



NORTHERN NIGERIA LEGISLATIVE

HOUSE OF ASSEMBLY

PARLIAMENTARY  
DEBATES

(HANSARD)

OFFICIAL REPORT

OF THE DEBATES

OF THE HOUSE

COMPRISING PERIOD 26 TO 29 AUGUST 1958

Price 2s. 6d. (including postage)

PRINTED BY THE GOVERNMENT PRINTERS, ENGLAND



NORTHERN NIGERIA LEGISLATURE

*ERRATA*

It is regretted that the chronological arrangement of volumes in Hansard Debates has been erroneously computed since 1962. Therefore, the following reconcile the inadvertent edition:—

*For 1962: Vol. 18—read Vol. 16.*

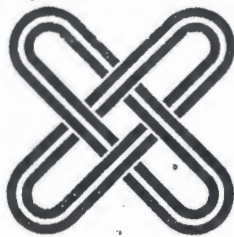
*For 1963: (March) Vol. 19—read Vol. 17.*

*For 1963: (August) Vol. 19—read Vol. 17.*

*For 1963: (9th August) Vol. 20, No. 13—read Vol. 17, No. 14.*

Volume 19  
No. 13

Thursday  
8th August, 1963



NORTHERN NIGERIA LEGISLATURE

**PARLIAMENTARY  
DEBATES**

(HANSARD)

**HOUSE OF ASSEMBLY**

**OFFICIAL REPORT**

**SECOND MEETING OF THE THIRD LEGISLATURE OF  
NORTHERN NIGERIA**

**Session 1963-64**

**COMPRISING PERIOD 8th TO 9th AUGUST, 1963**

**KADUNA  
GOVERNMENT PRINTER, NORTHERN NIGERIA  
1964**

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# PARLIAMENTARY DEBATES

## OFFICIAL REPORT

IN THE SECOND MEETING OF THE THIRD SESSION OF THE THIRD LEGISLATURE OF NORTHERN NIGERIA APPOINTED TO MEET IN THE MONTH OF AUGUST, 1963, IN THE COUNCIL CHAMBER, LUGARD HALL

EIGHTH SERIES

VOLUME 19

SECOND VOLUME OF SESSION 1963-64

### HOUSE OF ASSEMBLY NORTHERN NIGERIA

Thursday, 6th August, 1963

The House met at 10.00 a.m.

#### PRAYERS

(MR SPEAKER, *in the Chair*)

#### ANNOUNCEMENT

**Mr Speaker:** Honourable Members, I am very pleased to welcome you again here, and I am glad we are meeting in a very happy mood. I think it is very proper to mention some of the important things that had taken place since our last meeting. One of our Members who has been Member of this House since 1951 has left us for good, and that is in the name of His Highness Alhaji the hon. Muhammadu Inuwa, Emir of Kano. I know there is no time for hon. Members to put down a motion, but I think on your behalf, it would be proper to send him our best wishes and congratulations, and wish him a very happy, long, peaceful, and prosperous tenure of Office. Alhaji Inuwa is a good example of those typical Northern Aristocrats, if I may use the word, who could adapt himself to any environment in which he finds himself. He is unassuming, courteous and very cheerful and mingles freely with his fellow members. This won him their affection and respect. It is also, with mixed feeling, that I would like to congratulate the hon. Alhaji Usman, Sarkin Maska, who after having succeeded his highly respected and well known figure, his father, Alhaji Muhammadu Sambo (*may his soul rest in peace*) allowed the national interest to override his own personal interests, and only having been in the office for a few months, surrendered the administration of his District to his younger brother. He demonstrated that national service is more important than his personal comfort. We wish his younger brother God's guidance.

Also one of our Members has recently succeeded his late father. He is the hon. Member for Daura West, the Galadiman Daura;

I think his District is Mai'adua. We wish him a very happy, long and peaceful tenure of office.

Another hon. Member, Abba Habib, the Wazirin Dikwa, has been given a very important assignment in addition to his other duties. That, of course, demonstrates the confidence which the Government has in him for his ability, integrity and experience.

We are very lucky in having been blessed in this Chamber by a very Holy man revered the world over and that is the Imam of Medina. In fact he was standing here. We, of course, owe great debt to the Hon. Premier who succeeded in bringing him all the way to the Northern Nigeria and to the whole Federation for that matter. He was in fact at Lagos on the day I was there myself on official business. We are really very grateful because the Imam was able to see our country and its people and that he has returned back to his Holy land in happiness and in good health. We wish the hon. Premier would arrange more of such visits by world figures as that is the only way that other people will understand us, and appreciate our way of life and respect us when we visit their countries. Honourable Members, although this session is going to be a very short one I hope that you will continue to demonstrate that usual sense of judgement and fair play by making only such comments that are going to benefit this country. Thank you. (*Applause*).

**The Premier (Alhaji the hon. Sir Ahmadu Bello, K.B.E., Sardauna of Sokoto):** On point of explanation, Sir, it is regarding the appointment of the Minister of Works who succeeded his father. I just want to make it clear that the Minister did not resign his appointment as Minister before or after his appointment. Immediately the father died he applied for a month's leave to go and see about inheritance and other things connected with the family affairs. And it was during that time that he was selected and appointed by the Katsina Native Authority. There was no reason for him to resign as a Minister and so he

[THE HON. PREMIER] continued in his capacity as a Minister because according to local traditions the Native Authority could appoint somebody in his stead and he has continued to be in his office always because with him national affairs have greater prominence over local affairs. (*Applause*).

#### PAPERS LAID

**The Premier (Alhaji the hon. Sir Ahmadu Bello, K.B.E., Sardauna of Sokoto):** Mr Speaker, Sir, I beg to lay on the table of this House the White Paper in the proposals for the Constitution of the Federal Republic of Nigeria held in Lagos on July the 25th and 26th, 1963.

**The Minister of Finance (Alhaji the hon. Aliyu, C.B.E., Makaman Bida):** Mr Speaker, Sir, I beg to lay on the table of this hon. House Accounts of the Northern Nigeria Staff Housing Scheme Loans Fund for the year ended 31st March, 1962—Revenue and Expenditure Accounts.

**The Minister of Trade and Industry (Mallam the hon. Michael Audu Buba, Wazirin Shendam):** I beg to lay on the table of this House the Statement of the Marine Renewals Fund for the Year-ended 31st March, 1962.

**The Minister of Information (Alhaji the hon. Ibrahim Biu):** Mr Speaker, Sir, I beg to lay on the table of this House the Jos Hill Station Accounts for the year ended 31st March, 1963.

**The Minister of Internal Affairs (Alhaji the hon. Muhammadu Kabir, Ciroman Katagum):** Sir, I beg to lay the following papers on the Statement of the Printing and Stationery Division Machinery Renewals Fund for the year ended 31st March, 1962.

**The Minister for Local Government (Alhaji the hon. Sule Gaya):** Mr Speaker, Sir, I beg to lay on the table of the House the Statement of the Accounts of the Native Administrations Motor Vehicle Insurance Fund for the years ended 31st March, 1959 and 1960.

#### QUESTIONS

##### Wells in Rural Areas

**O106. Mr M. Ade Ojo (Ilorin East)** asked the Minister of Works, what steps is the Minister taking to improve the condition of existing wells in the rural areas?

(b) Will the Minister see that all wells are provided with cement tops and shutters in compliance with the sanitary rules?

**The Minister of Works (Alhaji the hon. Shehu Usman, O.B.E., Sarkin Maska):**

(a) Existing wells requiring improvement, as distinct from maintenance, should be included in the programmes submitted annually by Native Authorities to the Provincial Secretaries who, in consultation with the Provincial Engineers and others, determine what the Provincial programmes should be. The Rural Water Supplies Section of my Ministry has my instruction to improve existing wells if at all possible whenever they appear on the programmes given to them. Maintenance of wells, however, is the responsibility of Native Authorities not of my Ministry.

(b) There should be a concrete well top on every successful well constructed by my Ministry. Provincial Engineers should be informed if there have been any omissions.

##### Construction of Gwoza road

**O141. M. Buba Chekene, Gwoza (Gwoza)** asked the Minister of Works, may I remind the Minister about our request for construction of a road from Gwoza through Izge to join the Bornu Railway extension at Askira, so as to cut short the distance to Bornu and other places like Kano and Jos and to be used to evacuating cotton, hides and skins and groundnuts.

**The Minister of Works (Alhaji the hon. Shehu Usman, O.B.E., Sarkin Maska):** This road is not among the 12 Feeder Roads to the Bornu Railway Extension which are shown in the Development Plan. I can hold out no hope of its early construction.

##### N.N.D.C. Loans to the People of Gwoza

**O142. M. Buba Chekene, Gwoza (Gwoza)** asked the Minister of Economic Planning:—

(a) Whether the Minister is aware that people in Gwoza Division have never received any loan from Northern Nigeria Development Corporation.

(b) If so, why?

(c) If not, will the Minister investigate?

**The Minister of Economic Planning, (Alhaji the hon. Muhammadu Bashir O.B.E., Wamban Daura):** (a) Yes Sir, I am aware.

(b) This is so because, as the hon. Member himself is aware, N.N.D.C. Loans are granted on receipt of applications which are normally considered on their own merits and until recently there were no applications for personal loans received by the Corporation from persons

in Gwoza Division. However, a few applications have now been received and are now being processed in the usual manner.

(c) Not necessary.

### Junior and Senior Primary Schools for Dawakin Tofa

**O143. Mallam Muhtari A. Bello Yola (Dawakin Tofa East)** asked the Minister of Education, in view of the fact that Dawakin Tofa East has a population of 31,000 taxpayers and annual tax of £6,700, will the Minister consider providing more Junior and Senior Primary Schools there, as at present there are only five Junior Primary Schools and one Senior Primary School?

(a) If so, when?

**The Minister of Education (Alhaji the hon. Isa Kaita, C.B.E., Wazirin Katsina):** No Sir, the degree of development in the various districts of a native authority is a matter for the native authority and for decision at provincial level. My Ministry indicates overall needs to the Native Authority which show how it could meet the 1970 targets: the native authority itself will then allocate new schools to districts according to their needs.

### Erection of Windmills at Dawakin Tofa

**O144. Mallam Muhtari A. Bello Yola (Dawakin Tofa East)** asked the Minister of Works, Northern Nigeria (a) Is the Minister aware of the great difficulties encountered as a result of shortage of water by most of the Villages in Kano Province and in Dawakin Tofa East in particular?

(b) May I know whether the Minister can take urgent action to erect Windmills and sink more wells in Dawakin Tofa East?

**The Minister of Works, (Alhaji the hon. Shehu Usman, Sarkin Maska):** I am not aware of shortage of water in most villages. Since 1945, 3,260 wells have been completed in Kano Province. The programme continues at the rate of about 200 per annum and is planned by the Provincial Secretary in consultation with the Provincial Engineer and Native Authorities. No doubt, the Provincial Secretary has the needs of Dawakin Tofa East in mind. Windmills are not supplied and erected as part of the Rural Water Supplies programme.

### Tarring of Adamawa-Wukari Road.

**O149. Mallam Muhammadu Sambo Zinna (Muri East)** asked the Minister of Works, Northern Nigeria, when will the

Northern Government ask the Federal Government to tar Adamawa-Wukari Road for the use of Adamawa, Sardauna and Benue Provinces?

**The Minister of Works (Alhaji the hon. Shehu Usman Sarkin Maska):** It is not clear to which road the Hon. Member is referring. No Federal Trunk Road runs through Wukari but the town is linked to the Trunk Road A.14 by Trunk Roads B. 553 and 555. No provision has been made in the Development Plan for the tarring of these Trunk Roads B and the tarring of Trunk Roads A is a matter for the Federal Government. I suggest that the Hon. Member requests his colleague to raise the question in the Federal Parliament.

### Trained Teachers in Hadejia and Gumel Emirates

**O181. Mallam Muhammadu Hurdi (Hadejia South)** asked the Minister of Education, Northern Nigeria, in view of lack of trained teachers in both Hadejia and Gumel Emirates when will the Government carry out its plan to construct a Teacher Training College in Hadejia?

**The Minister of Education (Alhaji the hon. Isa Kaita, C.B.E., Wazirin Katsina):** I am not yet able to give a date for the construction of this new proposed College. The whole programme for teacher training expansion is now under close review for the purpose of seeing what external aid may be available for these projects.

### A Visit to Hadejia

**O182. Mallam Muhammadu Hurdi (Hadejia South)** asked the Minister of Education, Northern Nigeria, will the Minister give assurance that he will pay a visit to Hadejia in view of the fact that since he assumed his duties he has never visited Hadejia?

**The Minister of Education (Alhaji the hon. Isa Kaita, C.B.E., Wazirin Katsina):** Yes, Sir, as soon as possible—May be in this month—*In Sha Allahu.*

### Teachers' and West African School Certificates

**O183. Mallam Muhammadu Hurdi (Hadejia South)** asked the Minister of Education, Northern Nigeria, would the Minister tell the House the cause of the delay in obtaining results of the examination for Teachers' Certificate and the West African School Certificates throughout Northern Nigeria?



**The Minister of Education (Alhaji the hon. Isa Kaita, C.B.E., Wazirin Katsina):** *For the School Certificate Results*—The delay is occasioned by the marking and standardising procedures by examiners in both Nigeria and in England. The West African School Certificate assure us that the delay cannot be reduced until all papers are marked in Nigeria, when it may be possible to save a month or so.

*For the Teachers' Certificate Results*—With the development of the Examination Branch in the Ministry it is hoped that it will be possible to accelerate the publication of the Results of Teachers' Certificate Examination. It should be noted however that they are even now being published earlier than in other Regions.

#### Sura-Pyem-Dengi Road Take Over

**O190. Mallam Muhammadu Ciroman Kanam (Kanam)** asked the Minister of Works, Northern Nigeria, whether the Government will consider taking over Sura-Pyem-Dengi Road, in view of the fact that Kanam Native Authority is unable to maintain it and that the road is very useful for the evacuation of produce.

**The Minister of Works (Alhaji the hon. Shehu Usman, Sarkin Maska, O.B.E.):** Government has no immediate proposal for this road. It already contributes 25 per cent of the cost of maintenance to the Native Authority.

#### Cotton Ginnery for Kanam

**O192. Mallam Muhammadu Ciroman Kanam (Kanam)** asked the Minister of Economic Planning, whether the Minister will provide Kanam with a cotton Ginnery in view of the fact that Kanam produces the largest quantity of cotton in Plateau Province.

**The Parliamentary Secretary to the Minister of Economic Planning (Alhaji Audu Anache, Magajin Garin Kontagora):** Cotton ginneries are established by the British Cotton Growing Association, which is the Northern Nigeria Marketing Board's ginning agent. The Association expands existing ginneries and established new ones when they consider that cotton production in any particular area warrants it.

At present cotton production in Kanam is insufficient to warrant the establishment of a ginnery there.

#### Issue of Licences

**O199. Mallam Abdu Tangaza Sokoto (Gandi-Goronyo)** asked the Minister for Local

Government Northern Nigeria:—(a) Is the Minister aware that Bicycles, Carts and Dogs Plates have not been issued by the Local and Native Authorities this year owing to shortage of Aluminium Sheets in this vast Region?

(b) if so, why?

**The Parliamentary Secretary to the Minister for Local Government: (Alhaji Usman Sulaiman):** (a) Yes, Sir, my Ministry issued a circular informing Native Authorities that Licence plates would not be available this year.

(b) The manufacturers were unable to put their stamping and cutting machinery into operation in time to produce the plates for which there was an adequate supply of aluminium sheet in Nigeria. However the equipment for producing the necessary plates is now available. The 1964 supply of plates is already almost completely prepared and a substantial reduction in prices obtained from the manufacturers.

**Alhaji Umaru Bashar (Birnin Kudu):** Mr Speaker, Sir, in view of the reply given by the Parliamentary Secretary, can the Government take action in stopping the Police from arresting the people riding bicycles.

**The Minister of Education (Alhaji the hon. Isa Kaita):** I think the Hon. Member is referring to people riding bicycles without plates—if so, they have to get licence.

#### Gashua-Azare Road

**O200. Mallam Alhaji (Bedde)** asked the Minister of Works Northern Nigeria:—

(a) Has the Government any proposal for the improvement of Gashua to Azare road at this moment?

(b) If not, when will this be possible?

**The Minister of Works (Alhaji the hon. Shehu Usman Sarkin Maska):** (a) The Gashua-Gorgoram-Katagum-Gadau road to Azare is a Native Administration road. It is not included in the 1962-68 Development Plan for reconstruction by Government.

(b) I am unable to forecast this.

#### Interpreters in the House of Assembly

**O201. Mallam Bashari Umaru (Birnin Kudu)** asked the hon. Premier Northern Nigeria:—

(a) Why is it that there are no efficient interpreters in this House?

(b) Apparently their condition of service is very unattractive, hence the few experienced ones are always in search for better employment. If this is the case, what is the Government doing to remedy the situation?

(c) Does not the Government think it to be a national shame to lose good and experienced interpreters in a House like ours?

**The Premier (Alhaji the hon. Sir Ahmadu Bello, K.B.E., Sardaunan Sokoto):**

(a) Two very good interpreters have transferred to the Foreign Service and another has died recently. This we cannot stop.

(b) No, the posts of interpreters are attractive enough and there are opportunities for promotion within Scale CE 1 to 6. However, as in every department it is always difficult to retain the services of capable ambitious young men.

(c) No.

#### Corrugated Metal Houses

**O202. Mallam Ado Salihi Gwarzo (Gwarzo East)** asked the Minister of Education Northern Nigeria, is it true that this Ministry has ordered some corrugated metal Houses for Teachers in the Region?

(a) If yes, when will the houses be erected?

(b) If not, what steps is the Ministry taking to provide Teachers with suitable houses in this region especially those living in the Rural Areas?

**The Minister of Education (Alhaji the hon. Isa Kaita, C.B.E., Wazirin Katsina):** No, Sir.

(a) Does not arise.

(b) This is a matter for the proprietors of schools.

#### Senior Primary School Leavers and Pupil Teaching

**O204. Mallam Ado Salihi Gwarzo (Gwarzo East)** asked the Minister of Education Northern Nigeria, what measures is the Ministry considering to take to secure a future for Senior Primary School Leavers as the practice of training them to become Pupil Teachers has to be stopped since there are Grade III Teachers now available. Is the Minister sure that this will not scare parents from sending their children to Junior Primary Schools thereby creating more cases of Juvenile delinquencies in the Region?

**The Minister of Education (Alhaji the hon. Isa Kaita, C.B.E., Wazirin Katsina):** Education Institutions, under my Ministry

offer over 500 places to Senior Primary School Leavers in Secondary Schools, Teacher Training Colleges, Technical Schools and Craft Schools; others are also absorbed by training schemes run by other Ministries, commercial Firms, etc. The recent changes in teacher training courses does not mean that the intake of Primary School Leavers has been reduced. The new Five-year Grade II training course is recruited entirely from Senior Primary School Leavers.

#### Tax Receipts

**O206. Mallam Ado Salihi Gwarzo (Gwarzo East)** asked the Minister of Finance Northern Nigeria, what special arrangement is this Ministry making for early issue of tax receipts to the people who paid their taxes through the Pay As You Earn system, in view of the fact that the ordinary taxpayers receipts are issued to them on the spot so as to avoid any inconvenience to Pay As You Earn members when demanded to produce their tax receipts by a police or any other Authority?

**The Minister of Finance (Alhaji the hon. Aliyu, C.B.E., Makaman Bida):** Under the Pay As You Earn system of tax collection receipts are not given to individual taxpayers in respect of the monthly deductions made from their salaries by their employers. One omnibus receipt only is issued to the employer, who is the person paying the tax to Government. However, in the early months of each income tax year the Commissioner of Revenue will issue each employee paying his tax through Pay As You Earn with a statement showing the total amount deducted in the previous year.

Employees leaving their jobs in the course of a year have a copy of a Transfer Certificate in their possession as evidence of tax deducted to date.

Native Authorities have been supplied with lists of all employers directed to apply Pay As You Earn. They have also been advised that where there is doubt as to whether or not any particular individual comes within the scope of Pay As You Earn, his employer should be asked for a certificate that deductions are being made.

#### Factory for Bornu

**O209. Mallam Kaigama Zubairu (Kaga-Marghi)** asked the Minister of Trade and Industry, what kind of Factory is the Minister proposing to establish in Bornu Province and in what town will that be?

The Parliamentary Secretary to the Minister of Trade and Industry (Alhaji Haliru Zarma Hong): An oil seed crushing mill is now in course of erection at Maiduguri in Bornu Province and is expected to be in production within the next few months.

With the extension of the railway to Maiduguri it is expected that more entrepreneurs will utilise the natural resources of Bornu Province for industrial development.

#### Orphanage Camp in Mkar, Tiv Division

O210. Mr J. U. Uyeh (*Kunaw*) asked the Welfare and Co-operatives, is the Minister aware of the New institution known as Orphanage Camp in Mkar, Tiv Division?

- (a) If yes, what aid is the Government giving to the Missionaries for looking after the motherless children at this centre?
- (b) What will become of a child whose father or relatives fail to take her/him after being in the camp for more than four years since the Missionaries are allowed to look after motherless children for only four years?
- (c) Will the Government not provide a place to keep children who have been neglected by their fathers or relatives?

The Minister of Social Welfare and Co-operatives (Alhaji the hon. Ahmadu Fatika Sarkin Fada Zazzau): Yes, Sir, I am aware of its existence and a senior member of the staff has been instructed to visit and report as soon as he can find time:—

- (a) None, Sir;
- (b) Section 27(1)(a) and (2)(a)(11) of Children and Young Persons Law No. 28 of 1958 refers.
- (c) It is the Government's policy to develop more use of Foster Home Care than Institutional Care as the latter is far less suitable to develop character and independence in young children.

#### Drinking Water at Amper in Pankshin Division

O220. Mr Deshi Toklen (*Angas*) asked the Minister of Works:—

- (a) Is the Minister aware of the difficulties encountered in getting drinking water at Amper in Pankshin Division?
- (b) If so, will the Minister consider building a big dam in order to remedy the situation?

The Minister of Works (Alhaji the hon. Shehu Usman, O.B.E., Sarkin Maska): I am aware that the geology of Pankshin Division, which is very rocky, precludes the sinking of more successful wells and that in some areas people depend upon streams. I have called for a special report on the problem at Amper.

I should of course have no objection to a dam being built at Amper provided that it were technically feasible and formed part of the Plateau Province rural water supply programme.

#### Azare-Potiskum Road

O229. Mallam Abdu Umaru, Yeriman Katagum (*Katagum South*) asked the Minister of Works, when will the Government consider taking over Azare-Potiskum road for the purpose of tarring it for evacuating produce?

The Minister of Works (Alhaji the hon. Shehu Usman, O.B.E., Sarkin Maska): The Azare-Potiskum road is not scheduled to be taken over by Government during the 1962-68 Development Plan period.

#### Five pounds Grant per Pupil

O291. Mr Afolayan (*Ilorin South*) asked the Minister of Education, is the Minister aware that the present rate of £5 grant per pupil is not encouraging in some provinces especially in Ilorin Province?

The Minister of Education (Alhaji the hon. Isa Kaita): No, Sir, compared with many other parts of the North it appears that Ilorin Province, having the highest average of children of school age actually in primary school, is in a fortunate position.

I have said on several occasions that the present grants system is purely experimental.

Mallam Umaru Bashari: Mr Speaker, Sir, the Minister said that Ilorin Province is in a fortunate position when will he make it possible for other Provinces of the Region to be in such a fortunate position?

The Minister of Education: We are trying to extend this to all the Provinces.

#### Untrained Teachers in the Region

O232. Mr Afolayan (*Ilorin South*) asked the Minister of Education, is the Minister aware that inspite of his serveral warning to the School Managers, we still have a lot of untrained Non-Northern teachers more than other Regions thus making it more difficult for our boys and girls to get employment?

**Mr Speaker:** I do not think it makes any difference, because the Minister is responsible for the affairs of Northern Region alone, therefore it is unnecessary to say Non-Northerners.

**The Minister of Education (Alhaji the hon. Isa Kaita, C.B.E.):** No Sir, according to the Ashby Commission Report it is not true that the proportion of untrained teachers is higher in the North than in the other Regions.

#### Northerners in the Posts of Inspectors of Works

**O299. Mallam Yahaya Tula (Tangale-Waja)** asked the Minister of Works, how many Northerners are holding the posts of Inspectors of Works and Engineers respectively?

**The Minister of Works (Alhaji the hon. Shehu Usman, O.B.E., Sarkin Maska):** Inspectors of Works, (now renamed "Works Superintendents") 26. Engineers 8. In addition to these officers there is one Northern Pupil Engineer, 31 Northern Assistant Works Superintendents and 23 Northern Assistant Works Superintendents-in-Training.

**Mallam Umar Bashari:** May I know from the Minister whether he has got any other Engineers in Training?

**The Minister of Works (Alhaji the hon. Shehu Usman, O.B.E., Sarkin Maska):** Yes.

#### Commercial Assistant

**O212. Mallam Yahaya Tula (Tangale-Waja)** asked the Minister of Trade and Industry:—

(a) How many Commercial and Assistant Commercial Officers are there working in this Ministry?

(b) How many are Expatriates and Northerners respectively?

**The Parliamentary Secretary to the Minister of Trade and Industry (Alhaji Haliru Zarma Hong):** (a) There are at the present time 4 Commercial Officers and 9 Assistant Commercial officers working in my Ministry.

(b) They are all Northerners with the exception of one expatriate Commercial Officer on contract.

#### Pensions and Gratuities

**O244. Mallam Yahaya Tula (Tangale-Waja)** asked the Minister of Education, whether Government gives any aid to Voluntary Agency Schools towards payment of Pensions and Gratuities to their staff?

**Minister of Education (Alhaji the hon. Isa Kaita):** All payments of pensions and gratuities to Voluntary Agency staff are made by Government.

#### Limestone Deposits in Igumale

**O253. Mr Obaike Odéh (Idoma South-East)** asked the Minister of Trade and Industry:—

(i) Is the Minister aware of the availability of the lime-stone in Igumale district of Idoma Division?

(ii) If so how soon does the Regional Government intend to industrialise the area?

(iii) If no, why?

**The Parliamentary Secretary to the Minister of Trade and Industry (Alhaji Haliru Zarma Hong):** (i) I am aware of the limestone deposits in the Igumale District of Idoma Division.

(ii) Industries will be set up in Igumale area as soon as conditions become favourable to do so. It is the Government's policy to attract industries to areas where raw factors are equally important. These include finance, water, electric power, communications and market which could absorb the products of the industry.

(iii) Does not arise.

#### Coal Deposits in Orukpa District

**O254. Mr Obaike Odéh (Idoma South-East)** asked the Minister of Trade and Industry:—

(i) Is the Minister aware of the huge deposit of coal in Orukpa district of Idoma Division?

(ii) If so, how soon does the Government intend to industrialise the area?

(iii) If no, why?

**The Parliamentary Secretary to the Minister of Trade and Industry (Alhaji Haliru Zarma Hong):** (i) I am aware there is coal deposit in Orukpa District of Idoma Division.

(ii) It is the policy of the Northern Nigeria Government to attract industries to all parts of the region including Orukpa District in the shortest possible time. The occurrence of coal does not satisfy all conditions for the establishment of industries. However, my Ministry already making enquiries as to the possibility of opening of a coal field in the North but the decision to do so rests with the Nigerian Coal Corporation which is the organisation responsible for coal mining in Nigeria.

(iii) Does not arise.

**PRESENTATION OF PUBLIC BILLS**  
**Legislation (Administrative Procedure)**  
**(Amendment) Law, 1963**

A Bill entitled the Legislative (Administrative Procedure) (Amendment) Law 1963—presented by Hon. Premier, read the first time; to be read a second time later today.

**Ministers Statutory Powers and Duties**  
**(Miscellaneous Provisions) (Amendment)**  
**Law, 1963**

A Bill entitled the Ministers Statutory Powers and Duties (Miscellaneous Provisions) (Amendment) Law, 1963—presented by hon. Premier, read the first time; to be read a second time later today.

**Interpretation (Amendment) Law, 1963**

A Bill entitled the Interpretation (Amendment) Law, 1963—presented by hon. Premier, read the first time; to be read a second time later today.

**Widows and Orphans Pension (Northern Region) (Amendment) Law, 1963**

A Bill entitled the Widows and Orphans Pension (Northern Region) (Amendment) Law, 1963—presented by the Minister of Establishments and Training, read the first time; to be read a second time later today.

**Revised Edition of Laws of Northern Nigeria (Amendment) Law, 1963**

A Bill entitled the Revised Edition of the Laws of Northern Nigeria (Amendment) Law, 1963—presented by the hon. Attorney-General, read the first time; to be read a second time later today.

**NOTICES OF MOTIONS**

**Constitutional Amendment**

**The Premier (Alhaji the hon. Sir Ahmadu Bello, K.B.E., Sardauna of Sokoto):** Mr Speaker, Sir, I rise to move the following Resolution standing in my name: "That this House consents to the Produce (Constitutional Amendment) Act, 1963, having effect". In accordance with section 154 sub-section (1) of the Constitution of the Federation, the Governor-General may with the consent of the Regional Governments designate certain products as produce. The Act of the Parliament under reference seeks to empower the Governor-General to make an order declaring certain products as produce and enables this order to

be made retrospective to a date earlier than the present Constitution without offending any of the provisions of the Federal Constitution.

It is necessary for this House to pass the Resolution because the Produce (Constitutional Amendment) Act, 1963 affects an entrenched provision of the Constitution and a Resolution consenting to the Act having effect is therefore required by section 4(1) of the Constitution of the Federation.

I beg to move that the House do now agree to the resolution standing in my name.

**The Minister of Information (Alhaji the hon. Ibrahim Biu):** Sir, I beg to second.

*Question proposed.*

*Question put and agreed to.*

**Resolved:**

"That this House consents to the Produce (Constitutional Amendment) Act, 1963 having effect".

**University of Ibadan Act**

**The Premier (Alhaji the hon. Sir Ahmadu Bello, K.B.E., Sardauna of Sokoto):** Mr Speaker, Sir, I rise to move the following Resolution standing in my name:

"That this House consents to the University of Ibadan Act, 1962, having effect."

Mr Speaker, Sir, there is nothing controversial about this resolution. The University College at Ibadan is in the Exclusive Legislative List and as such it is an entrenched clause of the Constitution of the Federation. But section 7(1)(d) of the Act changes the title of this oldest institution of higher learning in Nigeria from University, College and transforms it into a fully fledged University of its own. This is as it should be. But it is necessary for this House to adopt a resolution consenting to give effect to the Act before the Act can become operative. I know that honourable Members will support the resolution now before them. Mr Speaker, Sir, I beg to move.

**The Minister of Education (Alhaji the hon. Isa Kaita):** Sir, I beg to second.

**Alhaji Ibrahim Imam (Jembar):** Mr Speaker, Sir, I rise to congratulate the hon. Premier for the able way in which he moved the motion on the Order Paper seeking the consent of this House. I would like to raise a point to give effect to the University Act of 1962 which has already been passed by the Federal Parlia-

ment last December. Mr Speaker, to my mind, the Ibadan University could have been independent longer than hitherto. It should have been appropriate for it to become independent on the first day Nigeria became independent. In discussing this Motion, I should like to pay warm tribute to the entire teaching staff of the Ibadan University, the Principal, the Students and the associate and officers who have made it possible to make the University set such a high standard of academic attainment at a level which would be a credit not only to Nigeria but to any other country in the whole world. The second point which I want to raise, Mr Speaker, is how best to liberalise educational facilities in this Institution of higher learning and so I should like to suggest to the governing body of the University to devise a means whereby students who find it difficult or rather impossible to maintain themselves financially, should be given loans/scholarship, such a loan/scholarship, Mr Speaker, will be up to any amount just enough to cover the full years course, or more or less depending upon the circumstances. The repayment of such loans should be done by the student concerned at very easy terms of instalments after he should have left the University. This kind of assistance is given to needy students in many parts of the world. (*Interruptions!*)

**Mr Speaker:** Order! Order! I have been given full powers here to interpret points of order as may be necessary. This is the only chance the Member has of saying something on the Ibadan University and I should have thought that he was not going to raise controversial issues.

**Alhaji Ibrahim Imam:** It is not my intention to raise any controversial issue but it arises from the fact that High education is a joint responsibility of Regional and Federal Governments. The Motion of the hon. Premier is dependent, to all intents and purposes, on a bill passed in the Federal House in 1962 on the governing body of the University.

**The Premier (Alhaji the hon. Sir Ahmadu Bello, K.B.E., Sardauna of Sokoto):** If the hon. Member will still insist on this, I will undertake to put it to the right Member of the University Board.

*Question again proposed.*

*Question put and agreed to.*

**Alhaji Ibrahim Imam:** It could have been more proper if the question is put into vote to satisfy the requirements of the Constitution.

**The Attorney-General (The hon. I. M. Lewis, Q.C.):** On a point of explanation, Mr Speaker, may I say that any question of amending an entrenched provision of the Constitution of the Federation only requires the consent by resolution of at least two Regional Legislatures under section 4(1) of the Constitution of the Federation. No special majority is required on the resolution in the Regional Legislature. I think the hon. Member for Jemgbar is getting confused as it is Parliament that has to pass the Bill by a two-thirds majority in the House not the Regional Legislature. When we amend a provision of our Regional Constitution, then we need a two-thirds majority on the Bill, but that does not arise here.

**Resolved:**

"That this House Consents to the University of Ibadan Act, 1962 having effect."

**The Minister of Finance (Alhaji the hon. Aliyu, C.B.E., Makaman Bida):** I rise to move the Resolution standing in my name as follows:—

**Be it resolved:**

"That this House approves the pledging of Government's credit by guaranteeing the repayment of £2,912,480, being principal and interest due in the future from the Cement Company of Northern Nigeria Limited to Messrs Ferrostaal A. G. of Essen, Federal Republic of Germany, under an agreement between the Company and Messrs Ferrostaal for the construction of a Cement Factory in Sokoto Province."

The purpose of this Resolution is to seek endorsement from this House of the action which the Government had thought it proper to take, to guarantee the sum of £2,912,480 payable by the Cement Company of Northern Nigeria Limited, under an agreement with Messrs Ferrostaal A. G. for the construction of a cement factory near Sokoto. Members are aware that a cement factory is being set up in Sokoto Province, and the Cement Company of Northern Nigeria Limited has been formed for the purpose, in partnership with Northern Nigeria Development Corporation and a major German firm, Messrs Ferrostaal A. G. of Essen, Federal Republic of Germany. The total capital supply and erection of the factory are being met by Ferrostaal in the first instance on a credit basis, to be recovered from the Cement Company over a period of ten years.

At the instance of the Northern Nigeria Development Corporation the Federal Government was asked to provide a guarantee to Ferrostaal of the repayments of interest and principal due under the agreement. The

## [MINISTER OF FINANCE]

Federal Government agreed to do this, if this Government gave a first guarantee. In order to safeguard the Company's and this Government's position, the Northern Nigeria Development Corporation has in turn been required to guarantee the prompt repayment to this Government of any sum which may have to be paid under the guarantee. Any such sum will be treated as a loan to the Company. Thus the guarantee will come into effect if the Company cannot meet any payment at the time it is due, but later on the Company will have to pay it off.

Members will see that adequate steps have been taken to safe-guard Government's interests. I am sure you will agree that it was in our interest to give the guarantee in order to get this cement factory started. Action had to be taken at once without our being able to wait for a meeting of the House, but I hope that this House will now endorse the action taken.

Mr Speaker, Sir, I beg to move.

**The Minister of Land and Survey (Alhaji the hon. Ibrahim Musa Gashash, O.B.E.):** Sir, I beg to second.

**Mr Speaker:** Thank you.

*Question proposed.*

**Alhaji Ibrahim Yakubu (Special Member):** I beg to support the Motion moved by the hon. Minister of Finance saying that this is yet another demonstration of the entire effort of the hon. Premier and his Government in the effort to attract foreign capitals to industrialise Northern Nigeria. (*Applause*).

Mr Speaker, Sir, I think that on this occasion it is appropriate if I say that the industries coming into this Region should get our fullest support. That is not only for this hon. House and Native Authorities but also the population of Northern Nigeria as a whole, because it is only through this possible support that we can hold the industrial aspect of the country and therefore contribute to the active progress of this Region. I would like, therefore, to appeal to hon. Members of this House to ensure that wherever possible as soon as the Cement Factory is in production, co-operation and support is given to this industry. It reminds me Sir, that local crafts of the Region do attract visitors and in my travels I have seen a number of countries where our leather bags and ornamental brass from Bida being sold at rather exorbitant prices. I think that it will be appropriate at this stage to appeal to the hon.

Premier to use his exalted offices in promoting these industries and to ensure that experts are brought from abroad to take a look at these industries with a view to ensuring that we can guarantee quality, steadiness of supplies to various parts of the world that have shown interest in these local crafts. Talking about leather reminds me that our leather is known in the world market as the Moroccan leather.

I am aware that at least one foreign firm has indicated its intention to set up a car assembly factory in Nigeria and I know that if the quality of our leather locally tanned is improved, no doubt they will be taking their leather requirements from us.

I would like Mr Speaker, Sir, to congratulate once again the hon. Premier and his Government for the efforts that are constantly being made to ensure that foreign capital is attracted to the Northern Nigeria all the time, and this view will likely get full support from the whole House. (*Applause*).

**Alhaji Salihu Na Kande (Jos Central) (Hausa):** Mr Speaker, Sir, I rise to speak on this Motion introduced by the Minister of Finance. I hope this industry will not be as that of Kaduna Textiles. For example, Mr Speaker, Sir, at Kaduna Textile department, we have so many pieces of white shirtings costing us £1-5s and the cotton is grown in our country and we make the cloth here in Nigeria and apparently the cloth brought from abroad are in bundles and (*Interruptions*) therefore, Mr Speaker, if this Cement factory is going to be established here at a cost of 50s per bag, I hope the foreign business men would help the indigenous buyers. . . . [THE MINISTER OF JUSTICE: Mr Speaker, the hon Member is out of order. What we are requested to do is to guarantee the factory and not to give the money]. Mr Speaker, Sir, my fear is that this Company may only be of benefit to the Europeans who come to build here in Northern Nigeria. Everybody in Northern Nigeria having mud house, would like to see a Cement Factory established, and it is to everybody's pleasure in this Region that he should have a cemented house. Mr Speaker, Sir, if this factory is established I hope, the price per bag would not be the same as the cement bags which are imported to Nigeria by Foreigners. I am afraid, Mr Speaker, it would be needless to establish this factory if the cost of a bag of cement would be the same as the one imported from abroad.

With these remarks, I beg to support the Motion.

**The Commissioner for Sardauna Province (Mr Edmond B. Mamiso):** Mr Speaker, Sir, in supporting this very important Motion moved by the Minister of Finance, I have few observations to make. This Motion, Mr Speaker, indicates the role played by this Government in trying to attract the foreign investments into this country. This, therefore, I think, is rather unreasonable for other foreign countries to . . . [MR SPEAKER: Order! Order! I want the hon. Members to be silent, so that the hon. Member could be heard properly. Would you continue? I am sorry, Commissioner. In the interest of the procedure of this House, when an hon. Member is having the floor of the House he should not be heckled. He should be heard and I think hon. Members would listen.] . . . Mr Speaker, Sir, it is rather unreasonable for any industrialists or foreign countries to accuse this government or any other governments in Nigeria as a whole in making conditions rather difficult for investments. It is unfortunate this sort of accusations come from those whom we always regard as our best friends. This factor is now clear indication that any sort of accusation against this government of scaring foreign investors from this government is really untrue. With these few remarks, I beg to support the motion.

**Mr Isaac Shaahu (G.S. Tiev):** Mr Speaker Sir, I rise to support this motion. I am very happy that this Motion comes very timely and there is not more crying for unemployment. The pledging of £2,000,000 is quite a reasonable amount to reduce unemployment of our people. By the establishment of the factory, a bag of cement would cost us about a £1 or less, and in areas that are not closed to the cement industry like Odebo in Tiv Division a bag would cost roughly more than 15s per bag because of the freight. So it will help this Region greatly, if we have cement factory. At the same time, Mr Speaker, I would like the Minister to make some provisions to establish a similar cement factory in Gboko where we have limestone in large quantity and the prospects are good. If this factory is again established it would feed the whole Region. Mr Speaker, I would like the Government to make consideration that would help the people of Wukari and Adamawa so that they could get their cement more cheaply. With these few remarks, I beg to take my seat.

**The Minister of Economic Planning (Alhaji the hon. Muhammadu Bashir, O.B.E., Wamban Daura):** Mr Speaker, Sir, if I may be allowed to correct the remarks made by the hon. Member from Jos for his accusation on industrialists coming to this country, I would like to say this is not so, Sir. We want them to come and participate so that we would thereby know the technical know-how. I would like to warn hon. Members to stop these irresponsible remarks in this hon. House. Thank you very much Mr Speaker.

*Question proposed.*

*Question put and agreed to.*

#### Resolved:

*"That this House approves the pledging of Government's Credit by guaranteeing the repayment of £2,912,480 being principal and interest due in the future from the Cement Company of Northern Nigeria Limited to Messrs Forrestaal A.G. of Essen, Federal Republic of Germany, under an agreement between the Company and Messrs Ferrostaal for the construction of a Cement Factory in Sokoto Province."*

In pursuance of the Standing Orders, Mr Speaker suspended the sitting of the House without the question put.

*Sitting suspended for ten minutes at 11.20 a.m.*

*(House resumed at 11.30 a.m.)*

**Mr Speaker:** Order, Order. House resumes. The Clerk will now proceed to read the order of the day.

#### ORDERS OF THE DAY

##### PUBLIC BILLS—SECOND READING

##### Legislation (Administrative Procedure) (Amendment) Law, 1963

*Order for Second Reading—read.*

**The Premier (Alhaji the hon. Sir Ahmadu Bello, K.B.E., Sardauna of Sokoto):** Mr Speaker, Sir, I rise to move that a bill for a Law to amend the Legislation (Administrative Procedure) Law, 1963 be read a second time.

The purpose of the Bill is to alter the form of the Governor's assent to Bills passed by the Legislative Houses of this Region. The form of assent at present is "Assented to in Her Majesty's name. . . . ." The new form of assent would, of course, simply be, "I assent . . . . ." The alteration in the form of assent does not represent our meaning of Republicanism. Honourable Members will soon be given a chance to examine and air their views on the substance of the Republican Constitution for



[THE HON. PREMIER]

this country. But I insist that the alteration in the form of assent is a step in the general direction along which this country has been moving since the achievement of Independence, our goal in terms of Constitutional development being always the achievement of a Republican Constitution. We have at last arrived. The Federal Parliament has since enacted a similar law amending the Legislation Administrative Procedure of the Federation. I am sure that hon. Members do not need to be persuaded to accept this bill. This is the opportune time for it. The general feeling of the Hon. House tells me that.

Mr Speaker, Sir, I beg to move.

**The Minister of Animal and Forest Resources: (Alhaji the hon. Mu'azu Lamido, Magatarkardan Sokoto):** Mr Speaker, Sir, I beg to second.

*Question proposed.*

*Question put and agreed to.*

**Mr Speaker:** Committee when?

**The Premier:** Now, Sir.

*House resolved itself into a Committee of the Whole House.*

*(House in Committee)*

*Clauses 1-2—agreed to.*

*Bill to be reported.*

*(House resumed)*

*Bill reported without amendment; read the third time and passed.*

**Ministers' Statutory Powers and Duties (Miscellaneous Provisions) (Amendment) Law, 1963**

*Order for Second Reading—read.*

**The Premier (Alhaji the hon. Sir Ahmadu Bello, K.B.E., Sardauna of Sokoto):** Mr Speaker, Sir, I rise to move that the Bill entitled the Ministers' Statutory Powers and Duties (Amendment) Law be read a second time.

Honourable Members will no doubt perceive that the bill itself is self-explanatory and I know that hon. Members will recollect that a previous amendment to this law passed in this House sought to enable Ministers to delegate their powers to other Ministers with my consent. The Amendment has a similar purpose. The Bill, as it is laid before you, merely seeks to enable Ministers to delegate their powers to

Parliamentary Secretaries with my consent. In other words, the object is to widen the scope of the previous amendment enabling Parliamentary Secretaries to perform the functions of Ministers without necessarily appointing them as Ministers. This, in my view, will facilitate and quicken the transaction of public business.

With this brief explanation, Sir, I beg to move.

**The Minister of Works (Alhaji the hon. Shehu Usman, O.B.E., Sarkin Maska):** Sir, I beg to second.

*Question proposed.*

**Mr O. Afolayan (Ilorin South-East):** Mr Speaker, Sir, I rise to support the Motion moved by the hon. Premier, Sir Ahmadu Bello, Sardauna of Sokoto. According to the Bill, it has made provision and condition under, which the Parliamentary Secretaries should be asked to act for the Ministers. Members are aware that anybody who is appointed a Parliamentary Secretary must be a man of good sense and high responsibility and before this appointment is made this consideration is put under consideration of the hon. Premier. So I see no reason why Members should quarrel about this.

Mr Speaker, Sir, even if we have to come to local levels, we must see that when a chairman or anybody holding a responsible post is going away somebody must be made to act for him. It is a very wise decision to have made our Parliamentary Secretaries to act for the Ministers only with the consent of the hon. Premier. With these remarks, Mr Speaker, Sir, I beg to support.

*Question put and agreed to.*

**Mr Speaker:** Committee when?

**The Premier:** Now, Sir.

*House resolved itself into Committee of the whole House.*

*(House in Committee)*

*Clauses 1-2—agreed to*

*Bill to be reported.*

*(House Resumed)*

*Bill reported without amendment, read the third time and passed.*

**The Interpretation (Amendment) Law, 1963**

*Order for Second Reading—read.*

**The Premier (Alhaji the hon. Sir Ahmadu Bello, K.B.E. Sardauna of Sokoto):** Mr Speaker, Sir, I rise to move that the Bill entitled the Interpretation (Amendment) Law, 1963, be read a second time. There are two important aspects to this Bill. As it stands section 27(A) of the Interpretation authorises the Governor to appoint another Minister or Parliamentary Secretary to perform the function of another Minister when such Minister is incapacitated from performing his functions because of illness or because he is away from Kaduna. Clause 3 of this amendment seeks to enlarge the scope of section 7A. It means that in future the Governor will be able to authorise another Minister or a Parliamentary Secretary or any other Member of the House of Assembly to perform the functions of a Minister as well as that of a Provincial Commissioner in case of illness or absence. The purpose of Clause 3 is to simplify procedure and quicken public business as at present the procedure for appointing an acting Provincial Commissioner is cumbersome. I have no doubt that honourable Members will welcome any measure that seeks to speed up the conduct of public business in this Region.

The other important aspect of this Bill is this. There is doubt at the moment whether a Minister with the power to appoint persons to perform particular functions under a Law (members of a statutory Board) for example can do so other than by name. Often it would be more convenient to appoint a person by office and clause 4 of the Bill is intended to provide for this and clear up the existing doubt. Honourable Members will realise that the Bill is non-controversial and further explanation would be superfluous.

I therefore move that the Bill be now read a second time.

**The Minister of Works (Alhaji the hon. Shehu Usman, C.B.E., Sarkin Maska):** Sir, I beg to second.

*Question proposed.*

**Mr Isaac Shaahu (Gaav-Shangev Tiev):** I just want to say that I am grateful to the hon. Premier for moving this Bill before the House. It is timely because in order to expedite public business, it is no use then just because a Minister is ill or out of the town and there will be nobody to take his place. It is time for some of our ministers, Provincial Commissioners, that we have much business to be done and therefore with the expedition of the Bill anybody appointed by the Governor can do

anything, for anybody representing one constituency. Mr Speaker, Sir, with this in view, I beg to second.

**The Premier (Alhaji the hon. Sir Ahmadu Bello, K.B.E., Sardauna of Sokoto):** We have never experienced such difficulty here. I want to tell the hon. Member that there is one person here representing more than one constituency, and that is the Premier. Because I represent all of you here. (*Applause*).

*Question again proposed.*

*Question put and agreed to.*

**Mr Speaker:** Committee when?

**The Premier:** Now, Sir.

(*House in Committee*)

Clauses 1-3:

**Alhaji Ibrahim Imam (Jemgbar):** I want to ask the hon. Premier whether in this Bill the Governor has any power or anybody to appoint a Parliamentary Secretary to act for Provincial Commissioner, and I want to know whether the Governor has the right to appoint any Parliamentary Secretary or any member to act for Provincial Commissioner when the latter is away.

**The Premier:** Yes, actually I appoint acting Ministers because the Provincial Commissioners are Ministers of non-cabinet rank.

*Clauses 1-3—agreed to.*

*Clause 4—agreed to.*

*Bill to be reported.*

(*House resumed*)

**Mr Speaker:** The Clerk will now read the Order of the Day.

**The Widows and Orphans Pension (Northern Region) (Amendment) Law, 1963**

*Order for Second Reading—read.*

**The Minister of Establishments and Training (Alhaji the hon. Umaru Babura, Sarkin Fulanin Ja'idanawa):** Mr Speaker, Sir, I rise to move the Bill entitled the Widows and Orphans Pension (Northern Region) (Amendment) Law, 1963, be read a second time. The purpose of the Bill is sufficiently explained in the objects and reasons and is merely to enable Federal Legislatures on this subject to be applied to Northern Nigeria by an Order of the Governor instead of by an amending Bill.

**[THE MINISTER OF ESTABLISHMENTS AND TRAINING]**

Hon. Members may agree that this is a technical matter and that the Bill is non-controversial.

Sir, I beg to move.

**The Minister for Local Government (Alhaji the hon. Sule Gaya):** Mr Speaker, Sir, I beg to second.

**Mr Speaker:** Committee when?

**The Minister of Establishments and Training:** Now, Sir.

*(House in Committee)*

*Clause 1 and 2—agreed to.*

Clauses 3:

**Alhaji Ibrahim Imam:** Whose widows and orphans? The reason why I ask the question is because only few Europeans are in the Public Service.

**The Minister of Justice (Alhaji the hon. Muhammadu Nasir):** If the hon. Member will read the whole Ordinance carefully, there will be no need for this unnecessary question.

**Alhaji Ibrahim Imam:** It is a pity that the principal law is not with me now, but if the Bill is amended now, it would create a bit of controversy, and now according to the recent statistic the percentage of other nationals other than Europeans in the Public Service is about 25 percent and I think it is important to look into it.

*Clause 3—agreed to.*

*Bill to be reported.*

*(House resumed)*

*Bill reported without amendment; read the third time and passed.*

**Mr Speaker:** The Clerk will now read the Order of the Day.

**The Revised Edition of the Laws of Northern Nigeria (Amendment) Law, 1963.**

*Order for Second Reading—read.*

**The Attorney-General: (The hon. I. M. Lewis, Q.C.):** Mr Speaker, Sir, I rise to move that the Bill for a Law to amend the Revised Edition of Northern Nigeria Law, 1963, be now read a second time. Members of the House will recall that at the Budget Meeting we passed the Revised Edition of the Laws of Northern Nigeria Law, 1963, and that we then made provision that the Law Revision

Commissioner should take account of all laws passed up to the 1st May, 1963. As a result of the decision since then to bring the Republic into being on the 1st October, 1963, it is thought much better to change the date from 1st of May, 1963 to the 1st October, 1963, for the appointed day for the purposes of this Law so that the Law Revision Commissioner may take account of the Legislation that will be passed up to the 1st of October, 1963, and we will then have as up to date a Revised Edition of the Laws as is possible on the introduction of the Republic. I would only add that this amendment could have been made by order but it was thought desirable to make the alteration by this Bill so that the correct date could be incorporated in the Law by the Law Revision Commissioner when he arranges for this Law to be printed at the beginning of the Revised Edition of our Laws, and everyone will therefore know easily the date up to which the Revised Edition will be effective.

Mr Speaker, Sir, I beg to move.

**The Minister of Information (Alhaji the hon. Ibrahim Biu):** Mr Speaker, Sir, I beg to second.

*Question proposed.*

*Question put and agreed to:*

*House resolved itself into the Committee of the Whole House.*

*(House in Committee)*

*Clauses 1-2—agreed to.*

*Bill to be reported.*

*(House resumed)*

*Bill reported without amendment; read the third time and passed.*

**Mr Speaker:** There is no other business on the Order Paper before the House. Would the Leader of the House inform Members what business will come before the House tomorrow?

**The Minister of Education (Alhaji the hon. Isa Kaita, C.B.E., Wazirin Katsina):** Mr Speaker, Sir, in accordance with the laid down Parliamentary Procedure, I would like to inform the hon. Members what business will come before the House tomorrow.

Tomorrow, Sir, the House will adjourn *sine die* after debating a Motion on the proposed Constitutional changes to effect a Republican System of Government for Nigeria on the 1st October this year.

Mr Speaker, Sir, I beg to move that the House do now adjourn.

**The Minister of Animal and Forest Resources (Alhaji the hon. Mu'azu Lamido, Magatakardan Sokoto):** Sir, I beg to second.

*Question proposed.*

**Mr Speaker:** What time shall we start the business of the House tomorrow?

**Hon. Members:** Shouts of "At 9 O'clock, Sir".

**Mr Speaker:** Order! Order! In accordance with Standing Orders of this House, we shall

start our business at 9 O'clock a.m., but I am empowered to fix any time with your consent. Shall we take 9 O'clock or 10 O'clock a.m.?

**Hon. Members:** Shouts of "9 O'clock, Sir".

*Question again proposed.*

*Question put and agreed to.*

*House accordingly adjourned at 12.00 p.m. until tomorrow, Friday, at 9.00 a.m.*

## APPENDIX

## WRITTEN ANSWERS TO QUESTIONS

**Tarring of Gusau to Jibiya Road**

**O160. Alhaji Ahmadu D. Rufa'i (Misau)** asked the Minister of Works, may I know who financed the tarring of the road from Gusau to Jibiya? Is it the Ministry of Works or the Northern Nigeria Development Corporation?

**The Minister of Works (Alhaji the hon. Shehu Usman, Sarkin Maska):** The Gusau-Jibiya road was financed by the Government with the assistance of a 50 per cent grant from the British Government. The Northern Nigeria Development Corporation did not contribute.

**Indigenous Civil Engineers**

**O162. Alhaji Ahmadu D. Rufa'i (Misau)** asked the Minister of Establishments and Training, how soon will this Region be staffed by indigenous civil engineers?

**The Minister of Establishments and Training (Alhaji the hon. Umaru Babura):** There are fifty-five Northern Nigeria students training to be Civil, Mechanical or Electrical Engineers and there are 210 posts for Engineers in my Ministry, of which 129 are filled. Only eleven posts are filled by Northern Nigeria Engineers so far. It will thus be some years before sufficient Northern Nigeria Engineers are available to fill all the posts in my Ministry.

**Tarring of Azare to Misau Trunk "B" Road**

**O163. Alhaji Ahmadu D. Rufa'i (Misau)** asked the Minister of Works, may I know how soon the trunk Road B from Azare to Misau is to be tarred?

**The Minister of Works (Alhaji the hon. Shehu Usman, Sarkin Maska):** The Misau-Azare road is included in the 1962-68 Development Plan.

**Priority in Tarring Trunk "B" Roads**

**O164. Alhaji Ahmadu D. Rufa'i (Misau)** asked the Minister of Works, may I know what factors govern the priority in tarring trunk B roads by the Regional Governments?

**The Minister of Works (Alhaji the hon. Shehu Usman, Sarkin Maska):** The factors governing the allocation of priorities for tarring roads are:—

- (i) the present or potential economic value;
- (ii) the incidence of traffic;
- (iii) administrative desirability.

**Number of Mileage—Ma'inchi-Jega**

**O165. Alhaji Ahmadu D. Rufa'i (Misau)** asked the Minister of Works:—

(a) What is the mileage of the Zamfara/Valley road from Ma'inchi to Jega?

(b) How much money was spent on the construction of the above road?

(c) Who financed its construction?

(d) Is it true that it is soon to be tarred?

(e) If this is so, how does its commercial importance compare with the following roads:—

(i) Damaturu to Gerdam;

(ii) Azare to Misau; and

(iii) Dass to Bauchi.

**The Minister of Works (Alhaji the hon. Shehu Usman, Sarkin Maska):** (a) 147 miles; (b) and (c) I will answer these together. The Northern Region Development Corporation financed and built this road at a cost of £464,000.

(d) It is included in the Development Plan.

(e) At question O164 I gave an answer to the hon. Member for Misau on the development of priorities for bituminous surfacing of roads. Executive Council receives recommendations from the Regional Planning Committee. I am not prepared to prejudice their decisions, which have still to be made, by attempting to compare the commercial importance of a list of roads. There are many other factors involved.

**Membership to Native Authority Council**

**O169. Alhaji Ahmadu D. Rufa'i (Misau)** asked the Minister for Local Government, may I know what determines the number of members to be elected to a Native Authority Council in this Region, that is, is the representation based on population or on number of Districts, for instance an Emirate of about 120,000 people has about six elected Members whereas another of about 400,000 has only four?

(a) Would the Minister consider to have a uniform electoral regulations for the purpose of electing Native Authority Members for the whole Region?

**The Minister for Local Government (Alhaji the hon. Sule Gaya):** It is not entirely the size of population nor the number of Districts which at present determines the number of Members who are to be elected to a Native Authority Council although they are taken into consideration. The main determining factor of the number of Members who shall be elected to a Native Authority Council is our

desire to give a fair and adequate representation to as many interest groups as possible.

(a) Already there is a high degree of uniformity among our electoral regulations and I do not see the need for increasing it at this stage.

#### Resignation of Doctor Mama

**O173. Alhaji Ahmadu D. Rufa'i (Misau)** asked the Minister of Health, may I know what are the circumstances which led to the resignation of Doctor Mama?

(a) Is the Minister aware that the public of the North do not welcome the causes which have motivated the loss of an indigenous Doctor in the public service of this Region more especially when it would take a number of years before the Region could get another indigenous Doctor of Mama's type and qualification?

**The Minister of Health (Alhaji the hon. Ahman, Galadiman Pategi):** This question was raised by the hon. Member during the debate of the Speech from the Throne and was answered, there is therefore no need to repeat it again.

#### Closure of Medical School, Kano

**O174. Alhaji Ahmadu D. Rufa'i (Misau)** asked the Minister of Health, will the Minister explain why the Medical School, Kano was closed?

**The Minister of Health (Alhaji the hon. Ahman, Galadiman Pategi):** This is mainly due to the high costs involved in running a Medical School.

There is also the fact that facilities are available at Ibadan, Lagos and the United Kingdom for the Medical Training of all our present prospective Medical Students which are much cheaper.

#### Northern Assistant Medical Officers

**O175. Alhaji Ahmadu D. Rufa'i (Misau)** asked the Minister of Health, is it true that the only few Northern Assistant Medical Officers at present serving under the Region are to transfer to the Nigerian Military Hospital simply because they are offered better conditions of service than they are at present offered in the Ministry of Health.

If so, is the Minister not aware that retaining these Doctors in the services of the North at all costs would be more advantageous to the Region than allowing them to go?

**The Minister of Health (Alhaji the hon. Ahman, Galadiman Pategi):** I draw the

attention of the hon. Member to Hansard of 11-3-63, page 155 of the present sitting where I replied to the hon. Member for Birnin Kudu on the same point. It is therefore unnecessary to repeat it.

#### Textile and Cement Factories

**O176. Alhaji Ahmadu D. Rufa'i (Misau)** asked the Minister of Economic Planning, how soon does he expect a Textile Factory and/or a Cement Factory to be established in Gombe?

**The Minister of Economic Planning (Alhaji the hon. Muhammadu Bashar, Wamban Daura):** No date can be given for the establishment of a textile mill and for a cement works at Gombe, although the possibility of setting up either one or both industries has received my consideration.

It is well known that cotton grown in the Gombe area is of high quality therefore I am anxious to establish a mill near Gombe to assist in the disposal of the textile industry.

Unfortunately a Ministry of Works report on the soil characteristics of Gombe town indicate that the area is unsuitable for factory buildings operating heavy machinery, but investigations are continuing and it is hoped to find a suitable site where sufficient water is available for a textile mill near Gombe in due course.

I am aware that limestone is available in the vicinity of Gombe but geologists have informed me that it is not present in sufficient quantity to warrant the establishment of a cement works.

#### Sokoto Cement Factory

**O177. Alhaji D. Rufa'i (Misau)** asked the Minister of Economic Planning: will the Minister assure the Members of this House and the entire public of the Region that the Cement Factory to be established in Sokoto will be a viable enterprise, in that:—

(a) the cost of production per bag of cement at rail head would be such that the price per bag will be the same or less than any other imported or locally manufactured cement.

(b) In the event of the cost of production becoming comparatively high will the Minister assure this House and the public that the Government, Native Authorities and other Government Statutory Corporations would not be made to buy their cement from this factory?

**The Minister of Economic Planning (Alhaji the hon. Muhammadu Bashir, Wamban Daura):** (a) Yes. There is every assurance that the Cement Factory to be established at Sokoto will be an economically viable undertaking.

(b) Recently discussions have taken place between the Sponsors of the Project (Northern Region Development Corporation and Ferrostaal A.G.) resulting in a considerable reduction of original calculated production cost of cement. The cost of cement at the rail head has been calculated so that the retail price should not exceed that of locally produced or imported cement. The initial cost of establishing this Factory is however bound to be more than that of any similar Factory down in the South where they are so close to the Sea and where they do not therefore have to transport their heavy equipment and machinery by Rail which cost no doubt very much. If we are to establish only business which can compete with those in the South which are more favourably situated because of their nearness to the Sea, then the hon. Member wants no business established in this Region, but I am sure that that is not his intention. We are however confident that we shall overcome the initial disadvantages at a later time and be on all fours with the Factories in other parts of the country.

(c) It is naturally to be hoped that all Government Departments and Native Authorities will purchase cement manufactured in Northern Nigeria if nothing else but to encourage it. It is not, however, envisaged that such Authorities would have to pay unnecessarily a high price than they would for cement either imported or produced in other parts of Nigeria. In some developing countries, it is a Government policy to buy articles locally manufactured provided their prices are not more than 15 per cent higher than those of imported ones, purely to get the local industries established.

#### Cost of Sokoto Cement Factory

**O178. Alhaji Ahmadu D. Rufa'i (Misau)** asked the Minister of Economic Planning, may I know how much the establishment of the Sokoto Cement Factory will cost?

- (a) Who are the financiers of this project?  
 (b) How much the Government of the Region is committed to contribute and what capital percentage this amount represents?

**The Minister of Economic Planning (Alhaji the hon. Muhammadu Bashir, Wamban Daura):** (a) The establishment of the Sokoto Cement Factory will cost three and a half million pounds (£3,500,000).

(b) The financiers of the project are:—

(i) The Northern Development Corporation and

(ii) Ferrostaal, A. G. (a German Firm).

(c) The Government of the Region, through the Northern Region Development Corporation, is committed to £1,300,000 (£1.3m) which represent approximately 80 per cent of authorised capital.

(d) Advantage of siting the Factory in Sokoto is that it can acquire market for its product not only in the nearby Provinces, but also in the adjacent country of Niger Republic. The other facts which is perhaps most important is that limestone which is an essential ingredient of cement, is obtained there.

#### Ahmadu Bello University

**Alhaji Ahmadu D. Rufa'i (Misau)** asked the hon. Premier is it true that the Research Department of the Ahmadu Bello University is wholly staffed by foreigners only?

If this is so may I know why this domination by the Foreign Specialists cannot be neutralised by including a Northerner or two more especially when the policy of this Department is to be designed by them alone?

**The Premier (Alhaji the hon. Sir Ahmadu Bello, K.B.E., Sardauna of Sokoto):** (a) No, it is not true. Out of the 42 Research Officers, stationed at Samaru, Shika and Mokwa, three are Nigerians one of whom is a Northerner as requested by the hon. Member.

(b) Does not arise.

**O180. Alhaji Ahmadu D. Rufa'i (Misau)** asked the hon. Premier is the hon. Premier aware that fears are growing high in the minds of many in this Region that if the present policy of Research Department of Ahmadu Bello University is not reviewed, the Samaru Research Station's charge of extravagance and waste which was sometime ago severely criticised would be repeated?

**The Premier (Alhaji the hon. Sir Ahmadu Bello, K.B.E., Sardauna of Sokoto):** I am only aware of the fact that the Agricultural Research Station is now a part of the Ahmadu Bello University which, as an independent body, should not be discussed here except when I come to the House seeking a grant for it.

### Construction of Hadejia-Nguru Road

**O188. Mallam Muhammadu Hurdi** (*Hadejia South*) asked the Minister of Works, when will the Government carry out its plan to construct Hadejia-Nguru Road?

**The Minister of Works (Alhaji the hon. Shehu Usman, Sarkin Maska):** The Hadejia-Kirikisama-Nguru road is included in the 1962-68 Development Plan.

### Pipe-Borne Water Supply for Hadejia

**O189. Mallam Muhammadu Hurdi** (*Hadejia South*) asked the Minister of Works, when will the Government provide Hadejia and Mala-Maduri with pipe-borne Water Supply?

**The Minister of Works (Alhaji the hon. Shehu Usman, Sarkin Maska):** No provision has been made for supplies to these towns in the 1962-68 Development Plan.

### Hospital for Kanam

**O191. Mallam Muhammadu, Ciroman Kanam** (*Kanam*) asked the Minister of Health if the Minister will consider the possibility of building even a 24-Bed Hospital in Kanam in view of the distance of 46 miles from Kanam to the nearest General Hospital at Pankshin?

**The Minister of Health: (Alhaji the hon. Ahman, Galadiman Pategi)** No, Sir, as there are many places which are much farther from Hospital than Kanam.

### Northern Staff for Ahmadu Bello University

**O193. Alhaji Ahmadu D. Rufa'i** (*Misau*) asked the hon. Premier:—

(a) In order to avoid a repeat of the mistake formerly made, will the hon. Premier assure this House that a few Northerners will be included amongst the staff of this Department—that is the Research Department of the Ahmadu Bello University.

(b) If not, will the hon. Premier inform this House why must such an important Department of the University be controlled exclusively by foreign specialists?

**The Premier (Alhaji the hon. Sir Ahmadu Bello, K.B.E., Sardauna of Sokoto):** (a) The Institute for Agricultural Research at Samaru is now part of the Ahmadu Bello University which is an independent body. The affairs of

the Institute should not be discussed here until I come to the House to seek a grant for the University.

(b) Does not arise.

### Air Conditioners for the University

**O194. Alhaji Ahmadu D. Rufa'i** (*Misau*) asked the hon. Premier, what will be the hon. Premier's reaction if within a few years time, the quarters of each of the specialists of the Research Department of the Ahmadu Bello University are furnished with a number of air-conditioners and expensive furniture since none of the Ministries is entitled to question or examine the estimated expenditure of this Department?

**The Premier: (Alhaji the hon. Sir Ahmadu Bello, K.B.E., Sardauna of Sokoto).** I think the hon. Member is under a misapprehension. The only air-conditioned quarters of the Research Department at Ahmadu Bello University, and for that matter anywhere else, are occupied by United States A.I.D. personnel. The cost of installing air-conditioners and of maintaining them and of furnishing is borne by A.I.D. out of its own technical support funds and not out of the project funds on which the personnel are engaged. A.I.D. are also under an obligation to remove the air-conditioners and restore the quarters to their former state, at their expense, when the quarters cease to be occupied by A.I.D. personnel. Americans are used to air-conditioning in their own country and expect it here.

### Gwarzo to Kano Road take over

**O205. Mallam Ado Salihi** (*Gwarzo East*) asked the Minister of Works if the statement that Government has taken over the Gwarzo to Kano road is true, May I know from the Minister when the construction work will be started?

**The Minister of Works (Alhaji the hon. Shehu Usman, Sarkin Maska):** (a) Government has not offered to take over the Kano-Gwarzo road.

(b) Does not arise.

### Dispensaries for Southern Zaria

**O211. Mallam Muhammadu Musdafa Maude A. S. Gyani** (*Zaria South West*) asked the Minister of Health, can the Minister inform the House whether more Dispensaries will be built in Zaria South-West, namely at the following places:—

(a) Cukum



- (b) Kajuru  
 (c) Kacia and  
 (d) Kagarko?  
 (e) If yes, will the Minister consider my suggestions to build the Dispensaries at the places:—  
 (i) Gwagwada in Cukum District.  
 (ii) Maro in Kajuru District.  
 (iii) Gyani in Kacia District and  
 (iv) Kujeni in Kagarko District.  
 (ii) If not, why?

**The Minister of Health (Alhaji the hon. Ahman Galadiman Pategi):** There are dispensaries at Kajuru and Kagarko but none at Cukum. If Zaria Native Authority wishes to increase the number of its Dispensaries they should follow the usual procedure.

(f) Does not arise.

#### Tarring of Kachia to Keffi Road

**O212. M. Muhammadu Musdafa Maude A. S. Gyani (Zaria South West)** asked the Minister of Works, when will Kacia to Keffi Road to be tarred?

**The Minister of Works (Alhaji the hon. Shehu Usman, Sarkin Maska):** The bitumen surfacing of the Kaduna-Kacia-Keffi road is included in the 1962-68 Development Plan.

#### Cotton Buying Stations

**O216. M. Muhammadu Musdafa Maude A. S. Gyani (Zaria South West)** asked the Minister of Economic Planning whether the Minister is aware of the difficulties encountered by people in selling their cotton at the cotton buying stations, by not getting their money paid to them in time? If yes, what steps is the Minister taking to stop this?

**The Parliamentary Secretary to the Minister of Economic Planning (Alhaji Audu Anace, Magajin Garin Kontagora):**

(a) No.

(b) The Northern Nigeria Marketing Board is at present considering the introduction of a system whereby stalls would be allocated only to those Licensed Buying Agents who are financially capable of operating them successfully.

#### Pharmacy School for Plateau

**O222. Mr Deshi Toklen (Angas)** asked the Minister of Health whether there is any intention of establishing another Pharmacy School in Plateau Province so as to provide enough qualified pharmacists for the Region?

**The Minister of Health (Alhaji the hon. Ahman, Galadiman Pategi):** No, Sir. The present School is adequate.

#### Number of Assistant Leprosy Inspectors

**O223. Mr Deshi Toklen (Angas)** asked the Minister of Health:—

(a) What is the total number of trained Assistant Leprosy Inspectors for both Government and Native Authorities in this Region?

(b) How many of them are women?

**The Minister of Health (Alhaji the hon. Ahman, Galadiman Pategi):** (a) Total number of trained Assistant Leprosy Inspectors in the Region is eighty.

Government	...	...	...	13
Native Authority	...	...	...	67

(b) None.

#### UNICEF Vehicles for Native Authorities

**O225. Mr Deshi Toklen (Angas)** asked the Minister of Health, how many UNICEF Vehicles have been distributed to the Native Authorities in the Region?

**The Minister of Health: (Alhaji the hon. Ahman, Galadiman Pategi):** Total of UNICEF Vehicles distributed to Native Authorities since 1957 is 500 made up as follows:—

#### For Leprosy

(a) Bicycles	...	...	...	247
(b) Autocycles	...	...	...	2
(c) Motorcycle	...	...	...	34

#### For Yaws

Bicycles	...	...	...	217
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#### Trained Dispensary Attendants

**O227. Mr Deshi Toklen (Angas)** asked the Minister of Health, is there any provision to increase the number of trained Dispensary attendants in this Region as at present the output from only one Auxiliary School is inadequate?

**The Minister of Health: (Alhaji the hon. Ahman, Galadiman Pategi):** This has already been achieved because our total capacity in 1958, when the school was opened, was 75 but now (1963) it is 153.

#### Gratuities for Voluntary Agency School Employees

**O245. Mallam Yahaya Tula (Tangale-Waja)** asked the Minister of Education, is the Minister aware that Voluntary Agency Schools do not consider their employees qualified for gratuities after giving a service of four to six years?

**The Minister of Education (Alhaji the hon. Isa Kaita, Wazirin Katsina):** Gratuities may not be awarded to a teacher unless he has completed a minimum of five years, continuous service.

### Kaltungo Hospital

**O246. Mallam Yahaya Tula (Tangale-Waja)** asked the Minister of Health, if the Minister will confirm that Kaltungo Hospital is to be taken over by the Government? If so, how soon will this be?

**The Minister of Health (Alhaji the hon. Ahman, Galadiman Pategi):** No, Sir.

Government has no intention of taking over Kaltungo Hospital.

### Another Doctor for Offa General Hospital

**O248. Mr O. Afolayan (Ilorin South)** asked the Minister of Health, in view of the increase work in the Offa General Hospital, when will a second doctor be posted to Offa?

**The Minister of Health (Alhaji the hon. Ahman, Galadiman Pategi):** When our staff-recruiting position improves.

### Midwife for Offa General Hospital

**O249. Mr O. Afolayan (Ilorin South)** asked the Minister of Health, in pursuance of the Northernisation Policy, May I know when a Northern Midwife Grade I will be posted to Offa General Hospital to take charge of the Clinics?

**The Minister of Health (Alhaji the hon. Ahman, Galadiman Pategi):** When we have sufficient Midwives Grade I to post to all our Midwifery Training Hospitals after that we shall consider ordinary Clinics including those in Offa.

### Training of Married Women as Nurses

**O250. Mr O. Afolayan (Ilorin South)** asked the Minister of Health, may I know why married women are not allowed to train as Nurses or Midwives Grade I in the same way as their male counterparts are allowed?

**The Minister of Health (Alhaji the hon. Ahman, Galadiman Pategi):** 1. Married women are allowed to train as Grade I Midwives.

2. Married male student nurses are *not* accepted for training in the first instance. After both male and female nurses have passed the Preliminary Examination they may marry.

It is considered by the experts and noted through experience that students not weighted down with pregnancy and the responsibilities of a family are better able to study and are more likely to pass their examinations. In the past a three and half-year training has taken many female student nurses six years to complete because of pregnancies; thus wasting public money and valuable time and causing an accumulation in the teaching hospitals.

### Northerners Social Welfare Officers

**O256. M. Buba Chakene (Gwoza)** asked the Minister of Social Welfare and Co-operatives how many Northerners have been promoted to the post of Social Welfare Officers in the Ministry?

**The Minister of Social Welfare and Co-operatives (Alhaji the hon. Ahmadu Fatika, Sarkin Fada Zazzau)** There are two grades of Social Welfare Officers:—

- (a) Senior Social Welfare Officer of which there are three Northerners.
- (b) Social Welfare Officers of which there are two Northerners.

A further fifteen Northerners are under training in the United Kingdom or Canada. When their training is completed they will be eligible for appointment as Social Welfare Officers.

### Appointment of Northerners as Crown Counsel

**O257. M. Buba Chakene (Gwoza)** asked the hon. Attorney-General, how many Northerners have been appointed Crown Counsel?

**The Attorney-General (The hon. I. M. Lewis, Q.C.):** There are at present in the Legal Department One Northern Nigerian Crown Counsel and two Northern Nigerian Pupil Crown Counsel. Three other Northern Nigerians have previously been appointed Crown Counsel but they have become the hon. Minister of Justice, the Deputy Solicitor-General and a Chief Magistrate respectively.

Volume 20  
No. 13



Friday  
9th August, 1963

NORTHERN NIGERIA LEGISLATURE

**PARLIAMENTARY  
DEBATES**  
(HANSARD)

**HOUSE OF ASSEMBLY  
OFFICIAL REPORT**

**(Third Legislature)  
Third Session  
(Second Meeting)**

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# HOUSE OF ASSEMBLY NORTHERN NIGERIA

Friday, 9th August, 1963  
The House met at 9.00 a.m.

## PRAYERS

(MR SPEAKER *in the Chair*)

**Mr Speaker:** Order! Order! I understand that Mr S. A. Atum would like to make a statement, and I have no objection to that.

**Mr S. A. Atum**, (*Kwande*): Mr Speaker, Sir, I cross from the Opposition Bench to the Government Bench. (*Prolonged Applause*). I think all the rest of the Opposition Members will follow and do the same thing.

**Mr Orjime** (*Iharev-Mangov*): Mr Speaker, Sir, I want to comment on it. [GOVERNMENT BENCH: Point of Order, Point of Order.]

**Mr Speaker:** There is no point of order at this stage really.

## NOTICES OF MOTIONS

**The Minister of Education** (**Alhaji the hon. Isa Kaita, C.B.E., Wazirin Katsina**): Mr Speaker, Sir, I rise to move the Motion standing in my name that this House at its rising this day, do adjourn *sine die*.

**The Minister of Animal and Forest Resources** (**Alhaji the hon. Mu'azu Lamido, Magatakarda Sokoto**): Mr Speaker, Sir, I beg to second.

*Question proposed.*

*Question put and agreed.*

**Resolved:** "That the House at its rising this day do adjourn *sine die*."

## MOTION

### Constitutional Changes to Effect a Republican System of Government

**The Premier** (**Alhaji the hon. Sir Ahmadu Bello, K.B.E., Sardauna of Sokoto**): Mr Speaker, Sir, I rise to move the Motion standing in my name:

"That this House approves the proposed Constitutional changes to effect a Republican System of Government for Nigeria from 1st October, 1963 as contained in the White Paper laid on the Table of this House."

Members have already had time to study the White Paper prepared by the Federal Government in co-operation with the Regional Governments and all Political Parties outlining

the proposals to change our constitution so that the Federation becomes a Republic on the 1st October this year. The actual Constitutional amendments to be made will be debated in this House at its next meeting. *It has already been agreed for so long on the logical necessity of changing our Constitution from that of a Monarchy to a Republic that I do not wish to spend much time in introducing this Motion.* There are, however, one or two points which I would like to make because on these there has been a certain amount of misunderstanding.

First of all, I want Members to realise that we are not here today to debate the question of introducing a Preventive Detention Act. In all the Governments of the Federation those of us concerned with security have had in our minds for some time the difficulties which the Fundamental Human Rights provisions in the Constitution put in the way of dealing with subversive elements in an emergency. We knew that some form of amendment, though certainly not in the horrifying form popularly presented by irresponsible press articles, was desirable.

When the heads of Governments considered the matter I am convinced that we all genuinely thought such power was needed to safeguard the Constitution of Nigeria. I am convinced also none of us sought this power as an instrument of oppression; those from whom such power will give us protection will have no regard, whatsoever, for Constitutional Liberties and if they have their way there will be no fundamental human rights of any kind. With our genuine conviction of the need for something to be done to protect Nigeria from subversive elements, I think that there is no merit in trying to blame one party or another for raising this issue. All of us who decided to refer the matter to the all-party conference are responsible people who can stand by unpleasant decisions if we consider them necessary in the interest of the public. It is the way in which a certain section of the press wrongly tried to apportion blame for the proposal that has generated feelings which can harm the accord which responsible leaders are so painfully trying to establish in the Federation. It has, however, been decided not to pursue the issue at present and there is no mention of it in the White Paper. The introduction of such a change has got nothing to do specifically with the proposals to change the Constitution so that we become a Republic. Unfortunately the Press and Radio have given undue prominence to, and distorted, this particular feature of the

[THE HON. PREMIER]

discussion that has preceded the meeting of this House. However, all controversy is now ended and I will ask hon. Members to realise that as for me I do not intend any discussion of the matter in this House which I consider irrelevant to the issue at present at stake—that the Federation becomes a Republic. I have explained the position and I appeal to hon. Members in the interest of unity not to make it an issue for debate at this meeting of the House.

Quite often I have been asked how the status of our Emirs and Chiefs would be affected by the Constitutional change now proposed? The answer is simple. It will in no way be affected. As far as the North is concerned we have our Council of Chiefs outlined in the Constitution and this Council deals with chieftancy matters. The fact that Nigeria will no longer have the Queen as Head of State does not mean that Emirates and Chieftancies will cease to have their Emirs and Chiefs. Indeed you will find in paragraph 8 of the White Paper a proposal that a provision be made to exclude Chieftancy matters from the jurisdiction of Courts of Law, a measure which shows our confidence in the traditional rulers of the country and in the Council of Chiefs. The object of this provision is to avoid lengthy and costly litigation instigated by lawyers who want to make money and embarked upon by dissatisfied Members of royal families after an appointment to a chieftancy has been made. It will mean that the Council of Chiefs is the final arbiter in any such decision which will in no way be open to appeal. I am sure Members will realise how undesirable it would be if matters of royal succession were to be tossed about between lawyers in open court, something that has not hitherto occurred in this Region but has elsewhere, and results in the institution of chieftancy being lowered in prestige in the eyes of the people. The Council of Chiefs considers these matters with the greatest of care and is governed by Legislation. Its record is admirable.

In paragraph 65 of the White Paper, Members will see that it is proposed to change the system of appointing Judges of the High Courts. In suggesting the abolition of the Judicial Service Commission we are doing no more than bringing ourselves into line with the practice that obtains in the majority of countries where the judiciary is free from political influence and impartial in the performance of its duties. Obviously when I recommend the

appointment of a person to be Chief Justice, a power which I already exercise, I do so after careful thought and consultations with those best able to advise me. I would be very foolish if I did not do this, because it is not easy to remove the Chief Justice, and if I appointed a wrong man it would be very difficult to have him removed. Exactly the same procedure will obtain in the case of other judges. Magistrates and lesser officers of the judiciary will be appointed by the Public Service Commission as are other members of the Civil Service. The Chairman of the Public Service Commission is already a member of the existing Judicial Service Commission and so there is really little change. I should merely be exercising the powers that virtually every other Commonwealth Prime Minister exercises in his own country.

I have no other points to make at this moment but no doubt there will be questions for me to answer at the end of the debate.

Mr Speaker, Sir, I beg to move.

**The Minister of Land and Survey (Alhaji the hon. Ibrahim Musa Gashash, O.B.E.):**

Mr Speaker, Sir, I beg to second.

**Alhaji Shehu Cigari Alhassan (Sokoto South-West):** The Proposal for the republican constitution of Nigeria which is now before the House, is timely, reasonable and highly commendable. Mr Speaker, it is necessary that Nigeria should become a republic for the following reasons:—

Firstly, the entire people of this country are tired of accepting the Queen of a foreign country as the Head of their nation.

Secondly, if Nigeria becomes a Republic it will be more in line with the African sentiments—sentiments for African Unity well expressed at Addis Ababa Conference. In such far reaching achievement as African Unity, it is imperative that Republican Nigeria would play an important role. So, Mr Speaker, I congratulate the Leaders of this country who made everything possible for Nigeria to enter into this new chapter on the first of October, 1963.

Mr Speaker, Sir, the new chapter will enable our Head of State to appoint Ambassadors and accredit them to foreign countries on behalf of our Government, and not on behalf of a foreign Monarch. Mr Speaker, this is what hon. Members would surely regard as a great important achievement.

Finally, Mr Speaker, I congratulate the Northern Peoples Congress delegates lead by

Sir Ahmadu Bello on what they did and on what they said during Political Conference in Lagos on 25th and 26th July, 1963. Mr Speaker, Sir, I have no doubt on Sir Ahmadu Bello's ability. He is an impartial and unselfish person. He always discharges his duties with fear of God. We give him assurance of our full support at any minute, because at any time he is a dependable Gentleman.

Finally, Mr Speaker, I appeal to Sir Ahmadu Bello to advise the hon. Prime Minister, Alhaji Sir Abubakar Tafawa Balewa, that during the celebration of our Republic, South Africa and Portugal should not be invited to witness the occasion. I am quite sure, that Sir Ahmadu Bello will note my appeal because he is a father of Unity of our Federation—Unity of African Continent—and he will not fail to get our important desire—as what I call African Block. (*Hear! Hear!*).

Mr Speaker, Sir, with these few remarks, I support the motion.

**Alhaji Muhammadu Danmallam, Wamban Katsina:** Mr Speaker, Sir, I rise to support the Motion before the House. It is the most important Motion in our constitutional history ever moved in any of the Legislatures of the Federation of Nigeria. It is the duty of everyone of us to show deep appreciation to congratulate the Prime Minister and the hon. Premier and the leaders of all Political Parties for their co-operation for impartial decision to adopt this policy for the achievement of a Republican Nigeria which will of course, further our development and our Unity for the country. But Mr Speaker, I should like to make some observations and comments on paragraph 12 of page 3 of the White Paper. With your permission, I should like to read what the paragraph reads:—

“The election will be by secret ballot. The nomination papers of candidates for election must be signed by at least three Members of Parliament and by the candidate himself, unless the latter has otherwise signified his consent to stand for election in writing. Every nomination paper must be submitted to the President of the Senate on the day of the election and at a meeting presided over by him.”

Well, Mr Speaker, Sir, I should like to know whether the nominated candidate may appear by indicating his own Party and would he be able to put a symbol of his own Party during the election. Again Mr Speaker, Sir, on paragraph 13 of the same page where it says:—

“The election will be carried out by an electoral college consisting of all the Members of both the House of Senate and the House of Representatives. Each Member of Parliament will have one vote.”

In this case also, may I know, why all Regional Legislatures are excluded from the electoral college. Mr Speaker, Sir, the Prime Minister himself, made a statement in Parliament which is contained in an extract of the Organisation and Growth of a Republican System of Government which was given to us by the Speaker last time. . . . [MR SPEAKER: The intention was just to tell you the type of Republican Systems of Government in different countries]. . . Thank you, Mr Speaker. But further more, our proposed Republican system of Government is more or less the same as that of India and all other Regional Legislatures are not excluded. With your permission I should like to make reference. . . . [MR SPEAKER: I am not going to participate in this debate. Nor am I trying to lend a hand to the hon. Premier. In India the election system is carried throughout the country. The proposed election will be carried out as in the election of Ministers at the beginning of constitutional development]. . . . Nevertheless, Mr Speaker, Sir, I should like to read this portion:—

“The President is elected by the Parliament of the various Legislatures and holds an office for a period of five years and another election is again to be held”.

That is what I want to point out to the hon. Members of this House.

Mr Speaker, Sir, I therefore feel very strongly that Regional Legislatures should not be excluded from participating in the election for the President of this Country, since we are called upon to give consent to the proposals. I do not see any reason why we should be excluded from the electoral college and the Senate which is not the true representative of the Nation to be included (*Laughter*).

With these few remarks, I support the motion.

**Mallam Bashari Umaru (Birnin Kudu):** Mr Speaker, Sir, this is the most anxiously awaited time for every Nigerian, because now is the time that all Nigerians will feel far much happier than ever before with a fellow Nigerian as the President and Head of State than with a British Queen who at best can only make short visit to this country. It needs no extra emphasis to say in plain words how Nigerians have shown their affection for Her Majesty the Queen of England so very demonstratively. And much as the Queen may be loved it is an anachronism which has some unpalatable aspects.

Now that the Republican form of Government is coming to stay, we must therefore be very critical about the type of Constitution we should have. Before all the party conference

[MALLAM BASHARI UMARU]

which took place in Lagos sometime ago, I had three types of Republican Constitution in my mind—namely:—

1. The Indian pattern with a President who is the Constitutional Head of State with nominal authority.
2. The United States pattern with a President having wide executive powers but who is responsible to Congress who can override him.
3. The French pattern with a President who has virtually dictatorial powers though he has a Cabinet responsible to him and not to Parliament.

Apparently the type we are going to have is much more in line with the Indian type, where the seat of powers and responsibilities is going to remain in the office of the Prime Minister. This pattern, if I may say so, has always been the wish of every Nigerian, because it does not necessitate drastic changes in the Constitution which might bring about controversial issues. And even the most significant changes like the abolishing of Judicial Service Commission and Appeals to Privy Council have been accepted very quickly.

In fact everybody is too pleased with our leaders for willingness to agree on such vital issues.

As for the Detention Act, I think Sir Ahmadu has closed the issue by saying that it should be introduced whenever the country has a need for it (*Interruptions*). . . . [MR SPEAKER: It is not in the White Paper] . . . Thank you Mr Speaker. At any rate I have some observations to make with regard to the White Paper: In electing the President by the Members of both Houses of Parliament, I do not think a two-thirds majority of voters is necessary. In my opinion any candidate with the highest number of votes should be elected the President.

I am not in favour of discontinuing with the Native Authority Police Force in Provinces in the Region, because they do a great deal in keeping law and order in the Region.

Mr Speaker, Sir, I wholeheartedly support the idea of establishing a Court of Appeal by each Region. I also welcome the plan to enlarge the Supreme Court of the Federal Republic of Nigeria to include judges from all parts of the country. I am also glad that the chieftaincy matters are going to be excluded from the jurisdiction of the Courts of Law.

Now that there is going to be a nation wide Census and there might be a need for delimitation of constituencies, I therefore suggest that the life of Federal Parliament be extended. Mr Speaker, Sir, I beg to support.

tation of constituencies, I therefore suggest that the life of Federal Parliament be extended. Mr Speaker, Sir, I beg to support.

**Alhaji Salihu Nakande** (*Jos Central*) (*Hausa*): Mr Speaker, Sir, I rise to support the Motion for the proposal for the Republican form of Government for Nigeria. I think this has been done at the appropriate time, and before I continue with my speech, I should like to pay tribute to all those Members who attended the London Constitutional Conference, especially Mallam Aminu Kano, for the great role he played. Mr Speaker, Sir, it is just the appropriate time because in the past whenever any resolution is going to be passed in this connection, it takes up to forty or more days, but in this particular case it took only two days, instead of going to the Privy Council of the Queen, and this is the first one as far as we are concerned that such an important issue has been dealt with very quickly.

In the present Constitution a Leader of the Party is to nominate the Judges. In my opinion, if this is continued, a Judge may appear to favour the person who nominates him.

Mr Speaker, Sir, although the hon. Premier has said that nothing will affect the Chiefs, we are not satisfied with this. What we want is that the position of the Chiefs should be explained to us when Nigeria becomes a Republic. I think in connection with our traditional Chiefs who have been forgotten, I hope that they will be protected. It is better for their status to be explained to them before Nigeria becomes a Republic. [MR. SPEAKER: Order please. It is really that the standard of debate is getting a little bit below standard. I hope the Alhaji will stick to the point of debate].

Mr Speaker, Sir, what I want to say is this. We of the Northern Elements Progressive Union are worried about the position of the Chiefs in the country after the Republic. Since we gained our independence we have been asking to know the status of our Chiefs. We thank God we are now being given the proposal of Nigeria becoming a Republic. Whether people like it or not, we must speak on the proposals contained in the Republic. We do not care what the Premier has said in connection with the status of the Chiefs.

**The Provincial Commissioner for Jos** (**Alhaji Ndagi Faruk**): Point of order, Sir.

**Alhaji Salihu Nakande**: What we want is that the Chiefs should be duly respected and given a great salary (*interruptions*). . . . [MR. SPEAKER: Order please. I was trying to be a

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little bit lenient to the hon. Member but he is trying to misuse the opportunity I have given him, by trying to introduce unnecessary politics and also things which are not in the White Paper. In the White Paper, it is only said that chieftaincy matters will be excluded from the jurisdiction of the law courts. That is alright. In fact, it is not common here in Northern Nigeria but in other places such matters had been dragged to courts. Will you please stop going into details about chieftaincy? You must not use this as a platform for politics. Will you just discuss Republican pattern].

**The Minister of Justice (Alhaji the hon. Muhammadu Nasir):** I think you better withdraw and sit down.

**Alhaji Salihu Nakande:** The Speaker has not asked me to withdraw my speech. You are not the right person to ask me to withdraw such a statement.

**Mr Speaker:** If the hon. Member does not take notice I will not call him next time. I have given him the chance to speak so that he can continue with his speech. In every Legislature, the Opposition who are in the minority should be allowed to air grievances. I am following this practice to allow you to air your grievances so that the Government can hear your views but if you continue, I feel I will have to stop you. Will the hon. Members bear in mind that this is a place for serious debate. I want hon. Members to speak on points which concerned the subject under discussion.

**Mr Isaac Shaahu:** Mr Speaker, Sir, I rise to support the Motion before this hon. House, but before I go any further I would like to appeal to the Hansard Reporters that, I would only like my own speech reported whether what I say is right or wrong or even if my language is rough, all I want is what I say that should be reported, even if I speak jargon.

Turning to the Motion before the House, as I said before, this side of the House welcomes the idea of the Federation becoming a Republic wholeheartedly, why because our sovereignty is not complete as we have to refer some of our matters to another Nation for decision. Then where is our independence. We are still tied to the apron of our colonial masters one way or the other. Now that we shall become a Republic we shall cease to have to be tied to a master or masters and shall be able to decide for ourselves what best should be done to our people. Turning to the White Paper on the Republican type of Government I have my

own feelings and I feel it is the feeling of the common man. Becoming a Republican State should not in anyway suggest to us that, now we have an opportunity to do to our political opponents whatever we feel in our heads nor should we legislate laws to the benefit of a selected few who happen to be in the Government now, and I am going to discuss this under the following headings.

**Presidency: Election of—**Now the time has come when our leaders should test their popularity. The election of the President should not have been by an electoral College of only Members of the Federal Houses but should have been by a country-wide elections to give only one son of Nigeria who in our opinion is best suited to be our leader thereby giving the electorates their chance to choose their leader. And after that he should have been given executive powers. [GOVERNMENT BENCH: Where! Where!] The fact that we shall be having a President does not mean we should give him all powers, and at the same time, he should not be used as a rubber stamp, calling him to sign anything we want. (*Interruptions and shouts of "Sit down! Sit down! You do not know what to say"*).

The present set up which transfers the function of the Governor-General to the Ceremonial head President to be, is not at all our wish, so we are opposed to this section. My vote could have gone to your box, hon. Premier. [ALHAJI IBRAHIM IMAM (*Jemgbar*): I think it is not the parliamentary practice that any member should reply to the Opposition bench directly. I think the attitude of the Minister of Justice is deplorable].

**Public Service—**So far there is no trouble except that the removal of the Director of Public Prosecution should be same as that of the Judges of High Court of Lagos and the Federal Supreme Court. Now that his removal is just like any civil servant, he is bound to take orders whether good or bad in fear of his position whereby Political opponents can be brought to court on slight mistakes. Although there are courts of appeal, but these will waste time, as it will be a politician who will order court proceedings and at his disposal.

**Referring to C. 43** We are hereby doubly assured that there will be Region created within the Federation. Though there is a section here which says:—

*"In view of the detailed provisions of Section 46(3) regarding the circumstances in which constituencies may be altered and, inferentially, the number of members of the House of Representatives, there does*



[MR ISAAC SHAAHU]

not appear to be any need to argue now about the figure of three hundred and twelve for the total membership of that House. If and when new Regions are created, or added to the territory of Nigeria, or whenever it is desired to widen the basis of representation in the lower House the machinery of sections 4, 5 and 46 of the existing constitution can be invoked to deal with any such situation."

Coming to another thing here, which I think may be of benefit to us all, I must say that it is time now this House considers the possibility of creating new Regions. (*Interruptions and shouts of "Where! where!"*)... It is necessary for this Region to take away the beam from its eyes before seeing the small stick in others. If this House could support the creation of new Regions in other parts of the Federation, why should it not think of creating some from the enormous area of the Region. I think it is time the House considers this very vital point.

For this I ask the hon. Premier to expedite the creation of the Middle Belt State which is more viable than the created Mid-West with a population of about one and half million people while the proposed Middle Belt is about six million with all the potentialities. It is viable both financially, economically and otherwise.

**The Minister of Justice (Rose).**

**Mr Speaker:** Do you want to make an explanation?

**The Minister of Justice (Alhaji the hon. Muhammadu Nasir):** Yes, Sir.

**Mr. Speaker:** Then you should have said "Point of Explanation" when you got up.

**The Minister of Justice:** Mr Speaker, the point is that which is considered to be above politics and the hon. Member is making a political speech because they have lost probably the only sensible person from the group, I think that this is not the correct time to do this.

**Mr Isaac Shaahu:** Mr Speaker, I think so far I have said exactly what I want to say on this White Paper. It is now left with the hon. Premier to take what he said as the Judicial Public Service Commission should not be abolished, and further more, he might see that more states are created in the North and the Federation as a whole and it will be more to the advantage of the Northern Peoples Congress, Mr Speaker, Sir, I beg to sit down.

**Mr Olarewaju Afolayan (Ilorin South):** Mr Speaker, on the proposal for the Constitution of the Federal Republic of Nigeria, I have

to congratulate the Premier of the North for all he has done at the Conference held in Lagos especially for helping to waive aside what has been described as this Detention Act. As has been said, we law abiding citizens of the North do not need it. It is very heartening to see that the condition of Republic of Nigeria will involve not very many changes from the present Constitution for the fact that the President's responsibilities will be somewhat similar to that of the Governor-General.

**Mr V. I. Orjime (Iharev Nangov):** Point of Order. The Minister of Justice is eating something (*Laughter*).

**Mr Olarewaju Afolayan:** Since there will be some amount of changes from the existing Constitutional frame work, it is our pleasure to see that the proposals introduced alleviate people from appealing to the Privy Council. It is an insult and unnecessary insult given to this country by the Privy Council when appeals are made to them so that one happens to see that the Court of Nigeria will be the final Supreme Court for appeals. I am convinced that when Nigeria becomes a Republic under the frame work as set out in the White Paper, it will definitely foster enormous development and we are sure of the unity of the country. One is happy to see that the power placed will not be placed under one person only. Such power may not be exercised by a single person because power absolutely corrupts power. That is very good provision. Mr Speaker, Sir, before I sit down I want to make certain remarks as said by the Hon. Members of this House. One Member of the House who is a Northern Elements Progressive Union by Party has said that the Commissioners are being placed under this speech.

**Mr V. I. Orjime:** Point of Order.

**Mr Olarewaju Afolayan:** I just want to point out to him that it is done in the Eastern Region too.

**Mr V. I. Orjime:** Point of Order.

**Mr Speaker:** The matter has been closed.

**Mr Olarewaju Afolayan:** I have not got much, to say than to support. Thank you very much, Mr Speaker. Today is a memorable day in the history of this House in witnessing a debate on the Motion of Federal Government's White Paper, Sessional Paper of 1963 comprising of the proposals for the Constitution of the Federal Republic of Nigeria adopted by all the Party Conference in Lagos on the 25th and

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26th July this year. Our hearts were filled with joy when we heard the announcement after the all Party Conference have agreed to Nigeria becoming a Republic with effect from 1st October, 1963. It is therefore most fitting at this juncture to pay my warmest tribute to the hon. Premier, the Sardauna of Sokoto and other leaders of our country for their outstanding ability and effort in leading the state to safe landing at its destination. This destination, Mr Speaker, is the land mark, that is a Republican status for Nigeria on the third anniversary of Independence. In our relation with Britain and in the context of African politics it is wise for Nigeria to become a Republic.

**Alhaji Ibrahim Imam:** Mr Speaker, Sir, today is a memorable day in the history of this House in witnessing a debate on the Motion on Federal Government White Paper—Sessional paper No. 3 of 1963, comprising of the proposals for the Constitution of the Federal Republic of Nigeria, adopted by all Party Constitutional Conference held in Lagos on July 25 and 26, this year. Our hearts were filled with joy when we heard the announcement after the all-party conference that the conference has agreed to Nigeria becoming a Republic with effect from October 1st, this year. It is therefore most fitting at this juncture to pay my warmest tributes to the hon. Premier, the Sardauna of Sokoto and the other leaders of the country for their outstanding statesmanship, ability and untiring efforts in steering the state ship to safe landing at its destination. This destination is the land mark which ushers in a republican status to Nigeria on the third anniversary of our existence as a monarchy within the Commonwealth.

In the light of past experience in our relations with Britain and in the context of African politics it is wise for Nigeria to become a republic because it is by then that our independence shall have been complete. It is most disheartening politically for a country after having become a Sovereign State to continue to owe allegiance to a Foreign Monarch residing about 400 miles [HON. MEMBERS: Shouts of "4,000 miles"]. Well, I am sorry 4,000 miles away. Australia, Canada and New Zealand have agreed to remain Monarchies because of the simple reason of "birds of the same feathers flock together". If the British Monarch were a Hausa, Ibo or Yoruba, the trend of events would have taken a different course altogether—defeating the case of Nigeria becoming a Republic. Although Nigeria ceases to owe any allegiance to the British Crown when it becomes

Republic, it will continue to remain in the Commonwealth and accept the Queen as "the symbol of the free association of its independent member nations and, as such, the head of the Commonwealth."

The White Paper in its paragraph 6, Mr Speaker, connotes the consequences of a Republic without defining the word "Republic", in classical political theory, which is a form of Government wherein Sovereignty is essentially in the hands of the majority of the people, irrespective of financial status, yet not so much so that injustice done to the few in the interests of the many. In its wider context as understood by the ordinary people in the street, Republic denotes a society or community of which the Members regard each other as equals. With this sense of equality, justice and liberty—the democratic Federal Republic of Nigeria would be in a better position to give a more realistic approach to the realisation of the Addis Ababa Charter of the Organisation of African Unity than it could do hitherto.

Drawing attention of the hon. Members to the closing sentences of paragraph 3 of the sessional paper, every sensible person will agree with the fact contained in the White Paper—that the Republic most suited to the contemporary needs and aspirations of Nigeria is that which would involve minimum amount of change from the existing constitutional framework. In this wise the constitution will flourish in so far as it reflects social and political development, and diminished friction in the political machinery. After all good laws are more often grown than made. It is not the amendments to the integrity of those who work the constitution; but having our veritable Prime Minister in the person of Sir Abubakar Tafawa Balewa at the head of the Government, we shall have very little to fear—I think he will take care of the situation.

Mr Speaker, Sir, commenting on the White Paper, I should like to make the following observations:—

1. That clause 12 is too rigid, in that nomination papers are submitted to the President of the Senate on the day of the election. This does not leave any room for objections of candidates before they stand for election. At least seven days should be allowed for objections.

2. That the scope of the electoral college shall be widened to consist of all the elected members of the Houses of Parliament and of the various regional legislatures.

[ALHAJI IBRAHIM IMAM]

3. That the provisions under clause 14 are too cumbersome. The President can be elected by a simple majority of the elected Members comprising the electoral college.

4. The superintendence and control of the election of the President shall be vested in the Federal Electoral Commission.

5. That the clause 21(iii) needs further clarification as the context is rather vague and ambiguous and many interpretations can be made out of it suiting the circumstances of the moment. The terms misconduct and inability are loosely used here and must be spelt out to convey the meanings for which they are intended. Anyhow, this clause must be enlarged to carry a provision which signifies the removal of the President from office by impeachment for violation of the Constitution.

6. That the provisions of clause 8 need further explanation. Does this mean that the legality of the appointment of Chiefs can no longer be contested in a constitution of law anywhere in the Federation? Anyhow the Premier's explanation is clear and I do not need further observations (*Laughter*). Then, I turn to my seventh point.

7. That clause 57 does not take recognition of the fact that the Attorney-General should be excluded from the principle of collective responsibility as he gives instructions to the Director of Public Prosecution regarding prosecutions. The Federal Attorney-General has been excluded from such responsibility as per section 83(2) of the Constitution.

8. That to be able to enforce the Fundamental Human Rights which are entrenched in our constitution, it is necessary that the constitutional writs, such as *Habeas Corpus*, *Mandamus*, *Quo Warranto* and *Certiorari* be restored so that the courts should be empowered to issue these writs which they have no right to do so now under the present arrangement of the laws of this Region.

I reserve some of my comments until when the amendment bills giving legal effect to these constitutional changes come up for debating before the House as indicated by the hon. Premier.

Before I take my seat I should like to express an opinion, that in view of the burden and complex problems of the national census on which the Federal Electoral Regulations will be drawn out, and, the constitutional and administrative problems that may arise out of the amendments to the constitution now

envisaged, coupled with the accompanying responsibilities of Republican status, I therefore strongly suggest to the Federal Government to adopt an all party government at the Federal level and extend the life of the Parliament to another five years, so that the government will have enough time to dedicate itself to the task of nation building in a team work, in the spirit of harmony, unity and fraternity.

Finally, it will be not out of the way for Members to thank the Speaker for his foresight and wisdom in directing the Librarian of the Legislature to compile a short report on republican systems of government in some of the major republican countries. The report is not only a guide, but it contains very many important points which have no doubt prepared the minds of many Members towards today's Motion.

Sir, I beg to support.

**The Attorney-General: (The hon. I. M. Lewis, Q.C.):** Mr Speaker, Sir, almost exactly five years ago I was privileged to take part in the debate in this House on the Motion approving the White Paper for self-government and I value greatly the privilege of being able to speak today upon this most important Motion. I think it not inappropriate, as we look forward to the Republic, at the same time to look back at how much has been achieved during the past five years. In particular, during that period a real start has been made to industrialisation in the North, not only in the traditional centres of industry but also in other parts of this great Region such as, to name but one example, the Bacita Sugar Project. The reason for this has been the *stability* of the Region, the stability marred only by the very temporary but nonetheless unfortunate out-break of violence in the Tiv area just before Independence, but the people of that area now, I think and hope, realise that violence is never the answer to any problem. Happily, the stability of the Region has been in no small measure contributed to by the fact that the Government is supported by the vast majority of the peoples of this Region as is witnessed by the fact that over 90 per cent of the Members of this House belong to the Northern Peoples Congress. It is that stability that will help to bring in foreign investment which is so badly needed though, as the Minister of Economic Planning so rightly said yesterday, it is essential not to ascribe ulterior motives to firms who come here to help the country.

There has, in my opinion, been some quite unjustified criticism in the world press that the liberty of the individual is being eroded in Nigeria. This is certainly not true of the North where one of the outstanding achievements of self-government has been the passing of our new Penal Legislation and Criminal Procedure which has received such favourable comment and acclaim throughout the world. The standard of the administration of justice in our courts is very high.

I now turn to some points raised by hon. Members in this debate. First of all I would indicate that the decision to do away with the Judicial Service Commission and to prescribe that judges of the High Court shall be appointed by the Governor, on the advice of the Premier, is fully in keeping with Constitutional practice throughout the Commonwealth. If hon. Members will look at the Constitutions of Australia, Canada, Ghana, India, Malaya and Tangayika, they will see that the judges are in all cases appointed by the Head of State, whatever his title may be, after receiving advice or consulting with the Prime Minister and other appropriate persons. The independence of our judiciary will be in no way infringed by this proposal. Secondly, the proposal to preclude chieftaincy disputes from the courts was raised. I would only indicate that long before Independence, in fact since 1949, there has been in force in the North an Ordinance precluding chieftaincy disputes from the courts but there has recently been a decision in the High Court of another Region, where this Ordinance also applies, to the effect that the Fundamental Human Rights provisions of the Constitution override this Ordinance. All that is therefore proposed is to ensure that the past practice is in keeping with the Constitution. Thirdly, the method of removal of the Director of Public Prosecutions was raised. The reason why the Director of Public Prosecutions had a specially entrenched provision in the Constitution was because he was solely responsible for prosecutions and must therefore be independent, but now following the practice elsewhere, including England, we have made the Director of Public Prosecutions subject to the general or special directions of the Attorney-General. This specially entrenched provision is no longer suitable or appropriate and the Director of Public Prosecutions will be treated just as any other civil servant and his right only to be dismissed for misconduct will be upheld by the Public Service Commission. Fourthly, the hon. Member for Jemgbar asked that the

Prerogative Writs should be brought back in order to enable them to be used for enforcing the provisions of the Constitution dealing with Fundamental Human Rights. He is under a misapprehension as not only have the courts got that power under section 31 of the Constitution of the Federation but in fact, these writs have never been abolished and in appropriate cases one can apply for them to the High Court today.

Finally, I would like to say that one of the outstanding features of the past five years has been the leadership displayed, the leadership not only of the Government as a whole but of the hon. Premier in particular and his example of hard work and devotion to duty in the interests of the State has inspired all of us who have worked for him and, it is by following his example that the Northernisation Policy in the civil service is succeeding so well when some critics had thought it was impossible. I hope and pray that now that you are deciding to become a Republic, a perfectly understandable change made by most independent countries, the success of the past five years will be continued into the new era with ever gathering momentum for ever.

**The Premier:** Mr Speaker, Sir, hon. Members have spoken in support of this motion and I regard it generally that our members of this House have begun this morning to speak. This shows the general consent of the work of the political leaders of this country. Therefore, on behalf of myself, my colleagues and the Prime Minister, I like to say how thankful we are for the Northern House of Assembly for giving us their unanimous support. (*Applause*). Naturally, whatever one says there must be some critics. Some may be constructive criticisms and others just speak for the Pressmen. Anyhow I am not one of them. I have gained my publicity and I do not want any more. Now some of the hon. Members have spoken for instance, a Member from Sokoto asked me to seek that South Africa and Portugal are not invited to our country. I am sure that if the hon. Member can refresh his memory he could remember that in the old House I was the first person to announce in the country that there is no room for South Africans here. (*Applause*). I stand by that pledge. Now the Wamban Katsina has suggested that candidate should be required before the Legislature to show his party identity. I do not know whether he is going to be an N.P.C., N.C.N.C., N.E.P.U. or U.M.B.C. President, but let us see somebody who is going to be impartial and be regarded as

[THE HON. PREMIER]

father of the country. For that reason there is no reason for him to display his political identity. If at all any party has nominated somebody there will be no need for him to appear with a broom or coat. Now he is also asking that he be allowed to take part in the election. I think the North is adequately represented in the Federal House and particularly the Northern Peoples Congress. (*Applause*). We are not representatives of Lagos. The Federation is not a vacuum. The Federation consists of the four Regions and Lagos so that they are there not by themselves but to represent us. I hope the hon. Member will agree to the support we have given to this constitution. A Member from Kano also said that two-thirds majority is not necessary. We feel it is necessary. Now suppose there were three candidates and the woman candidate has only 5 or 10 votes majority, what kind of confidence is she going to enjoy in the country but if we know that there are three, for instance, one has got two-thirds and the other one-third we then know that we are having an overwhelming support all over the country. Well, he has also commented about the creation of a Regional Court of Appeal. If I were him, but I want him to realise that he is not going to be like me, we got to have buildings and men to man them. This is the general view of my two other Regional Colleagues. A N.E.P.U. Member from Jos, I think, N.C.N.C. please, wanted to ask us to bring back the Judicial Service Commission. I think the explanation I gave in my speech will satisfy him if he had listened, to what I was saying.

As the Premier of this Region. I will not appoint the Chief Justice of the Region without consulting my learned colleagues, the Attorney-General and the Minister of Justice.

At present I can assure you that the present Chief Justice was not the first nomination for appointment. But the appointment was carefully considered.

Now I give my view on the election of the president. If this is to be done by a country wide election, I can assure you on behalf of the Northern People's Congress that we are ready to go to the polls. I can assure you that we can not fail. (*Applause*). We have already decided the best form of electing the President suitable for the present moment.

I am sorry that the same member said that we have to wait to get the consent of our Colonial Masters, before proclaiming the Republic. I do not know what he was referring

to. Being Commonwealth does not mean we should be subordinate to any other country. The Commonwealth is more or less a club and if we want to do anything we have to notify our sister countries in that club. The Prime Minister has already done so and he had received their replies before we took the final move. It is not however, as said by the hon. Member if I may say here that I do not think it will do any harm if we consult our former Colonial Masters, and wait for their replies. I can tell you without fear of being attacked by the Press as they usually do. I have just returned from the tour of Niger Republic and I can tell you without fear of contradiction from anybody or from the opposition, we are more developed. Those who wish may go and see what type of development have been done by the other colonial power in that territory, then, when you come here you will surely invite the British, to come and help you. I do not think I will say anything more about the Judicial Service Commission than I have already done.

It was unfortunate that one of them makes reference to those leaving the Opposition Bench. I think he means the member who has just crossed the carpet. I will assure you that the other members will do the same. It is only a matter of time. (*Applause*). I am now replying the Member for Denge. (I mean Jemgbar). In fact Denge is a small village in Sokoto where Clapperton died and he was buried there. Well he actually spoke about the electoral commission conducting the election of the President. I find it hard to imagine members of the electoral commission moving in to conduct the election of the President. The President of the Senate can very well conduct the election. It should be remembered that he himself will not be, of course, in the running. There is therefore no reason to suspect that the election will not be conducted properly.

Now the hon. Member also asked me to explain paragraph 21(3) which is not satisfactory.

I will ask the President if he will be able to accede to his request. Now with regards to the extension of the life of the House, as suggested by Alhaji Ibrahim Imam who wants it to be extended to five years so that we could allow developments to go ahead, I would say simply that it is the responsibility of the Federal Government. Now to the view you have expressed, I think that the President might like to take it up with the Federal Parliament if they feel they cannot go through the people next year, but I can assure hon. Members of

this House that the Northern People's Congress is always ready to go to the polls even today. (*Applause*).

Well, I think that in the speech made by my colleague here, he did mention that this is rather like thinking that the only place where one can be attacked without one replying is the Northern Region, a place of benevolence and no culture. Well I can assure you, if you see a person going naked in the Northern Region he is as cultured as any person you can find in any part of the world. (*Applause*). May I say that the North is not afraid of anybody even on the event that has been going on. Whenever even a foreign paper like "The Times" just trying to come into company with the unscrupulous, irresponsible people who are always interested in controversy like the Nigerian Press get together with the intention to attack, I don't mind. How many of us have become lean because of this? That is what makes me fatter. (*Applause*). But I must make it absolutely sure that we are determined to retaliate in the form of attack whether British Press, Nigerian Press or any other Press that we proposed to retaliate. We shall not accept nonsense of the Nigerian Press. (*Applause*).

Mr Speaker, Sir, I do not fear and I do not want to know what they are going to say. They can say it as they have been saying it. But finally Sir, I must again thank hon. Members of this House for the support they have always given us either here or in private. I must say also that my opposition here has always been responsible. . . . [ALHAJI IBRAHIM IMAM: Do you hear, Minister of Justice] . . . They are always with the Government but they always make criticisms in order to correct the Government but there may be times that somebody does it out of admiration. Some people were not quite clear of what they should have asked.

Finally, Sir, speaking about Emirs and Chiefs of this Region, I very much wonder what these people mean or what they think. They seem to want us to lower the prestige and the dignity of the Chiefs in order to raise their own. Now all of us here are butterflies: we come and go but the Emirs are there. I wonder if any of those people who think that we are trying to downgrade the Chiefs or make them rubber stamps, can be called as Sarkin Musulmi or the Sardauna. (*Applause*). I am a member of the

royal family and it will be a great shame and down-fall for me to see that Chieftaincy is degraded and if that should happen in this Region, I pray to God to do away with my life.

*Question proposed.*

*Question put and agreed to.*

### Resolved:

"That this House approves the proposed Constitutional Changes to effect a Republican System of Government for Nigeria from 1st October, 1963 as contained in the White Paper laid on the table of this House".

**The Premier:** Mr Speaker, Sir, I rise to move that this House do now adjourn *sine die*. It is a great pity that I had been trying all along to tell Members of this House when the House will next sit. Unfortunately I have not been able to come to the final date but I should like to warn all hon. Members that this House is definitely going to sit in September, so you better get ready and the date will be notified to you as soon as we come to the final decision when you will come and approve our Constitution and the Constitution of the Federation of Nigeria. Mr Speaker, Sir, once again I thank the hon. Members and pray to God to guide them and take them back home safely. I hope that we will continue in this friendly atmosphere as we have been doing in the last few days. Sir, I beg to move that this House be now adjourned *sine die*.

*Question again proposed.*

**Alhaji Ibrahim Imam:** Mr Speaker, Sir, I take this opportunity just to thank the Premier.

**Mr Speaker:** Order, Order. You have already congratulated the Premier and I don't want any further issues raised. We want to close in a very friendly tone.

**Alhaji Ibrahim Imam:** Thank you, Mr Speaker, I should like to seize this opportunity to thank the hon. Premier for his comments as regards the work of the Opposition and secondly to assure him that it is not our intention to say anything that will destroy the integrity and standing of this country. That is all I want to say.

**Mr Speaker:** *Allah ya sauke ku lafiya.*

*Question put and agreed to.*

*House adjourned accordingly at 11.00 a.m. sine die.*