he was illegally dismissed from the service of NPF in 1993 without following due process and without recourse to proper Police regulation as contained in the Police Act Regulation 355 of 1968 and 370(g) of 1990 respectively.
- 2.2 That sometime in January 1993, the petitioner left his quarters at Gowan Estate for his daily normal duty at the Records Department Force Headquarters Annes, Lagos and on getting to Egbeda Bus Stop, he and one other policeman was asked onboard the private car that lifted them by some armed police men who were on mufti.
- 2.3 That his second in the person of Sergeant Adolphus Goodhead was shot on the stomach while trying to bring out his ID card to introduce himself to the Armed Policemen in Mufti.
- 2.4 That after that, they were taken to Adeniyi Adele Force CID and he was detained while the police officer shot was taken to the Hospital for treatment (the Petitioners) were still in detention when his trial took place in an Orderly Room, that the trial did not take place but he, the petitioner was informed verbally that they have been dismissed.





- 2.5 Prays the NPF to reinstate him with full settlement of all his entitlement and benefits and to be promoted before the computation of his retirement which was as at 2015.

### **3.0 INVESTIGATIVE HEARING**

- 3.1 The Hearing was concluded on 7th July, 2021 after several hearings, with both parties appearing to make both oral and documentary presentations in defence of the petition, NPF did not make my written submission but orally presented their case.

### **4.0 RESPONDENT PRESENTATION (NPF)**

- 4.1 During the investigative hearing, the Nigerian Police Force did not submit any written defence but in their oral submission, pleaded for more time to be given to them to enable them gather the full records of the Petitioner.
- 4.2 That they have no records of any pending matter for determination before the IGP and as a result of that, cannot comment the matter.

### **5.0 COMMITTEE FINDINGS**

After the investigation and hearing of both parties' submissions, the Committee came up with the following:

- 5.1 That the Petitioner entered into the service of the NPF in 1980 and served for 13 years before he was dismissed from the service.
- 5.2 That his dismissal by the NPF was based on the proceeding that relied on the Nigerian Police regulation as contained in the Police Act.
- 5.3 That the claim by the NPF that they have no record of the petitioner's case in their data was deleted because couples of appeal letters written severally by the Petitioner to the office of the DIQ requesting AIG SARS to submit the reopen of the case on the matter for consideration was a clear prove.
- 5.4 That available information showed that in that report the petitioner was found not guilty of the alleged offence he committed because nothing incriminating was recovered from the possession of the petitioner during the incident or after the incident, that his trial did not follow due process in accordance with the NPF Act of 1965 before his outright denial from the service.



## **6.0 COMMITTEE RECOMMENDATIONS/CONCLUSIONS**

- 6.1 The Committee urges the House to direct the Inspector General of Nigeria Price Force to promote Mr. Siyaka Salami to the service of NPF, retire and pay him all his entitlement and benefits.

## **7.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended.



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**CASE 84:**

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**REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITION ON A PETITION BY JASPER MUSA AGAINST THE FEDERAL ROAD SAFETY CORPS FOR AN ALLEGED UNLAWFUL TERMINATION OF APPOINTMENT WITHOUT JUST CAUSE****1.0 PREAMBLE**

- 1.1 The House of Representatives at its Sitting on Tuesday 16th February, 2021, received a petition received a Petition from Hon. Haruna I. Dederi on behalf of Jasper Musa against the Federal Road Safety Crop for unlawful termination of appointment without just cause.
- 1.2 Pursuant to Sections 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and in accordance with the House Standing Order XX Rule 5(2) [b] of the 9th Assembly, and in line with the principles of fairness, equity and justice, the Petition was referred to the Committee on Public Petitions for further Legislative action.

**2.0 PETITIONER'S SUBMISSION**

- 2.1 That the Petitioner was employed into the Service of the Federal Road Safety Crop on 21st July 1997 Ref No. M-9708-05320 as Road Marshal 11 grade Level 6/3.
- 2.2 That the appointment was confirmed on 2nd July 1999 with reference Number FRSC/HQ/AF/07/VOL.1/A.
- 2.3 That the Petitioner was subsequently promoted to Road Marshal 1 on Grade Level 4/5 and also Grade Level 08 as a Senior Road Marshal, Ref No. FRSC/HQ/AHR/PERS/02/A/PERS/VOL1.
- 2.4 That within his 22 years of active service, he was committed, active and dedicated to Service which earned him in two recommendation letters as follows;
  - a. Letter of Appreciation on rescue operation involving (5) Five Naval Men dated 8th June, 2004. Letter of commendation for upholding the integrity of the Corps dated 29th June 2015.
  - b. That on the 7th August 2018, he was shocked to see his termination letter with Ref No. FRSC/HQ/AHR/696/Vol.1/050 with no justification and that the last time he was paid was on 31st July 2018 with no entitlement at all.



- 2.5 The Petitioner prays this Honourable House to direct the Federal Road Safety to reinstate him, promote him to his rightful position, pay him all his outstanding salaries and entitlements and compensate him adequately for all his sufferings.

### **3.0 INVESTIGATIVE HEARING**

- 3.1 The Committee concluded its investigative hearing on Wednesday, 21st of April 2021. After both parties presented oral and documentary evidence.

### **4.0 RESPONDENT'S SUBMISSION**

- 4.1 That the Petitioner a then member of the Corps attached to Iba unit Command, Lagos was investigated by the Federal Road Safety Commission Disciplinary Panel (FRSDP) for presenting false documents in relation to further studies. An act punishable under Regulation 13 (c) of FRSC Regulations on discipline, 2013.
- 4.2 That the Petitioner was queried in 2017 for failure to attend the weekly in-house lecture. In his response, he (petitioner) claimed he did not attend the lecture because he was in school, collecting a purported approval for further studies issued by the Training Department. On close inspection of the approval letter, it was found to be fake.
- 4.3 That consequent upon that, at the end of the Disciplinary Panel Investigation, the Petitioner was found culpable and the Federal Road Safety Commission Disciplinary Panel (FDP) recommended termination of his appointment with a letter dated 5th September, 2018.
- 4.4 That the Honourable Committee may note that this is not the Petitioner's First Time of forging a document. The Petitioner was investigated and found guilty of altering his appointment letter from rank RM11 TO RM1 in 1997, but the FRSC management pardoned him.
- 4.5 The Respondent prays urging the House to dismiss the petition for lacking in substance, hinged on dishonesty and devoid of any truth.

### **5.0 COMMITTEE FINDINGS**

The Committee after series of hearings observed the following:

- 5.1 That the Petitioner was actually an employee of the Federal Road Safety Crop but was terminated.
- 5.2 That the Petitioner was issued series of queries for misconduct.



- 5.3 That the Petitioner has been in the habit of forging and altering documents.
- 5.4 The Petitioner was found guilty by the Federal Road Safety Commission Disciplinary Panel (FDP) for forging a document, an act punishable under Regulations on discipline 2013.

## **6.0 COMMITTEE RECOMMENDATION/CONCLUSION**

- 6.1 The Committee upholds the decision of the Federal Road Safety Corps in terminating his appointment.
- 6.2 The Committee urges the House to direct the Corp Marshal General of FRSC to pay the Petitioner (Jasper Musa) all his entitlements and benefits due to him to enable him start life elsewhere.

## **7.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended.



2022/2023



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**CASE 85:**

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**REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON THE PETITION BY ABBAS M. SANI AGAINST THE MANAGEMENT OF NATIONAL SPACE RESEARCH AND DEVELOPMENT AGENCY (NASRDA): AN APPEAL FOR JUSTICE****1.0 PREAMBLE**

- 1.1 The House of Representative at its sitting on Thursday, 7th July, 2022 received the petition presented by Hon. Haruna I. Dederi on behalf of Mr. Abbas M. Sani against the Management of National Space Research and Development Agency (NASRDA), An Appeal for Justice over his prolonged stagnation in the matter of promotion.
- 1.2 Pursuant to Section 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and in accordance with the House Standing Order XX. Rule 5[b] of the 9th Assembly and in line with principles of fairness, equity and justice, the petition was referred to the Committee on Public Petitions for further legislative action.

**2.0 PETITIONER'S CASE**

- 2.1 The Petitioner informed the Committee that he was given an offer of a provisional appointment as Principal Internal Auditor by the National Space Research and Development Agency (NASRDA) on 1st August, 2004, which he accepted via his Acceptance Letter dated 2nd August, 2004.
- 2.2 That he worked for over ten years without promotion despite his numerous pleas for career progression in letters he addressed to the Director-General, NASRDA and the only time he was promoted from the post of Principal Internal Auditor to Chief Internal Auditor on 6th December, 2010.
- 2.3 That while in CBSS, Nsukka which offices were still under construction, he was targeted along with another Muslim northerner by the Director of the Centre but survived by appealing against their removal and he was recalled alongside one Dr. Hamisu.
- 2.4 That he was subsequently transferred to the Agency's Epe Centre where he succeeded in making the Centre self-accounting before he was transferred to the Zonal Advanced Space Technology Application Laboratory (ZASTRAL), Kashere,



Gombe State on 9th June, 2017 where played a similar role as the Head of the Collaboration Department.

- 2.5 That apart from the fact that he had been unfairly stagnated in his duty post at Kashere Laboratory in Gombe State, he was subjected to hardship when his salary was stopped a year after he appealed for the lifting of the embargo on promotion, leading to his dropping out of his M.Sc Global Marketing online Programme with the Liverpool University, United Kingdom after spending over N3 million as Student No. H00024850.
- 2.6 That in his letter of appeal to the Director-General, NASRDA dated 10th February, he argued that since he was senior to the then Director, Admin. & Finance (Mr. Sylvester Ogoboh) it would not be out of place for him to be promoted to the rank of Director.
- 2.7 That in addition to stopping his salary, his appointment was dismissed with letter Ref. No. NASRDA/PF/196/156 of February, 2021 after the premature termination of his appointment in 2006 as Agency's Public Relations Officer which was later reversed by the Management.
- 2.8 That his appeal on the same matter to the Office of the Secretary to the Government of the Federation dated 1st August, 2019 was rejected because he did not channel it through his immediate superior officer but through the Permanent Secretary, Federal Ministry of Science & Technology, an avenue he took to avert being deceived and misdirected by those who had earlier reneged on their word to grant him promotion.
- 2.9 That he was compelled by the hardship caused by the stoppage of his means of income and dismissal from service to institute legal proceedings in Suit No. NICN/ABJ/158/2021 at the National Industrial Court through the Legal Aid Council but had to withdraw same because of the fact that he only two years of service remaining.
- 2.10 Praying for the Committee's intervention in the matter by inviting himself and NASRDA management to a roundtable discussion to unearth the facts of the matter so that justice can be done.

### **3.0 INVESTIGATIVE HEARING**

- 3.1 The investigative hearing was concluded on Thursday, 20th October, 2022 with both parties appearing to make both oral and documentary presentation in defence of the petition.





#### **4.0 RESPONDENT SUBMISSIONS**

- 4.1 According to the Head of Legal Services, NASRDA the Petitioner was employed with an Offer of Provisional Appointment dated 21st June, 2004 as the Principal Internal Auditor which he accepted in his Acceptance Letter dated 2nd August, 2004.
- 4.2 That he was denied leave grant for the year 2004/2005 as a result of his suspension from work as a result of the unfounded allegations he made against his superior officers and was also interdicted and placed on half salary from 1st April, 2005 to 7th October, 2005.
- 4.3 That the Petitioner's appointment was upgraded from Principal Internal Auditor to Chief Internal Auditor on Salary CON-NASRDA 13 (Step 1) vide a letter dated 6th December, 2010 and before his dismissal he was slated for promotion from Chief Planning Officer to Assistant Director.
- 4.4 That based on the fabricated report by the Coordination of the Zonal Advance Space Technology Application Laboratory (ZASTRAL), Kashere, Gombe State, he was dismissed on 11th February 2021 after the Senior Staff Committee had sat to deliberate on his appeal as directed by the mother ministry (Ministry of Science and Technology) and the SSC recommendation his dismissal on the grounds of habitual abscondment from work.
- 4.5 That the Petitioner contested his dismissal in the National Industrial Court, Abuja and until the court rules on the case, it would not be appropriate for the Committee to continue hearing of the matter as that every dismissed officer forfeits his right to claims any relief until proven not guilty.

#### **5.0 COMMITTEE FINDINGS**

The Committee had investigated the matter and observed as follows:-

- 5.1 Confirmed that the Petitioner was offered provisional appointment as Principal Internal Auditor by the National Space Research and Development Agency (NASRDA) on 1st August, 2004 which he accepted in his Acceptance Letter dated 2nd August, 2004.
- 5.2 That in the space of ten years he performed his duties but was not promoted despite his numerous pleas for career progression which yielded minimal result when his appointment was upgraded from the post of Principal Internal Auditor to Chief Internal Auditor.



- 5.3 That for calling on the Ministry to lift its embargo on promotion and championing his cause, he was subjected to numerous disciplinary cases including interdiction that placed him on half-pay and eventual stoppage of his salary on 24th February, 2020.

## **6.0 COMMITTEE RECOMMENDATIONS /CONCLUSIONS**

- 6.1 The Committee observed there was some merit in the Petitioner's claims and urges the House to:
- 6.2 Direct the Director-General, National Space Research & Development Agency (NASRDA) to reinstate the Petitioner (Abbas M. Sani).
- 6.3 Pay him all the arrears of his salaries from the February, 2020 to date.
- 6.4 Promote him to the post of Director so that he can be at par with his colleagues.

## **7.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended.



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**CASE 86:**

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**REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON THE PETITION BY CHIEF EFIESEIMOKUMO BIPELEDEI OF BIPELEDEI & CO. ON BEHALF OF THE PINEPELEOMA COMMUNITY AND 20 OTHERS IN SOUTHERN IJAW LGA OF BAYELSA STATE AGAINST THE MANAGEMENT OF NIGERIAN AGIP OIL CO. LIMITED OVER ALLEGED DELIBERATE REFUSAL TO PAY COMPENSATION TO THE COMMUNITIES RAVAGED BY OIL POLLUTION WHICH OCCURRED ON 29TH NOVEMBER, 2020 AT KEMEBIA-AMA COMMUNITY**

**1.0 PREAMBLE**

- 1.1 The House of Representatives at its Plenary sitting on Thursday, 26th July, 2022 received a petition presented by Hon. Ben Ibakpa on behalf of Bipeledei & Co. against Nigerian AGIP Oil Company Ltd over the Deliberate Refusal of the Management of NAOC to pay Compensation to 21 Communities the affected by the oil spillage that occurred on 29th November, 2020 in Southern Ijaw and Ekeremor LGAs of Bayelsa State.
- 1.2 Pursuant to Section 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and in accordance with the House Standing Order XX Rule 5(2) [b] of the 9th Assembly and in line with principles of fairness equity and justice, the petition was referred to the Committee on Public Petitions for further legislative actions.

**2.0 PETITIONER'S CASE**

- 2.1 The Petitioner informed the Committee that he is the legal representative of the communities affected by the unfortunate oil spillage that occurred at 14<sup>th</sup> Ogboinbiri-Tebidaba Brass Oil Pipeline, one of the oil facilities belonging to Nigerian AGIP Oil Company Ltd. near Kemebiama-Ama Community on 29th November, 2020, all of which totalled 21 communities.
- 2.2 That the oil spillage resulted in environmental pollution and displacement of the indigenes who suffered from the damages which required emergency relief materials from the authorities and NAOC accepted liability to compensate the victims of the oil spillage if the 21 communities are fused into nine (9) communities, a process which led to the observed omission of the most affected communities.



- 2.3 That he officially communicated the issue to the State Government and the General Manager, NAOC in his letters dated 25th October, 2021 in which he pointed out the omission of the proximate communities to the Kemebia-Ama community where the NAOC Oil Pipeline located at Ogboinbiri-Tebidaba Brass experienced equipment failure leading to the oil spillage and consequent environmental pollution that led to loss of fish ponds, hooks and lines/nets and economic trees belonging to indigenes of Gbanraun kingdom.
- 2.4 That there is need for NAOC to include in the payment of N1 million in lieu of relief materials to the omitted communities who were closer to the oil spillage area than the communities who were paid, specifically Ukparatubu 1, Ukparatubu 2, Ugbobeleu Gbene, Ikokodia Settlement, J. I. Gebene and Uyaderifamo communities.
- 2.5 That the Ministry of Environment of Bayelsa State Government wrote to inform the District General Manager of NAOC that Ministry of Environment is abreast of the issue and reminded them of the promised remedies contained in the NAOC Oil/ Chemical Spill Prevention Policy after the visit of investigation team comprised of representatives of Bayelsa State Ministry of Environment, National Oil Spill Detection and Response Agency (NOSDRA) NAOC and the various claims agents of the affected communities to the 14<sup>th</sup> Ogboinbiri-Tebidaba Brass NAOC Oil Pipeline on 17th and 19th December, 2020.
- 2.6 That Bayelsa State Government is dissatisfied with the dwindling resources due to the state as a fall-out of the wilful destruction of critical infrastructure traceable to the aggrieved communities whose reaction was triggered by their non-inclusion in the payment of compensation and adequate relief and directed Nigerian Agip Oil Company to pay compensation to the affected communities to cushion the devastating effects of the oil spill.
- 2.7 That pursuant to the directive, the firm of Estate Surveyors and Valuers (Messrs. Nimi Mienye & Co.) surveyed the affected communities after which they grouped the fifteen communities into nine clusters and submitted the sum of N683, 516,000 (Six Hundred and Eighty-Three Million, Five Hundred and Sixteen Thousand Naira only) as fair and adequate compensation for destruction of fishing ponds/ swamps, economic trees and crops by the oil spillage.
- 2.8 That following the payment of relief to the nine groups of communities contained in the Valuation Report by Nigerian Agip Oil Company Ltd. the Petitioner had to point out the most affected communities were not surveyed by the Estate Surveyors and Valuers, namely Ukparatubu 1, Ukparatubu 2, Ugbobeleu Gbene, Ikokodiagbene Settlement, J. I. Gbbene and Uyaderifamo-Ama communities hence the need for



NAOC to incorporate them for the payment of money for relief as well as the payment of fair and adequate compensation according to the principle of fairness, equity and justice.

- 2.9 The petitioners calling for the House's intervention to ensure that all of the affected communities are paid the same relief money to enable them overcome the effects of the environmental degradation and economic hardship caused by the oil.
- 2.10 That NAOC pay the sum of N683, 516, 000 (Six Hundred and Eighty-Three Million, Five Hundred and Sixteen Thousand Naira only) minus 5% cost of expenses to the communities as compensation for the destruction of their fish ponds/swamps, economic trees/crops to the fifteen communities grouped into nine clusters as submitted by the Estate Surveyors and Valuers (Messrs. Nimi Mienye & Co.)
- 2.11 That NAOC take cognizance of the omission of the nine communities (Ukparatubu 1, Ukparatubu 2, Ugbobeleu Gbene, Ikokodiagbene, J. I. Gbene and Uyaderifamo) in the payment of relief money as well as pay them fair and adequate compensation according to the principle of fairness, equity and justice.

### **3.0 INVESTIGATIVE HEARING**

- 3.1 The Committee concluded its investigative hearings on the matter on 21st September, 2022 both parties in attendance to present both oral and documentary evidence in defence of the petition.

### **4.0 RESPONDENT'S SUBMISSIONS**

- 4.1 According to General Manager, District of NAOC (Giordano Crema), NAOC was not aware of any oil spillage at their 14" Ogboinbiri-Tebidaba Brass NAOC Oil Pipeline on November, 2011 and is therefore not liable to pay compensation to any affected person or community as a result of the alleged oil spillage.
- 4.2 That there was an oil spillage incident at the said pipeline located in the Kemebia-Ama community of the Southern Ijaw LGA of Bayelsa State on November 29, 2020 and that all affected victims of the oil spillage were compensated.
- 4.3 That there were statutory Joint Investigation Visits carried out by representatives of the National Oil Spill Detection and Detection Agency, Bayelsa State Ministry of Environment and representatives of Kemebia-Ama Community which was properly documented to show the recommendations of the JIV team.



## 5.0 COMMITTEE FINDINGS

- 5.1 The Committee confirmed that oil spillage occurred at the 14” Ogboinbiri-Tebidaba Brass Oil Pipeline, one of the oil facilities belonging to Nigerian AGIP Oil Company Ltd. near Kemebiamma-Ama Community on 29th November, 2020, which spread over 21 communities in the Southern Ijaw LGA of Bayelsa State.
- 5.2 That NAOC accepted liability for the oil spillage that resulted in environmental pollution and displacement of the indigenes who suffered damages and loss of livelihood which required emergency relief materials from the authorities and compensation of the victims making up the affected communities.
- 5.3 That after visiting the affected communities on 17th and 19th December, 2020 the Joint Investigation team comprised of representatives of Bayelsa State Ministry of Environment, National Oil Spill Detection and Response Agency (NOSDRA) NAOC and the various claims agents of the affected communities to the 14” Ogboinbiri-Tebidaba Brass NAOC Oil Pipeline the Bayelsa State Ministry of Environment wrote to the District General Manager, NAOC requesting them to fulfil the promised remedies contained in their Oil/Chemical Spill Prevention Policy.
- 5.4 That the Valuation Report submitted by the Estate Surveyors and Valuers (Messrs. Nimi Mienye & Co.) put the total amount demanded as compensation for the destruction of fishing ponds/swamps, economic trees and crops by the oil spillage in the affected communities at N683,516,000 (Six Hundred and Eighty-Three Million, Five Hundred and Sixteen Thousand Naira only). A breakdown of the amount due to each cluster is as follows:
  - Pine Pele Ama = N 80,228,900.00
  - Kiforiamma = N 102,670,000.00
  - Egwamala/Chinakiri = N 72,300,000.00
  - Bebetebu Diawei/Ungbouama = N 77,875,000.00
  - Zeilala = N80,075,000.00
  - Bolouama/Aboforiamma = N60,077,000.00
  - Kurunama/Bibopre Zion = N76,903,000.00
  - Ukuta-Ama = N 66,000,000.00
  - Abotoruama = N 67,294,000.00



- 5.5 That the omission of the most affected communities in the Valuation Report during the payment of money in lieu of relief materials created tension as the Bayelsa State Government recorded a higher level of pipeline vandalization which resulted in the depletion of already dwindling allocation for emergency relief hence their call on NAOC to incorporate the omitted communities (Ukparatubu 1, Ukparatubu 2, Ugbobeleu Gbene, Ikokodiagbene Settlement, J. I. Gbene and Uyaderifamo-Ama) for the payment of money for relief as well as fair and adequate compensation according to the principle of fairness, equity and justice.

## **6.0 COMMITTEE RECOMMENDATION/CONCLUSION**

- 5.1 The summary of the findings showed that Nigerian Agip Oil Company is claiming that they were not aware of any oil spillage at their 14" Ogboinbiri-Tebidaba Brass Oil Pipeline in November, 2011 and therefore not liable to pay compensation to any affected persons or communities as a result of the alleged oil spillage. But there exists acceptable valuation by Estate Surveyors and Valuers on the above alleged oil spillage.
- 5.2 Further investigation on the matter clearly showed that the Valuation Report submitted by the Estate Surveyors and Valuers (Messrs. Nimi Mienye & Co) put the total amount demanded as compensation for the destruction of fishing ponds/swamps, economic trees and crops by the oil spillage in the affected communities at N683, 516,000 (Six Hundred and Eighty-Three Million, Five Hundred and Sixteen Thousand Naira only) while some were erroneously omitted from the list.

## **7.0 COMMITTEE RECOMMENDATIONS/ CONCLUSIONS**

In view of the above findings, the Committee urges the House to

- 7.1 Mandate the General Manager, Rivers State District of Nigerian AGIP Oil Co. Ltd. to align itself with the Report and further evaluate and pay appropriate compensation to the most affected communities erroneously omitted during the Valuation exercise carried out by Nimi Mienye & Co., (Estate Surveyors & Valuers) namely (1) Ukparatubu 1;(2) Ukparatubu 2; (3) Ugbobeleu-Ama; (4) Ikokodiagbene; (5) J. I. Gbene; and (6) Uyaderifamo-Ama communities of the Southern Ijaw LGA of Rivers State.
- 7.2 Also pay a fair and adequate amount as relief money as well as compensation to the communities which did not benefit from the initial relief and money paid by Nigeria Agip Oil Company Ltd.



## **8.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended.





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## CASE 87:

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### REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON THE PETITION BY CHRIS OKPALA & CO. ON BEHALF OF MR. MATTHEW EZEANYAGU AND MISS OLUEBUBE AGAINST PREMIUM PENSIONS LIMITED OVER ALLEGATIONS OF NON-PAYMENT OF THE DEATH AND PENSION BENEFITS OF MRS. STELLA ALOCHUKWU EZEANYAGU

#### 1.0 PREAMBLE

- 1.1 The House of Representatives, at its Plenary Sitting on Tuesday, 26th July, 2022 received a petition presented by **Hon. Bamidele Salamon** behalf of **Mr. Matthew Ezeanyagu and Miss Oluebube**, surviving beneficiaries of the estate of **Mrs. Stella Alochukwu Ezeanyagu** against **Premium Pensions Limited** over Non-payment of the Death and Pensions Benefits of the deceased employee of Nigerian Customs Service.
- 1.2 Pursuant to Section 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria, 1999 (as amended) and in accordance with the House Standing Order XX Rule 5(2) (b) of the 9th Assembly and in line with the principles of fairness, equity and justice, the Petition was referred to the Committee on Public Petitions for further legislative actions.

#### 2.0 PETITIONERS' CASE

- 2.1 The Petitioner informed the Committee that his clients (Mr. Matthew Ezeanyagu and Miss Oluebube) were the beneficiaries to the late Mrs. Stella Alochukwu Ezeanyagu who died while in active service with the Nigerian Customs Service on 1st September, 2011.
- 2.2 That the late Mrs. Stella Ezeanyagu had a subsisting Retirement Savings Account with Premium Pension Ltd. as a public servant with PIN No. 200057160723 while working in the Nigerian Customs Service.
- 2.3 That her employers (Nigeria Customs Services) forwarded the fact of her death and pension details to Messrs. Premium Pension Limited on 30th November, 2011 as a preliminary step to facilitate the payment of the deceased death and pension benefits to her beneficiaries.



- 2.4 That the said beneficiaries subsequently followed up by submitting to Premium Pensions Ltd all required documents for the processing of the pension benefits on 14th March, 2014.
- 2.5 That due to Premium Pension Ltd. delay in paying the deceased's pension for 10 years he wrote two letters to the Pension Fund Administrator on 17th August, 2017 and 14th March, 2018 calling on them to put an end to the tortuous hide and seek game that created unnecessary frustration and embarrassment to the beneficiaries.
- 2.6 That given that the cardinal objective of the Pension Reform Act, 2014 was to ensure that every person who worked in either the Public Service of the Federation, Federal Capital Territory, States, Local Government or Private Sector receive his or her retirement benefits as and when due, it is incumbent on them to honour the demands of the beneficiaries of the late Mrs. Stella Alochukwu Ezeanyagu.
- 2.7 The petitioners pray for the Committee's intervention to prevail on Messrs. Premium Pension Ltd. to pay the beneficiaries of Late Mrs. Stella Alochukwu Ezeanyagu her pension benefits without further delay.

### **3.0 INVESTIGATIVE HEARING**

The Committee concluded its investigative hearing on the matter on 21st September, 2022 with the Petitioner present but the Respondent was absent in the defence of the petition.

### **4.0 RESPONDENT'S SUBMISSION (PREMIUM PENSION LTD)**

- 4.1 The Respondent submitted that they received the Death Benefit Application of the deceased Mrs. Stella Alochukwu Ezeanyagu and after investigating the matter further, they found out that the documents submitted to them for the processing of payment was incomplete and their effort to reach her Personal Representatives through the address given to them proved abortive because they had relocated.
- 4.2 That they were given the beneficiary's new contact address and details by the Petitioner who also provided them with the outstanding documents which they have subjected to their verification process.
- 4.3 That they are committed to paying the Death Benefits and Pension Benefits of the deceased in accordance with the provisions of the Pension Reform Act, 2014 and regulations issued by the National Pension Commission who approves all payments.



## 5.0 COMMITTEE FINDINGS

- 5.1 The Committee observed that the Petitioner's (Mr. Matthew Ezeanyagu and Miss Oluebube) were the authorized and legal beneficiaries to the late Mrs. Stella Alochuckwu Ezeanyagu, who died while in active service with the Nigerian Customs Service on 1st September, 2011.
- 5.2 That prior to her demise, the late Mrs. Stella Ezeanyagu served in the Nigerian Customs Service and as a Public Servant, operated a Retirement Savings Account with Premium Pension Ltd. with PIN No. 200057160723 as stipulated in the Pension Reform Act, 2014 which is still subsisting.
- 5.3 That after her employers (Nigeria Customs Services) notified Premium Pension Ltd. on 30th November, 2011 of her death, her beneficiaries (Mr. Matthew Ezeanyagu and Miss Oluebube) subsequently followed up by submitting documents to Premium Pensions Ltd. required for the processing of the death and pension benefits on 14th March, 2014.
  - 5.3.1 That for the past 10 years Messrs. Premium Pension Limited had delayed in paying the deceased's beneficiaries her death and pensions benefit despite letters written by the Petitioner to the Pension Fund Administrator on 17th August, 2017 and 14th March, 2018 calling on them to put an end to the unnecessary frustration and embarrassment of the beneficiaries.
- 5.4 That it is incumbent on Premium Pensions Ltd. to honour the applications of the beneficiaries of the late Mrs. Stella Alochukwu Ezeanyagu in line with Pension Reform Act, 2014 which cardinal objective was to ensure that every person who worked in either the Public Service of the Federation, Federal Capital Territory, States, Local Government or Private Sector receive his or her retirement benefits as and when due.
- 5.5 That as a law-abiding PFA, Premium Pension Ltd categorically pledged to pay the Death Benefits and Pension Benefits of the deceased in accordance with the provisions of the Pension Reform Act, 2014 and other regulations issued by the National Pension Commission who approves all payments.

## 6.0 COMMITTEE RECOMMENDATIONS/CONCLUSION

- 6.1 The Committee, in view of the findings urges the House to discontinue hearing into the matter since both parties have settled amicably.



## **7.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended.



## CASE 88:

### REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON THE PETITION BY G. E. AWULU & CO. (SOLICITORS AND ADVOCATE) ON BEHALF OF THE HOST COMMUNITY OF OGBOINBIRI AGAINST SHELL PETROLEUM DEVELOPMENT COMPANY ON THE ALLEGED WILFUL AND CONTINUOUS REFUSAL TO PAY ADEQUATE COMPENSATION TO HOST COMMUNITIES AFFECTED BY THE UNATTENDED OIL SPILLAGE IN THE SEIBOU DEEP LOCATION FLOWLINE THAT OCCURRED IN 2015 WHICH POLLUTED AND DESTROYED THE COMMUNITIES IN BAYELSA STATE

#### 1.0 PREAMBLE

- 1.1 The House of Representatives at its Plenary sitting on Tuesday, 18th January, 2022, received a Petition presented by Hon. Preye Oseke on behalf of the family of G. E. Awulu & Co. on behalf of the Host Community of Ogboinbiri Community against Shell Petroleum Development Company over their wilful and Continuous Refusal to Pay Adequate Compensation to the Host Communities affected by the unattended oil spillage at their Seibou Deep Location Flowline that occurred on 10th February, 2015.
- 1.2 Pursuant to Section 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and in accordance with the House Standing Order XX Rule 5(2) [b] of the 9th Assembly and in line with principles of fairness, equity and justice, the petition was referred to the Committee on Public Petitions for further legislative actions.

#### 2.0 PETITIONER'S CASE

- 2.1 The Petitioner informed the Committee that the Ogboinbiri Community in Southern Ijaw LGA of Bayelsa, is host to Shell Petroleum Development Company's Seibou Deep Oil Well 2S Flowline, one of the three wellheads at the end of a canal constructed by the company as right of way where an equipment failure occurred in January, 2015 resulting in the pollution and destruction of their communities and exposed them to health hazards and economic hardship.
- 2.2 That as one of the three co-hosts along with the Gbaraun and Azagbene communities, they notified Shell Petroleum Development Company of the unfortunate development which was captured as Spill Incident No. 1324775, calling for urgent



action to reduce the hardship caused by the crude oil spillage at their Swamp West/ Seibou Deep Location Facility on 23rd January, 2015.

- 2.3 That the impact of the oil spillage was the pollution of the Apoi Creek which was their only source of drinking water and loss of fishing canals, ponds, nets, marine life and economic trees leading to economic hardship as their fishing activities which was the only means of income of members of the host communities was put to halt.
- 2.4 That on 10th February, 2015, a First Investigation Visit established that the cause of the oil spill was equipment failure due to corrosion of the six-inch crude flowline resulting in the spillage of 549 barrels of crude from the SPDC Right of Way to the freshwater of Ogboinbiri River due to the effect of the inflow and outflow of the tides, a condition they proceeded to recommend for clean-up.
- 2.5 That on 13th March, 2015, a Follow-Up Investigation Visit led by the National Oil Spill Detection and Response Agency (NSDRA) with the leaders of the affected communities, officials of Shell Petroleum Development Company, the then Hon. Commissioner for Environment, Bayelsa State (Barr. Inoru Wills), Representatives of Environmental Right Action as well as Friends of Earth Nigeria (ERA/FOEN) along with media men observed from their aircraft dead floating fishes in the Fish Ponds while closer examination of the area by boat revealed that the Surface Water and withering vegetation had signs of crude oil spillage.
- 2.6 That apart from the provision of money for the procurement of relief materials for the affected communities as part of the measures to ameliorate their plight by Shell Petroleum Development Company, the oil and gas exploration company has failed to pay adequate compensation since 2015 despite several meetings on the same issue.
- 2.7 The petitioners prays calling for the Committee's intervention to ensure that Shell Petroleum Development Company (SPDC) complies with the directive of the Director-General, NOSDRA to pay the host communities adequate compensation for the loss of their means of livelihood and damage done to their environment by the crude oil spillage at their Seibou Oil Well 25 Flowline in 2015.

Also, to invoke the doctrine of "polluters pay" as contained in the Petroleum Act, Oil Spillage Act and all relevant laws of the Federation to cause Shell Petroleum Development Company to pay the sum of N500 million as compensation to the Host Community. (Ogboinbiri community of Southern Ijaw LGA of Bayelsa State).



### **3.0 INVESTIGATIVE HEARING**

- 3.1 The Committee concluded its investigative hearings into the issue at stake after several hearings on 30<sup>th</sup> November, 2022 with both parties present to make both oral and documentary presentations in defence of the petition.

### **4.0 RESPONDENT'S SUBMISSIONS**

- 4.1 The Respondents (Shell Petroleum Development Company) stated that the referenced incident was recorded at Seibou Well-2S Flowline at Gbanraun on 23rd January, 2015 but no action could be taken until 10th February, 2015 because of the security challenges.
- 4.2 That during the visit to the oil spill site on 13th March, 2022 by the Joint Investigation Team together with officials of the National Oil Spill Detection and Response Agency, Bayelsa State of Ministry of Environment and leaders of the affected communities and media men it was confirmed that spill occurred within SPDC's Well-2S slot and right of way and did not impact Ogboinbiri community or any other third-party property as alleged by the Petitioners.
- 4.3 That following the meeting which the Committee directed them to hold with the stakeholders on 7th October, 2022, the Community could not present any new information in support its claim for compensation and since all parties had signed the JIV Report, it was not a legitimate claim.
- 4.4 That Shell Petroleum Development Company was not liable to pay compensation to any third party because the impact of the spill was within SPDC's Right of Way only and the area had been cleaned up as certified by the Director-General/Chief Executive Officer of National Oil Spillage Detection and Response Agency.

### **5.0 COMMITTEE FINDINGS**

The Committee has conducted its investigation on the matter and observed as follows:

- 5.1 That the Ogboinbiri Community in Southern Ijaw LGA of Bayelsa, is one of the co-hosts to Shell Petroleum Development Company's Seibou Deep Oil Well 2S Flowline where an equipment failure occurred in January, 2015 resulting in the pollution and destruction of their source of drinking water, fishing ponds and economic trees as well as exposed them to health hazards and economic hardship.
- 5.2 That as one of the three co-hosts along with the Gbaraun and Azagbene communities, they notified Shell Petroleum Development Company of the unfortunate development which was captured as Spill Incident No. 1324775, calling for urgent



action to reduce the hardship caused by the crude oil spillage at their Swamp West/Seibou Deep Location Facility on 23rd January, 2015.

- 5.3 That the impact of the oil spillage was the pollution of the Apoi Creek which was their only source of drinking water and loss of fishing canals, ponds, nets, marine life and economic trees leading to economic hardship as their fishing activities which was the only means of income of members of the host communities was put to halt.
- 5.4 That on 10th February, 2015, a First Investigation Visit was able to established that the cause of the oil spill was equipment failure due to corrosion of the six-inch crude flowline resulting in the spillage of 549 barrels of crude from the SPDC Right of Way to the freshwater of Ogboinbiri River due to the effect of the inflow and outflow of the tides, a condition they proceeded to recommend for clean-up.
- 5.5 That on 13th March, 2015, a Follow-Up Investigation Visit led by the National Oil Spill Detection and Response Agency (NSDRA) with the leaders of the affected communities, officials of Shell Petroleum Development Company, the then Hon. Commissioner for Environment, Bayelsa State (Barr. Inoru Wills), Representatives of Environmental Right Action as well as Friends of Earth Nigeria (ERA/FOEN) along with media men observed from their aircraft dead floating fishes in the Fish Ponds while closer examination of the area by boat revealed that the Surface Water and withering vegetation had signs of crude oil spillage.
- 5.6 That apart from the provision of money for the procurement of relief materials for the affected communities as part of the measures to ameliorate their plight by Shell Petroleum Development Company, the oil and gas exploration company has failed to pay adequate compensation since 2015 despite several meetings on the same issue.

## **6.0 COMMITTEE RECOMMENDATIONS/CONCLUSION**

- 6.1 Calling for the Committee intervention to ensure that Shell Petroleum Development Company (SPDC) complies with the directive of the Director-General, NOSDRA to pay the host communities adequate compensation for the loss of their means of livelihood and damage done to their environment by the crude oil spillage at their Seibou Oil Well 25 Flowline in 2015.





- 6.2 To invoke the doctrine of “polluters pay” as contained in the Petroleum Act, Oil Spillage Act and all relevant laws of the Federation to cause Shell Petroleum Development Company to pay the sum of N500 million as compensation to the Host Community. (Ogboinbiri community of Southern Ijaw LGA of Bayelsa State).

## **8.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended.



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**CASE 89:**

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**REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON THE PETITION BY H. N. OLISE & ASSOCIATES AGAINST NIGERIAN AGIP OIL COMPANY LTD. OVER AN ALLEGED NON-COMPLIANCE WITH TERMS OF SETTLEMENT CONTAINED IN THE COURT ORDER OF THE HIGH COURT OF ASABA, DELTA STATE IN SUIT NO. FHC/ASB/CS/46/2010****1.0 PREAMBLE**

- 1.1 The House of Representatives at its Plenary sitting on 10th March, 2022 received a Petition presented by Hon. Haruna I. Dederi on behalf of the family of Late Chief Congress Ukposi against Nigerian Agip Oil Company Ltd.
- 1.2 Pursuant to Section 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and in accordance with the House Standing Order XX Rule 5(2) [b] of the 9th Assembly and in line with principles of fairness, equity and justice, the petition was referred to the Committee on Public Petitions for further legislative actions.

**2.0 PETITIONER'S CASE**

- 2.1 The Counsel to the Petitioner (H. N. Olise & Associates) informed the Committee that based on a Court Order by the Asaba High Court, Delta State, a consent judgement was entered into between the late Chief Congress Ukposi, (now represented by Mr. Endurance Ukposi Etenem and Mr. Justice Ona Ukposi Etenem) and NAOC on 8th December, 2017 for the payment of compensation rentals on the land acquired by Nigerian Agip Oil Company Ltd for the establishment of a gas plant and oil business activities since 9th October, 2011.
- 2.2 That the late Chief Congress Ukposi was mandated by all members of Etenem Family during a meeting held on 11th December, 2017 to receive from Nigerian Agip Oil Company all rentals in respect of the land acquired and receipted by NAOC as the Head of the Family.
- 2.3 That the their agreement stated that NAOC was granted land measuring 0.61 hectares for their Ashaka 1 Standby Campsite and 2.63 hectares as part of Ashaka 1 Access Road and as tenants to the Etenem Family, NAOC would apply the existing company rate in the computation and payment of rental the land lying and situate



in Obi Etenem Afieze, Utagba-Egbe Community of Kwale LGA of Delta State.

- 2.4 That NAOC was in breach of agreement by bringing other foreign companies to occupy and carry out business on a portion of the said land and other portions of land which was not originally given by the Petitioner.
- 2.5 That apart from the one-off payment agreed in the sum of N3,500,000 as reimbursement of transport, logistics and sundry expenses payable to the Petitioners or his successors, NAOC has flagrantly refused to implement any of the terms of the said agreement despite series of repeated demands for compensation.
- 2.6 That the Petitioner's law suit no. FHC/ASB/CS/46/2010 ended with the Asaba High Court's Consent Judgement between him and the company which negotiated exhaustively on the Terms of Settlement on how to pay the rental for Ashaka 1 Standby Campsite (0.61Ha.) and Part of Ashaka 1 Access Road (2.63.Ha) before signing an Agreement on 8th December, 2017.
- 2.7 That the Terms of Settlement was for the oil company to pay accumulated compensation of N50,000,000,000 (Fifty Billion Naira) as royalty for a period of 33 years or alternatively pay N10,000,000,000 (Ten Billion Naira) for breach of contract.
- 2.8 The petitioners requesting for the House intervention to compel Nigerian Agip Oil Company Ltd. (NAOC) to implement the terms of settlement approved by the High Court, Asaba for the payment of the outstanding Lease/Rentage of the land in question and claims for economic trees and substances affected by the oil company amounting to N175, 000,000 (One Hundred and Seventy-five Million Naira).
- 2.9 That as one of the host community to the oil company, their requests for direct employment (100 persons) as well as Contract Staff (100 persons) and Scholarship award to 100 persons to members of the Etenem family and by extension the Utagba-Egbe Community be recognized by NAOC as part of their Corporate Social Responsibility.

### **3.0 INVESTIGATIVE HEARING**

- 3.1 The investigative hearing was concluded on Thursday, 5th April, 2022 after both Petitioner and Respondents made several appearances at various times and made both oral and documentary presentations.

### **4.0 RESPONDENT'S SUBMISSION (NAOC)**



- 4.1 During the investigative hearings on the matter, the General Manager District, Mr. Alessandro Tiani refuted all claims of breach of agreement and also supplied documentary evidence of all payments made to the Petitioner.
- 4.2 The oil company did not refute the Petitioner's claim that they brought other foreign companies to occupy and carry out operation on the acquired from the Pa Etenem family or make any mention of other portions which is being contended in the court by other interested host communities.

## 5.0 COMMITTEE FINDINGS

The Committee has conducted its investigation on the matter and observed as follows:

- 5.1 That Nigerian Agip Oil Company (NAOC) acquired from the Petitioner (Pa Etenem Family) 0.61 hectares for its Ashaka 1 Standby Campsite and 2.63 hectares as part of Ashaka 1 Access Road and agreed to apply the existing company rate in the computation and payment of rental as stated in the Agreement both parties entered into on 8th December, 2017.
- 5.2 That as the Head of the Family, the late Chief Congress Ukposi (now represented by Mr. Endurance Ukposi Etenem and Mr. Justice Ona Ukposi Etenem) was mandated by all members of Etenem Family during a meeting held on 11th December, 2017 to receive from Nigerian Agip Oil Company all rentals in respect of the land acquired which was first receipted on 9th October, 2011 vide NAOC Cash/Cheque Request No. 05911 dated 18th December, 2017.
- 5.3 That the Petitioner claimed that by bringing other foreign companies to occupy and carry out business on a portion of the said land and other portions of land which was not originally given by the Pa Etenem family, NAOC was in breach of agreement but such claim was not substantiated by documentary evidence.
- 5.4 That the Petitioner obtained a Court Order judgement from the Asaba High Court, Delta State after Suit No. FHC/ASB/CS/46/201 on 17th October, 2021 was decided and the Terms of Settlement dated 16th September, 2021 clearly outlined how NAOC should process the payment of compensation and rentals on the land acquired from the landlords (Pa Etenem family).
- 5.5 That the Committee's directive that NAOC upholds the Consent judgement and resolves the matter in favour of the Petitioner was instrumental to the agreement both parties entered into on 8th December, 2017.
- 5.6 That the oil company's assertion that they have implemented the Terms of



Settlement is not true because the said Terms of Settlement specifically directed the Respondent to pay to the Petitioner accumulated compensation of N50, 000,000,000 (Fifty Billion Naira) as royalty for a period of 33 years or alternatively pay N10, 000,000,000 (Ten Billion Naira) for breach of contract whereas only N3, 500,000 reimbursement of transport, logistics and sundry expenses was receipted by the Petitioner.

- 5.7 That the Committee agreed with the Petitioners that there was the need for NAOC to collectively carry every segment of the community who owned the farmlands together in their Corporate Social Responsibility projects such as employment of 100 persons and 100 contract staff, scholarship awards as well as participation of the family in NAOC operations on their farmland.

## **6.0 COMMITTEE RECOMMENDATIONS/CONCLUSION**

The summary of the findings shows that Nigerian Agip Oil Co. Ltd failed to implement the Terms of Settlement of the Consent Judgement entered into on 8th December, 2017 contained in the Court Order of the Asaba High Court in favour of the Petitioner (Chief Congress Ukposi) (See 6.1 below for the Court Order Reference No.) In view of the above findings, the Committee urges the House to:

- 6.1 Direct the General Manager, Nigerian Agip Oil Company Ltd. to obey the Consent Judgement of the High Court of Asaba, Delta State vide Suit No. FHC/ASB/CS/56/201 dated 17th October, 2017.
- 6.2 Appeal to the Management of Nigerian Agip Oil Company and representatives of late Chief Congress Ukposi to abide by and respect the terms of the Memorandum of Understanding they signed on 8th December, 2017 to ensure amicable resolution of their matter.

## **7.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended.



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**CASE 90:**

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**REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON THE PETITION BY EX-CPL. FREDRICK OKOH AGAINST THE NIGERIA POLICE FORCE ON THE ALLEGED UNLAWFUL DISMISSAL FROM THE SERVICE OF THE NIGERIAN POLICE FORCE****1.0 PREAMBLE**

- 1.1 The House of Representatives at its plenary sitting on Tuesday, 18th January, 2022 received a Petition presented by Hon. Deacon Sergius Ose Ogun on behalf of Ex-Cpl. Fredrick Okoh against the Nigeria Police Force on the unlawful dismissal from the service.
- 1.2 Pursuant to Section 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and in accordance with the House Standing Order XX Rule 5(2) [b] of the 9th Assembly and in line with principles of fairness, equity and justice, the petition was referred to the committee on public petitions for further legislative actions.

**2.0. PETITIONER'S CASE**

- 2.1 Arc. Crowket Oct from SPDC Head Office in Haggae to work in their office, he was framed into stealing of document meant for the Head of Security West in Warri.
- 2.2 That the matter was investigated and the Petitioner was later charged to civil court based in Warri where he was tried and subsequently discharged because of lack of evidence against him in defence of the case.
- 2.3 In view of the above, the Petitioner also informed the Committee that the SPDC did not pay him off, rather they used the arrears of the salaries of his pay-off and this has caused lots of untold hardship to the family including the death of his beloved wife.
- 2.4 The petitioners pray requesting for the House intervention for his reinstatement into the service of the Nigeria Police Force, Compensate him with allowances as well as promote him to be at par with his colleagues in office.



### **3.0 INVESTIGATIVE HEARING**

- 3.1 The investigative hearing was concluded on Thursday, 7th April, 2022 after several hearings in which only the Petitioner had been appearing with both oral and documentary submissions.
- 3.2 The Nigeria Police Force only appeared on few occasions without any document tendered but with oral submission in defence of the Petition.

### **4.0 RESPONDENT'S SUBMISSION (NPF)**

- 4.1 During the investigative hearing of the matter, the Nigeria Police Force, in their oral submission advised the Committee to write the Office of IGP to reinstate the Petitioner (Ex-Cpl. Fredrick Okoh) to the service of the Nigeria Police Force since the Petitioner had been discharged and acquitted over the alleged offence he was supposed to have committed by a court of competent jurisdiction.
- 4.2 The Nigeria Police Force did not produce any other document in support of their position on the matter but aligned themselves with the decision of the court on his alleged offence.

### **5.0 COMMITTEE FINDINGS**

The Committee has conducted their investigation of the matter and observed as follows:

- 5.1 That the Petitioner (Ex-Cpl. Fredrick Okoh) was a victim of Shell Petroleum Development Company (SPDC) internal friction that led to the wrongful termination of his appointment from the service of SPDC as well as from NPF (his mother employer) in 2014.
- 5.2 That the matter was reported to the Magistrate Court in Delta State of Nigeria presided over by his Lordship E. A. Odjugo (the Chief Magistrate) who presided over the case and discharged it in favour of the Petitioner on 6th day of February, 2015 with the Charge no. MW/25C/2012 which the enforcement was yet to be implemented.
- 5.3 That there were lots of administrative bottlenecks caused by one CSP. Golden Jolomi in which the Petitioner is beckoning on the House to intervene on the matter for his reinstatement to the service of the NPF as approved by the Police Chief.



## **6.0 COMMITTEE RECOMMENDATION/CONCLUSION**

- 6.1 In view of their findings above, the Committee urges the House to mandate the Inspector-General, Nigeria Police Force to reinstate Ex-Cpl. Fredrick Okoh to the service of the NPF and pay him all entitlements and benefits.
- 6.2 Appeal to the Managing Director, Shell Petroleum Development Company (SPDC) to re-absorb the Petitioner in their company if his services as the Security Officer were still needed in the company.

## **7.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommend





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**CASE 91:**

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**REPORT OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON PUBLIC PETITIONS ON THE PETITION BY PROF. FABIAN OKAFOR AGAINST THE GOVERNING COUNCIL OF THE UNIVERSITY OF NIGERIA, NSUKKA ON THE ALLEGED WRONGFUL APPOINTMENT OF UNQUALIFIED CANDIDATE AS THE UNIVERSITY OF NIGERIA LIBRARIAN: A REQUEST FOR REMEDY****1.0 PREAMBLE**

- 1.1 The House of Representatives at its plenary sitting on Thursday, 28th July, 2022 received the above Petition presented by Hon. Omeoji Chukwuma on behalf of Prof. Fabian C. Okafor against the Governing Council of the University of Nigeria, Nsukka on the Alleged Wrongful Appointment of Unqualified Candidate as the University of Nigeria Librarian: A Request for Remedy.
- 1.2 Pursuant to Section 88 and 89 of the 1999 Constitution of the Federal Republic of Nigeria (As Amended) and in accordance with the House Standing Order XX Rule 5 (2) [b] of the 9th Assembly and in line with the principles of fairness, equity and justice, the petition was referred to the Committee on Public petitions for further legislative actions.

**2.0 PETITIONER'S CASE**

- 2.1 The Petitioner informed the Committee that he is a stakeholder in the University of Nigeria with 40 years of cognate experience in the university system, 30 of which are recorded at the University of Nigeria, Nsukka.
- 2.2 That his quest is for transparency and commitment to academic excellence and probity in the overall interest of the educational sector, all in his earnest desire to stem the tide of rapid deterioration in the quality of the university system.
- 2.3 That when the University of Nigeria, Nsukka set out to appoint a replacement Librarian by advertising for qualified candidates in the Daily Sun newspapers of December 3, 2019, seven candidates applied before the closing date of January 20th, 2020.
- 2.4 That the University Governing Council clearly stated the major criteria for the appointment of a new Librarian which was that the candidates must have served as a deputy university librarian for at least five years.



- 2.5 That contrary to the principles of transparency, the University Governing Council interviewed the seven candidates on 24th February, 2021 after the COVID-19 lockdown period without short-listing the candidates for verification.
- 2.6 That by considering the results of the interview without scrutinizing the Curriculum Vitae (CV) of the candidates, the Governing Council failed to observe the non-suitability of the candidate who eventually emerged as the candidate (Dr. Promise Ilo) who only had three years experience as a deputy librarian at Covenant University, Ogun State.
- 2.7 That as a Nigerian with a sense of responsibility to see to the improvement of the standard of education in Nigeria, he drew the attention of the Governing Council (GC) to the anomaly which prompted it to scrutinize Dr. Ilo's CV for the first time during its valedictory meeting of 2021. The GC proceeded to direct the management of the University to verify the contents of Dr. Ilo's CV and revert to the GC at the next meeting which took place during the tenure of a new Council.
- 2.8 That after the GC set up a Committee to scrutinize the new Librarian's claims and CV, the Petitioner was informed by the University Registrar that Dr. Promise Ilo was validly appointed as the University Librarian by the Governing Council.
- 2.9 The Petitioner is of the view that Dr. Promise Ilo did not qualify to be appointed as the University Librarian since there was no screening of her CV which the Registrar failed to produce before the interview and she was never a Deputy Librarian with five years work experience as advertised.
- 2.10 That he was invited by the 5-man panel set up by the University under the chairmanship of the acting Pro-Chancellor and he responded on 25th October, 2022 only for the University of Nigeria to subject him to a question and answer session after which he was asked to withdraw his petition and by extension his quest for transparency and integrity being a committed stakeholder in the educational sector.
- 2.11 That the appointment of the University Librarian would result in one state (Enugu State) having four (4) principal officers out of the seven (7) positions in the university system, and which violates the principle of federal character. In addition, the waiver of five years work experience granted to Dr. Ilo suggests god-fatherism and favouritism on the part of the University Governing Council, and should be discouraged in the educational sector.



- 2.12 The petitioners pray requesting for the Committee intervention to verify his assertion that Dr. Promise Ilo having served for a period of three years only as a Deputy Librarian at Covenant University as at when she responded to the advertisement was by this fact not qualified in time by the required minimum experience as Deputy Librarian and consequently not eligible for consideration for interview and indeed not for appointment.

### **3..0 INVESTIGATIVE HEARING**

- 3.1 The Committee concluded its investigative hearing on 1st November, 2022 with both parties in attendance. The Respondent did not make any documentary presentation apart from the oral presentations made during the investigative hearing and other reconciliatory meetings.

### **4.0. RESPONDENTS SUBMISSION**

- 4.1 The Pro-Chancellor of University of Nigeria, Nsukka appeared and informed the Committee that the appointment of the Deputy Librarian was made by the previous Governing Council.
- 4.2 That when there was need of a Deputy Librarian, the University always advertised and specified the qualification as a Deputy Librarian who must have worked for five years in any university and in their advertisement in the Daily Sun newspapers of December 3, 2019 it was clearly stated that only applications of shortlisted candidates will be acknowledged.
- 4.2 That the University of Nigeria, Nsukka followed due process by advertising the vacant post in the media and out of all the candidates who applied and were interviewed, the appointee was duly appointed as the most qualified Librarian by the previous Governing Board.
- 4.2.1 That the present Deputy Librarian was among those who applied and when enquiries were made into her Curriculum Vitae it was discovered that she had not served as Deputy Librarian in any university for five years – nonetheless she was allowed to participate in the interview.
- 4.3 That during the interview, federal character was properly reflected as the Federal Character Commission was invited to observe the proceedings after which the candidate (Dr. Promise Ilo) emerged as the most qualified with a score of 83% which was the best score.



- 4.3.1 That the Council decided to ignore the five year experience which was a clause to the qualification and appointed Dr. Promise Ilo as the University Librarian because of her score.
- 4.4 That due process was followed in the advertisement and subsequent interview contrary to the Petitioner's claims.
- 4.5 That during the meeting held between the Vice-Chancellor, Deputy Vice-Chancellor, the Registrar as well as the Petitioner on 11th October, 2022, the Petitioner was requested to drop the case and the Petitioner (Prof. Fabian C. Okafor) accepted despite his initial objection and insistence that the appointment of the Dr. Promise Ilo as new University Librarian gave Enugu State four principal offices out of the seven positions in the university which violates the principles of Federal Character.
- 4.5.1 Maintained that all he wanted was justice in the University's recruitment exercise as well as transparency and compliance with the principle of federal character.

## **5.0 COMMITTEE'S FINDINGS**

- 5.1 The Committee made the following observations on the issue at stake:
- 5.2 That the Petitioner is a stakeholder in the University of Nigeria with 40 years of cognate experience in the university system on a quest for transparency as part of his commitment to academic excellence and probity in the overall interest of the educational sector.
- 5.3 That he observed some anomalies in the appointment of the University Librarian by the Governing Council who advertised the vacancy in the Daily Sun newspapers of December 3, 2019.
- 5.4 That the outgoing Governing Council's appointment of one of the candidates (Dr. Promise Ilo) was done without proper scrutiny of her Curriculum Vitae until he drew the attention of the new Governing Council to the anomaly, specifically that the advertisement stated the major criteria for the appointment of a new Librarian was five years work experience.
- 5.5 That due to the COVID-19 lockdown, the University's Governing Council conducted the interview of the seven candidates on 24th February, 2021 but failed to short-list the candidates for verification.



- 5.5.1 That when the University Registrar informed him that the University Librarian had been validly appointed by the Governing Council which waived the joint criteria of (i) having five years work experience, and (ii) holding the position of a Deputy Librarian, he pointed out that the said candidate was only a Principal Librarian at Covenant University, Ogun State and as at the time of her application had only three years experience.
- 5.5.2 That the new Governing Council set up a Committee under the chairmanship of the acting Pro-Chancellor to scrutinize the new Librarian's claims and CV, and that the 5-man panel pleaded with the Petitioner to withdraw his petition, which he acceded to on the condition that he would be obliged with any request made by him.
- 5.6 That due to the Petitioner's insistence that the appointment of the new University Librarian gave Enugu State four principal offices out of the seven positions in the university which violates the principles of Federal Character, the Committee resolved that until the University is able to re-advertise the vacant position and another person more experienced than the currently appointed University Librarian is found, it is not advisable for the University Librarian to step down.

## **6.0 COMMITTEE'S RECOMMENDATIONS/CONCLUSION**

- 6.1 The summary of the findings showed that per the Curriculum Vitae of Dr. Promise Ilo, she did not have the requisite 5 (five) year's experience as a Deputy Librarian. Nonetheless, the Governing Council of UNN in exercise of its power to appoint a University Librarian appointed Dr. Promise Ilo notwithstanding this. The University reported that the Governing Council decided to ignore the requirement for 5 (five) years experience because Dr. Promise Ilo impressed the recruitment team as she emerged with the highest score of 83%. It is pertinent to note that the selection board of the University has discretion to appoint whomever it deems fit, as provided by its enabling statute (Article 9, Schedule 3, University of Nigeria Statute No. 1 1978), to hold a principal position within the University. However, where the University advertises a vacancy for 'suitably qualified candidates' and in this case, defined as a person who 'must have served as Deputy Librarian for at least five (5) years, it is reasonable to expect that only a person meeting such minimum criterion would be considered for appointment to such a role.



6.2 In view of the above, the Committee urges the House to direct the Governing Council of the University to review its current appointment of the University Librarian in order to ensure that justice, equity and fairness are observed in its recruitment exercise.

6.3 That since the University was unable to find a candidate that met the advertised threshold of requirements; the University may appoint the most senior librarian in the employ of the University in an acting capacity to the role of University Librarian while the University re-advertises the role.

## **7.0 RESOLUTION ADOPTED BY THE HOUSE**

Adopted as recommended.



## ANNEXURE

### MEMEBERS OF THE COMMITTEE

SN	NAME	GEO POLITICAL ZONE	STATE
1	Hon. Jerry Alagbaoso (Chairman)	South East	Imo
2	Hon. Lawal Keken (Deputy Chairman)	Northwest	Kano
3	Hon. Gbillah M Terseer	North Central	Benue
4	Hon. Zacharias David Idris	North Central	Kogi
5	Hon. Mohammed Umar Bio	North Central	Kwara
6	Hon. Hassan Abubakar Nalaraba	North Central	Nasarawa
7	Hon. Barwa Shehu Beji	North Central	Niger
8	Hon. Abdullahi Saidu Musa	North Central	Niger
9	Hon. Yusuf Adamu Gagdi	North Central	Plateau
10	Hon. Laori Kwamoti Bitrus	North East	Adamawa
11	Hon. Mohammed Musa Pali	North East	Bauchi
12	Hon. Zannah Usman	North East	Borno
13	Hon. Simon Elisha Karu	North East	Gombe
14	Hon. Mohd Gudaji Kazaure	North West	Jigawa
15	Hon. Yakubu Umar Barde	North West	Kaduna
16	Hon. Dederi Haruna Isa	North West	Kano
17	Hon. Maishanko Mani	North West	Sokoto
18	Hon. Kalu Benjamin Okezie	South East	Abia



SN	NAME	GEO POLITICAL ZONE	STATE
19	Hon. Dozu Nwankwa	South East	Anambra
20	Hon. Sylvester Ogbaga	South East	Ebonyi
21	Hon. Atigwe Simon Chukwuemeka	South East	Enugu
22	Hon. Obi Pascal	South East	Imo State
23	Hon. Enyong Micheal Okon	South South	Akwa Ibom
24	Hon. Agbedi Fredreck	South South	Bayelsa
25	Hon. Edim Etta Mbora	South South	Cross River
26	Hon. Ogor Leonard Okuweh	South South	Delta
27	Hon. Ogbeide- Ihama Omeregie	South South	Edo
28	Hon. Emerengwa Boniface Sunday	South South	Rivers
29	Hon. Daramodu Yemi	South West	Ekiti
30	Hon. Adejare Samuel Babatunde	South West	Lagos
31	Hon. Onanuga Adewunmi Oriyomi	South West	Ogun
32	Hon. Ikengboluga Gboluga Dele	South West	Ondo
33	Hon. Salam Bamidele	South West	Osun
34	Hon. Akintola Oluokun George	South West	Oyo
35	Hon. Shaba Ibrahim	North Central	Kogi
36	Hon. Muktar Ahmed	North West	Kaduna
37	Hon. Rotimi Ogunsoye	South West	Lagos







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