



ENUGU STATE OF NIGERIA
PROCEEDINGS

**AND DEBATES OF THE
FIRST SESSION OF THE
THIRD ASSEMBLY**

ENUGU STATE HOUSE OF ASSEMBLY

OFFICIAL REPORT

No. 1

**Monday
2nd June, 2003**

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not later than four days after each sitting

Enugu State House of Assembly Debates
2 June, 2003

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IN THE FIRST SESSION OF THE
THIRD ASSEMBLY ENUGU STATE
HOUSE OF ASSEMBLY OF THE
FEDERAL REPUBLIC OF NIGERIA
WHICH OPENED SECOND JUNE,
2003

*WHEREAS the former House of
Assembly of Enugu State was dissolved
on 31st day of May, 2003;*

*AND WHEREAS it is expedient that
the First Session of the new House of
Assembly of the State be convened;*

Monday, 2nd June, 2003

*The House met at 10 a.m. pursuant to
a Proclamation by the Governor of
Enugu State of Nigeria published in the
Official Gazette No. 3, Volume 12 of 31st
May, 2003.*

*And it being the first meeting of this
House, Herbert Emeka Udeh, Clerk of
Enugu State House of Assembly
attending in the House, took his Seat,
and called the House to Order.*

Roll Call of the Members-Elect was
taken.

All Members-Elect took their seats.

A PROCLAMATION

*State Government (under the
Constitution of the Federal Republic of
Nigeria, 1999) The House of Assembly
of Enugu State.*

A Proclamation

*By His Excellency, Dr. Chimaroke
Ogbonnia Nnamani, Governor of Enugu
State of Nigeria;*

*NOW THEREFORE, I, DR.
CHIMAROKE OGBONNIA
NNAMANI, Governor of Enugu State
of Nigeria, in exercise of the powers in
that behalf vested in me, do by this
Proclamation, appoint the Chamber of
the Old Eastern House of Assembly
complex, G.R.A., Enugu, on Monday
the 2nd day of June, 2003 at 10 o'clock
in the forenoon, to be the place, date
and time, respectively for the Holding
of the First Session of the new House
of Assembly of Enugu State of Nigeria.*

*Given under my hand and the
Public Seal of Enugu State of Nigeria,
this 31st day of May, 2003.*

PRAYERS

The Clerk of the House: I wish to
welcome all the Members-Elect,
visitors and well wishers. My names
are Herbert Emeka Udeh, and I am the
Clerk of the Enugu State House of
Assembly. I want to use this
opportunity to congratulate all
Members-Elect on their successes in

the recently held election into the Enugu State House of Assembly. I wish you fruitful years of dedicated legislative duties to Enugu State. Congratulations!

ELECTION OF SPEAKER

Mr. P. Anikwe (Ezeagu) Mr. Clerk, Sir, it is my delight to move the Motion nominating the Member for Aninri Constituency (*Mr. Abel Chukwu*) to be the Speaker of this Honourable House (*Applause*).

I make this nomination based on the following factors. Mr. Abel Chukwu is a happily married man and a well tested and trusted leader. It will not be strange if we make continuity a law in Nigeria, based on the fact that the most existing word in our dictionary for today in Nigerian politics is continuity and stability.

We made history on the 29th of last month (*May*) at Okpara Square where the indefatigable, unshakeable Dr. Chimaroke Nnamani was returned as the Executive Governor of Enugu State (*Applause*).

Today, history will not be complete if we go the other way round. It is based on these facts that I have moved that very Motion calling on the Hon. Member for Aninri (*Mr. Abel Chukwu*)

to take the Chair as the Speaker of the Enugu State House of Assembly (*Applause*).

I have no doubt in my mind that the Hon. Member is an erudite scholar of repute. He is an impeccable and open-minded man. Unlike what we had before, where we had some group of men who were so force-like, galvernised and childish (*Applause*). We cannot afford this time around to go astray, as one would see continuity is our watch word. Therefore, I am nominating the Hon. Member for Aninri (*Mr. Abel Chukwu*) to take the Chair as the Speaker of this Honourable House. Thank you (*Applause*).

Mr. J. Obidinma (Oji River) Mr. Clerk, Sir, I do hereby second the Motion nominating the hon. Member for Aninri Constituency (*Mr. Abel Chukwu*) to be the Speaker for the following reasons:

1. He is an ally.
2. He is an alloy.

He is ally because we know him as a party leader he is a good man, a good party man. He is an alloy because of those reasons. And he has the following qualities as well – he is an honest man, hard working, rigid but not very rigid on the means of

achieving those goals. These are the qualities we need in leadership.

With these strong reasons, I stand to second the nomination of the hon. Member for Aninri (*Mr. Chukwu*) to be the Speaker of this honourable House. Thank you (*Applause*).

The Clerk of the House: Is there any other nomination?

And there being no other nomination, the House unanimously called Mr. Abel Chukwu to take the Chair, and he was taken out of his seat and conducted to the Table by Mr. P. Anikwe and Mr. J. Obidinma.

OATHS

OATH OF ALLEGIANCE AND OATH OF MEMBERSHIP

The Clerk of the House: Hon. Abel Chukwu, you are today elected the Speaker of Enugu State House of Assembly do you submit yourself to the Oaths of this House?

Mr. Abel Chukwu (Aninri): Yes, I do.

Thereupon the Speaker-Elect took and subscribed the Oaths as required by Law.

Mr. L.D. Chukwu (Nkanu West):

Mr. Speaker, Sir, other Protocols duly observed. Permit me to toy a little bit with the English Language. Every generation, out of its relative obscurity discovers its mission. They either fulfill it or ruin it. I want to talk of a "small boy" from Aninri Local Government Area, precisely from Oduma. He is the man who led the minority to defeat the Majority (*Applause*). Although his head was bloody, he did not bow. The man who reminded me that there should be justice in this country, and confidence is restored when every other person is saying that there is no justice. The man who reminded me, according to St. Paul in his epistle that all things worketh out for good for those who love God and worship God. The man who reminded me that great men are not meant to be giants (*Applause*), but spirit, soul and body, the hon. Member for Aninri (*Mr. Chukwu*) remains a giant. Mr. Speaker Sir, today is symbolic, today is historic. The hon. Member from Aninri (*Mr. Chukwu*) is a symbol in history. He fought a good fight, he ran a good race and above all, he won. I congratulate you today. May the Almighty God in His infinite mercy shower you with His blessings.

It is the articulation of His Excellency, Dr. Chimaroke Nnamani who is the Managing Director of *Ebe ano*; a man of excellence, *No Shaking* and importer of *Shi Ahareyee* (*Applause*), and lastly, my political mentor and a good father. As you preside over the proceedings of this honourable House, I say may we never experience what you experienced in the last Session, when we had a crop of political inconsequentials as hon. Members. God will see you through. We will remain loyal to you. In the light of these few comments of mine, I say, to God be the Glory, Amen. (*Applause*).

Mr. K. S. Ebenyi (Isi-Uzo): Mr. Speaker Sir, Chief Judge, my Lord, Mr. Clerk and my hon. Colleagues. I want to congratulate the hon. Member for Aninri (*Mr. Chukwu*) as a second Speaker of the Enugu State House of Assembly. My two Colleagues who have spoken about the hon. Member (*Mr. Chukwu*) have said everything about him. But there is still something I want to point out to the people of Enugu State. I will thank my hon. Colleagues for making the wisest choice of voting the hon. Member for Aninri (*Mr. Chukwu*) as the Speaker. I have known Mr. Speaker for over seven years and we have worked together in this honourable House of Assembly for four years now.

We came into this House in 1999. Mr. Speaker was then made the Chairman of the Public Accounts Committee in the House. Then in the year 2000 we had crisis in the House of Assembly which led to change of leadership of the House. Then, Mr. Speaker became the Deputy Leader of Enugu State House of Assembly. Then, in a short while, for it did not take time he emerged as the Speaker of the Enugu State House of Assembly until last week when the House was dissolved.

Another remarkable thing about Mr. Speaker was during his tenure as the Speaker of Enugu State House of Assembly. As you can recall, the year 2001 (*Mr. Chukwu*) was the first Speaker in the whole Federation, in the history of Nigeria to be appointed as an Acting Governor of Enugu State (*Applause*). His Excellency, the Executive Governor of Enugu State, Dr. Chimaroke Nnamani was on vacation and so also was the Deputy Governor. Due to the confidence His Excellency reposed on Mr. Speaker and from his trust and loyalty, he knew what Mr. Speaker has, and therefore, did not hesitate to leave the reigns of power of Enugu State in his hands. Mr. Speaker held that post for three

weeks while the Governor and his Deputy were away. Then he was the Acting Governor and at the same time discharging his duties as the Speaker of Enugu State House of Assembly. He combined the two functions and was able to perform them effectively.

In the light of that, I thank you once again and promise you that with the confidence reposed in him as the Speaker of Enugu State, Mr. Speaker is not going to let the people of Enugu State down. And I want to appeal to you that if you give him the kind of co-operation and support we the hon. Members, especially the eight of us that stayed with him during the crisis up till last week gave him, definitely he will take this Legislature to a greater height. I, therefore, urge you to support Mr. Speaker and to give him your co-operation. Thank you, very much. (*Applause*).

Mr. M. Onyeze (Igbo-Eze North I): Mr. Speaker, Sir, I just want to buttress what the two aforementioned hon. Members have spoken on. Mr. Speaker as we all know him, he is a man of action. He is a man who has a political shock absorber in him.

He led us according to the law, to use one-third to stop two-thirds from impeachment moves. It is on the Floor of this House that democracy is

practised, and good practice is workable. Mr. Speaker has been tested and trusted. He is accommodating. What more do we need from a leader. Ladies and Gentlemen, I beg to warm my Seat.

Mr. Speaker: The Chief Judge of Enugu State, the Head of Service of Enugu State, Chief Raymond Okenwa. I can see the former Head of Service, Dr. Mrs. Angela Mgbob, I can as well see the man who makes things to move in PDP in Enugu State, His Royal Majesty, Dr. Onyiaoha Nwanjoku. I can as well see from my immediate right, seated behind the hon. Member for Igbo-Eze North II (*Mr. Atigwe*), the Vice Chancellor of Enugu State University of Science and Technology. You are all welcome, Sirs.

I can as well see the Traditional Rulers here, I welcome all of you. My Colleagues, the Clerk of the House and the Clerks-at-Table, all the people of Enugu State here, gentlemen of the press, Ladies and Gentlemen, I thank you all.

Distinguished Members of the Enugu State House of Assembly, I am indeed delighted to once again sit in your midst today as the Speaker of this great Assembly. By your singular gesture of electing me the Speaker, the first to succeed himself in the history

of this Assembly, you have demonstrated your resolve to ensure good leadership in the State. You have shown commitment to continuity. I commend you for your wisdom and courage.

Honourable Members, before I continue, I must not fail to congratulate you on your success at the polls. Please accept my congratulations. I remain grateful to God for the peaceful inauguration of this fifth Assembly. I thank you for electing me to preside over the affairs of this honourable House. It is a privilege; I will neither forget nor abuse.

Dear Colleagues, democracy is a wonderful gift to us Nigerians. It is the only form of government that can guarantee equal opportunities to both the rich and the poor, and ensure grassroot development. Moreover, what makes any government democratic is the Legislature. After all, in other forms of government, the other two arms (Executive and Judiciary) are ever in place. Laws were made by a few hand-picked elites.

Today, the Constitution has empowered us to make laws. Our aim shall be to make laws that will guarantee peace, progress and development of Enugu State and above all, protect the interest of the poor masses. As we settle

down to work, we must bear these objectives to ensure that our actions are guided by the principles of justice, equity and good conscience.

Modern practitioners of democracy have argued that the principles of separation of powers cannot be fully pursued if democracy must thrive. They therefore opted for the principle of co-operation among the three arms of government. This means that the necessary checks and balances must be carried out in love, understanding and for the over all good of good governance. While we perform our duties, we shall employ dialogue and fellowship in place of confrontation. I urge that we adopt the co-operative principles in the overall interest of the State and the sustenance of democracy.

To you my good people of Enugu State, I thank you for the mandate given to us. The past four years were used as a period of learning in the democratic process. We have graduated and I, on behalf of my Colleagues assure you of a peaceful House and good legislation. We must bear your interests in mind in all our activities in this House. We humbly urge you to support and pray for us to achieve the desired objectives.

My dear Colleagues, the above affirmation cannot be achieved without

your co-operation and resolve. No State Assembly can meet the desires of the people without understanding and peace. When a State Assembly is in crisis, the people suffer. I solicit for a harmonious relationship; I solicit your co-operation to pilot the ship which you have made me the captain today.

On my part, I assure you of good leadership; your collective interest shall be my concern at all times. We need not be reminded that in a Parliament like ours, all the elected members are equal. All of you are qualified to lead the House. My election as the Speaker does not mean that I am superior to any of you. Rather, I was elected the Speaker because one person must direct the affairs of the House. And you have made up your minds that I should be that one person. I cannot in anyway claim to be perfect since I am human. Consequently, I urge you to offer corrections when and where necessary. I shall leave my door wide open for inputs from you.

The people of Enugu State, I will never disappoint you. The people of Aninri that gave me the mandate, I have never disappointed you, and I will never disappoint you. Once more, I thank you for your wonderful gesture. May the Almighty God guide, protect and bless all of us. Thank you and God bless.

The Clerk of the House: Thank you Mr. Speaker for that beautiful acceptance speech. I just want to quickly remind everybody present here to please switch off his mobile phone because we are into a very serious legislative business. Do not distract us please, otherwise, I will ask the police to arrest you. You all are welcome. The next thing is the election of the Deputy Speaker. I will like to call on hon. Members to please nominate the Deputy Speaker.

ELECTION OF DEPUTY SPEAKER

Mr. A. Chigbo (Uzo-Uwani): Mr. Speaker Sir, I want to move a Motion to elect the Deputy Speaker of Enugu State House of Assembly, and I am nominating the Rt. Hon. David Atigwe representing Igbo-Eze North II Constituency (*Applause*).

Mr. Speaker Sir, permit me to give a brief biography of the hon. Member. Mr. David Atigwe was born in the year 1944 at Arji Village, Igbo-Eze North, Enugu State. Honourable David Atigwe is married with children – beautiful girls and boys. He attended his primary school, secondary school and higher institution here in Enugu State. The hon. Member joined politics in 1975.

Honourable Atigwe is the first administrator of Umunano in 1993. In 1999, the people of Igbo-Eze North II saw what was in him and elected him to represent them in this great Parliament of which he served from 1999 till date. While in the State House of Assembly, he was the Chairman of the Rules and Business Committee of this House. Later, Mr. Speaker also appointed him Chairman, Committee on Public Utilities, and later, Chairman Committee on Civil Service and Labour Matters.

Mr. Speaker, and the good people of Enugu State here present, I will take you back to what happened in Enugu State last year. I am sure that without the great eight-the great eight! Their names must remain indelible in the history of Enugu State, all of us would not have been here today, and Hon. David Atigwe was one of them (*Applause*). Fellow hon. Members-Elect, I would like to quote Hon. David Atigwe. He said, *for one to be a loyalist, it is like a pregnant woman; it is either you are pregnant or you are not pregnant*. To be loyal to the government and people of Enugu State – is either you are one of the loyalists or you are against the people of Enugu State. In this vein, Mr. Speaker, I am sure that the people of Enugu State will agree with me that Hon. Atigwe merits to be Deputy Speaker of this great Parliament. I am pleading that you give me the support to allow Hon. David

Atigwe to be the Deputy Speaker of this great Parliament. I am done, Sir.

The Clerk of the House Thank you Mr. Chigbo. Is there any Secunder? **Mr. E. Odo (Igbo Etiti East):** Mr. Speaker Sir, my hon. Colleagues; there is a Motion on the Floor which I intend to second, and seconding it in favour of Hon. David Atigwe, is a premised on the fact that Hon. David Atigwe, as far as I know, is a peace-loving person. He is an erudite retired soldier. He is a philanthropist and a social crusader and having gone through Parliamentary trainings within and outside Nigeria, I feel he is in a better position to steer the Enugu State House of Assembly forward, with the assistance of all of us. I am solidly throwing my weight behind the Mover of this Motion, and as such, align myself with the Motion.

Therefore, having said that, I personally believe that Hon. David Atigwe is a man of honour, and that vote of honour, is for the post of Deputy Speaker, Enugu State House of Assembly. I therefore second his nomination for your consideration. Thank you very much (*Applause*).

The Clerk of the House: Any further nominations? (*No response*) since there are no further nominations and since only Hon. Atigwe has been

nominated to occupy the Seat of the State, the Clerk of the House, hon. Deputy Speaker of Enugu State House of Assembly, I, Mr. Herbert Emeka Udeh, do hereby declare Hon. Atigwe the elected Deputy Speaker of Enugu State House of Assembly. May the Proposer and the Seconder lead him to his Seat:

Whereupon Hon. Atigwe was conducted to his seat by the Proposer and Seconder of the Motion. (Prolonged Applause).

OATH OF ALLEGIANCE AND OATH OF MEMBERSHIP

The Clerk of the House: Hon. Atigwe, you are today elected the Deputy Speaker of Enugu State House of Assembly, do you submit yourself to the Oaths of this House?

Mr. D. Atigwe (Igbo-Eze North II): Yes, I humbly do.

*Thereupon the Deputy Speaker – Elect took and subscribed to the Oaths as required by Law.
(Prolonged Applause)*

The Clerk of the House: The Deputy Speaker of Enugu State House of Assembly will now make his acceptance speech.

The Deputy Speaker (Mr. Atigwe):

The Speaker of Enugu State House of Assembly, the Chief Judge of Enugu

State, the Clerk of the House, hon. Members of Enugu State House of Assembly, all Protocols observed.

Mr. Speaker Sir, I have to say that I am as delighted as a lad, like in those days when I was a lad. My election today is providential, which shows that there is time for everything. I have accepted the challenge. I have to state that what I prayed for have not been given to me and that what I have received now is far greater than what I have prayed for. Thanks be to God.

May I at this juncture, use this opportunity to thank my Constituency.

May I also use this opportunity to thank my God. All those who are here with us in this Parliament should note that democracy is practised right here on the Floor of the House and not outside the House.

During the past dispensation, the language of two-thirds was discussed, and one-third which is a Quorum was the requirement that would allow us perform our legislative functions. I want to make it clear that the other group of Legislators did have two-thirds of the Members, but the law permits that for the House to function, we require just one-third of the Members. According to the law, we had that number and we did function.

Mr. Speaker Sir, man is a free moral agent and we must provide for his needs. Therefore, legislation is not of the same circumstance. My hon. Colleagues, the trouble that ensued between the Executive and the Legislature during the past dispensation led to the return of only 15 Senators in the National Assembly and about 84 Members in the House of Representatives. In Enugu State House of Assembly the same thing applied. Only 6 out of the 24 hon. Members were returned. This shows that we should be loyal to all constituted authorities; we must be loyal to the Ruling Party and we must be loyal to the government in power.

When the other group of Legislators wanted to remove His Excellency, the Governor of Enugu State (*Governor Chimaroke Nnamani*) he stood his grounds, showing that Enugu State was built on a solid rock. He stood his grounds because the law was behind him and gave him all the protection. This House is happy that after his sojourn in America, he returned to Nigeria to model our life and we all should rally round him.

Mr. Speaker Sir, I am again of the opinion that the three arms of government should be a trinity in this state and the same at the National level. Our duty here is to make good laws to govern the good people of this state. I

will not disappoint you; I will help Mr. Speaker in accordance with the law. I have gotten a very good Speaker, and with God our prayers will protect us, and I know that when Mr. Speaker is protected, I too will be protected. We shall rely on prayers, and for the incoming ones they should make good use of their Constituencies. They should not become wicked politicians because the other people lost when they forgot their base.

I am of the opinion that the incoming ones must not, I say again, must not repeat what the other people did. I said it the other day that what they have done is a subject of history, we have but forgiven them. I repeat again that those people should tender unreserved apology to this State, before they become good citizens of this State. These are people we elected to make laws here and they left here to Abuja so that this place will be dissolved.

They did what Samson did, they want the House to collapse on everybody, they want the punishment to be on everybody. I am happy it did not happen that way. Finally I want to use this opportunity to say thanks to everybody and wish that you will all continue to support the government accordingly.

The Clerk of the House: Thank you for this acceptance speech. I will like to call on three Members-elect to make congratulatory speeches to the Honourable Deputy Speaker.

Mr. M. Onyeze (Igboeze North I): Mr. Speaker Sir, Honourable Deputy Speaker, fellow Members-elect of Enugu State House of Assembly. It is my privilege to congratulate my senior brother, David Atigwe on his election as the new Deputy Speaker of Enugu State House of Assembly. It is on record that four years ago, our Local Government was also elected to that position. I thank the Members and Enugu State for giving us the opportunity to serve on that level.

Hon. Atigwe is a politician with a difference. In his daily life he combines humility with courage. In his daily life, he is loyal to the family, loyal to constituted authority but always firm. I wish to assure my Colleagues that with his election as the Deputy Speaker, Enugu State House of Assembly, he will fight for the right of the hon. Members and put the hon. Members in the rightful position. That is his nature.

I will also use this opportunity to remind my colleagues that the elected principal Officers cannot function in isolation; we have to give them maximum co-operation. As we ask for open door policies we have to be open to

them too, so that they can sort out our problems. I can assure you that with joint relationship with the Distinguished Speaker and the newly elected Deputy Speaker, the House has been founded on solid rock and we have been shielded from any political earthquake that may erupt in the State, but God forbid. I thank Members and congratulate my brother. Thank you, very much.

The Clerk of the House: I want to recognize another Member.

Mr. E.U. Eze (Udenu): The great Clerk of this great Parliament who is conducting the affairs of this House now, the Speaker Enugu State House of Assembly, the Chief Judge of Enugu State, the Head of Service, our Traditional Rulers here, Gentlemen of the press, I observe all protocols.

It gives pleasure to talk briefly on the person of *Ichie* David Atigwe whom I have associated with for the past fifteen years politically and socially. Briefly David Atigwe is a brother and neighbour. In David is epitomized the saying that when the going gets tough the tough ones get going. Hon. Atigwe as an ex-soldier did a lot to make the struggle and the success of the great eight a reality. His disciplined nature calmed a good number of us down at the peak of the

confusion. Hon. David Atigwe or *Ichie*, as I normally call him, is a very trusted personality. He is a loyalist, his yes is his yes and his no is his no, no matter what, come rain, come sunshine. These qualities have manifested when we faced the political tribulations in this State.

From the speech he gave us, one would scan a lot of politics. I am not now prepared to re-count. And with Hon. Atigwe deputizing for the Speaker, I have no hesitation whatsoever in my mind to say that the present Enugu State House of Assembly will make an ocean of difference from the past. I am sure that within a short time, the result will be clear.

Therefore, I beckon on all my hon. Colleagues and the good people of Enugu State to support the leadership which we have put in place today. I beg to warm my seat. Thank you.
(Applause)

The Clerk of the House: We will now take the last congratulatory speech.

Mr. M. Njeze (Udi North): The very efficient Clerk of this great House of Assembly, the hon. Speaker, Enugu State House of Assembly, my Lord, the Chief Judge of Enugu State, the indefatigable Chairman of our Great Party (PDP) of Enugu State, Head of Service, Distinguished Royal Fathers,

Fellow Members-Elect of this House of Assembly present, Ladies and Gentlemen.

I feel very, very happy to stand here and raise up my face and look at my Friend and Colleague, my ally, the Right Hon. David Atigwe and say my father, congratulations. I congratulate you as you are today elected to be the Deputy Speaker of Enugu State House of Assembly. Congratulations. I know Hon. Atigwe for a very, very long time doing politics. This is a man who you will always find at the right side of the circle. When the Peoples Democratic Party (PDP) was at its rudimentary stage in this State and in Nigeria, Hon. Atigwe was on the right side. And in Enugu State when the Peoples Democratic Party (PDP) was having its family feud as a result of its political crisis, Hon. Atigwe was on the right side as a Secretary of the PDP.

With you now as the Deputy Speaker of Enugu State House of Assembly and you were earlier on your feet in ensuring that the great eight (8) sustained Enugu State and saw us to another history where you were able for the first time to break the jinks for having one good man returned as a Governor of Enugu State for the second time, I congratulate you.

I congratulate you because you participated fully in seeing that our party succeeded. And today, you are elected as the Deputy Speaker of Enugu State House of Assembly and sworn in as such, congratulations. And congratulations to my Fellow Members-Elect who will soon be sworn in, and before I take my bow, I say to my Right Hon. Deputy Speaker, congratulations again.

once. Today is our day and so we are actually not in a hurry.

OATHS

Oath of Allegiance And Oath of Membership

The following Members-Elect took and subscribed to the Oaths as required by Law:

Member	Constituency
1. Hon. Enebe Cletus O.	Awgu North
2. Maduabu Emmanuel	Awgu South
3. Agho Dennis I.	Enugu East I
4. Ugwu Christopher	Enugu East II
5. Onoh Josef U.	Enugu North
6. Anih Donatus A.	Enugu South I
7. Chukwuegbo Gregory	Enugu South II
8. Anikwe Paul	Ezeagu
9. Odo Eugene	Igbo-Etiti Etiti
10. Nnadi Alfred	Igbo-Etiti West
11. Ojiyeze M.	Igbo-Eze North I
12. Non. Ezema Fidelis	Igbo-Eze South
13. Hon. Dr. Ebenyi K.	Isi-Uzo
14. Anichukwu John	Nkanu East
15. Chukwu Lucky D.	Nkanu East
16. Amu Felix E.	Nsukka East
17. Onah Fabian	Nsukka West
18. Obidinma Johnny	Oji-River
19. Hon. Eze Emma U.	Udenu
20. Njeze Marcel	Udi North
21. Ene Chika (Mrs)	Udi South
22. Chigbo Anthony	Uzo-Uwani

The Clerk of the House: Mr. Speaker, hon. Members-Elect, at this juncture, I will now hand-over other proceedings of the House to the Hon. Speaker, Enugu State House of Assembly who will now go ahead and conduct the swearing-in of other hon. Members-Elect. Mr. Speaker, Sir. (Applause).

Mr. Speaker: Thank you, Mr. Clerk for the job well done. At this juncture as Mr. Clerk has rightly said, other Members-Elect will now be sworn in. In pursuance with section 94 of the 1999 Constitution of our great nation, Members-Elect will now subscribe to the Oath of Allegiance and Oath of Membership. And for want of time, I wish to appeal that we do it in batches of eight Members-Elect. (Interruptions)

I proposed eight (8) because there is no need asking everybody to stand up at

Mr. C.O. Enebe (Awgu North) Mr. Speaker, Sir, I have risen to move a Motion that the Enugu State House of Assembly as presently constituted, adopts the Standing Orders of the old

Anambra State House of Assembly as a working tool until we are able to produce our own Standing Orders. Thank you.

Mr. E. Maduabu (Awgu South): Mr. Speaker, Sir, I rise to second that Motion as proposed by the hon. Member for Awgu North (*Mr. Enebe*).

*Question put and agreed to:
Standing Orders of the Old Anambra State House of Assembly accordingly adopted.*

ANNOUNCEMENT

APPOINTMENT OF PRINCIPAL OFFICERS

Mr. Speaker: Following wide consultations within the Peoples Democratic Party (PDP), Enugu State, our great party the PDP has agreed to the list of consensus candidates to occupy Principal Offices of the House. Consequently, the following hon. Members have been nominated and elected as Principal Officers of the Enugu State House of Assembly. They are as follows:

Dr. Kingsley Ebenyi	Leader
Mr. Fidelis Ezcma	Chief Whip
Mr. Paul Anikwe	Deputy Leader
Mr. Dennis I. Agbo	Deputy Chief Whip

You will agree with me that without this aspect of the function today, we

cannot formally adjourn. In fact, nobody could have moved a Motion for adjournment, but having given the Leader the authority, he can now handle item seven as is on the Order Paper.

ADJOURNMENT

Leader of the House: Mr. Speaker, Sir, kindly permit me to use this opportunity to thank the people of Enugu State and my great party. I use this opportunity to thank the leadership of our great party, the Peoples Democratic Party (PDP) in Enugu State, the indefatigable Chief Onyioha Nwanjoku and my hon. Colleagues for giving me this opportunity to lead the Enugu State House of Assembly for the second term.

I equally thank the Executive Governor of Enugu State for giving me this opportunity, and most importantly, the people of my Constituency, Isi-Uzo, who gave me the chance to come back to the Enugu State House of Assembly and now re-elected as Leader of the House for a second term. I thank all of you immensely.

I hereby promise that I will not disappoint you. I shall also stand to justify this confidence reposed in me; I have never disappointed you and this

time around I still shall not disappoint you.

My support of the Peoples Democratic Party in Enugu State, the Nation and the Executive Governor of Enugu State, is unshakeable. My Chairman, I thank you.

Having said that Mr. Speaker, may I move that this Honourable House do now adjourn until Thursday the 5th of June 2003 at 10 a.m. prompt. Thank you.

Mr. C.O Enebe (Awgu North): Mr. Speaker, Sir, I have risen to second the Motion for adjournment, and in doing so, I first of all want to thank the almighty God for leading us through the last assembly. Like what I said last time, the previous Assembly was full of hatred and thuggery, but we did not witness any death throughout the duration. I pray that the Almighty God will equally guide us through this very House in Jesus name – Amen.

I still want to make some submissions on what we normally notice in this House. I wish to equally state that most of the time we condemn the leadership for non-achievement and loyalty, but I want to state that my fears in the last House has shown that the society, the people we are representing contribute to the problems we have without our

knowing it. The pressure is from the people who misunderstand loyalty and party politics. They think that those who are appointed into Government offices are heroes. They think that those who have gone into politics are heroes, but today history has shown that there are other state heroes. We have now known the heroes of the state.

I want to urge you to continue to support the hon. Members, advise them positively and do not lead them into doing things that will undermine the integrity of Nigeria. I equally want to let you know that the art of law-making is all encompassing. All of us, whether you are in the House or outside, have something to contribute in making sure that you uplift the people of Enugu State. Thank you.

Mr. G. Chukwuegbo (Enugu South II): Mr. Speaker, Enugu State House of Assembly, your Lordship the Chief Judge of Enugu State, the Head of Service, our Party Chairman. All other protocols duly observed. In supporting the Motion for adjournment, I want to give a vote of thanks on behalf of my Colleagues. I want to use this opportunity to thank His Excellency, the Executive Governor of Enugu State for the support he has given each and everyone of us. I also thank the Party

Chairman, Chief Onyioha Nwanjoku for his logistic support and sacrifice for the entire party members. I also want to pledge total loyalty on behalf of my Colleagues, that we will work in partnership with the Executive. That we will not abandon our Constituencies or families and run to Abuja. That we will work to protect the interest of Enugu State.

Finally, I want to thank each and everyone of you here present. We pray that God Almighty will grant you all journey mercies in Jesus name-Amen.

Mr. J.U. Onoh (Enugu North): The Chief Judge, Mr. Speaker, all Protocols observed. Today is a great day in the annals of Enugu State... *(Interruption/Laughter)*. I am sure you all know as this House was inaugurated today, that we should not disrespect the loyalty, peace and happiness of the people of Enugu State. We should respect the principles of human dignity. We all should be proud of the House *(Laughter)*.

Mr. Speaker: I appeal to the Clerks-at-Table to ensure that they should communicate to His Excellency, the Executive Governor of Enugu State that the House has been duly inaugurated and that we are ready for business. If he has any business, he can now forward them.

We are eager to continue, from where we stopped.

Honourable Colleagues, before I put the Question, I want to appeal to our guests, and hon. Members to exercise a little patience until the Speaker leaves the Chambers. Please, there is no need rushing; just exercise patience for the Mace and Mr. Speaker to leave the Chamber. Thank you.

Question put and agreed to.

Resolved: That this honourable House do now adjourn until Thursday, 5th June, 2003 at 10 a.m.

Adjourned accordingly at 1.20 p.m.



ENUGU STATE OF NIGERIA
PROCEEDINGS

AND DEBATES OF THE
FIRST SESSION OF THE
THIRD ASSEMBLY

ENUGU STATE HOUSE OF ASSEMBLY

OFFICIAL REPORT

No. 2

Thursday
5th June, 2003

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No proofs of the Daily Reports can be supplied. Corrections which Members suggest for the Bound Volume should be clearly marked in the Daily Report, but not telephoned and the copy containing the corrections must be received at the Editor's Room, House of Assembly

not later than four days after each sitting

Produced by the Publications Department
Enugu State House of Assembly

HOUSE OF ASSEMBLY
ENUGU STATE OF NIGERIA
Thursday, 5th June, 2003
(The House met at 10 a.m.)

PRAYERS

(Mr Speaker in the Chair)

**APPROVAL OF VOTES AND
PROCEEDINGS**

Mr Speaker: Distinguished Colleagues, our Votes and Proceedings No. 1 of Monday, 2nd June 2003 are before the House. I have actually gone through them and found them to be a true reflection of what transpired on that day. However, in keeping with the Rules of the House, I wish to call for your comments to enable us give them legal backing. Thank you.

Mr A. Chigbo (Uzo Uwani): Mr Speaker, my respected Members of Enugu State House of Assembly, I have equally gone through the Votes and Proceedings of our last sitting and there is a little observation I want to make.

I do not know whether it is a typographical error. On page three, where the names of the twenty-four hon. Members appeared, some were addressed as Honourable (hon.), while some were just addressed as Mister

(Mr). Also on page 4, where the hon. Member for Awgu South (*Mr Maduabu*) seconded the Motion for the adoption of the Standing Orders of the Old Anambra State House of Assembly for this House, an event which took place after all the Members were sworn-in, the Member was referred to as *Mr Maduabu Emmanuel*, instead of *Hon. Maduabu Emmanuel*.

Mr Speaker: I think that the answer to your first question is simple. Before the swearing-in, some of you were addressed as Members-Elect and those that were addressed as hon. Members are those that were here before. But with regards to your observation on page 4, the Clerks-at-Table will take note of that.

Mr A. Chigbo Mr Speaker, I move for the adoption of the Votes and Proceedings. Thank you.

Mr J. N. Anichukwu (Nkanu East): Mr Speaker, I have equally gone through the Votes and Proceedings of the First Session of the Third House of Assembly, No. 1, of Monday 2nd June, 2003, and I have noticed that on page 3 of the Votes and Proceedings, my names were typed as *Ani Chukwu John*, instead of *Anichukwu John Nwankwo*.

Mr J. U. Onoh (Enugu North): Mr Speaker, I noticed that on the same page

3, my name was spelt wrongly as *Joseph*, instead of *Josef*.

Mr J. Obidinma (Oji River): Mr Speaker, on the same page 3, my names were spelt wrongly as *Obidimma Johnny* instead of *Obidinma Johnny*.

Mr Speaker: Clerks-at-Table, please take note. Any other observations? If none, can somebody second the Motion moved by the hon. Member for Uzo Uwani (*Mr Chigbo*) for the adoption of the Votes and Proceedings.

Mr E. Maduabu (Awgu South): Mr Speaker, in the absence of any other observations, I second the Motion for the adoption of our Votes and Proceedings No. 1 of Monday 2nd June, 2003.

Question put and agreed to

Votes and Proceedings (No. 1) of Monday 2nd June, 2003 accordingly adopted.

MOTION ON MATTER OF URGENT PUBLIC IMPORTANCE

Mr L.D. Chukwu (Nkanu West): Mr Speaker, in all humility, I have a Motion on Matter of Urgent Public Importance. It is a Motion that desires attention. It is a Motion that is based on the rule which says; "Do unto others what you will like others to do unto

you". Based on this, I urge you, with due sense of responsibility that Order No. 25 of the Standing Orders of this House be suspended based on this Motion of Urgent Public Importance. I beg to have my Seat. Thank you.

Mr Speaker: The idea is that ordinarily, the Motion in question is supposed to come out on notice but because it did not, he is seeking the leave of the House to move it now.

Mr C. O. Enebe (Awgu North) Mr Speaker, Sir, I have risen to second the Motion as moved by the hon. Member for Nkanu West (*Mr Chukwu*) that we suspend Rule No. 25 of the Standing Orders of the House.

Question put and agreed to:

Rules accordingly suspended

Mr Chukwu: Mr Speaker, Sir, once again, I thank you very much for stepping down Order No. 25 as guideline to this honourable House to enable me move this Motion. I am moving this Motion based on the fact that what concerns the people of Enugu State concerns this House. I am moving this Motion based on arbitrary increase in fuel prices in Enugu State.

Mr Speaker, Sir, you are all aware that in all our sister States, the pump price of fuel remains twenty six naira,

but in Enugu State, it is a different ball game, from Nsukka to Enugu, Enugu to Awgu; Awgu to Oji-River. It is either seventy naira, or fifty naira and if they are magnanimous enough, they will sell at forty naira. Why must it be so? The people of Enugu State who elected us need some measure of protection from this honourable House. Mr Speaker, Sir, it is a public notice, that civil servants are mostly affected as they never find fuel to drive their cars. Commuters who come to work are charged between thirty naira to forty naira even when the salaries of some of them are either six or seven thousand naira.

As I have always said, justice is rooted in confidence, and confidence is a trust, and where they are absent, there is no justice. Based on this, Mr Speaker, may I once again, in all humility, ask you to take a look at my prayers. They are:

1. That the hon. Speaker of this House and the principal officers should take a visit to the depot at Emene; find out who is the man in-charge, and ask him why Enugu State should be different from other states.
2. Mr Speaker, Sir, I am aware that the Task Force was set up but from my observations, the Task Force goes and collects money and allow them to sell above pump price. It is my prayer that

the existing Task Force be dissolved without further delay. That another task force be set up with an input from this honourable House. The State Commissioner for Public Utilities will be a member whenever appointed. Members of the security agencies with impeccable character be appointed to monitor the distribution of fuel in Enugu State.

In moving this Motion Mr Speaker, it is my sincere, and honest prayer and hope that this honourable House will look into this Motion and accept my prayers because we have to leave a legacy. Expectations are high and the people of Enugu State are looking on this House to say something. Thank you.

Deputy Leader (*Mr P. Anikwe*) Mr Speaker, Sir, I have no doubt in my mind that the issue before us is actually an issue concerning every one of us here and after. If you watch out the origin today and application of the matter before us, you come to appreciate the fact that every person here in Enugu and beyond is almost affected by this plague of hike in price of fuel. The very moment the transporters go all out paying through their noses to get fuel, the people then will bear the brunt. ... Having gradually followed the prayers,

we come to identify for instance, that in Enugu State, if you watch out the programmes and activities of the Governor of Enugu State in the past four years, you will discover that he came as Executive Governor and killed the concept of dichotomy of non-indigenes and indigenes. I am much interested particularly in the prayers because we shall go to discover whether the fuel scarcity or increase in prices was by ordinary human beings which I believe it is, or it is a gang up by few perhaps, non-indigenes who want to ridicule the people of Enugu State.

We have to act to save our people. To the best of my knowledge, I am aware that seventy *per cent* of independent marketers or whatever they call them ... well we do not need to go back to the obnoxious law of indigenes and non-indigenes. This honourable House will face embarrassment if we do not adopt this Motion. I am sure that the God Almighty will bless us if we go on to pass this Motion. I, therefore, urge you people, in seconding this Motion for you to consider it adopted. Thank you, Mr Speaker.

Mr C. O. Enebe (Awgu North): Mr Speaker, Sir, I have equally risen to support this very important Motion, on this issue of inflation in pump prices, arising from dubiousness and greed of the Independent Marketers. I remember that this House had tried and tried to

stop this people, but it is like people behind them believe that there is nothing we can do. If you ask them, they will tell you that they bought the fuel at twenty nine naira, that they have to make at least a gain of one naira and so them sell at forty naira a litre. It is either they buy and sell at twenty six naira or they close their shops. This is my opinion and position.

I believe that by the time you buy a litre of fuel at forty naira, the difference is fourteen naira, you can imagine the cost. You may be thinking that it is small but by the time you realize the cost it will be much, and you know that the income of an average Enugu-man is highly inflated and it affects the savings which they should invest but here people are taking our authority as if there is no government. We are going to pass this Motion because of its importance.

The next stage will be to ensure that the Motion is implemented. We must, independent of the Task Force, see how far we can cut the prices of these independent marketers. I am saying that we shall stop fuel hawking because that is the major area through which they sell it to us. Again they sell to them and they in turn sell in jerrycans at the rate of four hundred naira a gallon with its other consequences. I am saying that this House should ensure, through the State Government, that they sell only in

pumps. Also I want to add No. 4 to the prayers of this Motion –

That this House urges the State Government to abolish hawking

On the other issues, I urge the House to pass it. I want to rest my case and hope that my Colleagues will support my Motion.

Mr E. U. Eze (Udenu): Mr Speaker, Sir, I have risen to support ...

Leader of the House (*Mr K. S. Ebenyi*): Observation! I want to inform you that the Motion by the hon. Member for Awgu North (*Mr Enebe*) has not been seconded, I therefore, wish to second the Motion that the State Government abolishes hawking.

Question put and agreed to.

Mr Eze: As I said, I have risen to give my full support to the spirit of this Motion. The issue of artificial fuel scarcity in Enugu State has become a perennial nightmare today. I term it a calculated economic sabotage in this state; I term it to what happened immediately after the creation of Enugu State and that of Anambra State; over night the rent charged on accommodation in the State shot up to two hundred and four hundred *per cent*. The reason is that a greater percentage of landed property in Enugu were owned by one ethnic group. I want to

align this to what is happening now in Enugu in terms of fuel because over seventy *per cent* of fuel dumps or fuel stations, according to the hon. Member for Ezeagu (*Mr Anikwe*), is in the hands of one ethnic group. And it appears that the artificial scarcity is very, very deliberate.

We have fuel dumps in Enugu, and it is ironical that fuel will be carried from the fuel dump in Enugu down to other States at normal prices, but here it is not the same. So, I welcome the idea of dissolving the present Task Force because they end up in dilemma. And I will urge that the new House Task Force sub-Committee, as the Mover of this Motion has indicated, would work with the people to avoid any corruption.

If you go out to the town even to buy at N40 or N50 per litre, you will even discover that one litre is about one quarter litre because they have dubiously adjusted the metres of their fuel pumps to such a level. And if you take a gallon measure and ask them to fill it with oil, you will find out that it is about seven litres, which is below the normal measure of a gallon of oil. This is what is happening all over the fuel stations in Enugu State.

Apart from that we need to do something about whatever is happening in Enugu State, not only the issue of fuel stations or fuel dumps. So, I support the

Motion and would urge this House to support this beautiful Motion. I would even end up by urging the Mover of this Motion to think of a serious Bill and not just a Motion on this matter. I would like him to come up with a Bill that will incorporate the spirit of this Motion. Thank you.

Mr E. Odo (Igbo-Etiti East): Mr Speaker, Sir, we have a Motion on the Floor. I wish to say that it is a very beautiful Motion, and I am totally in support of it. But I want to remind all of us of what is going to happen or affect the technicality of this Motion.

In the first instance, the Proposer of this Motion, in his prayer one, was urging the Hon. Speaker of this House and other Members to visit the Emene Depot to find out what is happening. I think what he wants to say is to urge the principal officers of this House to visit the Emene Depot to find out the true position.

Secondly, if prayer one is something to go by, then prayer two is unnecessary because this is an anomaly we are trying to correct. And prayer one is saying that Mr Speaker and other Members should visit the Depot to find out what is happening and at the same time the other prayer is saying that the Task Force on fuel distribution should be dissolved. Then it now reminds me that it is very unnecessary to go to Emene

Depot to find out what is happening after we have taken a decision here in this House. I do not think that is appropriate because ... *(Interruptions)*

Mr Speaker: Order! Order! Please, if the hon. Member for Igbo-Etiti East (*Mr Odo*) looks at the two prayers, he will see that they are two different things. One is talking about the dissolution of the Task Force, while the other is talking about visiting the Depot Manager. Then, dissolution of Task Force has nothing to do with the Depot Manager. ... *(Interruptions)*

Mr Odo: Mr Speaker Sir, I am sorry. I believe you did not get me right. What I was trying to say is that going to the Depot to find out what is happening, to me, ought to have been the first thing because from that, we will now know what is causing the problem at that fuel dump. ... *(Interruptions)*

Mr Enebe (Awgu North): Information! Mr Speaker, what I want to say is my understanding of prayers one and two. The first prayer is to let the Depot Manager know that Enugu people are not happy. The reason for our gong there is that we are elected into the Enugu State House of Assembly, and we are representing Enugu people; and it is our duty to go there and find out what is happening. And if we are not satisfied with the reasons the Depot Manager may give us, we will then

move ahead to tackle the area as it affects the State level. These two prayers are in order, Mr Speaker.

Deputy Leader: Information! Mr Speaker, Sir, I do not think that there is any contradiction in these two prayers. So, I thought that the hon. Member for Igbo-Etiti East (*Mr Odo*) was trying to change or add something to the Motion. That is, summoning the Depot Manager here to explain why disciplinary action should not be taken against him, or going to the Depot Manager, whichever is better. This is what I expected from him. And again, what I expected him to say is that the second prayer of the Motion is praying for the dissolution of the Task Force, but did not state the total aberration of the Task Force and then went ahead to recommend the calibre of men that will now constitute the present Task Force. This is really a negation of the first prayer. Thank you, Mr Speaker.

Mr Speaker: Order! I do not agree with what the Deputy Leader (*Mr Anikwe*) said: to summon the Depot Manager here. Let us exhaust all avenues of dialogue. If it comes to that point, we shall know what to do, but for now, let us go by the prayers of the Motion.

Mr Chukwu: Mr Speaker, Sir, I want to thank God that I am here under his protection. I want to say without

fear of any contradiction that by the special grace of Almighty God, I have been in the Petroleum profession for sixteen (16) years, and I also was opportuned by the mercy of God, to be the Personal Assistant (PA) to the Governor on Special Duties. I was exposed to the goings-on as far as transport is concerned. I do not want to go beyond this.

With due respect, the hon. Member for Igbo-Etiti East (*Mr Odo*) is a legal practitioner. I have sat and I have slept over this Motion before coming up with it. I would not go beyond this because I have some interests to protect. Thank you, Mr Speaker.

Mr Speaker: I think we can go on to do justice to the Motion. If any Member has a contrary view, let him indicate, if not, the hon. Member for Igbo-Etiti East may go on with his contribution.

Mr Odo: Mr Speaker, Sir, thank you so much for the protection. I do not want to go back to what I had earlier said, but I believe the prayers ought to follow in sequence from the way it was written. Well, I do not want to go far into that. My point is that, this is a matter of urgent public importance, and I assume then that action needs to be gone into immediately.

In view of the fact that the Motion has its limits, it appears that the Motion

is a little bit unripe and premature, irrespective of its limits. This is because Mr Speaker has not selected the Selection Committee who has to select various Committees. The Committee on Environment, if I may ask, ought to take charge of this.

Mr Speaker: Order! Honourable Members, you see, I am sure that the hon. Member for Nkanu West (*Mr Chukwu*) has an idea that sometime ago we had a Committee on Petroleum Control and Distribution Management. However, if it is the wish of this honourable House, I think the Committee should continue to exist and others need to be included in the Task Force. I still believe that based on this Motion, we can re-establish the Committee in the interest of peace, and for the benefit of the masses of Enugu State. We will include the hon. Member for Nkanu West in the Committee. Thank you.

Mr J. N. Anichukwu (Nkanu East): Mr Speaker, Sir, I wish to observe that the hon. Member for Udeni (*Mr Eze*) made a very useful contribution to this Motion, when he said that it is not only making the law that matters, but that there should be avenues to make sure that the law becomes effective.

About the pump price, all Nigerians are looking up on us to know what we can do. I stand to support the Motion

that efforts must be made to make sure that independent marketers or operators of the pump machines do not stand firm with the pump price. So, I will be very happy if this Motion passes through because it will create a useful impact to the generality of the people of Enugu State. Thank you, Mr Speaker.

Mr J. U. Onoh (Enugu North): Mr Speaker, Sir, I believe that we have gone so much into this matter, and, as a matter of urgency, we know the impact petrol can have if it does not circulate well around the city. And I believe that efforts have so much been made in the field of Government endeavour as regards the price of petroleum. They have to end up by giving us approved prices and the pump managers should not deviate from these prices if the people we set up as Task Force do not go there to collect money from them. We still have to approve the setting up of the Task Force. It has to be a screened Task Force for us to be able to maintain the approved pump prices. Thank you, Mr Speaker.

Mr Speaker: Is the hon. Member for Igbo-Etiti East (*Mr Odo*) satisfied with the information or does he still wish to go on with his contribution?

Mr Odo: Mr Speaker, Sir, I do not believe that the issue of petroleum is a new thing. I am not quarreling with the Motion, but what I am talking about is

the arrangement of the prayers. Thank you.

Leader of the House: Mr Speaker, Sir, I have risen to support, in its entirety this all important Motion. The importance of it cannot be overemphasized. This is because the effect of the increase in the pump price is encompassing, affecting the people of Enugu State and beyond. Therefore, I support the Motion, but Mr Speaker, I want you to permit me to make an input on the prayer.

The amendment I want to make is that we include the fifth prayer: *that we urge the Government to direct the different managers of filling stations to start selling fuel immediately at the pump price of twenty-six naira per liter as approved by the Federal Government*

Meanwhile, we will visit the Emene Depot Manager and set up a new Task Force who will, along with the Government, direct the independent marketers to revert to the normal price fixed by the Federal Government. So, having said that, Mr Speaker, I wish the House to approve the fifth prayer. Thank you.

Mr M. Njeze (Udi North): Point of Order! Mr Speaker, Sir. My Point of Order comes from the Standing Rules of the House. It is not proper following Order No. 23 Sub-Section 9. It is not

proper for Members to raise their hands before they are recognized. Sub-Section 9 of that Rule says:

A Member desiring to speak shall rise in his place and if called upon shall make his observations to the Speaker and sit down.

Mr Speaker: Thank you, very much, for that observation. Point of Order upheld.

Mr Enebe (Awgu North): Mr Speaker, I beg to the Motion for the amendment, as moved by the Hon. Leader.

Mr Speaker: I want to ask a question. You will discover that immediately this Motion is passed and Government takes appropriate step, some of these Independent Marketers will now lock up their Filling Stations. Under such a situation what do you do?

Leader of the House: Mr Speaker, I do not think there is anything we can do to stop them from doing that. That fact has always been there. But I think, if you go to the Depot Manager, they have the right to come and inspect the filling stations. They know those they have given fuel. If they are not selling fuel, they will go and measure their fuel dumps.

Mr Speaker; I think, if we adopt this Motion, I will go to the Depot Manager

and inform him of our courtesy call. We may introduce what is called allocation paper to this House that will enable us know what filling stations have fuel. Now it has to be included in the prayer. Let somebody move the Motion.

Leader of the House: Mr Speaker, I do not think that your last prayer needs a Motion.

Mr Enebe: My opinion is that the moment you introduce this method, and once you go there and demand for fuel, you will be disappointed.

Mr Speaker: Going by the Rules of this House, nobody is allowed to speak more than once except the Mover of the Motion. If you do not contribute during your own time of debate just forget it, unless there is information you want to give. But when debate is going on and you do not want to talk; I do not want a situation where one can take us back after we might have ruled on an issue. Everything we do in this honourable House has an allotted time. So, do not take us back on a matter that has been decided on. The only way you can be listened to is when you have an Observation, Information or Point of Order. Anything outside that is not allowed.

Mr Chukwu: Mr Speaker, there is something I want to say.

Mr Speaker: Is that information?

Mr Chukwu: Yes.

Mr Speaker: Go on.

Mr Chukwu: Mr Speaker, Sir, we already have a precedence that has been set. Now you discover that even ESBS both Television and Radio, Federal Radio Corporation and NTA, used to announce the Stations that have been given 30 thousand litres, 20 thousand litres, etc. But you discover that after sometime this announcement stopped. If we will still go by that announcement, Members of the Public will know which Filling Station has fuel and which has not.

Deputy Leader: Point of Information! Mr Speaker. My Point of Information is on the prayer that was adopted which was not all encompassing. Independent Marketers are not the only dealers on Petroleum products. You have Major and Independent Marketers. If we are talking only of Independent Marketers, you will find out that the vicious circle will still continue if nothing is done about the major marketers. Thank you.

Mr Speaker: Let me tell you, if you go round the whole of Enugu State, there is no-way the major marketers

alone can influence fuel prices to the detriment of the masses.

Mr J. Obidinma (Oji River): Mr Speaker, I agree totally with the Motion. Also, I agree with the prayers. I think I support the Motion and the Prayers as well.

Mrs C. Eneh (Udi South): Mr Speaker, this is a very important Motion. I now move that the Question be put.

Mr Eze: Mr Speaker, I second the Motion.

Question, That the Question be now put, put and agreed to.

Main Question put and agreed to.

Resolved.

- 1) That the Hon. Speaker of this House and other Members do visit the fuel depot at Emene to see the Manager, to find out what was really happening there.
- 2) That all the task forces set up for fuel monitoring should be dissolved and new ones constituted. The House Committee on Environment and Petroleum Distribution and the Commissioner for Public Utilities, when appointed, should be Members.

- 3) That Members of the State Security Council with impeccable character should be members.
- 4) That the House should urge the Government to ban the hawking of fuel in the State.
- 5) That the House do urge the Government to direct the Independent Marketers to start selling fuel immediately at the pump price of twenty-six naira (N26.00) per litre as approved by the federal government.

ANNOUNCEMENT

Constitution of Committee on Selection

Mr Speaker: Honourable Colleagues, going by Order No. 53 of the Rules of this honourable House, and for the smooth running of this Parliament, and for the immediate take-off of the various Committees, if constituted, I wish to formally inform you that the House Committee on Selection has been constituted. They include the following:-

- 1) Hon. Chukwu Abel – Speaker – Chairman
- 2) Hon. Enebe Cletus Member
- 3) Hon. Anikwe Paul Member
- 4) Hon. Chukwu Lucky D. Member
- 5) Hon. Dr. Ebenyi Kingsley Member
- 6) Hon. Atigwe David Member
- 7) Hon. Chigbo Anthony Member

Based on this, the afore-mentioned Members as announced by the Speaker, are expected to meet at 2 p.m. today in his office immediately after sitting.

Going by the Motion as adopted by the honourable House, all the Members are expected to assemble at 9 a.m. tomorrow to enable us visit the NNPC Depot at Emene, and the Clerk-at-Table should formally write the manager of our visit tomorrow morning, please.

We have what we call Attendance Register. Ensure that you sign your names at the end of the sitting. We will take group photograph on the rising of the House.

ADJOURNMENT

Leader of the House; (*Mr K. Ebenyi*): Mr Speaker Sir, having done justice to the items on the Order Paper today, I hereby move that the House do now adjourn till Tuesday, 10th June, 2003 at 10 a.m. Thank you.

Read the Rules

Mr C. O. Enebe (Awgu North): Mr Speaker, Sir, in seconding the Motion for Adjournment, I want to appeal to my Colleagues that for a smooth take off of this House, and to ensure that we understand ourselves, I urge every one to read the Rules of debate so that if anybody says something, one does not

see that person as his or her enemy. Thank you.

Question put and agreed to:

Resolved: That the House do now adjourn till Tuesday, 10th June, 2003 at 10 a.m.

Adjourned accordingly at 12.47 p.m.



ENUGU STATE OF NIGERIA
PROCEEDINGS

AND DEBATES OF THE
FIRST SESSION OF THE
THIRD ASSEMBLY

ENUGU STATE HOUSE OF ASSEMBLY

OFFICIAL REPORT

No. 3

Tuesday
10th June, 2003

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Produced by the Publications Department
Enugu State House of Assembly

HOUSE OF ASSEMBLY
ENUGU STATE OF NIGERIA
Tuesday, 10th June, 2003
(The House met at 10 a.m.)

PRAYERS

(Mr Speaker in the Chair)

**APPROVAL OF VOTES AND
PROCEEDINGS**

Mr Speaker: Honourable Members, our Votes and Proceedings No. 2 of Thursday 5th June, 2003, is now before the House. I have done justice to them by going through them, and discovered that they are true reflections of what transpired on the Floor of the House. However, I have the privilege to call for the comments of hon. Members to enable us accept them as correct. Thank you.

Deputy Leader (Mr Anikwe): Mr Speaker, Sir, I have gone through the Votes and Proceedings of our last sitting, and found them to be the proper and true records of our deliberations. I therefore, move for the adoption of the Votes and Proceedings as correct records of our sitting. Thank you, Mr Speaker.

Mr C. O. Encbe (Awgu North): Mr Speaker Sir, I rise to second the Motion for the adoption of the Votes and Proceedings. Thank you, Sir.

Question put and agreed to.

Votes and accordingly Proceedings of Thursday 5th June, 2003 adopted.

**MESSAGE FROM HIS
EXCELLENCY, THE GOVERNOR
OF ENUGU STATE,
DR CHIMAROKÉ NNAMANI**

*Office of the Governor
Enugu State of Nigeria*

*Government House Enugu
4th June, 2003*

GHS/123/VII/6

*The Hon Speaker
Enugu State House of Assembly
Enugu.*

Dear Hon. Speaker

NOMINATION OF COMMISSIONERS

His Excellency, the Governor of Enugu State has nominated the following persons as Commissioners in the proposed State Executive Council:

- 1. Engr F. C. U. Ugwu*
- 2. Sullivan I. Chime*
- 3. Evelyn Ahanonu*
- 4. Dr Festus Uzo*
- 5. Mr Orji O. Orji*
- 6. Dr Simon Idike*
- 7. Dr Dan Shere*
- 8. Dr Patrick Asadu*

9. Mr Afam Nnaji
10. Chief Ayogu Eze

Consequently, he has directed me to respectfully request the Honourable House to kindly, give their nomination expeditious consideration to enable them attend to certain State matters of urgent importance.

I am further directed by His Excellency to convey to you and the entire House, the assurance of his highest consideration.

*Sgd.
Frank Nweke Jnr.
Chief of Staff*

Leader (Mr K. Ebenyi): Mr Speaker, Sir, I move that the Message just sent to us from His Excellency the Governor, be accepted for consideration on Thursday 12th June, 2003.

Mr E. Maduabu (Awgu South): Mr Speaker, Sir, I rise to second the Motion for the acceptance and consideration as proposed by the Leader of the House.

Question put and agreed to.

The Message from His Excellency accordingly accepted for consideration on Thursday 12th June, 2003.

Mr Speaker: The Clerks-At-Table should write official letters to those

concerned to appear on Thursday 12th June, 2003 for screening, and they should equally make available to this honourable House twenty five copies of their credentials. Thank you.

APPOINTMENT OF SPECIAL ADVISERS

Mr Speaker: I still have another Message from His Excellency, the Executive Governor of Enugu State, Dr Chimaroke Nnamani dated 4th June 2003, and I read:-

*OFFICE OF THE GOVERNOR
Enugu State of Nigeria*

*Government House,
Enugu
4th June, 2003*

GHS/123/VII/7

*The Hon. Speaker,
Enugu State House of Assembly,
Enugu.*

Dear Hon. Speaker,

APPOINTMENT OF SPECIAL ADVISERS

His Excellency, the Governor of Enugu State has directed me to respectfully request the approval of the Honourable House for the appointment of five (5) Special Advisers.

based on this, I humbly pledge that the five Special Political Advisers requested by the Governor be approved with immediate effect.

Deputy Speaker (Mr D. O. Atigwe): Mr Speaker, in accordance with the Constitution of the Federal Republic of Nigeria, I have risen to move that the Question now be put.

Question, That the Question be now put, put and agreed to.

Main Question put and agreed to.

Resolved: That this honourable House today, 10th June, 2003, approves the appointment of five Special Political Advisers to His Excellency, the Governor of Enugu State, Dr Chimaroke Ogbonna Nnamani.

Mr Speaker: My hon. Deputy Speaker, hon. Colleagues, I wish to appeal that some staff and all the visitors do leave this Chamber to come back at the appropriate time. I apologize for the inconveniences; we are now going into Executive Session. Thank you.

**COMMITTEE OF THE WHOLE
HOUSE – (EXECUTIVE SESSION).**

**MATTER OF URGENT PUBLIC
IMPORTANCE,**

**CREATION OF MORE LOCAL
GOVERNMENT AREAS IN ENUGU
STATE OF NIGERIA.**

Leader: Mr Chairman, Sir, I rise to seek leave of this honourable House to suspend Order No. 25 of the Standing Orders of the House to enable me present a Matter of Urgent Public Importance. Thank you.

Mr M. Njeze (Udi North): Observation. Mr Chairman, Sir, I believe that we are in Executive Session and that somebody is to record the Motion that is about to be moved. I want to plead that the Clerk, the Sergeant-at-Arms and the three Clerks-at-Table remain with us, while we plead with out Official Reporters to equally give us some time.

The Chairman: Honourable Members, you know, these are the Verbatim Reporters and at the end of the day, what we are going to discuss here will be reported verbatim. So, if you ask them to go, the Clerks-at-Table may not be able to do the job. They will only pick part of the proceedings; but these people are going to report it exactly as it was said.

May I, therefore, request that you, kindly, give the request expeditious consideration to enable them attend to certain State matters of urgent importance. Please accept, on behalf of other Honourable Members, the renewed assurance of His Excellency's consideration.

*Signed
Frank Nweke, Jnr
Chief of Staff*

Leader (Mr K. Ebenyi): Mr Speaker, Sir, due to the importance of this second message from the Executive Governor of Enugu State, I hereby move that we accept the message for consideration immediately. Thank you.

Mr L. D. Chukwu (Nkanu West): Mr Speaker, Sir, in seconding the Motion for the adoption of the Special Advisers as moved by the Leader of this honourable House, I want to say that I am in total support for the acceptance of the said Message from His Excellency, Dr C. Nnamani.

Question put and agreed to.

Message from His Excellency accepted for immediate consideration.

Leader: Mr Speaker, Sir, may I seek the leave of this honourable House to suspend Order No. 25 of the Standing Orders of Old Anambra State House of

Assembly. Mr Speaker, like I have already said, there is need for His Excellency to have people that will start work immediately. For now His Excellency is working only with his Deputy Governor. He needs some people to work with him. He has just nominated some names for Commissioners which would be screened by this House on Thursday, 12th June, 2003. I urge this honourable House to allow His Excellency to appoint the five Special Political Advisers who will work with him until the new Executive Council is inaugurated. I, therefore, urge the honourable House to accept the Motion as moved.

Mr C. O. Enebe (Awgu North): Mr Speaker, I rise to support that we approve the five Special Political Advisers to the Governor. In supporting the approval, I also urge him to appoint competent hands so that the duties of Enugu State will be enhanced. Thank you.

Mr J. U. Onoh (Enugu North): Mr Speaker, Sir, life represents the efforts of man to organize society and since this government is a government of a political party under the influence of public opinion, and since the divine right of government is the keystone of human progress, I hereby believe that all governments are managed by the combined wisdom of the people. And

Mr Njeze; Thank you so much, Mr Chairman for the explanation; then the Speakers should be audible enough for them to pick.

The Chairman: Honourable Colleagues, the observation is overruled. Thank you.

Mr C. O. Enebe (Awgu North): Mr Chairman, Sir, I rise to second that Motion moved by the Leader of the House requesting the leave of this honourable House to suspend Order No. 25 of the Standing Orders to enable him move a Motion of Urgent Public Importance.

Question put and agreed to:

Order No. 25 of the Standing Orders of the House accordingly suspended.

Leader: Mr Chairman, Sir, you must have noticed that for a long time now the demand by the people of Enugu State for the creation of more Local Government Areas in the State has been a burning issue.

The seventeen (17) Local Government Areas we have at present are not adequate to meet the yearnings of the public in terms of development at grassroots.

This demand is very necessary in respect of rapid and even development

in the new Local Government Areas to be created.

You will also observe that this House has been flooded with requests for creation of more Local Government Areas for the people of Enugu State.

You are also aware that the Panel on Creation of new Local Government Areas in Enugu State has been inundated with requests from the people of Enugu State for the creation of additional Local Government Areas in Enugu State.

As a result, it has become pertinent that this honourable House should consider these requests as a matter of urgency.

PRAYERS: In view of the foregoing, may I move as follows:

1. That this honourable House do now consider and adopt creation of more Local Government Areas in the State.
2. That an Ad-hoc Committee be set up immediately for this purpose, and in so doing should liaise with the Enugu State Independent Electoral Commission (ENSIEC).
3. That the Ad-hoc Committee should liaise with other Government Agencies and Organizations especially the Panel on Local Government

Creation that has been working on this matter.

Mr Speaker, I beg to move.

Mr C. O. Enebe (Awgu North): Mr Chairman, Sir, I have risen to contribute to the Motion on the creation of more Local Government Areas in Enugu State. Mr Speaker, you will agree with me that during the military era, the people of Enugu State and indeed the South Eastern States were marginalised because Local Government creation then was the prerogative of the Federal Military Government of Nigeria.

Today, the Constitution we are operating has under Section 7 empowered this honourable House to create new Local Government Areas in Enugu State. In doing so, we will try to create a balance and make enough efforts to correct the imbalances existing.

Imagine a State like Enugu State having only 17 local government areas whereas her counterparts in other parts of the country have 40 and more and very recently, some other states have gone ahead to create more Local Government Areas in their domains.

As a result of the yearnings of our people for more Local Government Areas, it becomes very stringent on us to do what we can, to see that their cries

for these Local Government Areas come to fruition.

We on our part will be doing what the Constitution empowers us to do, if we listen to them and give them the new Local Government Areas as demanded. The importance of more Local Government Areas in Enugu State cannot be over emphasized. Such will open up the rural areas, it will create an avenue for development. By the time the revenue sharing allocation is done at the Federal level, we would have had more opportunities of having more money from the center if the Motion passes through Enugu State House of Assembly and is taken to the National Assembly.

So, we will try as much as possible to ensure that we achieve equity and fairness in Local Government creation.

Finally, I wish to state that it will be very, very necessary for the Ad-hoc Committee to ensure that the procedures as enshrined in Section 8 of the Constitution are strictly adhered to so that more Local Government Areas can be created as is our initial taste. Thank you, Mr Chairman.

Mr E. Odo (Igbo-Etiti East): Mr Chairman, Sir. I strongly align myself to the speeches made by the Sponsor and co-sponsors of this very Motion. The yearnings and aspirations of the

people of Enugu State have been geared towards taking Government to the grassroot and the essence of taking Government to the grass root is to allow people to be part of the Government and that is to say, that creating more Local Governments in Enugu State will go a long way to achieve that purpose, and as a matter of fact, that reflects the name Local Government.

However, the prayers of the Sponsors are very cogent to my mind, more especially prayer No. 2 that recommends for an Ad-hoc Committee to be set up to visit and conduct a referendum for that purpose. I think by so doing, the House must have done its best to, at least, shift part of their responsibilities to the said Committee. And while urging the Committee to perform their duties effectively, I will plead that the Speaker should as well give the Terms of Reference to the said Ad-Hoc Committee. Having read through the prayers, I think I am in a better position to say that I am sponsoring the Motion. Thank you very much.

Mr E. U. Eze (Udenu): Mr Chairman, I have risen to give flesh to the arguments that have been made to create more local governments in Enugu State. We are in a democracy and the colonial masters who introduced this system of government started with Local Administration. In other words,

the emphasis is on Local Administration. Ninety *per cent* of our people reside in the rural areas, and if we should have more local governments that will bring government nearer to the people, that means access to democracy dividends. That is spreading the benefits of good governance. So, as a co-sponsor to this very important Motion, I am asking you to give it full Constitutional backing by its passage. Thank you.

Mr M. Njeze (Udi North): Thank you Mr Chairman. I have enough good reasons to support this Motion of Urgent Public Importance, for an urgent need to create additional local governments in Enugu State. My people are immensely yearning for more Local Governments. This House will be doing a very great service to the people of Enugu State by agreeing to carry out its Constitutional duties to achieve the yearnings and aspirations of the people by supporting this Motion. Knowing fully well that, like one of the sponsors said, greater percentage of our people reside in the rural areas and the cardinal reason for investing in democracy, after casting our votes, is to receive dividends thereon. These dividends will be most appreciated when it gets down to the rural populace. It is based on these reasons that I rise to support the Motion. Thank you.

Mr D. Agbo (Enugu East): Mr Chairman, Sir. I am in total support of this Motion as proposed by the Leader of this House. Our people have waited too long for this Motion, and I still believe we cannot delay it any longer. Moreover, I believe that if we pass this Motion today we are doing justice to the people of Enugu State. Firstly, it will bring development nearer to the people. Moreover, it will reduce the cry of marginalization in Enugu State. Thank you.

Mr L. D. Chukwu (Nkanu West): Mr Chairman, firstly, I must commend the Leader for moving this Motion. Equally, I want to thank the Sponsor and Co-sponsors of this Motion for a very good job done. Equity sees that it is done that, which ought to be done, and in this instance equity has been done. A stitch in time saves nine. This Motion, honestly speaking, is anchored on justice, fair play, equity, social development, even development, awareness and a lot more. It is a very, very commendable Motion. And I urge my honourable Colleagues in all humility that we accept this historical and symbolic Motion on the creation of more local governments. On this note, Mr Chairman, Sir, I beg to have my Seat. Thank you.

Mr J. Obidinma (Oji River): I stand to support the creation of more local governments. If we do not create more,

we will not be doing our people any good, hence there is need for us to align ourselves with the creation of additional local governments. If we create more, we will gain the following;

Political Gains: We all know that National Delegates are always drawn from local governments in proportion. If we remain at seventeen local governments, and others like Anambra State and Kano State are having seventy two as at now, then we are not doing ourselves any favour, because there is a great difference between seventeen and seventy-two. When there is a National Delegate Meeting, we will have less members attending.

It will give our people more jobs because more hands will be involved in the new local governments that will be created. There are economic gains as well; National Revenue is shared on local government basis, so I think that with this few reasons, there is the need for us to create without delay more local governments. Thank you.

Mr J. U. Onoh (Enugu North): Mr Chairman, Sir, I thank my hon. Leader (*Mr Ebenyi*) and those that moved this Motion. I also thank the hon. Member for Udenu (*Mr Eze*) for going direct to the benefits of creating these new local governments from today onwards.

I believe that by creating new local governments, we will create avenues for protection of the individuals against arbitrary infringements on their rights by other individuals. I also believe that we are creating employment opportunities for people to earn their living. I believe in the freedom of discussion and teaching, and I also believe that by creating these local governments, we will be able to give every individual within this State adequate participation in the formation of this government. And in believing so, Mr Speaker, I am urging all of you to support the creation of new local governments as we are actually going to entrench peace not just during our time but at all times, and it will go down in history that we have done good service to the people of Enugu State.

With that, Mr Chairman, I humbly beg to resume my Seat.

Mr E. Maduabu (Awgu South): Thank you, Mr Chairman, I think that this is one of the most important Motions that will be moved in this House. The creation of local government areas in Enugu State is long over-due. It is even ridiculous that a State as large as Enugu State is having only seventeen local government areas whereas such States like Kano, though larger, has forty-seven. Bayelsa, Anambra and Imo States have more than seventeen respectively; some have up to twenty and above. I think that we,

hon. Members, will be doing ourselves and our offsprings good by creating more local government areas, because the issue goes down to the development of the rural areas, and especially the areas that have been neglected for a very long time.

We should not hesitate in creating more local government areas in Enugu State so that then our people will testify that we have done a great service to the State.

On this very note, Mr Chairman, I move that the Question be put, that new local governments be created in Enugu State.

Question that the Question be put, put and agreed to.

Main Question put and agreed to.

Resolved:

1. That this honourable House do now consider and adopt creation of more Local Government Areas in the State.
2. That an Ad-hoc Committee be set up immediately for this purpose, and in so doing should liaise with the Enugu State Independent Electoral Commission (ENSIEC).
3. That the Ad-hoc Committee should liaise with other Government Agencies and

Organizations especially the Panel on Local Government Creation that has been working on this matter.

Mr Chairman: Honourable Colleagues, the Motion has been adopted, and in keeping with the prayers of the Motion, I wish to immediately announce the Members of the *ad hoc* committee on local government creation in Enugu State.

1) Hon. Enebe Cletus	Chairman
2) Hon. Ebenyi Kingsley	Member
3) Hon. Obidinma Johnny	Member
4) Hon. Njeze Marcel	Member
5) Hon. Chukwu Lucky	Member
6) Hon. Anichukwu John	Member
7) Hon. Eze Emma	Member
8) Hon. Atigwe David	Member
9) Hon. Anikwe Paul	Member
10) Hon. Odo Eugene	Member
11) Hon. Chigbo Anthony	Member
12) Hon. Chukwuegbo Gregory	Member
13) Hon. Maduabu Emmanuel	Member

Let me make one appeal: This is an *ad hoc* committee and it stands dissolved as soon as we finish this exercise. I want to appeal to hon. Members and to remind that definitely, every hon. Member's name cannot be in the list, but we tried as much as possible to do justice to it by including people from various political zones to make-up this list. So if your name is not there, it does not mean that you are not qualified to be there. We are working like people from the same family.

The Chairman of the committee is the Member for Awgu North (*Mr Enebe*). Like I said, this is an *ad hoc* committee and it is going to have sub-committees that will be distributed to the three Senatorial Zones of the State.

Mr Chairman: The distribution list is as follows. Member for Awgu North (*Mr Enebe*) still remains the Chairman of the entire sub-committees.

Enugu West Senatorial Zone:

Hon. Johnny Obidinma
Hon. Marcel Njeze
Hon. Paul Anikwe
Hon. Emmanuel Maduabu

Enugu East Senatorial Zone:

Hon. Kingsley Ebenyi
Hon. Lucky Chukwu
Hon. John Anichukwu
Hon. Gregory Chukwuegbo

Enugu North Senatorial Zone:

Hon. David Atigwe
Hon. Emma Ezeh
Hon. Eugene Odo
Hon. Anthony Chigbo

(Mr Speaker resumed the Chair)

I thank my hon. Colleagues. You are aware of the importance of this Motion. I expect that by Thursday, this Committee should report out to the House. Because of this exercise, we might not sit tomorrow to enable us do justice to the Motion and to this exercise. I expect therefore, that by Thursday you should be able to turn out your Report to enable us forge ahead. Thank you. I think that having exhausted the issues we wanted to discuss at the executive session, we can now open the gallery.

The *ad hoc* committees will meet on the rising of the House in the Conference Hall here.

Please listen to me. I know too well that when we finally leave this place, some people will like to know what we discussed; if anybody asks you, please refer the person to the Speaker.

Whereupon the Gallery was reopened to the Public.

Hon. Colleagues, we are sorry for keeping the public waiting for some time. It is not our fault. I believe we have to do justice to issues as they concern this honourable House. This is not the first time we are asking that the Gallery be cleared. It is not an embarrassing order; so you are welcome back to the Chamber.

ANNOUNCEMENT

Mr Speaker; I wish to appeal that during our next sitting people should go to the Gallery and not come inside the Chamber. Please all concerned should take note and Sergeant-at-Arms should try to assist people to go to the Gallery and not inside the Chamber.

All the hon. Members will meet in the Conference hall on the rising of the House. I have been told that the House Committee on Selection met and made appointments. I have been given some list of Committees of the House. I know everybody is anxious to know where he belongs, but in my records, I have a little problem. I earlier told you that I do not want the name of anybody to be in more than three Committees, but from available records before me, some names appeared in more than three Committees. If I call the Committees and discover that a name falls in more than three Committees, I will remove the name and put it appropriately. The Committees are as follows:

HOUSE COMMITTEE ON FINANCE AND APPROPRIATION

Hon. Josef U. Onoh	Chairman
Hon. Emma Eze	Member
Hon. Paul Anikwe	Member
Hon. John Anichukwu	Member
Hon. Emmanuel Maduabu	Member
Hon. Christopher Ugwu	Member
Hon. Fidelis Ezema	Member

HOUSE COMMITTEE ON
PUBLIC UTILITIES

Hon. Christopher Ugwu	Chairman
Hon. Anih Donatus, A.	Member
Hon. Onah Febian	Member
Hon. David Atigwe	Member
Hon. Mrs Chika Ene	Member
Hon. Alfred Nnadi	Member

HOUSE COMMITTEE ON SPECIAL DUTIES
AND ECONOMIC DEVELOPMENT

Hon John Anichukwu	Chairman
Hon. Emma Eze	Member
Hon. Eugene Odo	Member
Hon. Nze Michael Onyeze	Member
Hon. Marcel Njeze	Member
Hon. Amu Felix E.	Member
Hon. Dennis I. Agbo	Member

HOUSE COMMITTEE ON HOUSE
SERVICES AND SECURITY MATTERS

Hon. Donatus A. Anih	Chairman
Hon. Lucky D. Chukwu	Member
Hon. Josef U. Onoh	Member
Hon. Atigwe David	Member
Hon. Marcel Njeze	Member
Hon. Emmanuel Maduabu	Member
Hon. Fidelis Ezema	Member

HOUSE COMMITTEE ON WOMEN
AFFAIRS, AND SOCIAL DEVELOPMENT

Hon. (Mrs) Chika Ene	Chairman
Hon. E. Maduabu	Member
Hon. M. Onyeze	Member
Hon. D. Agbo	Member
Hon. F. Amu	Member

HOUSE COMMITTEE ON PETROLEUM
RESOURCES AND ENVIRONMENTAL
MANAGEMENT

Hon. J. Obidinma	Chairman
Hon. L. Chukwu	Member
Hon (Mrs) Chika Ene	Member
Hon M. Njeze	Member
Hon J. Anichukwu	Member
Hon C. Enebe	Member
Hon E. Odo	Member

HOUSE COMMITTEE ON HEALTH

Hon M. Njeze	Chairman
Hon K. Ebenyi	Member
Hon J. U. Onoh	Member
Hon F. Amu	Member
Hon J. Anichukwu	Member
Hon M. Onyeze	Member
Hon (Mrs) Chika Ene	Member

HOUSE COMMITTEE ON EDUCATION,
SCIENCE & TECHNOLOGY

Hon M. Onyeze	Chairman
Hon P. Anikwe	Member
Hon A. Chigbo	Member
Hon D. O. Atigwe	Member
Hon C. Enebe	Member
Hon J. U. Onoh	Member
Hon D.I. Agbo	Member

HOUSE COMMITTEE ON LANDS
AND HOUSING

Hon E. Eze	Chairman
Hon C. Enebe	Member
Hon L. Chukwu	Member
Hon A. Chigbo	Member
Hon G. Chukwuegbo	Member
Hon A. C. Nnadi	Member

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<p>HOUSE COMMITTEE ON PUBLIC ACCOUNTS</p> <p>Hon F. Onah Chairman Hon E. U. Eze Member Hon D. I. Agbo Member Hon E. Maduabu Member Hon M. Njeze Member Hon K. Ebenyi Member Hon F. Ezema Member</p> <p>HOUSE COMMITTEE ON CHIEFTAINCY, CULTURE AND TOURISM</p> <p>Hon F. Amu Chairman Hon A. Chigbo Member Hon D. Ani Member Hon D. O. Atigwe Member Hon J. Anichukwu Member</p> <p>HOUSE COMMITTEE ON CIVIL SERVICE AND LABOUR MATTERS</p> <p>Hon A. Nnadi Chairman Hon (Mrs) Chika Ene Member Hon C. Ugwu Member Hon M. Onyeze Member Hon G. Chukwuegbo Member</p> <p>HOUSE COMMITTEE ON COMMERCE AND INDUSTRIES</p> <p>Hon E. Maduabu Chairman Hon J. Obidinma Member Hon J. U. Onoh Member Hon F. Ezema Member Hon C. Ugwu Member Hon F. Onah Member Hon (Mrs) Chika Ene Member</p> <p>HOUSE COMMITTEE ON RULES AND BUSINESS</p> <p>Hon (Dr) K. Ebenyi Chairman Hon D. O. Atigwe Member Hon C. Enebe Member</p>	<p>Hon L. Chukwu Member Hon E. Odoh Member Hon G. Chukwuegbo Member</p> <p>HOUSE COMMITTEE ON JUDICIARY, PUBLIC PETITIONS, ETHICS AND PRIVILEGES</p> <p>Hon E. Odoh Chairman Hon C. Enebe Member Hon L. Chukwu Member Hon K. Ebenyi Member Hon J. Obidinma Member Hon M. Onyeze Member Hon F. Amu Member</p> <p>HOUSE COMMITTEE ON WORKS AND TRANSPORT</p> <p>Hon G. Chukwuegbo Chairman Hon J. U. Onoh Member Hon J. Obidinma Member Hon P. Anikwe Member Hon F. Ezema Member Hon F. Amu Member Hon E. Eze Member</p> <p>HOUSE COMMITTEE ON INFORMATION, YOUTHS AND SPORTS</p> <p>Hon. L. D. Chukwu Chairman Hon G. Chukwuegbo Member Hon M. Njeze Member Hon E. Maduabu Member Hon C. Ugwu Member Hon A. C. Nnadi Member Hon F. E. Amu Member</p> <p>Mr Speaker: The next Committee has to do with a lot of things. I think that Uzo-Uwani is blessed with agricultural products.</p> <p>Mr A. Chigbo (Uzo-Uwani): Mr Speaker I have no objection.</p>

HOUSE COMMITTEE ON AGRICULTURE
AND NATURAL RESOURCES

Hon A. Chigbo	Chairman
Hon D. Atigwe	Member
Hon D. I. Agbo	Member
Hon (Mrs) Chika Ene	Member
Hon E. Maduabu	Member
Hon F. Ezema	Member
Hon G. Chukwuegbo	Member
Hon C. Ugwu	Member

HOUSE COMMITTEE ON LOCAL
GOVERNMENT, INTER-PARLIAMENTARY
RELATIONS, RURAL DEVELOPMENT
AND STATE INEC

Hon C. O. Enebe	Chairman
Hon L. D. Chukwu	Member
Hon D. Atigwe	Member
Hon E. Eze	Member
Hon A. Chigbo	Member
Hon K. Ebenyi	Member
Hon D. A. Ani	Member
Hon J. Obidinma	Member
Hon P. Anikwe	Member

Mr Speaker: Honourable Members, please let me state again that I had no time to go through this document, so I have discovered that the names of some hon. Members appeared in more than five places. I wish to state that I will not consult anybody to take action, if an hon. Member's name appears in more than four or five places, I will rearrange the names appropriately. I have no need to consult anybody. I will do it on my own.

Mr A. Chigbo (Uzo-Uwani): No phone call!

Mr Speaker: Honourable Members should please take note. The idea of these Committee is for the House to take off, and take off in full swing. I do not think there is need for anybody to be in all the Committees. I believe that all of us are mature and that we are capable of heading the various Committees. In my usual way, I do not think that any committee is more viable than the others; it all depends on what you want to make out of it. Even if you put any Member in whatever you may call the best Committee, if the person does not work hard, at the end, he will end up not achieving anything. The most important thing is that if you are in a Committee and you think that it is not viable, there are still three other Committees you are going to work in, that will be viable. However, there is no committee that is not viable, it all depends on committees Chairmen like I said earlier. I believe that you are all capable of being committee Chairmen. I am appealing to you to try as much as possible to work in your committees. If along the line I discover that you are not performing, I will retrieve the Committee and give it to another person.

I want to make another appeal on the Motion sponsored by the hon. Member for Nkanu West (*Mr Chukwu*). I do not want the Motion to die like that. There are now long queues; these independent marketers have refused to sell again. I

am now giving the authority of this House to the Committee on Petroleum and Environment to move into action as soon as the House adjourns, to go to NNPC, because we agreed that they will be sending their manifest on daily basis so that we can find out those that have fuel and why they are not selling.

I want to sound a note of warning; if Members do not take time they are going to blackmail you, that is why every Member here is a man of honour and integrity and that is expected of every Committee Chairman. Definitely, they will tell you that they bought it at high prices, that they have to make profit. I insist that they have to sell at twenty-six naira or they do not sell. It is not normal for them to sell at higher prices while others sell at correct prices. We cannot accept that. So on the rising of the House, the Committee on petroleum should move into action and report back to this House on Thursday 12th June, 2003. The ball is now in your court. I have done my own work as the hon. Speaker, it is left for you to play your own cards so that the rights of the people of Enugu State will be protected.

Well, on the issue of manifest, I humbly request the Clerks-at-Table to write officially to the Depot Manager, NNPC that, he should as a matter of urgency and importance, make available to the Members of the Committee or the Chairman on Petroleum and

Environment, the manifest of their distributions on daily basis. The Chairman, should please take note.

ADJOURNMENT

Leader: Mr Speaker, I rise to move that the House do now adjourn till Thursday, 12th June 2003, at 10 am.

Deputy Leader: Mr Speaker, I stand to second the Motion for Adjournment. Thank you.

Mr C. O.Enebe (Awgu North): Mr Speaker, Sir, I wish to support the Motion for adjournment, and in doing so, I wish to make Enugu State and the public to realize that we are not a Task Force. We are elected and we must play our own role. If the fuel dealers in Enugu State fail to sell the fuel at the price of N26.00 per a litre as approved by the Federal Government, we cannot buy. We are in a democracy and the fuel is one of our natural resources. I believe that what we are doing is to achieve our objectives in this direction. Thank you very much, Mr Speaker.

Question put and agreed to.

Resolved: That the House do now adjourn till Thursday, 12th June, 2003 at 10 a.m.

Adjourned accordingly at 1.50 pm.

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ENUGU STATE OF NIGERIA
PROCEEDINGS

AND DEBATES OF THE
FIRST SESSION OF THE
THIRD ASSEMBLY

ENUGU STATE HOUSE OF ASSEMBLY

OFFICIAL REPORT

No. 4

Thursday
12th June, 2003

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HOUSE OF ASSEMBLY
ENUGU STATE OF NIGERIA

Thursday, 12th June, 2003
(The House met at 10 a.m.)

PRAYERS

(Mr Speaker in the Chair)

**APPROVAL OF VOTES AND
PROCEEDINGS**

Mr Speaker: Honourable Members, our Votes and Proceedings No. 3 of Tuesday 10th June, 2003 are before the House. I have done justice to them and they are the true reflection of what transpired on the said day. However, it is my wish to call for your comments. Thank you.

Mr M. O. Onyeze (Igboeze North I): Mr Speaker, Sir, I have gone through the Votes and Proceedings, and I want to observe that my names were not properly written. All through the Votes and Proceedings were written *Onyeze N.M.*, 'N' is not at all in my name. My full names are *Onyeze Michael Onyeachonam*.

Mr Speaker: Noted.

Mr J. Obidinma (Oji River): Mr Speaker, Sir, I have equally gone through the Votes and Proceedings and to my mind everything there is in order.

I, therefore, move that the Votes and Proceedings be adopted. Thank you.

Mr E. Odo (Igbo-Etiti East): Mr Speaker, Sir, after a careful perusal of the proceedings I found them to be correct and a real representation of what happened during our last meeting. I therefore second the Motion for the adoption of the Votes and Proceedings.

Question put and agreed to:

Votes and Proceedings of 10th June, 2003 accordingly adopted.

**MESSAGE FROM HIS
EXCELLENCY THE EXECUTIVE
GOVERNOR OF ENUGU STATE,
DR CHIMAROKÉ NNAMANI**

4th June, 2003

GHS/123/VII/6

*The Hon. Speaker,
Enugu State House of Assembly,*

Dear Hon. Speaker, Sir,

**ADDITIONAL TWO COMMISSIONER
NOMINEES**

His Excellency, the Governor has directed that the following two persons have been nominated as Commissioners in the proposed State Executive Council.

They are as follows:

1. Chief Clement Okwor
2. Barr. Lucky Chukwu

Consequently he has directed me to respectfully, request the hon. House to kindly give their nomination immediate consideration to enable them attend to certain State matters of urgent importance.

I am further directed by His Excellency to convey to you and the entire House the assurance of his highest consideration.

Sgd.
Frank Nweke Jnr
Chief of Staff.

Leader: (Mr K. Ebenyi): Mr Speaker, Sir, I rise to move that the message brought to this honorable House be accepted for immediate consideration. Thank you.

Mr P. Anikwe (Ezeagu): Mr Speaker, Sir, I have no doubt in my mind that we have to do justice to the message from His Excellency. I therefore stand to second the Motion that the message be considered immediately.

Question put and agreed to:

Message from His Excellency accordingly accepted for immediate consideration.

Mr Speaker: Hon. Colleagues, we are going to item five on the Order Paper, which is Order of the Day. You will recall that we have already invited some Commissioner nominees to appear before this honourable House, and having accepted the message from His Excellency, the two additional nominees will be screened along with those we have already invited for screening today.

Leader: Mr Speaker, Sir, having moved to item five, which is the screening of the Commissioner nominees, may I move that the House do now resolve itself into a Committee of the Whole House for this all important exercise. Thank you.

Mr E. Maduabu (Awgu South): Mr Speaker Sir, I rise to second that Motion.

Question put and agreed to:

**ADDITIONAL TWO
COMMISSIONER NOMINEES –**

**(CONSIDERED IN THE
COMMITTEE OF THE WHOLE
HOUSE)**

The Chairman: Hon. Colleagues, now that the House has been resolved into the Committee of the Whole House, we now go ahead to item five, and in doing that, you will agreed with me that

almost all the nominees have served the Government in one position or the other. Some of them were one time Commissioners before now, and some were in different areas in Government, and, of course, one of them had been an honourable Member of this House.

In view of this development, I suggest, since we have a lot to do today, instead of calling them one by one, we call three at a time to save time because we have a bulk of duties yet to be carried out. So, Sergeant-at-Arm call the hon. Member for Nkanu West (*Mr Lucky Chukwu*) if he is around, Dr F.S.A Uzor, as we all know, is a Member and a Colleague of this honourable house. Dr F.S.A Uzo was one time Speaker of this House. Then call Chief Ayogu Eze.

Honourable Colleagues, before you is a one time Colleague, former Speaker of this House, the Right hon. Dr F.S.A Uzor. Dr Uzor is here today to seek your approval for him to occupy a position in Enugu State as a Commissioner. Having been hon. Speaker of this honourable House, I wish to reserve my comments. Behind him is hon. Chief Ayogu Eze who is here before you now, he has been a Commissioner in this Government for four years. The next person I called is hon. Lucky Chukwu who is incidentally not here present. He has actually gone out for a very important assignment. That notwithstanding, we will go ahead

to make some comments as regards to hon. Lucky Chukwu and possibly approve his nomination. Thank you. May I now call on hon. Members to ask questions, starting from the hon. Member for Nkanu West (*Mr Lucky Chukwu*) who is incidentally not present in the Chamber today. I now begin with the one time Speaker of this House. I call on hon. Members to ask hon. Dr F.S.A Uzor questions as regards his position.

Mr C. O. Enebe (Awgu North): Mr Chairman, I have risen to make some comments as concerns the two gentlemen standing before us. Starting from our one time Speaker. Mr Chairman, you will agree with me that Dr Uzor is a Member of this Community. We have known him to be productive. So, the experience he has acquired at the legislative level, his contributions to the nascent democracy; his participation in Enugu State House of Assembly give enough credence to his qualifications for this position. On this note, Mr Chairman, I move that this honourable House allows Dr Uzor to take a bow and leave the Chamber. Thank you, very much.

Leader (*Mr Ebonyi*): Mr Speaker, I rise to second the Motion as moved by the hon. Member for Awgu North (*Mr Enebe*).

Question put and agreed to.

Dr F.S.A Uzor accordingly took a bow and withdrew from the Chamber

Mr M. Onyeze (Igbo-Etiti North I): Mr Speaker, I move a Motion urging the House to consider favourably the appointment of my brother here, Chief hon. Ayogu Eze as a Member of the State Executive Council. Chief Eze is a title holder in my Community, a distinguished scholar, a renowned journalist and a very core loyalist of this administration. He has worked tirelessly, and he was the longest serving Commissioner. In fact he has all it takes to appoint him a Commissioner in this Administration. He has been a Commissioner for three terms and it is because of his loyalty and hardwork. I believe he has acquired experience as a journalist in Government and in various fields of human endeavour. We are all asking that he should be considered favourably in this noble appointment.

Thank you, Mr Chairman.

Mr E. Odo (Igbo Etiti East): Mr Chairman Sir, the Commissioner-Designate (*Chief Anyogu Eze*) is a house-hold name in Enugu State today, and if not that this is a statutory requirement, I think he ought not to have been summoned here. But, then we have to fulfill our statutory obligations. He served as a Commissioner for Information in Enugu State and a Commissioner for Culture and Tourism for which he performed

excellently well. I equally second the Motion by pleading to this honourable House that he takes a bow and leaves the Chamber.

Mr P. Anikwe (Ezeagu): Question! Point of Order! I have a question. Mr Chairman, honourable Colleagues, the question which I want to put to him and which may be a general question for some of them that will be coming in, is that, I will like the Commissioner-Designate (*Chief Anyogu Eze*) to know that he cannot answer honourable until he is sworn-in as a Commissioner, because I over-heard them addressing him as honourable Anyogu-Eze. (*Interruptions*)

Mr Chairman: Excuse me! That Point of Order is overruled, because when once you are an honourable person, you are always an honourable person in status. The Commission-Designate has served this government for four years, so he can always be addressed as honourable. Even when, God forbid, he dies, he can always be addressed as such. And even when you, the hon. Member representing Ezeagu dies, you will be addressed as an honourable. So I have to correct you.

Mr Enebe (Awgu North): Mr Chairman, I have risen to second the Motion moved by the Member representing Igbo-Etiti East (*Mr Odo*), and in doing so, I want to equally say that the Commissioners should answer

honourable, after-all, we conferred it on them. It is part of what we are doing today. It is like a chieftaincy title.

Question put and agreed to.

The Commissioner-Designate (Chief Anyogu Eze) accordingly took a bow and left the Chamber.

Mr M. Njeze (Udi North): Mr Chairman, Sir, the man in question, the honourable Member representing Nkanu West (*Mr Chukwu*), is a bonafide Member of this House. Incidentally, he is not here now, but as his people, the people of Nkanu West trusted him and elected him to represent them in this honourable House, I have all the confidence, having known him for a long time, to stand before you to plead with this honourable House to give his Excellency, the Governor, the approval to appoint him as a Commissioner in Enugu State Government. I make this ascertainment, knowing fully well that the hon. Member representing Nkanu West (*Mr Chukwu*) had been here with us and is inevitably absent today in the interest of Enugu State. He is a Barrister-at-Law and has served Enugu State government, and during this period, he served creditably well which endeared him to his people and endeared him to the Governor.

Based on this factors, I humbly plead with the House to give approval for his

appointment as a Commissioner in Enugu State. Thank you.

Mr J. Anichukwu (Nkanu East): Mr Chairman, the hon. Member representing Nkanu West and Commissioner-Designate (*Mr Chukwu*) has tried relentlessly to sustain democracy in Enugu State at a Special Adviser level.

He is a Gentleman, dedicated, very serious to the service of Enugu State and, most recently, I wish to inform you that this House has won a very good impression of the electorate in Enugu State and it was through a Motion by the Member representing Nkanu West (*Mr Chukwu*) which we all supported. I believe that, he is a vital instrument just like any one of us, and I do not think that we should have any hesitation to approve his appointment by the Executive Governor, Dr Chimaroke Nnamani, because he needs his services. On this note, I crave the indulgence of the House to support the Motion moved by the honourable Member representing Udi North (*Mr Njeze*) that the Commissioner-Designate be accepted and confirmed as Commissioner in the Enugu State Government. Thank you.

Mr Chairman: Now the Commissioner Designate (*Mr Chukwu*) is not here and there is a Motion by the honourable Member representing Udi North (*Mr Njeze*) which was duly seconded by the Member representing

Nkanu East (*Mr Anichukwu*) that this honourable House confirms the appointment of the Commissioner-Designate (*Mr Chukwu*) as a Commissioner in the Enugu State Government.

Question put and agreed to.

Mr Chairman: Honourable Colleagues, before you is Dan Shere, who, before now is Chairman of Nsukka Local Government Area. Next is Mr Afam Nnaji. Mr Afam Nnaji was one time Commissioner in Enugu State Government and later went to Nkanu West Local Government Area to serve as Chairman. I do not know whether the Member for Awgu North (*Mr Enebe*) is aware that he is there (*laughter*). He is here again today for screening, and following him, is Dr Simon Idike. Dr Idike has been with this government since 1999. He has served as Commissioner and as Special Adviser on Health, and, today, he is here again based on invitation and also on his nomination by the Governor to serve on the State Executive Council. The next is Dr Asadu. Dr Asadu has been a Commissioner in the last government, and later he became Chairman, Transition Committee, Igbo-Eze South Local Government. Today, he is here based on your invitation.

Honourable Colleagues, the gentlemen are before you. You can ask your question. You all have their

curricula vitae. I think it is good enough to say what I have just said. However, we have to do our duties as Legislators.

Mr O. Chukwuegbo (Enugu South II): Mr Speaker, I stand to move the Motion that Mr Afam Nnaji who has been in this government from day one and has served as Special Assistant to His Excellency; one time Commissioner for works and transport; one time Transition Committee Chairman of Nkanu West (having all these facts before us), takes a bow and leaves the Chamber. Thank you.

Deputy Speaker Thank you, Mr Chairman, as all of you can see, the four gentlemen have been good stewards of this government.

Mr Chairman: Is the Deputy Speaker seconding the Motion that hon. Afam Nnaji should take a bow and leave?

Deputy Speaker: Thank you, Mr Chairman. I am trying to second the Motion, but I want all of them to go simultaneously. The gentlemen having served as administrators and re-nominated, means they have not forgotten their routes. I therefore move that the four of them should take a bow and leave the Chamber accordingly. Thank you.

Mr Chairman: A Motion was moved earlier and you are now moving another Motion.

Mr J. U. Onoh (Enugu North): Mr Speaker, I stand here to second the Motion by the Member for Enugu South II (*Mr Chukwuegbo*) that Mr Afam Nnaji takes a bow and leaves.

Mr Chairman: No. No. That one has been over-taken because it was not seconded before another Motion was moved.

Mr Onoh: The Motion was not given due consideration because you did not give us chance to second it. We would have seconded it if you had given us the opportunity to do so.

Mr Chairman: You can do that now.

Mr Onoh: We just did it now (*Laughter*).

Mr Enebe: On a Point of Order. My Point of Order is that the Motion by the Deputy Speaker has been taken care of by the Motion moved by the hon. Member for Enugu South Urban (*Mr Chukwuegbo*). The Deputy Speaker's Motion is as good as the first Motion because Mr Afam Nnaji is part of the four of them. Thank you.

Mr Chairman: I do not agree that it is part of the Motion made by the hon.

Member for Enugu South Urban. It was not seconded. Somebody should second that of the Deputy Speaker.

Mr F. Ezema (Igbo Eze South), Mr Chairman, I rise to second the Motion moved by the Deputy Speaker. I also want to correct my hon. Colleagues not to address the Chair as Mr Speaker, rather, he should be addressed as Mr Chairman. Thank you.

The four nominees accordingly took a bow and left the Chamber.

Mr Chairman: Please, I accept the correction made by the hon. Member for Igboeze South (*Mr Ezema*), for the purpose of what we are handling now, to approve these gentlemen for the offices of Commissioner:-

Hon Dr Dan Shere
Hon Afam Nnaji
Hon Dr S. Idike
Hon Dr P. Asadu

Question put and agreed to.

Mr Chairman: Please the Sergeant-at-Arms should call in the following:-

Engr F.C.U. Ugwu
Mr Sullivan I. Chime
Mrs Evelyn Ahanonu

If Mr Clement Okwo is present, he should also be called in. We are going to handle Mr Orji O. Orji separately.

Sergeant-at-Arms: Mr Clement Okwo is not yet here.

Mr Chairman: Probably, Mr C. Okwo was not informed of the interview on time. However, if he is not here before the Adjournment of the House, he could be screened on another date. Honourable Members, standing before the House are Engr F. C. U. Ugwu, he was a Permanent Secretary in the Ministry of Works, Government of Enugu State.

Mrs Evelyn E. Ahanonu was a Commissioner in Enugu State Government, she was in charge of Women Affairs and Social Development. She was a one time Women Leader in the politics of Enugu State under the platform of P.D.D. This woman has been in government since the inception of the present democratic dispensation. Today, she is here by the nomination of His Excellency, the Governor of Enugu State to serve in the Government of Enugu State as a Commissioner.

Next to her is a man we know too well, Hon Barr. Sullivan I. Chime. He was the Attorney-General and Commissioner for Justice in the government of Enugu State. He is here again on the invitation of the Governor to be screened by this House for the position of a Commissioner. I hereby call on hon. Members to make their contributions to this effect.

Leader: Mr Chairman, I rise to speak in favour of these three nominees. They are well known to this House and the good people of Enugu State. Engr F. C. U. Ugwu is a seasoned Engineer. He has worked as the Managing Director, ESBS, Enugu. His Excellency made him a Permanent Secretary in one of the Ministries, a post he held until his nomination for the position of a Commissioner.

Mrs E. Ahanonu is like a mother in P.D.P. She has been in government since the inception of this democracy in 1999, where she served the good people of Enugu State as a Commissioner.

The former Attorney-General, hon Barr. Sullivan I. Chime, is equally here again, nominated for the position of a Commissioner. Mr Chairman, you are aware that it was because of the loyalty of Barrister Sullivan Chime and his Team of Barristers that defended this honourable House when sixteen hon. Members went to Abuja to contest the dealings of this House; it was Barr. Sullivan Chime and his Team that helped this House out of this situation. Based on the foregoing, Mr Chairman, I move that this House should allow these lady and gentlemen to take a bow and leave the Chamber. Thank you Mr Chairman.

Mr D. A. Anih (Enugu South I Rural): Mr Chairman, I hereby stand to

second the Motion that these gentlemen and lady do bow and leave the Chamber.

I will not add much to what the Deputy Speaker said, we should not allow them to take much of our time. Thank you, Mr Chairman.

Mr Chairman: Honourable Members, before I put the Question, I will allow the House to hear some words from the hon. Member for Udi South (*Mrs Ene*).

Mrs C. Ene (Udi South): Mr Chairman, I stand to second the Motion that these three Gentlemen and Lady be allowed to bow and leave the Chamber of this House. Thank you, Mr Chairman.

Question put and agreed to.

The Nominees accordingly took a bow and left the Chamber.

The Chairman: Please call Mr Orji O. Orji. I wish to inform this House that the former SSG who has been nominated by His Excellency is not here, he has gone for an official assignment; on that strength, we may go ahead and book a date to confirm his appointment. He has been the SSG for quite some time now.

Well, hon. Members, before you is Mr Orji O. Orji one of the

Commissioner nominees by His Excellency.

Mr Enebe (Awgu North): Mr Chairman, the gentleman standing before us is from my constituency and I wish to state that his real name is Orji C. A. Orji, so that we put things in order.

The Chairman: The Clerks-at-Table should, please take note.

Mr Enebe: Let me quickly say that Mr Orji C. A. Orji is one time Deputy Chairman of Awgu Local Government Area where he served for three good years. He was a major anchor-point for our great party PDP during the last election. He worked tirelessly to see that our great party the PDP has upper hands in our area. Mr Chairman, I believe that Orji C. A. Orji has enjoyed the mandate and support of the entire Awgu Local Government. As one time Deputy Chairman, his appointment as Commissioner in this administration has once more gone to show that this administration takes into consideration, hard work and consistency in appointment.

I therefore urge my Colleagues to kindly clear him for this position so that he can contribute his own quota to the development of Enugu State. On this note, I formally move that Mr Orji C. A. Orji kindly gives us the run down of his C.V. for posterity so that the Clerks at Table can have a good record of him so

that on a day like this, (the famous June 12) in our political history, we know that Orji C. A. Orji was interviewed and confirmed by this House of Assembly.

Mr Chairman: He has been asked to give us the run down of his C.V. after that, he should tell us his feelings about today being June 12.

Commissioner-Designate (Mr Orji C.A. Orji): Mr Chairman, the honourable House, other protocols duly respectfully observed. Like the Right hon. Introduced me, my names are Orji C. A. Orji, a one time and immediate past Deputy Chairman of Awgu Local Government Council. I have been a founding member of the PDP in Awgu Local Government Area and for one day I have not drifted from the principles and ideals of our party. Again during the last elections, I think, I was convinced myself that I contributed immensely to the success of the party in the various elections from the National Assembly, Presidential, Gubernatorial to House of Assembly elections. So I want to urge the honourable House to please kindly consider my nomination as a Commissioner in Enugu State.

Mr Chairman: Well, Mr Orji when the honourable member for Awgu North was talking about C.V., he was expecting you to tell us whether you are married with children etc.

Mr Orji: Actually I have told you my name. I am from Amoli in Awgu Local Government Area of Enugu State. I am forty-two, and married with five children. I attended primary school at St. Gregory Central Primary School Amoli. I attended Secondary School at St. Patricks Secondary School Emene. I went to Rivers State School of Basic Studies (School of Arts and Science) and finally I obtained my degree from the University of Nigeria, Enugu Campus. I have some work experiences before I got involved in politics, such as with Pfizer Ltd now Letees Plc, Wemy Industries Lagos and finally Mambi Pharmaceutical Equipment Limited Enugu before I went into private practice. As a politician, I got involved in politics before the present dispensation. During the UNPP era, I was a member of DPM where I served in that party as Publicity secretary for Awgu Local Government. I contested the House of Assembly election and lost. It was not realized because of the demise of the former Head of State General Abacha. I also contested for the Vice-Chairman Awgu Local Government under DPM, which I lost until the advent of PDP. That is the stage now.

Mr P. Anikwe (Ezeagu): Mr Chairman, hon Colleagues, I have no doubt in my mind that the gentleman before us has all the qualifications, papers and otherwise to be considered and approved here as a Commissioner in

Enugu State Government. I have now the honour to move a Motion that Mr Orji C. A. Orji should take a bow and leave this honourable Chamber.

Mr F. Onah (Nsukka West): Mr Speaker, may I humbly second the Motion moved by my hon Colleague. Thank you.

Question put and agreed to.

(The Commissioner-Designate Mr Orji took a bow and left the Chamber)

Mr Chairman: Honourable Colleagues, before us is the man you know very well. He is a man who before he became the Secretary to Enugu State Government, was Permanent Secretary in the Ministry of Education, Enugu. From there, today before us in this House, the gentleman, a former Secretary to Enugu State Government is now a Commissioner nominee to serve the Executive Council of Enugu State Government. You can now ask him your questions to enable us do justice to our assignment as it effects this House.

Mr C. Ugwu (Enugu East II): The former Secretary to Enugu State Government, whom every one of us knows very well, is a complete gentleman. He was a former Permanent Secretary and he has served Enugu State in various capacities. If not for formalizing certain obligations, he

would have not been invited for screening in this honourable House. In fact, I move the Motion that he bows and leaves the Chamber. Thank you.

Mr J. U. Onoh (Enugu North): Mr Chairman, I only want to point out a single question. Why does he not have his Curriculum Vitae (C.V.)? he did not come with it due to the short notice. Will he be asked to bring it to the House on the next legislative day?

Mr Chairman: That is a very good observation. The former Permanent Secretary, the former Secretary to Enugu State Government and now Commissioner-Designate, will be required to make available, all the documents and credentials to this honourable House before the day runs out, to enable us progress your confirmation which will be forwarded to His Excellency, the Governor of Enugu State. I know probably this letter for your nomination came to you today or probably you were not aware of the nomination. So, we just allow you twenty-four hours to make the documents available to us.

Leader (Mr Ebenyi): Mr Chairman, I rise to second the Motion moved by the hon. Member for Enugu East II (*Mr C. Ugwu*), and in doing so, I wish to remind the Chairman that the former Secretary to the Enugu State Government had called me and informed me that he has just received

the information that he is going to be interviewed this morning and that he has not gotten his Curriculum Vitae ready. Then, I asked him to come, that he will bring his C. V. later.

Question put and agreed to.

Commissioner-Designate, Mr Okwo took a bow and left the Chamber.

(Mr Speaker resumed the Chair)

Mr Speaker: Honourable Colleagues, we have done justice to item five in today's Order paper. However, I wish to call on one or two Members to make some comments before we come to the end.

Mr Enebe (Awgu North): Mr Speaker, I have risen to make a few comments as it affects the nominees we have interviewed to serve as Commissioners in Enugu State.

My hon Colleagues, you will all agree with me that all the nominees are men and a women who were tested in the government of this State. They have served in various capacities in the last three or four years. Their performances as far as I am concerned from the available records, have shown that they have done very well to the extent that the majority of them are former commissioners. Those who are not former Commissioners are either former Speaker such as former Hon.

Speaker, Mr F. S. A. Uzor or Mr Orji C. A. Orji who was the Board Chairman of Awgu Local Government Council. Apart from these two people, the rest have been effective in the Executive arm of government. And based on their past records the Governor felt it is proper to re-appoint them and ask for our confirmation.

I believe that if at the end of the day we confirm them and they are appointed formally as Commissioners, the experiences they have gotten in the last four years will come to bear fruit in the discharge of their duties. They have been tested and trusted. During the last four years we were talking about learning, but when you look at their records, you will discover that they are no longer learning. They have all graduated. I believe that if they are given the opportunity, they will ensure that the stability of Enugu State will be unhindered.

On this note, I ask this honourable House to confirm their appointments so that the act of governance in Enugu State will be completed, because they are dedicated and I hope the Executive Council of Enugu State will function appropriately. Thank you, Mr Speaker.

Mr E. Odo (Igbo-Etiti East): Mr Speaker, Sir, I have risen to align with the former speaker. Considering the list of Commissioners-designate who appeared here this morning, I have no

doubt in my mind that one of the reasons why some of them were asked to take a bow and leave was because of their numerous credibility in their various fields and in the public office they held so far in the State.

These are men who stood up to the challenges even at very difficult times. These are men who have excelled and when I say men in this case Mr Speaker, I am equally referring to the lady involved. These are men who have so much distinguished themselves while they acted as Commissioners, and as Local Government Chairmen, some even after acting as Commissioners or Local Government Chairmen, are still nominated, which means that there must be something spectacular in their behavioural attitude that warrants His Excellency to call them to the rescue of this very state. I therefore in the light of these, urge the House to confirm them, considering the facts that the House was friendly with the questions that were put to them.

Therefore, having confirmed them as gentlemen; men with distinguished characters, men who have excelled in their public duties and who have no dangerous remarks so far, I am commending the hon. Speaker and urging this honourable House to confirm them as well. Thank you.

Deputy Speaker (Mr Atigwe): Mr Speaker, Sir, I beg that the Question be put.

Question, That the Question be put, put and agreed to:

Resolved: That this honourable House today 12th June, 2003 confirm the appointment of the following as Commissioners in Enugu State Government:

1. Engr F. C. N. Ugwu
2. Barr Sullivan I. Chime
3. Mrs Evelyn Ahanonu
4. Dr Festus S. A. Uzo
5. Mr Orji C. A. Orji
6. Dr Simon Idike
7. Dr Dan Shere
8. Dr Patrick Asadu
9. Mr Afam Nnaji
10. Chief Ayogu Eze
11. Barr Lucky Chukwu
12. Chief Clement Okwor.

REPORT FROM AD-HOC COMMITTEE ON CREATION OF NEW LOCAL GOVERNMENT AREAS IN ENUGU STATE OF NIGERIA

Mr C. O. Enebe (Awgu North): Mr Speaker, Sir, you will recall that at our last sitting, this honourable House set up a strong 13-man Committee to work as an Ad-hoc Committee Members for the creation of more Local Government Areas in Enugu State.

This Ad-hoc Committee has to work in liaison with the Enugu State Independent Electoral Commission (ENSIEC) to conduct a referendum in the areas demanding new Local Government Areas in accordance with Section 8, Sub-Section 3(a), (b), (c) and (d) of the 1999 Constitution of the Federal Republic of Nigeria.

Mr Speaker, the essence of a referendum is to determine whether the demands are really backed up by at least two-thirds majority of registered voters in the area as demanded by law. The Enugu State Independent Electoral Commission has done their job and forwarded it to the Ad-hoc Committee. The Panel forwarded a document containing 39 proposed new Local Government Areas as declared by the returning officers sent to do the job. This was submitted to the Committee and the Ad-hoc Committee has gone through them and decided to send the report to the House for consideration. I believe that by the time the House goes into the Report proper they will have the opportunity of making one or two amendments.

I wish to note here, as Chairman, that the Ad-hoc Committee has sanctioned the referendum as submitted by the State Independent Electoral Commission, and it is hereby submitted to the entire House. Thank you.

Leader: Mr Speaker, Sir, I rise to move that the Report just read to this House by the Chairman of the Ad-hoc Committee on Local Government creation be accepted for immediate consideration. Thank you.

Mr P. Anikwe (Ezeagu): Mr Speaker, Sir, I rise to second that Motion moved by the Leader of this honourable House for the adoption of the Ad-hoc Committee's Report on new Local Government creation.

Question put and agreed to:

Report of the Ad-hoc Committee on New Local Government Area Creation accordingly accepted for immediate consideration.

Mr Speaker: Honourable Colleagues, since the Report has been accepted for immediate consideration, we will now move into item seven because it will move hand-in-hand with item six.

PRESENTATION OF BILL

LOCAL GOVERNMENT AREAS CREATION AND TRANSITIONAL PROVISION BILL NO. 1, 2003

A Bill for a law to create additional Local Government Areas in Enugu State presented by Mr K. S. Ebenyi (Leader) and read the first time.

Mr Speaker: The Bill on Transitional Creation of Local Government Areas in Enugu State, Bill No. 1 has been read for the First time.

Leader: Thank you Mr Speaker. Now that the Bill has been read the First time, may I quickly move again that the Bill on Local Government Areas Creation and Transitional Provision No. 1 2003 be now read the Second time. Thank you.

Mr P. Anikwe (Ezeagu): Mr Speaker, hon. Members. I stand to second the Motion as moved by the Leader that the Bill be read a Second time.

Order for Second reading, read.

Mr Speaker: Honourable Colleagues, the Floor is now open for debate. This is the second stage of the Bill. Thank you.

Leader: Mr Speaker, Sir, I have risen from my seat to speak in favour and total support of this important Bill the Local Government Areas Creation and Transitional Provisions Bill No. 1, 2003. This Bill seeks to create additional thirty-nine Local Government Areas in the State to ensure a stable and balanced State, and to further enhance the structure of political and social mobilization and provisions of major development centres in the State.

Mr Speaker, you must have noticed of recent that for a long time now the demand by the people of Enugu State for the creation of more Local Government Areas in the State has been a burning issue. This is because the creation of more Local Government Areas will enhance aggressive grassroots development in the new Local Government Areas to be created.

Mr Speaker, you are equally aware that this House has been flooded with requests for creation of more Local Government Areas from the people of Enugu State. This is because the Seventeen Local Government Areas we have at present are not adequate to meet the yearnings of the public in terms of development at the grassroots.

Again, Mr Speaker, the result of the recently conducted referendum on Local Government Creation conducted by the Enugu State Independent Electoral Commission (ENSIEC) and the report of the Ad hoc Committee on Local Government creation set up by the hon. Speaker, shows that the people of Enugu State are overwhelmingly enthusiastic and in total support of the creation of more Local Government Areas in Enugu State. The result shows that all the thirty-nine proposed Local Government Areas met the Constitutional requirements which stipulates that two-thirds of the voting population must show acceptance of the creation of the

new Local Government Area in line with Section 8(3)(b) of the Constitution of the Federal Republic of Nigeria 1999.

As a result, it has become pertinent that this honourable House should consider these requests and reports as a matter of urgency. In view of the foregoing, Mr Speaker, my distinguished and respected hon. Colleagues, I urge you all to support and give an accelerated hearing to this all important Bill so that Enugu State will be transformed through rural development.

Thank you, Mr Speaker.

Mr C. O. Enebe (Awgu North): Mr Speaker, I have risen to contribute to this debate. My honourable Colleagues, the need for more Local Government Areas in Enugu can never be over-emphasized. Personally, I do not believe in asking questions whether we need more Local Government Areas or not. It is necessary because in other parts of the country, in the South East of the Country, which Enugu State is part of, we have been highly marginalized in the number of Local Government Areas we have.

However, Mr Speaker, what is in contention really is the modality, the procedure and the process for creating more Local Government Areas. I believe that once we take care of all these variables, our people will smile and be happy that we have done our job

very well. I believe that in creating more Local Government Areas there are factors we should look out for: the homogeneity of the people, the homogeneity of the area, the ability of the area to generate revenue so that if money does not come from the Federal Government they will be able to stand on their own. You must look for natural resources that will sustain the area if the Local Government is created.

In creating this Local Government Area, we must lay more emphasis on making sure that section 8 of the Constitution of the Federal Republic of Nigeria is strictly adhered to above any other consideration. We must make sure that legality of the process precedes over principles of separation. We must ensure that the right people are given more Local Government Areas so that bitterness and rancour will be minimized. These if done, will make us happy and our people will be happy that we have done our job which we are sent here to do. Thank you very much.

Mr M. Njeze (Udi North): Mr Speaker, I have enough reason to support the creation of additional local governments. Democratic government as we all know is meant for the people, that is why in Enugu State, for the past four years, the government has been singing of democracy dividends.

The creation of additional local governments will actually ensure that

dividends of democracy get to the people they are meant for, and that is, the people in the rural areas. Our people, the people of Enugu State, are earnestly yearning for the creation of these local governments. You just need to move around the town and feel the desire in their reactions. Let us, do it, Mr Speaker, since it is the yearnings of our people, and given the fact that thirteen new local governments are apportioned to every senatorial zone.

Going by equity, and given the fact that so many other states in the Federation have already listened to the wishes of their people and created local governments, I wish to appeal and plead with my fellow Members that we should create additional local governments without further delay. Thank you.

Mr J. Anichukwu (Nkanu East): Mr Chairman, hon. Colleagues, I stand to support the creation of new local governments in Enugu State. In the first place, His Excellency the Executive Governor of Enugu State has given even an equal creation of new local governments to all senatorial zones. And you will agree with me that this honourable House had earlier made very impressive moves in order to satisfy the electorate, that is, the good people of Enugu State. We would have gone further to assure the electorate that we the honourable Members have been given the opportunity to represent them

effectively, we actually have to be frank; to ourselves. When we say that what the masses of Enugu State need are more local governments, and since the same situation in the country is that everybody cannot be accommodated in the States, I tell you that the best way to accommodate almost ninety *per cent* of the communities will be by creation of new local government areas. Psychologically, the people who have given us the mandate will heave a sign of relief that they are now remembered, because in the first place, everybody who is qualified to get a job will get a job, they will be satisfied and happy with us.

Secondly, the economic development cannot be over emphasized, because I have to tell you that my own local government will get three more local governments, and I will make personal efforts to make sure that these new local governments are developed economically, and otherwise. Mr Speaker, when we have done this, the electorate will be satisfied that we have done what they sent us here to do.

Thank you.

Mr E. Odo (Igbo Etiti East): Mr Speaker, it is a known fact that the citizens of Enugu State are happily desirous to get local governments of their own, and I am sure that the move taken by the House to create more local governments is a very welcome one, more especially what happened at the

Referendum which some of us covered at the various zones in the State.

Mr Speaker, I think that the issue, just like the hon. Member representing Awgu North (*Mr Enebe*) pointed out, is not the issue of creation; we all welcome that, our people acknowledge that. They are very happy about it. The issue is all about the modalities, and we are craving the indulgence of this honourable House that while passing the Bill; while making the law, it should be necessary that people with similar ancestral background should be fused together in the new local governments, because a situation where more new local governments are given to minor communities or to a very few people to the detriment of larger communities, I think will not go down well with the Members of the House.

Also the House should be very conscious of how the strategic issues of the local governments are handled. Strategic issues like the head-quarters. I know that the hon. Members of Enugu State House of Assembly are Gentlemen of high repute, and they will not make laws which at the end of the day will be jettisoned by the court.

I therefore urge Members to make laws that will not be capable of legislating people out of their ancestral homes. I also implore every Member of the House to study the issue carefully and make sure that the necessary

amendments are made, because since we are here, we are not here on our own capacity. We will also give account of our stewardship. Therefore, at the end of the day, whatever happens, two-thirds of the Members must give their votes on what we have done. I also wish to remind Members that the earlier we make laws that people will be happy about, the more credibility we get from our respective homes.

Thank you, Mr Speaker. Sorry for wasting your time.

Mr Speaker: No. You are not wasting my time.

Mr E. Odo: All right. I finally implore the Ad Hoc Committee on the Creation of New Local Governments, since the Bill has been forwarded to us, the House should. .. (*Interruptions*)

Mr Speaker: Order. The Member representing Igbo Etiti East, (*Mr Odo*) is derailing. There, is a Report from the Ad-hoc Committee on local government creation and you are talking about the Bill. Do you want us to go to the Bill? Go straight to your point.

Mr Odo: Mr Speaker, the Bill is being discussed jointly with the Report, and I am offering my suggestions to the House in the course of the Second reading.

Mr Speaker: You do not suggest something that can never be actualized.

Mr Odo: O.K. I withdraw that, but I think that the Members can actualise what they are saying.

Mr P. Anikwe (Ezeagu): Mr Speaker, I think there is no need now for us to over-labour the issue. There is no single person here that is against local government creation in Enugu State, for several reasons adduced by the previous speakers. How will one appreciate the fact that Enugu State still remains with seventeen local governments while, for instance Ebonyi State, that came into being with eight local governments, now has fifty four local governments.

How do we come to appreciate the fact that almighty Kano State that had forty-four local governments now has seventy-two local government areas, and if you watch out, the bases for such creation in those areas are land mass.

In some areas we have, what is called land mass without human beings, local government areas were located there. In Enugu State we are not ashamed that we have only seventeen local government areas and we are here debating whether to create local governments or not. So, Mr Speaker, I move that the Question be put.

Mr J. U. Onoh (Enugu North): Mr Speaker, Sir, after due review of the situation of the local governments, I am

not against creation of local government areas in Enugu State. After listening to the personalities here, I can only say to the people of my constituency, which I represent in this House, that this exercise is not intended to usurp their boundaries or lands or to put their communities to any disadvantage, but only for grassroot development. We shall not take unjustly what belongs to you, and we will try our best to protect lives and property. With that, Mr Speaker, I rest my case.

Mr Speaker: There is a Motion moved by the hon. Member for Ezeagu (*Mr Anikwe*) that the Question be put.

Mr E. Maduabu (Awgu South): Mr Speaker, Sir, I rise to support the Motion that the Question be now put.

Deputy Speaker: On a Point of Order. Somebody had earlier moved that Motion and Mr Speaker is rather going back.

Mr Speaker: Point of Order up-held. Somebody has moved that the question be put. If you are supporting it you say that instead of raising hands.

Mr Enebe (Awgu North): Mr Speaker Sir, I tried to raise point of order on that Motion. The rule is that if there is demand that the question be put, Mr Speaker should use his discretion.

Question that the Question be put, put and agreed to:

Main question put and agreed to:

Bill accordingly read the Second time.

Mr Speaker: Honourable Members the Enugu State Local Government Areas Creation and Transitional Provision Bill No. 1, 2003 has sailed through the second stage. I wish to express my happiness for the contributions made by every one of you. I equally wish to thank Members of the Ad Hoc Committee for a job well done. I thank you very much, and may God bless you.

Leader (Mr Ebenyi): Mr Speaker Sir, now that the Bill on creation of additional local government areas in Enugu State has passed the second stage, may I now move that the House resolves itself into the Committee of the Whole House for the consideration of the report of the ad hoc committee along side the original Bill.

Mr J. Anichukwu (Nkanu East): Mr Speaker Sir, I rise to second the Motion by the Leader that this honourable House retires into the Committee of the Whole House for the consideration of the Ad Hoc Committee report on the creation of more local government areas.

Question put and agreed to:

CREATION OF MORE LOCAL GOVERNMENT AREAS IN ENUGU STATE

A Bill for a Law to Create More Local Government Areas in Enugu State.

(CONSIDERED IN THE COMMITTEE OF THE WHOLE HOUSE)

The Chairman: - Clauses 1 – 18, any amendment? *(No response)*

Clauses 1 – 18 - *Ordered to stand part of the Bill*

The Chairman: - Clauses 19 – 55 any amendment? *(No response)*

The Chairman: - Clauses 19 – 55 - *Ordered to stand part of the Bill.*

Long Title: *agreed to.*

Enactment: *agreed to.*

Interpretation: *agreed to.*

(Mr Speaker Resumed the Chair)

Leader: Mr Speaker, Sir, I rise to move that the Bill be now read the Third time. Thank you, Sir.

Mr P. Anikwe (Ezeagu): Mr Speaker Sir, I rise to second the Motion moved

by the Leader that the Bill on Creation of New Local Government Areas in Enugu State be read the Third time. Thank you, Mr Speaker.

Question put and agreed to.

Bill accordingly read the Third time and passed.

Mr Speaker: Honourable Members, I wish to formally inform the entire public that the Bill on Creation of 39 New Local Government Areas in Enugu State has been passed into Law.

I wish to thank everyone of you for your contributions towards the passage of this Bill. I equally wish to thank the Panel for a job well done. I wish to thank, especially, the Adhoc committee for turning out their Report as much as possible as requested. I will not fail to thank the Clerk and the staff of the Assembly for their cooperation during this period, which, of course, without them, we could not have gone far. I thank you very much. I equally wish to express my happiness for their understanding and working relationship with this honourable House.

I equally wish to thank the people of Enugu State for their patience. I remember that some states created their local governments much more earlier than now. I thank our people for the understanding, patience and calm until now. I thank you very much for

exercising patience, because there is a saying that the patient dog eats the fattest bone. I wish to state that the actions of this House in conjunction with the Executive and the Panel on creation of new local governments would not hurt anybody's feelings. It was done to move the state forward. It was done with a view to move development to the rural areas, it was done in good faith. We did not consult anybody before creating these new local governments. I remember vividly that all the constitutional provisions were adequately followed in creating these new local governments. I wish to appeal to all of you to be law abiding, all of us should respect the authorities and all should as much as possible try to make some sacrifices. I do believe that democracy is give and take I equally believe that in democracy you must make some sacrifices. I just appeal that if the local government headquarters is not sited in the place you want, in the interest of peace and harmony, just bear with us. I believe that the law enforcement agents will not take it kindly with anybody or groups of persons, either for one reason or the other who want to make trouble. I thank you for your cooperation and understanding, I say to God be the Glory. Thank you and God bless you.

ANNOUNCEMENT

Mr Speaker: The Chairman of the House Committee on Petroleum and Environmental Management will meet immediately after the sitting in the Conference Hall. I equally wish to appeal to that Committee to act because I discovered that if you move around Enugu State you will still see some long queues and you still find people selling in jerrycans. The Committee has to work day and night to ensure that this fuel problem comes to an end.

I want all the hon. Members to retire to the Conference Room just for two seconds briefing.

ADJOURNMENT

Leader (Mr Ebenyi) Mr Speaker, Sir, having done justice to the business of the day, I hereby move that the House do adjourn till Tuesday 17th June 2003 at 10 a.m.

Mr A. Chigbo (Uzo-Uwani): Mr Speaker, Sir, I have risen to second the Motion for adjournment. I want you to give me two minutes, that is to enable me give thanks to Almighty God, and to the great Lion, the Executive Governor of Enugu State, Dr Chimaroke Nnamani, and to the respected Members of this Parliament. Also to be remembered is the Panel on local government creation, the Adhoc Committee which went round yesterday for this assignment. I on behalf of the

people of Uzo-Uwani local government wish to thank everybody, and with the Bill we have just passed, I am one of the greatest beneficiaries having four local governments in Uzo-Uwani. I thank my Colleagues, hon. Members, for the support they gave to this Panel on Creation of Local Governments. I thank you all once more.

Question put and agreed to.

Resolved: That this House do now adjourn till Tuesday 17th June 2003 at 10 a.m.

Adjourned accordingly at 3.25 p.m.



ENUGU STATE OF NIGERIA
PROCEEDINGS

AND DEBATES OF THE
FIRST SESSION OF THE
THIRD ASSEMBLY

ENUGU STATE HOUSE OF ASSEMBLY

OFFICIAL REPORT

No. 5

Tuesday
17th June, 2003

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HOUSE OF ASSEMBLY
ENUGU STATE OF NIGERIA

Tuesday, 17th June, 2003

(The House met at 10 a.m.)

PRAYERS

(Mr Speaker in the Chair)

**APPROVAL OF VOTES AND
PROCEEDINGS**

Mr Speaker: Honourable Members, our Votes and Proceedings of Thursday, 12th June, 2003 are before us. In keeping with the rules of this honourable House, I have gone through them, found them to be exactly what transpired on the said day. However, I need your comments to enable us give them legal backing. Thank you.

Deputy Leader (Mr P. Anikwe): Mr Speaker, Sir, I have actually gone through the Votes and Proceedings of our last sitting, and found them correct. I therefore, move for the adoption of the Votes and Proceedings as a correct recording of what transpired that day. Thank you.

Mr J. Obidinma (Oji River): Mr Speaker, Sir, I have equally gone through the Votes and Proceedings and to the best

of my knowledge, I found them to be correct, hence I second the Motion for their adoption. Thank you.

Question put and agreed to.

*Votes and Proceedings of
Thursday, 12th June, 2003,
accordingly, adopted.*

ORDER OF THE DAY

PRESENTATION OF BILL

A Bill for a Law for the Establishment of the African University for Critical, Creative and Caring Community of Inquiry, presented by Hon. D. Atigwe, Deputy Speaker, read and First time and referred to the Committee on Education and Judiciary.

Mr Speaker: In keeping with the relevant Standing Orders of this honourable House which states that after a Bill has been read for the First time, and referred to a Standing Committee of the House, the Committee is given one week to report out. They should report out as soon as possible for the Public Hearing to take place. Thank you.

ANNOUNCEMENTS

Mr Speaker: Honourable Colleagues, you will recall that one of us, the hon. Member for Nkanu West (*Mr Chukwu*) was nominated to serve in the Cabinet of His Excellency, the Governor of Enugu State, that is, in the Executive Council of Enugu State Government. You will recall too that this honourable House has screened him and found him worthy of occupying the position which His Excellency asked him to occupy.

Subsequently, he was sworn in yesterday, Monday, 16th June, 2003 as a Commissioner in the Enugu State Government. In accordance with the 1999 Constitution of the Federal Republic of Nigeria, Section 109(1). I read:

109(1) – A member of a House of Assembly shall vacate his seat in the House if –

(109(1) (d) – he becomes President, Vice-President, Governor, Deputy Governor or a Minister of the Government of the Federation or a Commissioner of the Government of a State or a Special Adviser;

(109(2) – The Speaker of the House of Assembly shall give effect to Subsection (1) of this Section so

however, that the Speaker or a member shall first present evidence satisfactory to the House that any of the provisions of that Subsection has become applicable in respect of the member.

We all are aware that the letter was raised by His Excellency, the Governor of Enugu State requesting for the approval of Hon (Barrister) Lucky D. Chukwu as a Member of the Executive Council (EXCO) of Enugu State. And following that, the House approved his appointment as a Commissioner in Enugu State Government. Based on these evidences before this honourable House, the Seat of the Hon Member for Nkanu West (*Mr Chukwu*) has been declared vacant.

On this note, I request that the Clerk of the House should communicate the Independent Electoral Commission (INEC) to fill the vacant position. Thank you.

Meeting of the House Committee on Petroleum

The House Committee on Petroleum and Environmental Management will meet in the

Conference Room on the rising of the House. Please, let me re-emphasize that the purpose of having Committees is to enhance the productivity of this honourable House. We do not want a situation where after creating Committees, everybody in the Committees will remain silent or quiet. I want a situation where if you are a Chairman of a Committee, you will try as much as possible to work and achieve successes in that Committee.

If you go out now you will notice that from Ogui Junction to the Institute of Management and Technology (IMT), there is a long queue of vehicles, that is, people who want to buy fuel, I therefore wish to remind the House Committee on Petroleum and Environmental Management to stand to that challenge; to do everything humanly possible and by Thursday, 29th June, 2003, they should be able to report back to this honourable House to tell us what is really causing this problem. I am no longer comfortable. Other committees we have constituted should not wait for me before they take off. It is very important to emphasize and inform all the Committees that there is no other thing they need from me before they go into serious action. All the Committees should take note. Thank you.

Return of Code of Conduct Forms

If you know that you have not filled your Code of Conduct Form please do that quickly so that the Form, can be taken back to the Code of Conduct Bureau. I remember that some time last year some people were taken to court; I do not want anybody to be taken to court this time around. So, if you have not declared your assets, please do that immediately. For the new hon. Members, you can find out from the old ones how to declare your assets. I believe everybody has something to declare, just do justice to the Form and return them appropriately. Thank you.

I wish to formally recognize the presence of hon. Okoroagu, a one-time hon. Member of this honourable House and one time Chief Whip of this great Parliament. Honourable, you are welcome.

Mr Okoloagu: Thank you, Mr Speaker, let me say that the correct thing is hon. *Okoloagu*. I wish to take this opportunity to congratulate each one of you on your success during the elections. I wish you the best of luck. Thank you.

ADJOURNMENT

Leader (Mr Ebenyi): Mr Speaker, Sir, I move that this honourable House do now adjourn till Thursday the 19th day of June, 2003 at 10 am. Thank you.

Deputy Leader (Mr Anikwe): Mr Speaker, Sir, I have to observe that it is normal in a place of (*Interruptions*).

Mr Speaker: Order! The hon. Deputy Leader (*Mr Anikwe*) is reminded that there is a Motion on the Floor. What he has to do, if he wishes, is to second the Motion and go on to say what he wants to say along the line.

Deputy Leader: O.K. Mr Speaker, Sir, I stand to second the Motion for adjournment, and in doing so, I wish to commend His Excellency, the Executive Governor of Enugu State for assenting to the first Bill passed by this House with minimum delay. It is commendable that the first Bill emanating from this House this session has been assented to without delay by His Excellency. That goes to show the absolute existence of Government in Enugu State. It is something we should be proud of. His Excellency's action has helped to further boost the image of the House and that of the Government. We are seeing it as something good and we are part of it.

Equally, we can also observe that the actual activities of the Government came into full force yesterday with the inauguration of the Executive Council as approved by this House. The message or the implication is that with this movement, with this unity, with this cordiality and conviviality, the sky will definitely be our limit in this Legislature. Thank you, Mr Speaker.

Question put and agreed to:

Resolved: That the House do now adjourn till Thursday, the 19th day of June, 2003 at 10 am.

Adjourned accordingly at 12.43 pm.



ENUGU STATE OF NIGERIA
PROCEEDINGS

AND DEBATES OF THE
FIRST SESSION OF THE
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ENUGU STATE HOUSE OF ASSEMBLY

OFFICIAL REPORT

No. 6

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HOUSE OF ASSEMBLY
ENUGU STATE OF NIGERIA

Thursday, 19th June, 2003
(The House met at 10 a.m.)

PRAYERS

(Mr Speaker in the Chair)

APPROVAL OF VOTES AND
PROCEEDINGS

Mr Speaker: Distinguished Colleagues, our Votes and Proceedings of Tuesday 17th June, 2003 are before the House. I have gone through them and found them to be correct.

However, you may make your comments in order to give them legal backing. Thank you.

Mr F. Onah: (Nsukka West): Mr Speaker, Sir, I have gone through the Votes and Proceedings of our last sitting and I found them to be correct. So I am here to move a Motion for the adoption of the Votes and Proceedings.

Mr A. Chigbo (Uzo Uwani): Mr Speaker, I have risen to second the Motion for the adoption of the Votes and Proceedings.

Question put and agreed to.

Votes and Proceedings of Tuesday, 17th June 2003 accordingly adopted.

THE AFRICAN UNIVERSITY
FOR CRITICAL, CREATIVE AND
CARING COMMUNITY OF
INQUIRY BILL NO. 2, 2003.

Leader (*Mr Ebenyi*): Mr Speaker, I move that item No. 3, on the Order Paper, that is, The African University for Critical, Creative and Caring Community of Inquiry Bill No 2, 2003 be stepped down to a later date to be determined by the Rules and Business Committee of this House. Thank you.

Deputy Leader (*Mr P. Anikwe*): Mr Speaker, I rise from my seat to second the Motion as moved by the Leader (*Mr Ebenyi*) that the Bill be deferred to a later date to be determined by the Rules and Business Committee of the House.

Question put and agreed to.

Bill accordingly deferred to a date to be determined by the Rules and Business Committee of the House.

**MATTER OF URGENT PUBLIC
IMPORTANCE**

**Global system for Mobile
Communication (GSM) in Nigeria**

Mr C. O. Enebe (Awgu): Mr Speaker Sir, I have a Motion on a matter of urgent public importance. Mr Speaker, Sir, may I seek the leave of this House to suspend order No. 25 of our adopted Rules to enable me move this Motion.

Leader: Mr Speaker, Sir, I rise to second the Motion.

Question put and agreed to:

Mr Enebe: Thank you, Mr Speaker. My Motion is on Global System for Mobile Communication (GSM) operation in Nigeria.

The mobile telephone system has brought a communication revolution in Nigeria. Thanks to the Obasanjo's administration which saw a quick completion of the project, which had dragged for years before he assumed office in 1999. Stepping out for engagement before the introduction of GSM in Nigeria was usually a mixture of joy and pain. If the engagement or appointment is carried smoothly and both parties actually get started as programmed, the pain will not count.

But when a party had waited in vain and called it a date only for his partner to arrive minutes after departure, can add pangs to the pain of unfulfilled dreams. The traffic hiccups stress of driving from point 'A' to point 'B' without a guaranteed contact could be demoralizing.

The advantages of GSM in Nigeria cannot be over emphasized. However, the issue here is the cost benefit analysis of its operation; the billing/tariff structure of the GSM operators.

Their efficiency/effectiveness, and the interconnectivity between and among them. You all will agree with me that a careful investigation of the above factors will reveal a nightmare to the GSM users in Nigeria. Where does one start?

Is it the epileptic network problem?

Is it the problem of interconnectivity?

Is it the indiscriminate/arbitrary tariff/billing system

which enables the GSM providers to charge the same amount of money irrespective of whether you spend one second or one minute? and which also forces GSM user to spend a minimum of three thousand Naira per month your income notwithstanding.

Of course it is public knowledge that this induces youths to engage in armed robbery, prostitution and other associated vices. Since they are

unemployed, they must find a way of making sure that their lines are not blocked. The question is whether this is what is obtainable in other countries where GSM is in operation? The answer is *NO*. then who will bail the cat?

The constitution of the Federal Republic of Nigeria 1999 listed the issue of telecommunication under the exclusive legislative list i.e. for the National Assembly.

1. This Motion therefore seeks to awaken the consciousness of the National Assembly to this (their) exclusive responsibility in order to save our hard earned money from people who reap where they did not sow.
2. Challenge the efficiency/effectiveness of the NCC
3. To let the GSM operators (NITEL, MTN, ECONET) know that their services fall short of the expectations of Nigerians.

PRAYER

1. That this Honourable House condemns the high cost of GSM operation in Nigeria.

2. The House condemns the incessant network problem that makes it impossible for users to either make or receive calls uninterrupted.
3. The House condemns the inability of the GSM operators to provide devices that will enable customers retrieve information contained in stolen Sim cards/hand sets.
4. The House urges the National Assembly to rise up to the challenge by putting up a legislation that will ensure that the quality of GSM services in Nigeria is the same with what is obtainable in other countries.
5. The House equally urges Nigeria communication Commission (NCC) to equally ensure that the cost of GSM services in Nigeria is devoid of fraud and sharp practices.
6. The NCC should equally ensure that the GSM network covers the length and breadth of this country and that the operators (NITEL, MTN, ECONET) sell the number of lines they can effectively manage.

7. The NCC, should ensure that there is no collusion between the GSM operators especially on the issue of tariff/billing system, to enhance effective competition between and among them.
8. Finally, the House urges NITEL, MTN and ECONET to provide quality GSM services to Nigerians at an affordable price in line with the present economic realities of our time.

May it be moved.

Mr Speaker: Honourable Members, you have heard the Motion moved by the hon Member for Awgu North (*Mr Enebe*). If you have any contributions to make, this is now an opportunity for you to do so.

Leader: Mr Speaker Sir, my hon Colleagues, I have risen to support the Motion moved by the hon. Member for Awgu North (*Mr Enebe*). The Motion is on the Global System for Mobile Communication in use in Nigeria. When the administration of President Olusegun Obasanjo came into power the rampant use of GSM Services was introduced in the country. Everybody in the country welcomed the development.

Unfortunately, today the operations of GSM in Nigeria has fallen short of our expectations. The Motion is condemning the services rendered by GSM authorities. The efficiency of the system in the country is condemnable. You are aware of the fact that we still need to find the best way of sending messages across to our friends and relations since our population is growing. We are urging Mr Speaker to help see that GSM services in Nigeria is enhanced. The GSM Operators should endeavour to improve their efficiency here. This will help the users of the GSM to make international calls.

Mr Speaker, Sir, I urge my hon Colleagues to give their support to this Motion. I quite believe that if efficiency is enhanced, it will facilitate the flow of communication from one country to another. Thank you, Mr Speaker.

Mr G. O. Chukwuegbo (Enugu South II): Mr Speaker, Sir, I stand to support the Motion on Mobile Phoning System and Mobile Communications System with regard to what the Leader of the House has contributed on GSM Operations in our country. It is based on these facts before the House, that I stand to support this very Motion. Thank you, Sir.

Mr Speaker: Does the Hon Member for Enugu South II Urban (*Mr*

Chukwuegbo) know why I have called upon him to speak?

Mr Chukwuegbo Yes, Mr Speaker Sir, you wanted me to make an input to the topic on the Floor. *(Laughter)*.

Mr J. Obidinma (Oji River): Mr Speaker, Sir, my hon. Colleagues, this is a good Motion. I stand to support it. However, in supporting the Motion, I would like to refer to specifications, especially, Prayers 5 and 7 both of which are closely related. But Prayers 5 should ensure that charges for a Minute Call should be credited accordingly, not when some seconds call are made, they will charge for a minute. On the aspect of protection to people, effecting repairs on the system cannot be over emphasized. This is to urge the authorities to ensure specifically that their charges are commensurate to services rendered. Thank you, Mr Speaker.

Mr Speaker: It seems that the hon. Member for Oji River (*Mr Obidinma*) wants to make some suggestions. However, if he wants to make some amendments to the Motion on the Floor, he should move it formally. Thank you.

Mr Obidinma: Thank you Mr Speaker, I propose for an amendment especially under prayer 5 and the amendments are as follows ...

Mr Enebe: Point of Order, Order No. 26 (13).

Mr Speaker: Please turn to Order No. 26 (13)

Mr Enebe: A Member who has spoken to a question may again be heard to offer explanation of some material part of his speech which has been misunderstood; but he must not introduce new matter. What I am saying is that he is talking about 5 and 6 at the same time.

Mr Speaker: While I am aware of the Order, he has the right to articulate the amendment. If I did not allow the hon. Member for Awgu North (*Mr Enebe*) to raise the Point of Order, I would have put the Question for the House to decide. I strongly believe that if the hon. Member for Oji River (*Mr Obidinma*) has a kind of loophole in the prayers, and he puts up an amendment and it is accepted by the House, fine. I equally know what the hon. Member for Awgu North (*Mr Enebe*) is talking about, that is, the right to reply. It is still there.

Mr Enebe: While the hon. Member for Oji River was addressing the House he mentioned item 6.

Mr Speaker: He made mention of 6 and later proposed amendment on 5. Let me have his proposed amendments.

Mr Obidinma: What I am proposing is that we have to be specific, to make it clear, by saying that a charge for a second should not be charged for a minute. Secondly, the access days ...
(Interruptions)

Mr Speaker: Excuse me, are you proposing for a new clause?

Mr Obidinma: I am making the amendment under prayer No. 5.

Mr Speaker: If you are proposing for an amendment under Clause 5, you propose it so that we can add it.

Mr Obidinma: It is in addition to those prayers.

Mr Speaker: What you are saying now is that we forgo the amendment to be separate!

Mr Obidinma: Yes.

Mr Speaker: You believe that 5 and 6 are closely related: If you wish you can propose the amendment as an addition to 5 or 6.

Mr Obidinma: They are not specific, we have to go into specifications.

Mr Speaker: Let me have the amendments.

Mr Obidinma: Please may we go back to prayer 5. *The House equally urges Nigeria Communication Commission (NCC) to equally ensure that the cost of GSM Services in Nigeria is devoid of fraud and sharp practices.* Now the clause: *A call for a second should be charged for a second and not for a minute. While effecting repairs access days should be removed.* I want this to be explained clearly to them.

Mr Enebe: Modifications, Sir. Under prayer No. 5 we have to be specific. A charge for second should not be for one minute. Charge for seconds should not be for minute.

Mr Speaker: I still want to follow the rules. What we are going to do is to propose an amendment. The hon. Member for Oji River (*Mr Obidinma*) should articulate the amendment, move same and then an hon. Member seconds it, so that we can include it here. Just write it out so that it will be moved and seconded.

Mr J. Obidinma: Mr Speaker, Sir, may I move that the attachment be added to prayer No. 5. Thank you.

Mr E. Odo (Igbo-Etiti East): Mr Speaker, Sir, hon Colleagues, I rise to second the amendment as submitted by the hon. Member for Oji River (*Mr Obidinma*) to prayer No. 5, which says *that the House equally urges Nigeria Communication Commission (NCC) to ensure that the cost of GSM services in Nigeria is devoid of fraud and sharp practices. For instance, the charges for one second should not be the same with the charges for one minute.* So, we should call a spade, a spade. Thank you.

Question put and agreed to.

Mr Enebe (Awgu North): Mr Speaker, Sir, I wish to include in prayer one, *that the House should condemn the high cost of GSM operations in Nigeria. The issue of Access charges should be abolished.* Thank you.

Leader (*Mr K. Ebenyi*): Mr Speaker, Sir, my hon. Colleagues, I rise to second the Motion moved by the hon Member for Awgu North (*Mr Enebe*). Thank you.

Question put and agreed to.

Deputy Leader (*Mr P. Anikwe*): Mr Speaker, Sir, hon Colleagues, if you listen and follow the Motion completely and carefully, you will see that it is not in order at all. There is need for the Mover of this Motion to appreciate that this honourable house is incapacitated to have this Bill passed into Law. Believe it or not, this honourable House is here not to pass judgement to the Newspapers for our people. We are here to move Laws that will have effect within the nation and will validate the Law of the Land. How can I make the Motion designed for the National Assembly. So Mr Speaker, Sir, are we involved by fighting to see that this Motion to be moved? Thank you.

Mr A. Chigbo (Uzo-Uwani): Mr Speaker, Sir, I want to align myself with the last Speaker. In doing that, I also wish to support my points with the following: Enugu State has been known as one of the heaviest users of GSM services in Nigeria, and yet the State is not a beneficiary to GSM in comparison to the 36 States in Nigeria. This is because, after 9th Mile Corner, when going towards Nsukka Road, one does not have anything to do with GSM, that is, there would be no services. In fact, what I am saying is that this Motion will not excel as far as I am concerned. We should urge the National Assembly to rise to the challenges.

After the Ninth Mile Corner, and if you are going towards Nsukka Zone, you have nothing to do with the Global System or Mobile Communications (GSM). Mr Speaker, what I am trying to say is that Enugu State has not even benefited from GSM as compared with other 35 (thirty-five) States in Nigeria. This Motion is not urgent as far as we are concerned. We should be given time; it should even come as a Bill so that at the end of the day, we should appeal to the National Assembly to help us. There is no urgency as far as this matter is concerned. ... *(Interruptions)*

Mr Speaker: Order! The hon. Member for Uzo-Uwani (*Mr A. Chigbo*), would have told us that he wants to tow the line of the hon. Deputy Leader, am I right? And the Motion is actually trying to correct some defects and inabilities of GSM operators to ensure regular services. And you had already told us that the moment you get to Ninth Mile Corner, you start having problem, and you supported the Motion. Then, why are you now against the Motion? ... *(Interruptions)*

Mr Chigbo: Mr Speaker, why I am not in support of the Motion is that the matter should not have come as a Matter of Urgent Public Importance because a Motion cannot effect a change. ... *(Interruptions)*

Mr Speaker: Why? ...
(Interruptions)

Mr Chigbo: We should have first appealed to the National Assembly. ...
(Interruptions)

Mr Speaker: That is why he said in the Motion that we should urge the National Assembly to help us; to rise up to the challenge by putting up a legislation. I think, it is not our duty to enforce it. Now, let me give you an example. In 1993 or before 1999, on the Abakaliki/Enugu road, the two gates at the 82 Division were locked up by the Army. People in their vehicles were plying Upper Chime, New Haven, Enugu. And the Enugu State House Assembly then passed a Motion. They did not do it on their own, they brought in the Executive arm of the Government to liaise with the appropriate authorities to make sure that gates were dismantled, and it was done. So, we are not going to enforce this Motion, we are not going to force the National Assembly, but there is nothing wrong if we invite them to look into the position of Enugu State as it affects GSM; that we are no longer comfortable. This is a democracy, so I believe that the Motion is in order. Honourable Members, let us go on with the discussion.

Mr M. Njeze (Udi North): Mr Speaker, hon. Members, I rise to support

this Motion which has something to do with the Global System for Mobile Communications (GSM) operation in Nigeria and their inefficiency. I support the Motion because I am one of their customers who happen to be deprived of my hard earned naira without service rendered. I wish that this House would stop further debate on this matter and pass these prayers as contained here. And after these little amendments I want to make, I wish that the House should consider them along with prayer number four. Prayer number four says that –

"The House urges the National Assembly to rise up to the challenge by putting up a legislation that will ensure that the quality of GSM service in Nigeria is the same with what is obtainable in other countries"

I wish to add that the operators should henceforth charge the users per second in place of per minute which they now charge.

The amendments effected in prayer number five says that they charge people between one second and one minute which to me is not explicit, if we will be talking about a second and a minute at the same time. But I am appealing to my parliamentarians to ensure that if this amendment is taken, the charge should be per second.

Mr Speaker, I wish that if the amendment is approved, we should pass the Motion and write the National Assembly for them to carry out or consider our Motion. Thank you, Mr Speaker.

An hon. Member: That amendment has already been taken care of.

Mr Njeze: The amendment effected in prayer No. 5 says that, they should charge users one second and one minute, which to me is not clearly explained. We are talking about seconds and minutes, but I am talking about an amendment that will ensure that, if it is taken, the charge will be per every second.

Mr Speaker, I wish that if this little amendment is approved, we pass the Motion and write the National Assembly for them to carry out or consider our Motion. Thank you.

Mr J. Obidinma (Oji River): Mr Speaker, Sir, we have started the ground very well, I therefore move ... *(interruptions)*.

Mr Speaker: Order! The hon. Member for Udi North (*Mr Njeze*) has proposed an amendment to prayer No. 4 and that amendment should be seconded. Look at the amendment put

forward; he was talking about charges per second.

Mr J. Obidinma: Mr Speaker, Sir, I rise to second that Motion and at the same time move that the question be put.

Mr C. O. Enebe: Mr Speaker, Sir, I have risen to conclude since I am the Mover of the Motion. First of all, I wish to thank my hon. Colleagues who accepted to step down Order No. 25 of our adopted Rules.

At the same time I want to appeal to my Colleagues to kindly ensure that this Motion is passed. The case, properly, is not my case. It is just because I look at the problem as the problem of Nigeria, not mine. The problem of GSM is a National problem and not my problem.

This is a new House and I would like us to be looking at issues from the point of creativity and not the person it comes from, because if we begin to have a situation where issues are put forward and we begin to look at the person who brought it (*interruptions*).

Mr Speaker: Order! The hon. Member for Awgu North (*Mr Enebe*) may please go straight to the issues at stake, because those issues he is talking about has been taken care of.

Mr Enebe: Thank you, Mr Speaker. The issue is that the GSM problem in Nigeria is known to everybody. Then people are charged per second instead of per minute which is about N40.00. It is still very high because people can be receiving and making calls at intervals at the same time, and, like I said earlier on, the issue of access days can be abolished. When you buy they give a rebate which encourages you to buy recharge card.

What we have in this Motion is that it is more or less trying to save the user. If we can, through legislation or through the activities of the Commission straighten up things, the cost will eventually come down.

Then I equally want to let the House know that the House of Assembly do not treat Motions like Bills. The Bill must come from Concurrent Legislative List, that is where the State Assembly can make Laws, but when you get to a place where the issue is in the exclusive list alone, which is for National Assembly, all we can do is to pas the Motion and send it to the National Assembly. That Motion does not end here. It is not intended for cheap popularity. It is the duty of the office of the Clerk to send the Motion to those concerned. It is not a question of passing a Motion and the Motion ends there. It is not for Speaker because he

may not know, but when this Motion is passed, it may eventually change the face of GSM operators in Nigeria. Other countries are enjoying it. Let us go ahead and pass it. When it is taken to the National Assembly, we will see what they can do to effect the law. Thank you.

Leader: Mr Speaker, Sir, having listened to the contributions of fellow hon. Members to the Motion, may I move that the question be now put.

Question, That the Question be now put, put and agreed to.

Main Question put and agreed to:

Resolved:

1. That this Honourable House condemns the high cost of GSM operation in Nigeria, and the issue of access days to be abolished.
2. The House condemns the incessant network problem that makes it impossible for users to either make or receive calls uninterrupted.
3. The House condemns the inability of the GSM operators to provide devices that will enable customers retrieve information

contained in stolen Sim cards/hand sets.

4. The House urges the National Assembly to rise up to the challenge by putting up a legislation that will ensure that the quality of GSM services in Nigeria is the same with what is obtainable in other countries, and that the operators should henceforth charge users 20 kobo per second.
5. The House equally urges Nigeria Communication Commission (NCC) to equally ensure that the cost of GSM services in Nigeria is devoid of fraud and sharp practices, for instance, it is fraudulent if the charge per minute is the same as the charge per second.
6. The NCC should equally ensure that the GSM network covers the length and breadth of this country and that the operators (NITEL, MTN, ECONET) sell the number of lines they can effectively manage.
7. The NCC, should ensure that there is no collusion between

the GSM operators especially on the issue of tariff/billing system, to enhance effective competition between and among them.

8. That the House urges NITEL, MTN, and ECONET to provide quality GSM services to Nigerians at an affordable price in line with the present economic realities of our time.

ANNOUNCEMENTS

Committee Meeting

Mr Speaker: The House Committee on Agriculture will meet on the rising of the House in the Conference Room.

The House Committee on Special Duties and Economic Development will meet today, 19th June 2003, on the rising of the House.

Public Hearing

The Joint-Committee on Education, Judiciary, Public Petitions and Privileges will be conducting public hearing on the African University for Critical, Creative and Caring Community of Inquiry Bill No. 2. 2003, on Monday 23rd June 2003 by 12 noon

at the Old Eastern House of Assembly, in the Conference Room.

ADJOURNMENT

Leader: Mr Speaker, I move that the House do now adjourn till on Wednesday, 24th June 2003 at 10 am. Thank you.

Mr C. O. Enebe (Awgu North): Mr Speaker, I have risen to second the Motion for adjournment as moved by the Leader (*Mr Ebenyi*) and in doing so, I want to thank my Colleagues for supporting the Motion I presented today. Thank you very much.

Question put and agreed to.

Resolved: That the House do now adjourn till Wednesday, 24th June, 2003 at 10 am.

Adjourned accordingly at 2.37 pm.



ENUGU STATE OF NIGERIA
PROCEEDINGS

AND DEBATES OF THE
FIRST SESSION OF THE
THIRD ASSEMBLY

ENUGU STATE HOUSE OF ASSEMBLY

OFFICIAL REPORT

No. 7

Tuesday
24th June, 2003

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No proofs of the Daily Reports can be supplied. Corrections which Members suggest for the Bound Volume should be clearly marked in the Daily Report, but not telephoned and the copy containing the corrections must be received at the Editor's Room, House of Assembly

not later than four days after each sitting

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HOUSE OF ASSEMBLY
ENUGU STATE OF NIGERIA
Tuesday, 24th June, 2003
(The House met at 10 a.m.)

PRAYERS

(Mr Speaker in the Chair)

**APPROVAL OF VOTES AND
PROCEEDINGS**

Mr Speaker: Honourable Colleagues, our Votes and Proceedings, No. 6, Thursday 19th June 2003 are before the House. I have gone through them and to my mind, they appear to be correct. However, in keeping with the Proceedings of this House, I wish to call for the comments of Members in order to give it a legal backing. Thank you.

Mr E. Odo (Igbo-Etiti East): Mr Speaker, after carefully reading the Votes and Proceedings No. 6 dated 19th June, 2003, I found them to be correct. In the light of this, I, therefore, move for their adoption. Thank you.

Mr J. N. Anichukwu (Nkanu East): Mr Speaker, Sir, hon. Colleagues, I have equally gone through the Votes and Proceedings in the Session of the House of Assembly, Thursday 19th June, 2003 and found the record to be in order. I, therefore, second the Motion for its adoption.

Question put and agreed to.

Votes and Proceedings of Thursday, 19th June, 2003 accordingly adopted.

**MESSAGE FROM HIS
EXCELLENCY THE EXECUTIVE
GOVERNOR OF ENUGU STATE,
DR CHIMAROKE NNAMANI**

19th June, 2003

*The hon. Speaker,
Enugu State House of Assembly,
Enugu.*

Dear Hon. Speaker,

**RE: CONSTITUTION OF STATUTORY
BOARDS, COMMISSIONS AND
PARASTATALS**

His Excellency, the Governor of Enugu State, Dr Chimaroke Nnamani has directed me to respectfully request the approval of the Honourable House for the constitution of Statutory Boards/Commissions and Parastatals and appointment of the following persons as Chairmen and members:

**LOCAL GOVERNMENT SERVICE
COMMISSION**

- | | |
|------------------------------|-----------|
| 1. Chief (Lady) Bernice Agbo | Chairman |
| 2. Chris Ngene (Perm Sec) | Secretary |
| 3. Chinwe Chukwuanyim | Member |
| 4. Nestor Ezeme | Member |
| 5. Barr. Mrs Ugbene Anthonia | Member |
| 6. Barr. G. C. Agbo | Member |

Civil Service Commission

1. Barr. J. C. Udeagballa	Chairman
2. Wilson Okenwa	Secretary
3. Elder Jonathan Ogbu	Member
4. Mr Okafor Edeh	Member
5. Hon Okechukwu Agbaji	Member
6. Chief Ozor Ken Ozor	Member

May I therefore, request that you kindly expedite the approval of the request to enable the aforementioned persons attend to certain state matters of urgent importance.

Please accept, on behalf of other Honourable Members, the renewed assurance of His Excellency's consideration.

*I remain, yours faithfully,
Frank Nweke (Jnr.)
Chief of Staff
Government House.*

Deputy Leader: (Mr P. Anikwe): Mr Speaker, Sir, I rise to move the Motion for the acceptance and consideration of the Message from His Excellency. Thank you.

Mr C. Ugwu (Enugu East II): Mr Speaker Sir, I stand to second the Motion. Thank you.

Question put and agreed to:

Mr Speaker: In view of this development, I am mandating the Clerk of the House to write or inform the nominees to appear before the hon. House for screening tomorrow 25th June, 2003 and they should make available twenty-five copies of their curriculum vitae. Thank you.

ORDER OF THE DAY

**THE AFRICAN UNIVERSITY
FOR CRITICAL, CREATIVE AND
CARING COMMUNITY OF
INQUIRY BILL 2, 2003**

Deputy Speaker: Mr Speaker, Sir, I am on my feet to move that the African University for Critical, Creative and Caring Community of Inquiry Bill No. 2, 2003 be now read the second time.

Mr C. Enebe (Awgu North): Mr Speaker, Sir, I have risen to second the Motion as moved.

Mr Speaker: Having moved the Motion for the second reading of the Bill, the floor is now open for debate on this all important Bill.

Deputy Speaker: Thank you Mr Speaker. I still remain what I am. Mr Speaker Sir, the relevance and timeliness of the synthesized opportunities which the proposed African University for Critical, Creative and Caring Community of Inquiry (AUCCACCOI) presently offers on a variety of topics.

AUCCACCOI is hinged on a rehearsed and professionally guided educational system borne out of an unequivocal natural urge and thirst to impart condensed academic values and precepts that enable the student to express his depth of talent and artistry on unseen topics.

AUCCACCOI will expand the horizon of fundamental moral principles to bedrock the era of a new intellectual awakening.

AUCCACCOI, with little time, is capable of launching into national educational orbit a new generation of independent minds, 'think tanks' all, sufficiently drilled "to question the questioner", and pre-empt the teacher's thoughts on a variety of accredited ideologies known to scholars.

AUCCACCOI, in concept, would provide a virile forum for radical academic fertilization from the boredom of stereotyped educational system hitherto devoid of the relative effervescence needed to generate creativity among scholars.

AUCCACCOI, in operation, will deftly re-introduce pedagogical dynamics hitherto down-played by resource providers in our tertiary institutions.

AUCCACCOI will galvanize academic incursions across metaphysical and geographical barriers with a view to attracting international academic prominence to the nation, the state and the lucky successful scholar so recognized.

AUCCACCOI will exemplify the crucible of tertiary education for historical and social synthesisation of knowledge acquired in order to

empower great thinkers who will someday stand in this House of Assembly as distinguished technocrats to pilot the legal bearing of the State.

I therefore urge the Honourable Members of this House and strongly too, to endorse the said Bill No. 2, 2003, for the transformation of AUCCACCOI into a private university.

Mr C. Enebe (Awgu North): Mr Speaker Sir, I rise to give a strong support to this Bill. The Bill is seeking to establish the African University for Critical, Creative and Caring Community of Inquiry. This University like you all have heard is going to be a private academic institution. It is going to be a clear difference from what we are having now. Conventionally, apart from other courses we have in our present Universities, this university will teach our people how to read, how to write and also power of reasoning.

You will agree with me that the University is different from what we are having today. People pass through the University and they were taught how to read and write. Today, this system is about to be abandoned. What we have is that type of learning, where the course you read ten years ago, if you come back to the University, the same Handout will be given to you. There is no research. This University is going to embark on educational research and economic research. What we have now is a kind of education without research.

Can they contribute to teach our students to be of good conduct and / or different from what is being taught. The difference from this University is power to groom our students on reasoning and able to acquire knowledge above others.

Mr Speaker Sir, according to Aristotle in one of his Books, he says that "as sight is in the body, so is reasoning to the Soul". Today, we have lots of problems in our universities. According to Marius Tullius Cicero: Reasoning is the mistress and Queen of all things.

Secondly, there is one George Santayano in his Book – Reasoning is a Religion. It establishes lines of moral clearance and make right actually different from wrong. In supporting, the establishment of this University, it will help to eradicate the issue of cultism, raping, prostitution in most of our Universities. It will minimize it, if not totally eradicate it. You will agree that for the past seven months or more our students have been languishing at home because of strikes in our Universities. It is good equally that University education will be continuous, when strike actions are averted. When a student gains admission for four years course of study, such a student is expected to graduate accordingly. Based on this frequent strikes, occasioned by our over anxiety for wealth, if the university is approved it will be possible for our

students to read for a full session without interruptions.

The difference between this University and those of the past is that when you enter this academic institution you are sure of when to graduate. For instance, this University is once you enter by 1990, you are really sure to graduate by 1994. This is four years of academic performance.

The African University for Critical, Creative and Caring Community of Inquiry, if established will not lay emphasis on the number of years it takes for any one to acquire university education. Mr Speaker Sir, I sincerely request my hon. Colleagues to support this Bill, since it is said it does not require any cost from government. The university will help to solve the social and economic problems in our society. Thank you, Sir.

Mr M. Onyeze (Igboeze North I):
Mr Speaker Sir, I rise to contribute to this very Bill. I would want to remind my hon. Colleagues that the House Committee on Education which I am the Chairman, was mandated to hold public hearing on this Bill. We made several efforts to sit with the public and discuss this very important Bill, and it has not been possible. The Committee was to sit on Monday last but because of important functions we had at Okpara Square, this very public hearing was postponed for Thursday. In a Bill like this, we have to be very careful because,

we all know what it takes to establish a university. It is a very serious business. In fact, we have to inspect the facilities and know her manpower, see the landmass, the land area, where the establish this very university. So Mr Speaker Sir, I am requesting that the House should allow the Education Committee to finish her assignment, thereby providing her with more time to inspect all the facilities expected for the up-keep of the University.

Mr Speaker: Excuse me, please, this debate has nothing to do with the public hearing of your Committee. We do not want to take your work. This time what is going on is only a guide, and by the time you may have visited one or two persons you know what to ask them, and what to request from them. However, you do not expect to have a library where there is no university. What the Bill is now seeking for is for approval for the school to take off. The school is not telling you that they are functional, they are asking for approval. It is only when the House has approved that you can ask for details. For now, those things are not our business. It is just like putting the cat before the horse. The moment they establish the university, other things can follow.

If you still want to make your contributions fine and if not fine. If you want to continue your contribution fine, as far as this Bill is concerned we are talking about the merits and demerits of

this Bill. This is just a guide, for the university's establishment.

Mr M. Njeze (Udi North): I rise to speak on this Bill on African University for Critical, Creative and Caring Community of Inquiry. I would say that the intention to establish this kind of university should be welcomed to the people of Enugu State and Nigeria in general, because whatever will make a man to be more manly will be welcomed, nothing makes a man manly than the ability to reason, this suggested reasoning is careful thinking. Apart from what it is equally intended to train people to be creative, it is a big if it can be done.

However, I will not support the establishment of this university if we are not aware of the area where this university has to be located. This is not contained in the Bill. I am aware that from enquiries I made on this Bill that the university has been issuing certificates in Nigeria, in Enugu State that it has been existing and since it has been existing, I feel that they must have made adequate arrangements for a place it ought to be, otherwise, if the Bill is passed, I would say that the university should be located at Ebe, Ukana, Awlum or any where.

Permit me if I digress a little because I do not know any other place which is better than the area I represent, if the House agrees an amendment can be made in the Bill. We know that

education is the bedrock of anything. In approving the establishment of this university we must ensure that the university has good academic lecturers qualified academics who are going to lecture in this university and for you to get good academics you have to pay them well.

In section 15 of this Bill where they talked about the conditions of service – the right of powers to “save as may otherwise expressly provided by this law or the statues, the rates of remuneration, scales of salary and allowances and conditions of service in general for all members of staff shall be such as Council may from time to time determine.” I would wish that this section be amended to read that the salary of any worker in that university should be same as is obtainable in federal universities as well as conditions of service as is obtainable in federal universities, because we should be sure that the standards in the university are the same before the Bill is passed.

If we allow a private person the freedom to determine what he is going to pay, we shall be creating opportunity for the good tax payers of Enugu State to give somebody enough logical reasons to deprive them their hard earned income. For if the standard is low, what you get is purchase of certificates. I would plead with this honourable House to include these amendments therein before the passage of this Bill. Thank you.

Mr J. Anichukwu (Nkanu East): The Bill as it relates to education is a vital instrument to reform universally, humanly and otherwise. In Enugu State, year in year out, great majority of the youths both male and female have always had problems on education and admission. The question is admission into what?, into the university, to do what?, to study, and studying what? Then one wonders what is happening in the society. Are we studying cultism?, are they studying massacre?, probably because it is public university.

The Rev. gentleman, who came with this bill, we all know that he has been running an institution in Enugu State, and really, since this session ii have never heard of any problem in the institution: in terms of riot, or cultism, or that Lecturers are not paid, or that students are not safe, and this honourable House would be writing her name in gold if this bill is passed. Probably, if this university is created, I will speak to the Chairman to see whether university would be sited in Nkanu East. *(Laughters)*

Mr Chairman, Sir, I crave the indulgence of other honourable Members to seriously think about the merits of the African University for Critical, Creative and Caring Community of Inquiry and give it an accelerated passage so that at the end we would have done more honour to ourselves and to the people we represent. At the end, we will be

satisfied that we have done the best and the bill is passed by the honourable House. Thank you.

The Chairman: Honourable Colleagues, in a lighter mood, the honourable Member for Udi North (*Mr Njeze*) in his speech supported the passing of the Bill and canvassed that the University be sited in his constituency. Again, the hon. Member for Nkanu East (*Mr Anichukwu*) equally, in support of the passage of the Bill, also canvassed that the University be sited in his constituency. May we kindly be carefully, in what we say or talk. Let us concentrate on the Bill we are referring to. However, the bill have been deliberating in our favour. Thank you.

Mr J. U. Onoh (Enugu North): Mr Chairman, Sir, it is in our time that I wish to thank God that I am alive when Enugu State University of Science and Technology was established. It is also a great honour that Nigeria as a whole gave us University of Nigeria. We have great people, in front of us for the creation and establishment of the African University for Critical, Creative and Caring Community of Inquiry. I know that the life which is unexamined is not worth living. And to me education is a real foundation for any man. Education has for its object the formation of character of a man.

By the establishment to this University, I believe it would be a place

for light, for liberty, and for learning. I believe, like my fellow hon. Members, that education is a social process, in fact, education is life itself. Therefore, I believe that by passing Laws which is appropriate for establishment of this University, we have totally made a good foundation for those that are coming behind us. And we have got good qualitative education from one of the Universities in the country. Finally, hon. Colleagues, I support that we pass this bill, and I know that in future we will have nothing to regret.

Mr E. Eze (Udenu): Mr Chairman, Sir, this bill is very very exiting. Exciting in the sense that it is about Education, that is training of man. Particularly, training a man to higher educational work; how to reason properly and not to mind what is happening in most of our institutions today. In the present day, education establishment is complex, starting from Primary to Tertiary Institution.

Finally, we find that we are in the days of try your luck, if it is not A it is B, if it is not B it is C. You cannot fail and if you did not fail you pass. But from the title of this bill, as the name of the Institution implies, we are going back to the early stage just as the need arises in order to reason properly.

However, Mr Chairman, Sir, much as the title of this bill is exciting, I have to point out that the owners or the sponsors of this proposed University are

proprietors. He has to open up more because this concerns the interest of the general public, the generation to come, the present and the future. He has to open up more because, as some of my colleagues have said, we need to know whether this is a University to be sited in Maidugiri or in Enugu State and if it is in Enugu State it should be localized so that if I am sending my ward or sponsoring somebody into this University, I will have an idea where my ward is going. The public will begin to know all about this because the moment we give the constitutional blessing to this Bill, the Proprietor and the public have known that we have given him the power then the applications will come from north, south, east and west.

We are aware that this is a private university and the university could be established here or there in the State or even beyond. So, we need to talk about the contents, the location, the qualities and the course contents of this University, if we would not mind, because in our passing this Bill we are putting on it the stamp to go public.

However, this university, from its terms and purposes, will be a private university. And I hope that the university will not join the band wagon of strikes which has made our children in various places to remain in their homes over six months. I hope he will carefully study and emulate those

universities that have decided not to go on strike every now and then.

Mr Speaker, having said so far, what I am saying is that the Author should come up and open up so that we should know more about the University, the quality, the location, the management and the structural. Thank you, very much, Mr Speaker.

Deputy Leader: (Mr P. Aniekwe): Mr Speaker, hon. Colleagues, I have a motion but please permit me to make few contributions before I move my Motion. ... (Interruptions)

Mr Speaker: Order! Let me come in, please, at this point in time, when the debate is going on very well, I do not know how any Member can move a motion. The honourable Deputy Leader can make his contributions and resume his eat and afterwards he can rise and move his Motion.

Deputy Leader: Mr Speaker, thank you very much. This is my own contribution to the African University for Critical, Creative and Caring Community of Inquiry Bill, No. 2, 2003. I believe that almost all of us here are the products of educational institutions. We know very well that education has many definitions and the one so appealing to me is from Professor M.V. Murray. He states that education is a process of developing the stupendous potentialities latent in an individual through which he makes a qualitative

jump into a more profound real of human existence. And another one from Professor K.O.K. Onyioha, he believes that if one's education does not find meaning in the context of one's culture that such a person is sophisticated and not educated.

People can claim to go school, yes, you can pass through the school without the school passing through you. Yes, this particular university in question, I believe, the university will pass through the students and the students will also pass through the university by serious training and learning.

The issue of reasoning, for instance, a human being can only reason if he knows the right way of reasoning, he can now read in the university and when he reasons very well, he can now reason very reasonably. That is why we have reasonable reasoning and unreasonable reasoning. I believe that this university will set out to produce reasonable human beings.

If you watch out, in some States around us such as Anambra State, you have Madonna University established and managed by this reverend gentleman. It will not be a difference when you come to Enugu State, we have a good university of this type. And this time around the university has a significant role to redeem the image of the environment as it affects the human beings.

Behind this establishment, under Reverend Father Stan Ani, if you watch out, in the Old Anambra State when he was a Commissioner, what he did was to bring progress in education down to the door steps of every part of the then Anambra State. I know also in 1981 that the then Anambra House of Assembly approved a Bill for the establishment of an educational institution under the management of Rev. Dr Stan Ani. And now he happens to be the Proprietor of this school, he contributed mostly the ingredients of this Bill before us.

He has established sandwich Units down to every nook and cranny of Enugu State, Anambra State, Ebonyi State. This establishment made teachers to sail through in their TC II and other exams. And today almost all the teachers in primary schools pass through this school to TC II and also have their NCE and now many of them have graduated in the University in Enugu and some other places, and they are now degree holders. All these efforts, improvements and achievements were only organized by this Rev. Gentleman. I believe with my Colleagues in talking the primary debate but we should not be very critical on this Bill before us.

The issue of sitting it in Enugu or any other place, what will help us to be properly guided is the simple logic law, that is, whoever has interest can have the joy of establishing it in a place her or she likes. For instance, we should

adopt the five basic arguments of logistic Slogism. The logic which you called: (1) Argumentum ad hominem (2) Argumentum ad Elenchi (3) Argumentum ad verecundiam (4) Argumentum ad Misericordiam (5) Argumentum ad Ignorantiam (*Applause*). By the time you treat all these arguments, principles you will come out with the correct answer. Mr Speaker, I humbly beg that this very important University be established in Ezeagu Local Government because they have enough landmass to accommodate it.

Mr E. Odo (Nsukka East): Mr Speaker, Sir, I solidly throw my weight behind this very Bill. I need not mention further the importance of education; I need not emphasize further on what my colleagues have just said. I just want to remind the House to take care of some certain vital issues and also advice the Proprietor of this very University to put his house in order as we have just pointed out individually.

If the University stands, I would like, because in Section 3, the University was made to be a body corporate, but to be valid the University would have been registered for others to see perhaps as a company or other matters act. That being so, then the same Bill ceased to see this University as an annexure or rather a branch of ICPIIC. Meaning that if this Bill goes through it is no longer an independent Bill also, it is a mere annexure. So, then I think Section C

should be expunged so that the University will have its own pot of law and a University of its own. Because a University of this kind with its numerous qualities cannot be a branch of another University. You may have a visiting professors, lecturers or whatever, but not a branch of another University.

So, I urge this honourable House to equally study Section six. Also, Nigerian University of such type has a lot of ingredients through which the University, be it Federal or private should have been. I would urge this hon. House to let the Proprietor understand that if this condition is not met, it may really be a disaster to our endeavour. Then if the Bill rises to much, I forgot to mention this earlier, I think the House ought to have the Certificate of Incorporation as to know where the University is incorporated, just like what the hon. Member for Udi North (*Mr Njeze*) said that his University will be issuing certificates, and I wish to remind this honourable House again that it will be very proper for us to give this very Bill a protective action. In other words, I am believing that whatever certificate issued, bearing the name of this University must be like that from other Universities in this country.

Therefore, by the time all these things have been taken care of, I think by the grace of God, the content of the Bill is really worth it. But we must have

to be very carefully because all through the Bill there are some inconsistencies that flow from dependency to independent. Therefore, I have to submit finally by saying that the Proprietor really, and I advise the Committee on Education to really liaise properly with the Proprietor and then find out other missing ingredients so that the Bill will receive its formal blessing and then meet the standard of other Universities at the end of the day. Thank you.

Mr Speaker: Honourable Colleagues, let me give one information. I think that if this University has been issued papers, I believe it is a kind of affiliation because I know this University is not existing in this country. It has been existing in America, and the Bill before us seeks for the establishment of this University in this country. I am sure that, as one of the hon. Members has pointed out, about the issuance of certificate, if we have the University here, the idea of traveling to acquire such a certificate in America will no longer be necessary. So, I do not believe that the issue of the people we are talking about for the issue of Certificate in the University will be a problem. That will be taken care of at the end of day. Thank you.

Deputy Leader: Mr Speaker, Sir, I rise from my seat to move that further debate on this Bill be deferred until a later date to be determined by the Rules

and Business Committee of the House. Thank you.

Mr F. Onah (Nsukka West): Mr. Speaker, Sir, I rise to second that Motion.

Question put and agreed to:

Further debate on the Bill accordingly deferred

ANNOUNCEMENT

Committee Meetings

Mr Speaker: The House Committee on Judiciary, Ethics and Privileges will meet immediately after the rising of the House, at the Conference Room.

The joint Committee on Education, Judiciary, Ethics and Privileges wish to inform the General Public that the public hearing of this Bill will come up on the 26th June 2003 at 12 noon. The committee Members will meet by 10 am on the same day at the conference room.

The Chairman, House committee on Public Accounts is requesting that the Members will meet on 3rd July, 2003 on the rising of the House at the conference room.

Honourable Colleagues, I wish to State that every committee in this House has the mandate of the House to operate. If a committee is moving or going on an operation, it is just as if the House is in

session. The same immunity you have here is the same immunity you have as committee Chairman and Members outside. So, I request that all the committees particularly, I have to emphasize that the House committee on petroleum and Environmental management matters has the authority of this House to discharge their duties without fear or favour. It has come to my notice that inspite of the recent increase in the pump price of petroleum products, some of these dealers have continued to arbitrarily increase their prices from N40.00 per litre to N50.00 per litre of fuel.

I am re-assuring the House committee on Petroleum and Environmental Management of the support of this House. They should prosecute anybody or any dealer found selling fuel above the official price. They do not have to wait for the Speaker. They have the mandate of the House. If anybody wants to obstruct their movement, they should report that to the House at the appropriate time. I believe that this issue of hawking of petroleum products and the issue of selling above pump price will come to an end. It is either that they sell fuel here in Enugu at the official price or they do not sell here in Enugu. So please, I urge them to work very hard and find a solution to this problem.

I equally wish to express my happiness to the honourable Members for their contribution in this very bill I

am very much impressed. I am aware that none of them knew that this bill will be coming up today, but their contributions have indicated their interests and commitment. Unlike before, when they would say, we are not aware of it. One does not need to know. It is the duty of the Chairman, House Committee of Rules and Business, the Speaker, and the Clerk to determine whichever bill that will be coming up.

I am happy by the way and manner Members contributed to this bill. I thank them very much and I wish them more grease to their elbows. I wish to equally remind ourselves that House Leader (*Mr Ebenyi*) traveled to Abuja. The Deputy Leader (*Mr Anikwe*) has tried very well. I equally wish to remind the hon. Members that their will be a cultural night at the Premier Garden, Presidential Hotel, by 10.00 pm. All Members are invited.

There is going to be an opening ceremony going on at Independent Layout, just close to SPEB by 2.00 pm. There will be a luncheon at the banquet hall, Governor's Lodge today, by 8.00 pm. So all Members are expected at the Governor's Lodge.

ADJOURNMENT

Deputy Leader (*Mr P. Anikwe*): Mr Speaker, hon. Colleagues, I rise to move that this honourable House do now adjourned until Wednesday 25th June, 2003, at 10 a.m.

Deputy Speaker: Mr Speaker, I am speaking on Motion on adjournment.

Mr Speaker: No, no. Do not tell us you want to bring a Bill. If you want to bring a Bill, get it and the Bill will undergo the normal process. You do not need to announce it before bringing the Bill. The African University Bill is being discussed and every Member is in support of that Bill. So, do not remind us you have another Bill.

Deputy Speaker: Thank you, Mr Speaker. I just want to plan ahead but since you protested let me warm my seat.

Mr Speaker: Honourable Colleagues, before I put the question I wish to re-echo on what the hon. Member for Uzo-Uwani (*Mr Chigbo*) has just said. It is unfortunate that people just behave as they like. This matter is already in the Court. When this Motion for this matter came to the House this morning I remembered that it is already in the Court. Once a matter is in Court we do not have the power to go into it because it is already subjudice.

However, I am happy that all of us are aware and how this matter is being handled by the police. People do not go to other people's house and start throwing their property out in their absence. So, I believe, since the matter is in the court, we cannot go into it and this type of matter should not be

discussed during the Motion for adjournment. At the appropriate time, we find a way of handling it by following the process of the law.

Thank you

Question put and agreed to.

Resolved: That the House do now adjourned until Wednesday 25th June, 2003 at 10 a.m.

Adjourned accordingly at 2.00 pm.

Mr A. Chigbo (Uzo-Uwani): Mr Speaker, my respected Colleagues, while seconding the Motion for adjournment, I will like to bring to the notice of this honourable House the ugly situation that took place here in Enugu State on Friday. Mr Speaker, I have a matter of Urgent Public Importance, but considering the fact that the case is already in Court I decide to bring up the matter before this House. On Friday, some hoodlums in the name of staff of Central Bank invaded the CBN quarters in Trans-Ekulu, damaged property worth about ten to fifteen million Naira. All these taking place in the absence of the owners.

Mr Speaker, the Commissioner of Police, Enugu State was informed and he took appropriate action and I am using this opportunity to thank the Commissioner of Police for his quick intervention including the DPO for Trans-Ekulu. It was during the trouble, we were meant to understand, that the fake Mobile men who came there were not really police officers. Two of them who claimed to be Mobile Men were paid on the way to carry out this assignment. The Mobile Police who is in-charge of Enugu State was not informed and the two men are presently undergoing some torture in the Head Office. Mr Speaker, I would like this House to support me to condemn this attitude while I do not want to prejudice the case in the Court. Thank you very much.

Mr C. Eneh (Udi South): Mr Speaker, I rise to support the Motion for adjournment and in doing so, I want to seize this opportunity to thank Governor Chimaroke Nnamani for appointing five women as Local Government Chairmen in the State. Thank you, Mr Speaker.

Mr C. Enebe (Awgu North): Mr Speaker, I have rise to support the Motion for adjournment and in doing so, I wish to urge the Local Government Service Commission to urgently set up appropriate Committees for the new Councils and old ones before they run into the problem of who gets what. The Assets sharing Committees should set be up immediately so that they will be able to share their valuable assets. Thank you very much.

Deputy Speaker: Thank you, Mr Speaker. I have risen to thank those who contributed to this all-important Bill that has been brought to the House and I hope others who have not spoken will follow suit. Furthermore, I am using this chance to inform Members that I am bringing a Bill on Enugu State. *(Interruption)*.

Mr Speaker: If the hon. Deputy Speaker want to bring a Bill before the House he should bring it to the House. He should not tell us about the bill in advance.

HOUSE OF ASSEMBLY
ENUGU STATE OF NIGERIA
Wednesday, 25th June, 2003
(The House met at 10a.m.)

PRAYERS

(Mr Speaker in the Chair)

**APPROVAL OF VOTES AND
PROCEEDINGS**

Mr Speaker: Honourable Colleagues, I have before me our Votes and Proceedings No. 7 of Tuesday, 24th June, 2003. I have gone through them and from all indications, I discovered that they were true reflections of what went on that day. However, it is the rule of the House I request for comments if any so that we can give it a legal backing. Thank you.

Mr J. Obidinma (Oji-River): Mr Speaker, Sir, I have equally gone through the Votes and Proceedings and to my understanding, it is a good feature of yesterday's proceedings. I therefore move for their adoption. Thank you.

Mr F. E. Amu (Nsukka East): Mr Speaker, Sir, I second the Motion for the adoption of the Votes and Proceedings. Thank you.

Question put and agreed:

Votes and Proceedings accordingly adopted.

ORDERS OF THE DAY

**INTERVIEW OF CHAIRMEN
AND MEMBERS OF THE ENUGU
STATE LOCAL GOVERNMENT
SERVICE COMMISSION AND THE
CIVIL SERVICE COMMISSION,
ENUGU.**

Mr Speaker: Honourable Colleagues, you will recall that during our last sitting, there was a letter read by my humble self from His Excellency, requesting the House to approve the list of Chairmen and Members of the two Boards, that is, Local Government Service Commission and Civil Service Commission and following that, the letter was read and all the issues regarding the letter were discussed.

I requested the Clerk to inform the nominees to appear for screening today, and I believe the nominees are around. If they are, we can go into doing justice to the said request.

Deputy Leader (Mr P. Anikwe): Mr Speaker, Sir, I stand to move that this honourable House resolves itself into a Committee of the Whole House to enable us carry out this exercise.

Mr E. Maduabu (Awgu South):
Mr Speaker, Sir, I rise to second the Motion.

Question put and agreed to:

**INTERVIEW OF CHAIRMEN
AND MEMBERS OF ENUGU
STATE LOCAL GOVERNMENT
SERVICE COMMISSION AND
CIVIL SERVICE COMMISSION
ENUGU**

**(CONSIDERED IN THE
COMMITTEE OF THE WHOLE
HOUSE)**

The Chairman: Honourable Colleagues we are starting with the Local Government Service Commission. Look at the second name on the list II of the Local Government Service Commission, that is the Secretary of the Commission and we do not screen Permanent Secretaries. Ordinarily it should be accepted that the inclusion of that name must be a kind of mistake. We only have to screen Members of the Board, and it is not our duty to appoint Permanent Secretaries. Bearing in mind that the man in question is a civil servant, we may not go ahead to screen him. Therefore, the House will jump his name and call others. If he is an Executive Secretary, we can screen him, but for now we have to drop him. We call on Chief Lady Bernice Agbo, she is the Chairman of the Board.

Mr E. U. Eze (Udenu): Mr Chairman Sir, these names are very familiar to the House, for want of time, why do we not screen them together?

Mr Chairman: There is nothing like want of time, I would love the House to screen the Chairman first and thereafter take the rest together.

Mr C. O. Enebe (Awgu North): Mr Chairman, Sir, I will like the House to take a look at the Constitution of the Federal Republic of Nigeria, Section 197, 198, 199(i) (c) on the issue of tenure. Mr Chairman, you will agree with me that Members should make reference to that particular Section of the Constitution.

Lady Bernice Agbo: Good afternoon Mr Chairman and hon. Members.

The Chairman: Hon. Members going by the Constitution of the Federal Republic of Nigeria, Section 199(i) (c) the Lady before the House has been the Chairman of the Local Government Service Commission. Really, under the Constitution, Section 199 (i) (c) of 1999, it stipulates that if a Member or Chairman or any Member of the Board has not put in five years of service in an office, such a person does not need to appear for screening again. So in view of this development, we should not violate that Section of the Constitution of the Federal Republic of Nigeria.



ENUGU STATE OF NIGERIA
PROCEEDINGS

AND DEBATES OF THE
FIRST SESSION OF THE
THIRD ASSEMBLY

ENUGU STATE HOUSE OF ASSEMBLY

OFFICIAL REPORT

No. 8

Wednesday
25th June, 2003

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No proofs of the Daily Reports can be supplied. Corrections which Members suggest for the Bound Volume should be clearly marked in the Daily Report, but not telephoned and the copy containing the corrections must be received at the Editor's Room, House of Assembly

not later than four days after each sitting

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Enugu State House of Assembly

However, since we have invited Chief Lady Bernice Agbo to the Floor of the House, I would wish an hon Member to move a Motion for her to take a bow and leave the Chambers.

Mr Josef U. Onoh (Enugu North): Mr Chairman, hon. Colleagues, the Lady standing before the House, judging from her C.V. has improved very much. She is the like, of what a man can do today, a woman can do it better. She has developed immensely and in fact, she is an enigma and 'Margaret Thatcher' of Enugu State. In view of the above, I move that she takes a bow and leaves the Chambers. Thank you, Mr Chairman.

Deputy Speaker (*Mr Atigwe*): Mr Chairman, I beg to Second the Motion.

Question put and agreed to.

Chief Lady Bernice Agbo: Thank you Mr Chairman and all the hon. Members. I am grateful, God Bless you all.

Chief Lady B. Agbo accordingly took a bow and left the Chamber

The Chairman: What does the hon. Member for Igboeze North I (*Mr Onyeze*) want to say?

Mr M. Onyeze (Igboeze North I): Mr Chairman, Sir, I want to talk about that Section of the Constitution in

question. I want us to take a critical look at that Section of the Constitution and then facing the fact, that, these people are going to be sworn in to serve as Members of the Local Government Service Commission, there is the implication of not giving the people the best of their anticipations, depending on the length of time their tenure will last. Based on the fact that they are here for screening, the House could carryout what I may call appraisal interview. We are not denying anybody his opportunity, but this would have been an opportunity to ensure that the right people are in the system. So we are acting contrary to that Section of the Constitution.

The Chairman: I understand the area the hon. Member is going, and I know that the House will not turn the names down. I made a general statement and the hon. Member for Enugu North (*Mr Onoh*) stood up and addressed the House. It was on that note that he moved a Motion and it was duly seconded, and I put the question and it was unanimously carried. I believe that if you want to make an observation or Point of Order, you are free to do so. I feel it is not proper when an issue has been overtaken by event for an hon Member to stand up to debate on it. However, I have noted what you said. I know also that the House has not contravened any Section of the Constitution in any way. Are you all right?

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Mr M. Onyeze: Mr Chairman, I did not say that you are contravening the Constitution of the Federal Republic of Nigeria. Thank you Sir.

The Chairman: You said that they are Members of the Board. This notwithstanding, they were once Chairman and Members of the Board, and they are here to be sworn in again. The Constitution made provision that we should not screen them again because they are their tenure. Is that what you are saying? All you need do is to give support to the Motion on the Floor. What we are expected to perform, is to invite the names on the list and formalize their nominations.

Mr Eze (Udenu): I think that this section 199 (c) is very clear. You do not need to screen those who are already members; this lady should not have come in, because the constitution says only five years tenure. The lady who left has just served for four years, she is still a member. If you are talking of appraisal, is it administrative appraisal or what?

The Chairman: Let us not argue on the point raised by the hon. Member for Igbo-Eze North (*Mr Onye*). I have noted his view. Let us assume that a new government has come in and she is appointed a member again, fresh appointment of course. What we are doing today is supposed to be done, it is very correct.

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I am no longer interested in receiving any contributions on this matter, so let us go ahead.

Sergeant-at-Arms call in the following: Mrs Chinwe Chukwuanyim, Mr Nestor Ezeme, Barrister Anthonia Ugbene, Barrister G.C. Agbo.

Honourable Colleagues, based on the message which was read before this House yesterday, i.e the letter from His Excellency the Governor requesting the honourable House to give approval for the following persons standing before us as Commissioners in the Local Government Service Commission, I directed the Clerk of the House to formally inform them. They have appeared this morning for screening. I wish to state that three out of the four persons standing before us have been in the Commission for past few years, and going by the Constitution of this country of 1999, Section 199 (c) on tenure, dissolution etc. a member shall still remain a member for five years, since they have not served five years in the Commission. I wish to request that Barrister Anthonia Ugbene, Barrister G. C. Agbo ... Has Nestor served before?

An Hon. Member: No!

The Chairman: So we are talking about two persons the two Barristers. Based on the 1999 Constitution Section 199 (c), if one is a former member he needs not come for interview but courtesy demands that the Governor

should inform this House that he has reappointed them. I wish to request for a member of this House to move that the two of them take a bow and leave the Chambers.

Mr E. Maduagu (Awgu South): Mr Chairman, honourable Colleagues, may I move that the two Members of the Local Government Service Commission, Barrister Anthonia Ugbene and Barrister G. C. Agbo should take a bow and leave.

Mr F. Amu (Nsukka East): I hereby second the Motion for the two Barristers to take a bow and leave the House.

Question put and agreed to.

Barristers, Anthonia Ugbene and G. C. Agbo Accordingly took a bow and left the Chambers.

The Chairman: Before you is Chief (Mrs) Chinwe Chukwuanyim. She is here on your invitation. Before now she has been the Executive Assistant to His Excellency until the 28th of last month when they were dissolved. Today she is here before you on your invitation, In compliance with relevant sections of 1999 Constitution which empowers this honourable House to screen Chairmen and Members of Local Government Service Commission and Civil Service Commission, I wish to state that Mrs Chukwuanyim has been in

this government and has played a major role in it. I am sorry that I am speaking in this way as Chairman, but I have to speak with due respect to this honourable House. As the candidate before us is also a sister, I humbly request the honourable Members to do me a favour. Please I hope you understand what I mean by doing me a favour. Thank you. *(Laughter!)*

Deputy Leader (*Mr P. Anikwe*): Mr Chairman, Sir, honourable Colleagues, you know what it means by doing the Chairman a favour. It means to do a favour to all of us, because she is still an active member of the State Executive Council of the PDP, which is a ruling party. She is also a mover with special qualities, and was able to manipulate public opinion and even remember what a man should forget at times. In fact, she possesses special qualities beyond what a man can possess at times. So Mr Chairman, Sir, I only stand here to move that Chief Mrs Chinwe Chukwuayim should take a bow and leave this honourable House. Thank you. *(Laughter!)*

Mr J. Anichukwu (Nkanu East): Mr Chairman, Sir, honourable Colleagues, in genuine course, all of us have seen that the Chairman had spoken in favour of the candidate who had been in this government, and is equally a sister. So, I rise to second the Motion that was moved by the Deputy Leader (*Mr Anikwe*) that Chief (Mrs) Chinwe

Chukwuani should take a bow only, and leave. Thank you. *(Laughter!)*

Question put and agreed to.

Chief Mrs Chinwe Chukwuani: *(Member-Designate):* Thank you, Mr Chairman, thank you honourable Members. Thank you very much.

Accordingly, she took a bow and left the Chamber.

Mr Chairman: Honourable Colleagues, the next person standing before us is Mr Nestor Ezeme. Well, in view of the candidate's invitation for interview as one of the Members in the Enugu State Local Government Service Commission, you can come with your questions. Thank you.

Mr C. O. Enebe (Awgu North): Mr Chairman, Sir, my question to Mr Ezeme is, why he did not include his essential work in his C.V., to know whether he was appointed during his tenure or thereafter to another position. This is to support his claims very well. Then we would forward it to the Governor for screening. So that we can act in his favour. Thank you.

Mr A. Chigbo (Uzo-Uwani): Mr Chairman, Sir, I do not want to do anything with sentiments. I want to be very true, this young man that is standing before us here, the way I am seeing him, whether he came with C.V. or not, today is the first day, I

am having close interactions with him. Let us have an idea about him, so that we keep the records straight. I am equally aware that one of our Colleagues, the hon. Member for Udenu *(Mr E. Eze)* is one of his referees accordingly his documents. Thank you.

Mr Nestor Ezeme (Member-Designate): Mr Chairman, Sir, hon. Members, I have served in Enugu State Sports Council as one of the organizing leaders of Schools' Sports, International Sports and other sports events. Today by the grace of the Almighty God, I was nominated by His Excellency, the Governor of Enugu State as one of the Commissioners to serve in the Enugu State Local Government Service Commission and that is why I am here before you, Mr Chairman. Thank you.

Mr Chairman: Thank you very much, for your eloquent elaboration. I want to say that without some of these information, I personally would have not known all these things you have said. For me, at least, I am very, very happy in the way and manner you presented your self before us. I have no doubt that you are going to do very well in that very position. And if by the grace of God, you are here again as a Commissioner, I hope all of us have now known you. Thank you very much.

Mr Ezeh (Udenu): Mr Chairman, hon. Members, it gives me joy to stand up because of the candidate before us. We know that in our political life we all

are here as hon. Members of this House, one can recall vividly the active role played by the youths in ensuring that our elections were successful. I feel very happy to have listened to the sonorous and commanding voice of this young man before this honourable House.

In fact, because Members have seen that he is out-spoken and that he has other potentials in him, as a youth leader in various levels; having progressed rapidly in the Local Government administrations, I think it is proper that he will find himself in that Commission. Mr Chairman, I do not need to waste more of your time for obvious reasons, because we have various assignments in this House today, and in view of that, Mr Chairman, I humbly move the Motion that Mr Nestor Ezeme takes a bow and leaves this honourable House. Thank you.

Mr F. Onah (Nsukka West): Mr Chairman, hon Colleagues, I rise to second the Motion moved by the hon. Member for Udeni (*Mr E. U. Ezeh*). Thank you.

Question put and agreed to.

Mr Ezeme accordingly took a bow and left the Chamber.

Mr Chairman: Honourable Colleagues, we have the following people for the Civil Service

Commission. I read: *Mr J. C. Udeagbala; Elder Ogbu. I learnt that Mr Ogbu is ill and there is no way he can come to this place today. I appeal that we should do justice to this by confirming his appointment because sometime ago he was here in the House and we interviewed him. I feel that whatever applied to others should applied to Mr Ogbu.*

3. Mr Okafor Ede
4. Mr John Okechukwu Agbaji
5. Chief Ozor Ken Ozor.

All the nominees should come in, please.

Honourable Colleagues, before you are the Chairman to be and Members to be of Civil Service Commission, who have come for screening by this honourable House. Before I go on, I wish to formally inform you that they are physically here before you. I am aware that going by the list before us, I know some of them, but I do not know about one person. Hon. Okechukwu Agbaji, have you served before in this Government?

Mr O. Agbaji (Member designate): Mr Chairman, Sir, I was Chairman on Public Accounts when I was a Member of the old Enugu State House of Assembly.

Mr Chairman: How did you see that Committee on Public Accounts during your tenure? (*Laughter*).

Mr Agbaji: Mr Chairman, it was all right.

The Chairman: Honourable Colleagues, my hands are tied. However, we have to proceed. In the first place, Barrister J. C. Udeagbala has been in the Civil Service Commission before now and going by the Constitution of this country, 1999, Section 199(c) he is still a Member of that Commission. That is what the Constitution says; but based on the invitation, eventually he is here for screening. This Constitution made it clear that any Member of the Commission who has not served up to five (5) years is still a member of that Commission. On that note, I formerly request that an hon. Member moves a Motion that they take a bow and leave.

Mr D. A. Anih (Enugu South I): Mr Chairman, Sir, I stand to move that these young men should take a bow and leave this honourable House, because if you look at them they are the shakers and movers of Peoples Democratic Party (PDP) during our campaign. They deserve no primary condition. Thank you.

Chief Whip (*Mr F. Ezema*): Mr Chairman, Sir, I have risen to second that Motion. Thank you.

Question put and agreed to:

The Members designate accordingly took a bow and left.

Mr J. C. Udeagbala (Chairman-Designate): Mr Chairman, Sir, hon. Members of the House, may I, on behalf of my colleagues from Civil Service Commission thank Members of this honourable House for deeming it fit to confirm our nomination as Chairman and Members respectively.

Mr Chairman: Nomination! We have not confirmed your appointment (*laughter*).

Mr Udeagbala: We want to assure you that if confirmed and sworn in, we will do our best to serve Enugu State with total evidence of responsibility and humility. We thank you.

(Committee Reports Progress)

(Mr Speaker resumed the Chair)

Mr Speaker: Honourable Colleagues, we have done the interview and I wish to call on you to make general observations on the exercise just conducted.

Mr Enebe (Awgu North): Mr Speaker, Sir, I wish to make comments as it affects those we have just interviewed. I will confine my statement on those for Local Government Service Commission and leave others for the rest of us. My position is that the Constitution having

empowered us in Section 147 and 198 to perform this function, we on our own have done justice to it by interviewing them and interacting with them.

The Chairman and Members of this Commission are well known to us and if you look at Section 199 to 200 of the 1999 Constitution proper, I agree with it that all of them are already qualified to be Chairman and Members respectively.

I, therefore, without wasting much of your time, do urge this honourable House to confirm their appointment.

I will equally want to advise them to discharge their duties without fear or favour and to understand that the Government of Enugu State is made up of three Senatorial Zones and it is their duty to know that in carrying out their functions, they should always bring equity to bear so that in giving appointments and other powers of the Commission they should ensure that all persons from all parts of Enugu State are taken care of. Thank you.

Mr E. Odo (Nsukka East): Mr Speaker, Sir, I stand to second that Motion as moved by the hon. Member for Awgu North (*Mr Enebe*).

Mr Speaker: The hon. Member for Awgu North (*Mr Enebe*) did not move a Motion.

Mr Odo: O.K. Mr Speaker, Sir, my main comment still remains that the people that have just been screened are true reflections of federal character as far as our own state content is concerned. It is enshrined in Section 14(4) of the 1999 Constitution, and having done so, these are also men of proven integrity. We have known them very well and we are already working with them and always interact with them. I, therefore, urge the hon. Members of this House to confirm their appointment. Thank you.

Mr Speaker: I sincerely believe that there is a certain stage or level where a person gets in this world, a woman becomes a man (*laughter*).

Mr M. Njeze (Udi North): Mr Speaker, Sir, I want to ... (*Interruptions*).

Mr Speaker: Order! Did the hon. Member for Udi North (*Mr Njeze*) meet the House when we were screening them?

Mr Njeze: Yes, Mr Speaker, I was here and my comment is even an observation which I would wish to put to the House. I believe that the three arms of Government are working together for their independence, and I believe that each arm will, to an extent, give account of itself to the people of Enugu State. I believe that the Executive, to some extent, represent all

the three arms, that is, the Executive, the Legislature and the Judiciary.

Deputy Leader (Mr Anikwe): Mr Speaker, my Colleagues, I move that the hon. Speaker now put the Question.

Question That the Question be put, put and agreed to.

Resolved: That this honourable House today, 25th June 2003 do confirm the appointment of the Chairman and Members of the Enugu State Local Service Commission as follows:-

- 1) Chief Lady Bernice Agbo Chairman
- 2) Mrs Chinwe Chukwuanyim Member
- 3) Mr Nestor Ezeme Member
- 4) Barr. Anthonia Ugbene (Mrs) Member
- 5) Barr. C. C. Agbo Member

Also the appointment of the Chairman and Members of the Enugu State Civil Service Commission as follows;

- 1) Barr. J. C. Udeagbala Chairman
- 2) Elder Jonathan Ogbu Member
- 3) Mr Okafor Ede Member
- 4) Hon Okechukwu Agbaji Member
- 5) Chief Ozor Ken Ozor Member

PRESENTATION OF BILL

AFRICAN UNIVERSITY FOR CRITICAL, CREATIVE AND CARING COMMUNITY OF INQUIRY BILL No. 2., 2003.

A BILL FOR A LAW TO GRANT PROVISION FOR THE ESTABLISHMENT AND MANAGEMENT OF THE AFRICAN UNIVERSITY FOR CRITICAL, CREATIVE AND CARING COMMUNITY OF INQUIRY (AUCCACCOI), AND TO PROVIDE FOR OTHER MATTERS INCIDENTAL THERETO.

(Order for second read)

Mr Speaker: Honourable Colleagues, you will recall that during our last sitting, that was yesterday, the debate on this bill was deferred to a later date to be determined by the Rules and Business Committee of this House. The Rules and Business Committee has today scheduled this again, for us to conclude the debate on this bill. At this juncture, I wish to call on those who have not made their contribution on this Bill to do so now. Thank you all.

Mr E. Maduabu (Awgu South): Mr Speaker, yesterday, we made elaborate debate on this Bill proposed by the Deputy Speaker (*Mr Atigwe*). Education is the fulcrum of any formal group. Education is one of the systems that brings about development of human

beings. Well, talking about critical, creative and caring community of inquiry university, I think that it is a clear departure from the formal and the orthodox system of education in this very country.

Critical is the ability for someone to look beyond the surface of any subject. You have to ransack your brain. Creative entails initiatives and ideas. To produce things and not to depend on what others have already produced. It is your first duty. And caring now means; that you should take your neighbour and the society as if they are your own. You talk about the economy as if it is your own-go about it, you move about it. You know that this is your own. So having these qualities, the only area where I am somehow not well vast in, is the Inquiry aspect of it.

So I am saying that we should pass the Bill but I am urging those that will formulate the policies to be careful to think wisely and then to know that there are certain things that will be required. Such things should be looked into, whether they are there; whether the money to establish the University is there; then the number of Staff that will be recruited, the equipment. But I think that because this is a University which has been founded and sponsored by foreign body, this time around, if it is brought into Nigeria, or Enugu State in particular, that will be a good thing.

As some people said, that they have areas where it could be sited. I am saying that Awgu Local Government Area and Aninri have vast land and there are no higher institutions there. I am therefore proposing that if such a bill is passed, such areas should be considered. Thank you.

Mr J. Obidinma (Oji River): Thank you Mr Speaker. The idea of establishing a University for economic development is good because we know that the cheapest economy is based on education. However, we must take some precautions in doing this. In addition to supporters of this Bill who spoke so far, I can give my own support to the Bill. I want to take myself a bit away. I want to say that provisional approval be given to it for two reasons. Mr Speaker, with a provisional approval given by His Excellency, during the period of operation, you might begin activity as proprietor. (*Interruptions*).

Mr Enebe (Awgu North): Mr Speaker, Point of Order! My Point of Order is based on the rules of debate and passage of the Bill into law. We either pass this Bill into law or not. There is no provisional passage of this Bill. Thank you very much.

Mr Speaker: The hon. Member for Oji River (*Mr Obidinma*) can see that at this stage of the Bill we are trying to look at the merits and demerits, that is the general principles of the Bill. So, if

he has anything contrary or why he thinks that the University should not be established, he can say it. If he is in support that the University should be established, he can tell us. Like the hon. Member for Awgu North (*Mr Enebe*) said, a Bill is either passed or it is not passed. You do not pass a Bill half way. So, if he still wants to contribute on the issue on the Floor, he can go on.

Mr Obidinma: Thank you Mr Speaker. Like I said earlier, we need not over-flog the issue of determining the passage of this Bill because the Speaker is not Enugu State. I want to align myself fully to the passage of the Bill with the precaution that the proprietor should as much as possible do all that is written in the proposed University. Thank you, Mr Speaker.

Mr M. Onyeze (Igbo-Eze North): Mr Speaker, Sir. I want to make an observation on page 8 of this Bill, that is Section 9 which says: *The President shall be the Chief Executive of this University*. When one of the Members was speaking, he talked about the Proprietor opening up. On the issue of who owns the University, it is established like one-man business and the efficiency of such University will depend much on the life and capability of the owner and that person will not live for ever. We know the person who has the intention of establishing this University. He is a capable person, now a professor,

who has been running Institutions. But he is not going to live forever therefore ... (*Interruptions*).

Mr Speaker: Let me help the hon. Member for Igbo-Eze (*Mr Onyeze*). You are the Chairman of House Committee on Education. Am I right? It is your right as the Chairman to call for a meeting for this Bill. Also, this Bill has been committed to that Committee which you are the Chairman. Now, you called for public hearing. I think I am right.

Mr Onyeze: Yes, you are right.

Mr Speaker: Now you have not reported out, we are still expecting your report. I told you yesterday that the contributions made by Members here will guide you in writing your report. Some of these issues, as you are the Chairman, will be helpful to you. During the Committee work, you will decide what to say. The President, like the Bill stated, should be the Chairman or whatever. You can as well liaise with the Sponsor of the Bill. You can as well liaise with the Presenter of the Bill to know what the Bill is all about. By the time you have interviewed these people you will now know exactly where you are going. What we are talking about are the advantages and disadvantages of the Bill. We do not intend to look into the aspect of who becomes the head of the University. If you do not agree with some of the issues canvassed in this Bill you make your own submissions. You

can also make amendments; if the proposed amendments are carried, it will stand or we throw off the amendment. Are you getting me. So, let us make progress.

Mr Onyeze: Mr Speaker, you advised me yesterday as an ordinary Member of the House that I should make my own submissions on the Floor of the House, because as the Chairman of the Committee I do not have the privilege of saying this in the Committee. My submissions therefore are based on some highlights in the Bill. Thank you.

Deputy Speaker (Mr Atigwe): Thank you Mr Speaker. I welcome the way and manner the debate has been going on. This shows that the law we are going to make is good in its entirety. I have peculiar points in some of the issues raised during the contributions. The President of this University is in person of the Rev. Father Professor Stan Ani. He is a well-known figure in this State. The President of the Institution will come and go and another will replace him just as we have Vice Chancellor of a University that replaces another. On the issue of land, the University has acquired about 150 hectares of land around Emene which is just within the immediate vicinity. They have another site within the New Haven area of Enugu. On the issue of Library, they have one of the largest within the operational site.

Mr Speaker, Sir, I have said clearly that I am very happy over this Bill. The purpose of the Bill is to re-introduce reasoning in our primary, secondary and tertiary institutions. This will remove violence from our Institutions. What is happening now will not happen again because Pirate confraternity was introduced in the University of Ibadan in the year 1952 by Wole Soyinka and others. Their aim was not for cult purposes. The motive was for just and egalitarian society but what we see today which has even extended outside the University Community is shocking. Mr Speaker Sir, I appeal to hon Members to contribute effectively to this all-important Bill with a view to giving it accelerated passage but if they are all through, I then will move that the Question be put.

Mr Enebe (Awgu North): Mr Speaker Sir, my question is on the Motion he has just moved. In the rule, is it proper for the Mover of a Motion to move that the Question be put?

Mr Speaker: I do not think it is the duty of anybody to move that the question be put. If the Sponsor of the Bill decides to move that the Question be put, I do not think there is anything wrong there. So, I believe that the Motion is in order.

Mr M. Njeze (Udi North): Mr Speaker Sir, I want to know if we

should have the report of the Committee before the Bill is read the Second time.

Mr Speaker: It does not matter.

Mr Njeze: I second the Motion moved by the Deputy Speaker.

Question That the Question be put, put and agreed to:

Bill accordingly read the Second time.

Mr Speaker: Hon. Colleagues, the Bill on the African University for Critical, Creative and Caring Community of Inquiry Bill NO. 2, 2003 has now sailed through the second stage. I wish to thank everybody for his contributions. I wish to thank the Clerks-at-Table. I thank you all and say May God bless you.

ANNOUNCEMENT

Mr Speaker: The House Committee on Judiciary, Public Petitions, Ethics and Privileges will meet on the rising of the House at the Conference Room.

There will be another meeting of the House Committee on Women Affairs, Social Development and Economic Affairs on the rising of the House at the usual venue.

Please, if you know you have not completed your asset declaration form, do that immediately and submit it to the authorities concerned.

If you have not submitted your account number for your salary, do that immediately to avoid any embarrassment.

ADJOURNMENT

Deputy Leader: Mr Speaker, Sir, I stand to move that the House do adjourn till Tuesday 8th July, 2003 at 10 a.m.

Mr A. Chigbo (Uzo Uwani): Mr Speaker Sir, I second the Motion.

Question put and agreed to:

Resolved: That this House do now adjourn till Tuesday, 8th July, 2003 at 10 a.m.

Adjourned accordingly at 2.18p.m.



ENUGU STATE OF NIGERIA
PROCEEDINGS

AND DEBATES OF THE
FIRST SESSION OF THE
THIRD ASSEMBLY

ENUGU STATE HOUSE OF ASSEMBLY

OFFICIAL REPORT

No. 9

Tuesday
8th July, 2003

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Produced by the Publications Department
Enugu State House of Assembly

HOUSE OF ASSEMBLY
ENUGU STATE OF NIGERIA

Tuesday, 8th July, 2003
(The House met at 3.00p.m.)

PRAYERS

(Mr Speaker in the Chair)

APPROVAL OF VOTES AND
PROCEEDINGS

Mr Speaker: Honourable Colleagues our Votes and Proceedings No. 8 of Wednesday, 25th June, 2003 are before the House. I have gone through them to my mind, they appear to be correct. However, in keeping with the Rules of the House, I need your comments to give them legal backing. Thank you.

Mr E. U. Eze (Udenu): Mr Speaker Sir, I have equally gone through the Votes and Proceedings No. 8 of Wednesday, 25th June, 2003 and have found them to be correct. I therefore move for the adoption. Thank you Sir.

Mr E. Maduabu (Awgu South): Mr Speaker, Sir, hon. Colleagues, I stand to second the Motion that the Votes and Proceedings of our last sitting be adopted by this House. Thank you, Sir.

Question put and agreed to.

Votes and Proceedings of 25th June, 2003 accordingly adopted.

Mr Speaker: The hon. Member for Uzo-Uwani (*Mr Chigbo*) did not move his lips. I was watching him very closely. Is he opposing the adoption of the Votes and Proceedings?

Mr A. Chigbo (Uzo-Uwani): Mr Speaker, Sir, I strongly supported the adoption of the Votes and Proceedings of our last sitting. (*Prolonged Laughter*)

Mr Speaker: I will now move to item four on the Order Paper. I am sorry that we are not going to discuss very much this afternoon. The House was not anticipating to sit today, because of the nation-wide strike which was called-off this morning. However, the House hurriedly decided to sit to enable us adjourn formally to a later date. Once again, we do not have much to discuss this afternoon. Possibly, at our subsequent sitting the Order Paper will be loaded as usual.

ANNOUNCEMENT

Mr Speaker: The House Committee on Education, Science and Technology will visit the following Boards on Friday, 11th July 2003:-

- i) Post Primary Schools Management Board (PPSMB) will be visited at 10a.m.
- ii) State Primary Education Board (SPEB) will be visited at 1p.m. on the same date.

Thereafter, the Committee will hold a joint meeting with the House Committee on Education and Judiciary, Public Petitions Ethics and Privileges on Monday 14th July, 2003 at 10a.m. The Venue is the Conference Hall of the Assembly. This notice was signed by the Chairman, (*Mr M. Onyeze*).

The Principal Officers of the House will meet on Thursday, 10th July, 2003 at 12 noon. Venue: Conference Hall. Thank you.

ADJOURNMENT

Leader of the House: Mr Speaker Sir, I rise to move that the House do now adjourn till Tuesday 15th July, 2003 at 10a.m. prompt. Thank you, Sir.

Congratulations

Deputy Leader: Mr Speaker, Sir, I rise to second the Motion for adjournment moved by the Leader of the House. In doing so, I want to use this opportunity to congratulate the President of the Federal Republic of Nigeria, President Olusegun Obasanjo

and the President of the Nigerian Labour Congress (NLC) for their ability to resolve their differences in the present nation-wide strike action and their ability to call-off the strike impasse. Thank you, Sir.

Question put and agreed to.

Resolved: That the House do now adjourn till Tuesday, 15th July, 2003 at 10a.m.

Adjourned accordingly at 3.30 p.m.



ENUGU STATE OF NIGERIA
PROCEEDINGS

AND DEBATES OF THE
FIRST SESSION OF THE
THIRD ASSEMBLY

ENUGU STATE HOUSE OF ASSEMBLY

OFFICIAL REPORT

No. 10

Tuesday
15th July, 2003

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HOUSE OF ASSEMBLY
ENUGU STATE OF NIGERIA

Tuesday, 15th July, 2003
(The House met at 10.00a.m.)

PRAYERS

(Mr Speaker in the Chair)

APPROVAL OF VOTES AND
PROCEEDINGS

Mr Speaker: Honourable Colleagues, our Votes and Proceedings of Tuesday, 8th July, 2003, are before us. In keeping with the Rules of this honourable House, I have gone through them, found them to be exactly what transpired on the said day. However, I need your comments to enable us give them legal backing. Thank you.

Mr J. Obidinma (Oji River): Mr Speaker, Sir, I have actually gone through the Votes and Proceedings of our last sitting and found them correct, I therefore, move for the adoption of the Votes and Proceedings as correct recording of what transpired that day. Thank you.

Deputy Leader (Mr P. Anikwe): Mr Speaker, Sir, hon Colleagues, I have equally gone through the Votes and Proceedings and to the best of my knowledge, I found them to be correct,

hence I second the Motion for their adoption. Thank you.

Question put and agreed to.

Votes and Proceedings of Tuesday, 8th July, 2003, accordingly adopted.

ORDER OF THE DAY

Matter of Urgent Public
Importance

Mr A. Chigbo (Uzo Uwani): Mr Speaker, Sir, hon Colleagues, I have a matter of Urgent Public Importance, and I wish to appeal to the honourable House of Enugu State Assembly, to suspend Order No. 25, which says that every Motion must be on notice because of the urgency of the matter before it. Thank you.

Mr J. U. Onoh (Enugu North): Mr Speaker, Sir, I rise to second the Motion moved by the hon Member for Uzo Uwani (*Mr Chigbo*). Thank you.

Question put and agreed to.

Condemnation of the Alleged Abduction of the Executive Governor of Anambra State and the Role of the Nigerian Police in the Unfortunate Crisis.

Mr Chigbo: Mr Speaker, Sir, hon Colleagues, on Thursday, 10th July,

2003, some forces attempted a coup d'etat against Governor Chris Nwabueze Ngige of Anambra State. This has brought another dimension to the question of whether Nigerians have clearly understood the principles of democracy, and if they do, whether they are ready to practise it according to its rules. In an apparent rape of democracy, on the eve of the visit by president George W. Bush of the United State, a country that is a prime supporter of democracy in Nigeria, the police was used to perpetrate a situation that would have created security problem in Anambra State.

The question is, did governor Ngige resign? How did he resign? Why did he resign? Was the police supposed to have arrested him if he had resigned? If his resignation letter had been passed to the Speaker of the House of Assembly – how would that have created Security problems for Anambra State?

Under Section 306(5) of the 1999 Constitution, it is stated inter alia: *The notice of the resignation of the Governor and of the Deputy Governor of a State shall respectively be addressed to the Speaker of the House of Assembly.* Though this condition may have been fulfilled by the allegation of the Speaker of the Anambra State House of Assembly, Mrs Eucharia Azodo, that she had received Governor Ngige's letter of

resignation, there is no Constitutional provision for the arrest of a governor in any form on account of his plan to quit. There is no provision in the 1999 Constitution which empowered a police Commissioner, an Assistant Inspector General of Police or even the IG of Police of Nigeria to effect a house arrest of an Executive Governor.

Section 308 (1(a), (b), (c)) of the 1999 Constitution specifically states that a serving president, vice president, Governor or Deputy Governor cannot be brought under arrest for any Civil or Criminal proceeding. It reads:-

Notwithstanding anything to the contrary in this Constitution but subject to subsection (2) of the Section:-

- a) *No civil or criminal proceedings shall be instituted or continued against a person to whom this section applies during his period in office.*
- b) *A person to whom this section applies shall not be arrested or imprisoned during that period either in pursuance of the process of any Court or otherwise; and*
- c) *No process of any court requiring or compelling the appearance of a person to whom this section applies, shall be applied or issued.*

In the political history of Nigeria, state governors were put under arrest after military coups, not by the police, but by soldiers loyal to such a military regime. And under such situation, there has to be a decree outlawing such a civilian democratic administration which the military overturned.

To further buttress the atrocities committed, sections, 188, 189, 190 and 191 of the Constitution spells out how a Governor will cease to hold office. While section 188 provides for the impeachment processes, section 189 deals with a case of permanent incapacitation of the governor on medical grounds. But section 191 states that *the deputy governor of a state shall hold the office of governor of the state if the office of governor becomes vacant by reason of death, resignation, impeachment, permanent incapacitation or removal of the governor from office for any reason in accordance with section 188 or 189 of this Constitution.*

However, Section 190 states the way by which the governor's personal decision not to continue in office can be expressed:

Whenever the governor transmits to the Speaker of the House of Assembly a written declaration that he is proceeding on vacation or that he is otherwise unable to discharge the

functions of his office, until he transmits to the Speaker of the House of Assembly a written declaration to the contrary such functions shall be discharged by the Deputy Governor as Acting Governor.

CONCLUSION

To refresh your memories my hon. Colleagues, sometime this year the Governor of Enugu State Dr Chimaroke Ogbonnia Nnamani presented a lecture titled Political Godfatherism in Nigeria, whereby he condemned what happened in Anambra State which was originated by godfatherism. For the meaning of democracy – the Rule of Law I suggest the following resolutions:

1. That Enugu State House of Assembly is in total support of the adoption of all the resolutions contained in the communiqué issued by the South Eastern Governors meeting held in Enugu on 11th July 2003.
2. That Enugu State House of Assembly has acknowledged this act of treason and felony and urge the government to enforce all necessary legal steps to resolve this disrespectful act.
3. That Enugu State House of Assembly is in total

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to the good people of Anambra State to understand what has happened and quickly and appropriately resolve the matter.

If he had acted otherwise; opened his mouth and said let there be fire, this time we will be talking about state of emergency. But, the able Governor exhibited maturity by taking the matter calmly and appealing to the good people of Anambra State, that notwithstanding what happened, they should take the matter very calmly. I very much praise the Governor for what he did. The good people of Anambra State are also saluted because under that situation some people may believe that democracy has been raped following that unexpected circumstance in this country. Because out of provocation they are expected to be frustrated, but still they were determined to get their leader. Where the Governor said “no, my people, take it easy”, and they took it easy, otherwise they would have done what would have led to other situations.

This is a very good innovation and other leaders in this country should emulate Dr Chris Ngige so that when such a situation occurs you have to search your heart and think of what is to be done very seriously so that by the time you come up with your decision, it is going to be a decision that will be taken and accepted by everybody, and

at the end, our nascent democracy will definitely survive.

Mr Speaker, I am strongly in support of the Motion for the condemnation of the barbaric attitude which some miscreants in Anambra State meted on the Governor of Anambra State. Thank you.

Mr P. Anikwe (Ezeagu): Mr Speaker, Sir, I have risen from my seat to support this Motion with a lot of reasons and they are: (1) everyone of us is disturbed when, as of today, we ask ourselves why is it that this particular act took place in Igbo land; (2) that almost every Governor under the PDP in the South East and even in the South South received their new mandate for a second tenure except in Anambra State. (3) it was in 1999 that most of us came to acknowledge it or even knowing it for the first time the issue of Bakassi, why in Anambra State? (4) I continue to be uneasy when one refuses to appreciate the caliber of human beings in Anambra State. It is not an over statement for us to believe that this Anambra State is highly blessed with most intellectuals in the South East, such as the former Vice-president of the Federal Republic of Nigeria, you talk of the former leader of the defunct Biafra and so many other highly placed intellectuals. But today we continue to ask ourselves in view of this ugly incidence why have they all kept mute.

So, in Igbo land we have our fellow hon. Members of the House of Assembly, the Ohaneze Ndi Igbo, they are yet to talk on the issue. This House of Assembly condemns the act, because the role played by the Anambra State House of Assembly should not be desired. It would not have been possible if the State House of Assembly have a cordial relationship with the Chief Executive in order to move the State forward. This mumbo jumbo situation in Anambra State calls for a reflection. Then it appears that the entire system is hackneyed. The entire organigram is galvanized. The entire machinery is anachronistic, it is almost disjointed. The Enugu State House of Assembly is more concerned and calls for immediate reconciliation between the Chief Executive and the hon. Members of the House to move Anambra State forward without bias so that the people of the State will freely walk around in Igbo land. This type of ugly event would never take place in Yoruba or in the Northern States or in the South South. Why Anambra State? Why Anambra State?

So, Mr Speaker, there is no need delaying this Motion, but there is a lacuna between the House of Assembly and the Deputy Governor. Let us pray and urge our Colleagues in the Anambra State House of Assembly to take a redress, to go back fully with the

Governor, to embrace him in order to enable us move forward. We can only do that by coming out openly, in our own good work as Members of House of Assembly in the South East.

Mr Speaker, Sir, I am calling on you to equally summon a conference of Speakers from the South East to pass a similar resolution on the act because that will be an aberration on democracy. On this strength I call on you Mr Speaker to now put the question. Thank you.

Mr Speaker: Honourable Member for Ezeagu (*Mr Anikwe*), it appears that other Members of the House would wish to contribute to the Motion. Thank you.

Mr M. Njeze (Udi North): Mr Speaker, Sir, the event we are talking about in this Motion is the one which every true democrat should have a function. The incident is quite condemnable as it is an abomination. Therefore I strongly support The Motion and I wish to add that what this people did is not just a mere attempt to topple democracy, it is in fact an assassination of the true wish of the people, an assassination of democracy.

However, in my constituency we have an adage. We normally say that if you do not want to witness the presence of the lizards, you do not bring in a

firewood infested with ants into the house, because firewood infested with ants is a direct invitation of the lizards.

My addition to the prayer is that this honourable House should call for a thorough investigation of the issues that led to this attempt to truncate democracy in Anambra State. That is to say we should encourage an investigation to find out if Dr Chris Ngige actually signed those documents. If he actually signed any of those documents, whether willingly or under duress, it means that he is not worthy to hold forth for the people of Anambra State. In the event of his actually signing them, or reading them as we saw on the television, he should honourably resign from his position as the Governor of the State. When he fails to do that, the House of Assembly should go ahead and liberate the people of Anambra State from such a dubious man, by impeaching the Governor so that a credible leader could replace him.

That will be a good example for those who patronize god-fatherism. If he actually signed those document for his godfather, it means that the god-father is the Governor of the State, and not the puppet Governor, and he no longer serves the will of the people but the will of the god-father. So, if the people of Anambra State are liberated from the god-father, then democracy will have a strong pillar to stand, so that

in future elections, the god-fathers can go to hell and leave the people to decide who will be their leader.

It is based on this that I plead with this honourable House to pass this Motion. But if the investigation proves that Governor Ngige did not sign those things, then all those who are involved, those who abducted him and their collaborators should be given treatment as people who committed treason so that our people will begin to know that it is not only when military men carry out coup d'etat that we apply the full weight of the law. When our leaders and our policemen carry out coup d'etat, and it fails, they too should face the full weight of the law. On this, I rest my case. Thank you, Mr Speaker.

Mr Speaker: Honourable Colleagues, I think that the hon. Member for Udi South (*Mr Njeze*) proposed an amendment. If it is the wish of the House that the amendment be included in the Motion, somebody should second the Motion for amendment. If not, we make progress.

Mr M. Njeze: The amendment is to call for an investigation into the realities of the signing.

Mr P. Anikwe (Ezeagu): Investigation by who? Enugu State House of Assembly or who?.

Mr Speaker: He is calling on the authorities to carry out the investigation.

Deputy Speaker (Mr Atigwe): I have risen to support the amendment.

Mr Speaker: Now, let me once more appeal that since we have all agreed that we are going to support the communiqué made by the South East Governors and one of the points in the communiqué is that the Federal Government should investigate the causes of the crises that took place in Anambra State, I do not think that there is any need adding a separate prayer. So, my own opinion is that we leave the Prayers as it is in Prayer one above.

Mr E. Odoh (Igbo-Etiti East): Mr Speaker, Sir. Apart from avoiding repetition of some of the prayers as was amended by the hon. Member for Udi North (*Mr Njeze*), the issue of signing or not signing is a different matter. If he signed under duress or even by force, as far as I am concerned it is not the law. So we should not give room to undemocratic processes to carry out duties. We are not strangers in Igbo land and we know that in Anambra State such things are not uncommon. But then, the issue is that even if he signed, there are possibilities when somebody can sign something under some pressures, and as far as I know, that somebody can survive it and come

back to say no, this is not true. So, that is an addendum to fight our very course. On that note, I wish to support that the Motion be retained as it is. Thank you, Mr Speaker.

Mr Speaker: Honourable Colleagues, is it the popular opinion hon. Members that we expunge the amendment?

Several hon. Members: Yes!

Mr Speaker: The Motion stands as it is.

Deputy Speaker (Mr Atigwe): Mr Speaker, hon. Members. I am very, very happy to stand in this very pulpit where the great Zik stood and condemned what is against the law. We believe that democracy is a solution to problems. What we are seeing in Anambra State today is another problem that calls for urgent attention. Now the law must take its course. Government should carry out proper investigation but when this investigation is finished people must be charged for committing felony and conspiracy. If the Governor has signed he should be charged. If he did not sign then others should be charged. Chief Awolowo of the blessed memory suffered the same fate. When they tried to overthrow the Federal Government they failed and they were charge for committing felony and conspiracy. They were jailed

accordingly along with the reasons because conspiracy and felony are criminal offences. And what I am asking is where are the elders of Anambra State and Igbos. You will agree with me that in this nation any success without a successor is a failure. Without good governance with a rich experience in winning the Government, whatever efforts one puts is a complete failure. And I follow others to condemn the action to the last. If Mr Speaker will permit me, may I move that the question be put. Thank you.

Question That the Question be put, put and agreed to.

Main Question put and agreed to.

Resolved:

1. That the Enugu State House of Assembly is in total support of the adoption of all the resolutions as contained in the Communiqué issued by the South Eastern Governors' Meeting held in Enugu on 11th day July, 2003.
2. As we condemn this act of treason and felony we urge the Government to enforce all the necessary legal steps to resolve this disrespectful Act.

3. Total condemnation of political God-fatherism in Nigerian politics.

ANNOUNCEMENT

The House Committee on House Services and Security will meet on the rising of the House in the Conference Hall. Also, the House Committee on Commerce and Industry will meet on the rising of the House.

The House Committees on Education Science and Technology will visit the ministry of Education Science and Technology and other Tertiary Institutions in Enugu State on Friday 18th day of July 2003, as follows:-

- i) Ministry of Education – 10 am
- ii) Enugu State University of Science and Technology (ESUT) – 12 noon
- iii) Institute of Management and Technology (IMT) – 2p.m.

The Joint Committees on Education and Judiciary will meet on 21st day of July, 2003 to discuss the report of the Committee on the Bill on African University of Inquiry.

The House Committees on Agriculture and Natural Resources will meet today on rising of the House.

Mr Speaker: Honourable Colleagues, please if you know that you have not submitted the names of your personal assistants (staff), you should do it immediately; otherwise, they will not be pay-rolled.

I equally wish to appeal to the Chairmen of different Committees to try as much as possible to discharge their duties diligently. Also, I wish to appeal to the House Committee on Petroleum Resources and Environmental Management to liaise with the Task Force on Petroleum Products, and report to the House any problem encountered, so that anytime we come back to the House, we may know the next line of action to take. I am not happy at all over this present situation, when I go round the corner I discover that some of these dealers are people from other states. They are not selling fuel at the official pump price to the public. Some people were selling at N115 and N90 per litre. So, I advise you anytime you find such dealers, you should report to the House. I will not hesitate to take lawful actions against them.

Also, Members could move together to seal off their Stations or sell out whatever they have at the official pump price. We must try as much as possible to put to a stop this fuel issue. It is either they run their filling Stations here in Enugu or they go to their own States.

And as long as they are in Enugu here doing their businesses, they must observe the existing law and order in Enugu State. Therefore, if this problem continues we will go on drive. If we get anybody who sells at more than N34, we will sell his fuel free. Thank you.

ADJOURNMENT

Leader (Mr K.S. Ebenyi): Mr Speaker, Sir, hon Colleagues, I rise to move that this House do now adjourn till Thursday, 24th July 2003, at 10 a.m. prompt. Thank you.

Deputy Leader (Mr P. Anikwe): Mr Speaker, Sir, I rise to second the Motion for adjournment. Thank you.

Question put and agreed to.

Resolved: That this honourable House do now adjourn till Thursday, 24th July, 2003 at 10 a.m.

Adjourned accordingly at 2.13p.m.



ENUGU STATE OF NIGERIA
PROCEEDINGS

AND DEBATES OF THE
FIRST SESSION OF THE
THIRD ASSEMBLY

ENUGU STATE HOUSE OF ASSEMBLY

OFFICIAL REPORT

No. 11

Tuesday
29th July, 2003

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No proofs of the Daily Reports can be supplied. Corrections which Members suggest for the Bound Volume should be clearly marked in the Daily Report, but not telephoned and the copy containing the corrections must be received at the Editor's Room, House of Assembly

not later than four days after each sitting

HOUSE OF ASSEMBLY
ENUGU STATE OF NIGERIA

Tuesday, 29th July, 2003
(The House met at 10.00a.m.)

PRAYERS

(Mr Speaker in the Chair)

**APPROVAL OF VOTES AND
PROCEEDINGS**

Mr Speaker: Honourable Colleagues, Votes and Proceedings No. 10 of Tuesday, 15th July, 2003 are before the House. I have gone through them and found them to be correct. However, I need your comments to enable us give them legal backing. Thank you.

Mr F. Onah (Nsukka West): Mr Speaker Sir, I have also gone through the Votes and Proceedings of Tuesday, 15th July, 2003 and to the best of my knowledge, I found them to be correct. I therefore move for the adoption of the Votes and Proceedings.

Mr F. Amu (Nsukka East): Mr Speaker Sir, I have equally gone through the Votes and Proceedings and found them to be correct. I therefore second the Motion for their adoption. Thank you.

Question put and agreed to.

*Votes and Proceedings of Tuesday
15th July, 2003 accordingly adopted*

Mr Speaker: A Message from His Excellency, the Executive Governor of Enugu State, Dr Chimaroke Nnamani. The Message reads as follows:

GHS/123/VII/7 21st July, 2003

*The Hon. Speaker,
Enugu State House Assembly,
Enugu.*

Dear Hon. Speaker,

**NOMINATION OF
COMMISSIONERS**

*His Excellency, the Governor of
Enugu State has approved the
nomination of the following persons as
Commissioners:*

- 1. Dr Eric Oledo*
- 2. Arc. Paul Eze*

*Consequently, he has directed me to
respectfully request the honourable
House to, kindly, give their nomination
expeditious consideration to enable
them attend to certain state matters of
urgent importance.*

*I am further directed by His
Excellency to convey to you and the
entire honourable House, the
assurances of his highest regards.*

*(Sgd.)
Peter Mbah
Chief of Staff*

Leader (Mr K. Ebenyi): Mr Speaker Sir, I beg to move that the Message from His Excellency be accepted for consideration on a later date to be determined by the Rules and Business Committee of this House. Thank you.

Deputy Leader (Mr P. Anikwe): Mr Speaker Sir, I stand to second the Motion moved by the leader for the acceptance of the Governor's Message to be entertained on a later date. Thank you.

Question put and agreed to.

Mr Speaker: On this note, Mr Clerk, I request that you inform all those concerned to submit twenty five (25) copies of their credentials to this honourable House and also we hope that by Thursday, they should appear for screening. Please inform them accordingly.

ANNOUNCEMENT

Committee Meetings

Mr Speaker: The House Committee on Public Accounts will meet on the rising of the House, right inside the Chamber.

The House Committee on Agriculture and Rural Development will visit the Ministry of Agriculture (ENADEP and Fertilizer Distribution Agency) on Friday, 1st August, 2003 by

10a.m. All the Members will depart by 9.30a.m.

The House Committee on Health will meet today at the Conference Room on the rising of the House.

There will be an inaugural meeting of the House Committee on Public Utilities on 29th July, 2003 and the venue is the Conference Hall on the rising of the House. Attendance is mandatory.

ADJOURNMENT

Leader (Mr Ebenyi): Mr Speaker, Sir, I hereby move that the House do now adjourn till Thursday, 31st July, 2003, at 10a.m.

Mr E. Maduabu (Awgu South): Mr Speaker, Sir, I rise to second the Motion.

Question put and agreed to

Resolved: That the House do now adjourn till Thursday, 31st July, 2003 at 10a.m.

Adjourned accordingly at 12.10p.m.



ENUGU STATE OF NIGERIA
PROCEEDINGS

AND DEBATES OF THE
FIRST SESSION OF THE
THIRD ASSEMBLY

ENUGU STATE HOUSE OF ASSEMBLY

OFFICIAL REPORT

No. 12

Thursday
31st July, 2003

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HOUSE OF ASSEMBLY
ENUGU STATE OF NIGERIA

Thursday, 31st July, 2003

(The House met at 10.00a.m.)

PRAYERS

(Mr Speaker in the Chair)

**APPROVAL OF VOTES AND
PROCEEDINGS**

Mr Speaker: Honourable Colleagues, our Votes and Proceedings of Tuesday, 29th July, 2003, are before us. I have gone through them; to the best of my knowledge, I found them to be correct. However, I welcome every comment, if any. Thank you.

Mr D. Ani (Enugu South I): Mr Speaker, Sir, hon Colleagues, I have gone through the Votes and Proceedings of our last sitting and found them correct, I therefore, move for their adoption. Thank you.

Mr A. C. Nnadi (Igbo-Etiti West I): Mr Speaker, Sir, I have equally gone through the Votes and Proceedings of our last sitting, and found them to be the true reflection of what we discussed. I therefore second the Motion for their adoption. Thank you.

Question put and agreed to.

Votes and Proceedings of Tuesday, 29th July, 2003 accordingly adopted.

ORDER OF THE DAY

**INTERVIEW OF
COMMISSIONER-DESIGNATE**

Leader (*Mr K. Ebenyi*): Mr Speaker, Sir, my hon Colleagues, before we enter into item No. 4, may I beg to move that we step down the interview of one of the Commissioners Designate – Mr Paul Eze, second Commissioner for Uzo-Uwani, until a later date to be determined by the Rules and Business Committee of this House. Thank you.

Deputy Leader (*Mr Anikwe*): Mr Speaker, Sir, I rise to second the Motion as moved by the Leader of the House. Thank you.

Question put and agreed to.

Leader: Mr Speaker, Sir, may I move that the House now resolves itself into the Committees of the Whole House. Thank you.

Mr M. Njeze (Udi North): Mr Speaker, Sir, I rise to second the Motion moved by the Leader of the House. Thank you.

Question put and agreed to.

**INTERVIEW OF THE
COMMISSIONER-DESIGNATE**
**(CONSIDERED IN THE
COMMITTEE OF THE WHOLE
HOUSE)**

The Chairman: Honourable Colleagues, you will recall that during our last sitting, we had Messages from His Excellency, the Executive Governor of Enugu State, Dr Chimaroke Nnamani, to proceed with the interview of the Commissioners Nominee in Enugu State. Along the line, there was a development which made it possible for the House to move a Motion that one of the nominees should step down. In view of that development, we have only one Commissioner nominee to be interviewed on that note. Therefore, I wish to call on the Sergeant-at-Arms to let Dr Eric Oluedo (Commissioner Designate) to come in for the interview. Thank you.

The Chairman: Honourable Colleagues, before you is one of the Commissioners-designate, Dr Eric Oluedo. He is here based on the request from this honourable House following his appointment as a Commissioner in Enugu State. He is here on your invitation for interview as a Commissioner in Enugu State. His C. V. is before you, Members can now ask him questions.

Mr M. N. Onyeze (Igbo-eze North I): Mr Chairman, hon Colleagues, I have gone through the resume of the Commissioner designate and it appears from the C.V. that he is an active member of the party but he was not in the Executive Committee, I have a question for him. You were working for the government from behind, can you tell this honourable House the sector that impressed you most for the past four years and the sector that did not impress you which you hope to make positive changes as a member of the State Executive Council.

Commissioner Designate (*Mr Eric Oluedo*): Mr Chairman, hon Members of this House, the sector which I think that impressed me is the provision of public utilities in the state and the sector that needs a touch is the publicity of government programmes and policies, in fact dissemination of government policies and projects because sometimes the public may not be aware of government infrastructures. Thank you.

The Chairman: Well, I don't know, has the Commissioner designate answered the question? Is the answer complete? Well he has not talked on the sector that did not impress him.

Mr Onyeze: The impression which you hope to make as a Member of the State Executive Council so that at the

end of the four years, you can be assessed from what you said here.

Mr Oluedo: As a team player, I will be loyal to government and show dedication to duties that are assigned to me by the government especially in areas of giving democratic dividends to the people which is upper most. As a matter of fact, as a Medical Doctor, I have performed well in the last four years. If as a Medical Doctor I am given an opportunity to direct the affairs in any sector, my duty is to make sure that the government is stabilized. I will serve with dedication and humility. With these attributes, I will discharge my duties. I don't know whether I have answered his question. I don't want to go into specifics.

Mr C. O. Enebe (Awgu North): Mr Chairman Sir, I have risen to contribute to question time on the Commissioner designate, Dr Oluedo. I have gone through his Curriculum Vitae and I want him to quickly give us a run down of what is contained in the curriculum vitae.

Mr Oluedo: In the C.V., I gave my name as Dr Eric Maduabuchi Omire Oluedo. I was born on 16th May 1960 from Achi Agu Community in Oji River Local Government Area now Enuguagu Autonomous Community in Oji River Local Government Area. I hold M.Sc and B.Sc from University of Nigeria in

1984. At the university, I was the Secretary General and Clerk of the House of Representative of Ozobu House. Where I did my NYSC, I was the Director of Medical for the Youth Corpers. I established a rural hospital in 1991 when Enugu State was created out of the former Anambra State and Doctors in Enugu State were called on by the Ministry of Health to come and work for government. I was one of the new doctors who came in 1991, and served in various capacities. I was Assistant Sole Administrator, State Health Management Board for the State.

In 1999 I was Acting Director, Medical Services, Ministry of Health and also the Head of an Inspectorate Division. I rose from the rank of Principal Medical Officer to Chief Medical Officer Grade Level 16 in the Specialist Hospital. Last year, I was appointed the Transition Chairman of Oji River Local Government and that brought me into the political forum. After that, I became the Co-ordinator of Ike-Ekweremadu's Senate campaign organization and before that I was the Chairman of the Peoples Democratic Party (PDP) campaign organization for the House of Representatives. And I was also the Chairman of Peoples Democratic Party (PDP) caucus in Oji-River and I was as well, a Member of 10-man electoral Committee in Enugu. Mr Chairman, thank you.

Leader (Mr K. S. Ebenyi): Dr Eric Oluedo, you are a powerful Medical practitioner in Enugu, can you tell the honourable House whether you are a Member of the Nigerian Medical Association, Enugu Branch since that was not stated in your Curriculum Vitae. Thank you.

Dr Eric Oluedo: Yes, I am a member of Nigerian Medical Association, Enugu Branch. As a matter of practice, I was a Vice-Chairman, Enugu State Civil Service Medical Association. In fact, I was the Returning Officer when the present Chairman of the Nigerian Medical Association was elected, that was either 1997 or 1998 at Lagos. Thank you.

Mr E. U. Ezeh (Udenu): Mr Chairman, Dr Eric Oluedo, this your long Curriculum Vitae (CV) contains the comprehensive data about you, but it appears, it is not worthy of receiving your signature, why?

Mr Oluedo: Sir, I am sorry, I can sign them now. We are not asked to sign C.V. but I did not know that I should sign the one coming to you. I am very, very sorry. I can sign them now.

Mr E. Odo (Igbo-Etiti East): Mr Chairman, I do not need to talk very much but it will interest me if he can give us the date of his First School

Leaving Certificate since it is not contained in his Curriculum Vitae (CV).

Mr Oluedo: I am sorry, I attended Community Primary School at Enugu-Abo-Achi where I obtained my First School Leaving Certificate in 1971. I am sorry, I did not include it here, please. I will include it as soon as I leave here. You are all aware that we have a problem of light, it was only yesterday that the Commissioner for Justice/Attorney-General helped me to make photocopies of these ones I sent to you people. I am sorry, I will include it and make it available as soon as possible.

Mr E. Maduabu (Awgu South): Mr Chairman, my hon. Colleagues, he has answered enough questions, I therefore move that he should take a bow and leave this honourable House. ...
(Interruptions)

The Chairman: No! Order! The man representing him is here and the man should say something.

Mr J. Obidinma (Oji River): Mr Chairman, the young man before us has so far discharged his role very well and I therefore support the Motion that he should take a bow and leave this honourable House. ... (Interruptions)

Several Members: No! Point of Order! The hon. Member for Oji River (*Mr J. Obidinma*) should go on.

Mr Obidinma: I beg to second the Motion that he takes a bow and leaves this honourable House because from his antecedence, he has special qualities. If we have people like him, O God, I believe they will help the Governor to bring more democracy dividends to every nook and cranny of this State. Thank you. ... (*Interruptions*)

Several hon Members: No! No!

The Chairman: Order! There is a Motion on the Floor of this House now, and the Motion has duly been seconded.

Question put and agreed to.

Dr Oluedo accordingly took a bow and left the Chamber.

(Mr Speaker Resumed the Chair)

Mr Speaker: I call on Members to make a kind of general statement on the interview, performances and observations. The hon. Member for Ezeagu (*Mr P. Anikwe*) should make his comments now.

Mr P. Anikwe (Ezeagu): Mr Speaker, Sir, my observation on the interview is not that the interview was not thoroughly done, but you will recall

that some of these Members of the State Executive Council, at times, do take it upon themselves to dishonour, even to the extent of not trying to recognize an hon. Member when the time is due for that. Now that some names of those to be made Commissioners have been forwarded to us for clearance, it will be honourable to make it clear to them that, no matter wherever there may be in any kind of gathering, the proper recognition and due respect should be given to the hon. Members of this House. Whenever there is any gathering, hon. Members should take their seats and every other person follows.

If you were there last Saturday, Mr Speaker, Sir, nobody was there to recognize or even give due respect to the hon. Members. Now that some of them are here for clearance, I think the first question would have been what does he think would be the relationship between the Executive and the hon. Members of the House. That should be made known to them so that there should be cordial relationship between the Executive and Members of the House.

Mr Speaker: That is a very good observation. Well, I am not holding brief for the Commissioner designate, but I have known him for sometime. He is a complete gentleman and I think other people should emulate him. He has respect for every human being he

comes across. I have come across him severally, and I have noticed that. I think his behaviour will be very, very fine. Thank you.

Mr J. N. Anichukwu (Nkanu East): Mr Speaker, Sir, the last speaker, the hon. Member for Ezeagu (*Mr Anikwe*) has spoken on the very important areas which has been noticed on several occasions. I think Protocol should be held responsible for that aspect he touched. I think that proper arrangement for hon. Members seats should be made in any event that takes place in this State, no matter the place, the hon. Members seats should be reserved for them.

It is not only the Executive that are responsible for that, it is Protocol, because if the arrangements are so poor, when some people come they sit down anywhere and sometimes they just move to anywhere arranged for them and the Protocol Unit will just look and will not do anything. It is very bad indeed.

Then on the other aspect, I believe that whoever this honourable House clears, well, it will be good to remind him that he should remember to give respect to the hon. Members, but I have my observation. It is the statutory duty of the Protocol Unit to do all these things because they should know that it is very good to have cordial relationship

between the Legislature and the Executive. I am not praying that there should be problem somewhere, but if there is any Member of the Executive Council, like Commissioners that is cleared by this House, and he or she does not give us that necessary respect, well, there may be somewhere we can come across each other and we will definitely remember that he does not respect us. Thank you, Mr Speaker.

Mr Speaker: Thank you very much. I believe that there is no problem, but everything has its own time. This is not the time to talk about who gives respect and who does not give respect. We would not like to generalize the issue. At the appropriate time we would be able to address the problem. Let us speak on the issue we have on the ground.

Mr Eze (Udenu): Mr Speaker, Sir, I just want to inform Members that the respect for the hon. Members lies in our hands. It will be proper if this honourable House draws out just a kind of Protocol list. The National Assembly has done it at the Federal Level. Some States have done it. It is not out of place.

Mr Speaker: Order! The hon. Member for Udenu (*Mr Eze*) should address the issue on the ground. At the appropriate time, we will address that. We can treat that as a separate issue.

Deputy Speaker (Mr D. O. Atigwe): Mr Speaker, Sir, I remain hon. Atigwe David representing Igbo-Eze North II in this great Parliament. Mr Speaker ... *(Interruptions)*.

Mr Eze: On a Point of Order. Mr Speaker, Sir, in the Constitution of the Federal Republic of Nigeria or in the Rules we use here, there is no where we are referred to as Parliament. It is referred to as this honourable House. Thank you.

Mr Speaker: The hon. Member for Udenu *(Mr Eze)* should state the difference between parliament and House of Assembly?

Mr Eze: I am saying that in our Constitution there is nowhere we are referred to as Parliament even in the Rules we use here, there is no parliament in it.

Mr Speaker: The hon. Member for Udenu *(Mr Eze)* should guide us. That is why I am asking him the difference between Parliament and House of Assembly?

Mr Eze: There is a difference between the two. There is a difference between hon. Emma Eze as a person and another person...

Mr Speaker: What is Parliament?

Mr Eze: They are two different things, Parliament is collateral. The collateral is the system in place and we are operating a presidential system of Government, therefore if one is talking and uses unconstitutional language, it is not in our system. We have to maintain that. That is what I am saying. Thank you.

Mr Speaker: I am surprised that you are bringing in a different statement this morning. I want Members to look at this issue critically. If its is the popular opinion of Members that we will never use that word, parliament, we will know today, because I know that tomorrow we people will still come up with the word parliament.

Mr P. Anikwe (Ezeagu): Mr Speaker, going by 20th Century Chambers Dictionary, we will come to appreciate the fact that a Parliamentarian is a Law-maker and a Law-maker is a Parliamentarian. You will find it absolutely difficult to have a clear-cut distinction between an honourable Member and a Parliamentarian. In other words, we know that the proper usage of the word parliament can suitably suit in a parliamentary system of government but in the presidential system, if somebody confronts you tomorrow, the simplest word to use is that I am a parliamentarian. If you do not want to

say, I am an honourable Member, you can simply say, I am a parliamentarian. The two words are inter-changeable; they are inter-twin; they are integrated and inter-woven.

So I do not think that we should quarrel over it. Thank you.

Mr M. Njeze (Udi South): Mr Speaker, the purpose of a man opening his mouth is to convey a meaning. The word parliament and the word assembly means virtually the same thing. So, if you want us to know that you are referring to those people who are sitting together to make laws, use any language that conveys the meaning to us. It does not matter if it is a language that is peculiar to the Britons or the Americans or even the Swiss. Provided your meaning is conveyed in English language. Thank you, Mr Speaker.

Mr Speaker: Thank you very much. I do not need further explanation on this matter. I quite agree with the submissions of these hon. Members. This honourable House receives series of letters from outside this country and some are addressed to the Speaker, Enugu State Parliament. I can never say that those letters are not meant for us. In view of this development, the point of order raised by the hon. Member for Udenu (*Mr Eze*) is over-ruled.

Deputy Speaker (Mr Atigwe): Thank you Mr Speaker, I am still on my feet. I am sure that we belong to the Common-Wealth Parliamentary Association and that they are going to have their next meeting in Bangladesh this August.

Thank you for protecting me. I have been calling my Friend the hon. Member for Udenu (*Mr Eze*) 'honourable Eze' and it is not in our Rules, and yet he said that the word Parliament is not in our Rules.

Honourable Members, I stand to speak in favour of the Commissioner Designate, Dr Eric Oluedo. He is a fine gentleman, he performed creditably in the party hierarchy. He is very hardworking, tested and trusted. In my opinion, I beg the House to clear him accordingly.

Leader (Mr Ebenyi): Mr Speaker, I am personally impressed with the performance of the Commissioner Designate, Dr Oluedo. Most of us have known him very well. He is an active party Member and a very true ally anytime any day. And in view of these, Mr Speaker Sir, I move that the Question be put.

Question That the Question be put, put and agreed to.

Main Question put and agreed to.

Resolved: That this honourable House, today, 31st July, 2003 confirms the appointment or nomination of Dr Eric Oluedo as a Commissioner in Enugu State.

NOTICE OF MOTION

Congratulatory resolution to the British government for their assistance towards the nascent democracy in Nigeria and Enugu state in particular

Leader (Mr Ebonyi): Thank you, Mr Speaker. May I move the Motion standing in my name: That the Enugu State House of Assembly conveys a congratulatory resolution to the British Government through the British High Commission and the State Co-ordinator of the Department for International Development (DFID), and the Access to Justice for their assistance towards the nascent democracy in Nigeria and Enugu State in particular. Thank you.

Mr E. Odo (Igbo Etiti East): I humbly wish to second the Motion as moved by the Leader. Thank you.

Leader Mr Speaker, Sir, hon. Colleagues, at the conclusion of the three-day Training Programme organized and funded by the Department for International Development (DFID) in partnership with the Access to Justice, on Friday 25th July, 2003, one of the decisions

reached was that a Congratulatory Resolution be conveyed to the British Government through the British High Commissioner; the State Co-ordinator of the United Kingdom Department for International Development (DFID) for funding the Programme and the Access to Justice for implementing same.

Mr Speaker, Sir, the only means by which this can be done is through the Resolution of the House. Before the Resolution, it will be pertinent to recall the following report recorded by the DFID and the Access to Justice through the enablement of the British Government:-

- 1) Enugu State Government was one of the four States in the Federation selected in Area 2 of the DFID Country Strategy for Nigeria. Area 2 supports the four reforming State Governments, namely, Benue, Ekiti, Enugu and Jigawa in:-
 - i) strategic partnerships for poverty reduction;
 - ii) developing a poverty reduction strategy;
 - iii) reforming key institutions of state and local government;
 - iv) reform in sections which offer prospects for rapid impact on poverty, such as water and sanitation, health, education, justice

- and rural livelihoods with physical access as high priority;
- v) reform issues in relation to gender and the environment area integral to the sector activities.
- 2) A three-day Training on Team Building/Change Management and Legislative procedure for the Legislators and key staffers of the House. The State House of Assembly benefited as follows:-
- i) Effective design to support democratic governance in the State through team building/change management and adherence to the Legislative principles, processes and procedures;
- ii) Ability to articulate a common Vision/Mission strategy for the Enugu State Legislature;
- 3) Expectations of the Members of the House from the DFID/Access to Justice:-
- i) to design an indepth legislative Training

- Programme for the Legislators as a follow-up component;
- ii) a Networking trip to the United Kingdom – to avail the legislators the opportunity of exchange legislative programme. We have the Tutorial aspect of the legislative procedure here in Nigeria.

Mr Speaker, Sir, having given the above information, it is most reasonable that this House do now resolve as follows:-

- a) to convey the Congratulatory Resolution to the British Government, through the British High Commissioner, the State Co-ordinator of the United Kingdom Department for International Development (DFID) Lynn Simmons, 'Ada di Ora Nma' of Enugu State and the Access to Justice, - a consortium led by the British Council under the efficient and effective implementation of Justice Adviser; Mrs. Gloria Egbuji for their assistance towards the nascent democracy in Nigeria and Enugu State in particular.
- b) the House do appreciate that the Enugu State Government is in the

DFID Pilot Programme which demonstrates that reform can deliver practical benefits to the poor and through the establishment of a significant HIV/AIDS support Programme to prevent its spread;

- c) the House do appreciate the various Programmes run by the Department for International Development (DFID) which include: Access to Justice, PATHS, State and Local Government Programme, etc.
- d) the House do acknowledge the benefits from the three-day Training on Team Building/Change Management and Legislative Procedure which are *sine-qua-non* to effective block building towards excellent legislative services and urges the DFID for more indepth components and Networking trip to the United Kingdom for an opportunity legislative Exchange programme. Be it moved and is hereby moved.

Mr E. Odo (Igbo-Etiti East): Mr Speaker, Sir, I humbly second. The Motion moved by the Leader which we are about to pass is borne out of the gesture of the VIP of Enugu State House of Assembly. Through the lecture, we were able to understand the essence of Team work and Change Management in organization. And with little assistance one can find solutions to some problems of legislative strategies and procedures. Above all, I wish to

thank Enugu State House of Assembly for the active participation and guidance throughout the Training Programme. Thank you.

Mr G. Chukwuegbo (Enugu South II): Mr Speaker, Sir, I stand to support the Motion moved by the Leader (*Mr Ebenyi*) in respect of sending a Congratulatory Resolution to the British Government through the British High Commissioner; the State Co-ordinator of the United Kingdom Department for International Development (DFID) for funding the Programme and the Access to Justice for implementing same. Thank you.

Mr M. Njeze (Udi North): Mr Speaker, hon. Members of the House, I have abundant reason to support this Motion on Congratulatory Resolution we intend to pass, but I have just a little amendment to the prayers. That we add a prayer and have the prayer as the fifth prayer. *That the House adopts and establishes to make Enugu State, a State that is model of good governance and proper democratic practice in Nigeria.* So, that each time, we see them; we know what all of us are really pursuing, since we are opportuned to have had this type of training in Nigeria. Thank you, Mr Speaker.

Leader (*Mr K.S. Ebenyi*): Mr Speaker, hon. Members, I rise to object to the amendment proposed as one of

the prayers as moved by the hon. Member for Udi North (*Mr M. Njeze*) that is to make Enugu State a model. Mr Speaker, Sir, this Motion is just to thank them for what they have done for us and not to tell them our vision or what they should do for us. The aim of this Motion is just a *thank you* message. I do not think the amendment is necessary. Thank you.

Mr Speaker: Order! The hon. Member for Udi North (*Mr M. Njeze*) who wants ...

Mr Njeze: Just to clarify.

Mr Speaker: All right.

Mr Njeze: Mr Speaker Sir, please, what I am trying to say is for the British Government to whom we are sending this congratulatory resolution or message, to understand that we, the Legislators of Enugu State are happy and also to let them know our vision which they helped us to formulate. This will enable them appreciate more the efforts of their Agents in Nigeria and what they are doing. This is the intent I want to add to the message. Thank you.

Mr Speaker: Honourable Colleagues, why I said that the amendment should not be added is that, it is just like I organize something for you or your family and along the line, you want to send me a congratulatory

message or *thank you* message as an appreciation, then in the message you add again what you will like me to do for you. This is what this addition looks like and it is unnecessary. We have told them that we are going to benefit immensely from the United Kingdom Department for International Development (DFID). This our vision should have been an internal arrangement, that is, what we should discuss among ourselves. So, I do not see why it should be part of the prayers.

Mr M. Onyeze (Igbo-Eze North I): Mr Speaker Sir, I stand to support the Motion for passing a Resolution to congratulate the British Government through the British High Commissioner, through the State Co-ordinator of the United Kingdom Department for International Development (DFID) in respect of the three-day workshop which we had at the Protea Hotels, Nike Lake Resort. Obviously, the specific objective of that workshop was devised really to help Enugu State and all of us, especially, the new Members of this House. It has made us to be more confident and as a matter of fact, we were really educated in legislative procedures. We are very grateful for that gesture and hope that other organizations, and may be, this House will organize similar seminars for us so that we will continue to enhance our capability. In fact this workshop actually has not only built in some better

functions into us but it gave us more confidence because most of the legislators had never undergone any training. This workshop has also given us high spirit and we can now perform better. Without training to become qualitative legislators we cannot better the lives of our citizens. Because of what I have gained from the workshop, I support the Motion by the Leader of this House so that we can send a congratulatory message to the British Government thanking them for their kind gesture. Thank you, Mr Speaker.

Mr F. Onah (Nsukka West): Mr Speaker, hon Colleagues, I am very much delighted about this Motion in the sense that the British Government has helped us immensely in various areas. They have helped us in the area of infrastructural development in Nigeria; in providing pipe borne water, health services, and other amenities that will be of benefit to us. On the other hand, I am also happy about our workshop which was conducted at Protea Hotels Nike Lake Resort. We gained a lot of experience there and most of us who are very new in this House are very happy about the help they gave us to carryout our legislative work. On this note, I urge all my fellow Colleagues to do favour to this beautiful Motion by passing it. Thank you.

Mr J. N. Anichukwu (Nkanu East): Mr Speaker, Sir, I support the Motion.

The training was well articulated and this is the second session, and from all indications, since after the training, Members are poised to work harder. I would want the hon. Member who proposed the Motion to please remember what I think would be our own, that we went to overcome, we learned and we appreciated. Also we should be issued with certificates of active participation which will serve as evidence of our participation. Whenever we remember that we participated in such a workshop, we will feel happy. This can be our own internal arrangement, it will not be bad if we get it. Thank you.

Mr E. Obidinma (Oji River): Mr Speaker, Sir, I am happy standing to support the Motion as moved by our Leader. I support it because, it will give respect to this State, and the House in particular. We learnt a lot actually. Not only that (*Interruptions*).

Mr Speaker: The hon. Member for Oji River (*Mr Obidinma*) should not mind that side talk, go on.

Mr Obidinma: O.K. Mr Speaker, I will not talk much, but to urge this honourable House to support the Motion. In fact, I move that the Question be now put. Thank you.

Question That the Question be put, put and agreed to:

Main Question put and agreed to:

PATHS, State and Local Government Programme, etc.

Resolved:

1. That this honourable House conveys a congratulatory resolution to the British Government, through the British High Commissioner, the State Co-ordinator of the United Kingdom Department for International Development (DFID), Lynn Simmons, 'Ada di Ora Nma' of Enugu State and the Access to Justice, - a consortium led by the British Council under the efficient and effective implementation Justice Adviser, Mrs Gloria Egbuji for their assistance towards the nascent democracy in Nigeria and Enugu State in particular.
2. The House do appreciate that the Enugu State Government is in the DFID pilot Programme which demonstrates that reform can deliver practical benefits to the poor and through the establishment of a significant HIV/AIDS support Programme to prevent its spread.
3. The House do appreciate the various programmes run by the Department for International Development (DFID) which include: Access to Justice,

4. The House do acknowledge the benefits derived from the three-day Training on Team Building, Change Management and Legislative Procedure which are sine-qua-non to effective block building towards excellent legislative services and urges the DFID for more indepth components and Networking trip to the United Kingdom for an opportunity to Legislative Exchange programme.

ANNOUNCEMENT

Mr Speaker: Honourable Colleagues, you will recall that when we were constituting the House Committees, I made it clear that no Member should be in more than four (4) Committees in this House. So, I believe we will do justice to ourselves to be able to trim down Members of these Committees to ensure effectiveness. I have not seen a Member who belonged to seven or nine Committees, there is no way one can co-ordinate these Committees.

So, I am not going to be in a hurry or think out what we are going to do over-night. I just want to re-arrange the Committees so that at the end of the

day, one will not be a Member of more than four (4) Committees.

You will also recall that one of us, the hon. Member for Nkanu West, (*Lucky Chukwu*) became the Chairman House Committee on Information. He is now a Commissioner in this Government, and his position has been vacant. I wish to announce that the new Committee Chairman for Information, Youths and Sports in this House is now the hon. Member for Udi North (*Mr M. Njeze*).

You know that before now, the hon. Member for Udi South (*Mr Njeze*) was the Chairman House Committee on Health and going by the arrangement, whether official or non-official, principal Officers should not belong to Committees, but based on the situation on the ground, the Leader of the House (*Mr Ebenyi*) will act as Chairman of the House Committee on Health, till further notice. I did a kind of re-shufflement of the Committees but because of want of time, I will not announce it now. May be by our next sitting, I will be able to give you a round-down.

The only one that is very clear to me now is that the hon Member for Enugu East II (*Mr Ugwu*) is now a Member of the House Committee on Education. The other ones will be announced later.

Trips

The House Committee on Agriculture will be visiting the Ministry of Agriculture, ENADEP and Fertilizer Company, tomorrow by 9.00 am. The Chairman said that by 9.30 am on 1/08/2003 the Members of the Committee will depart the Assembly Complex for the visit.

The House Committee on Public Accounts will make the following trips:-
Wednesday 6th August, 2003 – Water Corporation 10.00 noon – ENTRACO 12.00 noon – LGSC 2.00 pm. All the Members are mandated to attend.

Inaugural meeting

There will be an inaugural meeting of the Committee on Chieftaincy matters, Culture and Tourism on the rising of the House at Room 05.

Please if you want to make an announcement, indicate your office room number. I assume that everybody has gotten an office now, so that it will be very easy to locate.

Committee meetings

The House Committee on petroleum and Environmental Management will meet immediately on the rising of the House at Room 215.

The House Committee on Commerce and Industry will meet on the rising of the House at Room 09. All the Members are expected to be there.

The House Committee on Local Government, Inter-parliamentary Relations and State Independent Electoral Commission (ENSIEC) will meet tomorrow by 10 a.m at Room 110.

Visit

The House Committee on Education will visit the Ministry of Education on Thursday, i.e. today 31st July, 2003. The Committee Members will depart from here. Members should please take note.

ADJOURNMENT

Leader (Mr Ebenyi): Mr Speaker, hon. Colleagues, I stand to move that this honourable House adjourn till 10 a.m on Tuesday, 5th August, 2003.

Mr A. Chigbo (Uzo Uwani): Mr Speaker Sir, my Colleagues hon Members, while seconding the Motion for adjournment, I am here pleading; my knees are on the ground.

For some of you who know me very well, today has been my happiest day. Before now, I had been visiting here as Special Assistant to the Governor but today, I entered here as a respectable

honourable Member but unfortunately something happened. I am therefore begging you respected honourable Members. May your hammers that are up come down. I have pleaded to the Chairman on Business and Rules of the this great honourable House. Please consider me.

Several hon. Members: On what? Consider you on what?

Mr Chigbo: I am pleading on behalf of my brother. Clear my brother as Commissioner.

Mr J. U. Onoh (Enugu North): Mr Speaker, Sir, please the hon. Member for Uzo-Uwani (*Mr Chigbo*) should elucidate his point. I will appreciate it if he could do that.

Mr Speaker: Please, go on and forget about his point.

Question put and agreed to.

Resolved: That this House do now adjourn till Tuesday, 5th August, 2003 by 10 a.m.

Adjourned accordingly at 1.30 p.m.



ENUGU STATE OF NIGERIA
PROCEEDINGS

AND DEBATES OF THE
FIRST SESSION OF THE
THIRD ASSEMBLY

ENUGU STATE HOUSE OF ASSEMBLY

OFFICIAL REPORT

No. 13

Tuesday
5th August, 2003

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No proofs of the Daily Reports can be supplied. Corrections which Members suggest for the Bound Volume should be clearly marked in the Daily Report, but not telephoned and the copy containing the corrections must be received at the Editor's Room, House of Assembly

not later than four days after each sitting

HOUSE OF ASSEMBLY
ENUGU STATE OF NIGERIA

Tuesday, 5th August, 2003
(The House met at 10.a.m.)

PRAYERS

(Mr Speaker in the Chair)

APPROVAL OF VOTES AND
PROCEEDINGS

Mr Speaker: Order paper No. 13, Tuesday 5th August, 2003 item 3. Honourable Colleagues, our Votes and Proceedings No. 12 of Thursday 31st July, 2003, are now before the House. I have gone through them and to the best of my knowledge, I think they are correct however, I need your comments. Thank you.

Mr G. O. Chukwuegbo (Enugu South II): Mr Speaker, I have equally gone ..

Mr Speaker: Was the hon. Member for Enugu South (*Mr Chukwuegbo*) around during the last sitting? Yes, Mr Speaker. As I was saying, I have equally gone through the Votes and Proceedings and found them to be correct. On that basis, I stand to move for the adoption of the Votes and proceedings. Thank you.

Mr C. Ugwu (Enugu East II): I have equally gone through the Votes and

Proceedings and found them to be correct. On the strength, I second the Motion.

Question put and agreed to.

Votes and Proceedings accordingly adopted.

Mr Speaker: Item 4, Order of the day – interview of Commissioner Designate (*Arch Paul Eze*).

Leader: (*Mr Ebenyi*): Mr Speaker, Sir, I move that the House resolves itself into a Committee of the Whole House to conduct the interview.

Mr E. Maduabu (Awgu South): I rise to second the Motion.

Question put and agreed to.

INTERVIEW OF
COMMISSIONER-DESIGNATE
ARCH. PAUL EZE

(In the Committee of the
Whole House)

The Chairman: Hon. Colleagues, you will recall that during our last sitting two Commissioners were sent to this House, one was screened and confirmed and one was stepped down for obvious reasons. The reasons you are aware was that we decided to make consultations. To my mind, we have done the consultations and because of that we have now invited the

Commissioner Designate to appear for screening. However, if he is around, I request the Sergeant-at-Arms to bring him in.

There was darkness in the Chamber

(Mr Speaker resumed the Chair)

Leader: Mr Speaker, I move that the House should take a break for 30 minutes to enable the Plant Operators effect repairs and restore light in the Chamber.

Mr Speaker: Let us take 15 or 20 minutes break.

Deputy Leader (Mr Anikwe): I rise to second the Motion.

Question put and agreed to.

Sitting according suspended at 12.08 p.m.

Sitting resumed 12.25 pm.

(In the Committee of the
Whole House)

The Chairman: Honourable Colleagues, Architect Paul Eze is here before you, following your invitation, to appear today for screening, as a Commissioner-Designate in Enugu State government. You may ask your questions.

Deputy Leader: Mr Chairman, Sir, Architect Paul Eze, I have just a simple question for you. You know that the quantum and modicum of one's education is continuously ex-rayed in relation to the person's culture. How do you appreciate now you are appearing before us, as a Commissioner Designate vis-à-vis your qualification, in view of your immediate environment? How do you appreciate this your qualification as an Architect, and taking note of what I said about the quantum and modicum of one's education ...

Several hon. Members: Quantum and modicum?

Deputy Leader: Qualitative and quantitative, *(Prolonged Applause)* How do you now appreciate this in view of you being an Architect in Enugu State Council of Commissionership?

Architect P. Eze (Commissioner-Designate): Mr Chairman, Sir, Distinguish hon. Members, to answer your questions, as an Architect, I contributed to the development of my immediate environment. I designed circular buildings. Also as an Architect, I try to develop all my architectural maps in Polytechnics where I was a Lecturer, before I resigned to contest election as a Local Government Chairman in 1990. And since I entered into politics, I contributed my quota in up-lifting the life of my people by using my office. Thank you.

Mr E. C. Maduabu (Awgu South): Architect Paul Eze, you have been in Ada Rice since 2002 to date. As a General Manager and Managing Director, what are your inputs into the Rice Company or what will you say is your achievements in the Ada Rice Company? Thank you.

Architect Eze: Mr Chairman, Sir, Distinguished hon. Members, thank you very much. I met Ada Rice in a horrible state. It is almost gone. The whole thing there was vandalized and cannibalized and destroyed. The refectory of Ada Rice was cannibalized and its canal has been destroyed beyond repairs. So, it is because of the canal that it is possible to cultivate Rice in Ada Rice. And since then, Ada Rice is not functioning. The land there was given to the farmers to cultivate.

Then what I did first, was to apply for the formation of the Board of Ada Rice. It was after my application to the appropriate Authority that the Board was constituted, I routed a copy to His Excellency, and ex-rayed the problems of Ada Rice to him. And we had meetings with him, before the election stage. Then, I met the staff of the Ada Rice not being paid. They were being owed so many months arrears of salaries. And I did my best to push in their names in the estimates which are re-occurring into this years budget, with a view to making sure that they will be paid.

I am still contacting government House to see that the money is released so that we should pay their salaries. There is nothing much I can do in Ada Rice alone, without the Government's input. Thank you.

Mr J. Anichukwu (Nkanu East): Architect Paul Eze, when did you actually serve your National Youth Service Corps (NYSC). Thank you.

Architect Eze: Mr Chairman, Sir, I served in the year 1983 to 1984 session in Kaduna Polytechnic in the Department of Arch.

Mrs C. Eneh (Udi South): Mr Chairman, Sir, can Architect Paul Eze tell us some of his achievements as the former transitional Chairman in his Local Government. Thank you.

Architect Eze: Mr Chairman, Sir, as a former transitional Chairman, my Primary assignment was to see to the successful conduct of the last general election. I did not contest the election to the seat of the Transitional Chairman. So my duties were specified. And I successfully delivered PDP in Uzo-Uwani during those elections. Thank you.

Mr E. Eze (Udenu): Architect Paul Eze, I can see that the highlight of your achievements as the Chairman of the Council was merit award by the NUJ Enugu State Council. Could you please

enlighten the achievements which merited you this award? Thank you.

Architect Eze: Mr Chairman, Sir, I did not think, Sir, that it is my duty to say exactly what made Enugu State Council of NUJ to give me this award. But if you ask me to say, the few things I did as Transitional Chairman of Uzo-Uwani Local Government, that can be said, I will enumerate them.

They were passing through Omor, Umungbo which incidentally is in Oyi Local Government Area of Anambra State to go to Umulokpa. Immediately I came in I embarked on the rehabilitation of Nrobu-Umulokpa Road, built so many culverts on that road including a new bridge and that road has remained motorable ever since. We can now go to our Local Government Headquarters without passing through another state.

Now there were young men who were actually terrorizing people in the areas. I embarked on mass employment and I brought that terrorism within the score. We developed market stalls for internally generated revenue, we built many new schools and rebuilt many. You know Uzo-Uwani Local Government Area is an old Local Government. A Local Government created in 1951 by the Local Government Ordinance of 1950. Yet no Community has electricity or pipe-borne water. I embarked on feasibility studies for bringing in these desired

infrastructure like electricity and water, and you know that it is a very serious capital intensive project which you do not expect the Local Government to sponsor. In fact, I motivated my people politically, created serious political awareness, and it was during my time that youths in Uzo-Uwani started getting involved in politics. I can still go on and on, but you know it is a long time. I left office in 1993.

Mr M. O. Onyeze (Igbo-Eze North I): Mr Chairman, Sir, my question is, Arc. Paul Eze, the other day you were not interviewed and today you are being interviewed. How did you feel that day and how are you going to feel if you are confirmed as Commissioner designate.

Arc. Eze: Honestly, I was kind of flabbergasted on that very day because I did not know my problems. I could not guess out my problems, until it was clear to me that the House wanted to resort to further consultations and when I went home on Saturday, some people were asking me and I said to them don't you people know that I have earned some titles in my life. I am a Chief, an Architect and an honourable and my names were mentioned without any of these prefixes and I was called Mr Paul Eze, may be the House was trying to confirm the Paul Eze that was being referred to and that was how I took it (*Laughter*).

Now, if today, the House confirms my nomination, I will be so happy and feel fulfilled. Thank you.

Mr A Chigbo (Uzo-Uwani): Mr Chairman, Sir, Hardly Chase said and I quote, "*because I am involved*". The Commissioner-Designate here, I am the one representing you here in Enugu State House of Assembly. Much has been said about you, but it is good to hear from the horse's mouth and from the horse's mouth much has also been said. I can only describe the Commissioner-Designate as my political mentor.

The Chairman: Order! The hon. Member for Uzo-Uwani (*Mr Chigbo*) may go straight to the point.

Mr Chigbo: Mr Chairman, Sir, I am moving a Motion that the House gives me support to enable the Commissioner-Designate, Arc. Paul Okwudili Eze take a bow and leave the Floor of this House.

Mr F. Onah (Nsukka West): Mr Chairman, Sir, I humbly wish to second that Motion moved by the hon. Member for Uzo-Uwani (*Mr Chigbo*).

Question put and agreed to:

The Commissioner-Designate accordingly took a bow and left the Floor of the House.

(Mr Speaker resumed the Chair)

Mr Speaker: Honourable Colleagues, the interview has been conducted and at this point, I wish to have your comments concerning the interview.

Deputy Leader: Mr Speaker, Sir, you will agree with me that nothing has worked so effectively and efficiently as consultations. We have done our consultations, and if you watch out the out-come of the consultations, you will see a lot of equilibrium in the Commissioner-Designate. The out-burst, comportment and impartment during our interview, Mr Speaker, I have no doubt in my mind and also in the minds of my hon. Colleagues that this honourable House should go ahead and approve his appointment as a Commissioner. Thank you.

Mr J. U. Onoh (Enugu North): Mr Speaker, I appreciate his confidence and the way he tackled his questions. Every question that have been asked, he answered them diligently. I urge that the House should go ahead and confirm his appointment.

Mr A. Chigbo (Uzo Uwani): Mr Speaker, my respected Colleagues, I am supporting the last speakers and all that has been said about the Commissioner Designate. I only want to remind my Colleagues that this man (*Arc. Paul Eze*) contributed a lot towards bringing me here and in making me what I am in politics. I will not waste much time, I

am only appealing that the Enugu State House of Assembly will pass him and confirm his appointment.

I am therefore asking that the Question be put.

Question, That the Question be put, put and agreed to.

Main Question put and agreed to.

Resolved: That this House, today, 5th August 2003 do confirm the appointment of Arc. Paul Eze as a Commissioner in Enugu State.

REPORT FROM JOINT COMMITTEES ON EDUCATION AND JUDICIARY ON THE AFRICAN UNIVERSITY FOR CRITICAL, CREATIVE AND CARING COMMUNITY OF INQUIRY BILL NO. 2

Mr M. Onyeze (Igbo Eze North I): Mr Speaker, I am the Chairman, Joint Committee on Education and Judiciary which is constituted to give detailed treatment to the Bill for the proposed University. I crave your indulgence to present the report.

Mr Speaker, you will recall that a few weeks ago, you constituted a joint committee of the Enugu State House of Assembly on Education and Judiciary to treat in detail, the Bill for a Law seeking to grant permission for the establishment and management of the

African University for Critical, Creative and Caring Community of Inquiry (AUCCACCOI) and to provide for other matters incidental thereto.

The joint committee in her several sittings, interviews, public hearing and visitations have completed its enormous assignment. The report is hereby presented under the following sub-headings.

- a) The power of the Enugu State House of Assembly to make Laws establishing a University.
- b) The Public Hearing
 - a) Out-come of Interviews with the Proprietor
 - b) The status of the proprietor
 - c) Link with Mt. Clay University, New Jersey, USA. – The Committees' Recommendations.
 - d) Amendments.

A. The Powers of Enugu State House of Assembly to make Laws, Establishing a University:-

The 1999 Constitution of the Federal Republic of Nigeria empowers the State House of Assembly to make laws establishing an institution of Higher Learning. Part II of the 2nd Schedule which treated the Con-current Legislative Lists defines such powers. Specifically, item 29 of Part II of the 2nd Schedule states as follows

Subject as herein provided, the House of Assembly shall have powers to

make laws for the state with respect to the establishment of an institution for purposes of University, technological or professional education.

The Enugu State House of Assembly, therefore, relying on the powers vested on her by that Section of the Constitution of the Federal Republic of Nigeria has the power to establish or make laws for establishing a University.

B) PUBLIC HEARING ON THE BILL FOR THE ESTABLISHMENT OF THE UNIVERSITY

Mr Speaker also specifically directed the joint committee to conduct public hearing on the Bill that seeks to enact a law for the establishment of the University.

The House joint committee on Education and Judiciary consequently conducted a wide public hearing on the Bill for the proposed African University for Critical, Creative and Caring Community of Inquiry on the 26th Day of June, 2003 in the main Chamber of the old Eastern Region House of Assembly.

The Public Hearing attracted a lot of people from all walks of life both within and outside the State. Among the very important personalities that attended the Public Hearing included the Honourable Commissioner for Education in the State, Chief Clement Okwor, His Royal Highness, Igwe (Dr) A.M. Ojukwu of

Ogui Nike, lecturers from other higher institutions, retired and serving civil servants, journalists, students and some clergymen.

During the public hearing, the proprietor of the proposed University Very Rev. Prof. Stan Anih was invited to talk to the people about the institution he intended to own and manage in the State.

Most of the people who spoke after him expressed the hope that the House would pass it into law. Their major reason is that the University would be unique because of the integrity and track records of the proprietor. They were of the opinion that the envisaged University may proffer solutions to some of the moral ills of the society such as cultism, corruption, drug abuse, and examination malpractices that are currently pervading the society.

The public also expressed the hope that the University would absorb thousands of our youths who graduate annually from Post Primary Schools but cannot gain admission into institutions of higher learning even though they are qualified. Many of such youths in our State had been frustrated in the past. In a nutshell many of the contributors saw the proprietor as the "Messiah".

Some of the contributors were however critical about the problem of adequate funding, exorbitant fees, staffing etc. The proprietor gave

assurances that he would not fail the people.

On the whole, the general public appeared enthusiastic and were indeed anxious to have the University.

C) OUTCOME OF INTERVIEWS WITH THE PROPRIETOR OF THE PROPOSED UNIVERSITY

The Joint Committee of the House on Education and Judiciary held several interviews with the proprietor of the proposed University. During the interviews, the Bill was thoroughly treated clause by clause and several amendments and inputs were made with the full consent of the proprietor.

The highlight of the amendments/inputs in the Bill is the Change of name of the institution from African University for Critical, Creative and Caring Community of Inquiry to African Thinkers University (ATU), Enugu.

The Committee members canvassed for the change of the name of the institution which appeared lengthy and difficult for an average citizen to pronounce and eventually succeeded in getting the consent of the proprietor to do so in a letter dated 26th July, 2003.

In the course of our interview with the proprietor, we tried to explore answers to many questions raised during the debate by the Hon. Members

on the Floor of the House. The questions include the issue of permanent site, fees to be charged, quality or standard of academic pursuits in the University, funding, and continuity or successorship.

Although the proprietor did not provide practical evidences on some of the issues raised, the committee was satisfied that, given his antecedents on ground and the stages he has reached in preparations for the formal take-off of the institution, he would be able to satisfy the National Universities Commission (NUC) during accreditation.

D) VISIT TO THE HEADQUARTERS OF THE PROPOSED UNIVERSITY

The Joint Committee also found time to visit the headquarters of the proposed University at Independence Layout, Enugu. Although the premises of the headquarters is not very large, there is a very rich library that can take hundreds of students at a time. There are also construction works going on there which are likely to provide more lecture theatres in the nearest future.

The proprietor has also done a lot of work towards acquiring suitable permanent site.

E) THE STATUS OF THE PROPRIETOR

The proprietor of the proposed University, Rev. Fr. Prof. Stan Anih is an outstanding scholar and indeed a renowned educationist. He founded the Institute for Ecumenical Education, Thinkers, Corner, Enugu, and nurtured it to the status of a degree awarding institution.

Rev. Father Professor Stan Anih is internationally recognized in the field of Philosophy and here in Nigeria he is quite known as a distinguished scholar; specializing in productive education.

The Reverend Father by vocation has also distinguished himself as a man of integrity and trust, not necessarily because he is a priest of the Catholic Church, but essentially for the unique way he ran the Institute for Ecumenical Education, Thinkers Corner, Enugu. The Professor, even as a priest, has been an exemplary preacher in a secular society like Nigeria. He preaches and practices ecumenism among Christians and had been observed to embrace more Christians in the society equally.

F) LINK WITH MONTCLAIR STATE UNIVERSITY

The proposed University, through the Very Rev. Prof. Stan Anih, the proprietor, has a very strong link with Montclair State University, New Jersey, U.S.A. Prof. Stan Anih is the President

of the African Institute for Critical, Creative and Caring Community of Inquiry (AICCACCOI) which is affiliated to the Montclair State University, New Jersey. The proprietor is a member of the following bodies:

- a) The International Council for Philosophical Inquiry with Children (ICPIC).
- b) Institute for the Advancement of Philosophy for Children, Montclair State University (IAPC).
- c) Institute for Critical Thinking, Montclair State University (ICT).

The proposed University will take full advantage of the International connections of the proprietor to the overall well-being of the people of Enugu State.

G) RECOMMENDATIONS OF THE COMMITTEE

The House Joint Committee on Education and Judiciary, after detailed treatment of the Bill, interviewed the proprietor successfully and after successfully conducting public hearing on the matter and in particular after the analysis of the proprietor found Very Rev. Prof. Stan Ani, eminently qualified to own and manage a private university in Enugu State. The University will be of immense benefit to the people of the State and the entire nation.

H) AMENDMENTS TO THE BILL

In view of the detailed treatment of the Bill, the Joint Committee made proposals very carefully and recommended to the Committee of the Whole House for certain amendments to the Bill. Mr Speaker Sir, details of the proposed amendments are enclosed as a major part of this Report which I will hand over to the Clerk of the House. Thank you, Mr Speaker.

Leader: Mr Speaker, Sir, having listened to the beautiful and well articulated Report from the Chairman, Joint Committee on Education and Judiciary, the hon. Member for Igbo-eze North II (*Mr Onyeze*) on African University for Critical, Creative and Caring Community of Inquiry Bill No. 2, 2003, may I move that the House do accept the Report for consideration on a later date.

Mr E. Maduabu (Awgu South): I rise to second the Motion.

Question put and agreed to.

Report accordingly accepted

ANNOUNCEMENT

Mr Speaker: I wish to recognize the presence of a one-time hon. Member of this House of Assembly hon. Alex Ogbonnia. He is welcome.

Honourable Colleagues on the rising of the House we should proceed to 55, Chime Avenue, New Haven, where we are having internet training. All the members are expected to be there.

ADJOURNMENT

Leader of the House (*Mr Ebenyi*): I rise to move that the House do now adjourn till Thursday 7th August, 2003, at 10 a.m.

Mr F. Amu (Nsukka East): I rise to second the Motion.

Question put and agreed to.

Resolved: That the House do now adjourn till Thursday 7th August, 2003 at 10 a.m.

Adjourned accordingly at 1.00 p.m.



ENUGU STATE OF NIGERIA
PROCEEDINGS

AND DEBATES OF THE
FIRST SESSION OF THE
THIRD ASSEMBLY

ENUGU STATE HOUSE OF ASSEMBLY

OFFICIAL REPORT

No. 14

Thursday
7th August, 2003

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not later than four days after each sitting

HOUSE OF ASSEMBLY
ENUGU STATE OF NIGERIA

Thursday, 7th August, 2003
(The House met at 10.00a.m.)

PRAYERS

(Mr Speaker in the Chair)

APPROVAL OF VOTES AND
PROCEEDINGS

Mr Speaker: Honourable Colleagues, I have gone through the Votes and Proceedings No. 13, Tuesday 5th August, 2003. I have done justice to them and found them to be correct. As usual, I welcome every comment. Thank you.

Mrs C. Ene (Udi South): Mr Speaker, I have equally gone through the Votes and Proceedings and I found them to be correct. I, therefore, move for their adoption. Thank you.

Mr D. Ani (Enugu South I): Mr Speaker, in the absence of any amendment I have now risen to second the Motion for the adoption of the Votes and Proceedings of our last sitting.

Question put and agreed to.

Votes and Proceedings of Tuesday, 5th August, 2003 accordingly adopted.

REPORT FROM JOINT
COMMITTEES ON EDUCATION
AND JUDICIARY ON THE
AFRICAN UNIVERSITY FOR
CRITICAL CREATIVE AND
CARING COMMUNITY OF
INQUIRY, BILL NO. 2, 2003

(Considered in the Committee of
the Whole House)

The Chairman: Honourable Colleagues, I am sure everybody has the copy of the report from the Committee and the copy of the original Bill. Am I right?

Mr E. Maduabu (Awgu South): Mr Chairman, Sir. I do not have the original Bill.

CLAUSE 1 - CITATION - *as amended, ordered to stand part of the Bill.*

CLAUSE 2 - INTERPRETATION:
Line 1-3 - *ordered to stand part of the Bill.*

Line 4 - *as amended, ordered to stand part of the Bill.*

Line 5-40 - *ordered to stand part of the Bill.*

Line 41 - *as amended, ordered to stand part of the Bill.*

Line 42-43 - *ordered to stand part of the Bill.*

Line 44-46 - *as amended, ordered to stand part of the Bill.*

The Chairman: The hon. Member for Ezeagu (*Mr Anikwe*) may go through section 10 for clearance. Is the Deputy Leader still with us?

Deputy Leader (*Mr Anikwe*): Mr Chairman, Sir, under interpretation 'The University', you may put question on the amendment which reads 'African Thinkers University (ATU) and not on the other name because that one has been overtaken by the amendment. That is what I am saying.

Several hon. Members: Yes, yes!

CLAUSE 2 (INTERPRETATION) – *As amended, ordered to stand part of the Bill.*

PART II – ESTABLISHMENT AND FUNCTIONS OF THE UNIVERSITY

CLAUSE 3(1) – *ordered to stand part of the Bill.*

CLAUSE 3(2) – *as amended, ordered to stand part of the Bill.*

CLAUSE 3(3) – (4) – ordered to stand part of the Bill.

CLAUSE 3(5) – *as amended, ordered to stand part of the Bill.*

CLAUSE 4: - *as amended, ordered to Stand Part of the Bill.*

CLAUSE 5: - *as amended, ordered to Stand Part of the Bill.*

Marginal Note - *as amended, ordered to Stand Part of the Bill.*

CLAUSE 6: - (ESTABLISHMENT OF ICPIC)

Mr J. U. Onoh (Enugu North): Mr Chairman, where it says that *other interested institutions in the State, it should instead be other interested institutions in the nation.*

An hon. Member: The State here means the nation.

Mr M. Onyeze (Igbo Eze North I): Mr Chairman, what we have in mind here is Enugu State and there is nothing wrong in an individual in Enugu State belonging to an international organization. So we confined ourselves to the State.

Mr Onoh: Mr Chairman, in that case, it has to read, that the University may form the Enugu Branch.

Mr Onyeze: Our reason for choosing African Branch is that in the Institution to which it is currently affiliated, the Mt. Clay University, it is known as the African Regional Branch, and no other country in Africa has been allowed to have it.

Deputy Speaker (Mr Atigwe) Mr Chairman, in the interpretation clause, there is nothing like nation. What we have is State.

The Chairman: Are you aware that in the interpretation clause, there is no place where nation is mentioned? There is no point putting what is not in the interpretation in the Bill.

Mr M. Njeze (Udi North): Mr Chairman, I believe we can just solve the problem by removing *in the State*. It will now be *The University shall form a State branch of I.C.P.I.C with other interested institutions*. It will have the same meaning and at the same time have enough room to accommodate any other institution that is interested whether inside Enugu State or outside Enugu State.

Mr Onyeze: I think, if we want to be more benevolent it should have been *The University shall form the African Branch of the I.C.P.I.C with other interested institutions*. So we remove *in the State*.

The Chairman: So, we recast it thus, *The University may form the African Branch of the I.C.P.I.C with other interested institutions*.

CLAUSE 6 – (ESTABLISHMENT OF ICPIIC)
As amended, ordered to stand part of the Bill.

CLAUSE 7 (A-F) – (FUNCTIONS OF THE UNIVERSITY) – *ordered to stand part of the Bill.*

CLAUSE 8(1)(a-d) – (ESTABLISHMENT OF COUNCIL FOR THE UNIVERSITY) – *as amended, ordered to stand part of the Bill.*

CLAUSE 8(1) (e-j) – (ESTABLISHMENT OF COUNCIL FOR THE UNIVERSITY) – *as amended, ordered to stand part of the Bill.*

CLAUSE 8(1) (k) – (ESTABLISHMENT OF COUNCIL FOR THE UNIVERSITY) – *as amended, ordered to stand part of the Bill.*

CLAUSE 8(2) – (ESTABLISHMENT OF COUNCIL FOR THE UNIVERSITY) – *as amended, ordered to stand part of the Bill.*

The Chairman: Clause 9 PRESIDENT OF THE UNIVERSITY – There is an amendment. In line one and in the marginal note delete *President* and insert *Vice Chancellor*; thus the Vice Chancellor shall be the Chief Executive of the University.

Amendment put and agreed to.

CLAUSE 9 – *as amended ordered to stand part of the Bill.*

CLAUSE 10 – ESTABLISHMENT
OF ACADEMIC BOARD,
EXAMINATION BOARD,
CULTURAL REVIVAL
COMMISSION - *ordered to stand part
of the Bill.*

The Chairman: Clause II
MEETINGS OF THE COUNCIL –
There is an amendment in 11 (1).
Rearrange the Subsection to read 11(1)
(a), 11(1) (b). 11(1) (a) In line one
insert *of this section* after *subsection 2*,
thus; Subject to subsection 2 of this
section the Council shall meet for
dispatch of business at such times and
places as the Vice Chancellor shall
appoint. Note: Delete President any
place it appears in the Bill and insert in
its place *Vice Chancellor*. 11(1) (b)
insert the clause *A quorum shall be
formed provided the Proprietor and or
the Vice Chancellor is present along
with 2/3 of the various units that made
up the Council* (8) (1) (a-k). Is 11(1)
(b) clear?

Mr E. Maduabu (Awgu South):
There is something in this Board. It is
provided that the Vice Chancellor and
the Proprietor or Chief Executive must
be present with 2/3 of the members of
the unit before a meeting holds. So if
the Vice Chancellor is not there the
meeting should not hold, if the Vice
Chancellor travels?

Mr Onyeze (Chairman Education
Committee): Mr Chairman it said *and
or ...*

The Chairman: Expunge 11(5)
entirely from this section. The
Committee recommends that we
expunge section 11(5) from the original
Bill. The original bill states – The
Council shall appoint a Secretary to the
Council who shall attend to and
maintain the office of the Council at the
University.

Mr Onyeze: If you look at 8(j) The
Registrar of the University who shall be
the Secretary. The Registrar of the
University is also the Secretary to the
Council. There is no need of asking the
Council to appoint a Secretary.

Amendment put and agreed to.

CLAUSE 11 – *as amended, ordered to
stand part of the Bill.*

Clause 12 FEES, AND
ALLOWANCES FOR THE
MEMBERS OF THE COUNCIL: There
is an amendment in line 1, delete *may*
and insert *shall* thus: *There shall be paid
to the Members of the Council, or any of
them such fees or allowances for
expenses or both as the Proprietor may
determine.*

Mr Onoh (Enugu North): If the
Proprietor is to determine the fees to be
paid and the same proprietor in 11(1) (b)
subject to 2/3 must be present before a
meeting of the Council, the Council
should determine the fees and
allowances.

The Chairman: The proprietor knows what is in the purse.

Mr Onoh: If the proprietor is a member of the Council he should approve with them.

The Chairman: I do not agree with you, he knows what is good.

Deputy Leader: Mr Chairman who appoints the Members of the Council?

Mr Onoh: If that is the case, I withdraw.

Amendment put and agreed to.

CLAUSE 12 – *as amended, ordered to stand part of the Bill.*

CLAUSE 13: (FUNCTION OF COUNCIL OF DEANS) - *as amended, ordered to stand part of the Bill.*

CLAUSE 14 – *as amended, ordered to stand part of the Bill.*

Mr Njeze (Udi North): Mr Chairman, if you recall, this very Clause contravenes what is said in Clause 4. We said something about ensuring that the University sets a good standard and this standard will make a provision for adequate staff remuneration. If we leave the determination of what to pay to workers or other office staff to the Proprietor, I am afraid that quality may be

compromised because it will not attract a very reasonable remuneration. So we suggested that whatever remuneration they will pay should be in line with what is obtainable in other Universities in Nigeria, whether it is State Universities or National Universities. Let it not be in the hands of the Proprietor or in the hands of the Appointees.

Mr Onyeze (Igbo-Eze North): Mr Chairman, Sir, I want to draw your attention, to say that there is a distinction between the intentions of Clauses 12 and 15. Clause 12 is talking about something you give to the Council only, that is, their allowances or whatever. While Clause 15 is talking about salary scales of all the workers in general. And why we even inserted the word 'Lecturer' is to allow them to move to any other University or some people who are teaching in any other University to come through that place knowing fully well their scale. So Clause 12 is talking about the position of Council Members while Clause 15 is talking about salary of workers.

CLAUSE 15: (CONDITIONS OF SERVICE) - *ordered to stand part of the Bill.*

CLAUSE 16 (b) – *as amended, ordered to stand part of the Bill.*

CLAUSE 17 – The School fees to be paid by the students should be determined by the Proprietor and the

Council. *ordered to stand part of the Bill.*

LONG TITLE – *agreed to*

CITATION – *agreed to.*

COMMENCEMENT: The commencement day of this Bill is today, the 7th day of August, 2003.

(Mr Speaker resumed the Chair)

Leader: (*Mr Ebenyi*): Mr Speaker, Sir, now that the Bill has been panel-beaten by the Committee of the Whole House, may I move that the Bill, as amended, be read the Third time.

Deputy Leader (*Mr Anikwe*): Mr Speaker, Sir, I rise to second that Motion as moved by the Leader of the House, that the Bill, as amended, be now read the Third time.

Question put and agreed to.

Bill reported out of Committee with amendments, read the Third time and passed.

Mr Speaker: Hon. Colleagues, the African Thinkers University Bill which is a Private Member Bill sponsored by the hon. Deputy Speaker (*Mr Atigwe*) has been passed into Law.

I wish to thank those of you that contributed in one way or the other, especially the Chairman, Joint

Committee on Education and Judiciary (*Mr Onyeze*) for a wonderful job. So, thank you very much. I also thank my Colleagues who made wonderful contributions during the debate on the Second reading. I thank you for your contributions.

The Clerks-at-Table, I extend my heart-felt congratulations. And to everybody, including the press, I wish to state that this is the first private member Bill we are passing during this Session. I wish that everybody should try as much as possible to work towards having this type of Bill passed here.

So, I thank all of you for your wonderful contributions and say to God be the Glory.

ANNOUNCEMENT

Mr Speaker:

1. I have a letter from one Mr Ejiiofor Aninwene. It reads:

*Ugwu-Aji Awkunanaw
Enugu South Local Govt. Area
Enugu State,
Nigeria.
5th August, 2003.*

*The Speaker,
Enugu State House of Assembly,
Enugu State.*

Sir,

BURIAL NOTIFICATION

We the entire family of late hon. Sunday Jim Ogbodo of Ugwu-Aji, Awkunanaw in Enugu South Local Government Area, Enugu State of Nigeria wish to draw your attention about the death of your former member of the House in Second Republic whose sad event took place some time early July 2003.

We the family wish to present the corpse to the State House of Assembly Complex on the 8th day of August 2003. Though it was arranged on the 22nd August 2003, but later adjusted down to 8th August, due to some circumstances beyond our control. We, therefore appeal to you for such short notice. We also appeal to you, sir, to use your good

office in according some befitting burial which your former colleague deserves.

Thanks

*Sgd.
Ejiiofor Aninwene
on behalf of the family.*

Honourable Colleagues, you heard the request. In other words, they are now asking that the corpse be brought here tomorrow. On that note, we are going to have a special session. So, the corpse will be lying here tomorrow morning at about 10 or 11 a.m., all Members are expected to be here to receive the corpse.

Committee Meetings

2. The House Committee on Information, Youths and Sports shall be inaugurated today in Room 109 immediately after the rising of the House.
3. The House Committee on Women Affairs and Social Development will meet today on the rising of the House in the Chairman's Office, Room 012.
4. There will be a meeting of the Committee on House Services on the rising of the House, Room 103.
5. There will be an inaugural meeting of the House Committee on special duties and Economic

Development today on the rising of the House, Room 219, Members include: Messrs Anichukwu John, Chairman; Emma. U. Eze, Odo Eugene, Nze M. Onyeze, M. Njeze, Amu Felix and Agbo D. I.

ADJOURNMENT

Leader: Mr Speaker, Sir, I move that the House do now adjourn till Friday 8th August, 2003 at 10 a.m.

I am Overwhelmed with Joy

Deputy Speaker: Mr Speaker, Sir, I stand to second the Motion for adjournment, and in doing so, Mr Speaker, I am overwhelmed with joy by the passage of this all important Bill. My problem is that I do not know where to start in thanking you people. Whether from the day the Bill was presented or from the Officials that handled it or from the House that debated it or from the Committee that reported it out to the House or when the Bill was finally passed.

I am grateful to us all. I am also grateful because we are now emulating His Excellency completely to model the life of our people. Our duties as Legislators are to make good Laws that will be used to govern our people.

This African Thinkers University is productive as we all know. It gives and

does not take, and that very University is part of social democracy.

I am also praying that the Executive in its responsive and benevolent nature will not delay in assenting to this all important Bill. On this note, may I say may the glory be to God. Thank you.

Question put and agreed to:

Resolved: That the House do now adjourn until Friday 8th August, 2003 at 10 am.

Adjourned accordingly at 1.23 p.m.



ENUGU STATE OF NIGERIA
PROCEEDINGS

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THIRD ASSEMBLY

ENUGU STATE HOUSE OF ASSEMBLY

OFFICIAL REPORT

No. 15

Friday
8th August, 2003

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HOUSE OF ASSEMBLY
ENUGU STATE OF NIGERIA

Friday, 8th August, 2003
(The House met at 10 a.m.)

PRAYERS

(Mr Speaker in the Chair)

**APPROVAL OF VOTES AND
PROCEEDINGS**

Mr Speaker: Distinguished Colleagues, you will recall that yesterday, we had a very long sitting. During the sitting, we passed a Bill, and if not because of this emergency situation, we would not have had this sitting this morning.

In view of the reason which every one of you knows, we have to have this emergency sitting to enable us receive our late Colleague. As a result of this development, the Order Paper and the Votes and Proceedings are not ready. So, I wish to inform you that in our subsequent sitting, the Votes and Proceedings will be ready. So, please let us move to item 4.

Leader (Mr Ebenyi): Mr Speaker, honourable Colleagues, I move that the House stands at ease to enable us receive the corpse of late Hon. Sunday Jim Ogbodo, our departed Brother and Colleague. Thank you.

Mr D. Agbo (Enugu East I): I rise to second the Motion.

Question put and agreed to.

Sitting suspended

(Thereupon the casket bearing the remains of late Hon. Sunday Ogbodo, former hon. Member of the House was brought into the Chambers for a valedictory session)

Thereafter his remains were taken out of the Chamber in a procession led by the Sergeant-at-Arms

Sitting Resumed

ANNOUNCEMENT

Mr Speaker: Honourable Colleagues, please no Member, apart from the former Members of the House, should go. Visitors at the Gallery who want to stay can stay. Thank you.

ADJOURNMENT

Leader (Mr Ebenyi): Mr Speaker, Sir, hon. Colleagues, I rise to move that this honourable House do now adjourn till Tuesday, 12th August, 2003 at 10 a.m. Thank you.

Deputy Leader (Mr Anikwe): Mr Speaker, Sir, hon. Colleagues. I rise to second the Motion for adjournment. Thank you.

Question put and agreed to.

Resolved: That this honourable House do now adjourn till Tuesday, 12th August, 2003 at 10 a.m.

Adjourned accordingly at 1.12 p.m.

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ENUGU STATE OF NIGERIA
PROCEEDINGS

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THIRD ASSEMBLY

ENUGU STATE HOUSE OF ASSEMBLY

OFFICIAL REPORT

No. 16

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12th August, 2003

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HOUSE OF ASSEMBLY
ENUGU STATE OF NIGERIA

Tuesday, 12th August, 2003

(The House met at 10 a.m.)

PRAYERS

(Mr Speaker in the Chair)

APPROVAL OF VOTES AND
PROCEEDINGS

Mr Speaker: Honourable Colleagues, you will recall that we have two outstanding Votes and Proceedings. One is No. 14 of 7th August, 2003 and No. 15 of 8th August, 2003. So, we have to approve two of them starting from No. 14 of Thursday August 7th.

I have gone through the Votes and Proceedings No. 14 of Thursday August 7th, 2003, and, to the best of my knowledge, it appears to be a true reflection of what we discussed on that day. However, going by the Rules of the House, I wish to call for your comments to enable us adopt them. Thank you.

Mr C. Ugwu (Enugu East II): Mr Speaker, Sir, I have also read the Votes and Proceedings of 7th August, 2003, I therefore, move for their adoption. Thank you.

Mr J. Obidinma (Oji River): Mr Speaker, Sir, like my Fellow Colleague

has observed, the Votes and Proceedings are in order; I therefore second their adoption. Thank you.

Question put and agreed to:

Votes and Proceedings No. 14 of 7th August, 2003 accordingly adopted.

Mr Speaker: In the same vein, our Votes and Proceedings of Friday August 8, 2003, are correct. However, I need your comment.

Mr D. A. Ani (Enugu South I): Mr Speaker, Sir, I have gone through the Votes and Proceedings of our last sitting and found them to be correct. I therefore move for their adoption. Thank you.

Chief Whip (Mr F. Ezema): Mr Speaker, Sir, I rise to second that Motion.

Question put and agreed to:

Votes and Proceedings No. 15 of 8th August, 2003 accordingly adopted.

PRESENTATION OF BILL

Park Lane Specialist Hospital Bill No. 3, 2003.

A Bill for a Law to establish Park Lane Specialist Hospital and for other matters connected therewith, presented by Mr K. Ebenyi (*Leader*), read the First

time and referred to the House Committee on Health and Judiciary.

Mr Speaker: The Committee is given one week to report out. Thank you.

ANNOUNCEMENT

Constitution of Tenders Board

Mr Speaker: The Tenders Board of Enugu State House of Assembly has been constituted. They include the following:

Mr K. Ebenyi (Leader) – Chairman
Mr D. O. Atigwe (Deputy Speaker) – Vice Chairman

Mr P. Anikwe (Deputy Leader) – Member

Mr D. A. Ani (Chairman, House Services Committee) – Member.

H.O.D (Publications) – Member

H.O.D (Legislative) – Member

H.O.D (Finance & Supplies) – Member

H.O.D (Administration) – Member

H.O.D (Legal) – Member

H.O.D (Planning Research and Statistics) – Member.

The H.O.D (PRS) will serve as the Secretary of the Tenders Board.

The Board will be inaugurated on Thursday 14/8/2003 after sitting, and the Clerk of the House will make available to the Members of the Tenders Board, the terms of reference.

ADJOURNMENT

Leader: Mr Speaker, Sir, I move that the House do now adjourn till Thursday, 14th August, 2003 at 10 a.m.

Stop these Hoodlums

Deputy Leader (Mr P. Anikwe): Mr Speaker, Sir, I rise from my seat to second that Motion as moved by the Leader of the House. However, I have an issue which is a big challenge to the image and integrity of the House as well as the image and integrity of the entire organigram of Enugu State.

That is the issue concerning the Task Force on Fuel Distribution and Management. I got a disturbing information that some groups of people whom I do not know where they emanated from, had it upon themselves and were going round all parts of the state, collecting money, beating people under the disguise of members of Enugu State House of Assembly; under the disguise equally of a particular Committee on Petroleum and Environmental management. The hoodlums at times, present fake Identity cards issued to them by this honourable House. Mr Speaker, Sir, I have no doubt in my mind that this honourable House has no hands whatsoever, in this unimaginable, very undignifying and unwarranted attitude by these 'scallywogish' mumbo-jumbo human beings. These people are so truncated, so anachronistic, very obsolete in thinking,

and they should not be allowed to use the good image of this honourable House for their selfish interest of either financial aggrandizement or whatever.

Mr Speaker, Sir, I am calling on this House to join me in condemning this devilish, unpatriotic, and inhuman act being perpetrated by these hoodlums, and this honourable House should go up beyond this to call on the Nigerian Police to arrest and prosecute with immediate effect, all these culprits with minimum delay. They should be dealt with; they should be disciplined because this honourable House has no hands in such illegal act. We have not gotten the competence to set a task force on fuel distribution and management. We can as a House monitor, but not set up a task force running parallel with the State government. It is the prerogative of only His Excellency, the Executive Governor of the State to authorize such a task force and not the House of Assembly Committee on Petroleum and Environmental Management. On this note Mr Speaker, hon. Colleagues, we have to rise and maintain our name.

The Gentleman that built this edifice, the famous Hon. Dr. M. I. Okpara, said and I quote *That the only thing he has on Earth is his name and if you should go to any extent to damage his name, he will go beyond to retain it.* So, this honourable House should go beyond to retain her name that had been dragged to the mud. Thank you, Mr Speaker.

Question put and agreed to.

Resolved: That this House do now adjourn till Thursday, 14th August, 2003 at 10 am.

Adjourned accordingly at 11.40 a.m.

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ENUGU STATE OF NIGERIA
PROCEEDINGS

AND DEBATES OF THE
FIRST SESSION OF THE
THIRD ASSEMBLY

ENUGU STATE HOUSE OF ASSEMBLY

OFFICIAL REPORT

No. 17

Thursday
14th August, 2003

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HOUSE OF ASSEMBLY
ENUGU STATE OF NIGERIA

Thursday, 14th August, 2003

(The House met at 10 a.m.)

PRAYERS

(Mr Speaker in the Chair)

APPROVAL OF VOTES AND
PROCEEDINGS

Mr Speaker: Hon. Colleagues, before us are the Votes and Proceedings of Tuesday, 12th August, 2003. I have gone through them, and to the best of my knowledge, they are correct. However, I need your comments. Thank you.

Mr F. E. Amu (Nsukka East): Mr Speaker, Sir, hon. Colleagues, I have equally gone through the Votes and Proceedings of Tuesday, 12th August, 2003 and found them to be correct. I, therefore, move a Motion for the adoption. Thanks.

Chief Whip (Mr Ezeama): Mr Speaker, hon. Members, I have risen to second the Motion.

Question put and agreed to.

Votes and Proceedings of Tuesday 12th August, 2003 accordingly adopted.

PARK LANE SPECIALIST
HOSPITAL, BILL NO. 3 2003

Leader of the House (Mr Ebonyi): Mr Speaker, my hon. Colleagues, I move that the Park Lane Specialist Hospital, Bill No. 3, 2003 be now read the Second Time. Thank you.

Deputy Leader: Mr Speaker, Sir, I have risen to second the Motion moved by the Leader of the House. Thanks.

Mr Speaker: Hon. Colleagues, the Floor is open for us to look at the demerits, merits and general principles of the Bill before this honourable House. The Floor is now open for its consideration.

Leader: (Mr Ebonyi): I have risen on my Seat to speak in favour of the Park Lane Specialist Hospital, Bill, No. 3, 2003. This Bill seeks to establish in Enugu State, Park Lane Specialist Hospital and to provide for the hospital facilities which were provided in similar international hospitals. This Bill is to upgrade the hospital to a specialist institution where medical scholars will undertake specialist training in various medical fields.

Its ambition is to provide adequate medical services to the people of Enugu State. The hospital should have the Management Board to be known as Park Lane Specialist Hospital Management Board whose Members and Chairman shall be appointed by the Executive Governor of Enugu State. The Board

shall construct, equip, furnish, maintain, manage, control and upgrade the hospital.

The Specialist Hospital, when established, by this Bill, will provide trained nurses and medical technicians or people who would have medical intellect, resident doctors and associated institutions. It will equally provide other related services such as out patients, department, laboratory department, etc. In addition, the people of Enugu State would gain a lot through the establishment of the Specialist Hospital: Firstly, it will provide facilities for research and with time, the office will grow to an excellent research centre.

Secondly, there would be availability of Doctors because in the Specialist Hospital, at all times, more doctors will now be recruited. The question of when one gets to the hospital and the doctors are not there, will be a thing of the past. Because of the status and Research Centre in the Specialist Hospital, doctors will be available at all hours.

Thirdly, it will attract new doctors within and outside the country resulting in more productivity. The hospital will get international connection because of their research, international aids, grants, etc. It will equally attract international personnel, more experienced specialist personnel to handle their research department. There will be more improvement in the lives of the people of Enugu who will now have more

medical care delivery. The Bill is very important in the lives of the people of Enugu State and even beyond.

Lastly, the centre will create employment opportunities at different levels, thereby eliminating poverty in Enugu State. Mr Speaker Sir, hon. Colleagues, you can see that this is a very important Bill, which works towards improving the health services. Health, they say, is wealth. A healthy nation is a wealthy nation. Therefore, our hon. Colleagues are requested to give their support, so that the Bill will be passed into law. Thank you.

Deputy Leader: Mr Speaker, Sir, I have risen from my Seat to make positive contributions to this all important Bill. I am sure that the last speaker is talking about eliminating poverty not elevating poverty, because it is a total negation. This is an important hospital, a specialist hospital; Enugu State has a lot to gain. We are aware that His Excellency is a medical doctor, a renowned medical practitioner. He knows the value of a specialist hospital. In Enugu State, for instance, the only health specialist hospital is the University of Nigeria Teaching Hospital which is owned by the Federal Government. The State will now have this health care institution nearer to the door steps of the citizens.

Park Lane Specialist Hospital will go a long way in extending benefits to the numerous communities in the areas of personnel recruitment, personnel

contributions, and also attracting other benefits of both national and international standards. There is a saying that a healthy nation is a wealthy nation. We can only begin to talk that we are healthy when we have a specialist hospital owned by Enugu State. I am very happy that this Bill has an executive connotation; this means that the State has already made provisions for a specialist hospital like Park Lane. Otherwise, if it has no such blessing, we begin to talk about other things in this Bill. The State Government is now asking us, the hon. Members, to allow for the establishment of a specialist hospital in Enugu State. I do not think that we have anything on our way not to pass this important Bill.

For instance, now when the people in remotest areas, want to go to UNTH, the person has to move to its permanent site, that is probably a long journey. If you want people from Okpanku to come to Enugu and begin to move down, if you want people from Enugu Ezike to come down to Enugu and begin to move down, then we are not helping issues or matters. This will be a hospital in the heart of the State. If one watches out the demands of the Bill, it is just to make it a specialist hospital. People can now become more equipped to attend to a particular kind of ailment since it is not a general hospital; here specialization comes in because reference would be made to them. I am sure that in no distant future, the hospital will soon be known as a centre of excellence, because we are talking of

specialization. I have no doubt in my mind that this House will go a long way in giving this all important Bill necessary passage and consideration. Thank you, Mr Speaker.

Mr J. Obidinma (Oji River): Thank you, Mr Speaker, I have every reason to support the establishment of a specialist hospital like my Fellow Colleagues have observed. This gives the availability of specialists like medical doctors, and para-medical staff to the centre. The establishment will involve more hands that will draw their salaries and wages, and we know that these salaries and wages will be spent in Enugu State and this will in turn boost the economy of Enugu State. On this strength, Mr Speaker I am done.

Mr E. U. Eze (Udenu): Thank you, Mr Speaker. This is a very important Bill coming at an appropriate time. I have reasons to give it my full support, with my whole heart and whole mind. Mr Speaker, I say at an appropriate time because sooner or later, the UNTH will be moving down to Ituku and apart from that the word specialist conjures some psychological feelings in the minds of the patient. I know that often times, quite a number of our eminent sons and daughters of this State who can afford it, just travel overseas for treatment of various kinds. I believe that the envisaged Enugu State Park Lane Specialists Hospital will be equal to the task, and undoubtedly, reduce the frequent hazardous flying of our sick citizens abroad.

Therefore, the establishment is a welcome development in our health system. Again, Mr Speaker, Sir, like the hon. Leader of the House enumerated, it will be a specialist in all the phases of medical field ranging from medical to para-medical staff. And it will run special courses for people with special skills in health and teaching. The name would give just a psychological relief to the minds of persons rather than teaching hospital, where you have students trying to learn when the patient is almost going down. I believe, in this Hospital, as soon as patients come, they will receive special and prompt attention.

I, therefore, urge my Colleagues to give this Bill urgent passage. Before I sit down, may I use this opportunity to amend the Bill to read thus: Enugu State Specialist Hospital. Thank you.

Mr M. Onyeze (Igbo-Eze North D): Mr Speaker, sir. I stand to support the Bill for the establishment of Parklane Specialist Hospital here in Enugu. Many of us here represent the poor masses in the rural areas. As you know, these masses cannot afford qualitative education or qualitative health care. Many people are privileged to have access to private hospitals and private schools, but the majority do not have such facilities. So, on the strength of that, and in view of the fact that it will be strengthening the public institutions in the State, such an institution is necessary. We are creating an

egalitarian society where the less privileged people will have access to those basic facilities being enjoyed by the privileged few. So, the Specialist Hospital being envisaged by this Bill should be supported by the House, because it will enable the poor masses have access to good health.

We have been talking of alleviating poverty and these are some of the programmes adopted for alleviating poverty in the State. If it succeeds, one can go there and get treatment, just as the rich person can go to a private hospital and get treatment. This is where one gets treatment at a reduced cost. So, inasmuch as putting more money in the pocket of the poor people, this is a way of alleviating poverty. So I support this Bill and appeal to the honourable House to give it a quick passage, so that as soon as the Specialist Hospital takes off, our poor masses, whom we represent here, will have the opportunity of having access to good health at a reduced cost. Thank you, very much.

Mr J. Anichukwu (Nkanu East): Thank you, Mr Speaker for giving me the opportunity to speak on the Bill, for Enugu State to have a Specialist Hospital. The importance of this Bill cannot be over-emphasized, and whatever time and strength given to its discussion, may not even be enough until the Bill is passed. We are not talking on the Specialist Hospital meant for the poor or for the rich, because no matter how you are, if you have a

special case, health wise, and you cannot obtain it, you are a poor man. When one has a problem, and does not know the solution and cannot afford to find answer to the problem, then we cannot talk of eradicating poverty in Enugu State. We are lucky because one of the cardinal objectives of His Excellency, the Governor, Dr Chimaroke Nnamani, is to improve health care, and, particularly, bringing health care to the door-steps of everybody and he has demonstrated it. Probably because he is a specialist in his own discipline as a medical Doctor.

When this Bill is established, we will now know the need and its importance. And in moving the State forward, all hands must be on deck, and the legislative arm should be doing its utmost by giving this Bill a quick passage. The electorate expect this Bill. I know they would be expecting it. We all should expect it. The earlier we give the Bill the justice it deserves, the more honourable the House would be before the electorate. Mr Speaker, thank you, very much.

Mr J. U. Onoh (Enugu North): Mr Speaker, Sir, hon. Colleagues, I am neither against the transformation of Park Lane Hospital to a Specialist Hospital nor the employment of Specialist doctors for this Hospital, but on the contrary, I stand for basic health care for all. All Doctors take an Oath to pay the utmost respect for human life. But in supporting this Bill, I pray that the government, in upgrading this

hospital, should also set up a character Commission, in respect of the doctors to be employed. This is where the UNTH has failed.

In early days, before health care was administered to a dying patient, he or she must buy a card, without following the rules of emergency. I pray that this Specialist Hospital should attend promptly to the Public, without much rush for immediate gains, unlike Teaching Hospitals that specialize in the sale of cards before service. Also, when the staff shall render service, may they yield to such that made Alexander the Great say: "Rome, I die with the help of two many Physicians". And this – in this present time, may be one major achievement of our regime. Glory be to God that this shall stand the test of time. Thank you.

Mr F. Onah (Nsukka West): Mr Speaker, Sir, may I humbly speak in favour of this important Bill. It will be a great thing for Enugu State to have a Specialist Hospital. One day, I went to the Park Lane Hospital with my hon. Colleagues, and what we saw on the ground there was very nice. At the Hospital, there is tremendous improvement there. And the equipment provided by our action Governor has improved this Hospital. I think, it deserves to be upgraded to a Specialist Hospital.

On the other hand, it will also be a source of employment for the people of Enugu State. At the various

departments of the Hospital, people could be employed. Also, it will be a source of money generation because I strongly believe that immediately this Hospital is up-graded to a Specialist Hospital, more patients from other States, will be coming for their treatment there. So, I sincerely support this very important Bill, and urge our Colleagues here to give the Bill a positive consideration. Thank you.

Mr M. Njeze (Udi North): Mr Speaker, Sir, hon. Colleagues, I would not say that there was not enough support to the Bill because of the number of people who kindly spoke in favour of the Bill. I will feel happy and satisfied, and even if it is put into Vote, this Bill is likely to scale through. The Public Hospital handles cases beyond a dispensary, but small in quality. And most cases, are beyond being handled by the Public Hospital; without referring them to the Specialist Hospital. If you just arrive at the Teaching Hospital, you discover that a case had already gone beyond the scope of the general practitioners, you need to be taken immediately to the Specialist doctor instead of a general practitioner. So the need to have the Specialist Hospital in Enugu State cannot be over emphasized at all.

There is a strong need for us to have this Specialist Hospital. When this is adopted, a vision to make Enugu State a place that would be an example to other States, would arise. So, when we pass this Bill, we can have a Specialist

Hospital, and I feel that the Specialist Hospital will provide employment for special people with specialized skills for different Specialists. So that we can give all people that grace; including our children who used to go abroad for treatment. They will be going to the Park Lane Specialist Hospital instead of going abroad for treatment.

So, I want to plead with other hon. Members, to avoid making decisions that will go against the passing of this Bill. Please, withdraw your decision just for our sake. Withdraw it for the sake of Enugu State. Withdraw it for the sake of people you are representing. Most importantly, please, withdraw it and support this Bill, sometime, someday, you are going to discover that your name will go down in history, and you will be highly recognized for the good health care given to the people of Enugu State. So, Mr Speaker, Sir, I beg to stop. Thank you.

Mr E. C. Maduabu (Awgu South): Mr Speaker, Sir, I have enough reason to support this important Bill. Health, they say, is the most important thing in life. Enugu State or Enugu is one of the renowned centres among the major regions. We had Kaduna, Ibadan, then Enugu. We shall be matching forward, we shall be going high and others should be emulating us. This is the first and the only Specialist Hospital that will be established in Enugu State. The other one is the University Teaching Hospital. The population of Enugu State is increasing and therefore, we should

find a very befitting Specialist Hospital like we are trying to establish now.

A lot of health hazards exist, and I think that by having a Specialist Hospital, Enugu may even, by the grace of God, come to be a stage, where HIV and its menace will find a solution, if we attract good and specialized doctors.

Mr Speaker, Sir, in fact, I am very much throwing my weight towards the passage of this Bill by this honourable House. Thank you.

An hon. Member: Mr Speaker Sir, the hon. Member for Enugu South II did not dress properly. He should be cautioned by the Leader.

Mr Speaker: That is the duty of the hon. Chief Whip and not the Leader, and please may I appeal (*Interruptions*). Order! The Sergeant-at-Arms has no right to correct hon. Members. However, I appeal to you to let us rest that case. It seems we should disregard it, but some other time, any Member who is wearing traditional dress should put on his cap to match. So, the hon. Member for Enugu South II should put on a cap to match next time. Thank you.

Leader: Mr Speaker, Sir, you will agree with me that the response to this all important Bill shows that there is no Member that has raised a finger against it. It has attracted a lot of support by hon. Members of this House. In view of that, I move that the Question be now

put so that the Bill will now be read the Second time. Thank you.

Mr C. Ugwu (Enugu East II): Mr Speaker, Sir, I rise to second that Motion as moved by the Leader of the House.

Question put and agreed to:

Bill accordingly read the Second time.

Mr Speaker: Thank you very much hon. Colleagues. The Bill on Park Lane Specialist Hospital No. 3, 2003 has scaled through the second stage. I wish to express my happiness to those of you that contributed immensely during the debate.

This is the first time, a Bill of this nature is coming and the way and manner every Member contributed is a healthy development, and I thank you, very much. At least this Bill came just a few days ago and the standard and quality of the contributions of the Members is very impressive. Thank you.

MOTION ON A MATTER OF URGENT PUBLIC IMPORTANCE

Mr E. C. Maduabu (Awgu South): Mr Speaker, Sir, I rise to seek leave of this honourable House to suspend Rule No. 25 of this House to enable me move a Motion on a Matter of Urgent Public Importance. Thank you.

Mr Speaker: Order! Honourable Colleagues, this is a Motion on a Matter of Urgent Public Importance. The hon. Member for Awgu South (*Mr Maduabu*) is not supposed to circulate it, but because we have to carry everyone along, we have been circulating it. It is a matter which one discovered and wish that it needs urgent attention of the House, then one comes in and drafts it, and that is why the Mover always seeks leave of the House to suspend Rule No. 25 to enable him move that Motion. So, it is not relevant that the Motion should be circulated, because it is a Motion without notice.

Mr E. U. Ezeh (Udenu): Mr Speaker, Sir, I have risen to second that Motion.

Question put and agreed to:

MATTER OF URGENT PUBLIC IMPORTANCE

Gas Pollution as A Result of Gas Pipe Line Vandalisation Along Isiagu-Acha/Okpanku Communities of Abia and Enugu States

Mr E. Maduabu (Awgu south): Mr Speaker, Sir, information reaching me indicated that an NNPC Pipeline that carries gas from Port Harcourt to Enugu was vandalized along Isiagu-Acha/Okpanku communities of Abia and Enugu States, respectively.

The gas from the vandalized pipeline flows right into the Ivo River, thereby

making the River, which is the main source of water supply to the communities unfit for human consumption, and for other uses. As you may know, we are now in the rainy season and rivers are now overflowing their banks. Many farmlands face the danger of serious contamination by this pollution.

In view of these damages here mentioned, be it resolved as follows:

- 1) The House Committee on Petroleum Resources and Environmental Management should visit the said communities and report back to the House on the next legislative day.
- 2) That the NNPC authority as well should visit the said communities and see things themselves and find a lasting solution to the constant oil leakages and guard against future occurrences.

Be it moved and it is here moved.

Mr Speaker: Hon. Colleagues, I wish to state and appeal that this place mentioned is in my Constituency. Okpanku is in Aninri Local Government Area, and because of my position, I am not supposed to sponsor a Motion, but having been raised by the hon. Member for Awgu south (*Mr Maduabu*), I equally appeal that you people should do me a favour and see that this Motion sails through. I am appealing that we should give our blessing to this Motion.

Mr J. Anichukwu (Nkanu East): I have a question. Inasmuch as I am a member of the Committee on Petroleum Resources and Environmental Management, I am not the Chairman, the question is that the communities involved in the Ivo River are not mentioned.

Mr Speaker: The communities have been mentioned. They are Isiagu-Acha in Abia State and Okpanku in Aninri, my own Constituency. So they are Isiagu-Acha and Okpanku in Abia and Enugu States.

Mr J. Obidinma (Oji River): Thank you, Mr Speaker, hon. Colleagues, I have every reason to support the Motion as moved by the hon. Member for Awgu South (*Mr Maduabu*). We all know and we are aware that pollution is a dangerous thing, especially water pollution. If a river is polluted, and we all know that a river flows kilometers before it reaches its end, as it flows down, the contamination particles in it, will be moving down along.

You can still see that not only Okpanku will be affected, but every other community that is along the river. So, Mr Speaker, I want to say that this House should direct and uphold the prayers. Thank you.

Deputy Leader (Ezeagu): Mr Speaker, Sir, if you watch and listen over our radio and television sets, you want to believe that the Ebonyi State House of Assembly had already passed

a Motion in connection with the same problem. I am saying, for instance, that we do not even know the gravity of this pollution. It means more than we can imagine. So, Mr. Speaker, I am saying that this honourable House should give accelerated passage, and more importantly that the House Committee on Petroleum Resources and Environmental Management should go immediately with clean mind and unfold the details of their discovery to this honourable House.

We may be doing ourselves a great disadvantage, if we do not pass this Motion, if you go to Okpanku for instance, you may not even know the damage already done. Mr Speaker, I am aware that delegations from that Okpanku have gone to many places, seeking for help. Now that the matter has come as a Motion of Urgent Public importance, it should be treated as such and the prayers maintained. We want the prayers to be carried. Thank you.

Deputy Speaker (*Mr Atigwe*): Mr Speaker, hon. Colleagues, I have totally supported this Motion on Matter of Urgent Public Importance and move that the words *'Tuesday next week'* be expunged and insert in their place the words, *'next legislative day'* in prayer one of the Motion. Thank you.

Deputy Leader (Ezeagu): Mr Speaker, on that very prayer one, I am saying that instead of removing *'Tuesday'* we say *'our legislative sitting, Tuesday'* or as may be

determined by the Rules and Business Committee. And to avoid further argument on this matter, I therefore second the Motion moved by the Deputy Speaker.

Question put and agreed to.

Mr E. U. Eze (Udenu): Mr Speaker, Sir, this Motion is very, very important and it should be given urgent attention. Every now and then, we hear stories of the vandalization of oil pipe lines here and there. Oil and gas are invariably very poisonous to our health if care is not taken. And to that extent, Mr Speaker, NNPC is the richest organization we have in this country, so I do not see any reason whatsoever why that organization should not take necessary steps and adequate measures to forestall, once and for all, all these incessant vandalisation or leakages.

To this extent, Mr Speaker, I am suggesting or I move in addition to those already raised by the Mover of the Motion that NNPC should, as a matter of urgency, establish a security outfit to monitor the length and breadth of their pipe lines, be it gas or oil. I say this because when the Nigerian Railway came in to the country, they had their own Railway Police. This was to make sure that the security along their lengthy lines were properly guarded and maintained. The NNPC should do the same thing.

Secondly, an additional Motion, that the NNPC should be made to pay

adequate compensation ...
(Interruptions)

Mr Speaker; Order! The hon. Member for Udenu (*Mr Ezeh*) has made the first Motion and somebody should second his first additional prayer to the existing prayers. If it is the wish of the House, it should be included in the prayers so that we make progress. ...
(Interruptions)

Mr Eze: That NNPC should establish a security outfit or apparatus to monitor their lines throughout the country. Second point: that NNPC should pay compensation to every community and that compensation should be determined by competent valuers. ... (Interruptions)

Leader: Mr Speaker, I have risen to oppose the amendment being made by the hon. Member for Udenu (*Mr Ezeh*), one, is because he is talking of paying compensation to the effected communities. The Mover of the Motion has not told us that lives were lost in the village, and secondly, how can NNPC or Government pay compensation to the communities? They are the people who are vandalizing the pipelines. So, if communities vandalize amenities the Government provided for them, then they ask the NNPC or the Government to pay them compensation for that. Mr Speaker, I oppose those amendments to that Motion.

Mr Speaker: Order! Let me just say one or two things. If any one is

opposing the Motion based on the second submission, then we can take it. In most cases, some of these things happening in these days are not treated by the organizations, and if we are going by what he said in the first submission, I will agree with him because inasmuch as lives were not lost one should think of the inconveniences caused by the gas, because we know that when this gas spreads on water nobody can drink.

If this is the wish of the House somebody should second the Motion. You will agree with me that these communities especially those in Enugu State have reasons to complain. This is planting season and this pollution has destroyed their rice farm and as such, they require compensation because their crops have been destroyed. I do not think that it is proper to leave them like that.

Several hon. Members: Allow us! Allow us!

Mr F. Ezema (Igbo Eze South): Mr Speaker, Sir, I am supporting the Leader of the House because, the Mover of the Motion said that Pipes were vandalized, and if the pipes were vandalized, there is no need talking about compensation.

Mr Maduabu: Mr Speaker, Sir, I am the Mover of the Motion. The information I want to give is that the damage was not done in those communities where the water was

flowing to, it happened some where while the water flows down. The damage was done somewhere down the line and this has destroyed their rice farms. All fishes in the water are dying as a result of this pollution. Secondly, the oil is affecting the farm lands. This is a serious issue. This matter deserves serious attention.

Mr Anichukwu: Information! The information is that this matter is a serious one which has been reported. We know the gravity. The Committee and the Mover will meet first, so why don't we wait until the Committee completes their job before we talk of compensation.

Mr Eze: Thank you Mr Speaker, I just want to appeal to the hon. Members to recall that I drew their attention when I made an additional Motion that security apparatus should be added, that it is necessary that they should have their own police. The Nigerian Railway Corporation had Nigerian Railway Police. I have never heard that the NNPC had NNPC Police. If it is established on paper, it is an act of negligence. I still maintain that it should be embedded in this Motion. Having said that, Mr Speaker, I still appeal that the first and second prayers in the Motion be allowed to stand.

Mr Speaker: I do not like when an important issue is raised some Members will not be serious. Members should listen to this debate.

Leader: Mr Speaker, Information. I stand to inform the hon. Member for Udenu (*Mr Eze*) and the entire House that NNPC has security outfit. The Motion can be reshaped to read

That this House requests the communities to set up Vigilante Groups as is recently done in the issue of electricity.

Mr Speaker: It is not the responsibility of the communities. The Government maintained that the T.C. Chairmen should do that.

Leader: I am not interested, I still oppose the Motion.

Mr M. Onyeze (Igbo-Eze North I): Mr Speaker, Sir, I support the Motion that NNPC should establish their security outfit along the pipelines. My reason is that if you locate a pipe line some 100 metres without any human being there, who will go there to watch it, is it the community leaders or vigilante groups, that will watch out where the thieves are coming from? You should know it is very expensive, because the people who look for oil in the night, are armed and it costs millions of naira and the type of equipment they may possess, the Local Vigilante cannot counter it. Therefore, it is the responsibility of the NNPC, whether they have been doing it or not. We do not know because they have not informed us. Therefore, this honourable House that is sitting now is not aware that NNPC is guarding their pipeline.

Otherwise it is this insecurity that is causing danger in our lives. So, I support the prayer that NNPC set up security network to monitor the pipeline.

Question put and agreed to.
(Interruptions)

Mr Speaker: The hon. Member for Udenu (*Mr Eze*) should please read his amendment.

Mr Eze: Mr Speaker, Sir, I agree that NNPC should set up an efficient and effective security outfit along the entire land of the pipeline.

Amendment put and agreed to.

Mr M. Njeze (Udi North): Thank you, Mr Speaker, hon. Colleagues, it is my pleasure to thank Members. There is no need to overlabour the issue of the problem facing the people of Enugu and Abia States. This Motion is very, very important. It is necessary. What this House is seeking for is a solution to the present problem facing the people living along that area of Acha or Isiagu and Okpanku. I wish to appeal to the Members of this honourable House that NNPC should, within the next twenty-four hours, stop further flow of diesel gas on that line until a repair is effected on it. That is my Motion for addition on item four.

Mr Onyeze: Mr Speaker, Sir. I oppose the prayer being made by the hon. Member for Udi North (*Mr Njeze*)

because when an hon. Member is making a Motion it is expected that it should be honoured and there should be no time limit on something that is not under your control. You do not control NNPC, and therefore you cannot tell them to carry out a directive within twenty-four hours. If you give an order and it is not carried out then it become dishonourable, and this House should continue to be an honourable House. Thank you.

Deputy Speaker: Thank you, Mr Speaker. I am aware that we all are here to make good laws for the people of Enugu State. Good laws to protect the lives and property of our people. I feel that what is affecting one Constituency is affecting another Constituency. We have now agreed that the House Committee on Petroleum Resources and Environmental Management should visit the scene and report back to the House for necessary compensation. Compensation should take place if there is loss of life (*Interruptions*).

Mr Speaker: The hon. Deputy Speaker, should realize that somebody has already said this before. Do you just ask for compensation only when there is loss of life?

Deputy Speaker: Mr Speaker Sir, having said that, I stand to say that the Question be now put.

Question, That the Question be now put, put and agreed to.

Main Question put and agreed to.

Resolved:

- 1) That the House Committee on Petroleum Resources and Environmental Management will visit the said Communities and report back to this honourable House on the next Legislative day.
- 2) That the NNPC Authority should as well visit the said Communities and see things for themselves; and also find a lasting solution to the consistent oil leakages and vandalisations to avoid future occurrences.
- 3) That the NNPC should set up efficient and effective security out-fits along the gas and oil pipelines in the country.

Deputy Leader (Mr Anikwe): Mr Speaker, Sir, hon. Colleagues, I rise to move. ... (*Interruptions*)

Mr Speaker: The Deputy Leader (*Mr Anikwe*), I am very sorry for the interruptions, but the rule of the House says that it is only one Motion on Matter of Urgent Public Importance in a sitting that can be moved. So I did not know that we are going to have Matters of Urgent Public Importance today. Therefore, I request that your own Motion should be stepped down to the next sitting. Thank you.

An hon. Member: Mr Speaker, Sir, over ruled!

Deputy Leader: Mr Speaker, Sir, let us carry my Motion along and allow me to move it, please.

Deputy Speaker: Mr Speaker, Sir, hon. Colleagues, let us bend the rules and allow him to move his Motion on Matter of Urgent Public Important.

Mr Speaker: Hon. Colleagues, we have no Constitution for bending the Rules, unless you amend it by Motion. Do you get me? Thank you.

Several hon. Members: We call it principle of necessity in law. *(Laughter)* Let us bend the rule.

Deputy Leader: Mr Speaker, Sir, I am not getting you, I disagreed with you, because, I approached you last sitting to move my Motion, and you said that you were going to Nsukka. So, Mr Speaker, Sir, allow me to move my Motion. We are all here to learn. *(Interruptions)*

Mr Speaker: Honourable Members, excuse me, instead of bending the rule, I advise you to move a Motion to suspend the relevant rules to enable him move the Motion. ... *(Interruptions)*

An hon. Member: Mr Speaker, Sir, what rules?

Mr Speaker: Hon. Colleagues, with due respect, it is rules No. 25 and 15 (4). Thank you.

Honourable Colleagues, I am now asking the Mover of the Motion to look at Rule 15(4). He can now request this House to suspend Rules 25 and 15(4) to enable him move his Motion. We are asking the Deputy Leader of the House to do this because this is the Rule of the House. We have to do things according to the wish of the House and not as it suits an individual. Thank you.

Deputy Leader: Mr Speaker, Sir, with due respect, I have risen from my Seat to seek leave of this House to suspend Rules 25 and 15(4) of the relevant Rules to enable me move a Motion on a matter of urgent public importance. Thank you.

Mr Speaker: Honourable Colleague, for the purpose of this Motion, you are now asking the honourable House to suspend Rule 25 and taking cognizance of the fact that the House has entertained one such Motion, to suspend Rule 15(4).

Deputy Leader: Mr Speaker, Sir, I have risen from my Seat asking this honourable House to suspend our Rule No. 25 to enable me move a Motion of urgent public importance and taking cognizance of the fact that we had earlier entertained one of such Motion, I am also asking this House to suspend Rule No. 15(4) to enable me actually come up with such Motion. Thank you.

Deputy Speaker: Mr Speaker, Sir, I stand to second that Motion.

Question put and agreed to:

**A MATTER OF URGENT
PUBLIC IMPORTANCE**

Cattle Menace in Enugu State

Deputy Leader: Mr Speaker, Sir, the consistent invasion of farm lands, and destruction of crops by cattle in Enugu State by the Fulani cattle rearers calls for an urgent attention and or stop.

It is a known fact that the menace of these cattle rearers and their cattle often resulted in physical combat between them and the invaded community /communities. With the sophisticated weapons they carry along with their cattle such combats even at times lead to loss of lives and properties.

Just last week, for example, this incident of farm invasion occurred at the present greater Ezeagu Local Government Areas which led to total destruction of farm land/crops and greater majority of the people seriously wounded by these herdsmen and their cattle.

It is in view of these issues that I make the following prayers.

PRAYERS:

- 1) That this Honourable House should ensure that every Local Government Area in the State should have definite, defined

routes for these herdsmen and their cattle.

- 2) That these herdsmen and their cattle are barred from entering into any farmland in Enugu State and any one caught should pay for the destruction.
- 3) That the Nigerian Police should arrest and prosecute any of these herdsmen found wandering around with dangerous weapons such as guns, matchet, etc.
- 4) That the House Committee on Agriculture should convene an emergency meeting with the leadership of these herdsmen to pass on these instructions.
- 5) That a taskforce on cattle monitoring be set up by Enugu State Government.

In moving this Motion, it is my wish that this honourable House, will give it the necessary attention and passage. Thank you.

Mr D. Ani (Enugu South): I stand to second the Motion moved by the Deputy Leader (*Mr Anikwe*) with the following points; My very self, who am representing a rural Constituency also observed the problem in my own Constituency. I am saying that the Committee on Agriculture should, with immediate effect, contact the leaders of the Hausa community in Enugu.

I do not have much to say. If you visit my Constituency, so many people are indebted because of that very problem. So many people who borrowed money from the banks in order to invest in agriculture did not get anything back because of the menace from cattle.

With these points, I beg to support the Motion. Thank you.

Mr J. U. Onoh (Enugu North): Mr Speaker, I stand to oppose prayers 1,2,3 and 4. I opposed them because prayer No. 1 says: *"That this honourable House should ensure that every Local Government Area in the State should have definite and defined routes for these herdsmen and their cattle."* And I am asking which of the routes do we name cattle routes? Prayer No. 2 says, *"That these herdsmen and their cattle are barred from entering into any farm land in Enugu State and any one caught should pay for the destruction."*

I oppose it because no land is a farm land. Every land can be used for farming. Then No. 3 says *"That the Nigerian Police should arrest and prosecute any of these herdsmen found wandering around with dangerous weapons such as guns, machetes, etc."* As you know, they have their cattle to protect. They should go with their guns and machetes. Otherwise what else do you want them to use to protect their cattle.

Now No. 4 *"That the Committee on Agriculture should convene an emergency meeting with the leadership of these herdsmen to pass on these instructions,"* forgetting that Fulanis, and Hausas are two different communities. The Fulani herdsmen do not have a clan head. Do you expect that Fulani herdsmen who are wanderers from one area to another should establish a clan at ABUJA. They are nomads and they do not have a place of settlement.

Leader: Mr Speaker, hon. Colleagues, I have risen to lend my support to this Motion. Everybody in Enugu State is aware of the menace being done by these Fulani herdsmen and their cattle. So, I rise to support the Motion but some of the prayers there, I do not support. Prayer 1, *"That this honourable House should ensure that every Local Government Area in the State should have definite, defined routes for these herdsmen and their cattle"*. I support that very one. ...
(Interruptions)

Mr Speaker: Please, let me just give a little guide. It is just as someone said some couple of time ago, that instead of this honourable House ensuring and taking decisions, we urge the executive to do so. The only one that is possible is No. 4 and No. 5 *"That the House Committee on Agriculture should be mandated to summon a meeting with the leaders of the Hausa community but any other one like No. 1, which states that this honourable House should ensure*

that every local government area in the state should have definite, defined route for these herdsmen and their cattle. It is only the executive that can do that. We cannot do that one. I am only asking that anywhere we see honourable House, let us replace it with urging the Executive, please.

Leader: I am in support of the amendment just made now, but coming to prayer No. 3 *"That the Nigerian Police should arrest and prosecute any of these herdsmen found wandering around with dangerous weapons such as guns, machetes, etc."* I do not support that one. I want that prayer to be deleted because you do not command people. Carrying daggers and knives are part of their culture and again they use it to defend themselves.

And, of course, you know that anyone of us can carry guns once you can get a license from the Police. The fifth prayer, *"That a task force on cattle monitoring be set up by Enugu State Government. I do not support that one."* Thank you Mr Speaker.

Deputy Leader: Information! Mr Speaker, my information is that, how I wish you were around there last Saturday when there were serious exchange of gun fire, you would have understood what I mean by that, and our rural dweller's just ran away because they were not able to withstand them. ... *(Interruptions)*

Mr Speaker: Order! The hon. Leader should know that if this Motion is adopted, it is based on understanding and dialogue, and I believe in dialogue too, and some people will be mandated to convene an emergency meeting to dialogue with them. I am sure their cattle will not pass through the farmland. The issue of exchange of fire will not come up again.

Mr M. Njeze (Udi North): Mr Speaker, Sir, hon. Members of the House, I stand to support this Motion on Matter of Urgent Public Importance in respect of cattle rearers in Enugu State. And in supporting this Motion, I appeal that the Mover of this Motion should liaise with all interested Members of this House, and I am one of them, to bring up, a Bill that will establish grazing land in each Local Government Area so that these cattle rearers will have a permanent place they can go to whenever they enter any Local Government Area. If they now move out of that grazing land, then they are now breaking the law. If we restrict them just like that, they may wish to find themselves in other places and they may equally pursue our people operating in various places in their States, and eventually you will start to look for other people to operate in our State. I think the best approach is to pursue a Bill that will establish a grazing land in each Local Government Area.

Mr Speaker, I wish we can expunge prayers two and three, if we all agree,

because prayer two seeks to ban the cattle rearers from entering farm-lands in Enugu State and if they are caught, they should pay for the destruction. I feel that it is not possible to make such restriction. The Executive cannot enforce it, and making a law that is not enforceable is a nullity. Since they live in the bush and they cannot pass without going through any farmland, it is not possible.

Finally, I wish that the fifth prayer be retained. There is no limit to the number of Task Forces that can be set up by the Executive. They should set up a Task Force to let the farmers know that the government is concerned and that their lives are guaranteed. When any Task Force is set up, it should liaise with the House Committee on Agriculture or any other relevant bodies and they should convene a meeting in respect of what we are talking about.

Mr Speaker: I have a little opinion on this matter. I do not know what the Mover of the Motion has in his mind. You see, if we say, we remove item two or prayer two, the purpose of this Motion is defeated. Am I right? The idea is to stop them from going into the cultivated farmland. What I am saying is that it will be dangerous if we expunge prayer two.

Mr Njeze: Mr Speaker, hon. Colleagues, may I move for the amendment of prayer two that it should now read: *that these herdsmen and their cattle be banned from entering any*

cultivated farmland in Enugu State. That anyone caught should pay for whatever destruction caused. Thank you.

Mr E. O. Maduabu (Awgu South): Mr Speaker, Sir, I rise to second the Motion with a little amendment. We are talking of farmland but we have forgotten about economic trees, economic crops like what our people call 'Achara'. We use it for yam tendrils and other things. It is a tall type of grass. These cattle rearers go into the place and destroy them. It is one of the things our people are against, even native women trouped out to fight them over this type of destruction. We should say that the cattle rearers should be banned from destroying both farm crops and economic trees and any of them caught destroying any of these things should be held responsible and should be charged. Thank you, Mr Speaker.

Mr E. U. Eze (Udenu): Mr Speaker, Sir, I think the spirit of this Motion is very important. I am of the school of thought that the Mover of this Motion should go back and make further research. Sometime, in the early fifties, the Mover can make research, there was a law enacted on Cattle by the Eastern Region, and see what he can do to incorporate that into this Motion. Secondly, when you talk of farm land, what we are saying is that cattle should not destroy cash crops: that is the spirit of this Motion. If we say, we restrict them, and tomorrow if they start to put up permanent structures what shall we

say. A journey of one thousand miles starts with one step. I want the Mover of this Motion to do a thorough job on this. Thank you, Mr Speaker.

Mr Speaker: It looks like the hon. Member for Enugu North (*Mr Onoh*) wants to speak. The rule says that, you do not speak twice on a Motion. Before you speak, you put on all your arguments; each Member has only thirty minutes to talk, or make his contributions, except the Mover.

Mr Onoh: I want to make an amendment.

Mr Speaker: You want to panel beat the Motion, it is not allowed, you have spoken three times.

Mr Onoh: I want to avert the Sharia Law.

Mr Speaker: No, please.

Mr M. Onyeze (Igbo-Eze North I): Mr Speaker, Sir, I want to associate myself with the last speaker. The Mover of this Motion should go back and recast it. Enugu State has been friendly to all tribes, we have been accommodating all Sates and tribes. There are certain aspects of this Motion that will create loophole, and if we pass it some people will say that the Enugu State House of Assembly has passed a Motion asking them to check the cattle rearers and by the time you know it, it has caused another trouble in the entire State. Many people are unemployed

and if you make a statement like this, they start to chase the cattle rearers. Since the language of this Motion is more of Orders than suggestion, he should go back and moderate it so that we can find a way of helping the people that are affected without committing ourselves.

Mr Speaker: I am getting a little bit confused. Well, I don't know. The hon. Member for Udenu (*Mr Eze*) moved a Motion that the Mover should go back and panel beat the Motion, and get certain facts. The hon. Member for Igbo Eze North (*Mr Onyeze*) seconded that Motion. I do not know whether we go by that or do we continue to make some amendments right on the Floor of the House. That is why I am saying that I am confused.

Deputy Speaker: Mr Speaker, I align myself completely with this Motion, but there is an existing law on pastoral route. The Mover of this Motion should try and link up with the existing law, so that we can have a proper demarcation of pastoral routes in this State. Thank you, Mr Speaker.

Deputy Leader: Mr Speaker, this is a matter of urgent public importance. If there has been a law in 1950 guiding cattle rearing, I have not seen any. I have not seen any contribution in this Motion that is contrary. Well, if we are going to be stereotype on the issue of technicalities over certain issues, what I know is that in a Motion, some Members will be against it while others

will be in favour. I still stand that we need to go on with the Motion. There has never been any Motion people did not make contributions for subtraction or addition. ...

Mr Speaker: Hon. Colleagues, there is one thing you should understand. I want anything that is done to be done properly. Today you say that the Leader sponsored a Motion and the entire House passed it, you are the person taking the glory. Nobody wants this beautify Motion to fail, the only thing is that it appears sensitive. I do not think that your Motion is not accepted by the House. When I looked at this Motion, I congratulated you for taking such a step. Again, somebody even requested that this Motion is so nice, so interested that he moved a Motion that it should come in form of a Bill. Somebody again said that this should equally come up during the next sitting by the time you must have consulted other relevant records.

So, the hon. Leader should not look at it as if some Members do not want to pass his Motion. We have suspended the necessary rules to enable his Motion come up. So, please let us just go ahead since there was a Motion moved and duly seconded. I do not want people to have negative feeling during debate on Motions. I want a situation where we lend our support, so that we do not fail to pass this Bill today and to give room for every Member to contribute and to accommodate certain interests. So, since there is a Motion to defer further

debate on this Motion moved and seconded, I can now put the question.

Question put and agreed to.

Further debate on the Motion accordingly deferred

ANNOUNCEMENTS

Mr Speaker: The Tenders Board of this honourable House will meet on the rising of the House in Leader's Office. Those of you who are appointed as Members should endeavour to attend.

The House Committee on petroleum Resources and Environmental Management will meet in Room 214 today on the rising of the House. Signed: Mr Johnny Obidinma, Chairman.

The House Committee on Education invites Members of this Committee to an emergency meeting in Room 216 after sitting today. Signed: Nze Onyeze, Chairman.

The House Committee on Agriculture and Natural Resources will meet on the rising of the House in the Chairman's Office. It is mandatory for all Members to attend. Signed: Mr Tony Chigbo.

There will be an inaugural meeting of the House Committee on Works and Transport, on the 14th day of August, 2003 on the rising of the House at Room

119, Chairman's Office. Signed: Mr Chukwuegbo, Chairman.

The Joint Committee on Health and Judiciary will have public hearing on the Bill titled Parklane Specialist Hospital on Monday the 18th day of August, 2003 at the Conference Hall, Enugu State House of Assembly, by 10 a.m. Signed: Barrister Eugene Odoh, Chairman.

The House Committee on Finance and Appropriation will have her inaugural meeting as follows: Time: on the rising of the House. Signed by hon. Josef Umunna Onoh, Chairman.

There will be a meeting of the House Committee on Special Duties and Economic Development today on the rising of the House at Room 219. Members are: The hon. Member for Udenu (*Mr Eze*)

The hon. Member for Igbo-Etiti East (*Mr Odoh*)

The hon. Member for Igbo-Eze North I (*Mr Onyeze*)

The hon. Member for Udi North (*Mr Njeze*)

The hon. Member for Enugu South I (*Mr Ani*)

The hon. Member for Nsukka East (*Mr Amu*)

ADJOURNMENT

Leader (*Mr Ebenyi*): Mr Speaker, Sir, since we have extensively exhausted the items on the Order paper, in view of that, I hereby move that the House do now adjourn until 10 a.m. on Tuesday 19th August, 2003 at 10 a.m.

Mr F. Onah (*Nsukka West*): Mr Speaker, I wish to second the Motion for adjournment. Thank you.

Question put and agreed to.

Resolved: That the House do now adjourn until Tuesday 19th August, 2003 at 10 a.m.

Accordingly adjourned at 1.37 p.m.

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ENUGU STATE OF NIGERIA
PROCEEDINGS

AND DEBATES OF THE
FIRST SESSION OF THE
THIRD ASSEMBLY

ENUGU STATE HOUSE OF ASSEMBLY

OFFICIAL REPORT

No. 18

Tuesday
19th August, 2003

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Produced by the Publications Department
Enugu State House of Assembly

HOUSE OF ASSEMBLY
ENUGU STATE OF NIGERIA
Tuesday, 19th August, 2003
(The House met at 10 a.m.)

PRAYERS

(Mr Speaker in the Chair)

APPROVAL OF VOTES AND PROCEEDINGS

Mr Speaker: Distinguished hon. Colleagues, our Votes and Proceedings of Thursday 14th August, 2003 is here before the House. I have done justice to them and found them to be correct. However, I call for your comments to enable us give them legal backing. Thank you.

Mr C. Ugwu (Enugu East II): Mr Speaker, Sir, I have gone through the Votes and Proceedings of 14th August, 2003, and found them correct, I therefore move for their adoption.

Mr A. C. Nnadi (Igbo-Etiti West): Mr Speaker, Sir, I have equally gone through the Votes and Proceedings and found them correct, I therefore second their adoption.

Question put and agreed to:

Votes and Proceedings of Thursday, August 14th 2003 accordingly adopted.

ANNOUNCEMENT

Works has Started in Earnest

Mr Speaker:

- 1) Fellow Colleagues, actually going by the Order Paper of today we do not have much to discuss. The other day we spent almost four hours in the Chamber. I believe that by Thursday our Order Paper will be loaded, so whoever is coming should be prepared to stay up to four or more hours.
- 2) I equally wish to appeal to those of you that have not been able to inaugurate their Committees to please do so immediately and take off. House Committees are the life-wire of any Assembly, and I will be very happy to see that those of you who are Committee Chairmen or woman are trying as much as possible to work round the clock.
- 3) I equally wish to appeal to hon Members to note that the work has started. If one thinks that the work has not started, he may not be doing himself any good. Before one knows it, it is already into 2006 and we go into campaign and 2007 will be election.

When we started in 1999, we all thought that 2003 will not come, before we know, it is here,

and elections were conducted; we won and lost. So, it is very important that by the time you spend four years in the Assembly, you will be able to leave a legacy. When you talk of it, you should be able to know that you worked very hard now; you should not wait, may be towards the end of the four years, because one will not have the opportunity everyday to discuss one issue or another. So, I am appealing that all of us should try as much as possible to attend and also to be ready to work.

If you look around today, I know that you are not impressed about the turn up of hon. Members. I do not know where they have gone to. I only exempted three Members, that is the hon. Member for Awgu North (*Mr Enebe*) who travelled out; the hon. Member for Enugu south I (*Mr Anih*) who lost his brother and the hon. Deputy Leader of the House (*Mr Anikwe*) who is sick. I believe that by Thursday everybody will be around.

- 4) I wish to further remind you, fellow hon. Members, that the offices allocated to you are not to be locked up. Even if you are not there, your Personal Assistant or Special Assistant should be able to keep the offices open so that people can come in and leave messages for you. All of us are men of impeccable integrity.

Committee Meeting

- 5) There will be a meeting of the Joint House Committee on Judiciary and Health on Wednesday 20th August, 2003, that is tomorrow. Venue is Room 225. Time is 10 a.m. It was signed by the hon. Member for Igbo-Etiti East (*Mr Odo*) Chairman.

Inaugural Meeting

- 6) There will be an inaugural meeting of the House Committee on Civil Service and Labour Matters today, 19th August, 2003, on the rising of the House. Venue is Room 02. Members are: Mr M. O. Onyeze, Mrs C. Eneh, Mr O. Chukwuegbo and Mr C. Ugwu. Thank you.

ADJOURNMENT

Leader: (*Mr Ebenyi*): Mr Speaker, Sir, I rise to move that the House do now adjourn till Thursday 21st August, 2003 at 10 a.m.

Mr E. Maduabu (Awgu South): Mr Speaker, Sir, I rise to second the Motion as moved by the Leader of the House.

Question put and agreed to:

Resolved: That the House do now adjourn until Thursday 21st August, 2003 at 10 a.m.

Adjourned accordingly at 12 noon.



**ENUGU STATE OF NIGERIA
PROCEEDINGS**

**AND DEBATES OF THE
FIRST SESSION OF THE
THIRD ASSEMBLY**

ENUGU STATE HOUSE OF ASSEMBLY

OFFICIAL REPORT

No. 19

**Thursday
21st August, 2003**

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HOUSE OF ASSEMBLY
ENUGU STATE OF NIGERIA

Thursday, 21st August, 2003
(The House met at 10 a.m.)

PRAYERS

(Mr Speaker in the Chair)

**APPROVAL OF VOTES AND
PROCEEDINGS**

Mr Speaker: Honourable Colleagues, our Votes and Proceedings of Tuesday, 19th August, 2003, are before us. I have gone through them, and found them to be correct. However, I need your comments. Thank you.

Mr E. Maduabu (Awgu South): Mr Speaker, Sir, I have gone through the Votes and Proceedings of our last sitting and found them correct. I, therefore, move for the adoption of the Votes and Proceedings as correct record of what transpired that day. Thank you.

Mr F. Amu (Nsukka East): Mr Speaker, Sir, I have equally gone through the Votes and Proceedings of our last sitting and found them to be the true reflection of what we discussed. I, therefore, second the Motion for their adoption. Thank you.

Question put and agreed to.

Votes and Proceedings of Tuesday, 19th August, 2003 accordingly adopted.

**MESSAGE FROM THE
EXECUTIVE GOVERNOR**

Government House
(Abuja Building)
Enugu
August 20, 2003

*The Hon. Speaker,
Enugu State House of Assembly,
Legislative Building,
Independence Layout,
Enugu.*

Honourable Speaker, Sir,

*Confirmation of Ogbonna Ike as a
Commissioner:*

*His Excellency, the Executive Governor
of Enugu State, Dr Chimaroke
Nnamani, has approved the nomination
of Ogbonna Ike (Mr) as a
Commissioner.*

*Honourable Speaker, Sir, I have the
directive to forward his name to the
honourable House of Assembly of
Enugu State to request the confirmation
of his appointment for subsequent
swearing-in as a Commissioner and
member of the State Executive Council.
May I further request, Sir, that you treat
this matter at the earliest possible time.*

Thank you, Sir,

(Signed)

*Innocent M. Agbo (KSP)
Secretary to the State Government*

Leader: *(Mr Ebenyi):* Mr Speaker, Sir, hon. Colleagues, I move that the request from His Excellency, the Executive Governor of Enugu State, which has just been sent to this honourable House be accepted for consideration.

Deputy Leader *(Mr Anikwe):* Mr Speaker, Sir, hon. Colleagues, I rise to second the Motion moved by the Leader of the House *(Mr Ebenyi)* for this House to accept the message from His Excellency.

Question put and agreed to.

Message accordingly accepted.

ORDER OF THE DAY

PARK LANE SPECIALIST HOSPITAL

Report of the Joint Committee on Health and Judiciary, on the Bill for a Law seeking for the Establishment of Park Lane Specialist Hospital, Bill No. 3, 2003.

Chairman Joint Committee on Health and Judiciary *(Mr E. Odo):* Mr Speaker, Sir, some time ago, the aforementioned Committee was

mandated by the hon. Speaker to give a legislative scrutiny on the above-mentioned Bill.

The Joint Committee, in its several sittings, interviews, public hearings and visitations have completed the assignment.

The report we are about submitting before the plenary session of the House was made possible in view of the power of the Enugu State House of Assembly to make laws establishing a State Specialist Hospital as can be seen in part II of the second schedule (Concurrent Legislative List) of the Constitution of the Federal Republic of Nigeria 1999.

We have held public hearing with respect to this Bill and the public attested and have made valuable contributions.

Several memoranda were also collected; visits were made to the Ministry of Health and Park Lane Specialist Hospital and interviews were conducted with medical experts and specialist in various fields of medicine. All these assisted to come out with this report which, I must confess, has not been an easy task.

The committee however made some amendments which I hereby enclose as a very essential part of this report.

Leader: Mr Speaker, I hereby move that the Report just presented by the Chairman of the Joint Committee on

Health and Judiciary on Parklane Specialist Hospital be accepted for immediate consideration along with the original copy of the Bill.

Deputy Leader: Thank you, Mr Speaker, I have risen to second the Motion for the acceptance of the report of the Joint Committee on Health and Judiciary as moved by the hon. Leader of the House to be considered along with the original Bill.

Question put and agreed to.

Leader: Thank you, Mr Speaker. In furtherance to the acceptance of the report, may I now move that the House do now resolve itself into the Committee of the Whole House for immediate consideration of the Bill with the Report.

Mr D. Agbo (Enugu East I): Mr Speaker, I rise to second the Motion.

Question put and agreed to.

**PARKLANE SPECIALIST
HOSPITAL BILL NO. 3, 2003**

**(Considered In the Committee of
the Whole)**

The Chairman: Honourable Colleagues, we have to leave the Short Title, the Date of Commencement and Enactment, after we come back to them. So, we will start with the Interpretation, that is, Clause Two. Look at Clause

Two: Interpretation. Before then we have: In this law, that is the meaning of the Short title, it says: The Establishment include the Hospital, the School of Nursing and other Institutions controlled by the Board. We have amendment by the hon. Member for Udeni (*Mr Eze*). I do not know why the amendment did not go through the Committee. In line 'six' delete the word *the* before the word *Board*. The Board means the Parklane Specialist Hospital Board established by this law. In the same Clause Two, line eight, delete *the* before the Hospital. Hospital means: The Parklane Specialist Hospital established in Section Three of this law. I will read the Establishment if everybody accepts.

Clause 2: (*Interpretation*) - as amended, ordered to stand part of the Bill.

Section 3:

Mr E. Eze (Udeni): Mr Speaker, I have a question. My question is on the amendment as regards your suggestion to leave off the Short Title and Date of Enactment. If we pass Clause 3 and later come back to it, how will it look? I wish that the title is disposed off without delay.

The Chairman: The hon. Member for Udeni (*Mr Eze*) should realize that we do not go into Short Title before ever handling the other aspects of the Bill. We normally run through the entire Bill and later come back to the Short

Title, Enactment and Commencement Date. Unless you now decide that we treat the Short Title first before going through the entire Bill, fine, we go ahead and do it like that. I have no objection to that. I just want to carry everybody along in the whole exercise.

Mr A. Chigbo (Uzo-Uwani): Mr Speaker, I rise to support that you leave off the Title while you continue, after which we go back to the Short Title because the Title runs through the whole document. Let us go ahead with other headings meanwhile, and later solve the problem of the Title.

Deputy Leader: Mr Speaker. I think we should not form the habit of forgetting so soon. Just like the Bill on the Private University we treated last (*Interruptions*)

The Chairman: The amendment proposed by the hon. Member for Udenu (*Mr Eze*) appeared in all the pages of the Bill. So, if we accept that without first of all having the Short Title, by the time we finish we may have achieved nothing. For instance, they said, Short Title, "delete the words 'Park Lane' and insert 'Enugu State' wherever it is applicable, thus, 'Enugu State Specialist Hospital'."

So, I am saying that if we accept that we delete the words 'Park Lane' and insert 'Enugu State' anywhere it is applicable, and then go ahead from there.

Mr M. Onyeze (Igbo-Eze North I): Mr Chairman, Sir, I feel that we should not change the word 'Park Lane' because we are trying to make a Law, to on an Institution, and that Institution *must* have a location. We cannot make Law in the air. The Hospital must have a location to exist. Park Lane may establish branches later on with an amending Law, and that amending law we are saying must indicate the location. That is my view, Mr Chairman.

The Chairman: Honourable Colleagues, let us assume that there is nothing like Park Lane in existence. However, what this Law is now seeking is to up-grade Park Lane to Specialist Hospital. If we like its existence, we need not go about quarreling over the change of name by now.

Mr E. Odo (Igbo-Etiti East): Mr Chairman, Sir, the point is that I appreciate the corrections so far made, but it would be ridiculous in my mind if we delete the word 'Park Lane' ...

The Chairman: Order! Hon. Members, let us look at the last page of the Bill. You can see where it is said, 'The Enugu State Park Lane Specialist Hospital'. If you look at the object and reasons, it says, 'This Bill seeks to establish the Enugu State Park Lane Specialist Hospital and to provide for the Hospital facilities usually provided in similar hospitals of international repute.'

Mr Odo: Mr Chairman, Sir, I think our duty here is to point out what we think is not in line. Moreover, if we say 'Enugu State Specialist Hospital' and omit Park Lane that will take us back to the position we were in the 70s, and it will be a slight on our part to re-enact an Institution that will not have facilities available. Let us not make a mockery of ourselves. What we have to do is that if it is ... (*interruptions*). So, Mr Chairman, I want you to consider this very well before we take a decision.

Mr M. Njeze (Udi North): Mr Chairman, Sir, by what Fellow hon. Members have said and which seem to appeal to me is that the Enugu State Park Lane specialist Hospital is the hospital that this Bill is seeking to establish, what is the purpose of expunging 'Park Lane'. When we expunge the words 'Park Lane' may be in the next six months you may be asked to amend the law because we have Enugu State Park Lane in existence. When we consider these things and the consideration appeal to us we leave it as it is. So, I feel and urge you hon. Members to leave it as it is.

Leader: Mr Chairman, I want to remind the hon. Members that this Bill is not seeking to establish a new hospital but to upgrade the existing Park Lane Hospital. It is just seeking for upgrading. I see no reason why you should add Enugu State to the specialist. It is not a new Institution. I do not

support the amendment of the hon. Member for Udenu (*Mr Eze*).

Mr Eze: I am happy that we are upgrading the present Park Lane Hospital. I believe the word Enugu State is higher than Park Lane. Secondly, if you look through the Bill, you find a section of the Bill where it says that the Board will have authority to acquire other institutions. I am saying suppose the specialist hospital decides to pick Okpanku Health Centre to be part of the Specialist Hospital, are we then going to say Park Lane Specialist Hospital? But if you say Enugu State Specialist Hospital, it is more relevant.

The Chairman: One can still say Enugu State Park Lane, Specialist Hospital, Okpanku.

An hon. Member: We have ESUT faculties and centres.

The Chairman: Listen please, there are new local governments created recently. We have Aninri North, Aninri East, Aninri West, I am from Aninri North, if one says *North*, it will not make sense but the word *Aninri* is very important so *Aninri North* makes sense.

CLAUSE 3 – *as amended, ordered to stand part of the Bill*

CLAUSE 4 – ESTABLISHMENT OF THE BOARD

The Chairman: There is an amendment in line 2: insert *comma* after Hospital thus: *there is established from the Management of the Hospital, a Board of management to be known as the Park Lane Specialist Board, which shall be a body corporate with perpetual succession and common seal with power to sue and be sued in its corporate name.*

CLAUSE 4 – ESTABLISHMENT OF THE BOARD - *as amended, ordered to stand part of the Bill*

CLAUSE 5 (i) – MEMBERS OF THE BOARD

The Chairman: There is an amendment. In line one delete *Nine* and insert *Ten*, thus: *The Board shall consist of a Chairman and ten other members who shall be appointed by the Governor as follows - .* Then in clause 5(ii) in line one insert *two* thus: *two other members to represent the public.*

Deputy Speaker (Mr Atigwe): Mr Speaker, a member of the Nursing Council, is the Member going to be from this State or any part of the country?

The Chairman: It is from this State.

CLAUSE 5 (1) – MEMBERS OF THE BOARD – *as amended, ordered to stand part of the Bill*

CLAUSE 6 – CHAIRMAN TO GIVE GENERAL DIRECTION TO THE BOARD

The Chairman: There is an amendment. In line one delete C and insert I thus: subject to subsection (i) of this section if at any meeting of the Board the Chairman is absent the members present shall elect one of their members to preside at the meeting and such person shall have the powers of the Chairman for that meeting. Then 6 (4) In line three insert *comma* after meeting delete *four* and insert *five* thus: At any meeting, of the Board, the Chairman and three other members shall form a quorum. Section 6 (5) At any meeting of the Board, notice of the meeting shall be issued to members at least forty-eight hours before the said meeting.

CLAUSE 6 – *as amended, ordered to stand part of the Bill*

CLAUSE 7 – APPOINTMENT OF CHIEF MEDICAL DIRECTOR/ CHIEF EXECUTIVE OFFICER

CLAUSE 7(1) – *ordered to stand part of the Bill*

CLAUSE 7(2)(a) – *as amended, ordered to stand part of the Bill*

CLAUSE 7(2)(b&c) – *ordered to stand part of the Bill.*

CLAUSE 8 – APPOINTMENT OF SECRETARY OF THE BOARD - as amended, ordered to stand part of the Bill.

CLAUSE 9 – APPOINTMENT OF SECRETARY TO THE HOSPITAL

CLAUSE 9(1)b - as amended, ordered to stand part of the Bill.

CLAUSE 10 (APPOINTMENT OF MEDICAL ADVISORY COMMITTEE EXECUTIVE)

CLAUSE 10 (1(a), (b), 2 and 3) as amended, ordered to stand part of Bill

CLAUSE 11; (CHIEF MEDICAL DIRECTOR'S TENURE OF OFFICE) - ordered to stand part of the Bill.

CLAUSE 12: (FUNCTIONS OF THE BOARD) - ordered to stand part of the Bill.

CLAUSE 13: (POWER OF THE BOARD) - ordered to stand part of the Bill.

CLAUSE 14: (STAFF) - ordered to stand part of the Bill.

CLAUSE 15: (1(a), 2 (b), 3 and 4) - as amended, ordered to stand part of the Bill.

CLAUSE 16: (ANNUAL ESTIMATES) - as amended, ordered to stand part of the Bill.

Mr Ezeh: Mr Chairman, Sir, this Sections 17 and 18 should be read together because as in 18 "they are expected to include at the end of each financial year audited report", so, infuse 17 and 18. *The Board shall soon after the end of each financial year prepare and submit to the Governor a report in such form as the Governor may direct on the activities of the Board for the financial year and shall include in the report a copy of the audited accounts of the Board for the financial year and the Auditor's Report thereon.*

If we leave Section 17 open, by linking the Board as soon as may be possible or thereafter, then you find that even two, three years, no Auditor's Report will be sent. So, to make sure that they submit yearly Auditor's Report, it is better to fuse them, and that is the spirit of my proposal. Thank you.

CLAUSE 17 – 18: - as amended, ordered to stand part of the Bill.

CLAUSE 19 - ordered to stand part of the Bill.

CLAUSE 20 –20(a) - ordered to stand part of the Bill.

CLAUSE 20(b) - as amended, ordered to stand part of the Bill.

CLAUSE 20 (c) - (d) - ordered to stand part of the Bill.

CLAUSE 21(a) – (e) - *ordered to stand part of the Bill.*

CLAUSE 21(f) - *as amended, ordered to stand part of the Bill.*

CLAUSE 22 - *ordered to stand part of the Bill.*

CLAUSE 23 - *ordered to stand part of the Bill.*

CLAUSE 24 - *ordered to stand part of the Bill.*

Long title – *agreed to.*

Short title – *agreed to.*

Commencement date – 21st August, 2003 – *agreed to.*

Citation – *agreed to.*

(Mr Speaker resumed the Chair)

Leader: (*Mr Ebenyi*): Mr Speaker, Sir, Colleagues, having gone through with the Committee of the Whole House and all the necessary amendments made, may I now move that the Enugu State Park Lane Specialist Hospital Bill No. 3, 2003, as amended, be now read the Third time.

Bill reported out of Committee with amendments, read the Third time and passed.

Mr Speaker: Honourable Colleagues, the Enugu State Park Lane Specialist Hospital Bill has been read the Third time, and going by the rules of this House, the Bill has now been passed. I wish to express my happiness, especially to the Committee for the efforts, courage and commitment. It and was last week that this Bill was sent to them, the manner and effort are very impressive. Please, any Committee that a bill is sent to should try as much as possible to emulate them.

I wish to thank other Members for contributing immensely during the debate on this Bill. I will like to thank the Clerks-at-Table and the Verbatim Reporters for their efforts during the passage of this Bill. I wish to thank the gentlemen of the press for the way and manner they have been reporting the affairs of this House. I say to God be the glory. Thank you and God bless.

Honourable Colleagues, I wish to bring to your notice that the Order Paper is over loaded. We cannot take it at a stretch. Let us take a break for about thirty minutes.

Leader: In line with what the Speaker has said, may I move that the House takes a recess and returns by 2 p.m. Thank you.

Mrs C. Ene (Udi South) I beg to second the Motion.

Question put and agreed to.

Sitting suspended at 1.22 pm.

Sitting resumed at 2:13 pm.

Leader: Mr Speaker, Sir, hon. Colleagues, the House after accepting the message from His Excellency, suspended conducting the interview of the Commissioner-Designate. Now that we have reconvened, may I move that the House resolves itself into the Committee of the Whole House for the consideration of the confirmation of the Commissioner-Designate. Thank you.

Mr A. Chigbo (Uzo-Uwani): Mr Speaker, Sir, hon. Colleagues, I rise to second the Motion moved by the Leader. Thank you.

Question put and agreed to.

**INTERVIEW OF
COMMISSIONER-DESIGNATE
(Mr Ike)**

**(In the Committee of the Whole
House)**

The Chairman: Honourable Colleagues, you are aware of the message, this morning, from His Excellency, the Executive Governor of Enugu State, Dr. Chimaroke Nnamani, asking the honourable House to consider one of the nominees who was appointed, as Commissioner-Designate in Enugu State Government. One the

development, the Commissioner-Designate was invited and he has already submitted his curriculum vitae to this House. And I hereby call the Sergeant-at-Arms to lead the Commissioner-Designate into the Chamber for the interview.

Thereupon the Commissioner Designate was conducted into the Chamber.

The Chairman: Honourable Colleagues, the Commissioner nominee is before the House. I have no doubt that every Member has come in with his own questions as it concerns the interview before us. So, if that is the case, I wish to invite Members to throw their questions to the Commissioner-Designate. Thank you.

Mr E. Maduabu (Awgu South): Mr Chairman, Sir, Mr Ike, you look so bright. This shows that you are equal to the task. But in your resume, you did not include your place of birth, and it did not indicate whether you are a Nigerian or a Foreigner; and no Local Government Area. Please, could you tell us why you did not include or put in these things. Again, from your Resume, it seems that you worked in a public institution, and also that you are a Consultant. What do you gain as a politician? Instead of staying in the institution of higher learning, you prefer coming down to become a Commissioner? What do you have to say about it? Thank you.

(Commissioner-Designate (Mr Ike): Mr Chairman, Sir, Distinguished hon. Members, to answer the first question, I am sorry that I did not include my vital documents, it is really an oversight. I am a citizen of Nigeria, and from Nsukka Local Government Area. *(Laughter)* And to attend to the second question, I have many years experience, and I think it is high time I applied the knowledge and the experience to help the good people of Enugu State. And I also have experience in a Marketing Company as Private Director of the Company. And also I have experience as a doctorate researcher and in practical business. I think I have answered the questions you asked.

Mr E. Odo (Igbo-Etiti East): Mr Chairman, Sir, I want to put a little question to the Commissioner-Designate. Having seen the particulars of your qualification, as itemized in your Resume, I want you to assist us on how an ordinary man could assume the whole offices, considering the fact that there is no single annexure as per all your claims? Secondly, your Resume showed that you are running a programme in one of the African Universities in South Africa, and you are now trying to assume a very serious task to become a Commissioner. So how do you handle these? Are you doing part-time or full-time programme? Could you throw more light on these two questions so that we can know the basis and start somewhere. Thank you.

Mr Ikeh: With due respect to the hon. House, Sir, I was not informed to bring my certificate or copies of my credentials. And I promise that it will be made available if the House requests it. To attend to the second question, the Programme is a Research Programme. So my studies are here in Nigeria. Even though, the certificate is meant to be awarded in South Africa. Also, it is a programme that I can fix anytime I like, so that after I finish my research, the certificate should be awarded. So it may be studied at anytime I can adjust it, and at anytime I want to continue it. But the demand of State should be fulfilled first. Thank you.

Mr E. Eze (Udenu): Mr Ike who is representing you. Please what Constituency do you come from?

Mr Ikeh: Mr Chairman, Sir, for a long time, I have not been involved in any State matter and this for this while ... *(interruptions)*

The Chairman: Mr Ike, are you telling us that you do not know your Constituency and the person that is representing you here in the House?

Commissioner Designate: Sir, my Constituency is Nsukka East. ...

Mr M. Onyeze (Igbo-Eze North I): Mr Ike, based on your response, don't you feel that you will serve the State better as a Consultant? Because, as a Commissioner, you will be attending to

people from the various parts of the State, and you know that they will be having problems. Since you do not even know your own people, how do you serve the entire people? I feel you should have chosen to serve the State as a Consultant? Don't you feel you will serve better there?

Mr Ikeh: Mr Chairman, Sir, serving as a Commissioner has a recognition in all parts of Nigeria, and I do not say that I do not know my people, I know my people and I know my rulers very well. *(Prolonged Laughter)*

Mr Onyeze: Mr Ike, you did not answer my question at all.

The Chairman: Mr Ike, why is it that you cannot go on with your profession, instead of going to take up appointment as a Commissioner, because those people you are going to deal with, you do not even know them.

Mr Ikeh: Mr Chairman, Sir, I think there will be enough time to know the person representing me ... *(Prolonged Interruptions)*.

The Chairman: Honourable Colleagues, please, just take it easy.

Deputy Leader: Mr Chairman, Sir, what we have here is a Resume of work, but what the House needed is Curriculum Vitae. Resume is the summary, so Resume of what are you presenting?

Mr Ikeh: A Resume of my personal work, that is my Curriculum Vitae (C.V) *(Laughter)*

The Chairman: Mr Ike, what the House normally requires and is always presented before this House is C.V. and not the summary of what you have here.

...

Deputy Leader: Mr Speaker, if this man standing before us is presenting a resume of his political diary, he should write it. You cannot say you are writing a resume, a resume of what? Of political term of a political leader. If you are writing it, do so that we will be able to know that we are treating a resume or curriculum vitae.

The Chairman: With due respect, Deputy Leader has asked his question. Besides, I do not expect such question from him. So, the Commissioner-designate, Mr Ike, you said that with time you will get to know the person representing you in this House. Your Local Government you do not even know. Also, I am aware you do not even know the name of the Deputy Governor of Enugu State. Do you know the name of the Governor of Enugu State.

Mr Ogbonna Ike: Mr Chairman, the name of the Governor of Enugu State is Dr Chimaroke Nnamani and his Deputy is Mr Okechukwu Itanyi.

The Chairman: Mr Ike what they asked you is the full name of the Deputy Governor of Enugu State.

Mr Ike: In due time, in future, I will be familiar with their names.

The Chairman: Mr Ike, do you mean you do not know?

Mr Ike: I do not know it in the normal way.

Deputy Speaker: Thank you, Mr Chairman, the gentleman before us is an expert in his own field which is Community of Human Resources, and His Excellency has taught us all that democracy in third world is poverty eradication.

Several hon. Members: Point of Order! (*Interruptions*).

The Chairman: Order! The hon. Deputy Speaker is lobbying. This is the first time we are screening a Commissioner and clearing him the same day. We know what we are doing. Nobody is trying to indict this man. What we are doing is the proper thing by asking this young man the basic questions (*Interruptions*).

Mr C. Ugwu (Enugu East II): Mr Chairman, Sir. The Commissioner designate, since you are going to work as a Commissioner in Enugu State and you know a Commissioner's functions covers the entire State and the Local

Governments. Please do you know how many Local Governments we have in Enugu State and the Senatorial Zones (*Laughter*)

The Chairman: Please let us not belittle ourselves. I am not speaking for him, but I am aware that the young man is talented. The area you are asking him question is not the area he knows very well. And I am sure he has not been around Enugu here. So, let us ask him questions relating to what we are doing. I expect members to ask him reasonable questions. It is not necessary to ask him how many Local Government Areas we have in Enugu State which has nothing to do with the position he is going to occupy, please.

Mr M. Njeze (Udi North): My brother, Ogbonna Ike, from your resume you majored in Business Administration and one of your publications is on making the subject more effective. Which Ministry do you think if you are attached, you will best pursue the policy of community of human Resources to solve the problems of the Government of Enugu State?

Mr Ike: If I work in the Ministry of Human Development which has a lot of work to do with the people at the grassroot, it will be a very good opportunity to ensure that Government is bent to see that development is not concentrated in one particular area. Working with people at the grassroots

will show people what the Government has in its agenda for their interest.

The Chairman: You see, this question is very important. The hon. Member for Udi North (*Mr Njeze*) from what Mr Ike answered, now we can see that he has the area he can do well.

Mr A. Chigbo (Uzo-Uwani): Mr Chairman, it was on eight o' clock news I heard on the radio that our amiable Governor has sent a name, one Mr Ogbonna Ike, to the House of Assembly for clearance and the Governor was telling the world that his intention was to create a Ministry of Human Management and Poverty Alleviation. Based on this, Mr Chairman I move that Mr Ike should take a bow and leave the Chambers.

Mr F. Onah (Nsukka West): Mr Chairman, I humbly wish to second that Mr Ogbonna Ike takes a bow and leaves the Chamber.

Question put and to.

Mr Ogbonna Ike, the Commissioner designate, accordingly took a bow and left the Chamber.

(Mr Speaker resumed the Chair)

Mr Speaker: Honourable Members, the interview has been conducted and concluded, and the man has demonstrated his ability convincingly by answering some of the questions

posed before him. May I now have your general comments. Thank you.

Mr E. U. Ezeh (Udenu): Mr Speaker, Sir, I want to say that the young man, to my understanding, is naturally brilliant. He is young, and, looking at him, I think he has some element of brilliance. I recall vividly that it is like father like son. His father was one time Accountant-General of this State. He served the State meritoriously, and, therefore, for this reason and other reasons, which you know, I am calling on my Fellow hon. Members to support his confirmation as a Commissioner in this State. Thank you.

Leader: Mr Speaker, Sir, with due respect, I am appealing to Fellow hon. Members, with special appeal, to confirm this youngman's appointment. From the way he answered questions here you can believe that he is a very intelligent person and many of us know that the Ministry he is going to manage is a special Ministry. It is not every dick and harry that can go there because it is a special Ministry. It is not everybody that can go there as a Commissioner that can perform.

I think this is the first time we are having a Ministry of Human Development and Poverty Eradication and it requires an expert. This man is an expert, he has traveled all over the world making research on human

development for people who are establishing here locally.

Very unfortunately, he has not been here, and this time around what we are looking for is a technocrat. We are not talking of parties now, we need an expert. We, the party members have done our job. We know our people, they know us. Now that we have been given their mandate we did not put ourselves first to over-ride our decision, and that was why His Excellency went and brought this man so that he can perform as required.

So, I am appealing to hon. Members here and you Mr Speaker, to please confirm this man's appointment as Commissioner in Enugu State. The young people are going to benefit immensely from his wealth of experience. Thank you.

Mr M. O. Onyeze (Igbo-Eze North I): Mr Speaker, Sir, the Government in which we are and in which the Commissioner-Designate is going to serve, if confirmed, has a programme. If you look at the way Federal Ministers were appointed, a lady was pulled out from the World Bank to serve as Federal Minister of Finance. So, it is not unusual to bring in an expert to serve when Government has a specific programme to execute for the people. So, I think that the youngman who has just been interviewed is going to work hard with the people he is going to meet.

So, I plead with the hon. Members to consider him on merit, considering his age and the level he has reached as an expert. He is going to do his best for the State. Thank you.

Mr M. Njeze (Udi North): Mr Speaker, Sir, the 32-year youngman has just been interviewed for the post of Commissioner. From the answers to the questions put across to him, I find him to be qualified in his field of experience, and since we know the Ministry he is being proposed for, we have seen that he is actually qualified for that Ministry. The question for us is, do we want that Ministry to actually function very well? And I know that the answer is yes, all of us want it. Therefore, I wish to plead to the House that we approve the appointment of Mr Ogbonna Ike as Commissioner in Enugu State, and I now move that the Question be put.

Question, That the Question be now put, put and agreed to.

Main Question put and agreed to.

Resolved: That this honourable House today 21st August, 2003 confirms the appointment of Mr Ogbonna Ike as Commissioner in Enugu State Government.

**REPORT FROM THE
COMMITTEE ON PETROLEUM
RESOURCES AND
ENVIRONMENTAL MANAGEMENT**

**Chairman Committee on
Petroleum Resources and
Environmental Management (Mr
Obidinma):** Mr Speaker, Sir, before giving the Report, I will first of all highlight to this House the reason for not giving them this Report as expected last Tuesday. Some of us already know the reason.

On Saturday, the Committee actually left to the area and when we got to the area we could not believe ourselves. We met with the town union President-General and they pleaded with the House, through the Committee, to reschedule the visit because they were not ready to receive us. The Committee gave some considerations and agreed to the plea made by the President-General.

So, on Monday we went back, but due to bad road we encountered a lot of problems. Rainfall in the area made flood to cover the roads. For that we could not come back on time. That was the reason why the Report was not presented on Tuesday.

Hon. Speaker, hon. Members, after a resolution passed on the Floor of the House on Thursday 14th August, 2003, about gas pollution in Okpanku as contained in a Motion moved by hon. Maduabu Emmanuel, the Committee, as

directed, visited the affected areas on Monday 18th August, 2003. The committee met with many difficulties. It so rained heavily that flood covered some parts of the road and some bridges, like Ivo Bridge, were unpassable. The Ivo Bridge was in dilapidated condition and made movement difficult, and all these problems delayed the journey of the committee.

The committee eventually arrived Aninri East Local Government at 12.15 pm. and was received by the Transitional Committee Chairman, Hon. Obinna Achi, in his office. After formal introduction by the Committee members, the Transitional Chairman, together with the members of the Committee, went down to Ekoli where the Igwe, Professor S.U. Ukpabi, Igwe Reginald Aja Chukwu (JP) of Okpanku, Igwe Matthias Ekweremadu of Mpu, Hon. Engineer Jonathan Ivoke and their subjects were waiting for us. We were received by the three traditional rulers, their cabinet members and members of their communities. The Igwe of Ekoli, Professor S.U. Ukpabi, while addressing the committee, told us that the gas pollution affected Mpu, Ekoli and Okpanku Communities. He informed the committee that the effect of the gas damage on their crops would last for years.

We were taken to the affected Ivo River and the farmlands and we saw how their crops, like rice, yams,

potatoes, melon, cassava, maize, groundnuts, etc. were destroyed by the gas pollution. Dead fishes were seen floating on the river. We also saw some of the community members that had contact with the water and the skin injuries inflicted on them by the polluted water.

A rice farmer at Okpanku in narrating his ordeal, informed the members that all his crops were destroyed by the gas pollution. Another farmer at Ekoli equally narrated how her cassava farmland was destroyed by the gas leakage.

FINDINGS:

1. The Committee was able to find out that three communities, namely, Okpanku, Ekoli and Mpu were affected by the gas pollution.
2. The Committee noticed equally that Ivo River is the only source of water supply to the affected communities,
3. The State of Ivo bridge is in a very bad condition.
4. We equally saw that dead fishes were floating on Ivo River.
5. The Committee saw how their agricultural products, like rice, cassava, yams, maize, potatoes, melon, groundnuts, etc. were destroyed by the gas leakage.

6. Leaves of both perennial and annual crops were seen looking yellowish and translucent thereby evidencing contact with oil.

RECOMMENDATIONS:

After careful observation of facts on hand by the members, the Committee came up with the following recommendations:

1. That the State Government should, as a matter of sympathy, urge NNPC to compensate the affected farmers in the three communities, namely Okpanku, Ekoli and Mpu.
2. Urgent attention should be given to Ivo Bridge, if, possible new one be erected.
3. Local Vigilante should be encouraged by everybody and problems reported as soon as discovered.

Thanks. Signed hon. Anichukwu John Member, Hon. (Mrs) Chika Eneh, Member, Hon. Agbo Dennis, Member, Hon. (Chief) Paul Anikwe Member, Hon. Emmanuel Maduabu, Member and finally Hon. Obidinma Johnny, Chairman, House Committee on Petroleum Resources and Environmental Management.

Leader: Mr Speaker, Sir, may I move that the Report just presented by the Chairman on Petroleum Resources

and Environmental Management, be accepted for consideration.

Mr D. Ani (Enugu South I): I stand to second the Motion.

Question put and agreed to.

Report accordingly accepted for consideration

Mr E. U. Eze (Udenu): Mr Speaker, Sir, let me commend the Committee for the efforts put in making this Report a possibility. However, Mr Speaker, I think I have a different view on their recommendations. In line No. 1, you see, we are dealing with gas and oil pollution, and to the best of my knowledge, the NNPC is the owner of the gas and oil. I do not see how the damage occasioned by their product will be paid for by the State Government. ...

Mr Speaker: No, the Reports says that the State Government should, as a matter of sympathy, urge NNPC to compensate the affected communities.

Mr Eze: The first time this Motion came up, I was insisting that we should provide for a resolution asking for valuation and payment of compensation. Many a times, the communities whose crops are destroyed in this manner are paid paltry or small sums of money, that is the reason why I was insisting for a professional valuer to evaluate the damages caused by this

pollution. Let us come up with a new resolution. We should recommend that immediate compensation should be paid for the damages done. I am insisting that we have to come up with a Motion, additional, that those damages should be evaluated by a professional valuer and adequate compensation paid.

Mr Speaker: I remember that the hon. Member for Udenu (*Mr Eze*) raised this issue last time, but then I looked at it as premature. Actually, nobody knew the extent of the damage, but now we can talk about the new resolution. I still believe that it is correct.

Mr M. Njeze (Udi North): Mr Speaker, Sir, I have gone through this Report and I wish to commend the Committee for a good job, but at the same time, they were a bit evasive ...

Mr Speaker: There is a Motion moved by the hon. Member for Udenu (*Mr Eze*) that a new prayer should come up

Mr Njeze: Yes, the Committee did not tell us whether the pipe is still leaking. I believe that from this Report, item one of this recommendation is talking about compensation as proposed by the hon. Member for Udenu (*Mr Eze*). I wish to support that proposal with a little amendment. The little amendment is that the Enugu State Government should, as a matter of sympathy, compensate the affected communities. We now have a second

plea, we now talk about NNPC, that an appeal be made to the NNPC for a humanitarian relief to the affected communities. Unless there is a law making it compulsory we should carry on with the proposal made by the hon. Member for Udenu (*Mr Eze*) that a professional valuer be invited to evaluate the damages and NNPC be asked to pay such compensation. Thank you, Mr Speaker.

Deputy Leader: Information, Mr. Speaker, Sir, hon. Colleagues, the information I want to give is that when a Member of a Committee is appointed to do the job. ... (*Prolonged Interruptions*)

Mr Speaker: Honourable Members, excuse me. With due respect, I am aware that, at a stage, the Deputy Leader is not a member of this committee. ... (*Prolonged Interruptions*)

Leader: Mr Speaker, Sir, hon. Colleagues, I rise to move that we suspend debate on the Report from the Committee on Petroleum Resources and Environmental Management to allow the Committee Members and Chairman to do a thorough work and submit to the House. Thank you.

Mr Eze: Mr Speaker, Sir, I rise to second the Motion. Thank you.

Question put and agreed to.

Deputy Leader: Mr Speaker, Sir, you recall that last week, I came up with a Motion of Urgent Public Importance in respect of Cattle Menace in Enugu State. However, the House could not proceed on that. In view of that, and as I am standing here, Mr Speaker, Sir, may I request this honourable House to suspend Order No. 25 of the Rules to enable me move that Motion. Thank you.

Mr Anih: Mr Speaker, Sir, I rise to second the Motion moved by the Deputy Leader.

Question put and agreed to.

MATTER OF URGENT PUBLIC IMPORTANCE CATTLE MENACE IN ENUGU STATE

Deputy Leader: Mr Speaker, Sir, it is a known fact that cattle menace has taken a dangerous dimension in Enugu State, more so, during this farming season. For example the destructions of the cultivated farm lands/crops in greater Ezeagu, Udi and Enugu South Local Government Area calls for an attention by this honourable House. In view of this menace by cattle and herdsmen, and taking cognizance of Edict No 15 of 1972, as amended, and Edict No. 21 of 1986, as amended, I make the following prayers:

1. That Cattle Control Posts at Amalla and Eha-Amufu be re-opened and other ones to be

created, by Enugu State Government.

2. That trade Cattle are to be taken to the Cattle Control posts.
3. That any person who is the owner, the agent of the owner or who is in charge of any trade Cattle entering the State who fails to take such trade Cattle to the appropriate Cattle Control Posts shall be punished in accordance with this Edict No. 21 of 1986.
4. That the House Committee on Agriculture should invite the leadership of these herdsmen to pass on these instructions.

It is in the light of the above that I urge this honourable House to give this Motion its due attention and pass it. Be it moved and it is hereby moved.

Deputy Leader,
(Mr P. Anikwe)

Co-sponsor:-
Mr D. Anih
(Enugu South I)

Mr Speaker: Does the hon. Deputy Leader have the Edict which he is citing. Can he read the Edict of 1976 for us to hear.

Deputy Leader: The Edict says "any defaulter shall pay five thousand naira, two years imprisonment or both". That is what the Edict said in the third prayer.

Mr Speaker: If it is possible, let that Edict be amended because five thousand naira is too small now. So, let us have members contributions.

Mr Ani: Honourable Speaker, Sir. I stand to second the Motion. I will give two reasons for this very Motion. If you look at cattle menace within the rural areas, it is getting too much. Destruction of crops and other cash crops in the rural areas, like now I am representing my own Constituency, I am urging the hon. Members. ... *(Interruption)*.

Mr Speaker: Let me ask a question. A Motion and a Bill which one has more weight than the other? And a law has more weight than Edict?

Deputy Speaker: *(Mr Atigwe):* A Bill has more weight, and a Law has more weight than an Edict.

Mr Speaker: Now in prayer three, what are we going to do here? Are we going to cite it as part of the law?

Deputy Leader: Thank you, Mr Speaker. If you watch the prayer, that time, a Motion cannot come up where there is an existing law. Instead that Motion can re-awake the existing law.

Mr Speaker: The hon. Member for Enugu South I (*Mr Ani*) can go on.

Mr Ani: Mr Speaker, I hope you are listening? I am urging my co-hon. Members to help pass this very Motion with these few points of mine. Thank you.

J. N. Anichukwu (Nkanu East): Thank you, Mr Speaker. There is a question you asked and the explanation to it was not very clear to me. The question cited two Edicts, Edict No. 50 of 1972 and the copy was not attached. There was another Edict No. 21 of 1986. You see, this is a very serious matter and we should really take it serious, and we do not know exactly the date it came because it is more legally involved than an ordinary Motion. If the Sponsor of this Motion can attach any of these documents, that will go a long way in solving the problem of this confusion, because it concerns law. It is not a matter that can be handled like that.

Deputy Leader: Mr Speaker, the explanation is very clear. When you are making a Motion you are making a prayer in the House ... (*Interruptions*).

Mr Speaker: I did say that this Motion requires attachment of the Edict mentioned. And I am advising the hon. Deputy Leader that if he can attach a copy of that Edict he mentioned, then we can see the details.

Deputy Leader: If Mr Speaker watched what I said before, on what the Edict provided for, and taking cognizance of it, what I am saying is that no Motion is allowed to go contrary to an existing law. It does not mean that it must carry the whole lot at the time. That is what I am saying, Mr Speaker.

Mr Speaker: Is the hon. Member for Nkanu East (*Mr Anichukwu*) satisfied with the explanation?

Mr Anichukwu: Thank you, Mr Speaker. Just if we should go by this prayer which says that Cattle Control Posts at Amalla and Eha Amufu. I have not seen a situation where there is not enough control posts and we ask that the one we have be closed. Suppose it is not reopened, what do we do? Do we now go back and put up a Motion urging the Executive ... (*interruption*).

Mr Speaker: Order! I agree with the hon. Member for Nkanu East (*Mr Anichukwu*). You see, in 1999 about second week of June, I to stayed here moved a Motion on the Floor of this House urging the House to urge the Executive to liaise with the 82 Division Nigeria Army to dismantle the 82 Division gates, because you recall that before the decision of the House, those gates were closed at 8p.m. everyday leading to the suffering of people. We ensured that the Motion was in the interest of the House and it was carried. We urged the Executive to liaise with the 82 Division and at the end, those

gates were dismantled and nothing happened.

So, I just wanted to react to the question you asked, 'if the control posts were not reopened what do we do?' If we urge them to reopen them and they do or do not, fine, but it cannot prevent you from doing your own job. Thank you.

Mr E. Odo (Igbo-Etiti East): Mr Speaker, Sir, I do not want to go back on what has been or what should not be. We have all seen the prayers and if by the grace of God the prayers go through, it is not for us to implement. Moreover, there is enough reaction, ordinarily we are law makers, I do not expect people to come here with a catalogue of complaints. *(Interruptions).*

Deputy Leader: Mr Speaker, there is no need. ...

Mr Speaker: Order! We go by our rules. Even if you cite a newspaper, if our action is going to be based on any publication, you cut that page and bring it and we peruse it. There is nothing wrong if you have photocopied that particular portion of the Edict and attached it. So, you do not tell us that there is no need. There is every need, if you have any reference to make, you bring that document. If you want to cite a portion of the Constitution you bring that portion and we read it.

So, you have to comply with what the House is saying. We go by the Rules of the House. For instance, if you cite Order No. 17, we go there and know what it is saying. So, do not tell us that there is no need because there is every need. Unless we want to overlook it, fine, and good. I have seen the need that apart from that particular prayer where you made mention of Edict 21, to me I have nothing to quarrel about the prayers, nothing at all. Whatever decision we come up with will be okay. Thank you.

Mr E. U. Ezeh (Udenu): Point of information. Mr Speaker, Sir, may I remind ourselves that when the Speaker is speaking from the Seat every other person has to sit down. Thank you.

Mr Speaker: Yes, please.

Mr Odo: Thank you, Mr Speaker, I honestly appreciate your corrections, but that notwithstanding, I think it is better for us to look at the intent of the Motion and all that is involved, and the form because the form as we know has been corrected.

Mr Speaker: Order! The hon. Member for Igbo-Etiti East (*Mr Odo*) may take his seat. Let me inform him that if I were him, what I should do is to tell us why we should go on with the Motion and not to tell us how to do certain things, it is not proper. I am going to over-rule it, you can go ahead and speak in favour of the Motion. I

would not want the Motion to go beyond today, I want it to go through today. I do not want a situation where we will ask that it be brought back again.

Mr Odo: Mr Speaker, you see it is not all about giving the opportunity for the Motion to go through. It is all about looking at the intent of the Motion. The intent of the Motion, of course, is what I wish the Mover to note, that having seen what the dangers of cattle menace in Enugu State are, it affects all of us, and I am sure that quite a good number of us come from the villages where our fathers and mothers and quite many of them are farmers. Even if they are not, they do engage somebody who at the end of the day suffer the same fate. I am of the opinion that such a sensitive issue is not an issue that will be stepped down because of modality. That was why I said that. ... (*Interruptions*).

Mr Speaker: Order! I think the hon. Members for Igbo-Etiti East (*Mr Odo*), is a lawyer. As a lawyer, what if he went to court and he is quoted out of context. Is he not going to tell the court that he is going to locate what the other lawyer, without making reference to sections, came up with. Even if somebody is a thief and you want to defend him and you are quoted out of context you cannot fail to do something. We are not quarreling with whether what he quoted is correct or not. The hon. Deputy Leader is supposed to make a copy of the Edict he quoted available or even

make an extract which will help us know what we are doing. That Edict would have helped us take a smooth resolution on his Motion.

Mr Odo: Mr speaker, Sir, thank you very much. I think we have been applying what you are saying. What I am now suggesting personally is that if prayer 3 appears to be vague, then the House will recast it and then go on with those other prayers pending when we see that Law. But then even if we are not going to pass the other prayers without raising an annexure of the respective Edict we are talking about, then it cannot jeopardize what we are doing here. Mr Speaker, I wish to sincerely put forward that for describing me thus: "I think you are a Lawyer", it undermines my person a little bit. ...

Mr Speaker: Before the hon. Member for Igbo-Etiti East (*Mr Odo*) gets me wrong, I am not trying to indict him at all. I am just trying to say that, as a lawyer and in court, if he wants to bring up an argument based on an existing law, he must, first of all, bring it in line with that law.

Mr Odo: Mr Speaker, Sir, I do not want to join issues with you. If it is in court, the court will then say furnish me in my Chamber before I take my decision.

So, please my position is that we ignore prayer 3 and take a decision, so that by the end of this week he must

have furnished us with the law so that we can get at the end of this issue.

Deputy Speaker: Mr Speaker, Sir, I foresee this Motion standing on a broken tripod. I pray that this Motion be suspended. The problem is the pastoral routes. Let us put the prayer this way "That this honourable House condemns the menace of cattles in the afore-mentioned Local Government Areas, and pray the authorities concerned to take immediate action. If we stop here it is okay. Thank you, Mr Speaker.

Leader: I have risen to support the Motion moved by the hon. Deputy Speaker. We only condemn the menace of cattle in Enugu State. Prayers one and two were just intent of the Motion. The essence of control post is just for animals that can be confined in a place. The Fulanis do not live in houses but in the bush. We are saying that prayers one and two should be removed and just condemn the menace of cattle in Enugu State.

Deputy Leader: Thank you, Mr Speaker. I believe actually that the essence of this Motion is that everybody is affected in one way or the other. The clarification I want to make is that there is no way one can make total condemnation without citing a law. The law has been cited here as a reference point for this Motion. It does not mean that the law must be attached. On the issue of control post, it does not mean

that all the cattles coming into Enugu State must be checked, it is on local government basis.

Mr Speaker: I do not know much about cattle routes.

Deputy Leader: Well, Mr Speaker, with that Edict cited, by the time you go through it, you will see the details about taxation as it appeared in the relevant sections of this Edict to the Motion. We cannot condemn cattle menace only.

Mr Speaker: Let us make progress, time is no longer on our hands. If we have exhausted ourselves, let us conclude. Let me make one thing very clear. Anybody who wants to make a reference must attach it. I remember during the other House of Assembly, the former hon. Member for Enugu South Rural (*Mr Agwu*), when he comes into the Chamber, he comes with a lot of books, even the Bible for reference purposes. Legislators move like lawyers who go to the Chambers. Members should do research because somebody may ask you to quote, you just stand up and read the relevant sections before the Members.

We are saying this just for future purposes. If you have anything to present to the House, you do it properly. Assuming you said that the law says that all the cattle should be killed, we should be sure by seeing it, so that we know what we are talking about. Well let me put the Question.

Honourable Colleagues, I have another prayer which says that Enugu State House of Assembly hereby condemns in its entirety the menace being done by cattle to the farmlands and crops in Enugu State, and the House of Assembly Committee on Agriculture should see the herdsmen and dialogue with them. These are prayers proposed by the Deputy Speaker and Leader of the House. What do we do. Let us go to prayer 4. The House Committee on Agriculture should invite the leadership of the herdsmen to pass these instructions. What I am saying is that No. 2 of new proposed amendment is the same as that of No. 4.

Mr M. Onyeze (Igbo-Eze North I): The intent of this Motion is to control the menace of cattle in the State as directed by the Deputy Speaker and Leader of the House. I think that is the subject of this Motion. Also call on the House Committee on Agriculture to invite these herdsmen and caution them, instead of going through the law not seen. The problem is cattle menace, we condemn it, and the Committee on Agriculture will dialogue with them, that is the much we can do with regards to this Motion.

Mr Speaker: Another person is suggesting that the Committee on Agriculture should go into enlightenment.

Deputy Speaker: Are we taking over from the Executive?

Mr C. Ugwu (Enugu North II): Mr Speaker, Sir, based on what the Deputy Speaker (*Mr Atigwe*) and the Leader (*Mr Ebenyi*) said; it has taken care of Nos. 1 to 3. I now move that the Question be put. Thank you.

Question, That the Question be now put, put and agreed to.

Main Question put and the House divided by Roll Call

PRAYER 1

That Cattle Control Posts at Amalla and Eha-Amufu be –reopened and other ones to be created.

Roll Call	Votes Cast	Noes	Yes	Not Voting	Absent
	19	10	8	1	3

Question accordingly negated.

Deputy Leader: Mr Speaker, Sir, how can people say that the Cattle Control Posts should not be re-opened and other ones be created?

Mr Speaker: Deputy Leader, excuse me, for Christ sake, the way and manner people react and reason at times is unfair. Deputy Leader, is it because you have four prayers and one is rejected that made you to get annoyed? This is not good. ...

Mr M. Njeze: Mr Speaker, Sir, the information I want to give is that, prayer one is not rejected. The Cattle Control

post was not closed. It is there already. Thank you.

An hon. Member: Mr Speaker, Cattle Control Posts are there. Therefore, there is no need to include it in the prayers. It does not show maturity, rather it is repetition. Thank you

Mr Speaker: Is the Deputy Leader hearing it now? It is not closed. In fact, my responsibility to this honourable House is to guide people on the point of Law. People should be reasoning properly instead of having a biased mind to one another. Thank you. Please listen to the second prayer.

PRAYER 2

That the Trade Cattle to be taken to Cattle Control Posts.

Question put and negatived.

PRAYERS 3

That any person who is the owner, the agent of the owner or who is in-charge of any trade Cattle entering the State who fails to take such trade Cattle to the appropriate Cattle Control posts shall be punished in accordance with this Edict No. 21 of 1986.

Question put and negatived.

PRAYER 4

That the House Committee on Agriculture should invite the

Leadership of these herdsmen to pass on these instructions.

PRAYER 5

That Enugu State House of Assembly today 21st, August 2003 hereby condemn in its entirety the menace being done to the farmers and crops in Enugu State.

Question put and agreed to.

PRAYER 6

Question put and agreed to.

ANNOUNCEMENT

Mr Speaker: There will be a brief meeting which will last for about three minutes by all the Members on the rising of the House. The House has confirmed the appointment of Mr Ogbonna Ike as a Commissioner of Enugu State Government.

APPRECIATION

Mr Speaker: Please, before adjournment, I wish to express my happiness to all of you, the Clerk-at-Table, the Official Reporters and the Gentlemen of the Press. You see, when people talk about debate, debate can go this way or that way. May be, one has about ten prayers and out of those ten prayers one of them was dropped. It does not mean that the Motion belongs to the person who moved it. I am not happy about how some people react on this. I am not happy about it.

However, I wish to thank you for your comportment, your level of debate, it is so encouraging. It shows we are getting matured. This is the very first time we stayed very long period like this. This shows high spirit to work. With this, I wish you more grease to your elbows. Thank you.

ADJOURNMENT

Leader: Mr Speaker, I move that the House do now adjourn till Tuesday 26th August, 2003 at 10 a.m.

Mr M. Onyeze (Igbo-Eze North): Mr Speaker, Sir, in seconding the Motion for adjournment I wish to thank the Speaker and his team for making it possible for us to come to this stage. Without such effort this place would still be in darkness. You have given us the empowerment to work. Those of us who have been working in the Committee have complained about the state of the place we are working. So, I wish to urge you to look into other facilities like in rooms 223, 224 and 225 that are commonly used by all of us. If you can look into the problems of these rooms, it will be appreciated. Thank you.

Mr J. Obidinma (Oji River): Thank you, Mr Speaker. In supporting the Motion for adjournment, this issue of suspension of Rule 25, I want to observe that (*Interruptions*).

Mr F. Onah (Nsukka West): Mr Speaker, I stand to support the Motion for adjournment. I wish to thank the hon. Members for the confirmation of my brother, Mr Ogbonna Ike as a Commissioner in Enugu State.

Question put and agreed to.

Resolved: That the House do now adjourn until Tuesday, 26th August, 2003 at 10 a.m.

Accordingly adjourned at 4.15 p.m.



**ENUGU STATE OF NIGERIA
PROCEEDINGS
AND DEBATES OF THE
FIRST SESSION OF THE
THIRD ASSEMBLY**

ENUGU STATE HOUSE OF ASSEMBLY

OFFICIAL REPORT

No. 20

**Tuesday
26th August, 2003**

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No proofs of the Daily Reports can be supplied. Corrections which Members suggest for the Bound Volume should be clearly marked in the Daily Report, but not telephoned and the copy containing the corrections must be received at the Editor's Room, House of Assembly

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HOUSE OF ASSEMBLY
ENUGU STATE OF NIGERIA

Tuesday, 26th August, 2003

(The House met at 10 a.m.)

PRAYERS

(Mr Speaker in the Chair)

APPROVAL OF VOTES AND
PROCEEDINGS

Mr Speaker: Honourable Colleagues, our Votes and Proceedings No. 19 of Thursday 21st August, 2003 are before the House. I have gone through them and to the best of my knowledge they are the true reflection of what transpired on the Floor of the House on 21st August, 2003. However, in keeping with our procedure, I wish to call for your comments. Thank you

Mrs C. Eneh (Udi South): Mr Speaker, Sir, I have equally gone through the Votes and Proceedings and found them to be correct. I, therefore, move for their adoption.

Mr F. Onah (Nsukka West): Udi South: Mr Speaker, Sir, I stand to second that Motion and at the same time Mr Speaker, permit me to go to page.

Mr Speaker: Order! The hon. Member for Nsukka West (*Mr Onah*) should first of all point out any error he observed in the Votes and Proceedings

before seconding that Motion for their adoption.

Mr Onah: Mr Speaker, Sir, you may go to page 3 of the Votes and Proceedings, which reads, *Interpretation* - lines 6 and 8: *amendment proposed; to delete the word "the" before the word before "Board" and before the word "Hospital" - respectively.*

Mr Speaker: Which word(s) are you quarreling with?

Mr Onah: That word *before* after *word*

Mr Speaker: That is correct. Clerks-at-Table, should please take note.

Mr Onah: On that note Mr Speaker, I second the Motion for its adoption. Thank you.

Question put and agreed to.

Votes and Proceedings of Thursday 21st August, 2003 accordingly adopted.

REPORT FROM HOUSE
COMMITTEE ON PETROLEUM
RESOURCES AND
ENVIRONMENTAL MANAGEMENT,
ON THE VISIT TO OKPANKU, EKOLI
AND MPU COMMUNITIES IN ANINRI
EAST LOCAL GOVERNMENT AREA

Mr J. Obidinma (Oji River): Mr Speaker, Sir, hon. Members, after a resolution passed on the Floor of the

House on Thursday 14th August, 2003 about gas pollution in Okpanku as contained in a Motion moved by the hon. Member for Awgu South (*Mr Maduabu*) the Committee was directed to visit the affected areas on Monday 18th August, 2003. The Committee met with many difficulties on her way. It also rained heavily that flood covered some parts of the road and some bridges like Ivo Bridge were very difficult to pass. The Ivo bridge was seen in dilapidated condition and it made the movement more difficult. All these problems delayed the assignment of the Committee.

The Committee eventually arrived Aninri East Local Government on 18/8/2003 at 12.15pm. and was received by the Transition Chairman, hon. Obinna Achi in his Office. After formal introduction by the Committee Members, the Transition Chairman, together with the Committee Members went down to Ekoli where the Igwe, professor S. U. Ukpabi, Igwe Reginald Aja Chukwu (JP) of Okpanku, Igwe Matthias Ekweremadu of Mpu, hon. Engineer Ivoke (Special Assistant to the Governor of Project Supervision and Implementation) and their subjects were waiting for us. There, we were received by the three traditional rulers, their cabinet members and Members of their communities. The Igwe of Ekoli Professor S. U. Ukpabi while addressing the Committee, told us that the Gas pollution affected Mpu, Ekoli and Okpanku Communities. He informed the committee that the effect

of the gas damage on their crops would last for many years. We were taken to the affected Ivo river and the farmlands. We saw how their crops like rice, yam, potatoes, melon, cassava, maize, groundnut, etc, were destroyed by the gas pollution. Dead fishes were seen floating on the river. We also saw some of the community members that had contact with the water and the skin injuries inflicted on them by the polluted water.

A rice farmer at Okpanku in narrating his ordeal informed the Members that all his crops were destroyed by the gas pollution. Another farmer at Ekoli equally narrated how her cassava farmland was destroyed by the gas leakage. A farmer at Mpu equally narrated his own problems.

FINDINGS:

1. The Committee was able to find out that the three Communities namely Okpanku, Ekoli and Mpu were affected by the gas pollution.
2. The Committee noticed equally that Ivo river is the only source of drinking water supply to the affected communities. As a result, they are exposed to dangers of guinea worm infestation and other water borne diseases.
3. We equally saw that dead fishes were seen floating on Ivo River.

4. The Committee saw how their agricultural products like rice, cassava, yam, maize, potatoes, melon, groundnut etc. were destroyed by the gas leakage.
5. Leaves of both perennial and annual crops were seen looking yellowish and translucent thereby evidencing contact with oil.

RECOMMENDATIONS:

In view of the above findings, the Committee, now recommends as follows:

1. That the State Government should as a matter of sympathy urge NNPC to compensate the affected farmers in the three communities namely Okpanku, Ekoli and Mpu.
2. That State Government should provide portable drinking water to the affected communities in order to avert guinea-worm infestation and other water borne diseases.
3. Local vigilante should be encouraged by the Local Government and problems whenever reported should be directed immediately to the appropriate authority for necessary action.
4. That NNPC should be urged to maintain effective and efficient

monitoring network of their pipelines.

Leader: I move that the report just presented by the House Committee Chairman on Petroleum and Natural Resources be accepted for immediate consideration. Thank you.

Mr F. Ezema (Igbo-Eze South): I have risen to second the Motion.

Question put and agreed to.

Report accepted for immediate consideration.

Mr Speaker: First the report has been presented. You will recall that during our last sitting the report came up and we advised the Chairman to go and panel beat the report. I think the report appears to be ready. At this point in time, I call on the hon. Members to make their contributions.

Mr E. Maduabu (Awgu South): Honourable Members, in fact, I was not a Member of this Committee but because of the importance of the visit to the affected communities, I was moved to join them. In fact the problem is enormous, it is better seen than heard. From the information given by the Igwe, Prof. S. C. Ukpabi, the affected land will take up to twenty years to get off this oil pollution.

I want to say that the State Government should try as much as possible to get the NNPC to go down to

the affected communities to see the effect on the crops. These people depend on agriculture, they are the food basket of Enugu State. Their agro areas had been affected with pollution, the Federal Government and the State Government should come and rescue them because the destruction was enormous. I ask that the House Committee on Agriculture be asked to pass this to NNPC and Federal Government for them to come in. Thank you.

Mr Speaker: Honourable Colleagues, as I am talking to you there is yet another leakage, this appears to be more disastrous than the first one. People are going there with tanks to load gas. I think something must be done urgently. More contributions, please.

Mr M. Onyeze (Igbo-Eze North I): Mr Speaker, Sir, the danger facing the affected communities has been considered favourably by this House. I feel that if it is possible for the Speaker and the principal Officers to visit NNPC on behalf of the Members, to urge them to go to that place and see things for themselves, it will help them. The presence of the Speaker means the presence of government because, if we end up accepting the report without reaching out, it may not help immediately.

This is a disaster, they are expected to see things for themselves. It will take twenty years for things to come back to

normal. When people see that their future has been tampered with, they will react. I believe that if Mr Speaker intervenes on behalf of the House, the NNPC will know that we are serious. I think we should add that all the Local Governments that live within the area should form vigilant Groups, since one does not know what is happening in one's neighbourhood. The Transitional Committee Chairman, who share borders with the sites in question should be at alert to monitor this type of disaster.

Mr F. Ezema (Igbo-Eze South): Mr Speaker, Sir, I just want to align myself with the last speaker. I am in total support and I therefore second the Motion.

Mr Speaker: The Motion he moved was that the House now mandates the Speaker and the Principal Officers to go to NNPC and urge them to see things for themselves.

Deputy Speaker: This is the work of the Executive.

Mr Speaker: I agree that the Executive is there, but there is nothing wrong if the House decides to mandate the Speaker and the Principal Officers to liaise with the Depot Manager. This is going to be incorporated into our prayers.

Mrs C. Eneh (Udi South): Mr Speaker, I want to align myself with the last Speaker for the Speaker and

Principal Officers to visit NNPC and that the House Committee on petroleum and Natural Resources should join them.

Mr Speaker: Honourable Colleagues, the additional information by the hon. Member for Udi South (*Mrs Ene*) is that not only the Speaker and Principal Officers of the House that would go, it should include Members of the Committee on Petroleum and Natural Resources. Is that a Motion?

An Hon. Member: It is an amendment!

Mr J. Anichukwu (Nkanu East): Mr Speaker Sir, while seconding the Motion moved by the hon. Member for Udi South (*Mr Ene*), I feel sad whenever I remember these things, it is better seen than just mentioning them. I am boiling in my mind because in the next fifteen years, the people will face starvation in that area and some people will not be healthy due to the fact that they had contact with the River. So, Mr Speaker, I feel something urgent is supposed to be done to save the situation. Thank you.

Mr Speaker: Honourable Colleagues, there was a Motion moved and seconded, and later an amendment, was added to that initial Motion. Since it has been seconded, I have to put the Question.

Question put and agreed to.

Mr Speaker: Honourable Colleagues, before I go on, and submit the issue before this honourable House, may I announce the presence of the Rt. Hon. Speaker of Osun State House of Assembly and four other hon. Members. Mr Speaker, I welcome all of you on behalf of my own hon. Members.

Mr Speaker (Osun State): Thank you Mr Speaker, thank you hon. Members.

Main Question put and agreed to.

Resolved:

1. That the State Government should as a matter of sympathy urge NNPC to compensate the affected farmers in the three communities namely Okpanku, Ekoli and Mpu.
2. That State Government should provide portable drinking water to the affected communities in order to avert guinea-worm infection and other water borne diseases.
3. Local Government Vigilante Group should be encouraged by the Local Government and problems whenever reported, should be directed immediately to the appropriate authority for necessary action.
4. That NNPC should be urged to maintain an effective and

efficient monitoring network of their pipelines.

5. That the Speaker, the Principal Officers and the Committee on Petroleum Resources and Environmental Management be mandated to visit the Nigerian National Petroleum Corporation NNPC depot Manager, Emene, that day, to discuss the incident.

NOTICE OF MOTION

Immediate Completion of Rehabilitation Work on Enugu – Port Harcourt Express Road

Mr E. Maduabu (Awgu South): Mr Speaker, Sir. I am calling on all hon. Members of this honourable House to urge the Executive to request the Federal Government to compel the contractor (SETRACO Nigeria Limited) handling the Enugu Port Harcourt Express Road to hasten action and complete the work as quickly as possible.

Mr J. Anichukwu (Nkanu East): Mr Speaker, Sir. I rise to second the Motion as moved by the hon. Member for Awgu South (*Mr Maduabu*). Thank you.

Mr Maduabu: It has been observed that since the award of the contract for the rehabilitation of the road by the Federal Government, much work has not been done on the road by the construction company handling the

project. The road, besides linking most South – Eastern States, is the major route to the South – South States of the Federation and its importance to the Nation's economy cannot be over emphasized. Since repair on the road began in the year 2000, much has not been done by the contractor and the situation of the road had worsened as motorists and commuters ply on a single lane instead of using the dual lane. The picture is terribly worse when one is traveling a longer distance on the road, as it causes great danger to motorists and travellers. The usage of the single lane as the case is now, endangers the lives travelers as vehicles get more involved in road accidents and head-on collision with one another especially in the night.

Many vehicles break down as a result of the rugged nature of the road now. Many innocent souls have been lost and properties worth millions of Naira have been destroyed through accidents on the road. In fact, our people are being destroyed on a daily basis along this road. The situation is very pathetic. It is more important to note that if the rehabilitation work is hastened up and completed soonest, all the attendant problems and destruction to life and properties, as a result of the poor condition of the road, would have been averted.

Mr Speaker, Sir, in view of the foregoing, be it resolved as follows:

1. That this honourable House urge the Executive to request the

Federal Government to direct the contractor, SETRACO Nigeria Limited, handling the project, to as a matter of urgency, complete the work in a short possible period.

2. That the company should be consistent in their work directing, by seeing that they try as much as possible to finish any portion they are working on before going to another portion.
3. That the company should place diversion signs far away before the actual diversion position for motorists to see while approaching diversion points.
4. That the Federal Road Safety Corps should as a matter of urgency remove accident vehicles out of the single lane to prevent multiple accidents.

Be it moved and is hereby moved.

I move further, because, the Abia State House of Assembly last time embarked on hunger strike. It is due to the poor nature of Road network by the company. So, I am urging this House that they should urge the Federal Government to try to do something towards that road as it concerns all of us. So, I am appealing for the co-operation of the hon. Members of this honourable House to see that this Motion sails through. Thank you very much.

Mr Speaker: That is a good one, but definitely we cannot go on hunger strike.

Leader: Thank you Mr Speaker. I support this Motion. In supporting the Motion in its entirety, I have a question to ask the hon. Member for Awgu South (*Mr Maduabu*). My question is whether the Committee should investigate to know actually if the contract has been paid for or why they stopped work on the road? The money meant for the work must have been used and he is now waiting for another money to be paid. Let them just try to investigate on that. Thank you.

Mr Speaker: Let me give you information. The issue is not whether the money has been paid or they are being owed, the important thing is this: If you ply that road, you will observe that particular point one meets them today will be the same place you will meet them the next month. Another time they may move, may be, one kilometer, abandoning that very portion. Even if they are not being recognized very much, they should try to complete the place.

The point is not time being wasted, but the issue of working here today and moving to another place tomorrow, leaving the road uncompleted. And if you look at the first prayer, says that this honourable House urges the Executive to request the Federal Government to direct the contractor, SETRACO

NIGERIA LIMITED handling the project, to, as a matter of urgency, to complete the work in a short possible period.

So, this is the matter where the Federal Government should ensure that these people are mobilized; if they cannot be mobilized, the State will be mobilized.

Mr J. Obidinma (Oji River): Thank you, Mr Speaker. You see, the ugly state of roads in the South East cannot be over emphasized. I am fully aware that debates on this Motion are in support. So, I urge the honourable House to accept all the prayers made. Thank you.

Deputy Leader (Mr P. Anikwe): Mr Speaker, Sir, I have risen to second that Motion as moved by the hon. Member for Awgu South (Mr Maduabu).

Mr Speaker: Order! The hon. Member for Awgu South did not move any Motion.

Deputy Leader: Mr Speaker, Sir, I therefore move that the Question be now put. Thank you.

Question, That the Question be now put, put and agreed to.

Main Question put and agreed to.

Resolved:

1. That this honourable House urges, the Executive to request the Federal Government to direct the contractor, SETRACO Nigeria Limited, handling the project to, as a matter of urgency, complete the work in a short possible period.
2. That the company should be consistent in their work direction by seeing that they try as much as possible to finish any portion they are working on before going to another portion.
3. That the company should place diversion signs far away before the actual diversion position for motorists to see, while approaching diversion points.
4. The Federal Road Safety Corps should as a matter of urgency remove accident vehicles out of the single lane to prevent multiple accidents.

NOTICE OF MOTION

2. Flood Disaster In Ogurugu in Ogboli Local Government Area in the Former Uzo-Uwani Local Government Area and Nigeria National Petroleum Corporation (NPC) Pipe Line Explosion at Okpanku, Mpu and Ekoli in Aninri Local Government Area.

Mr A. Chigbo (Uzo-Uwani): Mr Speaker, Sir, I rise to move the Motion standing in my name on the Order Paper

That this honourable House do urge the Executive to urgently urge the Federal Government to come to the aid of the Victims of the Flood disaster in Ogurugu in Ogboli Local Government Area and other victims of non-man-made disaster established in other Communities in Enugu State.

I beg to move.

Mr D. A. Anih (Enugu South I): Mr Speaker, Sir, I rise to second the Motion as moved by the hon. Member for Uzo-Uwani.

Mr Speaker: Order! Honourable Colleagues, before I put the question, may I humbly announce once again the presence of the Deputy Speaker of the Oyo State House of Assembly and two other hon. Members of the House. Honourable Members, you are welcome.

Question put and agreed to.

Mr Chigbo: Mr Speaker, Sir, may I move the Motion standing in my name, that the Enugu State House of Assembly convey their unanimous resolution through the Enugu State Government to the President of the Federal Government requesting the Office of the Presidency to come to the aid of more than two thousand (2,000)

persons who were recently rendered homeless at Ogurugu in Ogboli Local Government Area (former Uzo-Uwani Local Government Area). Properties worth about N40m were also lost.

Also Mr Speaker, you will recall that about 10,000 persons in Okpanku, Mpu in Aninri Local Government Area of Enugu State suffered an unimaginable loss of properties valued at N50m as a result of this uncontrollable environmental disaster occasioned by Gas explosion.

Mr Speaker, Sir, I want to inform the House that this unfortunate event took place on the 17th day of August, 2003 when the River (Eshi) over-flowed its banks, pulled down all the residential buildings and destroyed the properties of the people of Ogurugu and rendered them homeless. These poor people now are refugees in their own state and country. The plight of these indigenes is better seen than imagined. Mr Speaker, Sir, the only bridge which linked this Community with their neighbouring communities like Adani, Ojoor and Igaa was washed away by this disastrous flood.

The sorry event of Okpanku, Mpu and Ekoli in Aninri Local Government Area, is not a new story to this honourable House. The relevant House Committee had visited the *locus in quo* and seen things for themselves. The damage is unimaginable. This was as a result of explosion of NNPC Gas

Pipeline which ravaged the crops and properties of the people.

Mr Speaker, Sir, this Honourable House would be losing its credibility if the members do not unanimously call for a way forward. This was not an act of vandalization but was as a result of explosion of aged NNPC Gas Pipe. A way forward is to request the Federal Government to send humanitarian relief package to the affected communities.

In submitting this Motion, I want to take this opportunity to inform my Colleagues that Enugu State is yet to be on the list of such Federal Relief Packages. This information is anchored on the premises that Enugu State is yet to establish Relief Materials Commission to be known as Enugu State Relief Material commission (ESRMC) which can attract such relief package. However, the Federal Government should, out of emergency, come to the aid of the victims while all mechanism will be put in place to establish the State Relief Material Commission.

If I will further buttress this, you may imagine the amount of money the Federal Government spent in Lagos State during the Bomb Blast at the Military cantonment, and disasters at Nanka, Orumba Local Government Area in Anambra State. Recently Rivers, Abia and Ebonyi States which had similar disasters were rescued by the Federal Government. I need not mention numerous states in the

Northern Nigeria which had received such humanitarian Relief Package from the Federal Government.

PRAYERS

Mr Speaker Sir, having given the above information and adequate illuminations on various sufferings occasioned by act of nature by people of this state, it is most reasonable that this honourable House do now resolve as follows:

1. That the Enugu State House of Assembly do hereby appeal to the Federal Government through the state Government to direct the National Emergency Management Agency (NEMA) to come to the aid of the affected communities and Local Governments in Enugu State that have suffered these acts of nature occasioned by flood disaster at Ogurugu in Ogboli Local Government Area and NNPC gas Explosion at Okpanku, Mpu and Ekoli in Aninri Local Government Area.
2. That this honourable House urges the Enugu State Government to set up Enugu State Emergency Management Agency (ENSEMA) without further delay which is the only Commission constitutionally responsible to inform and receive the materials from the

Federal Government at the event of such occurrences.

3. That State and Federal Government should come to immediate reconstruction of two bridges in the aforementioned Local Government Areas which were affected by the disaster.
4. Mr Speaker Sir, you are invited to note that the decrees spelt out the composition of the Committee as well as the functions of the Agency at the Federal level but at the state level, it only spelt out the composition of the Committee without the functions of the Agency. It is therefore the duty of this honourable House to spell out the functions of the Agency here in Enugu State (See Part III of the Decree) composition of the Committee only without the functions.

Mr Speaker, Sir, a copy of the Decree 12 of 1999, which is the latest law on emergency management in the country, is hereby attached to further buttress my points. Be it moved and it is hereby moved.

Mr Speaker: Thank you. Any contributions?

Mr J. Anichukwu (Nkanu East): Mr Speaker, Sir, I feel personally worried whenever I hear about disaster because

people's lives and property are sometimes lost. In moving Motions, we have to be very careful in making quotations and estimates. I did visit Okpanku, Mpu and Ekoli in Aninri Local Government Area. I do not know whether the Mover of this Motion met professional valuers as against N50 million he said. I am not a professional valuer, in this case, we have to be careful ...

Mr Speaker: I am sure that the Mover of this Motion, the hon. Member for Uzo-Uwani (*Mr Chigbo*) before he came up with this Motion, must have done a lot of work. He must have visited the places, so let us not bother about the amount quoted. He must have gone to these places several times. Let us go on.

Mr Anichukwu: Mr Speaker, Sir, I request for an amendment, because of what is happening at Ogorugu, the relevant Committee set up by this House should equally visit the communities and Local Government Areas.

Mr Speaker: This is a House function, it does not require any amendment.

Deputy Leader: Mr Speaker, Sir, if you watch closely the contents of the Motion, the information contained therein and the quality of the Prayers in the Motion; that our people have lost their homes, areas of abode; that our people have become refugees in their local governments because of oil and

flood disasters, I have no doubt in my mind that the Mover of the Motion did a good job from the Report of the Committee on Petroleum this is what I call a well calculated design research.

I urge this House of Assembly to pass this Motion. Natural disasters can occur here or there or anywhere. The problem is that this House cannot control such disasters. If you want to see such disasters yourself, you can go to Ogorugu. The National Relief Agency should be directed to go to this area.

My Speaker, Sir, I am urging this House to consider the prayers, and to give this Motion due passage today. The first prayer by the Mover is that Enugu State Government should appeal to the Federal Government to direct the National Emergency Management Agency to come to the aid of the disaster areas. Enugu State will have something to gain for our people that have lost everything just like in the Nigeria Civil War.

If you watch what is happening in Liberia, you will not believe that this is happening to somebody. I urge my Speaker to pass this Motion. Thank you, Mr Speaker.

Deputy Speaker (Mr D. Atigwe): Mr Speaker, Sir, hon. Colleagues, I like to support this Motion, but I will like to ask the people of Okpanku to prove that the earlier admitted Gas case was due to poor handling by the Petroleum and

Environmental Resources and Management Committee. We should not repeat ourselves in this Motion. Again Mr Speaker, we should not act like Thomas in the Bible who was going after salvation but said that he wanted to see Jesus himself before believing.

We need this Motion to be passed as it concerns disaster. The Committee concerned should go and see things for themselves, and that would take care of the prayers. The question is not payment of compensation but we need to go there and see things for ourselves to avoid doing injustice to the prayers.

What I mean is that, if we go there, we see things for ourselves and know the value of what shall be paid to these people. In respect of the amount quoted by the Mover, that the estimated damage is N50m, which means when we the Committee get there, it is left for us to investigate whether the damage is about N50m or not. Then, if we want to put more, we can do so. Then, we will report back the extent of the damage and say that we have seen things for ourselves. Thank you.

Mr Speaker: The Deputy Speaker, one can observe that there is a difference between Motion on Urgent Public Importance and Motion on Notice. A Motion of Urgent Public Importance comes at the point in time and is debated. That is, we make our decision, and not to refer it to a Committee to carry out investigations. But Motion on Notice must have gone

through all these processes. It must be investigated and must be able to ascertain Public Opinion.

I am sure that the people concerned have done enough job. So I do not see anything wrong at all with any of the prayers. It is left for this honourable House to go on and either pass or reject the issue of amount being quoted. This is no issue. Even if one says it is N200m and the Government decides to give them N10m, you cannot prevent it. So if one says it s N50m and, may be, by the time it will arrive, it has gone beyond that N50m, nobody can add more money.

However, my hon. Colleagues should know that this Motion is not a Matter of Urgent Public Importance. The Motion is on Notice. And I am sure they have done thorough job. Thank you.

Mr M. Onyeze (Igbo-Eze North I): Mr Speaker, Sir, I wish to join my Colleagues in supporting the Motion. I congratulate our hon. Member who has done a lot of Research to bring us to this point. We cannot refer the Motion to the Committee when our people are rendered homeless, when our people are now finding it difficult to get good drinking water, and are facing diseases as a result of National Disasters. I want to point out that at page 2, he said: *Mr Speaker, Sir, this, honourable House will be losing its credibility, if the Members do not unanimously call for a way forward.* I believe we are doing

this in accordance with the Constitution, not in respect of credibility and also to the success of our people. We will not lose our credibility if we do not do this particular assignment now, as written by the Sponsor. I also want to point out that, he said that the functions of the Committees were not spelt out by the decree. But the functions are spell out. Yes. So we do not need to go back to that prayer again, instead we go to pages 545 of our Standing Rules, No. 9 of part 3, that is, the functions of the different Committees, etc. We should take care of these Rules. Thank you.

Mr Speaker: Honourable Colleagues, in respect of what the hon. Member for Igbo Eze North I (*Mr Onyeze*) has said, we should limit the prayers from number 1 – 3 which have been spelt out in the decree. So, I am sure Members are following.

Several hon. Members: Yes! Yes.

Leader (Mr Ebonyi): Mr Speaker, Sir, hon. Colleagues, I rise to support this Motion. This is a very important Motion. Please, Mr Speaker, I will urge the honourable House to support what the hon. Member for Uzo-Uwani (*Mr Chigbo*) applied in this Motion. This disaster can happen in other local governments. Just like what the Deputy Speaker has said, we sympathized with the people of Ogboli Local Government, but we have no solution on this incident. Let the Committee on Petroleum Resources and Environmental Management go there and see things for

themselves and come back and report to the House before we take a resolution on it.

Mr Speaker: Honourable Colleagues, the hon. Member for Awgu South (*Mr Maduabu*) came up with a Motion mandating the Committee to do an indepth study. This Motion is a Motion on Notice. This happened on 17th of August, and we took time to study this since 17th up till today to bring out this Motion. And some members are telling us to send it back to the Committee again. You are taking a wrong decision by saying that the House Committee should do that.

Please, there is nothing wrong with his prayers. With due respect, if you want to contribute in favour, you can still go on and do it. If you want to oppose it, please go ahead and raise the objection, but asking for a member who took time since 17th of this month to work and come up with a Motion on Notice to go back because it has some loopholes, is not fair, I cannot agree with you. The difference between Motion on Notice and Motion of Urgent Public Importance has been taken care of by the explanation given by the hon. Member for Awgu South (*Mr Maduabu*).

Deputy Leader (*Mr Anikwe*): Thank you Mr Speaker. If you watch out exactly the intention and purpose of this Motion it cannot be contradicted. It has been observed that the Committee

Report never spelt out Regular Relief Emergency Agency (*Interruptions*).

Deputy Speaker (*Mr Atigwe*): Thank you Mr Speaker. I am not against this Motion but against Mr Speaker's directing action. I observed that as Mr Speaker directs his action, it is agreed to. Mr Speaker in Chair should carry people along and not directing, because, if we all should vote against (*Interruption*).

Many hon. Member: No, No. Point of Order!

Mr Speaker: I can never be biased. If there is a matter on this Floor, it is either you support it or you oppose it. So, I am only helping to make a decision, and, at the end, I cast my vote. So if you have an amendment to propose, go ahead and do so. If your amendment is carried by this honourable House, I have no objection. If somebody wants to speak in favour of this Motion or wants this Motion to be amended, I cannot stop that person.

Deputy Speaker: Mr Speaker, I do agree with you, but what I said is a suggestion. It was not an opposition to the Motion. It was a fine suggestion. If you say now, 'send Relief material', they must be there to see those things.

Mr Speaker: There is no need making much ado about nothing (*Interruption*)

Mr G. Chukwuegbo (Enugu South II): Mr Speaker, Sir, Having gone through the prayer of this Motion, I plead that this honourable House gives immediate passage of this Motion. Based on this, I move that the question be now put.

Question, That the Question be now put, put and agreed to.

Main Question put and agreed to.

Resolved:

1. That Enugu State House of Assembly hereby appeals to the Federal Government through the State Government to direct Relief Material Agency to come to the aid of the affected Communities and Local Governments in Enugu State that have suffered loss, that is, out of nature, occasioned at Ogurugu in Oboli Local Government Area and Gas explosion at Okpanku in Aninri local government area.
2. That this hon. House urges the Enugu State Government to set up Relief Material Commission without further delay which is only Commission constitutionally responsible to reform and receive material from Federal Government at the event of such occurrence.

3. That the State and Federal Government come to immediate construction of two bridges in the aforementioned local government areas which were affected by this disaster.

ANNOUNCEMENT

Mr Speaker: Members should remember that some time ago, I told them that some Members belong to more than 4 Committees which I never wanted. Some belong to two Committees. In view of this development, I will continue to increase and reduce at appropriate time. So, on this development, the Clerk-at-Table should take note that the hon. Member for Enugu south I (*Mr Anih*) is now a Member of the Committee on Lands and Housing, Commerce and Industry. Thank you.

Committee Meetings

2. The House Committee on Judiciary, Public Petition, Ethics and Privileges will visit the Ministry of Justice on 28 August, 2003, Thursday. Time, 1p.m. It was signed by hon. Member for Igbo-Etiti East (*Mr E. Odo*) Chairman.
3. The House Committee on Education, Science and Technology will visit Queen's School. Time is 1p.m. on 28 August, 2003.

Seminar for Members

4. There is a Seminar that will take place tomorrow (27/8/2003) at Nike Lake Resort Hotel. It is being organized by the DFID, and the topic is Public Expenditure and Management. All hon. Members are expected to be there. Time is 10a.m.
5. Please, all hon. Members are expected to move direct from the Chamber to the Speaker's Office for a brief discussion.

Question put and agreed to.

Resolved: That this honourable House do now adjourn until 10a.m. on Tuesday 2nd September, 2003 at 10a.m.

Adjourned accordingly at 1.25p.m.

ADJOURNMENT

Leader (Mr K. Ebenyi): Mr speaker, Sir, I move that the House do now adjourn until Tuesday 2nd September, 2003 at 10a.m. Thank you.

Mr M. Njeze (Udi North): Mr Speaker, Sir, I rise to second the Motion for adjournment, and in doing so, I wish to thank Fellow hon. Members for the Motions we passed today especially that on the natural disasters.

I wish to use this opportunity also to tell our Members who are not very comfortable with the amount quoted to take consolation on the fact that it is not part of the prayers. It was not contained in the prayers, so no amount was mentioned in the prayers, and I thank you for assessing us the way we did. Thank you so much.

State and you are from the same State with the landlord, is he going to give you more preference because you are from his State?

Deputy Leader: He belongs to the union and he cannot give you a different thing, that is what I am saying, but they are being influenced by the majority of the people who do not own these houses and who are not even the indigenes of this State. If you study this all important Motion, you will discover that the total aim of it is to curb the excesses of these shylock agents and landlords particularly the agents. Like the Right hon. Member for Awgu North (*Mr Enebe*) said, most of these agents have houses here and there and some of them at times do collect money from more than three or ten tenants for the same apartment.

I therefore, appeal to this honourable House to urge the Executive to reconstitute or revive the Rent Tribunal in the State. You are aware we have professional estate agents, and these professionals should be co-opted into the reputable Rent Tribunal so that they can have a check on the excesses on our people.

Mr Speaker, on this note I beg to move that the Question be now put. Thank you.

Mr E. U. Ezeh (Udenu): Information! The information I am giving, Mr Speaker, is that we should remember that every year, over ten

thousand tenants are pushed into Enugu State metropolis by various institutions, and I do not think that there is any provision to accommodate even five thousand ... (*interruptions*)

Mr Speaker: Order! Order!

Several hon. Members: Point of Order! Point of Order! (*Laughter*)

Mr M. N. Onyeze (Igbo-Eze North I): This is a very important Motion and we have to adopt it if we want to help the poor masses who are suffering because of shelter. We have to depart from the existing landlords and tenants relationship. And I urge the Committee on Housing to study the existing laws and come out with something different from what we have now. If we talk of Rent Tribunal for example, when you go to the Rent Tribunal, you may meet somebody, maybe, a conductor who has come to demand for justice there. Sometimes, you will find out that we get little or nothing from that Rent Tribunal. I think if we are talking of legal or illegal agents, there should be a new law which should cater for the welfare of people as far as shelter is concerned, that is, either the Ministry of Social Welfare or the Ministry of Justice. So that people can determine accurately what a room will cost and then it can become the responsibility of Government to collect rent or give out houses to prospective tenants.

As long as they ask these tenants to negotiate with landlords, we cannot get

anything better from them. The people who sponsored this Motion should work hand-in-hand with the Committee on Housing to come out with a new law so that people can get something out of this Motion. Otherwise I believe we will just remain where we are as far as landlords and tenants relationship is concerned.

I support this Motion, but urge the Mover and the House Committee to come up with something in form of a law so that we can protect the interest of the masses. Thank you, Mr Speaker.

Mr Speaker: Honourable Colleagues, the problem we are having in this issue of landlords and tenants relationship is that even some of these landlords do not pay tax? So, what we are going to do as we are debating this Motion, is to find a way of taxing these landlords. I think by the time we adopt this Motion, we should equally work out the way to see that they pay tax. And we have a Bill on Urban and Regional Planning, and I think we have to re-introduce that Bill as soon as possible so that if you have landed property, it must be assessed to know what you make out of the property.

Mr Eze: Information! The information I want to give is that the fourth schedule under the 1999 Constitution empowers the Local Government to evaluate and collect the property rates from Landlords and all parts of tenancy properties. But unfortunately, the Local Government

Council do not enforce the use of this opportunity. Unless there is a development rate that the State Government can impose, there is no way the Government can collect property rates from the landlords. It is the responsibility of the Local Government.

Mr E. Odoh (Igbo-Etiti East): Mr Speaker, Sir. The information as given by the hon. Member for Udenu (*Mr Ezeh*), with all due respect may not be quite correct. The position there is that there is Federal Land, State land, and Local Government land. Each of the tiers of Government has its own land and collects the respective land rate. I wish to state further that the topic which we are now discussing, that is, rate or non rate is not the theme of the Motion. What we have to do is to pass the Motion and then have an additional prayer. When the Bill comes up, we can address the issue. So, I humbly move that the Question be put. Thank you.

Question, That Question be put, put and agreed to.

Main Question put and agreed to.

Resolved:

1. That the Tenancy Law in existence as it affects the State should be invoked and implemented to save the residents from further injury and hardship.
2. That a functional and effective Rent Tribunal be



ENUGU STATE OF NIGERIA
PROCEEDINGS

AND DEBATES OF THE
FIRST SESSION OF THE
THIRD ASSEMBLY

ENUGU STATE HOUSE OF ASSEMBLY

OFFICIAL REPORT

No. 27

Tuesday
30th September, 2003

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HOUSE OF ASSEMBLY

ENUGU STATE OF NIGERIA

Tuesday, 30th September, 2003*(The House met at 10 a.m.)*

PRAYERS

(Mr Speaker in the Chair)

APPROVAL OF VOTES AND
PROCEEDINGS

Mr Speaker: Honourable Colleagues, our Votes and Proceedings No. 26 of Thursday 25th September, 2003 are now before us. I have gone through the said Votes and Proceedings and found them correct. However, I welcome your comments. Thank you.

Mr F. Amu (Nsukka East): I have equally gone through the Votes and Proceedings and found them to be the true reflection of our last proceedings, I therefore move a Motion for their adoption.

Mr D. Ani (Enugu South): I have equally gone through the Votes and Proceedings and found them to be very correct, I therefore second the Motion.

Question put and agreed to.

Votes and Proceedings of Thursday 25th September, 2003 accordingly adopted.

ORDER OF THE DAY

The Enugu State Council of
Traditional Rulers Bill, No. 4, 2003

A Bill for a Law to establish the Enugu State Council of Traditional Rulers.

Adjourned debate on Second Reading 23rd September, 2003

Leader (Mr Ebenyi): Mr Speaker, Sir, hon. Colleagues, I move that the Enugu State Council of Traditional Rulers Bill No. 4, 2003, be read again for the Second time. Thank you.

Deputy Leader (Mr Anikwe): Mr Speaker, Sir, I rise to second the Motion that was moved by the Leader of the House. Thank you.

Mr Speaker: Honourable Colleagues, you will recall that the debate on this Bill was deferred to a later date to be determined by the Rules and the Business Committee of this House. Having mentioned what we have today by the Leader, I believe that it is wise to bring it up again this morning. I hope that all the necessary documents requested by the hon. Members during our last sitting have been supplied to enable debate on the Enugu State Council of Traditional Rulers Bill No. 4, 2003, be resumed. Thank you.

Leader: Mr Speaker, Sir, hon. Colleagues, I rise to throw light on this

important Bill before the House. I am aware that my hon. Deputy Leader has talked on this Bill as well as the other hon. Members. But I am rising from my Seat this morning to throw more light on the importance of the Bill. Mr Speaker, Sir, as you all are aware that this Bill is required to make provisions for the establishment and composition of the Enugu State Council of Traditional Rulers Edict 1996; which has been in existence. This Bill was passed to expand the Traditional Rulers Council in order to accommodate more Traditional Rulers from the Council of the newly created autonomous Communities and Local Government Areas.

The present Council as you are aware, has the Chairman, and two Deputy Chairmen, and about 17 members. But this very Bill is seeking to increase the number of Deputy Chairmen to three, that is, one from each senatorial zone, and one Traditional Ruler from each Local Government Area. That brings up the total number of Council Members to 56. These 56 Members will serve in the Council on rotational basis.

Also, unlike in the present Council, where the tenure of office of Members is 5 years, this Bill is seeking to reduce the number of years to three (3) years, in order to accommodate more Traditional Rulers.

Mr Speaker, hon. Colleagues, this is a very important Bill, particularly, as it

concerns our Traditional Rulers who are our fathers; and most importantly, they are the custodians of our precious culture, customs and Traditions. The Council, in addition to other functions is to advise the government on matters relating to culture, customs and Traditions. They will equally advise the government on the maintenance of public order within the State.

Mr Speaker, Sir, hon. Colleagues, I therefore, urge all hon. Members to support this Bill and give it accelerated hearing that it deserves, so that our government will benefit from the wealth of wisdom of these great men, that is, our Traditional Rulers. Thank you.

Mr M. Onyeze (Igbo-Eze North I): Mr Speaker, Sir, I want to talk on two items here: first *Tenure of Office and second Functions*. The Enugu State Council of Traditional Rulers Bill No. 4, 2003, page 2, sub section 2, states that: *The Chairman, Deputy Chairman, or Member may be reappointed for another term of three years as such Chairman, Deputy Chairman or Member, provided that he shall be qualified for further appointment as Chairman, Deputy Chairman or Member if he has served two terms consecutively, as such.* Mr Speaker, sir, I want us to look at this section, very critically, because, at times you may be throwing away the experience of some renowned Traditional Rulers. If you go to ...
(interruptions)

Leader: Mr Speaker, Sir, hon. Colleagues, my Point of Order is that the hon. Member for Igbo Eze North I (*Mr Onyeze*), is deviating. We have not come to that stage yet. What we are discussing now is the merits and demerits, that is, the general principles of the Bill. When we get to the Committee stage, you can raise up your objection or any amendment from the Bill. Thank you.

Mr Onyeze: Thank you, Mr Speaker, Sir. Really, we are trying to look at the general principles of this Bill – the merits and demerits. I think this is a very popular Bill, because the Council of Traditional Rulers will be a strong supplement to the Executive arm of Government, especially as it concerns the insecurity in the rural areas with respect to government property like rural electrification cables, and all other things that will attract support of good Laws. If we have strong Traditional Council at the State level, they can put their heads together and formulate ideas that will help in curbing these excesses in the rural communities.

So, I think the Bill is a very popular one and should be given accelerated hearing. Thank you.

Mr E. Odo (Igbo-Etiti East): Mr Speaker, Sir, hon. Colleagues, just like the last speaker has already said, the importance of this Bill cannot really be over-emphasized, more especially, from the technical angle. The Bill seems to cover all the legislative issues with

respect to the Traditional Rulers, as was enacted in this State, especially in the Edict of 1996, as the Leader has pointed out, and the Anambra State Law of 1981, that was adopted by Enugu State.

So, it is my candid view that, apart from the importance of bringing the Traditional Rulers under one umbrella, having a single Law controlling the activities of Traditional Rulers, more especially now they are pressing to have more autonomous communities there is also gain in having a single document or single legislation guiding all the activities of Traditional Rulers, ranging from the structure to the composition, and then, to the general format, notwithstanding the period of the legislation. It is my candid opinion that this is a golden opportunity for us to see that this legislation is completed so that at the end of the day, any Law concerning Traditional Rulers in Enugu State can easily be found in a single document; and this can also be extended to other States. Most of these Laws have been in operation for long, and most people seem to forget about them. But we are praying, that this Law will out-live, not only the Traditional Rulers, but also us and the members of the Public.

It is my candid view, Mr Speaker, that there is no point for Members to delay this Bill. With these, I ask all hon. Members to support the Bill and pass it into Law, because this is the appropriate time for that.

So, Mr Speaker, I beg to stop for a while. I therefore, with due respect to everybody here, move that the Question be put, in the absence of any other contributions. Thank you.

Question, That the Question be now put, put and agreed to.

Main Question put and agreed to.

Bill accordingly read a second time.

Mr Speaker: Honourable Colleagues, the Enugu State Council of Traditional Rulers Bill No. 4, 2003 has now scaled the Second stage. I wish to thank you for your contributions. I remember that since debate started on this Bill, especially the first and second day, all has been well, and the reason it delayed up to today was because we wanted some documents forwarded to the House, and, of course, the Executive did not comply with that request on time. However, we have been able to go through the second stage. I thank you immensely for your various contributions, and wish you more grease to your elbows. Thank you.

NOTICE OF MOTIONS

Exemption from Payment of Import Duties on Educational Materials Donated to Institute of Management and Technology, (I.M.T) Enugu.

Mr Speaker: Honourable Colleagues, like we agreed in my office,

I sent somebody to find out about this Motion. I was told that the former Minister sat on it and that the new Minister has written to the Institute of Management and Technology (IMT) Enugu, asking them to make all the necessary arrangements for the items to be lifted.

At that moment we had not been given details of when they are going to release the items. More importantly, they are now not asking about paying demurrage or customs duties. On the strength of that, I think the Motion can go on, unless the House decides otherwise. Shall we go on with the Motion?

Several hon. Members: Yes!

Deputy Leader (Mr P. Anikwe): Mr Speaker, Sir, there is no need stepping it down. If the records now say that the items have been released, then there is no need continuing with the Motion, but if it states clearly that the terms and conditions were not met, then we go on. This Motion is a prayer which will help to facilitate such a release. There is no contradiction there. It will help even the Minister to facilitate such a release. So this is the appropriate time for the Motion to come into place. There is no need stepping it down. Thank you.

Mr C. Ugwu (Enugu East II): Mr Speaker, Sir, may I move the Motion standing in my name on the Order Paper: That this hon. House do mandate the House Committee on Education,

Science and Technology to collect enabling documents regarding Technical Assistance (Educational Materials) from the Rector, Institute of Management and Technology (IMT) and other donor agencies with a view to obtaining a duty free tariff on the said materials from the Federal Government and its agencies.

Deputy Leader: Mr Speaker, Sir, I rise to second that Motion.

Mr C. O. Enebe (Awgu North): Mr Speaker, Sir, I am not against the Motion, but I want to ask one question. My question is what constitutes the five days mandate for a Motion to come to the Floor of the House? Is it from the day we get the Motion from the Sponsor or the day the Committee sat on it?

The reason I am asking this is because I want a situation whereby, if somebody submits a Motion, the Members will have notice of that Motion and have an idea of what is coming up. What I am saying is that we should abide by the Rules of the House, not when one of us gets to his house and gets a Motion from one of his kids, the next day when you come to the House, the Motion is already on the Floor of the House. I want a situation where we streamline the mode of Motions. If a Motion gets to the Speaker or to the Clerk or to whoever is in charge, hon. Members will now know that such a Motion is coming up on a specified day, so that we get prepared for it. Otherwise, the quality of debate will be

very very poor, and all these things do go to the Press. Thank you.

Mr Speaker: At this point, I don't think that it is my duty to determine whether the Motion is either later or too early. Because I believe that it is the duty of the Rules and Business Committee to bring up such Motions, and the Committee must have complied with the relevant Rules of the House; and more importantly, this Motion was discussed last night, but, unfortunately, during the meeting, you were not in attendance.

Mr Enebe: The thing is that I am not referring to this Motion in particular. I am referring to every other Motion that might come up.

Mr Speaker: It is not your duty.

Mr Enebe: The Rules and Business Committee of the House must do things in conformity with the Rules of the House, but if we now start judging whether they are wrong or right, I believe we must blame them for the mistake. They should consult the relevant Rules of the House.

Mr Speaker: The Chairman of the Committee on Rules and Business is here.

Leader (Mr Ebenyi): Mr Speaker, the answer to the question by the hon. Member for Awgu North (*Mr Enebe*) is that our Rules state that each Motion

should stay up to five days before it is circulated.

Mr Enebe: There must be a way of letting Members know when a Motion is coming up.

Mr Speaker: In such a situation, a day before our sitting, we usually have meetings, which we had yesterday's night, which, of course, by the time we dismissed from the meeting nobody saw you there. When did you get this Motion.

Mr Enebe: I got it about two days ago.

Leader: Mr Speaker, it is very unfortunate that the hon. Member for Awgu North (*Mr Enebe*) is coming up with this argument. He is a member of the Rules and Business Committee of the House, and he has never attended a meeting.

Mr Enebe: If you invite me, I will attend, but you do not expect me to attend meetings you hold in your house.

Mr Ugwu: May I use this opportunity to thank this honourable House, and to praise the spirit of democracy in this country.

The Institute of Management and Technology (IMT) Enugu is one of the tertiary institutions owned and managed by the Government of Enugu State of Nigeria. Training of middle and higher level manpower in Management,

Science and Technology through teaching, research and production is one out of the numerous objectives of the Institution.

The Institution sometimes in 2002 entered into a Joint Academic project with Anambra State Motor Manufacturing Company Limited, (ANAMMCO), an affiliate of the world-wide Daimler Chrysler Incorporated, Germany with the aim of running jointly a National Diploma Programme. This programme covers two engineering disciplines, thus:

- (1) Mechatronics and
- (2) Electrical Engineering/Industrial electronics.

These pioneer programmes are the first of its kind in Nigeria especially the Mechatronics that is relatively new in Europe and America.

However, in pursuance and fulfillment of the above, Daimler Chrysler Incorporated, Germany, donated a list of one hundred and twenty three (123) items covering equipment, tools and materials worth millions of naira in support of the Institute's Joint Venture with ANAMMCO.

Mr Speaker, my Fellow hon. Colleagues, these 123 items of equipment have been shipped to Nigeria but seized because the import duties were not paid.

It is unfortunate, sympathetic and disheartening that educational donation

from far away Germany to an institution in our own country could be allowed to waste all in the name of import duties. Why? Honourable Colleagues, the law on tariff free Goods is very clear on this. Schedule 2, Section 6, Item 7 deals on *Exemption from Import Duty of the Nigerian Customs and Excise Tariff ... etc, (Consolidation) Act No. 4 1995* is attached.

PRAYERS

1. That the Rector IMT and other Donor Authorities liaise with the House Committee on Education with the aim of finding solution to the release of the Educational Materials which are rusticing in the Customs Office.
2. That the House Committee on Education do continue with such pursuit of the release of the said materials with the relevant authorities in line with the requirement of the above-mentioned Act.

Honourable Colleagues, materials / teaching aids for the education of our children and citizens of this nation are *sine qua non* for high technology.

I, therefore urge this House to give this Motion favourable consideration and resolution.

Be it moved, and it is hereby moved.

Deputy Leader (Mr Anikwe): Thank you, Mr Speaker, I can recall quickly

the emphasis we placed on functional committee of this House. Mr Speaker, you will recall that the Education Committee of this House visited the Institute of Management and Technology (IMT) at the same time with Enugu State University of Science and Technology (ESUT). Such visits have resulted in two Motions, one already passed by this House which was on *unnecessary delay of results of students at ESUT*.

Mr Speaker, if you go all round the streets now, this honourable House will take glory and people are happy with us. It will be bad to hear that donations of educational input and materials by a Foreign Agent to Nigeria cannot come to IMT because of the so-called Import Duties. If you go to the Act, as shown, you will recall that educational materials are equally exempted from the Import Duties. If today we allow it to happen in the South East, particularly in Enugu State, I am sure that the fact will be misquoted or contradicted. If this particular kind of Institution is sited either in the North or in the West, this particular treatment could not have been meted out to such an Institution.

Mr Speaker, it is one of our responsibilities to put a stop to it. Mr Speaker, this honourable House would be more understood if we pass this Motion by requesting the Federal Ministry of Education to urgently release these materials because they are meant for the educational advancement of our people.

Today in Nigeria, it is not news that there is no investment more than educational investment, that is, human development. Somebody who is well educated cannot go all out to become a social mischief. And the only way we can have this educational institution delivering its services is by equipping it with relevant materials. This will guarantee the students passing through the school and the school passing through them.

Mr Speaker, the Motion has a very important impact on our educational pursuit. The credit will go to all of us. At least the institution, IMT, and the people of Enugu State will be happy that the materials donated to us, free of charge, can now come to us free of charge. Thank you, Mr Speaker.

Mr J. N. Anichukwu (Nkanu East): Thank you, Mr Speaker, I have risen to fully support this important Motion because this Motion deals with the education of our children or all the citizens of this country and not the citizens of Enugu State alone. Mr Speaker, I was baffled when I heard that an individual, a highly placed individual, a Minister of Information, had deliberately sat down on educational materials freely given to an Institution in Enugu State to enhance the welfare of our citizens.

Mr Speaker, I must be frank, but because the information is not contained in any document, I would have asked the Minister concerned to submit his

own defence to this honourable House or appear before us here to explain. ... (*Laughter*). I am serious because there is no rationale behind this, whatsoever.

So, this Motion is very powerful and the attached Act has confirmed that. But I do not want anybody to get up tomorrow to employ any other terminology just to delay the release of the equipment. Because today they talk about Import Duty, and tomorrow I do not want them to use the language of demurrage.

So it is on this that I am suggesting that only a word be added to this very important prayer one – *That the Rector, Institute of Management and Technology (IMT) and other Donor Authorities liaise with the House Committee on Education with the aim of finding solution to the unconditional release.* If this additional word *unconditional* is approved by this honourable House it will make the school authority not to be asked to pay demurrage because the equipment has over-stayed.

So, Mr Speaker, I have fully identified myself with this powerful Motion, but I will be happy if my Fellow hon. Colleagues will give it the support I have given it. Thank you.

Mr M. N. Onyeze (Igbo-Eze North): Mr Speaker, Sir, permit me to thank the Mover of this Motion who incidentally is a member of the House Committee on Education. He was one of those who

visited IMT to find out their problems and this matter was raised by the Rector. The man went further to make a research to find out whether we actually deserve exemption from import duty and tax for these. Section 7 of the Act shows that goods obtained free-of-charge and technical assistants from donor international bodies/countries are exempted.

Therefore, the member has no force to stand and demand for our rights. The Institute of Management and Technology, Enugu, the Yaba Technology and Kaduna Polytechnic are in the list, among the numerous polytechnics in the country, and if these important Institutions like IMT get some donations from overseas research or technical Institutions, there is no reason the Federal Ministry of Education or whosoever, should sit on those donations, particularly, when they are exempted by law. IMT also faces accreditation and re-accreditation problems from time to time. They need these materials to help them pass continuous accreditation tests.

I therefore urge the honourable House to support this all-important Motion so that urgent steps will be taken to make those in charge of these materials release them to IMT.

It is true that IMT is located in Enugu State but seventy *per cent* of the students of IMT come from other parts of the country. So, the materials are for Education of the entire nation not for

Enugu State people or South East people. I thank the Mover of this Motion and urge the honourable House to support the Motion and pass it, so that these materials be released for aiding, teaching and learning of Technology in our very important Institution, the Institute of Management and Technology. Thank you, Mr Speaker.

Mr E. Odoh (Igbo-Etiti East): Mr Speaker, Sir. May I seek the leave of this hon. House to ask for suspension of rule No. 25 so as to enable me to make amendment to prayer one of this Motion. Thank you.

Mr A. Chigbo (Uzo-Uwani): My respected Speaker and hon. Colleagues. I am fully in support of what the hon. Member for Igbo-Etiti (*Mr Odoh*) has just said (*Interruptions/Laughter*).

Mr Speaker: There is a Motion on the Floor moved by the hon. Member for Igbo-Etiti (*Mr Odoh*) seeking the leave of this honourable House to suspend Rule No. 25 to enable him make an amendment to the first prayer of the Motion.

Mr Chigbo: Mr Speaker, I second the Motion (*Laughter*)

Question put and agreed to.

Rule 25 accordingly suspended.

Mr Odoh: Thank you, Mr Speaker. The Motion is a well articulated one and I wish, at the end of the day, we will

channel our grievance to the appropriate quarters. I am aware that cases of educational materials are exempted. We have national aids for Technology Research and Appropriations by which any technical materials coming inside the country, the Federal Ministry of Education must detail their appropriate people to go and clear it. I believe that this is one of the conditions that ought to have been placed on IMT as an Institution.

I wish to simply add as prayer three *that the honourable House do urge the Federal Ministry of Education and National Office of Technology Acquisition and Promotions to assist in the release of the educational Materials.* The rationale behind this is that even if we summon the Minister of Education, which I know we do not have the power to do, it will still make no impact.

So, I urge the House to incorporate this point in our own prayer, so that they will now liaise with the Ministry of Education to facilitate the release of these materials.

Meanwhile, that will not stop the House Committee on Education to do whatever they could, to assist in this matter.

Thank you, Mr Speaker.

Question put and agreed to

Mr Chigbo: Mr Speaker, Sir, there is something I want to know. According to the Motion, is an Act a Constitution? and if it is, we are operating with 1999 Constitution and the Motion is talking of an Act which is No. 4 of 1995. What I am trying to say is that I may have misunderstood my Colleague who said we should suspend it to make an input. This clarification is necessary to avoid mistakes in the next stage of the Motion. Why we are passing a Motion based on the 1999 Constitution is because we are operating the 1999 Constitution. Please I stand to be corrected.

Mr E. Odo: Mr Speaker, Sir, I think the interpretation is a very simple one. The Act is the enabling law, that controls the issue of the materials referred to above. Now, the difference between the Constitution and an Act is that the Constitution is the highest. The Constitution recognizes several pieces of legislation, both State and Federal. This is one of the national legislations made by the National Assembly. If you go to section 315 or 316, the Constitution recognized several existing laws and these existing laws are laws made by the State Houses of Assembly, laws made by the National Assembly even bye-laws made by the local governments. This is one of the laws the Constitution recognizes because everything cannot be embodied in the Constitution.

So there is a lot difference between an Act and the Constitution, but then where there is a conflict, the

Constitution will prevail. I do not know if I have answered your question. So it is in order. Thank you.

Mr Speaker: Let us make progress.

Mr Enebe: Mr Speaker, Sir, I have risen to contribute to the debate on this Motion. First of all, I am in support of the Motion and a lot of our Colleagues who had spoken dwelt on the importance of education in our society. I do not want to dwell on that any longer.

What is important now is that those things that are not released should be released; that is what all of us are asking. You all know that before you can import goods, you pass through the Central Bank of Nigeria, you buy the FOREX (Foreign Exchange), you apply to the producers and things like that, and, I am sure, I.M.T. has never imported anything rather, those things were donated to them freely.

The fact is that those people that are supposed to tell the customs that those equipment are free have not yet done that. If they had done that, I do not think they will have problems. It will be difficult to allow them take those things without the letter of allocation. The letter of allocation must come to us because the tradition is that once we pass this Motion, the House must write to all those concerned. All hands will be on deck to make sure those things are taken care of.

In order to ensure that we get those things out, the House Committee on Education ought to liaise with the Federal House of Representatives and the Senate, because when you contact the Ministry of Education, it will be faster and they will do something about it. So I do not know, we need to put up an amendment in the prayer.

The issue is that the House may pass a Motion and it will end up here, but when we go to the Ministry of Education, they will bring it up at the Executive Council Meeting with the Governor, and we will have a better bargain with the Governor. Like I said earlier, if we get the National Assembly involved, they could call the Minister who is in charge of these things, and, if the customs Department fails to do their work, the Senate Committee on Education could get their Colleagues who are in charge and ask them what they are doing. It has gone beyond an Enugu affair. The National Assembly will now come in and help solve the problem.

Mr Speaker: Is the hon. Member for Awgu North (*Mr Enebe*), proposing an amendment?

Mr Enebe: What I have merely done is to sensitize ourselves to the need to get ourselves focused to solve the problem. I believe that for us to wriggle out of the matter, we must get all these parties involved. Thank you.

Mr D. Agbo (Enugu East I): Mr Speaker, Sir, I am in full support of the Motion, but I still want to add that his House should mandate the House Committee on Education to visit the Institute of Management and Technology so that they pay a visit to the Minister of Education. The House Committee should find out other problems. In view of this, I move that the Question be put.

Mr Speaker: Are you putting the suggestion as a Motion.

Mr Agbo: No, Mr Speaker; it is a mere suggestion.

Question, That the Question be put, put and agreed to.

Main Question put and agreed to.

Resolved;

- i. That the Rector and other Donor Authorities liaise with the House Committee on Education, Science and Technology, with the aim of finding a solution to the release of the Educational Materials which are rotting away in the Customs Office.
- ii. That the House Committee on Education do continue with the pursuit of the release of the said materials with the relevant authorities in line with the requirements of A 432, 1995 No. 4 Customs and Excise Tariff, etc

(Consolidation) Schedule 2 Section 6.(7), *Exemption from import duty.*

- iii. That the Honourable House do urge the Federal Ministry of Education and National Office for Technology Acquisition and Promotions to assist in facilitating the release of the educational materials.

NOTICE OF MOTION

Urgent Legislation by the National Assembly to Ban Night Trips by the Luxury Buses and other Commercial Vehicles on the Nigeria Highways

Mr F. Amu (Nsukka East): I move this Motion standing in my name: That this House urges the National Assembly to come out with a legislation Banning Night Journeys by the Luxury Buses and other commercial vehicles on the Nigeria Highways.

Mr F. Onah (Nsukka East): I stand to second the Motion.

Mr Amu: Mr Speaker, Sir, I thank you immensely for giving me the honour to move this all-important Motion standing in my name: "That this honourable House urges the National Assembly to come out with a legislation banning night journeys by luxury buses and other commercial vehicles on the Nigeria Highways".

Mr Speaker, Sir, my hon. Colleagues, let me state here that man's emergence into this world was more or less, by design than by accident. The divine plan of creation was that man comes into the universe, stays within some given period, finishes his purpose of being here on earth and then returns to his Creator. It is in view of this background that man started taking his life so seriously and meaningfully. Man no longer plays with his precious life, rather he employs anything so as to safeguard that life. Death, which destroys the usefulness of life, according to Jean Paul Sarte, now becomes any enemy that should be fought to the last. In summary, man should not rush to inevitable death by his carelessness.

Mr Speaker, Sir, the issue of accidents on Nigeria roads during night journeys is increasingly becoming alarming and dangerous. This incident is more of a routine now than occasional happenings. Hardly can a night pass without the sad incident of news of series of accidents on our roads during night journeys. Either it is in the South East, South South, South West or in any other geopolitical zone in this country. If it is not buses, lorries or cars plunging into the river, it will be the ugly news of head-on collusion. One of the most recent high accidents as recorded was the one which took place along Abuja/Lokoja road on 8th September, 2003. It was reported that more than seventy (70) passengers on board, in one of the luxury buses died at

the spot of which 55 were Igbo traders. Deaths were also recorded in other lorries and cars after the multiple head-on collisions.

The way these bus drivers ply on the highway is terrible and unbecoming. Most of them drive as if they have spare lives in their homes or the duplicates of them. People in this category are known for over-speeding and careless overtaking of other vehicles without regard to any dangers ahead. They do not observe road signs not to talk of traffic rules. Reportedly, these drivers do take to drinking of alcohol and hard drugs to keep themselves awake. But unfortunately, this dream was never realized; instead they do end up sleeping while driving and the result is entering into the bush or colliding with any on coming vehicle, possibly, killing people. A renowned journalist, Dele Giwa, of the blessed memory succinctly put it that *one life taken in a cold blood is as gruesome as millions taken in a pogrom*. Obviously it is always sad and annoying to entertain any life lost out of man's careless driving.

Mr Speaker, Sir, one may be convinced to throw his weight on this Motion when he/she realizes that no driver can comfortably ply a road which is in a deplorable condition especially during nights. The Nigerian roads are no doubt characterized by potholes here and there, dilapidated bridges, culverts and erosion-affected areas.

Mr Speaker, Sir, apart from the above-mentioned factors that could cause accidents on our roads during the nights, the reported menace of men of the underworld cannot be overlooked. Experiences and observations had shown us that highway criminals use blocks, heavy stones and logs of wood to block the road and because it is a night journey, the on-coming driver hardly notices it until he or she comes closer to the road block. The story of what happened to one of our Colleagues, hon. Chris Ugwu, here in Enugu is till fresh in our memory. He unknowingly collided with blocks and log of woods used by robbers to block the road at night.

Mr Speaker, Sir, in view of the foregoing, one can conclude that night journeys on Nigerian roads are a cankerworm and a big threat which has come to devour mankind and should be abolished.

My hon. Colleagues, with respect to all these points, it is now pertinent for this honourable House to resolved as follows:

1. That the Enugu State House of Assembly urges the National Assembly to enact a legislation banning luxury buses and other commercial vehicles from night journeys on our highways.
2. That awareness campaign be mounted by the Federal Road safety Corps and other Agencies condemning

dangers associated with night journeys.

3. That the police, the Federal Road Safety Corps and other related bodies be charged with the responsibility of apprehending and prosecuting culprits.

Be it moved and it is hereby moved.

Mr F. Onah: Mr Speaker, Sir, I have risen to support this important Motion, because the losses we suffer on night journeys when equated are more than the gains. Mr Speaker, Sir, as we all know, most of our roads are in bad conditions. As a result of that, night journey is not good especially on our roads. There are many bandits and armed robbers on the roads. In most cases, lives are lost.

Mr Speaker, Sir, I strongly support this very important Motion.

Also most of our drivers are so reckless that they do not observe road signs and at times they have poor lights on their vehicles and of illegal lights fixed on their big vehicles which throw reflections. There is no way they can see any bad animal at night. Their vehicles from time to time run into rivers or into the ditch. As a result of that, deaths and accidents normally occur on our roads. Therefore, I strongly urge this honourable House to do justice to this important Motion and pass it. It is here that I rest my case. Thank you.

Deputy Leader: (Mr Anikwe): Mr Speaker, Sir, hon. Colleagues, I rise to support this Motion. In fact, all of us are living witnesses to what my hon. Colleague has said. We are aware that up to six or seven of our newspapers are in support of passing a similar Motion.

We cannot under-estimate the importance of this Motion. In assessing night journeys, for instance, and in traveling at nights, of course, we expect to have instances of accident occurring, and that is what the Motion is about to correct. At night, you cannot see anybody that can stop for you. Also, nobody can even talk to you or pick you up to take you to any destination. Many people can stop the car on the road during the day. Then, like what I have said, I have never seen anybody standing on the road by night and somebody stopped for him. The reason is that, that person is not known to the person. You cannot stop to find out whether you know him or not because it is all in darkness.

Mr Speaker, Sir, I believe that most of the reasons that make people embark on a night journey is to save time. It is just like taking the *Apiani Way* so that they will not miss their engagement. I think that it is better to be *late* than *the late*; it is better you arrive at a place safely. Mr Speaker, Sir, this Motion is appropriate because we can recall that one of us has lost his immediate younger brother who was traveling at night. He was shot at night in a luxury bus in the dark. I do not say that armed

robbers can only operate at night but ninety percent of accidents do occur at night.

Mr Speaker, if we pass this Motion, we will be doing the majority of our people great good. At least, I am sure that in the 60s or 70s we had never heard of any night journeys. People now want to meet deadline or to beat the shadow at night. Eventually, one may not be alive to see it, Mr Speaker, I am calling on my Colleagues, to give this Motion its due support by passing it. I also, Mr Speaker, beg to move that the Question be now put. Thank you.

Question, That the Question be put, put and agreed to.

Main Questions put and agreed to.

Resolved:

1. That the Enugu State House of Assembly do urge the National Assembly to enact a legislation banning Luxury Bus and other Commercial vehicle Drivers from night journeys on our highways.
2. That awareness campaign be mounted by the Federal Road Safety Corps and other Agencies condemning dangers associated with night journeys.

That the Police, the Federal Road Safety Corps and other related Bodies be charged with the responsibility of apprehending and prosecuting culprits.

ANNOUNCEMENT

Tenders Board Meeting

1. There will be a meeting of the Tenders Board that was earlier scheduled on Friday 27th September, 2003. The meeting has been rescheduled to hold on Tuesday, 30th September, 2003; on the rising of the House. The venue is Leader's Office, Room 123. All Members of the Tenders Board should endeavour to attend.

Meeting

2. The Principal Officers will meet today in the Speaker's Office at 3.00 p.m.

Mr Speaker: Honourable Colleagues, I will equally wish to formally inform you that I will travel to Morocco tomorrow with Rangers Football Team, and to be back on Monday or Tuesday next week. So you pray for us so that we come home safely.

ADJOURNMENT

Leader: Mr Speaker, hon Colleagues, I rise to move that this House do now adjourn till Thursday, 9th October, 2003, at 10 a.m. prompt. Thank you.

Deputy Leader: Mr Speaker, Sir, hon. Colleagues, I rise to second the Motion for adjournment moved by the Leader. Thank you.

Question put and agreed to.

Resolved: That this House do now adjourn till Thursday, 9th October, 2003 at 10 a.m.

Adjourned accordingly at 2 20 p.m.



ENUGU STATE OF NIGERIA
PROCEEDINGS
AND DEBATES OF THE
FIRST SESSION OF THE
THIRD ASSEMBLY

ENUGU STATE HOUSE OF ASSEMBLY

OFFICIAL REPORT

No. 28

Thursday
9th October, 2003

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No proofs of the Daily Reports can be supplied. Corrections which Members suggest for the Bound Volume should be clearly marked in the Daily Report, but not telephoned and the copy containing the corrections must be received at the Editor's Room, House of Assembly

not later than four days
after receipt of the Printed Report

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HOUSE OF ASSEMBLY
ENUGU STATE OF NIGERIA

Thursday, 9th October, 2003
(The House met at 10 a.m.)

PRAYERS

(Mr Speaker in the Chair)

APPROVAL OF VOTES AND
PROCEEDINGS

Mr Speaker: Honourable Colleagues, our Votes and Proceedings No. 27 dated Thursday 30th September, 2003 are before us. I have gone through them and to the best of my knowledge, they are correct. However, I need your comments. Thank you!

Mr D. I. Agbo (Enugu East I): Mr Speaker, Sir, I have equally gone through the Votes and Proceedings of our last sitting and found them correct. I therefore, move for their adoption.

Mr F. Ezema (Igbo-Eze South): Mr Speaker, Sir, I rise to second that Motion.

Question put and agreed to:

Votes and Proceedings of Thursday 30th September 2003 accordingly adopted.

NOTICE OF MOTION

Mr E. C. Maduabu (Awgu South): Mr Speaker, Sir, I rise to move the Motion standing in my name on the Order Paper: That this honourable House do urge the Executive to reactivate and make functional the dormant Enugu State Cooperative College presently at No. 143 Agbani Road, Achara Layout, Enugu.

Mr C. O. Enebe (Awgu North): Mr Speaker, Sir, I have risen to second that Motion. Thank you.

Mr E. C. Maduabu: Mr Speaker, Sir, you will agree with me that a Cooperative College is important in any given society as other orthodox schools of study. The importance of cooperative education in the development of any nation cannot be over-emphasized. Cooperative study and practices had been tested and found to be the most effective veritable tool for national development. Cooperative means nothing than to cooperate. That is the use of joint action to achieve goal(s). Therefore, for any desired cooperative action to be successfully carried out, there must exist a *we-feeling*, which engenders trust and confidence among individuals involved.

The College which was then known and called Anambra State Cooperative College was completely functional until the creation of Enugu State in 1991. With the exit of those heading the Cooperative Department of the Ministry

of Commerce and Industries, the Cooperative College came to a stop. The assets of the College were looted and carted away by the officers in charge of the school then. The College had another deadly blow when Ebonyi State was created out of Enugu State in 1996. Some of the remaining assets of the school including vehicles went to Ebonyi State through asset sharing process. The College is now left with film equipment, public address system, students' desks/chairs, black boards, small library and few staff. Presently the school is housed in a rented building at No. 143 Agbani Road Achara Layout, Enugu. A new site at No. 10 Colliery Avenue, G.R.A, Enugu was allocated to the College by the State Government in 2002.

This Motion is timely as it falls within the period when Cooperative Department has been transferred from the Ministry of Commerce and Industries to the Ministry of Human Development and Poverty Reduction. This transfer is an indication that the State Government has something good in mind for the Cooperative College/societies in the State. It is not in doubt that Cooperative College will do much towards human development and poverty reduction.

If this College is reactivated and becomes functional it will train people on two broad based programmes. One of such programmes would be certificate courses where students would be taught basic Business

Management, Cooperative Principles and Practices, Accounting, Auditing, Elements of English, Law and Business Rules.

The second programme would train people on technical aspects of human activities. This will be centred on developing the latent talents of the citizens of Enugu State in particular and Nigeria in general. This group of people would be trained to move from the known to the unknown. They would learn how to produce spare parts for kerosene stoves, bicycles, sewing machines and other minor machines.

Honourable Members, investigations have revealed that the United States of America, China, Indonesia, Taiwan, North and South Korea developed their indigenous technology by embracing cooperative studies and cooperative societies. The College when reactivated and resuscitated would be affiliated to either ESUT or IMT, Enugu.

The schools objectives would be as follows:

- 1) To sensitise the *we-feeling* in our people thereby discouraging the spirit of individualism.
- 2) Training our people on how to develop their talents and channel same into productive ventures.
- 3) Make our people produce known products before venturing into the unknown.

- 4) Encourage local sourcing of raw materials
- 5) Creation of job by making people produce products that require less technology.
- 6) Conservation of foreign exchange
- 7) To encourage thrift among our people.

These and other inherent benefits would accrue to this State if the cooperative college is reactivated and made functional.

In the light of the above information, the Enugu State House of Assembly is urged to resolve as follows:

PRAYERS:

1. The State Ministry of Human Development and Poverty Reduction should investigate and find out the problems of the dormant Enugu State Cooperative College and have it reactivated.
2. That the property of the College no matter where located should be recovered and put into use for the efficient and smooth operation of the College.
3. That the school should be relocated to its permanent site at No. 10 Colliery Avenue G.R.A., Enugu.
4. That when reactivated, the school should be affiliated to either ESUT or IMT Enugu.

Be it moved and is hereby moved.

Mr C. Enebe (Awgu North): Mr Speaker, I have risen to make my contribution on this Motion. First of all, I wholeheartedly support this Motion. Mr Speaker, as the Mover of the Motion has said, cooperative is from the word Co-operation, to co-operate.

Now that the personal potentials in this country are not being harnessed, it becomes important to invest individually. The need to resuscitate that college becomes very important, because in every area of people's endeavour, expertise is very important. Those who do not know the importance think that people coming together to contribute money to start a business are merely taking risk. But I am aware that there are people who are specially trained for cooperative business and other rules governing cooperative management. Even how to share their profits. All these things are some of the things they learn in the process. I believe also that the spirit of individualism is one of the causes of hardships occasioned by bad economy.

You know that money is like seasons we have in our country here, where we have the rainy season and the dry season. The back-up which we have to raise funds is this cooperative arrangement. With this we will be able to cushion the effect of the bad economy we have. With cooperative, we begin to realize that it takes a lot to be united and that unity will be enhanced through cooperative arrangement.

The Mover of the Motion has touched on the equipment of the school and every other aspect of it. I am going on further to support the Motion by trying to re-awaken our consciousness on what we stand to gain by supporting this school. The gap between people in the middle class and those who attend the University will be taken care of. People who graduate from this school will belong to the middle class.

If you go to the private sector, all the manufacturing firms or breweries have cooperative departments and they encourage their staff to get into cooperative ventures. They employ a paid cooperative officer, somebody who has gone to school to study cooperative and the workers enjoy the benefits like in the House of Assembly here, if we have a trained cooperative officer, the chances are that at the end of the day, the staff will be better for it. But in the absence of the trained cooperative officer, the staff will abandon it because it is not an easy area of business.

In this school, they will begin to turn out graduates in this field, but if you employ a University graduate as a cooperative officer, in the Ministry or in the House here, or in a company, they begin to feel too big for the job, while the graduates of the cooperative college will be on hand to take up the challenges that might come up in that direction.

So, I whole heartedly support the Motion and urge my Colleagues to

please support the Motion. Thank you, Mr Speaker.

Mr J. Obidinma (Oji-River): Thank you, Mr Speaker, I rise to align myself to the Motion for a singular reason. If one can set up a Board that can manage cooperative principles, for example, in Nigerian Police, the Cooperative College here in Enugu, their officers pulled their resources together to go into something like business. They buy products and re-distribute them to their Members at a cheaper rate. So, if this idea of the Cooperative is encouraged, the purpose of re-introducing Cooperative College in this area will be enhanced.

Ordinarily, the Members of the Board as I had said earlier will now buy items as cheap as they can from the market and apply the same system as that of Nigerian Police, Cooperative College, Enugu. So, I support the Motion based on the ground that it will produce trained and skilled management that will help to propagate the ideal of cooperative principles. Thank you.

Deputy Leader (Mr Anikwe): Thank you, Mr Speaker, I have risen to give my support to this all-important Motion, and in doing so, one will recall that Enugu State Government is the first State Government in the present dispensation to establish a Ministry for Human Development and Poverty Alleviation. The essence of the cooperative society or the cooperative school as stipulated in the motion and

established by law was to bring into practice the conditionalities of working together. With the cooperative college, there will be more practical approach to business combine, people of the same economic background can form cooperative societies under the umbrella of this all-important Cooperative College. This Motion that is talking of the reactivation of the College was to give life to the College.

You will recall that in the mid-80s and early 90s when we had what was called Voluntary Service Scheme (VSS), the headquarter of this VSS was at this said Cooperative College which later metamorphosed into Volunteer Service Agency (VSA). People with the same academic career, academic pursuit or economic environment came together to form one cooperative combine and with that, both the Volunteer Service Agency and other International Donors could come to their aids in terms of cooperative assistance.

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However, Mr Speaker, you will recall that the Mover of the Motion did point out that this particular place was on tenancy level, and the State Government has now re-allocated the school to a permanent site at GRA, Mr Speaker, I am saying that instead of calling for reactivation of Cooperative College at 143, Agbani Road, it should go down this way: that we will now call for the reactivation of the college at the permanent site at GRA since Government has already allocated the plot and place for the Cooperative

College. It will not be necessary again now to call for reactivation of the tenancy land where the cooperative college was originally occupying, and following this, Mr Speaker, I call on you, the able Speaker, to put the Question. Thank you, Mr Speaker.

Mr Speaker: Is the hon. Deputy Leader proposing an amendment or what?

Deputy Leader: Well, the Mover of the Motion should make that kind of amendment by moving for the stepping down of Rule No. 25 to enable him make that amendment calling for the reactivation of the Cooperative College at its permanent site. ... *(Interruptions)*

Mr Speaker: It is here.

Several hon Members: It is here.

Deputy Leader: The Motion will no more be reactivation of the Cooperative College at 143, Agbani Road ... *(Interruptions)*

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Mr Speaker: No! No! No! It does not matter. The prayer is contained in the prayers.

Deputy Leader: What I mean is this: I am not quarreling over the sitting ... *(Interruptions)*

Mr Speaker: I understood you very clearly.

Deputy Leader: So, that will simply mean reactivation of Enugu State Cooperative College instead of saying at No. 143, Agbani Road. It is no more at No. 143, Agbani Road since it has been re-located, that is what I am saying.

Mr Speaker: O.K. I have understood what you are saying now.

Mr E. Maduabu (Awgu South): Information! That I said presently at No. 143, Agbani Road does not mean that I am saying that the house there or the office of the Cooperative College should be renovated. What I am saying is that the school should be put to functional stage, that is, that the permanent site should be renovated. So, this amendment is not necessary.

Mr M. Njeze (Udi North): I do not know whether there are still people in support because I am in opposition.

Mr Speaker: You are in opposition?

Mr Njeze: Yes.

Mr Speaker: O.K.

Mr Njeze: If there are people in support let them speak.

Mr Speaker: O.K. You can make your minority contribution let me put my Question. ... *(Laughter)*

Mr Njeze: Mr Speaker, hon Members, I strongly rise to urge this

honourable House not to adopt this Motion on the ground that our people are not in lack of places to undertake cooperative studies. Moreover, we have more pressing needs, and I believe that the Executive can employ the resources to help the people of this State instead of reactivating the cooperative college.

I would rather urge the House to ask that the cooperative college should be annexed to Enugu State University of Science and Technology (ESUT), so that they will become one of the master campuses of ESUT. I say it because the State Government has now established a Ministry of Human Resources Management and the whole essence of establishing the Cooperative College is to teach people how to come together, put something together and establish businesses.

The school does not on its own bring people together without any business. So, the school actually is not going to help our people in pulling the resources together, rather it is just to train people. And today I can tell you that there are so many graduates of Cooperative Studies who are unemployed.

Secondary, the issue of cost of education is a very capital intensive project. At the same time, I will be glad if the Federal Government will take-over the schools we are already having now. Instead of asking the Government to go ahead to reactivate one of the schools in existence, it will be better if there is enough resources for Government to do such, the Government should employ such resources in constructing the permanent site for ESUT because we all know that where the ESUT is today is the premises of IMT. Let the Government use the fund to go and start the construction of the permanent site of ESUT.

With these few reasons, I feel that this House will do the people of Enugu State a big service if we do not adopt this Motion so that the meagre resources available can be employed in more benefiting ventures for the people of this State. Thank you, Mr Speaker.

Mr Enebe: The Cooperative College has been in existence and up till today accommodation has been their problem. *(Interruptions). (Laughter).*

Mr Enebe: I hereby move that the Question be put.

Question, That the Question be now put, put and agreed to.

Main Question put and agreed to.

Resolved:

1. That the State Ministry of Human Development and Poverty Reduction should investigate and find out the problems of the dormant Enugu State Co-operative College and have it reactivated.
2. That the property of the College no matter where located should be recovered and put into use for the efficient and smooth operation of the College.
3. That the School should be relocated to its permanent site at No. 10 Colliery Avenue G.R.A., Enugu.
4. That when reactivated, the School should be affiliated to either ESUT or IMT, Enugu.

NOTICE OF MOTION

Review of Standing Orders of the Old Anambra State House of Assembly 1980 as adopted by the Enugu State House of Assembly

Mr E. Odoh (Igbo-Etiti East): Mr Speaker, may I move the Motion standing in my name: That the Enugu State House of Assembly do grant leave to the House Committee on Rules and Business to review the standing Orders of Old Anambra State House of Assembly 1980 as adopted by the Enugu State House of Assembly.

Mr C. Ugwu (Enugu East): Mr Speaker, Sir. I have risen to second the Motion as moved by the hon. Member for Igbo-Etiti East (*Mr Odoh*). Thank you.

Mr Odoh: Mr Speaker, Sir. You could recall that on the 22nd day of June 2003 the honourable House adopted the Standing Orders of the Old Anambra State House of Assembly 1980. You are also aware that, currently, the Enugu State Justice Review Team is working assiduously towards the review of the Laws of Enugu State generally, and I know some academic works are currently in progress to realize the set objectives.

Mr Speaker, the said review cannot get the force of law if this honourable House does not validate it. It will therefore, be judicially erroneous for a reputable House of this nature to review an existing law of Enugu State by the adoption of the Old Anambra State Laws without first reviewing its Standing Orders.

Mr Speaker, Sir, in view of the aforementioned reasons it now behooves on this honourable House to resolve as follows:

1. That Enugu State House of Assembly hereby grant leave to the House Committee on Rules and Business to review the Old Anambra State house of Assembly Standing Orders of 1980 as applicable to

Enugu State House of Assembly.

2. That a minimum period of one month be given to the Committee to review the said Standing Orders.

I therefore urge this honourable House to give this Motion favourable consideration. Be it moved, and it is hereby moved. Thank you.

Mr C. Enebe (Awgu North): Mr Speaker, I have risen to support the Motion, and in doing so, I have to add that it was because of the fact that we could not come up with the Standing Orders, the Enugu State House Committee on Rules and Business did not do it during the last administration (*Interruption*).

Mr Speaker, what I am saying is that it will be a very big embarrassment if after using the adopted rules during the last four years, we use it again. It will be as if we do not know what we are doing because some of the items contained there are out-dated. Therefore, I support the Motion and the Mover of the Motion and the House Committee on Rules and Business should not complete its job without talking about funding. (*Laughter*). Thank you.

Mr J. N. Anichukwu (Nkanu East): Mr Speaker Sir, I stand to support the Motion and as the Mover of the Motion pointed out, it is a very short and powerful Motion and my contribution is

going to be short and straight to the point.

This Motion is most desirable now because the rules are actually long overdue. We are talking of the Standing Orders of Old Anambra State of 1980. From 1980 to 2003 is twenty three years. We are in a progressive world, particularly, Enugu State. I believe the Committee will do a lot of job in their review because a lot of things might have taken place that will entail good adjustment.

This honourable House will do itself a very big honour again and it will be on record that this Session has adopted its own Rules and it is going to be a very desirable Rule that probably will take us to the end of our tenure. So Mr Speaker, I am fully in support of the Motion, and urge my Colleagues to give it an easy passage. Thank you.

Mr Speaker: Thank you.

Deputy Leader: Mr Speaker, Sir, it is a clear understanding that the only thing that does not change is change. Every other thing on earth changes except change and that is the dynamics of human beings, more especially, when you talk of law. Apart from the Nigeria Constitution, the next law we operate with are the Standing Rules. You know that we should make a law that will be most appropriate, not a law that will be so anachronistic, very obsolete, very truncated.

Mr Enebe: Mr Speaker, Sir. On a Point of Order! We are talking of Rules and not law, so he is confusing the two.

Deputy Leader: The Rules of the House, that is what I am talking. *(Laughter)*. Thank you for the correction. The Rules that will be older than most of us, I think twenty-three years, the Nigerian Constitution has eighteen years as adult age. So this honourable House has reached that adult age to come out with befitting Rules of the House that will be most practical, taking care of our immediate environment and the demands of the day.

So Mr Speaker, this is a Motion that we will not waste time in passing. This is a high impact one, and because of the life, operation, like we are seeing now, what will constitute the other things that will make the House not functional; I am not trying to preempt them but I know that the Business Committee led by the Chairman – the leader, will try to come up with very befitting Rules that will check-mate a lot of things within us here, and our Members elected by various constituencies. It is on the strength of this, Mr Speaker, that I now call on you to put the Question. Thank you, Mr Speaker.

Question, That the Question be put, put and agreed to:

Main Question put and agreed to:

Resolved: That this honourable House do grant leave to the House Committee on Rules and Business to review the Standing Orders of the Old Anambra State House of Assembly, 1980, adopted by the Enugu State House of Assembly.

2. That a minimum period of one month be given to the Committee to review the said Standing Orders.

Mr Speaker: A minimum period of one month has been given to the committee to review the said Standing Orders. Please let your one month be your one month.

ANNOUNCEMENT

Visit to R. E. B.

Mr Speaker: The House Committee on Public Utilities will Visit the Rural Electrification Board on Monday, the 13th day of October, 2003 at 12 noon. Departure is from here, the Assembly Complex.

ADJOURNMENT

Leader (Mr Ebenyi): In view of the on-coming workshop, I hereby move that the House do now adjourn till Tuesday, 21st October, 2003, at 10 a.m.

Mr E. Maduabu (Awgu South): Mr Speaker Sir, I have risen to second the Motion.

Welcome Back

Mr C. Enebe (Awgu North): Mr Speaker, Sir, I have risen to support the Motion, and in doing so, I wish to welcome Mr Speaker back from Casablanca, even though you lost. In Nigeria we know that losers are upper. The other day you came back home and everybody was congratulating you. We thank God. This is just the first leg and you have to do everything possible to make sure you achieve success next time.

Thank you, DFID

Mr E. Odo (Igbo Etiti East): Mr Speaker, Sir, while supporting the Motion for adjournment, I actually wish to thank members and the DFID for assisting the House of Assembly with ten computers, one photocopier, etc, and wish to call on other donor agencies and international agencies as well to emulate this kind of behaviour so that at the end of the day the House will function properly, and I would expect that perhaps, some similar agencies will take up the furnishing of office here and installation of air-conditioners. I also wish to urge the Members of the House to extend their hands of fellowship to members of the Department for International Development (DFID). Thank you.

Question put and agreed to:

Resolved: That the House do now adjourn till Tuesday, 21st October, 2003 at 10 a.m.

Adjourned accordingly at 1.40 p.m.



**ENUGU STATE OF NIGERIA
PROCEEDINGS**

**AND DEBATES OF THE
FIRST SESSION OF THE
THIRD ASSEMBLY**

ENUGU STATE HOUSE OF ASSEMBLY

OFFICIAL REPORT

No. 29

**Tuesday
21st October, 2003**

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HOUSE OF ASSEMBLY
ENUGU STATE OF NIGERIA

Tuesday, 21st October, 2003

(The House met at 10 a.m.)

PRAYERS

(Mr Speaker in the Chair)

**APPROVAL OF VOTES AND
PROCEEDINGS**

Mr Speaker: Honourable Colleagues, our Votes and Proceedings No. 28 of Thursday, 9th October 2003 are before the House, however, I need your comments.

Mr C. Ugwu (Enugu East II): Mr Speaker, I have equally gone through the Votes and Proceedings of our last sitting, and found them to be a correct recording of our deliberations. I therefore move for the adoption of the Votes and Proceedings.

Mr E. Maduabu (Awgu South): Mr Speaker, I rise to second the Motion.

Question put and agreed to.

*Votes and Proceedings of
Thursday, 9th October 2003,
accordingly adopted.*

NOTICE OF MOTION

Mr E. Maduabu (Awgu South): Mr Speaker, I beg to move this Motion standing in my name:

That the Honourable House do urge the National Assembly to urge the Federal Government to Dualize Enugu/Abuja Road to Curb the Constant loss of Lives and Properties worth Billions of Naira through Motor Accident.

Mr J. N. Anichukwu (Nkanu West): I have risen to second the Motion as moved by the hon. Member for Awgu South (*Mr Maduabu*). Thank you.

Mr E. Maduabu: Mr Speaker, Sir, it is quite obvious that Enugu/Abuja Road is one of the noted major and important road network in our country today. It is the road that connects the South/South, South/East and part of South/West States of this country (Nigeria). The social and economic importance of the road cannot be over-emphasized. It could be understood, Mr Speaker, that people from these zones of the country are noted for their high attachment to commercial activities and that their main exit route is this Enugu/Abuja road. Therefore anything that affects or obstructs movement on this road affects or blocks millions of economic activities

and thereby renders millions of homes completely prostrate.

We all heard the ugly incident that occurred recently at Akpoga, a village in Kogi State on Monday, the 8th day of September, 2003. In fact, the hon. Members of this great House were shocked to their bone-marrow, when they heard that their dear brothers and sisters were roasted by fire in a ghastly motor accident in which four vehicles including a luxury bus were involved. Honourable Members, that day was one of the black days in this country. It was a day many homes were carrying their dead ones like logs of wood. It was a day the dark spirits of that single lane road drank human blood to their satisfaction. Honourable Members, may we pray to the Almighty God not to allow a day like Monday the 8th day of September 2003, come again in the history of this country. In that accident, not less than one hundred persons lost their lives. One can imagine the psychological, social and economic impact of this sad event on Nigerian families. To say the least, this was devastating no matter the angle one views it.

It is true, the ugly incident occurred in the night and one might be tempted to conclude that this was as a result of nocturnal movement by motor. This is completely not true. What is true is that Enugu/Abuja road is a very busy road that carries heavy traffic and being a single lane, drivers in attempt to overtake others run into

a head-on collision with on-coming vehicles from the opposite direction. In a simple demonstration of circular cumulative causation, this normally results to a multiple accident. That was what happened on Monday, the 8th day of September, 2003. The ugly incident could be avoided and permanently stopped if and only if the Enugu/Abuja road is dualised.

Enugu/Abuja road is a national trunk 'A' road that could conveniently be described and qualified as an international motor route which connects the nation's capital with other major segments of the federation. Therefore, the road, because of its significance to the nation's economy, deserves to be dualised at all cost. Honourable Members, it is quite wrong for anybody to conclude that what happened at Akpoga on 8th September, 2003, was as a result of night journey. Accident could occur anytime any day. Statistics of motor accidents in this country shows that most accidents occur in the day than in the night. I strongly advocate that once this road is dualised such ugly incident, if not stopped completely, will be suppressed to the bare minimum.

The cost of dualising the road is enormous but it will pay the nation greatly to face the challenges and save the souls of millions of Nigerians that would be potential accident victims. There is no doubt that the nation has the resources to carry out this project. May God bless the Members of the National Assembly, Amen.

PRAYERS

1. That the hon. Members of Enugu State House of Assembly mourn and sympathize with Nigerian families that were affected by the ugly incident of 8th September, 2003.
2. That the House urges the National Assembly to move a Motion compelling the Federal Government to dualise the said road to guard against future occurrence.
3. That the hon. Members representing South/South, South/East and part of South/West at the National Assembly should pursue and move this all important Motion at the National Assembly.
4. That the Members of the Federal Executive Council from these zones should see that this Motion when passed at the National Assembly is duly implemented as prayed.
5. That the Members of Federal Road Safety Corps and other traffic agents should brace up with their duties by ensuring that speed-limit and other traffic regulations are strictly and religiously observed and maintained on the road by road users.

6. That appropriate sanitation should instantly be meted out to any traffic offender on the said road.
7. That the Federal Road Maintenance Agency should, as a matter of urgency, start repairing the road pending the dualization.
8. That the Enugu State House of Assembly urges the Federal Executive Council to include the Dualization of Enugu/Lokoja/Abuja road in the 2004 budget.

Be it moved and is hereby moved.

Mr J. N. Anichukwu (Nkanu East):
Mr Speaker, Sir. I have risen to support this Motion in its entirety because an adage said that he who wears the shoes knows where it pinches. The Mover of this Motion, as a politician, has been touched because he makes use of that road more than twenty times in a month. The Motion, economically and historically has mentioned so many ugly things that made what I personally understand to be a National calamity because there was an accident which occurred at Afoga and when such type of things do happen people are affected directly or indirectly. Those people who died are our brothers and sisters and this honourable House did pass a Motion banning night travels, and I know how the general public appreciated that Motion.

In the same vein, a great majority of food that we consume in this part of the country come from that area i.e. Northern part of the country; and if nothing is done may be, by tomorrow, they may get up and start having double mind. If they have been sending two or three trailers of yams or even cows, they may start to reduce it; and no household will be all right without food. I may have the money but I will not see where to buy whatever I need.

So, this House will once again do itself good by passing this powerful Motion beyond Enugu State. They will definitely know that this House is doing its job by not only making sure that lives are protected all year round, but we will equally be protecting the economic and political movement of this country. In addition the nascent democracy in this country will be enhanced.

So, Mr Speaker, I am urging my Colleagues to please pass the Motion and sooner or later as usual the reaction of the public will be to the glory of this House. Thank you very much.

Mr C. Enebe (Awgu North): Mr Speaker, I have risen to contribute to the Motion under discussion. I wholeheartedly align myself entirely to the contents of this Motion but before I proceed, may I ask the leave of the House to suspend Rule No. 25 to enable me put up this little

amendment to the Title of the Motion. Thank you.

Deputy Leader (*Mr Anikwe*): Thank you, Mr Speaker. I have risen to second the Motion that this honourable House suspends Rule No. 25 to enable the hon. Member for Awgu North (*Mr Enebe*) to come up with the necessary amendment.

Question put and agreed to.

Mr Enebe: My amendment is on *dualization of Enugu/ Lokoja/Abuja road, to stop the constant loss of lives and properties.* I still wish to change *constant to incessant.*

Deputy Leader: I align myself with the only amendment made by the hon. Member for Awgu North (*Mr Enebe*) (*Interruption*).

Mr Speaker: Honourable Colleagues, the amendment as proposed are as follows: Dualization of Enugu/Lokoja/Abuja road to stop the incessant loss of lives and properties worth Billions of Naira through motor accidents.

Question put and agreed to.

Mr Enebe: Thank you Mr Speaker, and my Colleagues. Mr Speaker, like the Mover of the Motion rightly pointed out the need to get that road dualized cannot be over-emphasized, because most of the accidents that occur on that road are always head-on

collisions. You know that if we have two or three lanes, to and fro, the accident will definitely stop. Moreover, when that road is dualised, it will equally curb the issue of armed robbery on that road because it will be difficult for armed robbers to block the two dual carriage roads at the same time, people can have escape route.

The title of this Motion speaks for itself. It is such Motion that does not require much grammar. However, I want to believe that the prayer of this Motion would have been a little bit to the point if we urge the Federal Executive Council to include this road in the next budget. I believe that if we get the National Assembly to move a Motion, this House will only communicate the National Assembly but if we include the Federal Executive Council, I know that this House through the Clerk will eventually write the Federal Executive Council stating our view, and, who knows, they could raise it in their meeting or add it in the next year's budget. Then by the time we send our own Motion to the National Assembly, the content of the budget as it affects this very road we are discussing would have eventually been passed into law as part of the appropriation act.

I would have brought this amendment *ab initio*, but because of the way I framed my Motion; I then moved a Motion that I want to change

the title of the Motion; I was afraid that if I go into the prayer, somebody may want to stop me; so I decided to leave the issue of prayer and talk about the title, and if what I am talking makes sense, I believe that urging the Federal Executive Council to put it in the budget will make meaning so that the National Assembly does not negate our own Motion.

So my Fellow Colleagues, without bothering you, I still want to seek the leave of the House to suspend Rule No. 25 to enable me move this Motion. Thank you.

Mr Speaker: There is a Motion on the Floor that we suspend Rule No. 25 to accommodate the proposed prayer because it is talking about National Assembly; additional prayer that we pray the Federal Executive Council to include the roads in question in the 2004 National Budget.

Leader (Mr Ebenyi): Mr Speaker Sir, I have risen to support the Motion as proposed by the hon. Member for Awgu North (*Mr Enebe*).

Question put and agreed to:

Rule No. 25 according suspended.

Mr Enebe: I thank Mr Speaker and my Colleagues. My amendment goes thus: That the Enugu State House of Assembly urges the Federal Executive Council to include the Enugu-Lokoja-Abuja Road in the 2004 budget.

Leader: Mr Speaker, Sir, I have equally risen again to second the Motion for the proposed amendment.

Question put and agreed to:

Mr Enebe: Mr Speaker, Sir, having gone so far, I want to contribute to the debate by urging my Colleagues to ensure that this Motion is passed. Thank you.

Mr M. Njeze (Udi North): Mr Speaker, Sir, I have a lot of reasons to be in agreement with the arguments of this Motion. May I seek the leave of the House to suspend Rule No. 25 to enable me make slight amendment on prayers one and two.

Mr J. Obidinma (Oji River): Mr Speaker, Sir, hon. Colleagues, I rise to second the Motion moved by the hon. Member for Udi North (*Mr Njeze*) to enable him come up with his proposed amendment. Thank you.

Question put and agreed to.

Mr Njeze: Mr Speaker, Sir, hon. Colleagues, my amendment on Prayer one is just to delete *mourn and*, so that we now leave it as *that the honourable Members of Enugu State House of Assembly sympathize with Nigerian families that were affected by the ugly incident of 8th September, 2003*. Then, on prayer 2, delete *compelling* and put in its place *urging* so that it will now read, *that the House is urging the National*

Assembly to move a Motion by urging the Federal Government to dualise the said Road to guard against future occurrence. Thank you.

Mr Enebe (Awgu North): Mr Speaker, Sir, hon. Colleagues, I rise to second the Motion moved by the hon. Member for Udi North (*Mr Njeze*). Thank you.

Question put and agreed to.

Mr Njeze: Mr Speaker, Sir, hon. Colleagues, with this amendment, I strongly call on Members of this honourable Assembly to kindly pass the Motion, because it is going to be beneficial to the people of Enugu State in particular and the people of Nigeria in general.

I know and I trust my hon. Members here on what they can do. Thank you, in advance for passing the Motion successfully.

Deputy Leader (Mr Anikwe): Mr Speaker, Sir, hon. Colleagues, I very much appreciate the spirit behind this Motion. I only want to observe all the panel beating done in this Motion like Prayer No. 7, that is, *an Agency on Road Maintenance*. I also observed that this Motion is talking of dualization and not on Road Maintenance. I do not know whether it can be removed by seeking the Leave of the House again as usual. Because I am not seeking ...

Mr Speaker: The Deputy Leader, should please tell the House what he really wants.

Deputy Leader: Mr Speaker, Sir, hon. Colleagues, I want that particular prayer which is talking of Road Maintenance by the Agency totally expunged, because the Motion is talking about *dualization of the Road* and not *Road Maintenance*. It is just contradicting itself. If the amendment is already made, Mr Speaker, I align myself whole and entire, with the Motion. Thank you.

Mr Enebe: Mr Speaker, Sir, hon. Colleagues. The Motion is not treating the dimension aforementioned, but is trying to see how we will curb the excesses of the bad Road. Prayer 7 is therefore intended to be a stop-gap between them until it is dualized. I am aware that the Mover of the Motion must have traced the current aspect of problems on potholes here and there. So, while we do the long-term prayer through this Motion for its dualization, the interim measure is to take care of the road as it is today, so that a lot of lives will be saved. The moment they dualize it, the issue of taxes will then be over. It is better you use one stone to kill two birds. You know that this is a mere prayer, by the Grace of God, they will put it in the Budget. Thank you.

Mr Njeze: Mr Speaker, Sir, hon. Colleagues, I would have wished to seek the permission of the House

again, but before I seek it, I want to let the House know what I intend to do, on that prayer 7, if we can just add *pending the dualization*. So that, it will now read, *that the Federal Road Maintenance Agency should as a matter of urgency, start repairing the road pending the dualization*. So may I seek the permission of the House to suspend Rule No. 25 to effect such amendment on prayer 7. Thank you.

Mr Enebe: Mr Speaker, Sir, hon. Colleagues, I rise to second the Motion that was moved by the hon. Member for Udi North (*Mr Njeze*). Thank you.

Question put and agreed to.

Mr Njeze: Mr Speaker, Sir, hon. Colleagues, the amendment is for us to add at the end of prayer 7, *pending the dualization*, so that the Prayer now reads: *That the Federal Road Maintenance Agency should as a matter of urgency, start repairing the Road pending the dualization*. Thank you.

Mr J. Anichukwu (Nkanu East): Mr Speaker, Sir, hon. Colleagues, I rise to second the amendment that was made by the hon. Member for Udi North (*Mr Njeze*). Thank you.

Question put and agreed to.

Leader (Mr Ebenyi): Mr Speaker, Sir, I have risen to support the Motion. The dualization of Enugu-Lokoja road is very important. This is the only road

linking the Easterners with the North. We are aware that most accidents that happen on that road is head-on collusion, and the reason is that the road is very narrow. I support that we write the Federal Government to dualize the road. I now move that the Question be put.

Question, That the Question be put, put and agreed to.

Main Question put and agreed to:

Resolved:

1. That the Honourable Members of Enugu State House of Assembly sympathize with the families that were affected by the ugly incident of 8th September, 2003.
2. That the House urges the National Assembly to move a Motion urging the Federal Government to dualise the said road to guard against future occurrence.

Mr Speaker: Hon Colleagues, let us look at Prayer 4: *That the members of the Federal Executive Council ...* if you look at the amendment proposed we are sending this Motion straight to the Federal Executive Council. There is no need urging for any other thing. Look at prayer No. 8, it had already been incorporated in other prayers.

Deputy Leader: Mr Speaker, if you watch the body of the Motion, you will observe that the Mover of the Motion had thanked the Members of the National Assembly when he said Bravo to the Members of the National Assembly. The main content of the Motion is clear, there is no need urging the Members of the National Assembly to intervene because as soon as the Motion is passed, everybody must be involved. So we cannot urge the National Assembly Members, because they are already aware.

Mr Njeze: Mr Speaker, Sir, there is nothing in urging them. We can always call on them to help, I do not see anything wrong.

Mr E. Maduabu (Awgu South): The Motion is clear. It said may God be with them.

Mr Speaker: Honourable Colleagues, please do not exchange words, address the Chair. Does the Deputy Leader still have anything to say?

Deputy Leader: Mr Speaker, I believe sincerely that there is no need to bother ourselves, we have gotten the appropriate prayers; there is no need urging this or that. Since it is going to the Executive, everything has been taken care of when we said that same should be included in the Appropriation Bill.

Mr Enebe: Information! Mr Speaker. My information is that no amount of information is too much. If you are asking for something from the National Assembly, one should continue to give them more information on the issue. This is because they sit in caucus to facilitate their debates on issues.

Mr E. Odo (Igbo Etiti East): Mr Speaker, Sir, I think that Prayers 3 & 4 will be at variance with the amendment proposed by the hon. Member for Awgu North (*Mr Enebe*). Prayer 3 is saying that the hon. Members for South/South, South/East and part of South/West at the National Assembly should pursue and move this all-important Motion at the National Assembly. It did not even tell us whether it is only Lagos and Ibadan that was going to join them, because it is not the entire South/West. So there are some ambiguities in prayer 3 and that was even reflected in prayer 4. Because of those ambiguities, I suggest Mr Speaker, that the amendment by the hon. Member for Awgu North (*Mr Enebe*) has covered them, because there is a notion that if we leave this Motion like this, and when one comes to interpret what South/West means, they will now begin to ask whether we are talking of Lagos or Ibadan or Ondo.

What we are saying is that we should not over-labour the good work we have so far done. I pray earnestly

that prayers 3 and 4 be expunged to accommodate the amendment proposed.

Mr Speaker: Honourable Colleagues, I will just put the Question on Prayers 3 and 4. I put the Question right away. (*Interruptions*)

Mr Njeze: Mr Speaker, it is just to plead on what the hon. Member for Igbo Etiti East (*Mr Odo*) said *part of South/West*, we can remove it. (*Interruptions*).

Question, That prayers 3 and 4 be expunged, put and the House divided by roll call.

DIVISION LIST

AYES 10

- 1) Hon. Christopher Ugwu
- 2) Hon. Donatus Anih
- 3) Hon. Paul Anikwe
- 4) Hon. Eugene Odo
- 5) Hon. Alfred Nnadi
- 6) Hon. Anichukwu Nwankwo
- 7) Hon. Fabian Onah
- 8) Hon. Johnny Obidinma
- 9) Hon. Chika Eneh
- 10) Hon. Anthony Chigbo

NOES 5

- 1) Hon. Cletus Enebe
- 2) Hon. Emmanuel Maduabu
- 3) Hon. Marcel Njeze
- 4) Hon. Fidelis Ezema
- 5) Hon. Kingsley Ebenyi

Question accordingly agreed to.

Prayers Nos. 3 and 4 according expunged

(Several hon. Members took the Floor)

Mr Speaker: Order! If the Deputy Leader stands up again when he is not recognized, I will just walk him out. He said we should not be bitter, I do not want to be bitter, but if he pushes me to the wall, I will become bitter. I cannot keep on shouting and about three persons are talking at the same time. You are addressing one person. You are not addressing yourself, you are addressing me.

The total votes cast is fifteen. Five Members are saying that we should leave the prayer as it is, while ten are in total support of expunging it and it is hereby expunged. So, prayers two and three are hereby expunged.

Mr Enebe: Mr Speaker, I want to make a case on what we are doing now. In the first place, there was no Motion for amendment of these two prayers, the Speaker has put the Question; we were even trying to amend it. What you have merely done is that you have just taken the roll call of those present because when you called for division, you would have called people from your right to left and from left to right for you to check the list. It is very, very necessary.

Mr Speaker: O.K. The hon. Member for Awgu North (*Mr Enebe*) can now resume his seat. Now, let me tell you. That Members did not raise objection on the two prayers does not mean that they have accepted them. It is not so. If you decided that it is wrong, then keep quiet, because I will not be happy with your raising unnecessary tension. I do not see anything wrong if Members did not make amendment *ab-initio*. This has nothing to do with Members saying *yes* or *no* to the prayers.

Mr Enebe: What I am saying is that the *yes* and *no* (*Interruptions*)

Mr Speaker: The Point of Information of the hon. Member for Awgu North is over-ruled.

Mr Enebe: It is not over-ruled because you cannot put division within ... (*Interruptions*).

Mr Speaker: The hon. Member for Awgu North you went to appeal and lost. (*Laughter*).

The total votes cast is fifteen. Five Members are saying we should leave it as it is, but ten Members are in total support of expunging it. Prayers three and four are hereby expunged.

Resolved: (3 and 4 – expunged)

5. That the members of Federal Road Safety Corps and other traffic agents should

brace up with their duties by ensuring that speed limit and traffic regulations are strictly and religiously observed and maintained on the road users.

6. That appropriate sanction should instantly be meted out to any traffic offender on the said road.
7. That the Federal Road Maintenance Agency should, as a matter of urgency, start repairing the road, pending the dualization.
8. That the Enugu State House of Assembly urges the Federal Executive Council to include the Dualization of Enugu/ Lokoja/ Abuja road in the 2004 budget.

NOTICE OF MOTION

Sitting Calendar for 2003/2004 First Session of the Enugu State Third House of Assembly

Leader: (Mr Ebenyi): Mr Speaker, may I seek the Leave of this honourable House to move a Motion standing in my name: That this hon. House do approve the sitting Calendar for 2003/2004 first Session of the Enugu State Third House of Assembly as follows:-

That this honourable House do approve the sitting Calendar for 2003/2004 First Session of the Enugu State Third House of Assembly.

2nd June – 1st September, 2003 – 43 Legislative days

2nd September – 1st November, 2003 – 49 Legislative days

2nd December 2003 – 1st March, 2004 – 39 Legislative days

2nd March – 1st June, 2004 – 40 Legislative days

Deputy Leader (Mr Anikwe): Mr Speaker, I rise on a point of Order to say that the hon. Leader's word is wrong. He should not use the word seeking the Leave of the House to move a Motion standing in his name. The notice was duly served as presented; he should rather go on to move the Motion standing in his name and not seeking the leave of the House. If the correction is made, I stand to second the Motion. Thank you.

Leader: Mr Speaker, Sir, this is a business Motion and it becomes very necessary, pursuant to the Section 104 of the Constitution of the Federal Republic of Nigeria which in the course of clarity stipulates, that *a House of Assembly shall sit for a period of not less than one hundred and eighty-one days in a year.*

It behooves on this honourable House to comply with this statutory requirement bearing in mind that the sittings of the House are on Tuesdays and Thursdays while Mondays, Wednesdays and Fridays are for committee activities.

Mr Speaker, Sir, to formalize the committee sittings, publication of such schedules becomes necessary as done in the National Assembly. From the date of inception of this House, that is, Monday 2nd June, 2003 to the end of first quarter, 3rd September, 2003; the House had recorded twenty sittings, twenty-three committee sitting days, giving a total number of forty three legislative days. The second quarter which began on 2nd September and will end on 1st November, 2003 will record twenty six legislative days and twenty three committee sitting days giving a total of forty nine legislative sitting days.

And finally, the third quarter which will commence on 3rd December, 2003 would set aside the whole December 2003 for Christmas recess. The quarter will commence business

on January 8, 2004 with a total of thirty-nine legislative days i.e. twenty legislative sittings and nineteen committee sitting days.

Finally, from 2nd March to June 1, 2004, we will have a total of forty legislative days i.e. twenty legislative and twenty committee sitting days, setting aside two weeks recess for Easter. This sitting calendar seeks to achieve the following:

- 1) To achieve action plan legislative service. You know a calendar is a plan for the people. We have National Calendar which helps us to plan our days;
- 2) It will help in organizing and ensuring sensitized high impact legislative activities on our Order Paper.
- 3) The Calendar, if adopted, will help us to comply with the constitutional requirement. This means that the House of Assembly should have one hundred and eighty-one legislative sitting days in a year;

Finally, Mr Speaker, you know that if we have a compact sitting, that means we have compact Motions and Bills, and these are what any Legislature is being judged by. A legislature is judged by the number and quality of Motions and Bills it has

passed. So I am urging the honourable House to adopt it.

Mr Speaker, Sir, in line with the above illumination, this House is hereby urged to approve the sitting Calendar for 2003/2004, First Session of Enugu State Third House of Assembly as stated above. Be it moved and it is hereby moved.

Deputy Leader (Mr Anikwe): Mr Speaker, Sir, in a man's life, there is that modus, there is that checks and balances, there is that stipulation which will now move the man as an organized human being. The honourable House of Assembly, having an organised pattern of sitting, call it a calendar, is most appropriate more than ever before. At least, it is clear to every-one of us that the Motion is no other thing than speaking the fulfillment of the constitutional requirement of the hon. Members. Without this calendar, it will be almost difficult to achieve that Constitutional requirement of the minimum of one hundred and eighty-one days. With this, we are now aware that within this time in a year, within this day in a week, within this month in a year, there are sittings and within these days of the week we shall be having committee meetings which are part of the legal constitutional provision of hon. Members.

Mr Speaker, I do not think we have more time to debate on this because it is a way forward; it is an articulated

machinery that will give us all the information required. There are some of us that may not even know that we are entitled to such number of days. If we go down our records we will discover that if we do not have such record within us wholly and articulated, you may discover there will even be a time we will not be able to form a quorum. So this Calendar is an added advantage coming at this rightful time from no other person than the Leader of the House. He has taken the lead, Mr Speaker. In view of this, I am urging you to now put the Question.

Mr C. Enebe (Awgu North): Mr Speaker, Sir, I have risen to contribute to the debate on this our Calendar. The Calendar as articulated by the Leader is very important because it afforded us a focus and direction. The Calendar is a means to an end and not an end itself. What the Calendar has done is to show that we need to sit one hundred and eighty-one days. If at the end of the day something happened and we missed a week or two, we have to make up for the days we did not sit in one way or the other.

It is very important equally for members to realize that the fact that we have a calendar does not mean we have sat for one hundred and eighty-one days. If you do not come to sitting, the Calendar cannot protect you. What protects a Member is our attendance. Therefore it will be erroneous if we leave this Chamber this afternoon believing that having had this Calendar,

everything is all right. You must work very hard. We accept this Calendar. It is very important to make Members know it is a guide to make Members achieve their constitutional requirement. The sitting days are not counted based on membership, it is an individual affair. Thank you, and may I move that the Question be put.

Mr Speaker: Before I put the Question I have to make it clear, just like the hon. Member for Awgu North said, that we have this Calendar does not mean that when you wake up on a sitting day, you will stay in your house thinking that you are covered by this Calendar. It is not true. You must come. At the end of the day, you sign the *attendance list*. So, please take note.

Question, That the Question be now put, put and agreed to:

Main Question put and agreed to:

Resolved: That this honourable House hereby approve the sitting Calendar for 2003/2004 First session of the Enugu State Third House of Assembly as follows:

2nd June – 1st September, 2003 – 43 Legislative days.

2nd September – 1st November, 2003 – 49 Legislative days.

2nd December 2003 – 1st March, 2004 – 39 Legislative days

2nd March – 1st June, 2004 – 40 Legislative days.

ANNOUNCEMENT

Burial

Mr Speaker: Honourable Colleagues, please remember that one of us lost his father. He is the hon. Member for Nsukka East (*Mr F. Amu*). His father will be buried on Thursday 23rd October, 2003. Therefore, all hon. Members are expected to be at his home town. The initial take-off point will be at the Legislative Quarters, at 8.00 a.m. We will move to the UNTH Mortuary in a convoy. Attendance is mandatory, please. And all of us must accompany the corpse to his home town. Thank you.

Meetings

2. The House Committee on Public Accounts will meet today, on rising of the House, at the Chairman's Office, Room 14.
3. The Tenders Board will meet on Wednesday 22nd, October, 2003, at 12 noon in Room 123A. Venue is Leader/Chairman's Office.
4. The House Committee on Civil Service and Labour Matters, will visit the Head of Service on Monday, 27th October, 2003, by 2 p.m. Time of departure is 1.30 p.m.

ADJOURNMENT

Leader: Mr Speaker, Sir, hon. Colleagues, in view of the announcement as regards the burial of the father of one of our Colleagues, the hon. Member for Igbo-Etiti (*Mr Amu*) I hereby move that the House do now adjourn until Tuesday, 28th October, 2003. Thank you.

Deputy Leader: Mr Speaker, Sir, hon. Colleagues, I rise to support the Motion for adjournment moved by the Leader. In doing so, I also have to use this opportunity to commend you, and your team, Enugu Rangers International, once again. The Rangers International Footballers did not lose, but they just lost gallantly. So I pray that next time you have to use your good offices, and by God's Grace, your labour will not be in vain. Thank you.

Mr C. Enebe: (Awgu North): Mr Speaker, Sir, I rise to support the Motion for adjournment, and in doing so, I wish to urge you to use your good offices to investigate what I saw in the Vanguard Newspaper of two days ago, on the issue of those who are eligible to attend this Convention, I did not see any House of Assembly Member there. I do not know if ...
(interruptions).

Excuse me, Mr Speaker, Sir, the points are made in the Constitution, to approve personal Aids to the Governors and President. But when

they now mention the people that are qualified for this Convention, we were not included. But the Representatives are our Colleagues. Let us find out whether the House of Assembly Members are still there, so that if there is omission, we take off in time, otherwise, we will say nothing when it is late. Thank you.

Question put and agreed to.

Resolved: That this honourable House do now adjourn till Tuesday 28th October, 2003, at 10 a.m.

Adjourned accordingly at 3 p.m.

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ENUGU STATE OF NIGERIA
PROCEEDINGS

AND DEBATES OF THE
FIRST SESSION OF THE
THIRD ASSEMBLY

ENUGU STATE HOUSE OF ASSEMBLY

OFFICIAL REPORT

No. 30

Tuesday
28th October, 2003

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HOUSE OF ASSEMBLY
ENUGU STATE OF NIGERIA

Tuesday, 28th October, 2003

(The House met at 10 a.m.)

PRAYERS

(Mr Speaker in the Chair)

APPROVAL OF VOTES AND
PROCEEDINGS

Mr Speaker: Honourable Colleagues, our Votes and Proceedings No. 29 of Tuesday, 21st October, 2003 are before us, I have gone through them and found them to be the true reflection ... (*Interruptions*). To my mind I have discovered that we have some little mistakes, and, on the strength of that, I wish to allow Members to officially point out the mistake or mistakes before we proceed. Thank you.

Mr E. Odo (Igbo-Etiti East): Mr Speaker, Sir, it is true that we had a Motion in our last sitting as regards Sitting Calendar for 2003/2004, First Session of the Enugu State House of Assembly which ordinarily is less than (181) one hundred and eighty-one days a Session but in the Calendar we have now the total figure is (171) one hundred and seventy-one days. In the light of this, I wish to urge this honourable House to look into the matter and correct it accordingly.

Mr Speaker: Honourable Colleagues, you have heard it all, the Motion we have adopted last week is a constitutional matter and it has to do with the number of days we should have sittings in a session which is (181) one hundred and eighty-one days, and going by this Motion, it is discovered that instead of 181 what we have is 171. So it is

good that we have pointed it out for proper handling.

We treated two Motions on that day, and having pointed it out and having taken all the necessary precautions on the said Motion, we can still go ahead and adopt the Votes and Proceedings since we have already pointed out the mistake.

Mr J. Anichukwu (Nkanu East): Mr Speaker, Sir, in the first Motion we had on 21st October, 2003, I remember that we amended "dualization of Enugu/Abuja Road" to read "dualization of Enugu-Lokoja-Abuja Road" and not only Enugu/Abuja ... (*Interruptions*)

Mr Speaker: Excuse me. If the Member for Nkanu East (*Mr Anichukwu*), gets to page two of the Votes and Proceedings, he will see where the amendment was proposed and agreed to, that is, the title of the Motion should read "dualization of Enugu-Lokoja-Abuja Road".

Mr Anichukwu: Thank you, Mr Speaker, it was an over-sight.

Mr Speaker: In the absence of that, let us have a Motion for the adoption of the Votes and Proceedings. Later, the House Committee on Rules and Business should try to come up with the accurate number of the legislative days.

Mr Odo: Mr Speaker, in the absence of any other correction, I move that the Votes and Proceedings be adopted.

Mr Anichukwu: Thank you, Mr Speaker, I have risen to second the Motion for the adoption as moved by the hon. Member for Igbo-Etiti East (*Mr Odo*). Thank you.

Question put and agreed to.

Votes and Proceedings of Tuesday 21st October, 2003 accordingly adopted.

NOTICE OF MOTION

Stabilization of the Value of Nigerian Currency in the World Market

Leader: Mr Speaker, hon. Colleagues, I move that item No. 4, Motion on Stabilization of the Value of Nigerian Currency in the World Market be stepped down till the next legislative day to enable the Mover of the Motion do a thorough job on it.

Deputy Leader: Thank you, Mr Speaker, I have risen to second the Motion as moved by the Leader. Thank you.

Question put and agreed to.

Motion accordingly deferred.

Mr Speaker: Since we have decided to step down this Motion to enable the Mover do proper consultations with this House, I may wish to appeal that the following Honourable Members should liaise with the Mover – Hon. Emma Eze, Hon. N. Onyeze, Hon. E. Odo, Hon. P. Anikwe, and Hon. J. Anichukwu. Please take note that we have taken the debate today. If there is any reason why it cannot come up again, no *wahala*.

ANNOUNCEMENT

Committee Meetings

Mr Speaker: The House Committee on Finance and Appropriation will visit the Board of Internal Revenue on the rising of the House, date 28th October, 2003. Take note, signed Chairman, Joseph Onoh.

The House Committee on Rules and Business will meet on 31st October 2003 at 10 a.m. in Room 123, Leader's Office, signed Hon. K. Ebenyi.

There will be a meeting of the Joint Committee on Chieftaincy Matters, Culture and Tourism and Judiciary, Public petitions, Ethics and Privileges, on Wednesday 29th October, 2003 at 10 a.m. in Room 5.

ADJOURNMENT

Leader: (*Mr Ebenyi*): I hereby move that the House do adjourn till Thursday 30th October, 2003 at 10 a.m.

Thank you

Mr F. Amu (Nsukka East): I have risen to second the Motion for adjournment, as moved by the Leader of the House. In doing so, I want to use this opportunity to thank my distinguished Members and Staff of Enugu State House of Assembly for finding time, out of their busy schedules, to attend the burial ceremony of my late father. I thank them and pray that God will shower his blessings on them. I want also to pray God to guide us in our wisdom to move as one family.

Question put and agreed to.

Resolved: That this House do now adjourn till Thursday, 30th October, 2003, at 10 a.m.

Adjourned accordingly at 2.58 p.m.



**ENUGU STATE OF NIGERIA
PROCEEDINGS**

**AND DEBATES OF THE
FIRST SESSION OF THE
THIRD ASSEMBLY**

ENUGU STATE HOUSE OF ASSEMBLY

OFFICIAL REPORT

No. 31

**Thursday
30th October, 2003**

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Enugu State House of Assembly

HOUSE OF ASSEMBLY
ENUGU STATE OF NIGERIA

Thursday, 30th October, 2003
(The House met at 10 a.m.)

PRAYERS

(Mr Speaker in the Chair)

**APPROVAL OF VOTES AND
PROCEEDINGS**

Mr Speaker: Order Paper No. 31, Thursday 30th October, 2003, Item 3. Honourable Colleagues, our Votes and Proceedings No. 30, of Tuesday 28th October, 2003 are before us. I have gone through them, I found them correct. However, I need your comments. Thank you.

Mr D. Ani (Enugu South I): Mr Speaker, I have gone through the Votes and Proceedings of our last sitting and found them very correct. Therefore, I move for the adoption of the Votes and Proceedings.

Mr E. Odo (Igbo Etiti East): Mr Speaker, Sir, I second the Motion as moved by the hon. Member for Enugu South I.

Question put and agreed to.

Votes and Proceedings of Tuesday, 28th October 2003 accordingly adopted.

**MOTION ON MATTER OF
URGENT PUBLIC IMPORTANCE**

Immediate Rescue of the People of Okpokwu Mgbuji Community, Eha-Amufu Local Government from the Ravages of Oil Spillage.

Leader (*Mr Ebenyi*): Mr Speaker, Sir, may I crave your indulgence to set aside Order 25 and any other appropriate Order to enable me move a Motion under a Matter of Urgent Public Importance.

Mr J. N. Anichukwu (Nkanu East): Thank you, Mr Speaker, I have risen to second the Motion as moved by the Leader.

Question put and agreed to.

Order No. 25 of the House Rules accordingly suspended to enable the Leader move his Motion.

Leader: Thank you, Mr Speaker, this Motion is inviting this honourable House to urge the State government to urge the Federal Government and the Chief Executive of the NNPC to immediately come to the rescue of Okpokwu Mgbuji community, Eha-Amufu Local Government Area from the ravages of oil spillage.

Mr Speaker, Sir, you will recall that this House had been inundated with the disaster occasioned by NNPC pipeline explosions at Ogwurugu in Ogboli ...
(interruptions)

Mr Speaker: What we did is in line with the request of the Leader who sought the leave of the House to suspend the relevant Rules of the House, which was granted. So he should go ahead to introduce his Motion, which will be seconded first.

Mrs C. Eneh (Udi South): Mr Speaker, I rise to second the Motion.

Leader: Mr Speaker, Sir, this Motion is inviting this honourable House to urge the State Government to urge the Federal Government and the Chief Executive of the NNPC to immediately come to the rescue of Okpokwu Mgbuji Community, Eha-Amufu in Eha-Amufu Local Government from the ravages of oil spillage.

Mr Speaker, Sir, you will recall that this House had been inundated with the disasters occasioned by NNPC Pipeline explosions at Ogwurugu Ogboli and Aninri Local Government Areas, respectively. This time, a gruesome disaster has visited Okpokwu Mgbuji Community, Eha-Amufu in Eha-Amufu Local Government. The present oil spillage started since early last week.

This is bringing the event in that area to the fifth time within the last eight months. The NNPC has only welded the exploded pipes without addressing the main problem of replacement of the age long pipes, hence the constant explosion of the weak pipes. The danger of this unwholesome experience is better seen than imagined. Is it the health hazard, economic disaster, social and security uncertainties? The pipeline explosion at Okpokwu Mgbuji has proved the cause of such explosions. Honourable Colleagues, the direct solution to the explosion in this area is the immediate replacement of the weak pipes.

Whereas majority of the people residing in the area of the incident are farmers whose farm lands are already soaked with poisonous chemicals which destroy their farm crops, aquatic animals in the streams and unimaginable loss of life and properties may also result. As a stop gap measure, a visit to the *locus in quo* by the House Committee would confirm the claim that delay in replacement of the pipelines would tantamount to greater disaster.

Prayers:

Mr Speaker, Sir, having given the above information, I urge my Colleagues, hon. Members to resolve as follows:

- 1) That this honourable House do urge the State Government

to urge the Office of the President of the Federal Republic of Nigeria to direct the NNPC to replace all the Oil pipelines at Okpokwu Mgbuji and other such affected areas in Enugu State without further delay.

- 2) That the State and Federal Governments come to the immediate rescue of the people of Okpokwu Mgbuji Community, in Eha-Amufu Local Government in terms of relief package. Be it moved and it is hereby moved.

Mr Anichukwu: Mr Speaker, I have risen to support this Motion and everybody is in very high emotion because, for the past few months, this House concentrated their Motions on oil spillage (*laughter*).

It is not a laughing matter, it is a very serious matter, because it causes disaster. And I do not really know, it appears that ordinary patching of the pipeline if I may say so, which has been undertaken by the NNPC, has almost done nothing to avert the problem because, here we talk about Nkanu East, tomorrow we talk about Okpanku, we talk about Uzo-Uwani. I just wonder what part of Enugu State that has not been touched by the problem of oil

spillage at one time or the other. And I believe the passage of this Motion, if the hon. Members deem it necessary, and prayer one as contained in the Motion by the Leader of this House, will finally solve this problem.

In the first place, Enugu State is not the only State Oil spillage has occurred because, as prayer one demanded, the only answer to the problem is replacement; not welding, not patching, not servicing. So, if this honourable House passes this very Motion, solving this problem, I think the NNPC will know that we are very serious because this House concerned itself with the welfare, the health and the protection of our food crops in Enugu State.

Prayers one and two summarise what exactly this House will do to make sure the problem is brought to a stop once and for all. So, Mr Speaker, I am urging my Fellow hon. Colleagues to give the Motion an accelerated approval, so that our problem will be solved once and for all. Thank you.

Deputy Leader (Mr Anikwe): Thank you, Mr Speaker. Following the contribution made by the hon. Member for Nkanu East (*Mr Anichukwu*) this is the sixth Motion in relation to Oil Spillage and or explosion and like you said, the end of it, which, I think, we have come to it. The House is planning for total replacement of over-aged pipes.

Mr Speaker, I have something on have prayer one. Prayer one says that this honourable House do urge the Office of the Presidency to direct the NNPC to replace all the Oil Pipelines at Okpokwu Mgbuji and other areas. In view of this, Mr Speaker, I now urge you to put the Question (*Laughter*)

Mr Enebe: Mr Speaker, I have risen to continue debate on this Motion (*Interruptions.*) However, I have a little amendment to the first prayer, that this hon. House calls on the State Government to urge the Presidency. Thank you, very much.

Mr Njeze: Mr Speaker, Sir, hon. Colleagues, I rise to second the proposed amendment that was moved by the hon. Member for Awgu North (Mr Enebe). Thank you.

Question put and agreed to.

Mr J. U. Onoh (Enugu North): Question, Mr Speaker, Sir. My question is on paragraph 5 of the body of the Motion. It is stated as follows: "Whereas the majority of people residing in the area of incident are farmers whose farm lands are already soaked with the poisonous chemicals which destroyed their farm crops, aquatic animals in the streams, and unimaginable loss of lives may result ... a visit to the *locus in quo* by the House Committee would convince and confirm

the claims. So Mr Speaker, Sir, which of the House Committees is he referring to in this paragraph I just read? Thank you. (*Laughter*)

Leader: Point of Order. Mr Speaker, Sir, hon. Colleagues. My Point of Order is that, I do not know what the hon. Member for Enugu North (*Mr Onoh*) is talking about. Is he talking about the body of the Motion? Because, if he wants to make an amendment, he has to make it on the prayers. Thank you.

Mr Speaker: Honourable Colleagues, it could have been proper if the amendment is made in the prayers instead of in the body of the Motion, although, the body of the Motion is as equally important as the prayers of the Motion. It is from the body that we get the prayer.

Mr E. Odoh (*Igbo Etiti East*): Information Mr Speaker, Sir, hon. Colleagues, my point of information is that I wish to refer to what we have said on the body of the Motion. I think that the essence of laying foundation in the body of the Motion is to make sure that we arrive at the positive side.

The point that the hon. Member for Enugu North (*Mr Onoh*) is making is that, the House Committee in the body of the Motion is not clarified. So, I agree with him that it is a point of error; or an omission on the side of the Mover

of the Motion, by saying, House Committee. Which House Committee? Anyway, he must be definite because, there are different types of House Committees. In fact, I only wish to support that the body of the Motion is as equally important as the prayer itself.

Therefore, we will not regard making amendments in the body of the Motion as improper. Because we have to know the correct area or spot where we derive our prayers from. Thank you.

Leader: Mr Speaker, Sir, hon. Colleagues, the Committee I have in mind is the House Committee on Petroleum Resources and Environmental Management. Thank you.

Mr C. Enebe (Awgu North): Mr Speaker, Sir, hon. Colleagues, since the main issue is cleared, I therefore, urge the House to move the Motion because it is a matter of Urgent Public Importance. What we are actually waiting for is the Federal Government from Abuja to complete her job. Because the Federal Government is the appropriate organ to report or bring out the Motion. Any amendment in the body of the Motion will not affect the prayers. Therefore, I am in support of the Motion. Thank you.

Mr M. Onyeze (Igbo-Eze North I): Mr Speaker, you may recall that the

House has been treating matters on this disaster from petroleum pipe lines, and in particular, a Motion which we handled here as was brought by the hon. Member for Uzo-Uwani (*Mr Chigbo*). He did an extensive work to show that each State needs State Emergency Relief Committee as a Sub-Organ of the National Emergency Relief Agency which takes care of people in this type of problem.

Therefore, I feel that we should have an additional prayer to this Motion which could urge the State Executive, that is, His Excellency, to set up without further delay, the State Emergency Relief Committee so that whenever we have this type of matter in the State ...
(interruptions)

Mr Speaker: Order! The hon. Member for Igbo-Eze North I (*Mr Onyeze*) should realize that the proposal he is now making, I remember, was contained in the Motion brought in here by the hon. Member for Uzo-Uwani (*Mr Chigbo*). I do not know why it is being brought in here again.

Mr Onyeze: May be, like the hon. Member for Awgu North (*Mr Enebe*) pointed out, we pass Motions but may be the effects are not felt outside elsewhere. I think it is better if we remind the Executive either in form of a fresh prayer that we really need this ...
(Interruptions)

Mr Speaker: There is no need for a fresh prayer, what we can do is to pass this Motion and then send a letter to remind His Excellency of our previous prayers in other Motions.

Mr A. Chigbo (Uzo-Uwani): Mr Speaker, permit me to add some amendments to what I have said. And personally ... (*Interruptions*)

Mr Speaker: Order! No! No!

Mr Chigbo: Can I say something?

Mr Speaker: There is a Motion and debate on the Motion is going on and someone now says that he wants to add oil and salt to the Motion.

Mr Chigbo: Mr Speaker, in supporting the Motion can I say something?

Mr Speaker: Fine, the hon. Member for Uzo-Uwani (*Mr Chigbo*) can now go on.

Mr Chigbo: Mr Speaker, I am one of the victims of this oil spillage. At times, my Colleagues call me oil spillage, I think so. In fact, I think I have presented more than three Motions on this issue. On the Motion from the Leader of the House, Mr Speaker, at that page one, there is nothing like *Ogwugu in Oboli*, we have '*Ogwurugu in Oboli*'.

Mr Speaker: I think it is a simple correction, it has to be corrected.

Mr Chigbo: Mr Speaker, I am in full support of both prayers and the contents of *Ogwurugu in Oboli* is corrected because the harm is still going on in my place. Adani is a market place and neither the NNPC nor any of the organizations has visited that place. And I said it before on this Floor of the House that the entire Anambra State is resident at Adani because of the evacuation of the kerosene and fuel. The thing is still continuing in Oboli.

So, Mr Speaker, the guideline, which I have presented to you, where the Federal Government made it mandatory that they will never come to the aid of any State that does not have State Emergency Management Agency (SEMA), is there Mr Speaker. If this House passes this Motion for twenty times without the Executive inaugurating this thing, the Federal Government will never come to our aid.

Mr Speaker: The hon. Member for Uzo-Uwani (*Mr Chigbo*) should realize that I do not like people drawing us backward. When the hon. Member for Awgu North (*Mr Enebe*) raised this issue, I remembered I said that the Clerk of the House, in sending this Motion to the Executive, should now remind them to implement this, and also ask them to

set up this Committee. I do not know why he is raising it again.

Mr Chigbo: Mr Speaker, I am sorry.

Mr Speaker: The only person who can address the House again is the Mover of that Motion. He has the right of reply, to defend himself.

It is not conventional that when a member wants to talk, he just says one or two things and sits down only to rise again and say he wants to talk.

Deputy Leader: Thank you. I hope the law is no respecter of anybody. The rule is very clear. All of us should now adhere to it. I know why I am saying it. There is no sacred cow. I am aware that the hon. Member for Awgu North (*Mr Enebe*), who is talking, spoke more than two times ... (*Interruptions*)

Mr Speaker: The Deputy Leader should address the Speaker, not the hon. Member for Awgu North (*Mr Enebe*)

Mr Enebe: Information! Mr speaker, my information is that we may be laying a bad foundation, if my Colleague is now telling us that Order should apply to everybody.

Mr Speaker: Please let me make an appeal. The appeal I want to make is that we are still in a learning process. Most of us are not familiar with our

Rules. As from today, I want to make it very clear that if there is a Motion on the Floor, whatever we are debating, on the only person that has the right of reply is the Mover of the Motion. But like I said, I am sure that most of us are not familiar with the Rules. I will allow the hon. Deputy Leader to go ahead and propose his amendment.

Deputy Leader: Thank you. Mr Speaker, in prayer 2, "that the State and Federal Governments come to the immediate rescue of the people of Okpokwu Mgbuji Community in Eha-Amufu LGA in terms of relief package". Mr Speaker, I believe that the NNPC is a federal project, so calling on the state government to come with a relief package will be contradictory.

The amendment I want to propose is that instead of saying that the State and the Federal Governments should come to the rescue of the people, it is better to say that the Federal government do come to the aid of Okpokwu Community in Eha-Amufu LGA, in terms of relief package and not the State and Federal government. Thank you, Mr Speaker.

Leader: Mr Speaker, on the amendment the Deputy Leader (*Mr Anikwe*) is making, I do not think that it is necessary. The people of Eha-Amufu belong to Enugu State, and I do not think that there is any thing wrong if the

state government comes to the relief of the people even though the NNPC belongs to the federal government. The state can equally aid them. The people are in Enugu State and I do not think that the state government should wait for the federal government when people in Enugu State are dying. They have to do something. Thank you.

Mr Onoh: Thank you, Mr Speaker, I stand to second the amendment proposed by the Deputy Leader.

Mr Speaker: So, the hon. Member for Enugu North (*Mr Onoh*) does not want the explanation given by the Leader?

An hon. Member: No; No;

Mr Enebe: Mr Speaker, I have risen to say that what the Leader said is very correct.

Mr Speaker: You know that a Motion has been moved and seconded. What determines whether what the Leader said is relevant or not is when we put the Question.

Mr Enebe: If we are asking the state government to set up a relief agency, it is the state government that will do it through the agency.

Mr Speaker: Honourable Colleagues, an amendment was

proposed and inspite of the Leader's explanation the hon. Member for Enugu North (*Mr Onoh*) has seconded that Motion. I think that the only way out is to put the Question.

Mr Odo: Mr Speaker, I have an information that may make you not to put the Question. What I just wanted to point out is that this is just an amendment. It is not just enough for a Motion to be seconded and now you just put the Question. If you propose a Motion for amendment, people are bound to contribute... (*Interruptions*)

Mr Speaker: I disagree with you. We have the rules of debate whereby, if you propose an amendment, and the amendment is seconded, that I put the Question, the only way you can defeat the proposed amendment is by saying no, when the Question is put.

Mr Odo: Mr Speaker, it is at your discretion. You can allow a debate or comments and you may wish not to allow any. Please, I am humbly contributing that the Motion as it is, is O.K. The reason being that if the state government on its own volition even decides to go to Uzo-Uwani just like the hon. Member for Uzo-Uwani (*Mr Chigbo*) was suggesting, pending the intervention of the Federal Government or even Aninri, it is not wrong.

So, I appeal to my Colleagues to withdraw the proposed amendment.

Deputy Leader: Thank you Mr Speaker, we are here in Democracy. Mr Speaker, since the Federal Government cannot come in, the Motion can now stand as it is. Therefore, amendment as proposed by the hon. Deputy Leader is hereby withdrawn (*Laughter*).

Mr F. Amu (Nsukka East): Mr Speaker, I have risen to support the Motion as moved by the Deputy Leader. In view of this, I move that the Question be now put.

Mr Speaker: If you look at the Motion where it says other such affected areas in Enugu State. You know before now, this oil spillage (*Interruptions*).

Mr M. Njeze (Udi North): Mr Speaker, if you remove Enugu State, it will now read, 'other such affected areas'.

Mr Speaker: What you should know is that what is happening in Abia or Ebonyi State affects Aninri, that is very simple. So, we put Enugu and other affected States.

Mr Njeze: Mr Speaker, may I beg the leave of the House in respect to Order 25 to enable me (*Interruptions*).

Mr Speaker: This is a Motion on Urgent Public Importance. The rule is already suspended.

Mr Njeze: Thank you for the information. My amendment in prayer one is that we expunge in Enugu State since we have in other areas in Enugu State.

Mr Speaker: That is all right.

Mr J. Obidinma (Oji River): Mr Speaker, I have risen to second the Motion as moved by the hon. Member for Udi North (*Mr Njeze*)

Question put and agreed to.

Mr Amu: Mr Speaker, I formerly move that the Question be now put.

Question, That the Question be now put, put and agreed to.

Main Question put and agreed to.

Resolved:

1. That this honourable House calls on the office of the Presidency to direct NNPC to replace all the oil pipelines at Okpokwu Mgbuji and other such affected areas in Enugu State and other States of the Federation.

2. That the State and Federal Governments come to the immediate rescue of the people of Okpokwu Mgbuji Community in Eha-Amufu Local Government Area in terms of relief package.

ANNOUNCEMENT

Committee Meetings

Mr Speaker: The House Committee on Information will meet on the rising of the House. Venue, Room 109, Chairman's office.

The House Committee on Education will meet today on the rising of the House in the Chairman's Office, Room 216. Signed Hon. (Nze) Onyeze.

ADJOURNMENT

Leader (Mr Ebenyi): Mr Speaker, hon. Colleagues, may I move that the House do now adjourn till Tuesday, 4th November, 2003 at 10 a.m. Thank you.

Mr F. Onah (Nsukka West): Mr Speaker, I have risen to second the Motion for adjournment. Thank you.

Mr J. N. Anichukwu (Nkanu East): Mr Speaker, in supporting the Motion for adjournment, I wish to observe that this House is doing a very good renovation. I am very happy to witness

this House in this shape for once. There is no hon. Member in the House today who is not happy watching the House in Session in this shape. I believe that some adjustments will still be done so that we do not have to bend down before the microphone. Thank you.

Call on ENSEPA

Mr C. Enebe (Awgu North): Further supporting the Motion for adjournment, Mr Speaker, I wish to pray your good offices to call on the authority of the ENSEPA to take care of our compound at both the House of Assembly and the Legislative Quarters.

Question put and agreed to.

Resolved: That this House do now adjourn till Tuesday, 4th November, 2003 at 10 a.m.

Adjourned accordingly at 1.45 p.m.



**ENUGU STATE OF NIGERIA
PROCEEDINGS**

**AND DEBATES OF THE
FIRST SESSION OF THE
THIRD ASSEMBLY**

ENUGU STATE HOUSE OF ASSEMBLY

OFFICIAL REPORT

No. 32

**Tuesday
4th November, 2003**

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No proofs of the Daily Reports can be supplied. Corrections which Members suggest for the Bound Volume should be clearly marked in the Daily Report, but not telephoned and the copy containing the corrections must be received at the Editor's Room, House of Assembly

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HOUSE OF ASSEMBLY
ENUGU STATE OF NIGERIA
Tuesday, 4th November, 2003
(The House met at 10 a.m.)

ORDER OF THE DAY

MOTION

Stabilization of Value of Nigerian
Currency in the World Market

PRAYERS

(Mr Speaker in the Chair)

APPROVAL OF VOTES AND
PROCEEDINGS

Mr Speaker: Honourable Colleagues, the Votes and Proceedings of Thursday, 30th October, 2003 is before us. I have gone through them and found them to be correct. However, I need your comments. Thank you.

Mr C. Ugwu (Enugu East): Mr Speaker Sir, I have equally gone through the Votes and Proceedings and found them to be correct. I therefore move for their adoption.

Mr E. Maduabu (Awgu South): Mr Speaker Sir, I rise to second the Motion.

Question put and agreed to:

Votes and Proceedings of Thursday 30th October, 2003 accordingly adopted.

Deputy Leader (Mr Atigwe): Information. Mr Speaker, Sir, my information is that I listened to the radio (exactly the day before yesterday) that carried the proceedings of the House, and I felt embarrassed in some areas of the news comments. That embarrassment is the inability of the Reporter to report accurately the Motion we passed on matter of urgent public importance.

Mr Speaker: What you are saying is not on the Order Paper; you should give us information based on the Order Paper.

Deputy Speaker: My information is on the Motion we just passed ...

Mr Speaker: Excuse me. It is not the time to give such information.

Mr D. Ani (Enugu South 1): Mr Speaker Sir, may I move the Motion standing in my name: That the Enugu State House of Assembly do urge the National Assembly to urge the Federal Government to devise means of stabilizing the value of Nigerian Currency in the World Market.

Mr F. Onah (Nsukka West): Mr Speaker, Sir, I wish to second the Motion.

Mr D. Ani: Section 16(1)(a) of the Nigerian Constitution of 1999 states:-

That the state shall within the context of the ideals and objectives for which provisions are made in the Constitution harness the resources of the nation and promote national prosperity and an efficient, a dynamic and self reliant economy.

This cannot be realized due to the devaluation of our currency in the world market, unless some possible strategic measures are evolved and implemented by the Federal Government in order to pinpoint the cause of the devaluation and also proffer possible solution to remedy the problems. This is essential if our economic capabilities will be felt in the world market; our terms of trade, balance of trade and balance of payment will be favourable.

The resultant evil effects occasioned by this devaluation of Nigerian currency are innumerable. Imagine the drift of our best brains to western world and the gap created by such drift on human resources.

If we take a memory down the lane, Nigerian Currency was ranking high as far back as late seventies and early eighties.

The Naira has matching effect to the dollar and other currencies. But today, the reverse is the case. Looking inward, one would say that, that has had a glaring effect on economic quagmire of this country. It is unwholesome, unpardonable and ungodly. My advice is that Nigerians should not hide their talents. I know Nigeria has high impact resources that can turn the economic table to the favour of the masses.

PRAYERS:

In view of the above illuminations, may the hon. Members resolve as follows:

- i) The National Economic Council of the prosperous Country do embark and re-engineer viable economic measures to strengthen the purchasing power of Nigerian currency to its *status quo (ante)* as it was during those glorious years.
- ii) The Central Bank of Nigeria, being the financial king of all financial markets, devise means in conjunction with the National Economic Council safeguard Nigerian external reserves and encourage international value of Nigerian Currency in the world market.
- iii) That Nigerians do condemn all wasteful ventures and encourage domestic investments and prudent management.

Deputy Leader: Mr Speaker, Sir, hon. Colleagues, if we watch carefully and listen to the Mover of this Motion, we will discover that the Motion is reasonable. What is the objective this Motion is intending to achieve? The objective the Motion intends to achieve is to galvanize measures that will stabilize our currency. If you watched the T.V. Network news the previous night, you will recall that the current exchange rate per dollar was one hundred and twenty Naira (N120). But in the Stock Market yesterday, the thing fell down to one hundred and eighty Naira per dollar. The information gathered was that the expenditure of an average Nigerian Youth was more than what is earned. Now, people are having more appetite for foreign events. If we can spend more than what we can earn, we are actually going into the unstable economic situation.

I am sure that in the early 70s and 80s, the exchange rate value was either one naira for two dollars or one naira per dollar. I think, most of us were not born at that time. We cannot say today that the money I quoted or the number I quoted at that time was on paper. We need to go into the real aspect of it. The possibility is there, for naira to go beyond one hundred and thirty naira per dollar. It is carried or spread all over what we call the *Radio Nigeria* News Programme, that is Media Link. The topic of today is Brain Drain in Nigeria. If you watch out, you will notice that most Nigerians are out of the country. And they are no more eager to come

back. Even though you can get money, it cannot buy you anything. Now, we begin to ask ourselves, what is happening? Are we going backwards or forward? That is what one Musician normally asks/sings: Which way Nigeria?

This all-important Motion seems to re-incorporate the spirit that we are one Nigeria and reawaken our consciousness in respect of all we are speaking about our currency. If one goes to the market to purchase something today, and later goes to buy the same goods, the person will see that he will surely buy something which is less.

So, Mr Speaker, Sir, this Motion is seeking that this honourable House should ask the National Assembly to urge the Federal Government to devise the effective and simplest means of stabilizing the value of Nigerian currency. Mr Speaker, I believe my hon. Colleagues, will equally have reasons to support my desire to this all-important Motion. Thank you.

Mr Speaker: Thank you very much the hon. Deputy Leader for your nice input, I hope that you have finished your contribution. Though, your time is not yet exhausted.

Deputy Leader: Mr Speaker, Sir, I still have more things to say ...
(Laughter).

Mr Speaker: Honourable Colleagues, you all know that the rule of our game says 30 minutes. As it stands now, the Deputy Leader did not speak up to that. Therefore, if he wishes to continue, he can do that to complete his remaining time.

Deputy Leader: Mr Speaker, Sir, thank you for doing justice to the period of my contribution. I have really not spoken up to 30 minutes. Therefore, thank you for allowing me to complete the remaining time over this all-important Motion.

Mr Speaker: Deputy Leader, you can continue.

Deputy Leader: Mr Speaker, the resume of my contribution is on the Nigerian Economic Council. This Motion is asking them to wake-up from their slumber if there is anything like that in Nigeria. He who spends more than he earns is even endangering his life. We need to know that we have to cut our cloth according to our size. What is prevailing now, is that one should cut one's cloth according to the cloth one can purchase; not even one's size. If your size is bigger than what your money can afford you better go and trim down your size to commensurate with what you can afford.

Mr Speaker, the Motion is equally extensive. The Nigerian Economic Council should equally face this challenge facing our economic affairs.

There is no need dodging it and there is no need hiding from the actual things happening in our economy. Our economy is very shaky and if economic power continues to dwindle or deteriorate, all of us will be victims Mr Speaker, at this point, I beg to rest on my Seat.

Mr E. Maduabu (Awgu South): Mr Speaker, my hon. Members, I am standing to support this Motion with some points. You know the currency of our nation is the crop of the economic activities. The value of naira has been so bastardized that it is not recognized in the international market and something has to be done. What is to be done is to be interpreted from the principles of demand and supply. The economy will be boosted if production increases. It is not my duty to stand up here to dictate the policy the State should take but it is very important because:

1. If the Balance of Trade and Balance of payment goes up and if import values goes down our currency value will go up to a maximum level. And if import value goes down to a minimum level then the payment will be in favour of Nigeria. What I am saying is that the amount we will now spend will be somehow less than what we were spending if the value of naira is stabilized.

2. Again the rush for foreign currency, by our people every day will now come to a stop because it is as a result of that value of foreign currency that made them to run away. I, myself am even planning to leave this country, but I will not leave because I am part of it. It is our duty to see that our currency is stabilized no matter the value we are getting from either dollar or pound sterling. We can make our own to be increased more than whatever we are getting from outside. Therefore, if possible we should do whatever is needed to see that the value of our Naira is increased and to do that is to increase the production in the economy.

So, my hon. Colleagues, I think you should support this Motion and urge the National Assembly to do something and then call on the necessary organs and agencies that are concerned as far as currency and monetary policies are concerned in this country to stabilize our economy. Thank you, Mr Speaker.

Mr J. Obidinma (Oji River): Mr Speaker, I have risen to support this very important Motion. My Speaker, the main reason the value of Nigerian Currency is falling is that we lay more emphasis on our oil. We use only money from oil to finance other things we need. Mr Speaker, I believe that if

the Federal Government spends less on petroleum product and lays more emphasis on agriculture, our economy will be in a better shape. What I am saying is that if we give our agricultural products attention, we will have more to spend and if we have agricultural products and petroleum products we will even have more to spend and the country will be very buoyant.

Mr Speaker, the reason the value of naira is falling is because we derive our revenue from one source. If we think of other means of getting revenue or income not only from oil, and if we invest on agriculture as well as our oil we will definitely spend less in foreign exchange. So, Mr Speaker, may I take the leave of this House to suspend Rule No. 25 of this House to enable me make an additional prayer to the prayers.

Mr Obidinma: Thank you Mr. Speaker, the prayer is that *the Federal Government should lay more emphasis on agriculture so that less foreign exchange will be invested on food items.*

Mr M. Njeze (Udi North): Mr Speaker, Sir, I rise to second the amendment as proposed by the hon. Member for Oji River (*Mr Obidinma*).

Question put and agreed to.

Mr J. Obidinma: Thank you Mr Speaker, having made the addendum, I want to beg this honourable House to

please do this Motion a favour by passing it.

Mr F. Onah (Nsukka West): Mr Speaker, I think that this is an important Motion. It is very important in the sense that the value of the Naira is going down every day and it me. I believe that this is because we depend solely on foreign goods without having our own industries, and as we all know, any country that depends on other countries for their survival will find it difficult to survive, economy wise. We do not have industries in our country that are viable. Even the ones that are in operation are not meeting up the required standards.

Another problem we are having is non-encouragement of talents, because we believe in tribalism. Unless we reverse and encourage talents in our country, I do not think that our economy will reverse, especially the value of our currency. I think that talents have to be encouraged so as to uplift the value of our currency.

Another thing is that in the past 50s and 60s, we normally export agricultural products such as Cocoa, Rubber and Cotton but now, the strength of our agriculture is going down every day, and it is affecting our economy badly.

Just like the last Speaker has said, we have to encourage agriculture so as to boost our economy and our currency.

With this, Mr Speaker, I urge my Colleagues to support this Motion because it is an important Motion. Thank you.

Mr M. Njeze (Udi North): Mr Speaker, I rise to support this Motion for the stabilization and increment in the value of our Naira. I support it because it is very important to the lives of the people of this State and this nation.

A currency without value is meaningless, in fact it is like an ordinary paper. But I know, Mr Speaker, that the value of any currency depends on the level of poverty of the people. And the level of poverty of Nigerians are what is being reflected on the value of the naira. This level of poverty is brought about by the constant down fall in production.

The level of production in this country has fallen so low that 80 percent of Nigerians are not productive, and this 80 percent depends solely on the 20% that are productive and so there is serious need that we call on the National Assembly to carry the message to the Federal Government, because it is not within our legislative list.

It is for the Federal Government to do something and do it urgently; so that it will fall in line with the wishes of the People's Democratic Party because they want to alleviate poverty. Because it, is like the Mover of this Motion said, in

the early 70s, the currency was very strong. I recall that even petrol was 2 kobo per litre. But as production continued to decrease, the paper value of our currency continued to decrease and we have what we are facing today.

Mr Speaker, I believe that in telling the National Assembly to vest it upon the Federal Government to do something to beef up the value of the Naira, we need to make some suggestions. That is why this Order No. 25 is already suspended. I want to move for an addition to the Prayers. That addition is to call on the Federal Government ... (*interruptions*)

Mr Speaker: That Order No. 25 is not suspended permanently. It is because of the first addition that we suspended it. So if you want us to suspend it, you may move your own Motion straight.

Mr Njeze: Thank you Mr Speaker. May I seek the leave of the House to suspend Order No. 25 to enable me move a Motion to tell *the Federal Government to beef up our production level so that when our production increases, the value of our currency will rise.*

Mr Speaker: What you are doing is O.K., but what you have to do is seek the leave of the House to suspend Order No. 25, then someone will second it before you can go ahead with the additional prayer.

Mr Njeze: May I seek the leave of the House to suspend Order No. 25 so that I can move for an addition to the prayers of this Motion.

Mr F. Onah (Nsukka West): Mr Speaker, I wish to second the Motion as moved by the hon. Member for Udi North (*Mr Njeze*).

Question put and agreed to.

Mr Njeze: Thank you Mr Speaker. My proposed amendment or additional prayer is that the National Assembly calls on the Federal Government to increase our level of production so that it will help to beef up the value of our naira to attain the desired increase in education, agriculture and other areas that we have production going on in the country.

Mr Speaker: The hon. Member for Udi North should note that somebody else had already spoken on agriculture. He can now bring a different item in his own amendment.

Mr Njeze: Thank you, Mr Speaker the amendment is *that the Federal Government increases areas of production in the country.*

Mr F. Amu (Nsukka East): Mr Speaker, I have risen to second the Motion as moved by the hon. Member for Udi North (*Mr Njeze*).

Question put and agreed to.

Mr Njeze: Mr Speaker, hon. Members, I believe that when the various activities in the school are improved, more of our people will be comfortable. I believe that my Fellow hon. Members will pass this Motion to enable us see what we can do for our people. Thank you.

Leader (Mr Ebenyi) Mr Speaker, I want to comment on the Motion as moved by the hon. Member for Enugu South I (*Mr Ani*). Mr Speaker, first of all, there is no human being in this country that will not support the idea of stabilizing the naira. If any Government comes into power, its primary aim will be to improve the economy of the country it wants to govern. I know that the issue of currency stabilization depends on market forces all over the world. In this country, I do not think the issue of stabilizing our currency (*Interruption*).

Mr Speaker: If the hon. Leader wants to speak against this Motion he should wait, if he has reasons to disagree with the Motion he should allow others who are in favour of the Motion to speak first. If he is making comments based on the Motion, he should tell us his own opinion which may directly or indirectly have effect on this Motion.

Leader: I just want to make some comments.

Mr Speaker: That is what I am saying. You can just hold on when

those of us who want to agree in totality with the Motion might have spoken, then you can come up with your own comments.

Mr E. Eze (Udenu): Mr Speaker, this Motion is very laudable and I am inclined to support it. I want to refer, just as the Mover has done, to the period between 1976 and 1986. I had a reason to send school fees to my ward in America and at that period the value of our naira was the highest in the world. It was at that time, sixty-two kobo to a dollar and we know that today the dollar is the pacesetter among all the currencies in the world.

One can appreciate and understand that there was a time when Nigeria had the strongest currency in the world. We may ask ourselves why. By then we had a diversified viable economy just like some people have mentioned agriculture. We had the cocoa; and we had palm produce. We had various agricultural products that were not covered by God's creation and so our economy was buoyant and our currency was strong; by then we were progressing. One of the Heads of States then came and shattered everything; oil was discovered and emphasis was shifted to oil. That is our bane. We have abandoned the bird that laid the golden eggs and shifted all our hopes and emphasis on our economy to oil.

The income from oil spoilt Nigeria. We neglected those things that were natural to our land; those productive

areas that were indigenous to us that earned the fathers of this Nation foreign exchange, and we vested all our hopes on oil.

Many of our leaders said that money was not the problem in this country. Following this belief, people became complacent and no longer believed in hard work. There was oil boom and money was flowing everywhere. In the 80s, the value of naira suddenly started falling. How do we stop the drift? Nobody raised eyebrow. Agriculture was completely neglected. The nation started embarking on white elephant projects, hosting African Festival of Arts and Culture. Our taste and value system was thrown to the winds. Maintenance culture was never thought of as everybody believed that the oil and money derived therefrom was inexhaustible.

There was mismanagement of the nation's resources and the value of our currency kept on going down. Promotion of planned and balanced economic development and the material resources of the nation was not harnessed and distributed properly to serve the common good. The economic system was operated in such a manner as to permit the concentration of wealth or the means of production and exchange in the hands of few individuals.

We are urging the Federal Government to go forward and implement in totality section 16 of the

Constitution to ensure that our naira stabilizes. We should also try augmenting our agricultural base so that we curb our excesses towards foreign goods to encourage the growth of local industries.

Mr Speaker, Sir, while supporting the Motion, I urge the Federal Government to do something urgently to ensure that the naira stabilizes.

Mr Speaker: I thank the hon. Member for Udenu (*Mr Eze*). If you look at this Motion and also look at Section 6 of the Constitution, they talk of what the Executive can do on this issue. I strongly believe that the legislature can do something to stabilize the currency in this country. I also strongly believe that the President is deeply concerned about this issue and with the recent deregulation policy, the naira will surely stabilize in no distant future.

Mrs C. Ene (Udi South): Mr Speaker Sir, I want to chip in one point. I think that one of the reasons why our naira did not stabilize is that we do not patronize *made in Nigeria* goods. If we do that, I do not think our naira will continue to depreciate. If everybody can patronize made in Nigeria goods, our naira will surely stabilize.

I therefore support the Motion and call on hon. Members to do so. I want to make an amendment to prayer one. May I move that Order No. 25 be suspended to enable me do that.

Mr Eze: Mr Speaker Sir, I second the Motion.

Question put and agreed to.

Mrs Ene: In prayer one, remove *purchasing power* and insert *measure to strengthen*.

Mr Speaker: The two words are not the same.

Mr Njeze: Mr Speaker, Sir, hon. Colleagues, I rise to second the amendment proposed by hon. Member for Udi South (*Mrs Eneh*). Thank you.

Question put and agreed to.

Leader: Mr Speaker, Sir, hon. Colleagues, I just want to protect the interest of my Constituency, so that, when we pass this Bill, it will be on record that Isi-Uzo Constituency contributed to the stabilization of the value of our currency.

Mr Speaker, Sir, most people who have spoken on this Motion have pointed out, where our economy went off the track. Well, our problem in this country is non-diversification of our economy. If we can diversify our economy without depending much on petroleum sector, we can invest more on agriculture to increase food production in order to increase our foreign exchange rate. Before we were producing Palm Oil in the East, while in the North we had groundnuts and in the West we had Cocoa Plantation;

thereafter, everybody focused on mineral oil. I am in support of this Motion because if you look at the economic programme which was introduced by Gen. Olusegun Obasanjo, it was mainly towards improving our economy. When we are talking about products and the manufacturing sector in Nigeria, we are suggesting ways of improving our economy. This shows that we need progress in our economy. Recently, there was the issue of revitalization and management of our Oil Refinery. All these efforts are geared towards improving the value of Naira.

Let us talk about privatization. We have a lot of industries in our country that are marketable. Now the Government wants to privatize them. When all these industries are privatized, they will attract foreign investors. The foreigners will then come and join in the production of the Nigerian products and help to advertise them. Our people will be employed or engaged in economic activities; and all these will increase the value of our currency. Thank you.

Mr Njeze: Information! The information I want to give is that the patience the present Nigerians should have for the present administration seemed to have been exhausted because by 1999 when this Government came in, the value of naira was exchanging at \$1 (one dollar) to N115 (one hundred and fifteen naira) but naira today has gone down to N140 (one hundred and

forty naira) to \$1 (one dollar). If anybody is to be patient with somebody working in his house, that person should be patient on the ground that he is seeing the part of the house being roofed and not seeing the roof being removed. That is the information I want to give. Thank you.

Deputy Leader (Mr Anikwe): Information! Mr Speaker, the information I want to give is on the Motion we passed last week urging the National Assembly to dualize the Enugu-Lokoja-Abuja Road. You are aware that the Federal Government is now vigorously carrying out road maintenance.

Another information is that if you are in Nigeria, you will come to realize that the Chairman of the Nigerian Railway Corporation was fired because he led the Company into unnecessary criticism. We cannot say that everybody must know everything that he has to do. If we know what we have to do, we will not have any problem in doing all that we want to do. This Motion is a sum prayer, that is, pointing it out to the National Assembly to wake-up and even if they know it, that they should wake-up and now be stronger in stabilizing our currency, that is what we mean and not that we should be patient until we all are dead.

Mr Speaker: Again we are not asking the National Assembly to ensure that the value of naira is stabilized; but we are asking the National Assembly to

find any arrangement to stabilise the value of our currency in the world market. And equally, we have to call on other State Houses of Assembly to discuss with Mr President in order to find the way forward in stabilizing our economy.

Mr F. E. Amu (Nsukka East): Mr Speaker, I have risen to support this very important Motion. It is very clear to all of us here that the greatest problem in this country in terms of naira instability or of our economy is our people's craze for foreign products and another important problem facing the naira is the ailing industries. We can all come up to agree on how to stabilize the economy by means of increasing our agricultural products and then beef-up our foreign earnings, and if all these things are done, I believe our economy will no doubt be stabilized. Thank you, Mr Speaker, I now move that the Question be now put.

Question, That the Question be now put, put and agreed to.

Main Question put and agreed to.

Resolved:

- 1) That the National Economic Council of this prosperous country do embark and re-engineer viable economic measures to strengthen the purchasing power of Nigerian Currency to its *status quo* (ante, as it was during those glorious years).

- 2) That the Central Bank of Nigeria, being the financial king of all financial Markets, devise means in conjunction with the National Economic Council, to safeguard Nigerian external reserves and encourage international value of Nigerian Currency in the World Market.
- 3) That Nigerians do condemn all wasteful ventures and encourage domestic investments and prudent Management.
- 4) That the Federal Government should lay more emphasis on agriculture so that less foreign exchange will be invested on food items.
- 5) That the Federal Government strongly improves productivity in the country.

**REPORT OF THE JOINT
COMMITTEE ON CHIEFTAINCY
AND JUDICIARY ON THE BILL
FOR A LAW TO MAKE
PROVISION FOR THE
ESTABLISHMENT, STRUCTURE,
COMPOSITION OF THE ENUGU
STATE COUNCIL OF
TRADITIONAL RULERS
BILL NO. 4, 2003.**

Chairman, House Committee on Chieftaincy (Mr Amu): Mr Speaker, Sir, sequel to the mandate given to the abovementioned Committee by the hon. Speaker over the issue of giving the above Bill its required legislative study and analysis, the joint committee took the bull by the horns by having constant sittings, conducting public hearing interviews and visitations.

We actually had public hearing in the course of carrying out the exercise in which the public attended and made their inputs. We also received letters from the public concerning the Bill and interviews were conducted with Royal Fathers (traditional rulers) in the State.

However, the Committee was able to make some amendments as follows:

SECTION 2 (4) – Appointment of Members

In line one, delete *Chairman* after *Deputy* and insert *Chairmen*: thus;

Deputy Leader (Mr Anikwe): Point of Order! I expected that the Report

will be treated along side with the original Bill.

Mr Speaker: That Point of Order is as useless as anything. The Deputy Leader, should note that what the hon. Member for Nsukka East (*Mr Amu*) is doing, is correct. He has a duty to present his Report. The Leader of the House has to move a Motion for acceptance and consideration either now or thereafter.

Deputy Leader: I do not think that this Report is in detail. We have nothing to compare with the Bill.

Mr Speaker: Excuse me, what we are going to do is to accept the Report. We are not going to consider this Report today, if I am right.

Leader (*Mr Ebonyi*): You are not sure.

Mr Speaker: Well, if we are going to consider it today, that is fine and good, but if not, it is the next time it will appear on the Order paper, that the Leader will move a Motion that the Report be deferred to another Legislative day for consideration along side with the original Bill. That is where it is supposed to come in and not now.

Deputy Leader: Information! Mr Speaker, I understand you very well. But we have bodies of the Report and not details of the Report.

Leader: You have to allow him present the Report before you know whether it is detailed or not.

Deputy Leader: Excuse me, Mr Leader, I am not talking to you. I am not talking to you at all.

Mr Speaker: The Deputy Leader should understand that as much as possible I have to guide members when they are derailing. I have told him the right thing and he is still insisting that his own is right. So, I do not know where he got his own idea. I have told him that what the hon. Member for Nsukka East (*Mr Amu*) is doing is correct and he is saying that it is not correct.

Mr E. Odo (Igbo Etiti East): I have an information, I believe we are learning from the past Reports we presented, what we were doing was that after presenting the Report, the Presenter of the Report will now enclose an amended copy that he wishes to throw before the Committee of the Whole House, because it does not seem appropriate for somebody to include the amendment in the Report. I am the Vice-Chairman of the Committee and our intention is not to report the amendment as part of our Report and I believe that even if it is, it will be erroneous to include; *insert 'B' instead of 'A'*, where it is not being considered instantly, because later on we are going to repeat it.

Mr Speaker: It is not compulsory that we should accept this Report. If you present a Report at the appropriate day, we can still sit down, look at that thing he is saying, if it is not the wish of the House that it should be there, then, we will remove it.

I am surprised that you are the Vice-Chairman of the Committee; both of you could have agreed on what to do before now. And you are now telling us that you never intended to present it like that. Which means you are giving us a minority Report.

Mr Odo: It is not a minority Report. We have done it like this before. We have a precedence, and it happened twice.

Mr Speaker: Listen to me. Let me give you another clarification. When we had the Local Government Creation Bill, I used to say item 1, 2, 3, 4, and so on, is part of the Bill. Ordinarily, I should have been calling it one after another.

Leader: Mr Speaker, in view of the fact that we are having interruptions of light from NEPA supply, I hereby move that we step-down item 5 on the Order Paper to a later date to be determined by the Rules and Business Committee of the House.

Deputy Leader: I wish to second the Motion as moved by the Leader.

Report accordingly stepped down to a later date.

ANNOUNCEMENT

Committee Meeting

Mr Speaker: The House Committee on Rules and Business will meet on the rising of the House in Room 123. Honourable Members are hereby invited to forward their memorandum to the Standing Order of the House of Assembly.

Obituary

Honourable Colleagues, you will recall that one of the former legislators, Mrs Ezenwanyi Chief Lady Janet Mokelu was the first woman legislator from the whole Eastern Nigeria. She died two months ago and we are having a Special Session on her behalf. The corpse will be brought here on Thursday. We are going to have a joint Session on Thursday comprising Anambra, Imo, Ebonyi, and Abia States. All of them will be here on Thursday. The joint Session will take place on Thursday at 10 a.m.

On this note, I am appealing that you try as much as possible to be here on time and start our proceedings before the corpse arrives. If the corpse will arrive here at 10 a.m. I will appreciate they stay outside until we must have finished our business for the day. Even when they have finished, we are going to continue with the proceedings

because we have a lot to discuss on that day. When they must have left we can adjourn the House briefly and then come back.

ADJOURNMENT

Leader: Mr Speaker, may I move that the House do now adjourn until Thursday 6th November, 2003 at 10 a.m. Thank you.

Mr E. Eze (Udenu): Mr Speaker, I rise to second the Motion.

Deputy Leader (Mr Anikwe): Mr Speaker, I rise to second the Motion for adjournment. I want to bring this notice to the Media Reporters. Before they go to Radio Nigeria or ESBS to air the proceedings we had, they should first of all clear with Mr Speaker because some of our Motions were actually misrepresented in the media. For instance, we had last *Matter of Urgent Public Importance on Okpokwu Mgbuji* where we said that effort be made by the Federal Government to replace all over-aged pipe lines in Okpokwu Mgbuji and other areas. They only reported Enugu State when we said in Enugu State and other areas.

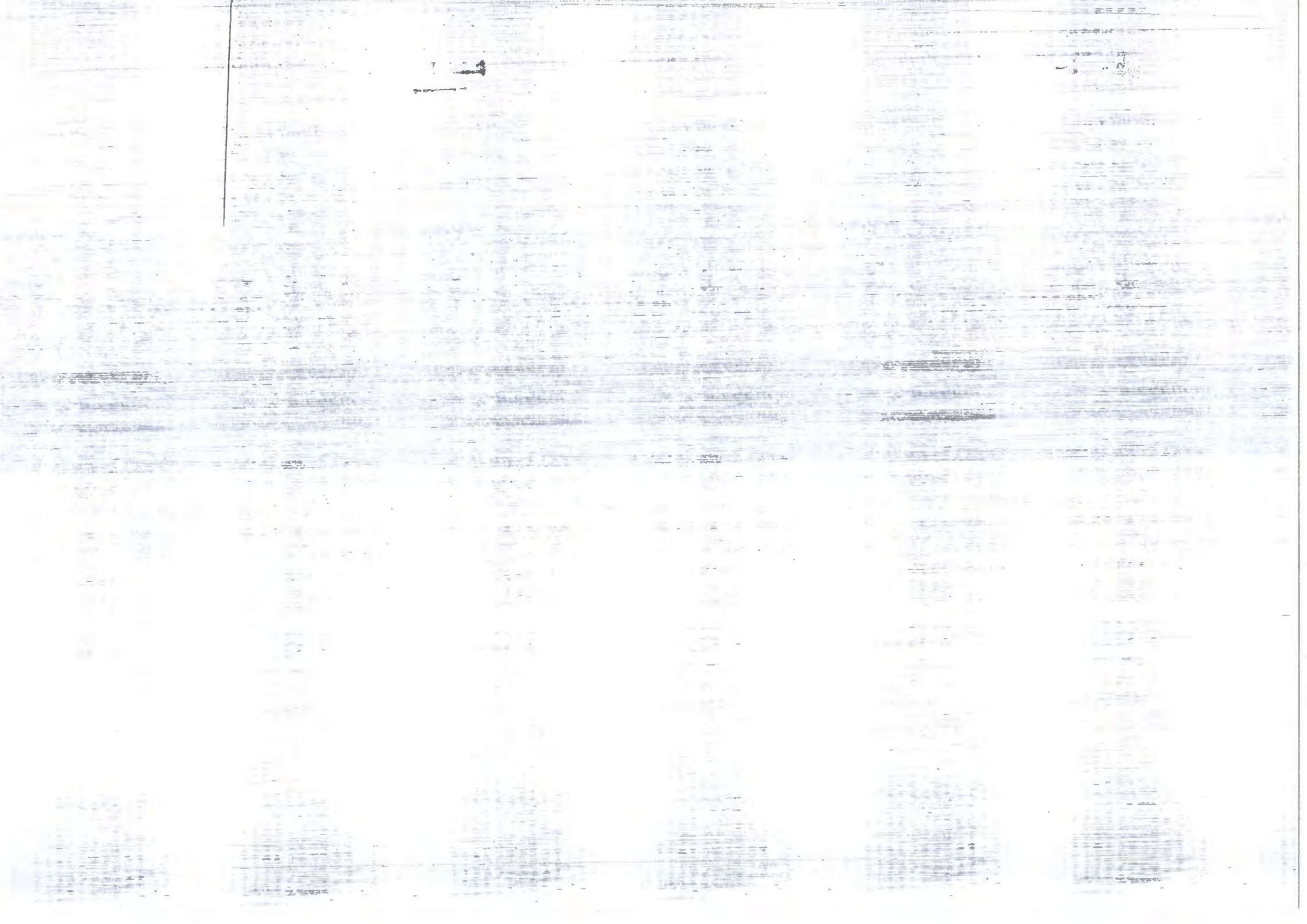
Also, like the one we recommended for dual carriage road for Enugu/Lokoja/Abuja. They just took the Motion as presented, forgetting that there were some amendments. So, they should be careful next time, while dealing with this type of matter.

Mr Speaker: Thank you very much for that observation but I think it is the duty of the Chairman of information committee to look at anything before it is sent out.

Question put and agreed to.

Resolved: That the House do now adjourn until Thursday 6th November, 2003 at 10 a.m.

Adjourned accordingly at 2.30 p.m.





**ENUGU STATE OF NIGERIA
PROCEEDINGS**

**AND DEBATES OF THE
FIRST SESSION OF THE
THIRD ASSEMBLY**

ENUGU STATE HOUSE OF ASSEMBLY

OFFICIAL REPORT

No. 33

**Thursday
6th November, 2003**

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No proofs of the Daily Reports can be supplied. Corrections which Members suggest for the present Volume should be clearly marked in the Daily Report, but not telephoned. The copy containing the corrections must be received at the Editor's Room, House of Assembly.

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HOUSE OF ASSEMBLY

ENUGU STATE OF NIGERIA

Thursday, 6th November, 2003*(The House met at 10 a.m.)*

PRAYERS

(Mr Speaker in the Chair)

APPROVAL OF VOTES AND
PROCEEDINGS

Mr Speaker: Honourable Colleagues, our Votes and Proceedings are before us. I have gone through them. However, I need your comments.

Mr F. Onah (Nsukka West): Mr Speaker, Sir, I have equally gone through the Votes and Proceedings and found them to be correct. I therefore, move for their adoption.

Deputy Leader: Mr Speaker, Sir, I have equally gone through the Votes and Proceedings of our last sitting. I have one little amendment on page two, last paragraph. Where they used 'he' for a woman instead of 'she'. However, I second the Motion that the Votes and Proceedings be adopted.

Mr Speaker: Noted.

Question put and agreed to:

Votes and Proceedings of Tuesday, 4th November 2003, accordingly adopted.

ORDER OF THE DAY

**REPORT OF THE JOINT
COMMITTEE ON CHIEFTAINCY
AND JUDICIARY, ON THE BILL
FOR A LAW TO MAKE
PROVISIONS FOR THE
ESTABLISHMENT, STRUCTURE
AND COMPOSITION OF THE
ENUGU STATE COUNCIL OF
TRADITIONAL RULERS, BILL
NO. 4, 2003**

Chairman, Joint Committee on Chieftaincy and Judiciary (*Mr F. Amu*): Sequel to the mandate given to the above-mentioned committee by the Hon. Speaker, over the issue of giving the above Bill its required legislative study and analysis, the Joint Committee took the bull by the horns by having constant sittings, conducting public hearing, interviews and visitations.

We actually had public hearing in the course of carrying out the exercise in which the public attended and made their inputs. We also received letters from the public concerning the Bill and interviews were conducted with Royal Fathers (traditional rulers) in the State.

However, the committee was able to make some amendments and it is hereby attached. Section 2(4) – Appointment of Members – In line one delete *Chairman* after *Deputy* and insert *Chairmen*; thus: The Chairman, the three Deputy Chairmen, and other members of the council shall be appointed by the Governor from among the Traditional Rulers in the State.

Section 9(7) – Duties of Secretary to the Council – In line three after Committees insert *'and compile the'* thus: under the general specific directions of the chairman, be responsible for convening all meetings of the Council and its Committees and compile the reports of such Council and Committees.

Section 9(7)(2) – In line three delete *'or'* and insert *'of'* after Chairman thus: the secretary shall perform all such other functions as may from time to time be assigned to him by the Chairman of the Council.

Leader (Mr Ebenyi): Mr Speaker, Sir, I have risen to move that the Report just presented to this honourable House by the Chairman, Joint Committee on Chieftaincy, Culture, Tourism and Judiciary, Public Petitions, Ethics and Privileges, on the Bill for a Law to make Provision for the Establishment, Structure and Composition of the Enugu State Council of Traditional Rulers, Bill No. 4, 2003, be accepted by this House to be considered along with the original Bill on a later date to be determined by the Rules and Business Committee of this House. Thank you.

Mr C. Ugwu (Enugu East): Mr Speaker, Sir, I have risen to second the Motion moved by the leader of the House.

Question put and agreed to:

Mr Speaker: Honourable Colleagues, you will recall that we are

going to have joint Session today. We have to defer items 5 and 6 on the Order Paper to later in the day, to be taken up at the Joint Session of South East Houses of Assembly Holden at Enugu State House of Assembly, Enugu. This should come up after our normal sitting, today. Thank you.

ANNOUNCEMENT

1. There will be a joint Session of South East Houses of Assembly to hold in the House today in honour of late hon (Mrs) Janet Mokelu.
2. I observed with pleasure the presence in the Chamber, of the former Governor of former Anambra State, Chief C.C. Onoh.

ADJOURNMENT

Leader: Mr Speaker, Sir, my hon. Colleagues, I humbly move that this House do now adjourn till Tuesday, 11th November, 2003, at 10 a.m.

Mr E. Maduabu (Awgu South): Mr Speaker, Sir, hon. Colleagues, I rise to second the Motion on adjournment. Thank you.

Question put and agreed to.

Resolved: That this honourable House do now adjourn till Tuesday, 11th November, 2003 at 10 a.m.

Adjourned accordingly at 12 noon.



**ENUGU STATE OF NIGERIA
PROCEEDINGS**

**AND DEBATES OF THE
FIRST SESSION OF THE
THIRD ASSEMBLY**

ENUGU STATE HOUSE OF ASSEMBLY

OFFICIAL REPORT

No. 34

**Tuesday
11^h November, 2003**

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HOUSE OF ASSEMBLY
ENUGU STATE OF NIGERIA

Tuesday, 11th November, 2003
(The House met at 10 a.m.)

PRAYERS

(Mr Speaker in the Chair)

APPROVAL OF VOTES AND
PROCEEDINGS

Mr Speaker: Honourable Colleagues, our Votes and Proceedings No. 33 of Thursday, 6th November, 2003 are before the House. I have gone through them. To the best of my knowledge, they are correct. However, I welcome your comments to enable us give it legal backing. Thank you.

Mr F. Amu (Nsukka East): Mr Speaker, Sir, I have equally gone through the Votes and Proceedings and found them to be correct. I therefore move for their adoption.

Mr J. Obidinma (Oji-River): Mr Speaker, Sir, I second the Motion.

Question put and agreed to:

Votes and Proceedings of Thursday 6th November, 2003 accordingly adopted.

ORDER OF THE DAY

CONSIDERATION OF THE
REPORT OF THE JOINT
COMMITTEES ON
CHIEFTAINCY, CULTURE,
TOURISM AND JUDICIARY,
PUBLIC PETITIONS, ETHICS AND
PRIVILEGES ON THE ENUGU
STATE TRADITIONAL RULERS
BILL NO. 4, 2003

Deputy Leader (Mr Anikwe) Mr Speaker, Sir, may I move that this honourable House resolves itself into Committee of the Whole House to enable us treat the report of the Joint Committees on Chieftaincy, Culture and Tourism and Judiciary, Public Petitions, Ethics and Privileges on the Enugu State Council of Traditional Rulers Bill No. 4, 2003.

Mr E. Eze (Udenu): Mr Speaker, Sir, I have risen to second the Motion.

Question put and agreed to:

REPORT OF THE JOINT
COMMITTEES ON
CHIEFTAINCY, CULTURE AND
TOURISM, AND JUDICIARY,
PUBLIC PETITIONS, ETHICS AND
PRIVILEGES ON THE ENUGU
STATE COUNCIL OF
TRADITIONAL RULERS BILL NO.
4, 2003

Considered in the Committee of
the Whole House

Mr Chairman: Honourable Colleagues, you will recall that during our last sitting the Joint Committees presented the Report of this important Bill. Based on that, the consideration was deferred to a later date. Following the Motion moved by the Deputy Leader of the House, we are going to consider the Report alongside the original Bill.

Let us suspend the title, the enactment, the commencement date and interpretation, and consider from section 2 of the original Bill.

Clause (2) – (INTERPRETATION) – ordered to stand part of the Bill.

Clause (3)(1-2) – ESTABLISHMENT AND COMPOSITION OF COUNCIL) – ordered to stand part of the Bill.

Clause (4) – (APPOINTMENT OF MEMBERS) – ordered to stand part of the Bill.

Clause 5 – 7 – ordered to stand part of the Bill

Clause 8(1) – (REMUNERATION)

The Chairman: Honourable Colleagues, I wish to appeal that we recast this, Thus; *There shall be paid to the holder of the Office of the Chairman, Deputy Chairmen and Members of the Council such remunerations in addition to their*

salaries as may be determined by the Governor.

Clause 8(1) – as amended - ordered to stand part of the Bill.

Clause 8(2) – 10 – ordered to stand part of the Bill.

FIRST SCHEDULE

SECTION 3 – (COMPOSITION OF COUNCIL) – ordered to stand part of the Bill.

SECOND SCHEDULE

Clause 1 – 5 – (RULES) – ordered to stand part of Bill.

Clause 6(1-6) – (SITTING ARRANGEMENTS AND PRESIDING OFFICERS) – ordered to stand part of the Bill.

Clause 7(1a-b) – (DUTIES OF SECRETARY TO THE COUNCIL) – ordered to stand part of the Bill.

Clause 7(1c) – as amended ordered to stand part of the Bill.

Clause 7(1(d-e)) – ordered to stand part of the Bill.

Clauses (2-9) – ordered to stand part of the Bill.

Clause 10(1)(a-g) – (ARRANGEMENT OF PUBLIC BUSINESS AND OFFICIAL

LANGUAGE) – ordered to stand part of the Bill.

Clause 10(2)(i-ii) – ordered to stand part of the Bill.

Clauses 11-13 – ordered to stand part of the Bill.

Clauses 14-16 – ordered to stand part of the Bill.

Clauses 17-19 – ordered to stand part of the Bill.

Preamble – agreed to.

Title – agreed to.

Short Title – agreed to.

(Mr Speaker resumes the Chair)

Deputy Leader (Mr Anikwe): Mr Speaker Sir, may I move that this Bill, the Traditional Rulers Bill No. 4, 2003, be now read the Third time.

Question put and agreed to

Bill accordingly read the Third time and passed.

Mr Speaker: Honourable Colleagues, the Bill came to this honourable House about a month ago and was sent to the appropriate Committee. The committee not only reported out in good time, but did a very good job. Today this Bill has received the blessing of this honourable House.

In view of this development, the Bill has now been passed.

I wish to express my happiness to those of you who contributed in one way or the other to the passage of the Bill, especially the hon. Members, for their wonderful contributions. I commend you for a job well done. The Clerk, the workers and all those who contributed towards the passage of the Bill, I say thank you very much, and may God bless you all.

NOTICE OF MOTION

Ban on Street Hawking as Practised by Children in Enugu State

Mrs C. Ene (Udi South): Mr Speaker, Sir, may I move this Motion standing in my name on the Order Paper – That the honourable House urges the Executive to ban street hawking in Enugu State.

Mr E. Eze (Udenu): Mr Speaker, Sir, I have risen to second the Motion. Thank you.

Mrs Ene: Thank you, Mr Speaker for the opportunity to move this all-important Motion standing in my name.

Mr Speaker, Sir, before I initiated this Motion, I carried out a survey on this issue, which borders on human rights. Mr Speaker, Sir, various research questions resulting from the menace caused by street hawking as practiced by some children in the

metropolitan cities in Enugu State were unveiled. Such questions as, who are the sponsors? Why the practice? When did it get out of control? etc came to mind.

Sir, in the old Anambra State some local governments enacted bye-laws restricting persons under the age of twelve years from street hawking and persons who were to hawk must obtain hawker's permit. Government approved and published hawking permit fees. Such permit was not meant for children of school age. Sociological, psychological and physiological care are always taken into cognizance while nurturing children of this age as they are leaders of tomorrow and are in their formative age.

Mr Speaker, Sir, these cares were dropped when some parents abandoned their responsibilities to their children in quest for material wealth. Government should not watch this ugly development as this is tantamount to abuse of a child's right and basic fundamental human rights. A child is a human being and must be protected, whether born by rich or poor parents.

Mr Speaker, the efforts of the local government bye-laws on this issue did not achieve much, hence there is need for this Legislature to come up with a more embracing legislation. This Motion intends to condemn in its entirety the unwholesome evil effect of such trade and thereafter back it up with a more embracing legislation in the

State so as to re-engineer the services of all Government Agencies towards the emancipation of this ugly situation in our metropolis.

Mr Speaker, Sir, the consequences of street hawking by children cannot be over-emphasized. Therefore, the need to checkmate the practice should be urgently addressed. I therefore, without sentiment, urge my Colleagues to join this singular, motherly stimulated but timely Motion to wage war against this abuse of child's right to acquisition of basic education.

For now, I pray that this House should resolve as follows:

- i. That the Enugu State Ministry of Women Affairs and Social Development in conjunction with other relevant Agencies move into action, with a view to arresting, prosecuting and punishing persons who aid, and abet child street hawking.
- ii. That the State Ministry of Women Affairs and Social Development should organize enlightenment campaign and counseling for the people of Enugu State on the dangers of child street hawking.
- iii. That this House should condemn in its entirety the abuse of child's rights which this unwholesome trade otherwise referred to as child street hawking has constituted to the children in this State.

Be it moved and it is hereby moved.

Mr E. U. Ezeh (Udenu): Mr Speaker and my hon. Colleagues, I am a Co-Sponsor of this all-important Motion, and I have risen to throw more light on the Motion. Mr Speaker, Sir, there is a saying that the Chairman is the father of a nation and equally a mother of a nation. This important adage has been recognized by no less important organization than the United Nations Organisation and the United Nations General Assembly as blessed, sponsored and endorsed by the Government of Federal Republic of Nigeria.

Mr Speaker, Sir, this Motion came at the right time. And I implore your indulgence, Mr Speaker and my hon. Colleagues to draw your minds back to memory lane. On 20th November, 1959 the United Nations declared a set of rights, privileges and protection that will be accorded to our children. Mr Speaker, Sir, on 20th November, 1989 again the United Nations General Assembly sitting in a meeting in Geneva endorsed and directed that all States embracing the right of a child should endorse the document.

Mr Speaker, permit me to quote: *Federal Government of Nigeria subsequently endorsed that Convention or Agreement that outlined the rights and welfare of the child* and permit me to read – *Federal Republic of Nigeria, the Instrument of ratification of the United Nations Convention on the rights of the child.*

Whereas the United Nations Convention on the right of the child was adopted in Geneva on the 44th Session of the United Nations General Assembly on the 20th November, 1989 and was opened for signatory by all States including Nigeria.

And whereas the Federal Republic of Nigeria as a Member of the States of United Nations is a signatory to the foresaid Convention.

And whereas it is provided in Article 47 of the foresaid Convention that the Convention is subject to ratification and the instrument of the ratification shall be deposited with the Secretary-General of the United Nation.

And whereas the Federal Military Government of the Federal Republic of Nigeria as by decision fully reached in accordance with its constitutional power or processes agreed to ratify the foresaid Convention.

Now therefore, I General ... (Interruptions).

Mr Speaker: Order! The argument of the hon. Member for Udenu (*Mr Ezeh*), is very long. And more importantly you are aware that the National Assembly has been passing the laws which Mr President originated. And you are aware that this Motion before this honourable House is for our children; so you should just talk about the Motion.

Mr Eze: Thank you, Mr Speaker I am just trying to trace the generality of the rights of the child.

Mr Speaker, recently Mr President endorsed a law bordering on the rights of the child and some of the provisions in the law as enshrined in the United Nations Convention and our own law is that the child should be given adequate education. A child within the age of one to eighteen is within the limit of the school age. Seeing them carrying bread and all sorts of merchandise along our streets is an eyesore. It is against the law of the land and also against the United Nations Convention on the rights of the child.

Therefore, it is necessary that my hon. Colleagues should give this Motion hundred *per cent* backing. I wonder why a child of school age should be carrying banana and other wares along the streets at odd times. In this State, our government has a good educational programme, free education for the school child, yet some of our parents, some of the guardians of the children push them into the streets against the law of the land.

So, this Motion, Mr Speaker, is just trying to amplify the obvious and we must rise up to the challenge, no matter the economic hardship around us. We must protect the rights of the child. We must not allow them to loiter in order to make money for the interest of their masters or parents, no matter the poverty level because government is

poised to make laws that will better the lives of the children of this State. Therefore I am asking this honourable House to support this wonderful Motion that borders on the welfare of our children. Thank you, Mr Speaker.

Mr O. Chukwuegbo (Enugu South II): Mr Speaker, honourable Colleagues, I have risen to support this all-important Motion, just because of its consequences. Mr Speaker, it does not give room for proper development of a child to be a street hawker. The child eventually becomes debased.

I believe that what encourages child street hawking is lack of control in birth rate. That is the major factor. When one gives birth to the number of children one cannot take care of, he has to find a way of feeding the children. The only alternative is to commercialise them. I believe this Motion should be given an easy passage, but at the same time, Mr Speaker, there is a little adjustment necessary to be made in the prayers.

I believe that prayer No. 1, should be transposed to prayer No. 3, and prayer 3 transposed to prayer 1. Prayer 3 states; *That the House should condemn in its entirety the abuse of child's right, which this unwholesome trade otherwise referred to as child's street hawking has constituted to the children in this State.* While prayer 1, states that the Enugu State Ministry of Women Affairs and Social Development in conjunction with other relevant agencies move into action

with a view to arresting, prosecuting and punishing persons who aid and abet child's street hawking.

I believe that before we ...
(Interruption)

Mr Speaker: I believe that what the hon. Member for Enugu South II (*Mr Chukwuegbo*), is saying is correct. We have to agree that it should be in that order.

Mr Chukwuegbo: Mr Speaker, hon. Colleagues, I believe this Motion should be given an easy passage. Thank you.

Mr Speaker: I hope that you heard what the hon. Member for Enugu South II (*Mr Chukwuegbo*) said. He said that prayer No. 1 should be transposed to replace prayer No. 3, and prayer No. 3, should as well be transposed to replace prayer No. 1.

Mr Chukwuegbo: Mr Speaker, I seek for the suspension of Rule No. 25 to enable me move for the adjustment of the prayers.

Mr C. Ugwu (Enugu East II): Mr Speaker, I second the Motion.

Question put and agreed to.

House accordingly suspends Rule 25 to enable the hon. Member for Enugu South II (Mr Chukwuegbo) make his adjustment.

Mr Chukwuegbo: Mr Speaker, I stand to move for the re-arrangement of the prayers. That prayer No. 1 be transposed to replace prayer No. 3 while prayer No. 3 be transposed to replace prayer No. 1. Thank you.

Mr M. Njeze (Udi North): Thank you, Mr Speaker, I wish to second the Motion for the re-arrangement as moved by the hon. Member for Enugu South II (*Mr Chukwuegbo*).

Question put and agreed to

Prayers No. 1 and No. 3 accordingly transposed

Mr J. Anichukwu (Naknu East): Mr Speaker, thank you for giving me the opportunity to speak on the issue of human development, particularly the children. Children should be properly harnessed, properly moulded and properly brought up. This Motion is properly handled by this honourable House and at this point in time it will furthermore enhance the image of this House and show that we are living up to our responsibilities.

Mr Speaker, let us look round and see traditional practices that add to child abuse. These days we hear one ugly story or the other. Children are kidnapped in the name of hawking; children are also sexually abused in the name of hawking. Hawking what? Hawking goods. Because adequate arrangements are not made to take adequate care of the child. This

honourable House will be doing itself great service by passing this Motion. Thank you.

Mr J. Obidinma (Oji River): Mr Speaker, I stand to give full support to this Motion. A lot of reasons abound why I want to support this Motion. However, for want of time, I will limit myself to two reasons only, so that the synergy in the reasons will help this House pass this Motion.

Mr Speaker: We are not in a hurry.

Mr Obidinma: Mr Speaker, the Motion has a tandem agenda. It tends to x-ray the sensitivity of adolescence to win in the leadership. Like I said earlier the catch-them-young syndrome in the Motion tend to save our children when they are tender because a boy will eventually grow to a man and a girl to a woman. If you have a bad son it means that you have a bad home, and a bad parent. If you have a bad girl, you will have a bad mother and the future will be affected.

So, Mr Speaker, *catch them young* that is what the Motion is all about. Nigeria will be better for it and the society at large will enjoy it. Mr Speaker, I am done because I know there are many people who are willing to speak. May I at this juncture seek the leave of this House to make an amendment to prayer one now prayer three.

Mr Speaker: The hon. Member for Oji River (*Mr Obidinma*) should note that I do not want us to ridicule ourselves. A Motion was moved and duly seconded asking that the Question be put. Now he is asking for an amendment to the prayers.

Mr Obidinma: May I seek the leave of the House to move for an amendment to prayer one now prayer three.

Mr F. Onah (Nsukka West): Mr Speaker, I have risen to second the Motion.

Question put and agreed to.

Mr Obidinma: Thank you, Mr Speaker, just a little one, line three *person or persons*. The *S* there should be in bracket to read person because one person can commit a crime and one or more persons can also commit a crime.

Mr F. Onah: Mr Speaker, I second the Motion.

Amendment put and agreed to.

Mr F. Onah (Nsukka West): Mr Speaker, Sir, I wish to thank the Mover of this Motion more especially now that we are in *Mber* months. We all know that in *Mber* months, a lot of things happen. Things that are not good and children, can be exposed to many dangers like road accident because anytime they are hawking their wares and in a bid, to make enough profit, they can dabble into a moving vehicle.

Normally, at the point of children carrying on this business, human traffickers normally catch them for their own business. As you know, human traffickers normally go for children between eight to nineteen years of age.

For these reasons Mr Speaker, I support this Motion. It is a timely Motion. May I ask this honourable House to suspend order No. 25 to enable me come up with an amendment and an additional prayer.

Mr J. Obidinma (Oji River): Mr Speaker Sir, I stand to second this Motion.

Mr Onah: *That the Ministry of Women Affairs and Social Development should mount up serious campaign to enlighten people on the need for family planning.*

2. *To monitor children they give out to motherless babies homes.*

Mr F. Amu (Nsukka East): Mr Speaker, Sir, I have risen to second the Motion for additional prayers as moved by the hon. Member for Nsukka West (**Mr Onah**).

Question put and the House divided by roll call.

AYES: 10, NOES: 5, Not voting: Nil.
Maduabu E.
Agbo D. I.
Ugwu C.

Odo E.
Onyeze M. N.
Amu F. E.
Onah F.
Obidinma J.
Njeze M.
Chigbo A.

Noes 5
Anikwe P.
Nnadi A.
Anichukwu J. N.
Ezeh E. U.
Eneh C. (Mrs)

Question accordingly agreed to.

Deputy Leader (*Mr Anikwe*): Information!

Mr Speaker: Information on what?

Deputy Leader: Information on the result.

Mr Speaker: No! No!

Mr E. U. Ezeh (Udenu): Point of Order!

Mr Speaker: What Order?

Mr Ezeh: General Order. ..
(*Prolonged Laughter*)

Mr Speaker: I do not know why we are arguing on this ... (*Prolonged Interruptions*)

Mr Speaker: Order! Order! Please, I do not believe in too much argument. I

sympathize with the hon. Member for Udenu (*Mr Ezeh*) and the Deputy Leader (*Mr Anikwe*) because if this argument had come up before now, frankly speaking, I could have changed my mind, but now there is nothing I can do than to allow you to win the argument, so let us make progress.

There is a second additional prayer where he said that *Enugu State Ministry of Women Affairs should be mandated to monitor the children they give out from Motherless Babies Home.*

Mr Eze: Information! Mr Speaker Sir, obviously this Motion was contained in the recent Bill signed by Mr President, so I do not know where we are heading to.

Mr M. N. Onyeze (Igbo-Eze North D): Mr Speaker Sir, there is no need arguing further on a matter that has been resolved, according to the Rule of the House, we have a Rule on how to resolve issues, when we disagree on a matter and normally ... (*Interruptions*)

Mr M. Njeze (Udi North): Information! Mr Speaker, the information is that this honourable House should know that when it includes issues that *babies given out should be monitored*, there are certain implications. It may be a child has been sold or a child bought for rituals. I want us to understand now that if ever we include this, the impression could be interpreted in several ways, it will ridicule this House.

So, I pray that hon. Members will understand that and try to expunge that particular prayer.

Mr Speaker: Which one?

Mr Njeze: The second prayer.

Mr Speaker: To monitor the children they give out.

Mr Njeze: Yes.

Mr Speaker: O. K.

Deputy Leader: Information! The information is on the same second prayer, that is, that *Enugu State Ministry of Women Affairs should be mandated to monitor the children they give out.* Who are the *they*? That *they* makes it confusing. The *they* should be clarified.

Mr E. Odo (Igbo-Étiti East): Mr Speaker, Sir, I want to disagree with the last Motion because, to some extent, if you want to make another Motion on Monitoring the System or how they give out a child from Motherless Babies Home, it will go a long way in contradicting what we are doing. I believe that the said Motion should be thrown out. I wish to say that at about two sittings we had, I made an observation that it is necessary that each time the Motion on Amendment is coming up, it is by Rule. It is not proper to stand and move a Motion; it should be circulated in advance, and it is not proper to stop a person who is contributing because such a thing is a

convention, and once you call the word *Motion*, be it Amendment, be it anything, and people cannot contribute, I believe such a thing is not good.

I hereby suggest and pray to Mr Speaker that in view of future conventions such as this, that people should be allowed to air their views so as to know whether the wisdom in their contributions will be of benefit to this House in taking decision.

Mr Speaker: May the hon. Member for Igbo-Etiti East (*Mr Odo*), allow me correct one impression. Honourable Members do not move their Motions when the Question has been put. If they want to see the truth before the Motion was seconded it could be that point in time that people would have raised the objection, but I was asked to put a Question and I did so. ...
(*Interruptions*)

Order! Probably, you know that the other people were thinking that they would win; so the only way to show them effective democracy is for me to carry everybody along. I do not belong to any side, I do not want to do that. I only want the flying aircraft to fly on. If somebody wants the House to be divided, I will quietly divide the House, even if they want my own vote, I will cast my vote.

So, if you want to raise an objection and you want to argue on a matter when the Question is not put, you are free to do that, I am not against it. The said

Question was put at the appropriate time. I cannot dissolve it now.

Several Members: Put this Question on this now.

Mr Speaker: Question was put at the appropriate time. The Question is that we expunge the second prayer.

Question put and agreed to.

Prayer No. 2 accordingly expunged

Mr C. Ugwu: Mr Speaker, Sir, I want to use this opportunity to thank the Mover of this Motion. I align myself completely with this Motion. It is very important.

However, I want to seek the leave of the House to suspend Rule No. 25 to enable me move a Motion for an amendment.

Deputy Chief Whip (*Mr Agbo*): I rise to second the Motion to suspend Rule No. 25, to enable the hon. Member for Enugu East II (*Mr Ugwu*) to move his Motion for an amendment.

Question put and negatived.

Mr M. Njeze (Udi North): Mr Speaker, I am wholly in support that the child is the mother of the man. If you look up at the Gallery you will see a lot of children. I cease this opportunity to thank you and now I observe that this prayer which will be communicated to the outside world does not contain the

subject of this Motion. The subject of the Motion is that *This honourable House should urge the Executive to ban the practice.* This prayer I believe is to serve the best interest of the good intention of the Movers of the Motion who have done this House proud by bringing up the Motion. So, may I please seek the leave of the House to suspend Order No. 25 to enable me add to the prayer.

Mr Onah: Mr Speaker, I stand to second the Motion.

Question put and negatived.

Mr E. Maduabu (Awgu South): Mr Speaker, thank you very much for giving me this opportunity. I align myself wholly with the Motion because of its importance and the goal of the Motion. You see, the World Health Organisation recognized the right of the child or children. This practice of hawking is very dangerous. To say that we should not talk something about birth control – it should be raised. Why I said this is that they are being given to those that give them load which is heavier than their age. They now carry these wares around in the streets looking for ways of selling them. That children become what they are depends on the mode of training and up bringing they received. So, it involves a lot of planning. We have to take family planning or birth control seriously. If you observe the acts we have around the State, or even the country, you can see the ills of child abuse. We should

condemn this thing and take a good lead. Thank you.

Mr Odoh: Point of Order! I want to state that the 20th November 1959 and the 20th November 1989 Constitution edition of the UNO is anchored in our own Nigerian Constitution as you can see in Section 34 (i) (a-c). The essence of street hawking normally is to debase the child's normalcy, and to force the child into what is called child labour. I am asking Mr Speaker to put the Question.

Question, That the Question be now put, put and agreed to.

Main Question put and agreed to.

Resolved:

1. That the House should condemn in its entirety the abuse of child's rights which this unwholesome trade otherwise referred to as child street hawking has constituted to the children in this State.
2. That the State Ministry of Women Affairs and Social Development should organize enlightenment Campaign and counseling for the people of Enugu State on dangers of child's street hawking.
3. That the Enugu State Ministry of Women Affairs and Social Development in conjunction with other relevant agencies

move into action, with a view to arresting, prosecuting and punishing person(s) who aids, and abets child's street hawking.

ANNOUNCEMENT

You are Leaders of Tomorrow

Mr Speaker: I wish to humbly recognize the presence of teachers and students of Queens College Enugu and Midland Nursery/Primary School, Enugu who are here today to see for themselves the way and manner democracy works. I wish to let you know that the House of Assembly is a very powerful arm of government. You will recall that it was from 1999 that the Legislature, Executive and Judiciary came in place.

You are here today to observe the Legislature because democracy is on course in Enugu State. So, I welcome you and wish you well in all your endeavours. Anytime you feel like watching our proceedings, do come around. You are leaders of tomorrow, and should always learn to comport yourselves.

I wish to appeal to the leaders of these young children to let them know that anytime they are in the Gallery, they are not allowed to talk. Any other day you come to observe us and you behave the way you have done today, you will be arrested. You should listen to the debate and not when I put the

Question, you say *no*. I'll get you arrested.

Invitation

Hon A. Chigbo has invited all hon Members and Staff to the formal opening of CITOBI Business Centre at No. 4 Presidential Road, Enugu, at 4p.m. Today.

Meeting

Honourable Members are to meet today on the rising of the House in Speaker's office.

ADJOURNMENT

Deputy Speaker: Mr Speaker, Sir, may I move that this House do now adjourn till Thursday, 13th November, 2003 at 10a.m.

Mr E. Maduabu: Mr Speaker, Sir, I rise to second the Motion.

Question put and agreed to

Resolved: That the House do adjourn till Thursday, 13th November, 2003 at 10a.m.

Adjourned accordingly at 2.45 p.m.

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**ENUGU STATE OF NIGERIA
PROCEEDINGS**

**AND DEBATES OF THE
FIRST SESSION OF THE
THIRD ASSEMBLY**

ENUGU STATE HOUSE OF ASSEMBLY

OFFICIAL REPORT

No. 35

**Thursday
13th November, 2003**

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No proofs of the Daily Reports can be supplied. Corrections which Members suggest for the Bound Volume should be clearly marked in the Daily Report, but not telephoned and the copy containing the corrections must be received at the Editor's Room, House of Assembly

not later than four days
after receipt of the Printed Report

Produced by the Publications Department
Enugu State House of Assembly

HOUSE OF ASSEMBLY
ENUGU STATE OF NIGERIA
Thursday, 13th November, 2003
(The House met at 10 a.m.)

PRAYERS

(Mr Speaker in the Chair)

**APPROVAL OF VOTES AND
PROCEEDINGS**

Mr Speaker: Honourable Colleagues, our Votes and Proceedings, of Tuesday, 11th November, 2003 are before us. I have gone through them, and found them to be correct. However, I need your comments. Thank you.

Deputy Chief Whip (Mr Agbo): Mr Speaker, Sir, I have gone through the Votes and Proceedings of our last sitting and found them correct. I therefore, move for the adoption of the Votes and Proceedings as correct recording of what transpired that day. Thank you.

Mrs C. Eneh (Udi South): Mr Speaker, Sir, hon. Colleagues, I have equally gone through the Votes and Proceedings of last sitting and found them to be the true reflection of what we discussed. I therefore, second the Motion for their adoption. Thank you.

Question put and agreed to.

Votes and Proceedings of Tuesday, 11th November, 2003, accordingly adopted.

Message from His Excellency the Executive Governor of Enugu State

Government House,
Enugu
November 11, 2003

*The hon. Speaker,
Enugu State House of Assembly,
Enugu.*

Dear Sir,

**REQUEST TO APPROVE TO
COMMISSIONER-NOMINEES AND
MEMBER, LOCAL GOVERNMENT
SERVICE COMMISSION:**

I have the pleasure to forward the following names as Commissioners for confirmation by the Honourable House.

1. *Commissioner Nominees:*
 - *Mrs Joy Ezeilo*
 - *Hon Chinedu Onu*
2. *Member; Local Government Service Commission:*
 - *Eugene Odo*

As I await for the anticipated consideration of this request, please accept the renewed assurance of my warmest regards and best wishes.

(Signed)
His Excellency,
Dr. Chimaroke Nnamani, MD
Executive Governor of Enugu State

Deputy Leader (Mr Anikwe): May I move that the message from His Excellency be accepted for consideration at the next legislative sitting.

Mr C. Enebe (Awgu North): I have risen to second the Motion as moved by the Deputy Leader of the House.

Question put and agreed to.

Message from His Excellency accordingly accepted for consideration at the next legislative sitting.

Mr Speaker: The Clerk should formally inform them to appear for screening on Tuesday 18th November, 2003.

Deputy Speaker (Mr Atigwe): Are we having a legislative sitting that day!

NOTICE OF MOTION

Re-Introduction of Uniform Colour for Commercial Vehicles in Enugu State

Chief Whip (Mr Ezema): Mr Speaker, Sir, thank you for allowing me present this Motion standing in my name: That this House do urge the Executive to direct the appropriate Agency to adopt and enforce Uniform Colour for Commercial Vehicles in Enugu State.

Mr E. U. Eze (Udenu): Mr Speaker, Sir, I have risen to second the Motion.

Mr Ezema: Mr Speaker, Sir, it seems a universal judgement that the task of controlling crimes and ensuring the security of citizens is a continuous one. As criminals devise more subtle ways of carrying out their wicked acts, both the government and other organizations as well as well-meaning citizens of this country should step up security strategies to ensure public peace and order.

We are all aware of the efforts of this Government to control the nefarious activities of those who hide under the cloak of being commercial motor cyclists also known as *Okada riders*, to commit crimes such as armed robbery, car snatching and other atrocities.

The possibility of those unscrupulous elements using non-descriptive and unbranded vehicles to commit crimes is very obvious.

On Thursday 16th October, 2003 a dismembered body of an innocent nursing mother was found early in the morning at the Chime Avenue junction along Enugu-Abakaliki express way. She could have been a victim of ritual killers who tricked her into joining an unknown vehicle mistaken for a commercial one.

It shall therefore be an additional security measure if uniform colour for commercial vehicles – buses and cars is

re-introduced in Enugu State to forestall rising crimes in the State. States like Lagos, Edo, Kogi and Abuja and many others exercise the identity and decorum derived from uniform colour for commercial vehicles. If enforced, then the measure would restore our urban centers to the safe havens they were known to be by both residents as well as visitors. It will also aid the Police in combating crimes as the vehicles would be easily identified.

Besides the reasons given above, it will enhance the cosmopolitan outlook of our urban areas, add to their aesthetic value and complement the physical and infrastructural development of these urban centers by His Excellency, the Executive Governor of Enugu State.

Prayers:

As an additional measure to ensure the security of life and property in our State, the Enugu State House of Assembly is hereby urged to resolve as follows:

- i. That the Executive do direct the Ministry of Transport or any appropriate authority to enforce the reintroduction of uniform colour for commercial vehicles in Enugu State, to check violent crimes in the State.
- ii. That once enforced, some weeks of grace be granted after which the Police shall be authorized to impose fines and impound any non-compliant vehicle.

- iii. That Members of the Public shall be advised not to board any vehicle not bearing the approved colour in their own interests and they will be advised to report such vehicles to the law-enforcement agents.

In view of the fact that the security of life and property is one of the greatest obligations our Government owes her citizens, it is hoped that this honourable House will give the Motion the necessary support it deserves.

Be it moved and it is hereby moved.

Mr E. U. Eze (Udenu): Mr Speaker, Sir, I have risen as a co-sponsor of this all-important Motion to speak on it. The Motion borders on security measure for life and properties and for easy identification of commercial vehicles. We know that not every citizen of this State is privilege to own a car, if you watch what is happening today in our society, you find that all sorts of vehicles pool at various points operating as commercial vehicles; at times Mercedes, Volvo, etc., without identification. So this Motion seeks to ensure that uniform colour be re-introduced so that all any commercial vehicles can easily be identified, not some people hiding under private vehicles and so on. If you go to Rivers State, they have a uniform colour which is blue and white; if you go to Kaduna State it is green and yellow and if you go to Lagos they have yellow yellow. If

you go to other parts of the country you will find that various State governments adopt uniform colours for their commercial vehicles for easy identification.

This Motion is seeking for the reintroduction of similar measures in this State. I am reminding all my Colleagues to give this Motion their support because good wine needs no advertisement. Thank you.

Mr C. O. Enebe (Awgu North): Mr Speaker, I have risen to support this Motion. This Motion as far as I am concerned is very timely because apart from the security aspects as the Mover of the Motion has highlighted, there are other issues that are involved. For instance, now that we are clamouring for Enugu Air port to be an international one, there is need to prepare enough ground so that if one enters a commercial vehicle he will not be in trouble.

In other areas like overseas the *kabu-kabu* - private owned taxis - operate alongside the coloured cars. So, the choice will be that of a person who is using them. He may either choose the coloured vehicles that are publicly authorized by the Government or try his luck on those operating without authority. So, when this is introduced, it will show to people coming to Enugu State that there is decorum in transport business in the State.

The beauty of the town will be enhanced and if you forget your bag or your purse or anything inside the vehicles, it will be easy for you to pick them up the next day. But by the time you board these rickety buses that have no identification, the only thing that will make you to know the particular bus is if you have the idea of the face of the driver. And how many times does one enter and look at the face of the driver. Most of the time one does not even know whether the driver is tall or short because he is sitting down and driving. By the time you disembark from the vehicle and you see him the next day, that man behind the steering who appeared to be short will be a giant. So, the only way to identify a bus in case of trouble, is by colour.

So, I am totally in support of this Motion, and we know actually that there is hardship in terms of money to paint the vehicles by the operators but after all they do charge exorbitant fares from the people. So, I urge my hon. Colleagues to support this Motion. Thank you.

Mr J. N. Anichukwu (Nkanu East): Mr Speaker, thank you for giving me the opportunity to speak. First and foremost, I support the Motion because as far as I am concerned this Motion is very important. My little contribution to this Motion is that what was known as Enugu State before and immediately after the civil war was that every commercial vehicle in Enugu State was known for its identification. Also all the

vehicles coming from Lagos, everybody will tell you that they came from Lagos.

This time around efforts are being made to curtail the activities of some scrupulous elements the *Okada*. This action has been tried on *Okada* and we are noticing some improvements. Some of the activities of the people of under world were effectively reduced because there was identification mark.

One of the Right hon. Members has pointed out that painting of commercial vehicles is very expensive. I agree but security is worthwhile and it is very expensive. And any reasonable citizen no matter what he pays for his life to be free and secured will never say it is too much. We are human beings and we are reasonable too, and anything we have done is in making sure that these *Okada* or bus owners procure the paints at a reasonable price. What matters also is: let it be done in good time and at the convenience of the commercial vehicle owners.

Mr Speaker, what is necessary is to do what is right, and I know a lot of advantages will be derived from security arrangement. Again we are aware that everybody is a commercial operator and we do not know which is which, and when you want to go anywhere and board any vehicle, you may not know that they are not commercial vehicle operators. So, Mr Speaker, I think this Motion should be passed by this honourable House this time so that the public will know that

we are very much alive to tackle anything that will affect their lives. Thank you, Mr Speaker.

Mr E. Maduabu (Awgu South): Thank you, Mr Speaker, I have risen to support this very important Motion for its importance. You should remember that the law on this uniform coloured commercial vehicles was in force before the civil war and immediately after the civil war but at a later date it died down.

If you were here at the time that law was in force, really you will see the beauty of Enugu State and that was the time Enugu was the capital of East Central State. Like some of our neighbouring States, a lot of people are protected. We are no longer in a position to know whether a vehicle is a commercial vehicle or not unless the drivers or conductors are shouting – *Obiagu, Emene*. This practice is making people to enter dangerous vehicles. But when we have identity for commercial vehicles, like taxi and others, mere looking at the vehicle will show which one to enter and which one not to enter. So this is very important.

With the few comments, I will say that this is a very important Motion. I am urging every hon. Member of this honourable House to support the Motion. In the absence of any other contribution, I ask that the Question be put.

Mr Speaker: Excuse me. The hon. Member for Uzo-Uwani (*Mr Chigbo*),

should know that this is a place where we do serious business. I just have to warn you. If you do not want to stay here, you should just walk out. If you do not want to support the Motion, the only thing is to make your contribution and oppose it; it is very simple; rather than making signs to other Members. You are marking *X*. What does *X* mean. We are here to listen to superior arguments.

Mr A. Chigbo (Uzo-Uwani): Mr Speaker, I am sorry.

Deputy Leader (Mr Anikwe): Mr Speaker, I thank you for giving me the audience. I want to appeal to our conscience with regards to the way we do things. I am saying this because the issue before us is what we should discuss. We are here to discuss issues. We are not here to attack people.

I have an opposing view on this Motion. And that view is that we are here representing our people. We are also here to express their views. We are also here to guide and protect them against any thing that will affect them directly or indirectly.

This Motion that is seeking for the reintroduction of a uniform colour for all commercial vehicles in Enugu State may have come at the wrong time. We are also aware that many people today cannot afford even to pay their children's fees. We cannot continue to impose more hardship on the people. Most of these people are tempted to go

into this commercial venture because the areas that were yielding income for them are no more there.

Pensioners have not been receiving pensions for four to five months; workers are yet to be paid salaries
(Interruptions)

An hon. Member: In this State?

Deputy Leader: I mean in some other States.

Mr C. Enebe (Awgu North): Point of Order! Point of Order!

Mr Speaker: The Deputy Leader (Mr Anikwe) should listen to the point of Order. You should sit down or I walk you out. Can you get seated. You cannot be indicting the government by saying that it is owing salaries for three months or pensions for five to six months and you want me to allow you to continue. So listen to the Point of Order.

Mr C. Enebe: My Point of Order is based on the title of the Motion. This Motion is not seeking to outlaw *Kabu-Kabu* operators. What it is seeking is that those who operate commercial vehicles should paint them.

If you bring your own Motion banning *Kabu-Kabu*, we will know, but we are not saying that they should be banned. What we are saying is that those operating commercial vehicles

should paint them for easy identification. Thank you.

Deputy Speaker (Mr Atigwe): You have to rule on the Point of Order.

Mr Speaker: What the hon. Member for Awgu North (*Mr Enebe*) is saying is correct and that is what we are talking about. There are two ways out. It is either you become a transporter or you keep your vehicle.

If we want to ban the use of *Kabu-Kabu*, we will ban it. But like some people have said, if you go to other States, you will see their commercial vehicles painted with their approved colours.

Deputy Leader: Thank you for allowing me to continue. When I was talking and making reference to hardship, you will recall that I was saying government and not Enugu State government.

For instance, we have other Independent Transport operators in Enugu State, they have their own private uniform colour. What are they going to do? We have other Mass Transit Transporters; what are they going to do? They are going to be compelled to get Enugu uniform (*Interruptions*).

Deputy Leader: What I am saying, Mr Speaker, is that I vehemently oppose this Motion.

Mr Speaker: If I had known, I would have allowed those who are in favour of the Motion to speak first before I allow you. At this point in time I allow those who want to speak in favour to do so.

Mr M. Onyeze (Igbo Eze North I): Mr Speaker, I stand to support this Motion, and my reason is that when we are talking about security there are people who make sacrifices in order to make security work. It is true that not all the people are rich, but if you have people with physical defects you will understand. It is now necessary for us to give all the commercial vehicles in Enugu city uniform colour. As a matter of fact, if you go to these *Kabu-Kabu* or whatever it is called, it means that the intention of this Motion will not be clear. I feel that what we have in mind is that all the people who have the intention of carrying people with faith should have uniform. Let them include *Kabu-Kabu*, we have not made any specific statement.

Therefore, all those who are managing their private cars in the evening, we are not pursuing them, we are just trying to help the entire society. Those who want to make use of their cars for commercial purposes should have the uniform colour or they will not operate except in the Airport. That is my contribution. Thank you, Mr Speaker.

Mr E. Odo (Igbo-Etiti): Mr Speaker, I want to align myself with the spirit of

this Motion. You will also agree that there is a common problem. People find it very difficult to be proud of their profession. People find it difficult to identify themselves with the occupation they want to do. But I believe this should be a forum for us to call a spade a spade. This should be a forum for us to know who are taxi drivers and those who are private drivers, and also a forum for us to really encourage the aesthetic beauty of Enugu Metropolis.

I want to correct an impression. It will be unfair for people to say that all indigenous Transports should have a commercial colour. I want to let us know that Mass Transits like Ekene Dili Chukwu and Peace Mass Transit, which I believe must have registered themselves as known commercial vehicles should not at this time be included among the uniform colour commercial vehicles being proposed. They are special Transport Companies. It will not be wise for us to extend this to them because they have already registered with the Government and they are protected by law. We are talking of the people who have not registered as taxi drivers and other commercial vehicles that ply within Enugu Metropolis. I want to completely urge my Colleagues to give this Motion favourable consideration so that at the end of the day we shall all benefit from the situation.

Moreover, there is no relationship between hardship or paying and not paying with what we are saying,

because if you take the statistics, most of the people who have commercial buses are neither Civil Servants nor even pensioners. These are people who want to venture into business. They may be civil servants, they may not be and moreover, it is a way of ensuring security in whatever they are doing. That is why if a thief snatches a bus, at the end of the day there is no trace, but I can assure you that there is nobody who has commercial colour and his bus misses that cannot recover it.

These people who do not apply uniform colours are people who are afraid of getting into the park. If you are a taxi driver, you should be proud with your union. They should know you. You do not just stop anywhere and carry people to unknown destinations. So I want to submit ...

Mr Enebe: Mr Speaker, just a question! Under what reason will people like Peace Mass Transit be exempted because Peace is operating from Nsukka to Enugu. The difference between them and others is that they have more vehicles. I am not aware that they register colour under the law. What you register is trademark or name of business. Once you have commercial vehicles operating in Enugu, you paint them the same colour unless you are operating outside the state, so that you do not make the mistake of saying you are exempting Peace or that. That is my opinion.

Mr Odo: Mr Speaker, Sir, we do not mean that colours are registered. What we mean is the trademark. If you watch these Mass Transits, there are two colours in front of the vehicle and if a company is registered, be it Ekene, etc., I believe there is an Article of Association in which the name is registered. If at the end of the day we find out that there is need for them to register, by then we must have done our arrangement.

I want to submit finally that it is because of security and social aesthetics that we should give this Motion our support.

Mr M. Njeze (Udi North): Mr Speaker, Sir, I have ample reason to support this Motion. Majority of my reasons adduced from the fact of life, the security of life and property and the aesthetic values of Enugu State. If you move around Enugu you will find it difficult to identify those vehicles that are used either for private or commercial purposes. I had the privilege of being in Port-Harcourt. I had no difficulty in identifying commercial vehicles. I equally had the privilege of traveling to Lagos, I have no problems at all identifying commercial vehicles. Even at Sokoto, the *Okadas* have one colour.

In fact, I had earlier discussed with the Mover of this Motion that we should make it a Bill. But in the course of my research on it, I discovered that a law already exists; that required commercial

vehicles in this state to paint the colour of Enugu State which is gold and black. You will discover that since we disregard colours, a lot of things happen. Vehicles from outside Enugu do come in and commit heinous offences and there is no way to identify them. So I believe that when these vehicles are painted, anybody coming into Enugu will have no difficulty knowing those that are commercial vehicles and those that are not.

Somebody once entered the United States with Green Card as a permanent resident but it was on arrangement. When the customs searched him, they asked him, what is the colour of American taxi? He wouldn't answer because he had never been to America. So it is a proper thing and sufficient reason for us to identify commercial vehicles in Enugu State. The issue of who should be exempted or not should be taken care by law.

If you see an ANAMMCO bus, for instance, it will carry ANAMMCO emblem and if anything happens to you, you will know that you entered ANAMMCO bus. The same thing applies to every identifiable organization that is properly registered. Some Mass Transit vehicles are registered and others have their inscription. I appeal to my Fellow hon. Members to ensure that this Motion sails through, as it will enhance the longevity of our people. Some day, we shall give more strength to that law. Thank you.

Deputy Speaker (Mr Atigwe): Mr Speaker, Sir, I have risen to give my support to this Motion. I have been arrested by superior argument. We are talking about an existing law; we are talking about painting vehicles for identification; we have no problem about that. This Motion is a worthy one and it is an existing law that commercial vehicles should paint their vehicles. What we need is those to implement the law. This will help us to generate revenue and identify *Kabu-Kabu* people. So, Mr Speaker, may I move that the Question be put.

Mr Enebe: Mr Speaker, Sir; hon. Colleagues, I wish to seek the leave of this House to suspend Order No. 25 of the Standing Rules of the House, to enable me move for the proposed amendment to prayer No. 2 of this Motion. Thank you.

Mr E. Maduabu (Awgu South): Mr Speaker, Sir, I rise to second the Motion that was moved by the hon. Member for Awgu North (*Mr Enebe*). Thank you.

Question put and agreed to.

Mr Enebe: Mr Speaker, Sir, hon. Colleagues, my amendment in the second Motion is as follows: *That once enforced, some weeks of grace is to be granted after which the appropriate authority or Agency shall be authorized to impound any non-compliant vehicles.* Thank you.

Mr Maduabu: Mr Speaker, Sir, hon. Colleagues, I rise to second the Motion. Thank you.

Question put and agreed to.

Mr Enebe: Mr Speaker, Sir, ordinarily if you impound and impose a fine it must be paid. Once you impound, you fine and when the fine is paid you release the vehicle. So it should be the Agency that should impound the vehicle until an appropriate fine is paid.

Deputy Leader (Mr Anikwe): Question, Mr Speaker, the Second Prayer is saying two *weeks grace*; who determines the two weeks grace.

Mr C. Ugwu (Enugu East II): I think this is essential, we must be specific, we can say a month, three months, it is better than leaving it like this.

Mr Odo: Information, I believe that after the passage of the Motion, the relevant authority should move into action.

Mr Speaker: Prayer No. 2 will now read: *That once enforced, two weeks grace be given after which the appropriate Agency is authorized to impound any vehicle that fails to comply with the Order until a fine is paid.*

Mr Speaker: Let us go through the prayers once more: *That Members of the Public shall be advised not to board any vehicle not bearing the approved colour*

in their own interests and they will be advised to report such vehicles to the law enforcement agents.

Question, That the Question be now put, put and agreed to.

Main Question put and agreed to.

Resolved:

- i. That the Executive do direct the Ministry of Transport or any appropriate authority to enforce the reintroduction of uniform colour for commercial vehicles in Enugu State, to check violent crime in the State.
- ii. That once enforced, two weeks of grace be granted after which the appropriate authority or agency shall be authorized to impound any non-compliant vehicle until a fine is paid.
- iii. That Members of the Public shall be advised not to board any vehicle not bearing the approved colour in their own interest and they will be advised to report such vehicles to the law enforcement agents.

Urgent Commencement of Construction Work on the Proposed Zik Institute near Protea Hotel, Nike Lake Resort, Enugu

Deputy Leader (Mr Anikwe): Mr Speaker, Sir, I have risen to move that

the above item No. 6 be stepped down till a later date to be determined by the Rules and Business Committee of the House.

Mr C. Ugwu: I have risen to second the Motion as moved by the Deputy Leader of the House.

Question put and agreed to.

Item 6 accordingly stepped down.

ADJOURNMENT

Deputy Leader (Mr Anikwe): May I move that this House stands adjourned till Tuesday 18th November, 2003 at 10 a.m. Thank you, Mr Speaker.

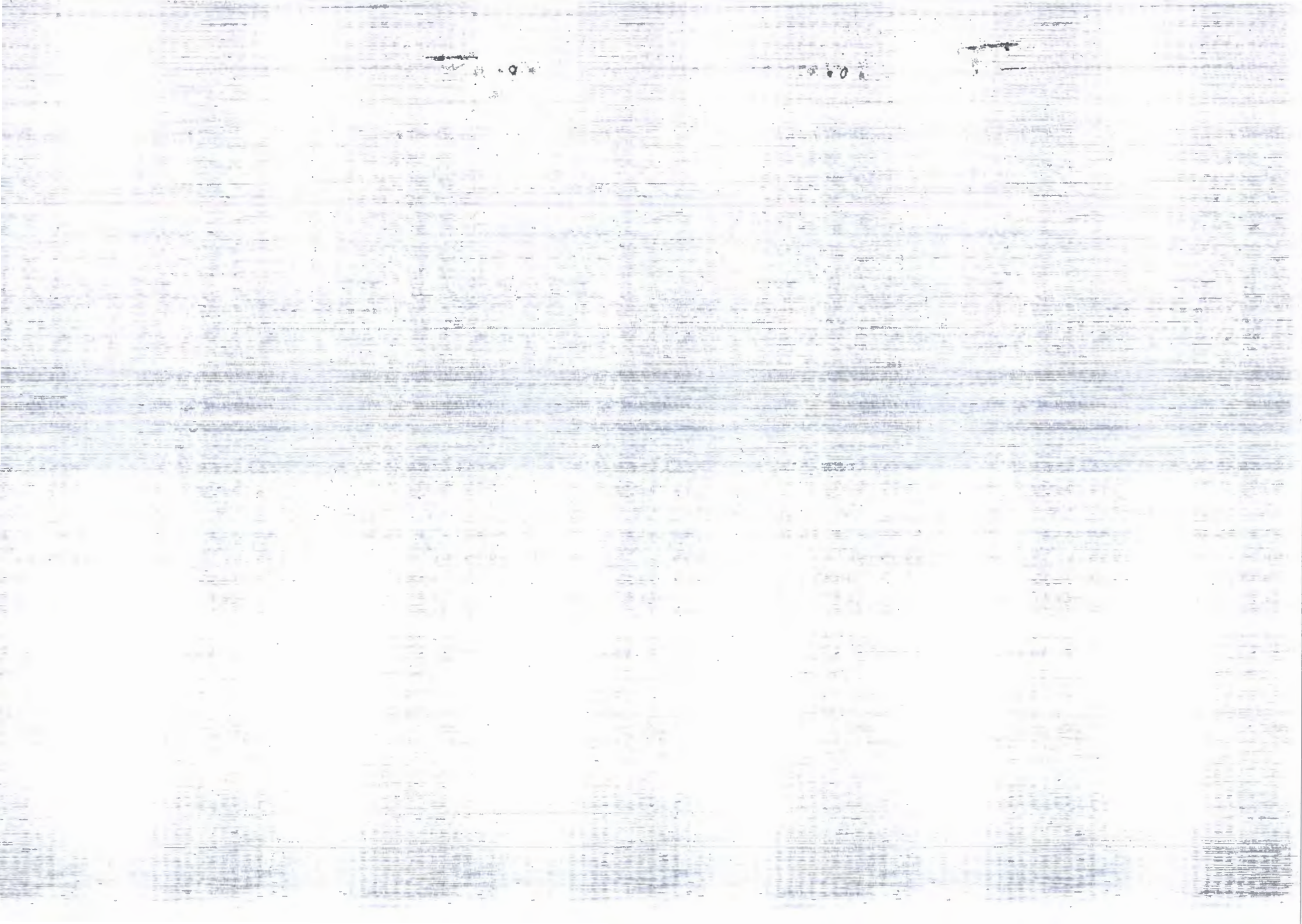
Mr C. Enebe (Awgu North): Mr Speaker, Sir, I have risen to second the Motion and also wish to draw the attention of this honourable House to the issue of the Rules of this House which was handed over to a Committee of this House but which has not yet been reported out. If the problem is fund, I pray that fund should be released to them.

Mr Speaker: Their problem has nothing to do with funding, please.

Question put and agreed to.

Resolved: That the House do now adjourn till Tuesday 18th November, 2003 at 10 a.m.

Adjourned accordingly at 1.50 p.m.





**ENUGU STATE OF NIGERIA
PROCEEDINGS
AND DEBATES OF THE
FIRST SESSION OF THE
THIRD ASSEMBLY**

ENUGU STATE HOUSE OF ASSEMBLY

OFFICIAL REPORT

No. 36

**Tuesday
18th November, 2003**

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HOUSE OF ASSEMBLY
ENUGU STATE OF NIGERIA

Tuesday, 18th November, 2003

(The House met at 10 a.m.)

PRAYERS

(Mr Speaker in the Chair)

APPROVAL OF VOTES AND
PROCEEDINGS

Mr Speaker: Hon. Colleagues, our Votes and Proceedings No. 35, of Thursday, 13th November 2003 are before us. I have gone through them and found them to be correct. However, I need your comments.

Mr F. Onah (Nsukka West): Mr Speaker, I have risen to move for the adoption of the Votes and Proceedings of our last sitting. Thank you.

Mr J. Obidinma (Oji River): Thank you, Mr Speaker, I have risen to second the Motion for the adoption of the Votes and Proceedings.

Question put and agreed to.

Votes and Proceedings No. 35 of Thursday, 13th November 2003 accordingly adopted.

Deputy Leader (Mr Anikwe): Mr Speaker, in view of the fluctuation of our light, almost leading to near darkness in the Chambers and realizing the importance of the assignment we have,

Mr Speaker, may I move that this honourable House steps down other items in the Order Paper until 2.30 pm to enable us reconvene and treat the matters before us.

Mr J. Anichukwu (Nkanu East): Thank you, Mr Speaker, I have risen to support the Motion moved by the Deputy Leader.

Mr Speaker: Before I put the Question, I wish to appeal to our visitors, especially the students from Ebonyi State. You have to bear with us. Ebonyi is not too far from here, you can hang on, maybe by 2.30 or latest 3.30 pm, you will be on your way to Ebonyi State. The same thing applies to other visitors here. We are sorry about the problem we are encountering. It is not our own making. You have to bear with us. We will reconvene to treat all the matters on the Order Paper for today.

Question put and agreed to.

Resolved: That the House do step down her sitting until 2.30 p.m. to enable it complete the items on the Order Paper.

INTERVIEW OF COMMISSIONER
DESIGNATE AND MEMBER ENUGU
STATE LOCAL GOVERNMENT
SERVICE COMMISSION

Deputy Leader (Mr Anikwe): Mr Speaker, I have risen to move that this honourable House do now resolve itself into a Committee of the Whole House to enable us carry out the agenda in the Programme. Thank you.

Mr E. Maduabu (Awgu South): Mr Speaker, I have risen to support the Motion as moved by the Deputy Leader of the House. Thank you.

Question put and agreed to.

**INTERVIEW OF
COMMISSIONER-DESIGNATE AND
MEMBER ENUGU STATE LOCAL
GOVERNMENT SERVICE
COMMISSION**

**(Considered in the Committee of the
Whole House)**

The Chairman: Honourable Colleagues, you are aware that during our last sitting, His Excellency, the Governor of Enugu State, Dr Chimaroke Ogbonnaya Nnamani sent a list of Commissioner Nominees and Member, Enugu State Local Government Service Commission to this honourable House for confirmation.

Following that development, the Clerk of the House was directed to formerly invite the nominees for screening today, the 18th day of November, 2003. To the best of my knowledge, the letter was written and I believe that the nominees are around, and if they are, as usual, let them be called in for the interview, and I wish that we do justice to this exercise perfectly, and as they come in, Members should ask their questions appropriately.

So, I humbly call on Mr Chinedu Hillary. Sergeant-at-Arm please call Mrs Ezeilo first, in that Order before any other person, hurry up.

Thereupon Mrs Joy Ezeilo was ushered into the Chamber

The Chairman: Honourable Colleagues, the person standing before you is Barrister Joy Ngozi Ezeilo (Mrs). You will recall that her name was among the list submitted to this honourable House by His Excellency as a Commissioner in Enugu State and we invited them for screening. Right now, she is before us, you may wish to ask her your questions. I am happy that her V. C. has been submitted to every Member of this honourable House, and I have glanced through it. You can now ask your questions where necessary. Thank you.

Mr M. Onyeze (Igbo-Eze North D): Mr Chairman, Sir. Permit me to ask the Commissioner-Designate some useful questions. Madam, you are welcome. The first one is from your C.V. You did not tell us your Local Government of origin. So, it will be interesting that this House knows your Local Government of origin and also the name of your husband. My second question is on your primary and secondary education. Your C.V. showed your university education and other courses you attended and did not say anything about your primary and secondary education. Thank you.

Mrs J. Ezeilo (Commissioner Designate): Mr Chairman, my name is Mrs Joy Ngozi Ezeilo. I am from Imezi Owa in Ezeagu Local Government Area of Enugu State. The name of my husband is Dr. Augustine Ezenta Ezeilo. I attended St. Peter's Secondary School Umudioka from 1973 to 1979.

Mr E. Maduabu (Awgu South): Commissioner Designate, this C. V. of yours is an impressive one which would have earned you an impressive height as a lecturer. Why do you want to be a Commissioner.

2. How would you be interacting with hon. Members when you become a Commissioner?

Mrs Ezeilo: You can see from my C.V. that I joined the University of Nigeria in 1992 December (Faculty of Law), UNEC. I have been there until now. I have been teaching and through that my teaching, I have introduced certain things to serve humanity like courses in human rights and I have been involved in a number of charity work. This is a call to service. I did not lobby for it but my people deemed it fit that they should nominate me for this position to further serve humanity and I believe that as an academician, there is a meeting point.

You don't just work to theorise. At times it is very important that you meet people at the field. When we theorise there should be a bridge between theory and practice, and we should engage in a work that should lead to state transformation. That is the ultimate goal of everyone including myself.

As for my relationship, as a lawyer, I think I am an orderly person. That is one thing I will say, and I believe strongly in that, and I have utmost respect for members of the legislature, whom I see and I have worked effectively with them

in the past as a bridge between the people and the executive. I respect that role and I will in future subject myself to any scrutiny to anything that may be required of me, and I will treat this House with utmost respect.

Mr E. Odo (Igbo Etiti East): I wish to welcome you and just have a simple question. You have served the society in many capacities as a human right activist, a member of FIDA and WIN (Women in Nigeria), with your post as a Commissioner, how would you combine it with all these?

Mrs Ezeilo: With regards to those duties, Women in Nigeria and FIDA, I have ceased to hold those positions. And just recently, Director, WACOL. Of course, I know I will combine to work for humanity and the seed I sowed in WACOL will continue to germinate. I am not an executive member of NBA.

Mr M. Njeze (Udi North): *Adaiejemba*, that is your chieftaincy title.

Mr Speaker: The hon. Member for Udi North (Mr Njeze) need not come here and call her *Adaiejemba*. Call her by her name. We don't call such names in the Chamber here.

Mr Njeze: You have a diploma in Conflict Resolution. You have equally attended courses and you have a certificate in Conflict Resolution and it seems to me you are very versatile on the issue of Conflict Resolution. One of your publications has to do with Sharia

Women's right. With this practical experience in the area of Conflict Resolution and fight for Women and other groups, what office or Ministry will you be appropriately suited for if appointed Commissioner in Enugu State?

Mrs Ezeilo: Anybody with basic education can really serve anywhere. What my education has done is to enable me work anywhere especially with my experience as a lawyer, to really work anywhere. Take, for instance, if you are talking about Conflict Resolution; if you are working with people you have to be a team player, you have to understand the potential of Conflict and you have to know how to manage that, and I think government is about managing people and the position I am going to take will be about managing people to achieve sustainable development.

Deputy Speaker (Mr Atigwe): Tell us your full name and where you were born.

Mrs Ezeilo: My full name is Joy Ngozi Ezeilo and I was born in Enugu here and my contact address is stated in the C.V. as No. 2 Ogbolu Street, GRA, Enugu in Enugu East Local Government Area.

Deputy Speaker: Mr Chairman, Sir, hon. Colleagues, the Commissioner Designate (*Mrs Joy Ezeilo*) said that her Contact Address was insider her C. V. We want to hear from her. Thank you.

The Chairman: Commissioner Designate, you should go on and tell us

your Contact Address as you stated in your Curriculum Vitae.

Mrs Ezeilo: Mr Chairman, Sir, Distinguished hon. Members, my names are Mrs Joy Ezeilo. My Contact address is No. 2 Ogbolu Street, G.R.A., Enugu. Thank you.

Deputy Leader: Mr Chairman, Sir, hon. Colleagues, Commissioner Designate (*Mrs Ezeilo*) really wants to prove that she is a Lawyer and even if you give her up to 24 hours, she is ready to speak on. I am begging, and also move that Mrs Joy Ezeilo should simply take a bow and leave. Thank you.

Mrs C. Eneh (Udi South): Mr Chairman, Sir, hon. Colleagues, I rise to second the Motion moved by the Deputy Leader (*Mr Anikwe*) that Mrs Joy Ezeilo should take a bow and leave. Thank you.

Question put and agreed to.

Mrs Ezeilo: Mr Chairman, Sir, I thank you immensely. Please extend my warmest greetings to the hon. Members of the Enugu State House of Assembly. God bless you all. Thank you.

Thereupon Mrs Ezeilo took a bow and withdrew

The Chairman: Honourable Colleagues, before you is one of the Commissioner Designates. His names are Chinedu Hillary Onu. He is among the people invited for today's exercise. He is here before you to answer your questions.

Deputy Leader: Mr Chairman, Sir, hon. Colleagues, I want the Commissioner Designate (*Mr Chinedu Hillary Onu*) to summarise what is contained in his Curriculum Vitae. Thank you.

Mr Chinedu Hillary Onu: Mr Chairman, Sir, my names are Chinedu Hillary Onu. I attended Imo State University in the year 2000, where I obtained my Masters Degree in Public Administration. I also attended Enugu State University of Science and Technology, from 1995 – 99 where I successfully, obtained my Bachelor of Science Degree (B.Sc.) in Pol. Science. I attended St. Theresa's College Nsukka from 1983/84 to 1989, and Ibagwa Ezimo Primary School, from 1977 to 1983. I worked as Supervisor for Agriculture and Natural Resources, Udenu Local Government Council, and was a Member, Board of Directors, World Bank Assisted (Ori) Orba Market Company Limited.

Mr A. Chigbo (Uzo Uwani): Mr Chairman, Sir, hon. Colleagues, standing before you is a known political activist in this State. Mr Chairman you may have heard some minutes ago from the Deputy Leader about the outstanding ...

The Chairman: Please Point of Order! It is not yet time, it is when we must have finished with him that you can continue with the man's most outstanding qualities.

Mr Chigbo: I am moving the Motion that the man standing before me takes a bow and leaves. (*Laughter*)

The Chairman: Once he said that the man standing before him takes a bow and leaves and the cameraman standing before him took a bow. (*Laughter*)

Mr F. Onah (Nsukka West): Mr Chairman, I have risen to second the Motion as moved by the hon. Member for Uzo Uwani (*Mr Chigbo*).

Question put and agreed to.

Mr Chinedu Onu according took a bow and withdrew

The Chairman: Honourable Colleagues, the man standing before you is hon. Eugene Onyebuchi Odo. His name was sent to this honourable House sometime last week by His Excellency, the Executive Governor of Enugu State, Dr Chimaroke Nnamani and following that, a letter was sent for him to appear before this House for screening as a Member of Enugu State Local Government Service Commission. Having complied with your request, may I call on you to ask him questions.

Mr C. Enebe (Awgu North): Mr Chairman, I have a question for hon. Odo. My question is this, I am aware that he was the Chairman of Udenu Local Government, today he is being considered as a Member of the State Local Government Service Commission. He will now supervise other Local Governments in the state, having been the Chairman, what areas of the Local Government System does he think need reform in this democracy.

Mr E. Odo (Member-Designate Local Government Service Commission): Having been a Local Government Chairman, having been a Caretaker Committee Chairman and Transitional Committee Chairman, I think I am fit to be considered in the Local Government Service Commission. I have gathered enough experience.

Well, you know that local government system in Nigeria, there are so many problems in the system. One of such problems is the problem of poor funding by government. If am there, I should try by all means to get the society or the grass root through the Principal Officers in different Local Governments to know that the resources coming to the Government are not sufficient to tackle the problems facing them. I remember that during my time of zero allocation not so many people could cope with the challenge. Somebody who has this type of experience could pass his experience through the appropriate channel. We can do this through workshops, I think the HPMS and Treasurers should be involved in the whole exercise.

We can also do that through seminars, whereby we make the people in the local governments understand the need to use the little money they get for development in the grass roots. I think that with this, there will be positive change in the local government system.

Mr J. N. Anichukwu (Nkanu East): Mr Chairman, I have two questions. Two brief questions. How many Local

Government Areas do we have in Enugu State.

Hon. Eugene Odo: We have fifty-six Local Government Areas in Enugu State.

Mr J. N. Anichukwu: If this honourable House confirms your appointment, you will be a Member of the Local Government Service Commission. If by tomorrow, in case there is a little misunderstanding between any other arm of government and the local government, I know that you will take sides with the local government with your position as a Member of the Local Government Service Commission.

Hon. Eugene Odo: It depends on the gravity of the problem. If a problem comes up, with my position and experience, even though, I do not know the type of problem, the appropriate way to approach the problem will be to handle it maturely.

Mr A. Chigbo: Mr Chairman, my hon. Colleagues, the Member Designate (*hon. Eugene Odo*), told us here that he was the Executive Chairman of Udenu Local Government Area during the almighty Zero allocation and he also told us that he later became the Chairman of the Transition Committee. Can he tell us why he accepted that offer knowing what he suffered during the zero allocation.

The Chairman: Excuse me. The question he is asking is that hon. Eugene Odo was once the Executive Chairman of Udenu LGA and he complained bitterly that he was having zero allocation. When

the tenure of that office expired, he was again appointed the Transition Chairman, bearing in mind that he suffered zero allocation and he was appointed Transition Committee Chairman, why did he accept it?

Hon. Eugene Odo: Thank you Mr Chairman. I accepted it because the situation needed an experienced person. His Excellency knows that it needed somebody with experience to continue and I had no choice than to accept it.

Mr C. Ugwu (Enugu East II): Thank you Mr Chairman, can the Member Designate (*Hon Eugene Odo*) give us a run down of his Curriculum Vitae.

Hon. Eugene Odo: My name is Hon. Eugene Odo. I was born on the 25th of November 1960 at my village Umuobodo – Obollo Afor in Udenu Local Government Area. I had primary school training in my village Obollo-Afor, finished in 1972. I went to Uzo, Uwani Secondary School for my secondary school career. I finished my secondary school career in 1981 and moved to Eha-Amufu College of Education for the National Certificate in Education which I obtained in 1987.

In search of higher education, I also moved to the University of Nigeria Nsukka where I studied Political Science and I got my B.Sc in 1995. I also moved to study for my Masters Degree in Public Administration, and finished in 1998 and I taught in the Secondary School System for 8 years before I joined politics.

I was elected as the Executive Chairman of Udenu LGA in 1999, finished that tenure after 3 years. I continued as Caretaker Committee Chairman, and also I was a Special Assistant to the Executive Governor of Enugu State.

Mr E. Maduabu (Awgu South): Honourable Chairman, Hon. Odo has been the Executive Chairman, Caretaker Committee Chairman and Transition Committee Chairman of Udenu Local Government Area. Can he give us some achievements he recorded while in office, and secondly, can he throw more light on his relationship with the hon. Member for Igbo-Etiti East (*Mr Odo*)?

Hon. Eugene Odo: As the Executive Chairman of Udenu Local Government, when I assumed office, we were staying in a temporary site. It was during my tenure that I moved the Udenu Local Government Head-quarters to a permanent site. If you go to Udenu, you will see the Local Government Secretariat. So we left a legacy. We also had problems like I said, because you know that when you do not have money, it is difficult to carry many people along. However, we were able to move the Local Government forward.

At that place, also, we built a befitting park. If you are going to the North, you can see the Chimaroke Park. During our tenure we had problems and some set backs. The second question is about the hon. Member for Igbo-etiti East (*Mr Odo*). It is a coincidental name. He is a

brother because we come from the same political zone, but we are not from the same father and mother.

Deputy Leader: Thank you, Mr Chairman, does the member Designate think he has all it takes to go by the name Honourable? What is his view on the continuous delay on the Local Government Election. Thank you.

Mr Eugene Odoh: I think I deserve it because, for a person to win any election, especially the Local Government Chairman Election for three years, I think the person deserves the honour without problem (*Laughter*).

The Chairman: That is a good answer. The Deputy Leader is asking Mr Odoh what is his view on the Local Government Election result (*interruptions*).

Mr Eugene Odoh: They know that the questions are the same and are answered by one person but I will make an attempt. I worked in a Technical Committee then to look into Local Government system and I know that the delay in Local Government Election is not a one man affair. Both the House of Assembly is aware of almost ninety per cent of the problem. The National Assembly and the entire Members know the problem that is facing the whole nation. And I believe that there is an attempt, and dialogue is going on here and there to resolve it so that the election will come up soonest.

Mr F. Onah (Nsukka West): Thank you, Mr Chairman, having asked Hon.

Eugene Odo some questions and he answered correctly, may I move that he takes a bow and leaves the Chamber. Thank you.

Mr D. Ani (Enugu South I): Mr Chairman, before seconding the Motion I want to ask one question. I understand that he is a teacher? My question is: Did he resign his appointment before joining politics?

Hon. Eugene Odoh: Whether I resigned before joining politics. I put the normal resignation paper and I followed the process. So, I resigned.

Mr E. Odoh (Igbo-Etiti East): Mr Chairman, Sir. It appears my Colleagues have exhausted their questions, and I believe the gentleman standing before us now, having done justice to the useful questions asked him, I move that the gentleman standing before us be allowed to take a bow and leave the Chamber. Thank you.

Mr M. Onyeze (Igbo Eze North I): Mr Chairman, Sir, I second the Motion as moved by the hon. Member for Igbo-Etiti East (*Mr Odoh*).

Question put and agreed to.

Hon. E. Odoh, the Member Designate accordingly took a bow and withdrew.

(Mr Speaker resumed the Chair)

Mr Speaker: Honourable Colleagues, the interview has been conducted. I wish

to call for your general impression as regards the outcome of the interview.

Mr C. Enebe (Awgu North): Mr Speaker, Sir, I have risen to comment on the just concluded interview of Commissioners-Designate and Member of Local Government Service Commission. In my own view, I wish to state that I am satisfied with the responses of the people we interviewed. One thing I observed is that they are very young and talented individuals. They exhibited maturity in answering our questions. I, therefore, plead with my hon. Colleagues to kindly consider them for approval. Thank you.

Mr J. N. Anichukwu (Nkanu East): Mr Speaker, Sir, I think that the Commissioners-Designate are worthy citizens of this state, and are worthy to be confirmed because primarily the two of them have experience on grassroot politics. They will use their experience to perform their jobs better. As one of the cardinal policies of this government is to fight injustice, I think the woman has all the attributes, hence I urge my hon. Colleagues to please confirm them.

Mr E. Odo: (Igbo-Etiti East): Mr Speaker, Sir, I wish to comment on the Commissioners and the proposed Member of Local Government Service Commission. It is a thing of commendation that in this administration, people from the academia are called to serve. As you can see, the woman here has shown a lot of interest and dedication which she has bestowed on the area of human development. This can be seen in

the publications she has made. People from the academia can now practicalise what they have acquired.

We also have an experienced person who has been in Local Government administration being called to serve in the Local Government Service Commission. I think, in this way, we have drawn experienced, industrious and intelligent people into the game. I think in this way the society and Enugu State in particular can continue to move forward.

Mr J. Obidinma (Oji River): Mr Speaker, Sir, the impeccability of the Curriculum Vitae of the nominees is not in question. They are simply the type of people we need in sensitive positions. To my mind, they deserve the appointment. I, therefore, call on the hon. Members to confirm their appointment.

Mr M. Onyeze: Mr Speaker, Sir, in view of the fact that the persons interviewed have been seen to be eminently qualified to hold the position for which they were nominated, I now move that the Question be put.

Question, That the Question be now put, put and agreed to:

Main Question put and agreed to:

Resolved: That this honourable House, today, 18th November, 2003, confirms the appointment of the following as Commissioners in Enugu State Government and a Member of Local Government Service Commission:

- 1) Bar Mrs Joy N. Ezeilo

- 2) Mr Chinedu Onu
- 3) Hon Eugene Onyebuchi Odo

Deputy Leader: Mr Speaker, Sir, hon. Colleagues, I rise to move that item 5 on today's Order Paper, that is, the Familiarization Tour of all the State Constituencies by the hon. Members of the House, be stepped down, until a later date to be determined by the House Committees on Business and Rules. Thank you.

Mr D. Ani (Enugu South Rural): Mr Speaker, Sir, hon. Colleagues, I rise to second the Motion moved by the Deputy Leader. Thank you.

Question put and agreed to.

ADJOURNMENT

Deputy Leader: Mr Speaker, Sir, hon. Colleagues, I rise to move that this honourable House do now adjourn till Thursday, 20th November, 2003, at 10 a.m. Thank you.

Mr J. N. Anichukwu: Mr Speaker, Sir, hon. Colleagues, I rise to second the Motion on adjournment.

Mr F. Onah (Nsukka West): Mr Speaker, Sir, hon. Colleagues, in supporting the Motion on adjournment, may I quickly chip in something, about the unfortunate incident that happened at ESUT. Mr Speaker, Sir, I think it is an ugly situation for the State to be having students who indulge in such ugly act. In fact, this will mar the good image which the Institution in our State has acquired.

May I, therefore, urge our students to be good students and have good rapport with their Lecturers and management of their various departments. On this note, Mr Speaker, I wish to extend my sincere condolence to the family of the deceased person. Thank you.

Mr Speaker: Honourable Colleagues, in the first instance, I am surprised and I did not believe, that up till today, the people of ESUT will not be able to find out those who are involved as per the death of the ESUT Lecturer. Thank you.

Mr Enebe: Mr Speaker, Sir, hon. Colleagues, in supporting the Motion on adjournment, I wish to thank the Leadership of this our great House for giving approval to His Excellency's request. Thank you.

Question put and agreed to.

Resolved: That this honourable House do now adjourn till Thursday, 20th November, 2003, at 10 a.m.

Adjourned accordingly at 4.22 p.m.



**ENUGU STATE OF NIGERIA
PROCEEDINGS
AND DEBATES OF THE
FIRST SESSION OF THE
THIRD ASSEMBLY
ENUGU STATE HOUSE OF ASSEMBLY**

OFFICIAL REPORT

No. 37

**Thursday
20th November, 2003**

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Enugu State House of Assembly

HOUSE OF ASSEMBLY
ENUGU STATE OF NIGERIA
Thursday, 20th November, 2003
(The House met at 10 a.m.)

PRAYERS

(Mr Speaker in the Chair)

**APPROVAL OF VOTES AND
PROCEEDINGS**

Mr Speaker: Honourable Colleagues, our Votes and Proceedings, No. 36 of Tuesday, 18th November, 2003 are before us, I have gone through them and found them to be correct. However, I need your comments. Thank you.

Mrs C. Eneh (Udi South): Mr Speaker, Sir, I have equally gone through the Votes and Proceedings of Tuesday, 18th November, 2003 and found the contents to be correct. I therefore, move for the adoption of the Votes and Proceedings.

Deputy Whip (Mr Agbo): Mr Speaker, Sir, I rise to second the Motion moved by the hon. Member for Udi South (Mrs Eneh). Thank you, Mr Speaker.

Question put and agreed to.

Votes and Proceedings of Tuesday, 18th November, 2003 accordingly adopted

PRESENTATION OF BILL

**THE ROAD TRAFFIC
(OPERATION OF COMMERCIAL
MOTORCYCLES) BILL NO. 6, 2003**

A Bill for a Law to make provisions for Authorizing the use of Motor-Cycles for Commercial Purposes and other Matters Incidental Thereof presented by Mr P. Anikwe (Deputy Leader); read the First Time and referred to the Joint Committees on Works and Transport and Judiciary, Public Petitions, Ethics and Privileges to report out within one week.

NOTICE OF MOTION

**Urgent Commencement of
Construction Work on the Proposed
Zik Institute Near Protea Hotel, Nike
Lake Resort, Enugu**

Deputy Whip (Mr Agbo): Mr Speaker, Sir, permit me to move the Motion standing in my name. That this honourable House do urge the Senate President and the five (5) South East Governors to mandate the Committee responsible for the Development of Zik Institute, Enugu, to commence work immediately on the proposed site near Protea Hotel, Nike Lake Resort, Enugu.

Mr C. Ugwu (Enugu East II): Mr Speaker, I have risen to second the Motion.

Deputy Whip: It is important to recall that the Zik Institute, Enugu,

which was conceived by the former Senate President, Senator Anyim Pius Anyim, as equivalent to such other Institutes in the country, is supposed to be a model Center for Democratic Research with other supporting facilities like modern library, archives, conference hall for seminars and workshops, recreational / entertaining facilities, was launched on 11th May, 2002 at Protea Hotels, Nike Lake Resort, Enugu.

Mr Speaker, Hon. Colleagues, it is sad to note that over one year after the launching, which attracted Who's Who in Nigeria, including corporate bodies, international organizations and Agencies, nothing has been done on that all-important project named after a great leader and true nationalist like Zik of Africa, the architect of democratic government which all of us are enjoying today in Nigeria, inspite of the huge sum of money raised during the launching.

It is equally important to let this honourable House realize that history, which neither personal wealth nor power can pre-empt, will pass terrible judgement on all of us, pronounce anathema on our names, God forbid, if we fail to accomplish this project in memory of this great-man, the late Owelle of Onitsha, who sacrificed a greater part of his life for all of us in this country.

Mr Speaker, hon. Colleagues, let us equally realize the importance of this

project to our people in Enugu State and South-East Zone in general. Apart from creating job opportunities and tourist potentials, it will also boost the educational and research development of our people which this State is known for.

It is in view of these that I hereby make the following prayers:-

- 1) That this honourable House do urge the Senate President to take up this challenge initiated by his predecessor by ensuring that this great vision does not die like other good and viable projects initiated in the past but which never saw the light of day.
- 2) That this honourable House do mandate the House Committee on Education to visit the Senate President to find out the true position of the proposed project in order to facilitate its take off.
- 3) That a meeting of all the stakeholders in the South East Zone be convened by the Senate President and a resolution passed urging the five (5) South East Governors to set aside 2% of their monthly allocation for the project to ensure its easily completion.

- 4) That the membership of the present committee for the development of the Institute be reviewed and, if possible, re-constituted.
- 5) That (soon) after the review, a resolution be passed mandating the Committee to commence work immediately on the site with the available fund.

In moving this Motion, it is my wish that this honourable House do give it positive attention and easy passage. Be it moved and it is hereby moved.

Mr Ugwu: I sincerely thank Mr Speaker and the Mover of this Motion. Honourable Colleagues I want to move for an amendment which ...

Mr Speaker: Point of Order. Before making any amendments on a Motion on Notice they are usually forwarded to my Office. So before the sitting such amendments are sent to my office. I have one from the hon. Member for Oji River (*Mr Obidinma*). I read – That this House of Assembly do urge the Senate, through the Senate President and five (5) South East Governors to mandate the Committee responsible for the Development of Ziks Institute, Enugu to commence work immediately on the proposed site near Protea Hotels, Nike Lake Resort, Enugu. The new amendment is just to urge the Senate through the Senate President. I think the only thing that was added is just to

the Senate through the Senate President. You can now remove the Five Eastern Governors and what will now stand is to the Senate, through the Senate President.

Mr J. Onoh (Enugu North): I have risen to oppose the amendment based on the following arguments. The amendment is just an ordinary correction. His Excellency, Adolphus Wabara is the same person as Senate President. Based on these arguments, I strongly opposed the Motion and urge the House not to accept it.

Deputy Leader: I think the amendment has nothing to do with the South East Governors that were primarily concerned.

Mr Speaker: I agree with you. It is like the House do urge the Senate, through the Senate president; like this honourable House be urged, though the Office of Mr Speaker. This amendment should not include the Five (5) Eastern State Governors; because this is an Agenda by them. I am aware that when the project was launched, each State Government paid Five Million Naira. So each State budgeted Five Million Naira which means that the Five Eastern States contributed Twenty Five Million Naira.

Mr C. Ugwu: Mr Speaker, this matter was never discussed by the entire Senate. It was the project of the former Senate President. We want to see the South Eastern Governors champion it.

Mr E. Maduabu (Awgu South): Like what the last speaker said I want to ask a question, is it the entire Senate issue? If it is true that this was the idea of the past Senate President, then we are to call on the South-East Governors. We should not call on the entire Senate but only on the Senate President.

Mr J. Obidinma (Oji River): Mr Speaker, Sir, the idea of the entire Senate should be dropped and we only call on the Senate President. He must have an idea.

Deputy Leader: We are trying to do a better thing, the total idea is that of the South Eastern Governors, and they contributed Five Million Naira, each.

Mr M. Onyeze (Igbo North I) I want to oppose the amendment on the following grounds. The original Motion should stand. Zik died seven years ago. The entire thing is to build an auditorium. I wish we shall call on the South Eastern Governors to help us build the Institute. The amendment is baseless.

Mr Onoh: I still call on the South Eastern Governors who contributed Five Million each to justify the project and to include the Senate is not justifiable. I still strongly oppose the amendment.

Mr Speaker: I think I attended that launching. I am aware of the contributions and donations. The only thing I am not comfortable with is that

if you look at prayer three we are not talking ... (*interruptions*)

Question put and agreed to.

Resolved: That the Heading of the Motion should stand as it is.

Mr Ugwu: Mr Speaker, this Motion is very timely. Timely in the sense that Zik's Anniversary has just come and gone. Zik was born in 1904 and lived up to 1996. Throughout his life, he devoted most of his life to humanity. This colossus left so many legacies in the sense that in all fields, be it sports, literature, education, history and in politics, Zik was an exceptional man. Thanks be to the former Senate President, Chief Pius Anyim for initiating this Zik's Institution, in memory of the great Zik. The man is a great Igbo Man. A great man indeed. If not that he is an Igbo man this thing would have been built long ago.

In the North, I am aware that such institutions exist. We have Aminu Kano Institute. If you go to Sokoto, there is an Institution in memory of the late Sarduana of Sokoto. If you come down to the West, Obafemi Awolowo is not forgotten. He has his own institution and Ahmadu Bello also at Zaria. These great people have their own institutions and it is a very good thing.

I want to use this opportunity to thank the Deputy Leader of the House of Representatives, Prince Gilbert Nnaji and the Executive Governor of Enugu

State for donating land for the Institute. I strongly urge my Colleagues to stand up and speak in favour of this Motion. Our South Eastern Governors should see it as a challenge and do their best. And our own Speaker who was in attendance during the launching should take this matter up during the South Eastern Speaker's Forum.

Thank you, Mr Speaker.

Mr Onyeze: Mr Speaker, I stand to support the Motion for the commencement of work at the Zik's Institute. My reasons are as follows; Dr. Nnamdi Azikiwe is supposed to be the overall founding father of this great nation Nigeria and he worked relentlessly for our freedom from the colonial masters.

Zik also demonstrated Nigerian unity more than any other person and he was acceptable all over the country to the extent that in the first legislative Council in Nigeria, he represented the entire Lagos between 1948 and 1951 and he went further to win election again to represent Lagos and be the minority leader or leader of the opposition in that Lagos House of Assembly.

Zik, in order to fight the colonial masters, established Newspapers which circulated in the entire English speaking West Africa, from Ghana to Nigeria. He was educating people and mobilizing people to fight the colonial masters not with violence but with

brain. Zik also worked relentlessly as a young man. At the age of twenty, precisely in the year 1924, he left for studies overseas without any economic power. As a matter of fact, there was a battle between him and his father when he was trying to travel for his studies overseas. In that place, he worked as a cleaner, he worked in hotels, he worked as a coal miner. He worked in so many places which I am sure so many Nigerians will not like to do in order to receive their education. He gave us a University, the first autonomous Nigerian University. The University of Nigeria, Nsukka.

With all these efforts Zik made, he has shown that nobody can equal him in the field of humanity and Nigerian unity. He has also shown that he was detribalized. You can imagine a Yoruba man coming here to win election or an Hausa man coming here to win election. It is not possible but Zik did it.

Like the former speaker said, you have the Ahmadu Bello University in Zaria. You have Obafemi Awolowo University in Ile Ife, the Uthman Dan Fodio University in Sokoto. You also have so many universities in Nigeria being named after people like that. So we want the institution where all our youths will go and learn about the life of Zik, we want an institution that will serve as a rallying point for the Igbos, to raise the Igbo consciousness. We now have the Ohaneze and other Igbo groupings. If we have the Zik's Institute, we will play our politics like others because the

Arewa people play their own and the Afanifere people plays their own. We need our own and the most appropriate place to play our own is in the name of Zik.

I, therefore, support into the urgent commencement of work in that institution and fortunately, the current Senate President is our own son and he was at the last memorial lecture in honour of Zik and he urged the members of the National Assembly from the South East to make a Motion so that November 16th will be adopted as a public holiday in respect of the great Zik.

I, therefore, beg that my hon. Colleagues will feel the contributions of Zik to the Igbos and the entire nation and support that this Institute be named after Zik, particularly, as some funds have already been raised for that. Thank you, Mr Speaker.

Mr E. Maduabu (Awgu South): Mr Speaker, I have risen to support this very important Motion. I have not come here to praise Zik because praising him is over-flogging the issue. There is nobody here that does not know the achievements of the great Zik but what we are talking about is trying to immortalize the name of the great Hero, Zik of Africa, and that is why an Institution of this very nature should be established in his name. If that Centre or Institute is established it will serve as a Research Centre where the young ones who may not have known or read

about the achievements of the great Zik will learn about Zik. This will help those who are writing thesis or making research works and then we would have built a Center for development of democracy because Zik is a father of Democracy in this country. He has tried in so many cases. He was the person who made Nigeria to be united. Therefore, it is very important that this Institute should be established and no matter, even if the Governors do not contribute to the fund raising, there must be somehow room because our people are there. We should now show that the purpose is there.

We should remember our Heroes, remember the achievements of our past leaders and then pay them respect. We should not be as others take us. Those things we do not even value or respect our elders. So, it will be a disgrace, no matter the amount that was raised, outsiders will be seeing us as people who do not value our elders or people who always embezzle money if we do not make haste to start the project.

If the fund that was raised will be properly utilized for establishing the Zik Institute as proposed by this Motion, it will do well in projecting the country to the outside world. Therefore, I am urging my hon. Colleagues to rise in support of this Motion and urge the other Governors to look into the fund raised so that this Institute should be established. Thank you.

Mr Speaker: Honourable Colleagues, before we make progress let us not forget what I said about prayer three.

Mr Onoh: Mr Speaker, I just want to point out that we the hon. Members should choose our limitations regarding criticisms for what the country has done for Zik. We should also remember that the same country has paid the highest respect to this great man, Zik, more than they have paid to any Nigerian by putting his head in the country's highest denomination which is five hundred naira note. And as much as we honour them we should also praise them for their achievements. Thank you.

Mr J. Anichukwu (Nkanu East): Thank you, Mr Speaker. I want to talk on one of the issues raised, that is, to make money available to organize the development of the Institute in honour of the great Zik. This very Motion is very timely. When one talks of Nigeria, there is no atom of objection to immortalise the name of Zik.

Mr Speaker Sir, economically the Institute, when it is established, will serve as a research center which will attract some scholarship from within and outside Enugu State. Economically, the Institute will enhance the welfare of Enugu State when it actually takes off. So, Mr Speaker, on the second point you talked, I am finding it difficult, this item three or prayer three because when you go to the first page, paragraph three, though it is

difficult to establish how much that was realized, a huge sum of money was raised during the launching. That is why I am so reluctant to support this prayer three and equally call that we should expunge it because when we mandate Governors to bring two *per cent* of their allocation when we do not know how much that was realized, I think we may not be in order. So, Mr Speaker, I am solidly behind this Motion and I am urging my hon. Colleagues to understand the importance of this Motion; let us give it speedy passage. Thank you.

Deputy Leader: Mr Speaker, Sir, I have also risen from my seat to give support to the Motion. It is almost over emphasizing the obvious that by the end of our tenure we ought to build a befitting edifice in memory of the great Zik. That was what the Motion was seeking. I am happy that the Mover of the Motion has told us that both land and everything has been procured. We are only asking for commencement of work.

If you recall in 1914, Zik was only ten years. That was the amalgamation of Northern and Southern protectorates that now formed what we call Nigeria. So, Mr Speaker, I have only risen to say that this Motion is coming up from the extent of work already agreed to be done by our illustrious sons, both the Governors and the Senate and all of us, because I am sure that even on the day of launching, Mr Speaker, I am sure you donated something personally.

What I am saying here is that if Zik had wanted to be President for life, it could have been like that. So, Mr Speaker, the Motion is talking about commencement of work at Zik's Centre. I am only asking Mr Speaker that you can now put the Question.

Mr Speaker: I cannot put the Question unless we agree on what will happen to prayer three.

Deputy Leader: Mr Speaker, if you permit me I may contribute like this. That prayer three, instead of expunging it entirely can read thus: *That a meeting of all the stakeholders in the South East be convened by the Senate President to raise the consciousness of the project.* Mr Speaker, we must put that prayer three in proper shape.

Mr E. Odo (Igbo Etiti East): Mr Speaker, Sir, may I seek the leave of the House to suspend order 25 to enable me move an amendment to prayer three to the said Motion.

Mr F. Onah (Nsukka West): Mr Speaker, Sir, I have risen to support the Motion.

Question put and agreed to:

Mr Odo: Replace prayer three of the Motion with: *That a meeting of all the stakeholders in the South East Zone be convened by the Senate President and a resolution passed urging the South East Governors to actualize the project.* In this way, Mr Speaker, the Governors

will be at liberty to start work or discuss with the people elected to handle the project so that the project will be realized.

Mr J. Onoh (Enugu North): Mr Speaker, Sir, I stand to second the Motion.

Question, That the Question be now put, put and agreed to

The Main Question put and agreed to

Resolved:

1. That this honourable House do urge the Senate President to take up this challenge initiated by his predecessor by ensuring that this great vision does not die like other good and viable projects initiated in the past but which never saw the light of the day.
2. That this honourable House do mandate the House Committee on Education, Science and Technology, to visit the Senate President to find out the true position of the proposed project in order to facilitate its take-off.
3. That a meeting of all the stakeholders in the South-East Zone be convened by the Senate President and a resolution passed, urging the five South-East Governors to actualize the project.

4. That the Membership of the present Committee for the development of the Institute be reviewed and, if possible, reconstituted.
5. That soon after the review, a resolution be passed mandating the Committee to commence work immediately on the site with the available fund.

Mr Speaker: Honourable Colleagues, if you look at our Votes and Proceedings, you will recall that during our last sitting, there was a Motion on the Order Paper and the Mover of that Motion was not present. Members are warned that we should not make announcements if the Mover is not around. For example, the Notice of Motion, if not moved, no record should appear of that Motion in the Votes and Proceedings of the House.

Again, I advised hon. Members to study the Standing Orders of the House very well to enable them carry on their debate very effectively during the sitting. Thank you.

ANNOUNCEMENT

Visit

Mr Speaker: The House Committee on Special Duties and Economic Development will visit the Ministry of Public Utilities on the rising of the House and they will take off from

Room 219. Signed by the Chairman, Hon. Anichukwu John N.

Book Launch

I equally wish to remind all of us that we have an invitation from a staff of this honourable House for a Book Launch which comes up on Saturday, 22nd November, 2003 at hotel Presidential, Enugu. Please, endeavour to be there both in spirit and otherwise.

ADJOURNMENT

Deputy Leader (Mr Anikwe): Mr Speaker, I move that this honourable House stands adjourned till Tuesday 25th November, 2004 at 10 a.m.

Mr D. A. Ani (Enugu South I): Mr Speaker, I have risen to second the Motion for Adjournment.

Question put and agreed to.

Resolved: That the honourable House stands adjourned till Tuesday, 25th November, 2003 at 10 a.m.

Adjourned accordingly at 1.25 p.m.

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**ENUGU STATE OF NIGERIA
PROCEEDINGS
AND DEBATES OF THE
FIRST SESSION OF THE
THIRD ASSEMBLY
ENUGU STATE HOUSE OF ASSEMBLY**

OFFICIAL REPORT

No. 38

**Thursday
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HOUSE OF ASSEMBLY

ENUGU STATE OF NIGERIA

*Thursday, 27th November, 2003**(The House met at 10 a.m.)*

PRAYERS

(Mr Speaker in the Chair)

APPROVAL OF VOTES AND
PROCEEDINGS

Mr Speaker: Honourable Colleagues, our Votes and Proceedings are before us. I have gone through them and found them correct. I need your comments, please.

Deputy Whip (Mr Agbo): Mr Speaker, Sir, I have equally gone through the Votes and Proceedings of our last sitting and found them correct. I, therefore, move for adoption. Thank you.

Mr C. Ugwu (Enugu East II): Mr Speaker, Sir, I have risen to second that Motion.

*Question put and agreed to.**Votes and Proceedings of Thursday 20th November, 2003 accordingly adopted.*

ORDER OF THE DAY

THE ROAD TRAFFIC
(OPERATION OF COMMERCIAL
MOTOR CYCLES) BILL NO. 6,
2003.

A Bill for a Law to make Provisions for Authorizing the use of Motor Cycles for Commercial Purposes and other Matters Incidental Thereof.

Leader (Mr Ebenyi): Mr Speaker, Sir, I hereby move that the Road Traffic (Operation of Commercial Motor Cycles) Bill No. 6, 2003 be now read the second time.

Deputy Leader (Mr Anikwe): Mr Speaker, Sir, I have risen to second that Motion as moved by the Leader.

Mr Speaker: Honourable Colleagues, you will recall that this Bill came up during our last sitting and it was referred to the House Committee on Works and Transport, and Judiciary, Public Petitions, Ethics and Privileges, and they were given one week to report out.

At this juncture, having moved the Motion for the Second Reading and duly seconded, debate on the general merits and demerits of the Bill, is now open.

Deputy Leader: Mr Speaker, Sir, you will recall that the essence of man and his activity is to exist and improve the environment he is living in and

maintain whatever is within the environment. Therefore, the essence of this Bill which seeks to authorize commercial Motorcycle operators to be very conscious on the roads of Enugu State is very timely. If you go out to other neighbouring States and Enugu State in particular, you can see that Motor cycle adoption as a means of transportation or conveying passengers has become the order of the day.

The Motorcycle popularly called 'Okada' means that you can join the 'Okada' and within a second you are already where you want to go. No much waste of time and diversion, no much discharge and pick-up than going straight to where you want to go. But to legislate on this, this Law seeks to give protection to the users, the owners and the operators themselves. For instance, today in Enugu State, it is an honour that His Excellency, the Executive Governor of Enugu State has refused to adopt all other means of security other than the proper security duly established by Law, the Nigeria Police Force.

You can hear today of incessant attacks by hoodlums and the major operating machinery of these hoodlums is the use of 'Okada'. That does not mean that every person that is operating on 'Okada' is an armed robber.

'Okada' has come as the only alternative to cushion the effect of economic hardship nationwide. To give proper direction to the users/operators of these 'Okada' motorcycle, to give

them license to operate as a commercial transport is what this Bill seeks to establish.

Mr Speaker, the Bill is in essence to legislate on the use of Motor cycles for commercial purposes in Enugu State, but to lay emphasis in some areas. For instance, you will recall that the State Government all these while has been discussing about the use of 'Okada' with the 'Okada' Union and the continuous merits or otherwise of the physical aspect of 'Okada' motor cycle. This law will come into effect establishing the nature and conditions. This Bill seeks to abolish the use of motorcycle which has engine capacity beyond 100 Cubic Centimetres. You will recall the so-called Hi-jack or Grand King or whatever, is used by these operators. Hi-Jack means that it can jump.

So, this aspect of machine will be abolished. In other States, for instance, you go to Ebonyi State, Cross River or Akwa-Ibom States, the machine used for (Okada) is the one popularly called Ladies Machine or Keke NAPEP. You do not have more than that. You do not have Grand King or Hi-Jack. So, Mr Speaker, the essence of this Bill is to put in place a security device on the operators or the owners of these motorcycles popularly called 'Okada'. Also this Bill seeks to co-ordinate by having identification in terms of Vest, which will have clearly written numbers and the address. We have uniform which can be used as an address to work

or an identification card to be issued by the Union of the motor cycle operators so that anybody who is operating here can easily be identified by someone looking for him. Also in particular this very Bill seeks to legislate on the time from 7 p.m. to 6 a.m. that we know as the danger period when no commercial motorcyclists will ply within Enugu State. The essence of this Bill is to coordinate and legitimize the system of operation of commercial motorcyclists. Mr Speaker, Sir, at this juncture, I will call on my Colleagues to give this all-important Bill necessary consideration.

We are going towards the danger period, yuletide, most people are in the mood of getting money by what ever means. If you pass this Bill, it will go a long way to guarantee free Christmas for our people, guarantee security of lives and property. It will also help checkmate the excesses of these highjack operators. Mr Speaker, Sir, I thank you for this opportunity given to me and equally wish that another opportunity be given for me to elaborate more. I thank you and call on my Colleagues to give this Bill the necessary passage.

Mr E. U. Odo (Igbo-Etiti East): Mr Speaker, Sir, I want to align myself completely to this Bill. The issue of legitimizing 'Okada' motorcycles in Enugu State is very timely and something we ought to have done before now. I want to stress on some key issues of this Bill that allows Okada operators to use machine not exceeding

100 cubic centimeters or machines with not more than four gears. I want to draw the attention of this honourable House to the issue of Highjack, which has a high engine capacity to give way in our roads to enable machines with less engine capacity to operate. Then on the issue of grand king, I am of the opinion that grand king with four gears be allowed to operate.

Mr Speaker: There are Grand king motorcycles with 145 cubic centimeters.

Mr Odo: Some have 185 cubic centimeters. The issue is that most grand kings operating in the city had more than four gears.

In addition, we must put into consideration the benefits to the people; we must put into consideration the hardship on our people. I am of the opinion that ladies machine and machines with less than 185 cubic centimeters be allowed to operate in our city, and most Grand king has a minimum of 185 cubic centimeters. I want to talk on the issue of time limit given to the operators. It is necessary for security, one needs to take a rest after the day's stress, after ending business by 7 p.m. The operators previously used to come out at 5 a.m. It is good for Okada to resume work by 6 a.m.

On the issue of penalty meted to them, to me it is not reasonable, especially the rule which says after impounding, that there is an order that

the machine will be destroyed. What happens to the owner of the machine since the operators are not the owners. I am of the view that there should be a fine on an impounded machine and not destruction. Mr Speaker, Sir, I think this Bill is very timely. This is something we should carefully reason and look at very constructively, bearing in mind the social status of our people and general security of the people of Enugu State.

I wish to finally speak on the introduction of uniform colours for the Okada riders. I am suggesting that it should be Unit by Unit. What I mean, for instance, is that Awkunanaw Unit should have emblem attached to their motorcycle so that when one sees them at Okpara Avenue they should be recognized by that colour, it is for security reasons. Colour should be on Unit basis. In case of people who are operating under hire purchase, we should articulate reasonable ways of solving their problem, since our mission is to solve their problems. On this note I beg to take my seat.

Mr J. Onoh (Enugu North): Mr Speaker, honourable Colleagues, I commend the reason and objective behind this Bill. But in view of all said and done, I strongly still suggest that in wanting to actually create a safe and clean environment for the citizens and residents of this State, we should also look into the affairs and the way these individuals come across the motorbikes. I would suggest that their union

chairman should be called for him to enlighten us on the better rules and methods of actually arresting this situation. I know he could come during the public hearing session but there is a provision which states that the individual will pay a fine of ten thousand Naira or be sent to prison for two years. I find the imprisonment term much more higher than the fine to be paid, hence I suggest a lesser sentence to be applied. I feel that imprisonment offence is not a Civil Offense but a Criminal Charge.

Then the issue of destruction. We are not trying to destroy, but we are trying to re-arrange and make conducive so that it will synchronize with the existing traffic laws. I know that we are not here to destroy but to create a safe environment which should be conducive to the residents and to these people that have left everything they do in order to get their daily income by coming out very early in the morning and going home by 7 p.m. in the evening.

The issue of seven o'clock is very reasonable and that is quite all right as this will check criminal activities during this yuletide. I strongly also suggest that all motorcycle riders going home by 7 p.m., should hold. I commend the reasons and objectives of this Bill and in view of all said and done, I urge my hon. Colleagues to look into the reasons and objectives and support this Bill.

Mr J. Anichukwu (Nkanu East): Mr Speaker, thank you for giving me the

opportunity to identify myself with this high-impact Bill on motorcycle operation in Enugu State. The society in which we are recognizes that motor cycle business is a major source of income to some families but there must be a mode through which the business has to be carried out.

I will praise the author of this Bill and I believe that at the end this honourable House will give the Bill a speedy passage. But I have some few comments. We know that security is expensive all over the world. Even back home, when the situation becomes so bad, one can sacrifice and forego sleep throughout the night to make sure that lives and property are secured. So, that is why I said that whatever inconvenience anybody is expected to encounter on this, I believe that at the end, nobody will have any regret.

The area that says something about vest identification:- We are all living witnesses in Enugu State in the immediate past when this vest alone caused a very serious problem between this State and the 'OKADA' riders. Some of them - because not all of them are bad - some of them were so mischievous that when they get to certain zones, they will pull off the vest and put it in their pockets. But with this Bill, if it is contained that in addition to the vest, that the machine itself will be painted, I think that will be the best. Then you can stay ten poles away and notice that the machine going across is a commercial motorcycle. I believe the

Committee will consider it proper rather than the emphasis on the vest. The vest has disappointed a good number of peace loving citizens of this State.

Then, on the Section that says about destruction of the machine, I think I am at variance with that particular Section because instead of destroying the property, the property could be impounded and kept in Police custody instead of their destruction. On the question of 100 cubic centimeters, I think that it is ideal because the purpose of specifying the capacity of this machine is primarily to help the passengers and the operators in terms of speedometer. A great majority of us, including myself, have fallen victim, and only God helped me on that day in question. I prayed seriously in the morning otherwise I could have gotten my legs shattered. They can never be patient once the machine is accelerating. None of them will even queue up because the machine is on high speed, so I am in support of 100 CC engine capacity.

Mr Speaker, I am very grateful for the opportunity you have given me to support this Bill and I believe that even if any section of the society does not understand why this Bill is ideal this time around, sooner or later, they will. It is not only because of the season. Christmas will come, we have to witness it and enjoy it and thereafter we must live. So this Bill is not only aimed at Christmas. It is equally there after the Christmas. The most important thing is

that any peace loving person in this country and this State must search for security at all times.

I am highly in support of this bill and if my suggestions are properly looked into, I believe this House will, once again, register its name in the minds of the masses and the society.

Mr E. Maduabu (Awgu South): I have risen to make just a little contribution to this Bill. It is an important Bill. It is a Bill that is seeking to legalise or give legal backing to the use of motorcycle for commercial purposes. In fact, I am very happy with this Bill. The Bill seeks to checkmate the capacity of the motorcycle in use in Enugu State.

The trend is that Enugu State has been the center point for all sorts of motorcycles with large capacity operation. I think some of them have been banned in some other States and all of them have ran back to Enugu State.

I have been to Ebonyi State, I traveled along Abakaliki when I went to Ikom. You can only see the machine which they call Ladies machine. So, the danger in using this high-jack or high capacity machine is very tremendous. The speed is so bad, the way they zoom around is somehow embarrassing. If somebody is moving around Enugu State and you are using a car you would not know that one big machine has knocked you down or smashed your

vehicle. So, I am saying that the issue is not the type of machine, it is not whether it is a grand king or the name that is given but the capacity of the machine.

In Lagos State, the machines used there are of low capacity. At Abuja it is the same. So, I do not see the reason why we should not take things easy in Enugu State. The State should be a safe place for the citizens. If you see most of the havocs done by these robbers, it is not a thing to write home about. A lot of it has been associated with these highjack or high capacity machines. This is the type of thing this Bill seeks to prevent so that these people will not have the zeal to use these machines in their operations and the operation will be reduced.

Then on the issue of time, I may say, though this will still go to public hearing, that the closing hour of seven o'clock be extended to eight o'clock p.m. this is Christmas period and people will be rushing back for the feast. But 6 a.m. is O.K. because that is the ideal time for people to come out in the morning. So, on the issue of impounding and destruction, that one should be referred to law enforcement agents. People will know about the Bill. They should respect the law. When the law comes into effect, people are bound to obey it. (*Interruptions*). The contents of this Bill are quite clear, and I should support it. Once you know the law, you have to respect it. If a law is passed about machines to be destroyed, after

passing the Bill, any offending machine should be destroyed. It is true that people will suffer but the law must be respected. The Bill is not seeking to suffer anybody, rather it is a way of regulating and controlling the State. Thank you.

Mr J. Obidinma (Oji River): Thank you, Mr Speaker. I have every reason to support this Bill. Today, the services of 'Okada' is quite complementing the Taxi Cabs in the early eighties. When I said early eighties I mean the days when taxi will take you to the doorsteps of your house. Today, taxis only ply the major roads. But today Okada is giving those services of taking you to your doorsteps.

Mr Speaker, today, we have a benevolent Bill that tends to streamline the way and manner the Okada should be used as a means of transport. This Bill will place a ban on Okada with excess power above hundred cubic centimeters. In fact, a lot of reasons abound why I should support this Bill. On the idea of destruction, in Enugu State, Mr Speaker, we are here to create values not to destroy. So, I do not support the idea of destruction. On the idea of selling them to the public, it is the people in Enugu State who are still buying them and can use them here. Mr Speaker, this is a very nice Bill and I want to urge my hon. Colleagues to support this Bill. Thank you.

Mr G. Chukwuegbo (Enugu South II): Mr Speaker, I feel that the essence

of this Bill is not to create fear in Enugu State. The use of highjack and grand king machines in Enugu State for commercial purposes must be banned. When you look at the rate of robbery in Enugu State, it is very high to compare with other States. So, I still believe that the use of Okada above one hundred cubic centimeter in Enugu State must be banned. We must find a lasting solution to this problem by making the State Government to know that these Okada people must be identified by various units that will help us check for security. By the time we send out our report, I believe my Colleagues will be able to give necessary attention and easy passage to this particular Bill. Thank you.

Leader (Mr Ebonyi): Thank you, Mr Speaker, I have risen to support this important Bill. It is very important and timely. Most of the contributors have spoken said much about the importance of this Bill and I align myself with their views and contributions, but would like to add one or two things. Mr Speaker, if this Bill scales through, this honourable House will definitely bring decency and uniformity to the operation of Okada in Enugu State. People will now be able to know Okada operators within Enugu Urban, which will make for easy identification.

Mr Speaker, it will definitely reduce the cases of armed robbery and car snatching in Enugu State. Therefore, the passage of this Bill will completely bring down the cases of armed robbery.

Mr Speaker, for the past two years there were orders banning the use of these hijack and the commercial motorcycles operating after 7 p.m. And the order has been in existence, but the crime has no legal backing such as this Bill and the law enforcement agents then find it difficult to prosecute the defaulters.

Therefore, the passage of this Bill will put legal backing to the orders already existing in Enugu State. Therefore, I am calling on every member of this House to support this Bill so that it will sail through. So, I do not think that there is anybody opposing this Bill. Mr Speaker, having said that, may I now move that the Bill be formally read the Second time. Thank you.

Mr C. O. Enebe (Awgu North): Information! I do not know the implication of closing the debate when the House Committees handling the Bill are supposed to do some job on the Bill before completing the debate. It will be like putting the cart before the horse.

Mr Speaker: I think the essence of the report has nothing to do with the debate. So, the debate could be concluded even when the report is yet to come because it is what we are saying here that will enable the Committee to put up their report appropriately. And it does not mean that whatever they put in their report will be accepted, so it does not follow. So, we can now conclude

the debate and wait for the report, there is nothing wrong in it.

Deputy Leader: Mr Speaker, I have risen to second the Motion that the Bill be formally read the Second time as moved by the Leader of the House.

Question put and agreed to.

Bill accordingly read the Second time

Mr Speaker: Honourable Colleagues, the Bill before us which has to do with the Road Traffic (Operation of Commercial Motorcycles) Bill No. 6, 2003 has now sailed through the Second stage, that is, Second reading. And I wish to express my happiness to all of you for the way and manner the debate was conducted. I am so grateful I wish that the House Committees on Works and Transport, and judiciary, Public Petitions, Ethics and Privileges should try as much as possible to turn-out their Report so that by next week we will do justice to this Bill.

I thank the hon Members, the Clerks at Table, the Verbatim Reporters, and the Members of the Press, because I remember the last time we read the Bill for the first time, the Press gave it a very good publicity. And I believe that having sailed through the second stage today, they will try as much as possible to make the public know the position of this Bill before the House. Like the hon. Member for Awgu South (*Mr Maduabu*) said when he was speaking, I

do wish that the Committee should try to organize a kind of public hearing so that we will put everything and all the records straight. Thank you very much for your co-operation. God bless you.

NOTICE OF MOTION

Decongestion of Traffic at the Ninth Mile Corner, Enugu

Mr G. Chukwuegbo (Enugu South II): Mr Speaker, Sir, may I move the Motion standing in my name "that this honourable House do call on the Chairman, Udi Local Government Council, Udi, Enugu State to decongest traffic at the 9th Mile Corner and more urgently to allow for easy flow of traffic during this year's Christmas Season".

Mr Speaker, Sir, my distinguished hon Colleagues, it is in recognition of our enormous legislative obligations entrusted to us by our electorate, to contribute meaningfully to better their lives socially, politically and economically that I am soliciting to you all, to graciously consider this Motion standing in my name, to allow for easy flow of traffic within the 9th Mile Corner during this year's Christmas Season.

Mr Speaker, Sir, there is no doubt that the issue of traffic congestion has been a problem bothering the people of Enugu State, especially the Enugu State House of Assembly in recent times. You will all agree with me that the members of the House Committee on

Works and Transport are making frantic effort towards finding a lasting solution to these ugly heavy traffic congestions throughout the entire State. My Colleagues, you can see with me that there are multifarious illegal and unauthorized location of parking lots, motor parks and operation of Mass Transit in Enugu State. These call for serious attention of this House.

Mr Speaker, Sir, traffic congestion at the 9th Mile Corner at the moment is one that terrifies travelers along that route even when people have not started returning and going home for the Christmas celebration. Consequently, one spends close to an hour to get across the 9th Mile Corner at present. One could imagine the level of traffic congestion that would be experienced there in the next few weeks if not controlled adequately.

Mr Speaker, Sir, below are some of the factors that cause heavy Traffic congestion at the 9th Mile Corner.

1. There are broken down vehicles lying at both sides of the road at the 9th Mile Corner.
2. There are equally illegal loading spots and motor parks within the 9th Mile Corner.
3. The menace of erosion disaster and the subsequent emerging of sand along the road.

PRAYERS

Mr Speaker, Sir, my hon Colleagues, with respect to all these mentioned points, bearing in mind that you all will graciously give me your support, it then becomes pertinent for this honourable House to resolve as follows:-

1. That the Enugu State House of Assembly do call on the Chairman, Udi Local Government Council, Udi, Enugu State to decongest traffic at the 9th Mile Corner and more urgently to allow for easy flow of traffic during this year's Christmas Season.
2. That the Chairman, Udi Local Government Council do remove all broken down vehicles and sand from erosion sites along all the routes within the 9th Mile Corner.
3. That the Chairman, Udi Local Government Council directs for the immediate relocation of all illegal loading spots along the route of the 9th mile Corner to the Government approved motor parks.
4. That the Chairman do close up all illegal U-turn points along the express-way within the 9th Mile Corner.
5. That the law enforcement agency and the Federal Road

Safety Commission do assist to ensure strict compliance by the public.

Be it moved and is therefore moved.

Mr C. O. Enebe (Awgu North): Mr Speaker, Sir, I have risen to give my support to this Motion. In the first place the need to decongest the 9th Mile Enugu roads, especially during Christmas season is timely. We have stories of people who on their way home for Christmas ended up staying there for two or three days probably they could have arrived on the 22nd of December. When you eventually reach home you may not be able to leave again until about 27th December.

Bearing in mind that that place is one of the major gateways to Enugu State, it is important that something be done to reduce what is there. We have equally heard stories of hoodlums who even opened the boots of unsuspecting motorists and made away with their bags, and those bags were either containing money or other materials, which they were coming home with for Christmas. By the time they might be sleeping and those hoodlums opened their boots, without their knowing it. By the time they got home, they would have lost all their belongings. So, our kith and kin who are coming home for Christmas will need protection and assistance to ensure that they get to their destinations. This very Motion was passed last year and the Chairman of

Udi Local Government Council did something wonderful with the Motion.

I believe that by the time we pass this Motion all those who are going back home will know that there is orderliness in Enugu State. We know our people's mentality: if they get to 9th Mile Corner and cannot get home they call Obasanjo or Members of the House. They would not know that it is those transporters who load and off-load along that major road that are causing all the obstructions.

I am even of the opinion that apart from Christmas season, all those who are operating mass transits along that very road should be made to stop them.

So, I am sincerely urging my Colleagues hon. Members, to please support this Motion because it is a high impact Motion. All of us have relations and friends outside Enugu who will be coming home for Christmas. Nobody knows who will be a victim, let this Motion take care of all of them. Thank you.

Mr A. Chigbo (Uzo-Uwani): Mr Speaker, Sir, I have just risen from my sit to shower praises on the Sponsor and Co-sponsors of this Motion. Mr Speaker, this Motion is very timely. It seems as if the Motion is for me alone. This is because I have fixed a date that I will leave Enugu with my family for home, but because of this Motion and its influence, I would not mind leaving

Enugu on the 24th of December (Laughter).

So, Mr Speaker, what I am trying to say, in essence, is that I align myself wholly for the benefit of this Motion. By last year we were witnesses to what happened there, there was no single traffic jam along 9th Mile Corner throughout the Christmas and the New Year celebrations.

Therefore, I am urging this honourable House to give legal backing to the resolution of this Motion so that both the Road Safety Commission and the Government and people of Udi Local Government carry out this resolution because it affects both 'A' and 'B' and even those of us leaving outside Enugu, and our brothers and sisters coming from outside Enugu.

So, I am in full support of this Motion. Thank you.

Mr J. Obidinma (Oji River): Mr Speaker, Sir, this is a square peg in a square hole. So, I support the views of my Colleagues because this Motion is on the Floor at the right time. I urge this honourable House to urge the Chairman as well to use mild force like the one used last year to enforce the decongestion this year. Thank you.

Deputy Leader: Mr Speaker, Sir, it is to underscore the essence of the Motion, it is only to make life more easy. To make the road very passable for the expected heavy traffic during

this Christmas. This includes the way to ease the road transport and the effectiveness of the Udi Local Government Chairman; in a sense this Motion is merely seeking to reappraise and reinvigorate the Chairman to actually live up to expectation.

This Motion does not require any amendment by my hon. Colleagues. My Speaker, Sir, I have no doubt in my mind that this Motion has come to stay even if we make it an annual Motion. It has come to stay because not only those who are coming from far and wide will benefit but even those living within will enjoy too. Mr Speaker, Sir, at this juncture I call on you to put the Question.

Mr M. Njeze (Udi North): I thank the Mover of this Motion because this Motion is coming at a time that it should come. I also thank my hon. Colleagues who have jointly supported this Motion. I equally wish to use this opportunity to thank those who passed this Motion last year. When they passed this Motion last year it brought the result of 9th Mile Corner being free.

Mr Odo; Point of Order! Mr Speaker, Sir, there is a Motion on the Floor.

Mr Speaker: I used my discretion to allow him speak. Don't worry.

Mr Njeze: Last year, it was effective. I want to use this opportunity to thank the Transitional Committee

Chairman of the Local Government because he thoroughly and tirelessly tried to ensure that Motions passed by this House were implemented. I believe also that after this Motion is given a passage, he is going to ensure its implementation. Last year, while working, so many problems were encountered, though these problems were surmounted. The hardship experienced last year in the work will not repeat, that is why I want to call on my Colleagues to help the people going through that area. Udi is known as the home of palm wine. I want to assure those passing through that area that we shall do better this year.

Mr E. Odo (Igbo Etitu East): Mr Speaker, Sir, I want to point out to my Colleagues that I am supporting this Motion. In the past, people attributed the 'go-slow' or traffic jams at the 9th Mile Corner to lack of road maintenance, and as the problem of the government. Now that the road has been maintained, there is still traffic jam at the 9th Mile Corner.

Mr Speaker, Sir, I just wish to make a little amendment bearing in mind that there are new Local Governments which have the task of overseeing the roads at the 9th Mile Corner, because it is now a metropolitan city. I wish to sincerely seek the leave of this House to suspend Rule 25 of our Standing Orders to enable me make an amendment especially in prayer one. This will come in a way of an amendment.

Deputy Speaker: Thank you Mr Speaker, I beg to second the Motion.

Mr Speaker: Honourable Colleagues we look at this Motion, and based on the information received, the hon. Member for Igbo Etiti East (*Mr Odo*) is now trying to seek the leave of the House to suspend Rule 25 of the Standing Order to enable him make an amendment. However, if you look at this Motion, we are talking about Udi Local Government, here we have more than one Local Government in that area that is why Barrister Odo is seeking the leave of the House.

Mr Njeze: Information, Mr Speaker, 9th Mile Corner falls within the Udi Local Government entirely. It is exclusive to Udi Local Government Area.

Mr Speaker: Following the above development I will put the Question.

Question put and the House divided by Roll Call

Ayes: 2 Noes: 10 Not Voting: 1

Ayes: 2

Odo Eugiene
Atigwe David

Noes 10

Agbo Dennis
Ani Donatus
Chigbo Anthony
Anikwe Paul
Ebenyi Kingsley
Obidinma Johnny

Njeze Marcel
Ene Kate (Mrs)
Ofor Chukwuegbo
Uwgu Christopher

Not Voting: 1
Ezema Fidelis

Question accordingly negated.

Mrs C. Eneh (Udi South): Mr Speaker, Sir, I support this all important Motion because it will help reduce the rate of road accidents during the Christmas period.

I also move that the Question be put.

Question, That the Question be now put, put and agreed to

Main Question put and agreed to.

Resolved:

1. That the Enugu State House of Assembly do call on the Chairman, Udi Local Government Council, Udi, Enugu State, to decongest traffic at the 9th Mile Corner, to allow for easy flow of traffic during this year's Christmas season.
2. That the Chairman Udi Local Government Council do remove all broken down vehicles and sand from erosion sites along all the routes within the 9th Mile Corner.

3. That the Chairman, Udi Local Government Council directs for the immediate relocation of all illegal loading spots along the route of the 9th Mile Corner to the Government approved motor parks.
4. That the Chairman do close up all illegal U-turn points along the express way within the 9th Mile Corner.
5. That the Law enforcement agency and the Federal Road Safety Commission do assist to ensure strict compliance by the public.

ANNOUNCEMENT

Visit

Mr Speaker: The House Committee on Local Government will Visit the Local Government Service Commission, tomorrow, Friday 28th Day of November, 2003.

Departure Time: 10 a.m., take off point is Block C, Legislative Quarters.

Meetings

The Joint Committee on Works, Transport, Public Petitions and Privileges and Judiciary will meet on the rising of the House in the Chairman's Office, Room 119.

Please, endeavour to attend.

We are going to have a short meeting in my office on the rising of the House. It will not last up to five minutes.

ADJOURNMENT

Leader (Mr Ebenyi): Mr Speaker, may I now move that the House do now adjourn till Tuesday, 2nd December, 2003 at 10 a.m.

Mr D. Ani (Enugu South I): Mr Speaker, I stand to second the Motion moved by the Leader (*Mr Ebenyi*). Thanks.

Question put and agreed to.

Resolved: That the House do now adjourn till Tuesday, 2nd December, 2003 at 10 a.m.

Adjourned accordingly at 1:30 p.m.



ENUGU STATE OF NIGERIA
PROCEEDINGS

AND DEBATES OF THE
FIRST SESSION OF THE
THIRD ASSEMBLY

ENUGU STATE HOUSE OF ASSEMBLY

OFFICIAL REPORT

No. 39

Tuesday
2nd December, 2003

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No proofs of the Daily Reports can be supplied. Corrections which Members suggest for the Bound Volume should be clearly marked in the Daily Report, but not telephoned and the copy containing the corrections must be received at the Editor's Room, House of Assembly

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Enugu State House of Assembly

HOUSE OF ASSEMBLY
ENUGU STATE OF NIGERIA

Tuesday, 2nd December, 2003
(The House met at 10 a.m.)

PRAYERS

(Mr Speaker in the Chair)

APPROVAL OF VOTES AND
PROCEEDINGS

Mr Speaker: Honourable Colleagues, the Votes and Proceedings. I have gone through them and to the best of my knowledge, they are correct. However, I need your comments. Thank you.

Mr D. Ani (Enugu South I): Mr Speaker, Sir, I have equally gone through the Votes and Proceedings of our last sitting and found them to be correct. I, therefore, move for their adoption. Thank you.

Mr J. Obidinma (Oji-River): Mr Speaker, Sir, I have risen to second the Motion.

Question put and agreed to:

Votes and Proceedings of Thursday, 27th November, 2004, accordingly adopted.

ORDER OF THE DAY

REPORT OF THE JOINT
COMMITTEES ON WORKS AND
TRANSPORT, JUDICIARY,
PUBLIC PETITIONS, ETHICS AND
PRIVILEGES ON THE BILL FOR A
LAW AUTHORIZING THE USE OF
MOTORCYCLES FOR
COMMERCIAL PURPOSES BILL
NO. 6, 2003

Chairman Committee on Works and Transport (Mr G. O. Chukwuegbo): Mr Speaker, Sir, sequel to the legislative functions given to the Joint Committee on Transport and Judiciary by the hon. Speaker to do a critical legislative study and analysis to the above mentioned Bill, the Joint Committee decided to pursue the Bill with every commitment and dedication it deserved by having constant sittings, interviews, visitations and public hearing.

The committee in its course of examination, had an all encompassing public hearing that attracted various stake holders like the Commissioner of Police, who was represented by the Asst. Commissioner of Police, the Commanding Officer, Road Safety Commission who was represented by the Head of Operations, the State Executive Members of the NURTW, the Okada Executives and some other members, the Press and the general public. We also received letters from the public concerning the Bill. However, the committee was able to

make some amendments and it is hereby attached.

Section 3b (Authority for Motorcycles to ply commercial purposes and conditions thereof.) In line two, three, and four delete *Security Identification Vest issued by the State Ministry of Works and Transport for such Motorcycle on Payment of the fee prescribed thereof* and insert *Motorcycles identification colour and authentic security identity card in the State*, thus: The driver of the Motorcycle shall not stand or ply for hire for the conveyance of passengers without the Motorcycle identification colour (yellow with back stripe and authentic security identity card in the State.

Section 5 (Police to impound Motor Cycles). In line one, delete *any Police Officer* insert *the law enforcement Agency, (The Road Safety and the Police)* thus: The law enforcement agency (the Road Safety and the Police) may impound any Motor Cycle which is operated or driven in contravention of this law; and any such Motor Cycle so impounded shall, subject to the order of a court of competent jurisdiction, be kept in police custody until the end of the trial of its driver or owner.

Section 6 (Authority to destroy or sell impounded Motor Cycles). In line three delete *destroyed* or thus: The court in addition to the punishment provided for in Section 4 above, may order that the Motorcycle so used be sold by

public auction and the proceeds of the sale paid over to the owner of the said Motorcycle after making such deductions as may be ordered by the court.

Leader (Mr Ebenyi): Mr Speaker, Sir, having listened to the Report of the Joint Committees as presented to this honourable House by the Chairman, I hereby move that this House do accept the Report for immediate consideration along side with the original copy of the Bill. Thank you.

Mr A. Nnadi (Igbo-Etiti West): Mr Speaker, Sir. I have risen to second the Motion that the Report from the Joint Committee be accepted for immediate consideration.

Question put and agreed to.

Report from Joint Committee accordingly accepted for immediate consideration.

Leader: Thank you, Mr Speaker, may I move that the House resolve itself into a Committee of the Whole House to consider the Report alongside with the original Bill.

Mr Nnadi: Mr Speaker, hon. Colleagues, I have risen to second the Motion as moved by the hon. Leader of the House.

Question put and agreed to.

**THE ROAD TRAFFIC
(OPERATION OF COMMERCIAL
MOTORCYCLES) BILL NO. 6, 2003**

**(Considered in the Committee of the
Whole House)**

The Chairman: Honourable Colleagues, we are going to consider the Report alongside with the original Bill. Let us leave off the Title, Enactment and Date of Commencement. Let us go into Interpretation, clause two of the original Bill. In this Law *Commissioner* means the Commissioner for the time being charged with the responsibility for matters relating to Road Traffic.

Mr C. Enebe (Awgu North): Mr Speaker, what you read about Commissioner is not clear.

Mr Speaker: I read clause two which is Interpretation, that Commissioner means the Commissioner for the time being charged with the responsibility for matters relating to Road Traffic.

Clause (2) – (INTERPRETATION)
- *ordered to stand part of the Bill*

Clause (3) – (AUTHORITY FOR
MOTORCYCLE TO PLY
COMMERCIAL PURPOSES AND
CONDITIONS THEREOF) – *ordered
to stand part of the Bill*

Leader: Mr Chairman, I have an amendment to make in Sub-Section

3(a); no such authorization shall be given in respect of any motorcycle whose engine capacity exceeds one hundred cubic centimeters. My amendment is that we should remove 'or' and insert 'and' in order to make it more specific.

Mr M. Njeze (Udi North): Point of Information, Mr Speaker. When we use *and* it means that you have machine with more than one hundred cubic centimeters and that has more than four gears but if you use 'or' it then means you have engine of more than one hundred centimeters among those that have four gears. Even if it is ten cubic centimeters it should be part of the authorized machine. If it is more than one hundred cubic centimeters but has four gears, it is still part of it. So that you do not give room for somebody who has motorcycle of the capacity of more than four gears to now come and say it is part of it. So, 'or' should be there or we now say 'and' or both.

Mr Nnadi: Mr Speaker, I look at 'or' and *and* as two different words that cannot come together in a sentence. When you say 'or' as far as I am concerned it is either the first is applied or the second is applied. That is my own observation.

Mr E. Odo (Igbo-Etiti East): Mr Chairman, Sir, I want to align myself to the last speaker but the appropriate word should be 'and' considering the fact that if we leave the word 'and' it simply means that we are now restricting to

engine capacity of one hundred cubic centimeters and not more than four speed gear system ... *(Interruptions)*

Mr E. U. Ezech (Udenu): Mr Chairman, we are talking about engine capacity in terms of centimeter, I think what is important here is the speed and if we are talking of engine you talk about the speed and not the capacity. Therefore, assuming tomorrow, a manufacturer comes up with five gears motorcycle that is less than one hundred cubic centimeters capacity, what happens? So, the engineers should enlighten us on the difference between capacity and velocity ... *(Laughter)*

Deputy Leader: Thank you, Mr Chairman. There is a point I want to make but I believe I am not an engineer and what all of us are talking is about capacity and not speed so, that is why we have one hundred cubic centimeters, that is, capacity. And all I know is that the more the cubic centimeters the more the speed.

Mr Eze: If I am to say further, the cubic centimeter content is the fuel consumption, that is the liquid. I want you to get it very clear, that gear has nothing to do with cubic centimeter, gear is relative to speed.

Leader: Mr Chairman, having said all these, may I move that the amendment on Clause 3(a) (i-ii) be read as follows:

“no such authorization shall be given in respect of any motorcycle

- (i) whose engine capacity exceeds one hundred cubic centimeters and/or
- (ii) that has more than four speed gear system.”

Deputy Leader: Mr Chairman, Sir, I have risen to second that amendment made by the Leader.

Clause 3(a) – *as amended, ordered to stand part of the Bill.*

Clause 3(b) –

Mr Enebe: Mr Chairman, Sir, may I ask if we have a particular colour for the ‘Okada’ riders.

The Chairman: Honourable Colleagues, you see, what I want us to do is to be able to identify the colour we want them to use.

Deputy Leader: Mr Chairman, Sir, I think we have an existing colour for them in Enugu State.

Mr Njeze: Mr Chairman, Sir, may I move for an amendment in the last line where we talked about passenger without an identifying colour. That we add in bracket, yellow with black stripe, bracket closed.

The Chairman: O.K.

Leader: Mr Chairman, Sir, in my opinion, if an ‘Okada’ rider is given an identification uniform, it will bear an

identification number which will be used to identify them anywhere.

Mr F. Onah (Nsukka West): Mr Chairman, Sir, I have risen to second that amendment moved by the hon. Member for Udi North (*Mr Njeze*).

The Chairman: Honourable Colleagues, at this stage may we address the issue of vest first.

Mr Njeze: Mr Chairman, I believe that if a motorcycle is given an identifying number, there will be no need for the vest.

Mr Enebe: Mr Chairman, Sir, about this colour and identifying number, if a number is given without vest it will not make sense.

Mr J. Obidinma (Oji River): Mr Chairman, Sir, I believe that without vest they can be identified with the special number that will be attached to the plate numbers.

Mr E. C. Maduabu (Awgu South): Mr Chairman, Sir, I am on the side of retaining the vest. It is the number that will be written for the public to identify. First of all, the number will be on the machine and the vest. The numbers should be well written so that it will not be difficult to identify them on the machine and the vest.

Mr J. Anichukwu (Nkanu East): Mr Chairman, you are aware of what happened on the issue of vest. I think

that we should carry on with markings on the machines because the vest never worked. The commercial drivers don't have vests but only identity cards. They may use it and they may not use it. If the machine is painted, it is O.K. Well, why don't we ask the drivers to put on their uniforms. Mr Chairman I think the painting is more than enough.

The Chairman: Any further clarification?

Mr Odo: I want to make clarification on the issue of vest. We have to note that the primary issue on Okada is their machine and not vest. The whole essence, I think, is to principally check crime, and the only way is on security identification. For instance, if an Okada man from Awkunanaw Unit is seen anywhere and when you get to the register of identification, since you have known his mark, you find it represented in their book. We should concentrate on marking of security identification card to be used by the Okada riders.

Mr Enebe: Mr Chairman, one wonders what is happening. The Okada is like someone who says he wants water, when you give him water, he says he wants cup. Even if we say let us concentrate on identification, by the time we finish, they will come out with another issue.

The Chairman: You see, if you look at the angle the hon. Member for Awgu North (*Mr Enebe*) is going, there is sense in it. If this is a private Member

Bill, we would have done away with it before now. The issue of this vest has been the order of the day in Enugu State. I am only trying to clarify issues, on this vest. If you think that it should be expunged then we do that, since it is not part of the original Bill.

Mr Eze: Information. The information I want to give is that the vest is synonymous with the badge that commercial motor drivers are supposed to wear. The traffic regulation stipulates that the motorcycle riders should wear their vests, in addition to the machine numbers the licensing authorities will issue to them. I support the issue of retaining the vest.

Deputy Leader: I will like to make more clarification. The underlining point is to checkmate the excesses of the operators. It does not matter, like they were saying; let us take the issue of engine capacity of Highjack and Grand King ...

The Chairman: The Deputy Leader is taking us behind. In this Bill, they have never talked about colour, what they stated is engine capacity, and now we want to include identification. We are talking of the items that were not originally in the Bill.

Deputy Leader: The next issue is security. You can only identify through identification number and colour.

The Chairman: The offence one commits when he is not putting on his

vest is the same as when his machine is not bearing the identification mark. So the punishment he gets when he is not putting on his vest is the same punishment that will be melted out to when one does not paint his machine. The two must not go in isolation, they must go together.

Deputy Leader: Mr Chairman, finally, what I am saying on the issue of vest is that we should recall that we have tried this before and it failed woefully.

The Chairman: Now let me tell you something. There has never been an enabling law to define the fine in money or in terms of imprisonment or both for offenders. That time, it was a government policy. It was a policy statement made by the government.

Mr Enebe: Mr Chairman, the convention in legislation is that when there is a contentious issue either in a Bill or Motion, the Sponsor of that Motion or Bill should give further clarifications.

Deputy Speaker: Mr Chairman, we should not subject the 'Okada' riders to printing of numbers again on their motorcycle. Government is interested in the vest. If we subject them to printing of numbers or colours on their motorcycle, it will just mean making money for the artists.

But government says vests, and if you go to the neighbouring countries,

they use vests and this state has said vests. So what we should do is to oblige the Executive Bill which says vests and they have been wearing the vests before.

The Chairman: If the opinion of the House is that we expunge vest, it is O.K. I do not want a situation where the sponsors of the Bill will say that they do not want vest to be part of the Bill and we go on and on debating it.

Mr G. Chukwuegbo (Enugu South II): Mr Chairman, Sir, I am of the opinion that the issue of vest should not come in. We had public hearing on that issue and the honourable Member for Awgu North (*Mr Enebe*) is a Member of this Committee and yet he never attended (*Prolonged Interruptions*).

Mr Enebe: Point of Order! Mr Chairman, he should not mention my name. That is my Point of Order.

The Chairman: If the hon. Member for Enugu South II, (*Mr Chukwuegbo*) is addressing the House, he should address the Chair, not to call the names of Fellow hon. Members, and any hon. Member who mentions Point of Order, should tell us the relevant Order so that we read it and see what the Order is all about.

Mr Chukwuegbo: Mr Chairman, I am saying that after the public hearing, we have a way we designed this colour identification. We designed it in such a way that there will be a number in the

unit register from which the 'Okada' operates. That number in the register will also be issued to the rider and it will be on the 'Okada' also.

Leader: The Chairman of the lead committee is recommending that we should remove the vest. It is now left for the House to accept it or not. Again the Sponsor of the Bill might not have public relations about the Bill. This is a Government Bill, it is not a Private Member Bill. The government is interested in the vest being part of the law. The issue of vest is not only for security, it makes for decency. All those official drivers who wear uniforms is not only for security but it makes them look decent. If you are a visitor in Enugu State, and you see that 'Okada' riders are putting on vests, you can easily identify who is an 'Okada' man. Forget about some of them who have evil tendencies, removing their numbers. So, I still maintain that we retain the issue of vest in the Bill, because it is for decency.

The Chairman: Let me give hon. Members information. When we send a Bill to a Committee, it does not necessarily mean that whatever they recommend must be accepted. The House still has the overall corrections to make. Sending it to the House Committee is for convenience. There was a time we sent a Bill to a Committee and they wrote a different thing from what we asked them to do but we sat here and corrected them and had the Bill passed. The Committee's

recommendations should not be expected to be accepted whole and entire. This is a House of twenty four members and the Committee may be seven or eight members. So, if a Committee brings their Report, anybody who wants to make amendment should be allowed to do so.

However, I say it is only when I put a Question, if ayes, have it, fine, and if noes have it, well and good. It is only when there is a tie that I will vote.

Mr C. Ugwu (Enugu East II): Mr Speaker, Sir, I want to speak on the economic situation in the country and I know government is not ready to sponsor or paint the motorcycle for commercial use and I know too, that government is not ready to sponsor the vest for the Okada operators. So, I am of the view that this issue of vest be dropped because these Okada operators are going to suffer financially. They are going to paint their motorcycles and sponsor the vests.

The Chairman: The hon. Member for Enugu East (*Mr Ugwu*) should listen to me: I do not want anybody to whip up sentiment. I do not want to feel guilty of what I am doing. I do not want anybody to see me as either I am part of it or not. However, if this Bill is passed and we decide to include vest, or we drop it, fine. The Speaker is not alone in this matter. If it is important, we include it, if it is not important, we expunge it.

Mr Njeze: Mr Speaker, Sir, I believe strongly that it is in the interest of the people I represent that Okada operators pay the normal fees government demand for operating motorcycle. It is equally their view that this issue of vest be dropped because a public hearing was held on this issue and majority of the opinions is for the dropping of the vest. The Sponsors of this Bill have the best interest of the people at heart when they want them to wear this vest but they equally know we are representing the people here and majority of the people wants it dropped. So, we represent the public and the public wants this vest issue dropped. With the extent of discussion that has gone into this issue, may I move that the Question be put.

The Chairman: Honourable Colleagues, if anybody stands up again when I have not recognized him, I will walk the person out.

Question, That the Question be now put, put and agreed to:

Question, That vest stand part of the Bill put and the House divided by roll call

Ayes: 7 Noes: 13

Ayes: 7

1. Mr C. Enebe
2. Mr E. C. Maduabu
3. Mr D. Atigwe
4. Mr F. Ezema
5. Mr K. Ebenyi
6. Mr. E. Eze

7. Mrs C. Ene

Noes: 13

1. Mr C. Ugwu
2. Mr D. Ani
3. Mr O. Chukwuegbo
4. Mr P. Anikwe
5. Mr E. Odo
6. Mr A. C. Nnadi
7. Mr M. Onyeze
8. Mr J. Anichukwu
9. Mr F. Amu
10. Mr F. Onah
11. Mr J. Obidinma
12. Mr M. Njeze
13. Mr A. Chigbo

Question accordingly negated:

The Chairman: Order! I am aware that there is an existing law of Enugu State in respect of uniform colour of Commercial vehicles. I believe it is important to re-introduce this Bill based on the former colour of yellow and black.

Mr Njeze: Mr Chairman, I wish to move for an amendment on Section 3(b) where we have: *the driver of the motorcycle shall not stand or ply for hire for the conveyance of passenger, without the Security Identification.*

I want to add between colour and the word *card*, I want to put the word after colour (yellow with black stripe) and then at the end of identity card/number and it will now read thus: The driver of the motorcycle shall not ply for hire for

the conveyance of passenger without identification colour of yellow with black stripe and authentic Security Identity Card/Number. Thank you, Mr Chairman.

Mr Enebe: Mr Chairman, I want to move that we do not involve people into spending as things are hard now. Let the normal colour approved by Government remain instead.

Deputy Leader (Mr Anikwe): Mr Chairman, I think the amendment by the hon. Member for Awgu North (*Mr Enebe*) is correct. That is the Government approved colour with the authentic identification card.

Mr Njeze: Mr Chairman, there is no colour approved by Government, what is there is State colour.

The Chairman: I think what the hon. Member for Udi North (*Mr Njeze*) is saying is correct. Before now there is no approved colour by the Government. What we have is the colour with which the State is known.

Deputy Speaker (Mr Atigwe): Mr Chairman, may I know whether the Motorcycle is impounded or the driver is fined?

Mr Njeze: There are motorcycles which are (*Interruptions*).

Amendment put and agreed to

Clause 3 (b) – *as amended, ordered to stand part of the Bill.*

Clause 4 – (CONTRAVENTION OF CONDITIONS OF OPERATION) – *ordered to stand part of the Bill.*

Clause 5 – (POLICE TO IMPOUND MOTORCYCLES) – *as amended ordered to stand part of the Bill.*

Clause 6 – (AUTHORITY TO DESTROY OR SELL IMPOUNDED MOTORCYCLES) – *as amended, ordered to stand part of the Bill.*

Clause 7 – (ROAD TRAFFIC APPLICABLE) – *ordered to stand part of the Bill.*

TITLE AND ENACTMENT – *ordered to stand part of the Bill.*

COMMENCEMENT DATE – 2ND DECEMBER, 2003)

The Chairman: Honourable Colleagues, when we pass this Bill, it is not yet a law until it is assented to. It will only become a law when the Governor has assented to it.

Mr Ugwu: Mr Chairman, Sir, I am of the opinion that the Bill be passed with today's date. If it is passed today it is left for the Executive to do their own job.

The Chairman: More importantly, hon. Colleagues, if we look at this Bill, Section 1, it said that the Bill be cited as

Road Traffic (Operation of Commercial Motor Cycles) Bill No. 6, 2003. So, it will be right if the commencement date is today, 2nd December, 2003.

Commencement date – *Agreed to.*

Leader: Mr Speaker, Sir, I report the Bill out of Committee with amendments, and move that it be read the Third time.

Question put and agreed to.

Bill reported out of the Committee with Amendments, read the Third Time and passed.

Mr Speaker: Honourable Colleagues, the Bill before us, which has to do with the Road Traffic (Operation of Commercial Motor Cycles) Bill No. 6, 2003, having been read for the Third time has been passed.

So, I wish to thank hon. Members for their wonderful contributions, more especially the House Committee on Works and Transport, Judiciary, Public Petitions, Ethics and Privileges. I was impressed on the way and manner they were able to turn out this Report. I am very, very happy, and I commend them for not only doing a thorough job but reporting out as requested.

I remember that when the Bill was first read on this Floor, they were given two weeks to report out, and they followed the Rule and reported out. I wish to state that other Committees

should try to emulate the House Committee on Works and Transport, Judiciary, Public Petitions, Ethics and Privileges, for a wonderful job done today.

Yesterday, I was very sorry for them because the public hearing was very hectic. I thought that they would not be able to submit their Report today, but the way and manner they finished and submitted the report was very satisfactory.

I wish also to thank every Member for their contributions. I equally thank the Clerks-at-Table for their co-operation. This Bill is the sixth Bill we have been able to pass within this period, which is a wonderful achievement. It would not have been possible without the co-operation of everybody. United we stand and divided we fall. Thank you and may God bless you.

ANNOUNCEMENT

Meetings

Mr Speaker:

1. The House Committee on Education, Science and Technology will meet today on the rising of the House, Room 216, Chairman's Office.
2. The Enugu State House of Assembly Tender's Board will meet today on the rising of the House. Venue is

Chairman's Office, and it is signed by the Leader.

3. Please hon. Colleagues, we are going to work on 2004 Calendar, and I wish to request that members submit their photographs through the Chairman, House Committee on Information. Please do that immediately to avoid delay.

The House Committee on Agriculture and Rural Development will visit Ada Rice from tomorrow ...

Mr C. Enebe (Awgu North): Mr Speaker, it not true.

Mr Speaker: What we have is House Committee on Agriculture and Rural Development. They should start the visit from tomorrow, 3rd December, 2003.

Mr Enebe: I do not know what you mean by from. ...

Leader: It is Committee on what?

Mr Speaker: Agriculture and Natural Resources. What we have is Agriculture Ministry and Natural Resources. It was signed by the hon. Member for Uzo-Uwani (*Mr Chigbo*), Chairman House Committee on Agriculture and Natural Resources. We have Ministry of Human Resources but we have no Members for that Ministry.

Mr Enebe: It is in the Speaker's Office (*Laughter*).

Mr Speaker: No it is not. We also have a Committee on Petroleum and Natural Resources.

Felicitations on two Ambassadorial Nominees:

Hon. Kingsley Ebenyi Leader of the House and;

Hon. Emma Eze, Member for Udenu Constituency.

I wish to formally congratulate two of our Colleagues who have been nominated for ambassadorial appointments. I am very happy and very proud. I am very happy and very proud that democracy is actually on course in Enugu State. Enugu State is a model, Enugu State is the only State where the Governor is empowering the youth. You will agree with me that in 2001 when I was asked to work as Acting Governor in Enugu State, that was a history because no other Speaker was asked to act. So, this time around, we have two hon. Members as Ambassadors.

Several hon. Members: His Excellency! His Excellency!

Mr Speaker: I think that this is the price you pay for being loyal, that is the price for working hard, that is the price you pay for working with your Colleagues. I lack words to qualify these two hon. Members. I say congratulations, I am very proud of two

of them and wish them well wherever they will be posted. They will leave as soon as possible so that *Achi* can reach us. They are really worthy Ambassadors of this House of Assembly. Thank you.

ADJOURNMENT

Leader (Mr Ebenyi): I rise to move that this House do now adjourn till Thursday 4th December, 2003 at 10 a.m.

Mr C. Enebe (Awgu North): I have risen to second the Motion, and in doing so I wish to call on the House Services Committee to mark out designated Car Park for other hon. Members just as they did for the Principal Officers of the House and HODs.

Mr Speaker: The Chairman of the House Services Committee should do something with those concerned. I remember when I came this morning somebody blocked me. I think this is not proper, something should be done.

Question put and agreed to.

Resolved: That this House do now adjourn till Thursday 4th December, 2003 at 10 a.m.

Adjourned accordingly at 2.17 p.m.



ENUGU STATE OF NIGERIA
PROCEEDINGS

AND DEBATES OF THE
FIRST SESSION OF THE
THIRD ASSEMBLY

ENUGU STATE HOUSE OF ASSEMBLY

OFFICIAL REPORT

No. 43

Thursday
18th December, 2003

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No proofs of the Daily Reports can be supplied. Corrections, which Members suggest for the Bound Volume, should be clearly marked in the Daily Report, but not telephoned and the copy containing the corrections must be received at the Editor's Room, House of Assembly

not later than four days
after receipt of the Printed Report

Ebonyi, it then continues to bear Anambra State Law as applicable in Enugu State. This is an abuse on the origin of all the States in the South East. Enugu State has remained the father of all these States. And it will be an embarrassment, I even take it as a slap that instead of saying Enugu State Laws applicable in Anambra State, we are still saying Anambra State laws applicable in Enugu State. It is an aberration of this consciousness of our origin.

So, Mr Speaker, I think that this all-important Bill is trying to now demean the status of the father of all these States in the South-East. Instead of saying Anambra State laws as applicable, we now have our own father laws. They will now be answering *nee* Anambra State or *nee* Ebonyi State, because they all come from Enugu State. So, I think that is the legal thing about this Bill.

Then the other legal thing there is that we have other decrees relating to Enugu State. We had Military Administrators or Military Governors, they all came up with their own laws and some of these laws which have been abrogated, still operate. Then we now have to reform it to bear Enugu State; to have the democratic influence being now practised for we are now practising democracy.

So, this law is intended to achieve first of all, the autonomy, the origin, what is called originality of the State. We cannot now just say the Bill is a full-fledged law of the State and the sovereignty of State can only exist in other areas except on legal terms. We have gotten our own Chief Judge, we have our own High Court Judges, and other judicial appointees. We should also have our own independent laws without adding *applicable*, that is what this Bill intend do to.

Mr Speaker, when we end the debate today, the revisor can now discuss the legal relationship with the able Speaker, then we can now go ahead to do other details of this Bill. So, Mr Speaker, I am now calling on my hon. Colleagues to give this all-important Bill a full-fledged support to enable Enugu State have the autonomy and the originality it deserves so that our sovereignty can be defended when we go out to reflect the legal terms of this Bill. Thank you, Mr Speaker.

Mr J. U. Onoh (Enugu North): Mr Speaker, hon. Colleagues, I have risen to support this all-important Bill because it is going to solve the problems we are having. I can recall that in our last sitting, an hon. Member referred to a law of the then Anambra State and he was corrected by not saying as applicable to Enugu State. This Bill is going to help us by making us to stand firm to quote those laws as applicable to our own State. I do not actually believe that this Bill we are all supporting will be in favour of what we do, ourselves, every day I am reminding you, my hon. Colleagues, that this is our responsibility. I am asking you all to think of the future and if we sacrifice our today we will have a better tomorrow. Thank you, Mr Speaker, thank you, my hon. Colleagues.

Mr E. Maduabu (Awgu South): Mr Speaker, I am happy to see that this Bill is coming up for debate today. My reasons are many. When a child is born, the child starts first of all by crawling and after crawling he starts standing until such a time he will be able to stand on his own to move. Twelve years is enough for Enugu State to have its own laws that will now be referred to as Enugu State laws and not *as applicable*, that is, *Anambra State law as applicable to Enugu State*. To me it is disturbing, although this is as a result of inheritance from the State creation because we were then answering Anambra State and not because Anambra State made the laws or that they are more experienced than Enugu State. It was just by coincidence that most of the laws are referred to as that of Anambra State. But I am happy now that the sovereignty of full-fledged State should go with everything both legally and otherwise. Therefore, we shall be doing ourselves and our people good by passing this Bill so that most of the laws that have been made in Enugu State will now bear the name of Enugu State. I am very much in support of the Bill and I urge my Colleagues to give their support for the passage of the Bill.

Mr C. Ugwu (Enugu East II): Mr Speaker, I hereby align myself with the past speakers on what they contributed in favour of this Bill. I know that this Bill would have been passed earlier than now but during the last regime the State was in crisis and that was why the Bill was not presented that time. Other States have taken steps to amend their own

laws through the Bill passed by their respective Houses of Assembly, but we are still saying *Anambra State law as applicable to Enugu State*. So, I support this Bill because it is very important in the sense that Enugu State has come of age. It is just like when a cloth is made in China and the trademark will be another country. It is good when we make a law here in Enugu State we refer to it as a law made by us and not *Anambra State law as applicable to Enugu State*. Because of its urgency and importance, I suggest that the debate be ended today so that we shall not carry the debate over to next year. Thank you, Mr Speaker.

Mr Speaker: Honourable Colleagues, if there is no other contribution, I will use my discretion. This is a very, very important Bill which I expect that the contribution will be overwhelming. I thought that the contribution will be something else. If there were a good number of Members who spoke, it will enable the Committee put up their report easily.

Mr J. N. Anichukwu (Nkanu East): Mr Speaker, Sir, when there is a good Bill of this nature, it is just like a good soup made by a good woman. You have been calling for further contributions and it is not that a great majority of the hon. Members are not willing to contribute to the Bill, because the Bill is self explanatory. The Bill is commendable, and I know that if you will put the Question now, everyone of us will get up and say yes.

Mr Speaker, this Bill is like the Igbo saying – I think I am covered by the Constitution in terms of language. There is an Igbo adage that says that *omwere ka mwanyi ga eruo o gafe onye muru mwanyi a, ihe a ga-ekwu bu onye n'alu mwanyi a*. And that is true. I became apprehensive when I thought of it. The laws of Enugu State, made in Enugu State had to be international with particular grade given to Enugu State, and why I say this is that this honourable House is very credible and I mean every word of it.

Recently, we concluded that this honourable House is over due to stop quoting laws of Anambra State as applicable to Enugu State. That is why we have started to put up our own Standing Orders,

and sooner or later the Standing Orders of the Enugu State House of Assembly will come into this House, not as applicable. I am saying that this is a very nice Bill which will enable our laws to stand the test of time. I urge my fellow hon. Members to look at it positively and give it the necessary contribution. Thank you.

Honourable Members, let me make an appeal. I feel very uncomfortable when somebody is making contribution and some other person is moving round the Chambers talking to one hon. Member or another. Such a thing distracts the attention of the person who is speaking. So, if you know that you have something to discuss, this is not the right time to discuss anything.

If you are aware that your Motion is coming up today, this is not the right time to tell other hon. Members that your Motion is scheduled for today. You should have done that earlier. So, if debate is on, people should stay on their seats.

The only person allowed to move to hon. Members in extreme cases is the Leader of the House, who may have Government Bill, he normally does that outside, but if he discovers that there is something going wrong and that he still wants to get the support of the Members he has a right to move round to get Members support, not other hon. Members, and not again when the Leader is moving this way the Deputy Leader will be moving in opposite direction. *(Laughter)*.

Mr M. Onyeze (Igbo-Eze North I): Mr Speaker, Sir, I stand to support the Bill and my reasons are just like that of my Colleagues. I feel that it is an irony that when Anambra State was created, if not because of nomenclature, it was created out of where we are now. These Laws were made where we are now and it is now an irony that when the laws are cited we are made to look like an appendage on our own soil, a State that was created out of us. So, I feel that these people took us there administratively, and for any further respect, it is an irony that we continue to cite their own laws. So, the amendments of these laws are overdue because it is like a father answering the name of his son. Anambra State was created out of Enugu State and

not Enugu State created out of Anambra State, it is a matter of nomenclature.

This was the administrative headquarters. So, it will look as if we are junior to them if we continue to cite their laws in high courts and in all the other places. I support the immediate amendments of the laws so that it will give us good autonomy which we deserve. Thank you.

Leader: Mr Speaker, Sir, I want to make a correction on what the hon. Member for Igbo-Eze North I (*Mr Onyese*) said, Enugu State was created out of Anambra State. To say that Anambra State was created out of Enugu State is not true. We had Anambra State before Enugu State was created. Mr Speaker what I am saying is true.

Mr Speaker: I understand what the hon. Member for Igbo-Eze North has said. He said that it is a matter of nomenclature, that Enugu State has been the headquarters of the South-Eastern region and that being the case it will be out of place for Enugu State to be citing laws of Anambra State as applicable to Enugu State; that it is a matter of nomenclature.

Leader: That being the case, Mr Speaker, may I move that the Question be now put. Thank you.

Question, That the Question be now put, put and agreed to.

Main Question put and agreed to.

Bill accordingly read the Second time.

Mr Speaker: I wish to express my happiness to most of you who contributed immensely towards the Second Reading of this Bill. I am aware that non of you knew that this Bill will be coming up this morning. The contributions made by most of you show that we are making serious progress. It shows that we are all working together to demonstrate that we are all equal to the task, and facing the challenges, and I sincerely wish to thank you so much for your contributions.

I wish that the Committee we referred this Bill to, should try as much as possible to hand in their

Report so that as soon as we come back from the Christmas recess, we will be able to do justice to the last stage of the Bill.

However, we have talked about Christmas recess, I wish to remind you that if there is any need for us to reconvene even when we are on recess, we will always do that. After all, all of us are in Enugu here, apart from the Ambassadors who I am sure will not be leaving the country till January. So, at any point in time we call on you or require your services, you will answer the call.

I equally wish to extend my happiness to the Clerk-at-Table and other supportive staff for their contributions.

May God bless you.

NOTICE OF MOTION

Revitalization and Possible Privatization of all Public Parks in the State

Mr J. Obidinma (Oji River): May I please move the Motion standing in my name: That this honourable House do urge the State Ministry of Information and Tourism to Revitalize and possibly Privatize all the Public Parks in the State.

Deputy Leader (*Mr Atigwe*): I have risen to second the Motion moved by the hon. Member for Oji River (*Mr Obidinma*).

Mr J. Obidinma: Mr Speaker, the idea of establishing public parks in a state are numerous. Among them are:

- a) Provision of relaxation centers for the public especially children during holidays;
- b) Provision of micro-economic activities for firms in soft drink industries, and artists in show businesses.
- c) Generation of revenue to the state in the state in question through rents, levies and sales taxes.
- d) Provision of good space for public functions like rallies, lectures and preaching grounds for religious leaders, etc.

Mr Speaker, Sir, despite these gains our public parks are being allowed to be taken over by weeds. As a result of the over-grown nature of public parks in the State, men of the underworld have turned them into bunkers after attacking their victims e.g. Murtala Mohammed Park along New Market Enugu/Onitsha road.

Mr Speaker, this is not the end of dangerous use(s) of our parks by men of the underworld. The bushy parks also provide them with cheap shops for sale of narcotic drugs like Indian Hemps.

Mr Speaker, hon Members, I will not forget to tell this honourable House that rapists exploit our girls especially under-aged girls with little or no disturbances at these unkempt public parks. Men of the under world, rapists, artisans, petty traders and hawkers also litter human feaces at these parks. This issue of indiscriminate spreading of feaces could result to cholera if nothing is done quickly to stop the menace.

Further, Harmattan is fast approaching and only God can tell what will happen if fire gets into any of these bushy parks. Let us remember that dry grasses are next to fuel in terms of combustion.

Worse still, portions of these parks are being carved out and converted into personal ownership. A good example of this private encroachment is Housing Estate Abakpa Nike, and WTC park.

It is a national fact, Mr Speaker, Sir, that Enugu State is known for beauty and cleanliness. A visitor to Enugu through New Market/Radio Nigeria may think otherwise as a result of the ugly situation at Murtala park.

From the little exposed situation at our public parks, Mr Speaker, Sir, one can easily conclude that their disadvantages are out-weighing the advantages of the parks in question. This ought not to be so, and should not be allowed by this honourable House to be so.

In view of these obvious facts, Mr Speaker, this should be resolved by this honourable House as follows:

PRAYERS:

1. That the Ministry of Information and Tourism should take immediate measures to stop encroachment into these parks.
2. That these Public Parks be reactivated immediately and possibly privatize them to qualified private investors for effective and efficient use.

Mr Speaker: Honourable Colleagues, you have all heard it, and before I make progress, I received some amendments to this very Motion. One is from the hon. Member for Enugu East II (*Mr C. Ugwu*) and I read:

1. *That ENSEPA should without delay clear and clean all the public parks, in the State. And in doing so, check encroachments.*
2. *That these facts should be taken into account immediately in order to attract private investors who may like to make use of them and ensure the continuous maintenance of such parks.*

Having introduced the proposed amendment, I wish that we formally move a Motion for this amendment proposal, and to be duly seconded. There are procedures even if we are not going to accept the amendments, we have to move a Motion. If we move the Motion and if the amendment form part of the Motion and if you say *no*, who am I to insist that it must be incorporated into the Motion before the House.

Mr C. Ugwu: Mr Speaker, Sir, hon. Colleagues, I rise to move a Motion that these additional prayers should be incorporated into the prayers for the Motion. Thank you.

Mr D. Agbo (Enugu East I): Mr Speaker, Sir, hon. Colleagues, I rise to second the Motion moved by the hon. Member for Enugu East II (*Mr Ugwu*). Thank you.

Question put and Negatived.

Mr Speaker: Honourable Colleagues, there is still another amendment that was proposed by the hon. Member for Igbo-Eze North 1 (*Mr Onyeze*).

Well, I should read it. He is making a proposal to this Honourable House:

- (a) *That part 3 of the Privatization and Commercialization Act 1988, No. 8 (5) part 3 of the Law is titled miscellaneous and is there with interpretation, it appraised Commercialization and Privatization as follows:*

Commercialization means the reorganization of enterprise wholly or partly owned by the Federal Government in which such Commercialized enterprise shall operate, as a profit making commercial venture, and without subvention from the Federal Government and Commercialization shall be assumed accordingly.

He went further to talk about privatization, he said that *the privation is enrichment of part or of the equity, and other interest thereof, by the Federal Government or its agency, in enterprises, whether wholly or partly owned by the Federal Government and privatization shall be controlled.*

Mr Speaker, Sir, I urge my hon. Colleagues to interpret vividly Commercialization and Privatization and delete *Revitalization* from the Motion and replace it with the word *Commercialization*.

- (b) The introduction of additional prayers in prayer 3: *that the honourable House may urge the hon. Commissioner for Information and Tourism to pay more attention to Tourism matters in the State since the sector has suffered over the years.*

Mr M. Onyeze (Igbo-Eze I): Mr Speaker, Sir. May I move that the proposed Motion as moved by the hon. Member for Oji River (*Mr Obidinma*) be amended so that the word *privatization* will replace the word *commercialization* and also for additional prayer. I believe also that all of you have gotten the copies of the Act I distributed last time.

Mr J. N. Anichukwu (Nkanu East): Mr Speaker, I second the Motion as moved by the hon. Member for Igbo-Eze North I (*Mr Onyeze*), thank you.

Question put and negatived.

Prayer 2: *Question put and negatived.*

Mr Speaker: Honourable Members, I am not trying to persuade anybody, you have all made your decision but I believe that the additional prayer which was thrown out by the House well there is no problem. (*Interruptions*).

Deputy Leader (*Mr Anikwe*): Thank you, Mr Speaker. My own contribution to the Motion is that if you watch out the original intent of the Motion, you will discover that it is only trying to talk about diversification of our internally generated revenue. If you go to Polo Park, you will observe that during remarkable celebrations like Christmas, the 1st of October or Easter day e.t.c., you will see thousands of people there, having a relaxation. I believe also that the essence of this Motion is to add to the importance of utilization from outside. If you consider most of these facts which I have mentioned in terms of reactivation. Mr Speaker, you will see the benefits. We will be more equipped to have our own internally generated revenue.

The tourism aspect of it is that one can go outside the country and go to those places to relax because I believe in the assertion of *all works and no play makes Jack a dull boy*. If you watch out the original intent of creation of these parks, you will find out that men will add colour to the consonant of man's life. To get man to a full fledged relaxation to get man more comfort. At the end of each day's job, you need to sit down to relax and discuss.

For the politicians, if you watch out why we do parks at major streets you will discover that there has been purely on the negative side of it. For instance, the Murtala Mohammed Park here in Enugu, nobody can go there from 6 p.m. Nobody is free to bypass that Park because of the activities of the men of the underworld. People now take that place, just as was mentioned in the Motion as their

n pride for sexual abuse and other unlawful activities.

So, Mr Speaker, this Motion is well intended. Like now we are about to go for Christmas break, there is need to have very comfortable parks for people to relax. It is this type of venture that the Parks were meant to serve, and many people will like to come even from other States with their families to relax there. There is no other project that attract income unlike other States. This will enhance the internally generated revenue of Enugu State which we are all clamoring for. The colonial masters, they carved out these parks and we should not allow them to die in our own times.

Mr Speaker, I urge my hon. Colleagues to give this all-important Motion the due passage. Thank you.

Mr E. Maduabu (Awgu South): Mr Speaker, this is a very important Motion. The problem Nigeria has is no maintenance culture. If we have imbibed maintenance culture, I think most of the things that bring hardship to the people will be curtailed. What is happening at the Polo Park, in fact, when I think of Enugu State it troubles my mind, but when I see the performance of the State I was very impressed. You can remember, like the last speaker said, every hectic period like East or Christmas we usually go out for sight-seeing to keep ourselves happy. And now that Christmas is around the corner, there are some of us who may not be going home for Christmas. I wonder where we should go for sightseeing in order to see others. If these public parks are maintained and revitalized, I think that these will be places for us to go and at times we go in there to take photographs. Even Polo Park now is hosting people from Enugu State and even those not from Enugu State go there for sightseeing.

So, I think it is very important that we pass this Motion on public parks to be revitalized because these public parks are now almost toilets for people. For the benefit of the State, I think they should be clean, at least for the beauty of the city.

So, I am urging our Members to support this Motion and I am asking the Commissioner,

Ministry of Culture and Tourism to take appropriate action on the issue. Thank you.

Deputy Chief Whip (Mr Agbo): Mr Speaker, Sir, I wish to comment on the seriousness of this Motion. I therefore urge the Mover(s) of the Motion to bring up a Bill seeking for the establishment of Enugu State Open Spaces Commission charged with the responsibility of designing, development and management of Open Spaces in Enugu State. I strongly believe that the public parks will help in reducing the welfare problems of Enugu State as stated in this Motion. Thank you.

Mr J.N. Anichukwu (Nkanu East): Mr Speaker, this Motion is good in everything especially on the economic aspect if the Motion is eventually passed by this honourable House. The Motion is part of revenue. For instance, in Israel, sixty percent of her national income comes from tourism. Even here in this country, in Bauchi State, the greater majority of their income comes from tourism. And in Enugu State reactivation and revitalization of public parks will give some economic advantages to our internally-generated revenue.

I have now remembered my early years of 1960s when the Ngwo Park, Uwani, Enugu was a source of attraction for anybody coming from suburb area. Many things mentioned here are economic advancement for Enugu State. If this Motion is passed by this honourable House, it will be additional leather, that is, encouragement to the Ministry in charge, that is, culture and tourism to move into action and once more play their own part in order to see that Enugu State is clean. It is essential to make sure that all these public parks are taken over by corporate bodies possibly to make sure that the State is very clean and one of the ways of doing it is by revitalization, reactivation and rehabilitation or reinvigoration of the economic sector of this State, so that by tomorrow when you think of going to Enugu you will feel comfortable, you will feel free, you will feel happy to see what will give you attraction.

Mr Speaker, the revitalization of public parks will even add to decentralization of the tourism

outfit in the State, so that you can equally go to Ngwo Park, or Nike Hotel Resort park or Polo Park, and not compulsorily going to Polo Park which is the only public park well known in Enugu State. Mr Speaker, I therefore urge my hon. Colleagues to support this very important Motion to enable the society which we are representing benefit from these public parks. Thank you, Mr Speaker.

Mr F. E. Amu (Nsukka East): Mr Speaker, Sir, the importance of Tourism attraction in Enugu State cannot be over-emphasized. Unfortunately here in Enugu State the conditions of tourism is nothing to write home about. We went throughout the State at our Committee level and found out that all the tourist attractions in this State are almost dead. They are not working at all. We even met the Commissioner for tourism on this issue. We went to Polo Park and found out that almost everything there, the Government-owned land, have been converted into private business, that is, the land meant for Polo Park.

If this Motion is passed, tourism will also be yielding dividend to benefit this State so that we can make tourism in this State a corporation of its own. So, Mr Speaker, I align myself completely with this Motion. If this honourable House can do everything possible to revitalize tourism potentials in this State, we shall be doing ourselves a lot of good.

On this note, Mr Speaker, and in the absence of any other contribution, I move that the Question be put. Thank you.

Mrs C. Ene (Udi South): Mr Speaker, Sir, I am in support of this Motion because parks are where people go out for relaxation during vacation. I am also in support of this Motion which suggests that those parks be revitalized and privatized to qualified private investors who will also provide all the necessary things needed for the effective and efficient management of the parks. If the parks are not privatized how can we ensure the security of the lives of those using the parks, but if it is privatized, the person in charge will provide all the needed security at the parks. With this, Mr Speaker, I am moving that the Question be now put.

Question, That the Question be now put, put and agreed to.

Main Question put and agreed to.

Resolved:

1. That the Ministry of Information and Tourism should take measures immediately to stop encroachment into these parks.
2. That these Public Parks be reactivated immediately and possibly privatized them to qualified private investors for effective and efficient use.

ANNOUNCEMENT

Mr Speaker: Honourable Colleagues, I still want to appeal to you, if you know that you have not sent in your photograph, I think by tomorrow, 19th December, 2003, it will not be useful again. What we will do is to draw a circle and write your name in it.

ADJOURNMENT

Leader (*Mr K. Ebenyi*): Mr Speaker, Sir, I have risen to move that the House do now adjourn until 10 a.m. on Monday 22nd December, 2003. Thank you.

Deputy Leader (*Mr P. Anikwe*): Mr Speaker, Sir, I have risen to second the Motion as moved by the Leader. Thank you.

Question put and agreed to.

Resolved: That the House do now adjourn until 10 a.m. on Monday, 22nd December, 2003.

Adjourned accordingly at 1.40 p.m.

EMERGENCY SESSION

Mr Speaker: Honourable Colleagues, you are aware that a short while ago we had our sitting comfortably and ended up beautifully, and adjourned the sitting to Monday 22nd day of December 2003, but following a development

which took place when we were in the Chamber, we decided to reconvene the House for what I may term or call emergency session.

I do not think that this emergency session will last more than three minutes. So, I call on the hon. Member for Awgu North (*Mr Enebe*) to give us details of what happened when we were in the Chamber.

Mr C. O. Enebe (Awgu North): Mr Speaker, Sir, I have risen to present formally account of what happened outside the Chamber. Mr Speaker, while the House was sitting, I was outside when the Transition Committee Chairman for Nsukka West passed and entered the police security checkpoint. After few minutes she came out to me and said that the policemen did allow her to enter because she was wearing trousers. I then told her that even when I was the Speaker, that the security men here did not allow women on trousers to enter the House.

At this point, she became unruly and said that we are stupid and useless people; that she is a women activist; that it cannot happen in Enugu State. When I tried to calm her down she said that I was wasting my time. There is nothing she did not say. So, I felt so bad that I decided to report this matter to fellow hon. Members when we came out of the Chamber.

For a Transition Committee Chairman to call a distinguished House of this magnitude a useless House and stupid people simply because the security men said that she is on trousers and has to go out and dress properly is a serious matter. So, Mr Speaker, I believe that this matter has to be given a very serious attention because she insulted everybody in this House.

I have people who were standing there, even your driver, Mr Speaker, was there and people gathered around her asking her what the House or I have done, are we security men. I asked her what was the problem and she said that she does not care, that she is a woman activist. So, Mr Speaker, for calling this House a useless and stupid House I believe she has a case to answer.

Mr Speaker, based on this ugly development I move that this honourable House formally invites Miss Chinwe Ugwu, the Transition Chairman, Nsukka West to the Floor of this House to explain herself properly, and to tell Members of this House what makes them stupid and useless. Thank you.

Deputy Leader (*Mr Anikwe*): Mr Speaker, Sir, I have risen to second that Motion as moved by the hon. Member for Awgu North (*Mr Enebe*).

Mr Speaker: The hon. Deputy Leader may go on and make his contribution.

Deputy Leader: Mr Speaker, Sir, I believe that culture is termed as people's mode of life. What people accept as their way of life include the mode of dressing the type of building, the way of talking and other aspects of human endeavour which connotes all these. So, it will be a great embarrassment that an ordinary Transition Chairman made possible by this honourable House because that would not have been without the creation of Local Governments and it is that same law that empowered the State Chief Executive to employ Transition Chairmen to the Local Governments. Such a person should not have demoted the House so low.

It is a big mess. Last time we quarreled with some of the Commissioners because some of them were even heard in the beer parlour saying all sorts of things that this House is not living up to its worth. Now it has boiled down to a Transition Chairman, a woman, ordinary Transition appointee now challenging the elected representatives, the other arm of Government whole and entire.

Mr Speaker, I am saying that it is not just that she should be invited, she should rather be suspended and even eventually asked to leave the office. In doing that, Mr Speaker, let us now resolve to take our own proper position because I have never seen it done in any other place. If it is in Abia State, it will never happen; even in Anambra State here nobody can try it. It is degrading, calling us all sorts of names.

Mr Speaker, may I move that the woman be called on Monday not Tuesday. So, the Motion

should be presented on Monday. I know that we are a family, His Excellency is doing his best to accommodate most of these people. It is because of His Excellency's gender equality acceptability that allowed this, at least to put women as Transition Chairman e.t.c., I think that a woman should be a mother, I do not know whether she is even married.

An hon. Member: No! She is not.

Deputy Leader: Well, she is not married; so, if a Transition Chairman is going to be appointed it is not even that she is not supposed to be a woman, she should be a married, woman. Not either a divorcee or a run-away wife. So, Mr Speaker, when she comes here we are going to mete out adequate punishment. Thank you.

Mr J. N. Anichukwu (Nkanu East): Mr Speaker, Sir, this honourable House has integrity and it must be protected. Those people who feel that because of our leniency they can do what they want to do, are going to be cautioned to know that we are hon. Members. As far as we have those who elected us, they are still bound to honour us. So, Mr Speaker, I still stand on the side that Miss Chinwe Ugwu appears on Monday.

Deputy Speaker (Mr Atigwe): Mr Speaker, Sir, I am in support of the Motion that the woman be invited. I am praying according to Section 36 of our Constitution that she should be heard before we determine her punishment, because when Adam and Eve sinned in the Garden of Eden, God asked him *what have you done*, then Adam said *Eve gave me the fruit and I ate*. Then Eve was asked and she said the serpent deceived her. So, I am in support that the woman be invited according to Section 36 of the Constitution. Thank you.

Mr A. Chigbo (Uzo-Uwani): Mr Speaker, Sir, hon. Colleagues, I want to add to what the Deputy Speaker (Mr Atigwe) has just said. The integrity of right hon. Member for Awgu North (Mr Enebe) is known by this Parliament as former Speaker of this honourable House, and presently hon. Member of this House. In fact, hearing from Transition Committee Chairman of Nsukka West (Miss Chimwe Ugwu) will not stop this Parliament from taking a great measure. The hon. Member for

Awgu North (Mr Enebe) had just told this great honourable House that the Transition Committee Chairman for Nsukka West (Miss C. Ugwu) was talking to him directly. Mr Speaker, Sir, we should not be a toothless bull-dog, this is great Parliament of great State. Therefore, my opinion is that, Mr Speaker, Sir, this House should hold that, such Chairman should park her Official Car in front ... (Interruptions).

Mr Speaker: The hon. Member for Uzo-Uwani (Mr Chigbo) should please excuse me. He is going out of the content of the Motion. The Motion is talking about summoning the Transition Committee Chairman for Nsukka West (Miss C. Ugwu). We are not talking about the punishment. The punishment should be until she comes on Monday, 22nd December, 2003.

Honourable Colleagues, before I put the Question, I wish to state that inasmuch as we are going to allow the woman to express herself, because, our inviting her is part of democracy, that is, allowing her to come to the floor of the honourable House to defend herself. And I am assuring you that no amount of defence will stop this great House from getting to the root of this case, and we will try to put a stop to any future occurrence. I believe we use this woman as an example.

In fact, I was even disappointed when I was told that she is not married. However, I am equally disappointed because, just like the hon. Member for Nkanu East (Mr Anichukwu) said, the way and manner most of us relate with these people is not welcome. But I believe that after handling this case, people will now be very careful.

Question put and agreed to.

Resolved: That this honourable House invites the Transition Committee Chairman Nsukka West (Miss Chimwe Ugwu) to this honourable House on Monday, 22nd December, 2003, at 10 a.m.

Adjourned accordingly at 2.15 p.m.



ENUGU STATE OF NIGERIA
PROCEEDINGS

AND DEBATES OF THE
FIRST SESSION OF THE
THIRD ASSEMBLY

ENUGU STATE HOUSE OF ASSEMBLY

OFFICIAL REPORT

No. 44

Monday
22nd December, 2003

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not later than four days
after receipt of the Printed Report

HOUSE OF ASSEMBLY
ENUGU STATE OF NIGERIA
Monday, 22nd December, 2003
(The House met at 10 a.m.)

PRAYERS

(Mr Speaker in the Chair)

**APPROVAL OF VOTES AND
PROCEEDINGS**

Mr Speaker: Honourable Colleagues our Votes and Proceedings No. 43 dated 18th December, 2003 are before us. I have gone through them and to the best of my knowledge they are correct, however, I need your comments.

Deputy Chief Whip (Mr Agbo): Mr Speaker, Sir, I have equally gone through our Votes and Proceedings of our last sitting and found them to be accurate. I, therefore, move for their adoption.

Mr C. Ugwu (Enugu East II): I have risen to second the Motion.

Question put and agreed to.

Votes and Proceedings of 18th December, 2003 accordingly adopted.

QUESTIONS FOR ORAL ANSWERS

Mr Speaker: The Transitional Committee Chairman of Nsukka West Local Government, *Miss Chinwe Ugwu*, has been invited as it appeared in the Order Paper.

Leader (Mr K. Ebenyi): Mr Speaker, Sir, may I move a Motion that the Transitional Committee Chairman of Nsukka West Local Government, *Miss Chinwe Ugwu*, be invited formally to appear before the House.

Deputy Leader (Mr Anikwe): I have risen to Second the Motion moved by the Leader of the House.

Question put and agreed to.

Miss Chinwe Ugwu accordingly appeared before the House.

Mr Ebenyi: Mr Speaker, Sir, the Transitional Committee Chairman, *Miss Chinwe Ugwu*, is here before the House, I hereby move that the House resolves itself into a Committee of the Whole House and also that the Gallery be cleared.

Mr E. Eze (Udenu): I hereby second the Motion.

Question put and agreed to.

The House accordingly resolves in the Committee of Whole House

The Chairman: Honourable Colleagues, you will recall that during our last sitting, there was a problem and following that problem, the House convened an emergency sitting during which a decision was taken that the lady should appear before the House. In compliance with the directive of this honourable House, we are aware of what happened on Thursday last week. It was on that basis that she was invited to come and respond. She is here. So *Miss Chinwe Ugwu*, you came to visit us last week, why?

We will like to know your name, your local government. You should start by introducing yourself to the Members.

Mr Chinwe Ugwu (Transition Chairman Nsukka West): My name is hon. *Chinwe Ugwu*, Transition Chairman, Nsukka West Local Government. On Thursday, I was here to deliver invitation cards for the launching of my local government to the Speaker to distribute to the hon. Members of the House. On getting here that day, I met with the hon. Member for Awgu North (*Mr Enebe*) as I was entering. He called me and asked me what I have come to do. I told him that I have come to deliver invitation cards and to see the Speaker.

He said: that is okay, but that the House was in a Special Session, and that in 30 minutes time, they will be through.

He requested to have his own invitation cards, which I gave him. I told him that I will be back in 30 minutes time and I left. Thirty minutes later, I came back. On getting here, I also met him and he was answering a call. I met some other persons but he called me again and said: Are you back? I said Yes. He said that the House has not adjourned yet and that he was surprised that they have not finished, and that he was supposed to go somewhere with the Speaker. Then I said to him, let me go upstairs and wait and actually I did not know the Speaker's Office. He said, if you go in, ask for Emeka. He will help you distribute the cards. Then, I entered. On trying to come upstairs, I met the Policemen who called me back and said that I could not go in. He said that I was wearing trousers.

I informed them that I came to deliver a message to the Speaker, and as a matter of fact, that I was coming from the Government House and that I am a Transition Committee Chairman and that I saw no reason I should not go in and deliver a message on trousers. That it does not sound well and right but they said that I could go, if I insisted, but that it is a Law.

I then said, I will not go up if it is a Law. They then asked me to meet the guy I was talking to outside. I said, okay, and I went outside. As I came outside, I met the hon. Member for Awgu North (*Mr Enebe*) and complained to him that they stopped me from entering because I was wearing trousers. Though I was wearing a formal trouser, it is not as if I was wearing Jeans or a tight trousers or any other type. There should be difference in trousers. But he said to me that they were right, that no lady wore trousers inside. But I said to him, you saw me the first time and the second time wearing trousers and you did not tell me not to wear trousers. He then told me to go and change my dress. That, as a matter of fact, he was a former Speaker and that the Law was there before he was the Speaker. As he was speaking, one other guy said, Madam, trouser is trouser. Whether it is a big or small one.

I then turned round to the guy and asked him what was his own concern there. Because I am a feminine gender should not be an opportunity for insult, as I was not looking irresponsible. At that

time, I decided to enter my car to leave. Though the hon. Member for Awgu North (*Mr Enebe*) and his friend were asking me to come back. But I said I was not coming back that I will find a way of sending the cards to the Speaker. I entered my car and left. That was just what happened on that day. Rest my case, Mr Chairman.

The Chairman: Well, I think we have all heard her. In my own mind, our purpose of asking her to come here today is not necessarily on the issue of wearing trousers. It is about the issue of insulting the House Members outside. The issue of trouser is secondary. The primary purpose of asking you to come today is based on the fact that you were rude to the honourable Members by insulting the House. So that is why we asked you to come.

We have listened to you and there is no time you mentioned the House during your encounter outside.

Miss Chinwe Ugwu: I do not remember mentioning the House.

The Chairman: Okay!

Leader (Mr Ebenyi): Thank you, Mr Chairman. Honourable Colleagues, having listened to the Transition Chairman, Nsukka West (*Miss Ugwu*) may I now move that she takes a bow and leave the House.

Mr F. Onah (Nsukka West): I thank you, Mr Chairman, I rise to second the Motion.

Miss Chinwe Ugwu: Hon. Chairman, I want to say something. I want to use this opportunity to apologise to the House because having come here, it was not my intention to insult the House either knowingly or unknowingly. I am very sorry for that and again I want to apologise to the hon. Member for Awgu North (*Mr Enebe*). He was actually trying to help me but I got angry in the process. I am sorry. Again, I want to use this opportunity to invite the House to the launching of my local government. It is coming up on the 30th of December 2003.

The hon. Member for Awgu North (*Mr Enebe*) should please accept my apology. I am very sorry. Thank you, Mr Chairman.

Question put and agreed to.

Honourable Miss Ugwu accordingly took bow and left the chamber.

(Mr Speaker resumed the Chair)

Mr Speaker: Honourable Colleagues, you have all heard from Miss Chinwe Ugwu. First of all I like to hear your comments before my decision.

Mr F. Onah (Nsukka West): Thank you, Mr Speaker, I should like to apologise on behalf of the Chairperson of Nsukka West Local Government Area. She is a person I know very well. She is from my Constituency, I know her as a loyalist, as a devoted Civil Servant and as a hard working person. Mr Speaker, I should like to state that what must have prompted her reaction must be annoyance because she did not achieve her aim of coming to the House that day. On this note, Mr Speaker, I urge each and everyone of us to bury our hatchets on this matter. Thank you.

Mr A. Nnadi (Igbo-Etiti West): Mr Speaker, Sir, my hon. Colleagues, actually, I will just make a comment. The hon. Member for Nsukka West (*Mr Onah*) has agreed to have known this lady and appealed that she be forgiven. I do not know her, if she just explained to this House and she is forgiven, I will equally forgive her and forget about the issue. Let us now forgive her. Thank you.

Deputy Speaker (*Mr Atigwe*): Thank you, Mr Speaker. I humbly move that the apology as tendered by the Chairperson of Nsukka West Local Government Area be accordingly accepted. Thank you.

Mr F. Amu (Nsukka East): Thank you, Mr Speaker. I have risen to second that Motion.

Question put and agreed to.

Apology as tendered by the Chairperson of Nsukka West Local Government Area, Miss Chinwe Ugwu accordingly accepted.

ANNOUNCEMENT

Presentation of 2004 Budget

Mr Speaker: His Excellency the Governor of Enugu State will be presenting the 2004 Budget Estimates tomorrow by 10 a.m. prompt. Please, no matter what you are doing, endeavour to be here. At 9.30 a.m. all of us should assemble at the Chamber, please. Thank you.

ADJOURNMENT

Leader (*Mr K. Ebenyi*): Mr Speaker, I hereby move that the House do now adjourn till 10 a.m., Tuesday, the 23rd December, 2003.

Mr E. Odoh (Igbo-Etiti East): Mr Speaker, Sir, I rise to second the Motion for adjournment and in doing so, I want to use this opportunity to urge the Pressmen to be mindful of how they represent the hon. Members with their Constituencies. I was wrongly represented last time. I come from Igbo-Etiti East Constituency. So, I urge the hon. House to give them a plan to that direction. Thank you.

Question put and agreed to.

Resolved: That the honourable House do now adjourn till Tuesday, 23rd December, 2003 at 10 a.m. prompt.

Adjourned accordingly at 2.58 p.m.

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**ENUGU STATE OF NIGERIA
PROCEEDINGS**

**AND DEBATES OF THE
FIRST SESSION OF THE
THIRD ASSEMBLY**

ENUGU STATE HOUSE OF ASSEMBLY

OFFICIAL REPORT

No. 45

**Tuesday
23rd December, 2003**

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No proofs of the Daily Reports can be supplied. Corrections, which Members suggest for the Bound Volume, should be clearly marked in the Daily Report, but not telephoned and the copy containing the corrections must be received at the Editor's Room, House of Assembly

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Enugu State House of Assembly

HOUSE OF ASSEMBLY
ENUGU STATE OF NIGERIA
Tuesday, 23rd December, 2003
(The House met at 10 a.m.)

PRAYERS

(Mr Speaker in the Chair)

**APPROVAL OF VOTES AND
PROCEEDINGS**

Mr Speaker: Honourable Colleagues, our Votes and Proceedings No. 44 dated Monday, 22nd December, 2003 are before us, I have gone through them and found them to be correct. However, I need your comments.

Mr F. Onah (Nsukka West): Mr Speaker, in the due respect, I have equally gone through the Votes and Proceedings of our last sitting and found them to be correct, I therefore move for the adoption.

Mr C. C. Ugwu (Enugu East II): Mr Speaker, hon. Colleagues, I have risen to second the Motion as moved by my hon. Colleague.

Question put and agreed to.

Votes and Proceedings of 22nd December, 2003 accordingly adopted.

**PRESENTATION OF YEAR 2004 ENUGU
STATE DRAFT BUDGET ESTIMATES TO THE
HOUSE BY HIS EXCELLENCY, DR
CHIMAROKE OGBONNIA NNAMANI, THE
GOVERNOR OF ENUGU STATE**

Leader (Mr K. S. Ebonyi): Mr Speaker, I hereby move that the Mace be lowered to allow His Excellency, Dr Chimaroke Ogbonnia Nnamani, the Executive Governor of Enugu State present the year 2004 Draft Budget Estimates to this honourable House.

Deputy Leader (Mr Anikwe): Mr Speaker, I have risen to second the Motion as moved by the hon. Leader of this hon. House.

Question put and agreed to.

**YEAR 2004 BUDGET SPEECH OF ENUGU STATE
PRESENTED TO THE ENUGU STATE HOUSE OF
ASSEMBLY BY HIS EXCELLENCY CHIMAROKE
NNAMANI MD, FACOG, D.Sc (Honoris (Cussa),
Adjunct Prof. (Political Science) GOVERNOR OF
ENUGU STATE ON 23RD DECEMBER, 2003**

*Mr Speaker, Sir,
Hon. Deputy Speaker,
Honourable Members of the State Assembly,
Distinguished Ladies and Gentlemen,
Gentlemen of the Press.*

About this time last year, when I stood before you, in this hallowed Chambers of the Enugu State House of Assembly, I recall with vivid memory how proud I was, discussing the ultimate possibilities of democracy and what in our experience of three years, it has come to represent for our people.

Here, a special mention will always be made of the hon. Members of the House who stoutly stood by the executive branch in its efforts at improving the life of the people of Enugu State.

Indeed, the year 2003 was one that started with a combination of high expectation and seasonal apprehension. Expectation, because the three-year experience had proven to be most rewarding as diffuse development was achieved. Apprehension because citizens were induced with palpable dread of the approaching general elections, for which thunder and hell were threatened in the exchange of politicians.

As we can see today, the days of apprehension have given way to these days of new hope. New hope manifesting in better understanding, better knowledge of the political and economic environment, new hope defining new and better direction. New hope because we have all been elected by our different constituencies to undertake, on their behalf, the development efforts at elevating their quest for a better socio-economic condition.

Indeed, for the proper integration of the social environment, we have come to live with the fact that the days were gone when situations of personal lack

and degrading poverty were perceived as individual tragedies. We have now come to appreciate the depth of the impact of wholesale poverty especially in situations of *FEW RICH AGAINST MANY POOR*. This is the source of our current call for greater awareness in the state of deprivation and lack among our people. Put the other way, it is our call to a conscientious approach to poverty reduction through effective strategy and collective approach by all arms of the government.

Remember, I did say during my last year's budget address that as a matter of policy and personal preference, response to challenges of economic imbalance must therefore include conscious efforts at spreading the resources of State in ways that would ensure the stirring of factors of economic and social regeneration across the broad spectrum of the environment. You can agree with me that this statement is still relevant in view of our efforts at providing democracy dividends to the good people of Enugu State.

Against this backdrop, then; Mr Speaker, Sir, do permit me to present before this honourable House the *YEAR 2004 DRAFT BUDGET* which, in consonance with our avowed interest in poverty reduction has been christened "*the BUDGET OF INTEGRATION*".

REVIEW OF YEAR 2003 BUDGET

Mr Speaker, Sir, you will recall that on 22nd January this year, in the hallowed Chambers of this House, I presented, for the 2003, a draft budget, otherwise named "*the Budget of Re-invigoration and Sustainability*". This budget as titled was geared towards re-invigorating the economy through services that would motivate all sectors to actualize and be more meaningful partakers in the socioeconomic and political enterprises of our great State.

In this regard, efforts were geared at sustaining the tempo of infrastructural development through road constructions and rehabilitation, improved health care facilities, renovation of schools and provision of portable water and electricity to various communities. Our effort this fiscal year will be basically on activities that will reduce poverty as such would promote economic well being of the people of Enugu State.

In the year 2003, the State Government implemented a total budget of N19,927,344,580 (Nineteen Billion, nine hundred and twenty seven million, three hundred and forty four thousand, five hundred and eighty naira) made up of a recurrent expenditure of N10,462,318,200 (Ten Billion, four hundred and sixty-two million, three hundred and eighteen thousand and two hundred Naira) and a Capital vote of N9,503,026,000 (Nine billion, five hundred and three million and twenty-six thousand Naira).

AGRICULTURE:

Our targeted achievement of food security and adequate processing of grains were pursued vigorously. Work on the modern Rice Mill Complex at Adani received continued attention. The Enugu State Agricultural Development Programme (ENADEP) established demonstration farms at Amagunze, Nenwe and Adani to promote modern farming practices and produce improved seeds seedling and Cassava cuttings. In addition ENADEP carried out extensive extension services to educate farmers on new trends of farming and in line with the now dominant scientific methods of the enterprise.

COMMERCE AND INDUSTRY:

Market development was pursued during the year under review. The New Heaven Shopping Centre is already nearing completion. It is a thing of joy to recall that the State Government worked tirelessly in facilitating the completion and Commissioning of the Ama Green Field Brewery (Nigeria Breweries Plc) Amaeke-Ngwo. The Brewery, which was ranked the biggest of its kind outside Europe, has started offering job opportunities to qualified job seekers in the State.

A number of Government ailing industries were rehabilitated and made functional. The Sunrise Flour Mill is now fully operational, while the Hotel Presidential has regained its position as one of the best hospitality institutions East of the Niger.

RURAL ELECTRIFICATION:

Strengthened by our understanding that proper electrification of rural as well as urban communities would naturally stimulate development of Small and Medium Scale enterprises, government invested hugely on this sector. Work on the electrification of Amagunze, Ndiuno, Uwani, Akpugo and Oruku was

completed. The State Government assisted NEPA in the restoration of the vandalized 33KVA electricity supply line to most parts of the State. The Umuonwe rural electrification projects were rehabilitated. An Electric panel was installed for the Enugu State Broadcasting Service (ESBS), within the period under review. And electricity was extended to Ibeagwa Nike and Nchatancha Communities in Enugu East Local Government Areas.

LAND TRANSPORT:

We are not relenting on our effort to have a ring road network in Enugu State. To that effect, Government embarked on Construction and rehabilitation of the following roads:

- Oji – Achi – Agwu Road
- Ugwogo Nike – Neke – Ikem – Ehamifu Road
- Nemwe – Oduma Road
- Ndeabo – Mpu – Okpanku Road

Also work reached advanced stage on the Ebano Bypass at 9th Mile Corner and the Air Force Base – Nike Lake Bypass, which will provide easy and direct link between the airport and heart of the Enugu city. Reasonable progress has also been made on the following roads:

- Aguobu Owa – Iwollo – Umulokpa Road
- Agbani – Ugbaoka – Nara – Nkereji Road
- Etie Modern Farm Road, e.t.c

It has always been a policy of this administration to consolidate the vigour of our urban population by facilitating the movement of our people within and outside the cities. To that effect, our efforts at giving a new and better look to our urban roads never relented. So, rehabilitation work commenced on the following roads.

- Agbani Road by Meniru
- Ogui Road
- Okpara Avenue
- Access and Circle roads by the Okpara Square
- Robinson Street
- College Road
- O'Connor Street
- Annang Street, etc.
- Many closed drains and culverts were opened in Enugu Urban.

EDUCATION:

Government invested huge sums of money in rehabilitating and equipping Primary and Secondary Schools to raise the standard of education in the State. Dilapidated primary Schools were rehabilitated and our pupils were saved the agony of sitting on the floor by providing them with standard writing desks.

Vast construction work commenced in earnest at the ESUT permanent site.

To further our interest in fuller educational equipment, construction of School District Centres at Nsukka. Agbani and Awgu has progressed rapidly during the period under review. Arrangement has been completed to recruit more teachers for our Secondary Schools. Interviews have been conducted and the recruitment exercise will soon commence.

HEALTH:

The year under review witnessed great achievements in the health sector. Renovated Health Centres were equipped and supplied with drugs. Immunization against the Six Child Killer diseases were intensified with the assistance of UNICEF. Renovation work on the Six Government General Hospitals was completed. The Park Lane Hospital received a face-lift. Insecticide treated nets were purchased and distributed to primary health institutions as a strategy to roll back Malaria.

The Enugu State AIDS co-ordinating Agency was reorganized and well equipped to mount a serious campaign against the rapid spread of HIV/AIDS.

INFORMATION:

As I always said, the true values of democracy can only be realized in fuller cultivation of the culture of knowledge, broad viewpoint, alternative arguments and wide circulation of information. Indeed, we still hold the belief that without information, the gains of democracy would not have been sung and know-how would have been hampered. To play our part in extending the frontiers of democracy, we have left no stone unturned in our effort to keep the ESBS Radio and Television in perfect operational conditions. The rehabilitation work on the Television mast at Hilltop, Ngwo, was completed within the year under review. Some faulty components in the ESBS 10 kilowatt FM

Transmitter were replaced. Electric panel was installed to ensure steady supply of electricity.

WATER SUPPLY:

Water supply remained a priority of this Administration. We strove hard to bring about notable improvement in both Urban and rural Water Supply. To this end, refurbishment of surge Chamber, valves and generating sets were carried out at Ajali Water Works so as to improve water supply to Enugu Metropolis. Some rustic pipe as well as C.C. pipes were replaced with ductile iron pipes for more effective distribution of water in Enugu. About 1 km length of pipe was laid in Nsukka Municipality to increase the efficiency of water supply in the urban town.

In the area of rural water supply, Awlum, Obinagu, Umulumghe and Aghani Water Schemes were rehabilitated, with modern submersible pumps and requisite energisation. Also, reservoirs were constructed in the Communities.

ENVIRONMENTAL SANITATION:

The newly introduced house-to-house collection of refuse has started yielding good results. The standard of cleanliness of our urban cities has improved. Local Government staff and market union members received training on how to manage market wastes, while households are being tutored on better handling of domestic wastes in the neighbourhood. A new Ministry of Environment and Solid Mineral was established to co-ordinate environmental policies and programme of Enugu State. Work on the sand-field project at Ugwuaji has reached advanced stage, while the UNICEF assisted water and Environmental Sanitation programme WES constructed Ventilated Improved Pit (VIP) latrines in Schools and market squares in some rural communities.

HOUSING:

Government has opened up new areas for housing to alleviate acute accommodation problems in our urban cities. The Enugu Zoological Garden was relocated to a suitable habitat for animals. The space created by the relocation was parceled out for residential structure. The 130 bungalow structures developing at the Golf Estate are almost set for occupation, while low income-Harmony Estate project is moving at an impressive speed.

GENERAL ADMINISTRATION:

Some sound strides were achieved in development of infrastructural facilities for administration. Construction work on the State Liaison Office at Abuja moved at an accelerated pace. Major dilapidated Government (colonial type) buildings such as the Ministry of Information Headquarters building, Cabinet Office building, Abuja (SSG's office complex) building and some Government Quarters received a face-lift.

Official vehicles were provided for Permanent Secretaries to facilitate their duties. Some new utility vehicles were also purchased.

LEGISLATURE:

The Enugu State House of Assembly was refurbished and equipped to provide suitable environment for legislative duties.

PUBLIC SERVICE:

So far this year, on recurrent side of the Budget, we have achieved a landmark growth through the improvement of workers' welfare. We successfully maintained a very cordial relationship with labour through consultations and dialogue. These, we have done to the praise-worthy conduct of labour officials and government personnel, to forestall industrial crisis.

It is indeed praiseworthy that the labour in Enugu has always seen to the need to pursue dialogue and debate rather than chanting war-song all the time. I wish to use this opportunity to thank the workers of Enugu State for this show of maturity in the face of acute economic hardship, which though is not peculiar to our State. On our part, we will continue to seek the best from labour and for the benefit of our State. We will continue to ensure that workers are promoted, as and when due. Our earlier promise in this respect has been made more potent by the fact that there are no promotions pending in the State civil service today. We hope that the results of the 2003 promotion interviews, which have just been concluded will be released early for the people to enjoy their benefits in due course. This includes promotion of teachers and allied staff of Post Primary School Management Board (PPSMB).

Pensions and Gratuities: Payment of retiring benefits to retired civil servants has continued to receive the attention of government. Strong efforts were made, this fiscal year, to liquidate the arrears of pensions and gratuities, but we have currently been hampered by shortage of funds. However, we are not relenting, as it remains an intention of this administration to continue to support our elders who gave their time and energy in service of our State and cannot be abandoned now.

Mr Speaker, hon. Members of the House, the year 2003 was quite eventful as it witnessed the general elections, which led to the consolidation of our gains in democratic governance. It equally witnessed the birth of more local governments in the State thereby bringing government closer to the people through participatory democracy. Many autonomous communities, which were created last year, were given proper traditional political line-up system through the recognition of traditional rulers of the new communities.

It is my hope, Mr Speaker that these giant strides we have undertaken in repositioning this State will enhance socio-economic and political environment, and so the coming fiscal year will witness a tremendous improvement in the quality of life of our people. This is assured by our general expectation for an improved revenue generation from these multi-lateral sectors of the economy.

THE YEAR 2004 BUDGET

Mr Speaker, Sir, hon. Members of the House of Assembly, distinguished ladies and gentlemen, I count myself specially honoured to present to you the year 2004 Budget, the fifth in the series, since the commencement of our current democratic journey.

This is christened the 'Budget of Integration.' It has a budget size of Twenty Two Billion, Two Hundred and Ninety Eight Million, Eight Hundred and Twenty-nine Thousand, Six Hundred Naira (N22,298,829,600).

This is made up of the following components:-

Expenditure type	2004 Budget	Percentage
Recurrent expenditure	12,410,829,600	55.60
Capital expenditure	9,888,000,000	44.40

Total	22,298,829,600	100
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2004 Budget estimate has as its cardinal objective, the reduction of poverty in the society through aggressive economic development, and the empowerment of the individuals to grow economically and socially, through infrastructural development.

RECURRENT REVENUE

The State Government is expected to generate total recurrent revenue of Fourteen Billion, Two Hundred and Fifty-four Million, Fifty-five Thousand, Eight Hundred and Fifty Naira (N14,254,055,850) this fiscal year.

These will come from the following sources:

- i) Internally Generated Revenue (IGR)
N1,946,012,400. ... 13.65%
- ii) State Share of Federal Revenue
N10,744,254,270. ... 75.38%
- iii) Value Added Tax (VAT) N1,563,789,180
... 10.97%

RECURRENT EXPENDITURE

The expected total recurrent expenditure is twelve billion, four hundred and ten million, eight hundred and twenty-nine thousand, six hundred Naira. (N12,410,829,600). This represents 87.01% of the expected revenue for 2004 financial year.

The sum of One Billion, Eight Hundred and Fifty-three Million, Two Hundred and Twenty-six Thousand, Two Hundred and Fifty Naira (N1,853,226,250) is transferred from surplus recurrent revenue to capital development fund to help in financing capital projects.

The major components of the recurrent expenditure are as follows

RECURRENT EXPENDITURE

1. Personnel Costs
N7,739,821,360 54%
 2. Overhead Costs (including subvention to parastatals 3,421,008,240 23%
 3. Consolidated Revenue fund charges
1,250,000,000 8.76%
- | | | |
|----------------|-----------|-------------|
| Total | Recurrent | Expenditure |
| 12,410,829,600 | 87.01% | |

4. Recurrent Surplus Transferred to Capital Development Fund (CDF) 1,853,226,250
12.99%

CAPITAL EXPENDITURE

The Total Budgeted Capital Expenditure for the year 2004 is Nine Billion, Eight hundred and Eighty eight Million Naira (N9,888,000,000). The Sectoral allocation is as follows

- a) Economic Sector N3,561,250. 36.02%
 - b) Social Services N2,286,500. 23.12%
 - c) Environmental and Regional Development N2,409,000. 24.36%
 - d) Administration N1,631,250. 16.50%
- Total N9,888,000. 100%

HIGHLIGHTS OF THE YEAR 2004 BUDGET

ECONOMIC SECTOR:

The Sector is made up of Agriculture, Manufacturing (Commerce and Industry) Science and Technology, Land Transport, Finance and Rural Electrification Sub-sectors, and received an allocation of three billion, five hundred and sixty one million, two hundred and fifty thousand naira (N3,561,250,000) which represents 36% of the total Capital Expenditure. The details are as follows:

AGRICULTURE:

This sub-sector receives an allocation of N216,250 million. The State Government will continue to emphasize the development of the agricultural sector, in recognition of the fact that majority of our people live in the rural areas with agriculture as their main source of livelihood. To make good progress in this direction, the Community Modern Farms at Adani, Akpugoeze, Obeagu and Agu Ukehe will be developed with the sum of N16 million in this current year. Also the Rice Mills at Adani, Ugbawka and Oduma will receive an allocation of N12 million for their development.

The sum of N40 million will be used to purchase more tractors and repair/maintenance of farming equipment. Also the Enugu State Agricultural Development Programme (ENADEP) is currently allocated the sum of N50 million for its operations within the year. It is expected that this vital agency of government will pay particular attention to subsistence farmers who actually form the greater number of our rural

population and whose well-being we must collectively pursue without relenting. We expect that reasonable extension services will be made available to such rural farmers who are in dire need of our attention.

MANUFACTURING AND CRAFTS

The sum of N150 million will be spent on this sub-sector within the fiscal year. The development of industrial estates, layouts and proper classifications of strategic junction towns at Nsukka, Udi, Oji-River, Udenu and Nkanu West Local Government Areas will be pursued more rigorously in the fiscal year. Also ailing government companies will be reactivated with a view to privatizing or commercializing them for better efficiency. The sum of N21 million will be used for this programme.

Government will continue to provide the enabling environment for the development of the Enugu International Market while more effort will be made towards the establishment of the Enugu Cement Company. In addition, serious efforts will be made to provide the infrastructure to enhance the operations of the Multi-Billion Naira AMA Breweries at 9th Mile Corner, Enugu.

SCIENCE AND TECHNOLOGY

The Government realizes the role of Science and Technology in the economic development and poverty reduction. In fact, the new frontiers of knowledge as charted in time by this department of government will be fully explored. The sum of N33 million has been set aside for strategic pilot fruit juice factories, which will be established and advanced in the fiscal year. Also arrangements are in top gear to establish two Pilot Fruit and Vegetable Preservation Plants in the State. The State will continue to encourage efforts at developing suitable coal briquette formulations to enhance the utilization of the abundant Coal supply in the State.

RURAL ELECTRIFICATION

Rural electrification is a crucial component of the State Government's Poverty Reduction programme. This sub-sector will receive the sum of one billion Naira (N1,000,000,000) in the year 2004. This represents 10.11% of the Capital Budget. Extension of electricity and upgrading of sub-stations will be

carried out with the sum of one hundred and twenty five million Naira (N125,000,000).

In the same vein, the Enugu State Rural Electrification Project, Phase III, will receive an allocation of two hundred and fifty million Naira (N250,000,000) while the sum of N130 million will be spent for the procurement of transformers for rural communities. Electricity will be extended to Alor-uno, NYSC camp at Awgu, Amofia (Nara), Ngwo Asaa, Agu Orba and Lejja. There will be rehabilitation/reactivation of ITC/TDN Networks throughout the State.

FINANCE

This sector will receive an allocation of N60 million for the year 2004 fiscal year. This sum will be used for the building of new sub-treasurers and renovation of existing ones. Also the sum of twenty million Naira (N20,000,000) is appropriated for the acquisition of privatization allocation to Enugu State in the privatization of Federal Government owned companies. This is in a bid to enable the State to be actively involved in the privatization programme of the Federal Government. relatedly, the sum of N10 million is set aside for granting of revolving loans for purchase of shares by public servants. Also the State Government will send the sum of ten million Naira (N10,000,000) for the purchase of Rights Issue. Efforts will be made to enhance the operation of the Board of Internal Revenue to enable it generate more revenues for the State.

TRANSPORT

The State Government is committed to the provision and maintenance of roads as a major stimulant for development. Already we all know that our dear State has set an enviable pace in road development and provision of dividends of democracy throughout the country. In our newly honed programme for poverty reduction, minor roads and walkways, which will serve as easy access for the advancement of the cause of the common man will be paid special attention. To achieve this aim, this will receive an allocation of two billion Naira (N2,000,000,000), which is the highest of sub-sectoral allocation in the year 2004 capital Budget. Of this amount, the sum of N100 million will be sent on the 9th Mile-Aguobu-Owa-Umumba Road. While the Ebano 9th Mile Bye-pass Road is allocated the sum of n200 million. Ameke Ngwo-Eke-Ebe-Egede-Affa-Akpakwume-Nze-Aku Road; Oji-River-Achi-Awgu

Road and Nenwe-Oduma-Ndeabor-nkpu-Okpanku Road and Air Force-Nike Bye-pass, Obuofia Extention Road will receive the sum of N150 million and N100 million respectively. Ugwogo Nike-Opi-Agu-Mbu-Neke-Ehamufu Road will be allocated the sum of N250 million while Enugu and Nsukka urban Roads will receive a sum total of one hundred and fifty million Naira (N150,000,000). In undertaking these projects, the government is not in any way ignoring rural roads, actually, provisions are made to take adequate care of the rural roads in the State.

SOCIAL SERVICES

This sector receives the sum of two billion, two hundred and eighty six million Naira (N2,286,000,000), distributed as follows:

EDUCATION

Education continues to be a top priority of the State Government. the sum of N1.104 billion is allocated to the Education sub-sector. Of this N45 million will be spent on the rehabilitation and establishment of primary schools while n100 million will be for the Enugu State Schools District Centres. The sum of N100 million Naira will be spent on he State School Meal project while N108 million is set-aside for the Universal Basic Education (UBE) Programme in the State. The sum of N168.200 will be spent on the various projects of the State primary Education Board (SPEB).

The Institute of Management and Technology (IMT) Enugu and the Enugu State University of Science and Technology (ESUT) will be allocated the sums of N150 million and 355.274 million, respectively.

HEALTH

The health sub-sector will receive n972.8 million. Within this figure, the sum of N100 million will be used for he upgrading of Park Lane General hospital Enugu into a Specialist Hospital. The State Government will intensify its campaign against HIV/AIDS and consequently public enlightenment campaigns will be carried out within the year. The sum of N60 million will be used for the AIDS Control Programme. Health system Development Project II (HSDP II) will take off in full force within the year and the sum of N502 million has been set aside for the implementation of the programme in the 2004 Fiscal year. N10 million will be spent on the

rehabilitation and equipment of the State Medical Store Enugu while the sum of N50 will be used for the rehabilitation and equipment of the State General Hospitals.

The Enugu State Emergency and Accidents Ambulance Services (ESEAS) will take off fully in 2004 with the allocation of N28 million. The expansion of the ESUT College of Medicine will be intensified within the year. as the sum of one hundred and thirty four million Naira (N134,000,000) is committed to the achievement of this course. The school of Nursing, Enugu and School of Midwifery Awgu will also receive attention within the year.

INFORMATION

The sum of N129,500 million is allocated to this sub-sector. The Government appreciates the role of the mass media in a democratic environment. To effectively see to the proper dissemination of information, the sum of N50 million will be spent on the ESBS TV and ESBS AM/FM Radio, respectively. The government Printing Press will be modernized while there will be increased funding of the Enugu State Printing and publishing Corporation, publishers of the Daily Star newspapers.

ENVIRONMENTAL AND REGIONAL DEVELOPMENT SECTOR:

This sector receives the sum of N2.409 billion or 24.36% of the Capital Budget. This is a reflection of the importance the Government attaches to the components of this sector, which includes Water Supply, Environmental Protection, Solid Mineral Development, Sewerage and Drainage/Refuse Disposal.

WATER SUPPLY:

The sum of N750 million will be provided for Water Supply, out of which the sum of N217 million will be set aside for the optimization of Enugu Urban Pipe network while N50 million will be used for the Greater Nsukka Water Scheme. The sum of N40 million will be spent on the World Bank Assisted national Water Rehabilitation programme and N100 million will be spent on the New Water Supply from Oji. Adequate provisions have been made to apply the sum of forty million Naira (N40,000,000) for the purchase of water treatment chemicals.

ENVIRONMENTAL PROTECTION / SOLID MINERAL DEVELOPMENT

In recognition of the need for a clean environment and optimal utilization of our solid minerals, the State Government has set aside the sum of N20 million for Flood Erosion and Drainage improvement, while N15 million is allocated to Waste Management and Pollution Control. The sum of N522 million is proposed for the establishment of Environmental Management neighbourhood offices in designated areas of the State. There will be a development of Sanitary Land fill and Waste Recycling site at Ugwuaji. Also there will be an increased effort towards Solid Minerals and Surface and Underground Water Development. The sum of N24 million will be spent on UNICEF-Assisted Water and Environmental Sanitation (WES) Project.

HOUSING

The Government is very much determined to provide affordable housing accommodation for the urban dwellers. In this regard, the Enugu Zoological Garden has been percolated and allocation is being made for the development of residential homes in the district.

TOWN AND COUNTRY PLANNING:

This sub-sector has an allocation of N499.500 million in the 2004 Fiscal year. The maintenance of Enugu and Nsukka Urban roads will continue to be a priority of the State Government Street lighting will receive the sum of N30 million while N50 million and N70 million are allocated for the provision of master plans of designated areas in the State as well as the provision of essential facilities in the Streets/Layouts, respectively. Also, the sum of N25 million will be used for renting/hiring of accommodation as may be required by Ministries/Agencies.

COMMUNITY AND NEIGHBOURHOOD DEVELOPMENT

In line with the renewed effort toward the reduction of poverty in the State as shown by the recent creation of the Ministry of Human Development and Poverty Reduction, the State Government has budgeted the sum of N485 million to this all-important sub-sector. Of this amount, the sum of N369 million will be used for the provision of Rural Physical Infrastructure through the CDCC Programme. The sum of N100 million will be used as

Micro-Credit and fund for Small Scale Industries. Under this arrangement the Government will provide financial support for the Loan Scheme to Okada Motor cycle operators in the State. Also Small Scale Industrialists will be assisted through a revolving loan package. Grants will be given to Communities for self-help projects.

GENERAL ADMINISTRATION

This sector is made up of Administration, Judiciary and the Legislature. It will receive an allocation of N1.631 billion or 16.50% of the entire capital Budget. Emphasis will be on the maintenance of existing Government infrastructure, vehicles and equipment, while preparing for the implementation of the monetization programme that will soon take place. Also the State Independent Electoral Commission will be adequately funded to be able to carry out the forthcoming Local Government Elections. The sum of N320,093 million is being allocated to ENSIEC for this purpose.

JUDICIARY

The sum of N212.5 million is allocated to the Judiciary for the execution of its projects during the 2004 Fiscal year with emphasis on the construction and maintenance of court buildings and staff quarters, purchase of vehicles, books and other materials, verbatim reporting machines, etc.

LEGISLATURE

The sum of N138.3 million is allocated to the Legislative Arm of the Government. The major items of expenditure include the purchase of vehicles and equipment, rehabilitation of the House of Assembly Complex and Legislative Quarters, the Legislative Library, purchase of security gadgets for the House of Assembly, etc.

CONCLUSION

Mr Speaker, Sir, I must reiterate my earlier position that the true texture of this democratic dispensation can only be viewed in the context of the level of well-being of our people. It cannot be denied that it has not been easy. It cannot be ignored that the situation calls for courage and strength. And it cannot be denied that we are not given to short patience when it comes to holding our own end for the benefit of the State.

As we consider this budget, believing that that which is designed to lift our people can only make the necessary advancement through the combined effort of the government and the people, I consider this budget a challenge to all; A challenge to the executive, a challenge to the legislature, a challenge to the judiciary, just as it is a welcome challenge to our teeming people in both the urban and rural areas.

If we take up this challenge, bearing in mind that the cohesion of the state lies in cohesion of aspiration, we would have commenced our journey of integration, which if we duly set out in proper frame, we would have declared far better results, long before we commence and for which we will continue to say in this Enugu State, To God Be The Glory. (Prolonged applause).

Thereupon on the Executive Governor left the Chamber with his entourage

Leader (Mr Ebenyi): Mr Speaker, sir, I rise to move that the Mace be raised to enable the House resume sitting. Thank you.

Chief Whip (Mr Ezema): Mr Speaker, Sir, I rise to second that Motion.

Question put and agreed to.

Mace accordingly raised.

Leader: Mr Speaker, Sir, may I again move that the Budget Address presented to this honourable House by His Excellency, the Executive Governor of Enugu State, Dr. Chimaroke Nnamani, be accepted for consideration.

Deputy Speaker (Mr Atigwe): Mr Speaker, Sir, I accordingly second that Motion.

Question put and agreed to:

Year 2004 Budget Address presented by His Excellency accordingly accepted and laid on the Table

PRESENTATION OF BILL

**THE ENUGU STATE OF NIGERIA
APPROPRIATION BILL, 2004**

A Bill for a Law to make provision of the sum of twenty-two billion, two hundred and ninety-eight million, eight hundred and twenty-nine thousand, six hundred Naira to the services of the Government of Enugu State of Nigeria for the year ending Thirty-first day of December, two thousand and four and for other related purposes, presented by Mr K. Ebenyi, Leader, read the first time, referred to the House Committee on Appropriation and Judiciary.

ANNOUNCEMENT

Mr Speaker: Honourable Colleagues, I wish to use this opportunity to thank everyone of you for your support, commitment, and dedication that led to the achievement and success in this honourable House. I equally wish to state that this House is also happy that within this period we have been able to pass about six or seven Bills into Law. Several Motions also have been passed and some others are still waiting, and I hope that as soon as we come back from Christmas recess, we will be determined and prepared to accomplish our aim.

I equally wish to state that there has been cordial relationship between the hon. Members and I thank you for the understanding and also for co-operation. I thank you and hope that we continue in the same way.

I wish also to state that there has been a remarkable cordial relationship between the three arms of Government, thank you also for that. I do remember that His Excellency used to say that it is not when you confront the Executive that you achieve your aim; that you can only achieve your aim through dialogue. I wish to state, without any reservation, that the hon. Members of this honourable House have been following good footsteps of dialogue in achieving their ambition, welfare, etc. So, thank you for the understanding.

You are also aware that today, we might be going on Christmas recess, and I wish to say that I wish every one of you a merry Christmas and prosperous New Year. I hope that we will all come back with good

health to continue from where we stopped, knowing very well that we were elected by our people to represent them and it is our duty to deliver democracy dividend to them.

I believe that in Enugu State the three arms of Government have not worked in isolation. There was been agreement among the three arms on the system of governance and we have been able to achieve much because of the peace and tranquility that has been existing in this Assembly. I commend you for your wealth of experience and maturity; I wish that we continue the same way.

I cannot stop without thanking the Clerk of the House, the Clerks-at-Table, the supporting staff and of course the Press for their wonderful contributions. I thank you so much for the understanding; I believe that without your cooperation, there is no way we would have achieved all these things we have achieved within six months.

On this note, I once more say happy Christmas to everyone of you, and wish you well. I equally wish to state that hon. Member for Udenu, and the Leader of the House (*Messrs Emma Eze and Kingsley Ebenyi*), respectively, will keep us informed before they depart to whichever area they are going to stay as Ambassadors. I believe that the spirit of hon. Members of this House will guide you. So, I thank you so much for listening and I say to God be the glory.

ADJOURNMENT

Leader: Mr Speaker, Sir, I move that the House do now adjourn until 10 a.m. on Thursday 15th January, 2004.

Mr C. O. Enebe (Awgu North): Mr Speaker, Sir, I rise to second that Motion as moved by the Leader.

Question put and agreed to.

Adjourned accordingly at 12.03 p.m.



ENUGU STATE OF NIGERIA
PROCEEDINGS

AND DEBATES OF THE
FIRST SESSION OF THE
THIRD ASSEMBLY

ENUGU STATE HOUSE OF ASSEMBLY

OFFICIAL REPORT

No. 46

Thursday
15th January, 2004

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No proofs of the Daily Reports can be supplied. Corrections, which Members suggest for the Bound Volume, should be clearly marked in the Daily Report, but not telephoned and the copy containing the corrections must be received at the Editor's Room, House of Assembly

not later than four days
after receipt of the Printed Report

HOUSE OF ASSEMBLY
ENUGU STATE OF NIGERIA
Thursday, 15th January, 2004
(The House met at 10 a.m.)

PRAYERS

(Mr Speaker in the Chair)

APPROVAL OF VOTES AND PROCEEDINGS

Mr Speaker: Honourable Colleagues, the Votes and Proceedings No. 45 of Tuesday 23rd December, 2003, is here on the Floor of the House. I have gone through them and found them to be correct. However, I need the comments of my hon. Colleagues. Thank you.

Mr A. O. Chigbo (Uzo Uwani): Mr Speaker, Sir, my hon. Colleagues, I have equally gone through the Votes and Proceedings of Tuesday 23rd December, 2003 and found them to be correct. I, therefore, move for the adoption.

Mr A. C. Nnadi (Igbo Etiti West): Mr Speaker, Sir, hon. Colleagues, I rise to second the Motion for the adoption of the last Votes and Proceedings.

Question put and agreed to.

Votes and Proceedings of Tuesday, 23rd December, 2003 accordingly adopted.

ORDER OF THE DAY

THE ENUGU STATE OF NIGERIA APPROPRIATION BILL NO. 8, 2003

A Bill for a Law to make provisions of the sum of twenty two Billion two hundred and ninety eight million, eight hundred and twenty nine thousand, six hundred Naira, to the services of the Government of Enugu State of Nigeria for the year ending thirty first Day of December, two thousand and four and for other related purposes.

Order for Second Reading read

Deputy Leader (*Mr Anikwe*): Mr Speaker, Sir, may I move that the Enugu State Appropriation Bill No. 8 of 2003 be now read the Second Time. Thank you, Sir.

Mr E. Odo (Igbo Etiti East): Mr Speaker, Sir, I rise to Second the Motion moved by the Deputy Leader of the House. Thank you, Sir.

Question proposed

Mr Speaker: Honourable Colleagues, we have to start-off with this 2004 Appropriation Bill. Generally, I will like the House to look at the merits and demerits of this Appropriation Bill. May I suggest that the Deputy Leader (*Mr Anikwe*) goes ahead to open debate on the Bill.

Deputy Leader: Mr Speaker, Sir, you will recall that on 23rd December, 2003 the Executive Governor of Enugu State, Dr Chimaroke Nnamani, presented a well articulated Appropriation Bill to the House. I will therefore like to open up debate on this Appropriation Bill.

The main target of the Bill and its intent is that it is a Budget of Integration. It could be observed that it stems primarily on issues of poverty eradication and human development. Before I go into these areas to draw the highlights of the Bill, I will like to take some of your time to give a resume of Year 2003 Appropriation Bill equally. The Bill is christened *Budget of Reinvigoration*, sustainability and actualization. It clearly stated our policies and programmes of enhancing human life in Enugu State.

This particular Bill of 2004 has gone a little further towards actualizing this all-important plans and programmes of policies of the State Government. For instance, on the issue of poverty reduction, it will be recalled that this particular Bill of 2004 as appropriated by the State Government has gone a long way to develop the stupendous potentialities latent in an individual, through which one can make a qualitative job into a more profound element of human existence. What I mean by stupendous potentialities are: if you watch out in Enugu State, we have mass qualitative human beings, with little or no commensurate income, unlike some oil producing rich states.

This particular Budget is aimed at actualizing this human gifts. We have poverty Reduction and Human Development Ministry, the first of its kind to be established by this government. It has lots of ways to actualize this human development as appropriated in this 2004 Bill before this great Assembly. The Appropriation Bill, if approved, will go a long way towards enhancing community participation under the Community

Development Coordinating Council (CDCC) of the State Government.

The CDCC, as you will recall, has made tremendous stride in some areas like Isuawa, another communities. They have comfortably energized their electricity projects and other things. There are other two communities that have completed and handed over a Cottage Hospital and Water project to Enugu State Government. By this, the wealth base of Enugu State will be enhanced. The development aspect of Enugu State cannot be handled alone by the State Government. By this end, there is the obvious need for various communities to share in the glory of developing our communities through the Community Development Coordinating Council (CDCC). Every other community will now be opportuned to come up with viable projects in conjunction with the State Government to actualize that new life.

Also, you will recall that this honourable House last year, passed a Bill towards giving more security and life to the indigenes of Enugu State by setting some standards on some aspects of the motor-cycles.

This appropriation Bill has packaged a revolving loan to this group of operators which will enable them to adapt to the existing law in the State. When this adaptation is actualized, most of this Okada operators who find themselves in the business will not have any regret. This is a way of poverty reduction; this is also a way of human development. If you go further, this human development and poverty reduction can be seen in various ways, articulated in various Ministries and Parastatals. For instance, the Enugu State

Government, has under the Ministry of Education parastatals, called the SPEB and PPSMB and these parastatals have outlined the School Meal Programme.

The Governor has a good intention the School Meal Programme. We have gotten three old local governments; Isi-Uzo, Uzo-Uwani and Aninri, as pilot local governments where government in conjunction with DFID will go into providing some necessary incentives to our people. Some of them cannot even afford to eat, but with the school meal programme in focus, it will help both their academic, physical and their social well-being. Our people will now be more interested, to be guided by the school authorities.

So, the school meal programme, as envisaged by this budget, will go a long way in giving that qualitative education, assisting towards the production and actualization of the qualitative education envisaged by Enugu State Government.

Also, if you go to manufacturing sector, for instance, Mr Speaker, may I recall, that this budget has two components. What we call Recurrent Revenue and the Capital Expenditure. If you go to this Recurrent Revenue, you have the manufacturing sector, under economic sector and this sector will enhance the possibility of most of our ailing industries to come into fruition. We have a lot of industries that are so moribund, anachronistic, so obsolete, almost dead.

Needless to mention some of them but this particular economic sector, this particular manufacturing sector will now give the opportunity for the reactivation and renovation of these all-important industries

in Enugu State. Also the small-scale industries will now come in force with this Appropriation Bill, if passed by this honourable House.

Mr Speaker, if you go to agriculture like I said earlier, we have the pilot scheme, modernisation of farm land, that is the all-important Ada Rice, the Aninri Rice, and the Isi-Uzo Rice. Mr Speaker, this particular budget, if passed by this honourable House, will give the much-needed agricultural immunity to Enugu State. The agricultural emphasis of this budget has gone a long way in making our claim a reality because we cannot just be saying on the papers that Enugu State is the food basket of Nigeria. We have actually to put it into practice. And I believe that this particular budget has a good intention of actualizing this our all-important quotation that Enugu State is the food basket of Nigeria.

We have some naturally gifted communities as mentioned earlier. If you go to Aninri, even they were able to derive their name *Aninri* because of the food surplus. Mr Speaker, you are from the area. I do not need to say otherwise. Let me tell others. If you go to Uzo-Uwani, the hon. Member for Uzo-Uwani (*Mr Chigbo*) can bear me witness that the fertility level of their soil cannot just be over-emphasised. If you go to Isi-Uzo, it is the same thing. So this particular aspect of agricultural intent will go a long way towards enhancing the life and well being of Enugu State.

Mr Speaker, when I talked about the school meal programme, you will also recall that this budget has articulated a very good plan of building a permanent campus of the only University, the first of its kind,

the University of Science and Technology in Nigeria. You will recall that presently, the ESUT is enjoying the benevolence of the IMT at the temporary site. That particular place they are using now belongs to IMT. So, if you go to this budget, and if you watched His Excellency while presenting this budget, he made it clear that within 30 months, the ESUT permanent site will be a reality. This a good intent of this Bill.

Also we have under electricity, what we call *very good placement of priority*. Last year and in the past 4 years, the present administration focused and emphasized much on Rural Infrastructure, particularly the issue of road and water. But I am telling you, Mr Speaker, that if one community can benefit from electricity, such a community can even be more equipped to develop all her skills instead of one single road passing through them. That is why this particular budget has a provision of N1 billion for Rural Electrification Projects. We have 12 on-going projects under the ADB (African Development Bank) assisted.

Mr Speaker, I want to tell you that His Excellency has taken over the project of ADB, not withstanding the failure of the ADB to come into agreement and we have only 12 communities now left in the actualization of the 50 communities as enlisted under ADB. This does not show that the government is acting only on the ADB assisted. We have other numerous communities which are benefiting from the rural electrification project of the Enugu State Government and I believe, for instance, my own town, Obeleagu Umana, which is the most scientifically and technologically inclined community, that

the moment we can have this electricity, the Speaker can bear me witness, there is nothing we cannot manufacture. We will even be the best. Not to compare us with Nnewi. I believe, Mr Speaker, that the good intention of this budget, if I continue to highlight it, will only be commensurate with our quick passage. I have this singular honour, Mr Speaker, to beg my Colleagues to give this particular Appropriation Bill what it deserves by granting easy passage.

Mr Speaker, I believe that when my Colleagues must have taken some other areas, you will see that its particular aim of poverty reduction and human development, is the highest investment. Investment on human beings is the highest investment, educationally, economically, socially and politically.

Mr Speaker, this all-important budget should not be delayed in its passage. I may beg to take my seat. Thank you, Mr Speaker.

Mr C. Enebe (Awgu North I): Mr Speaker, I have risen to contribute on the Enugu State 2004 Appropriation Bill. Before I start, I want to thank the hon. Deputy Leader for his well-articulated contribution.

Mr Speaker, you will recall that before we went for the Christmas recess, the Governor presented this Bill to this honourable House. The budget, like any other budget, is not an end by itself; it is a means to an end. Today, I look at this budget as a way of ensuring that democracy is sustained in Enugu State because it is through this budget that we talk more about dividends of democracy to develop our people. One striking aspect of this budget

that I want to comment on is the area that has to do with Science and Technology. The difference between one society and another in the whole world is the productive nature of the economy. One may ask why is it that every year we turn out budget and yet things seem not to be moving. It is because we are consuming without producing. But today, the Federal Government has banned many commodities from being imported into this country. And these are commodities that you must consume. Are we going to do without them? The answer is *no*, which means we must do something within the context of the resources we have to ensure that these things are available and how can we do it. We can only do it by ensuring that Science and Technology of this State and the country are adequately taken care of. The Science and Technology Ministry has some project which if well funded will eventually grow to legal businesses. The problem with our budgets has always been that the people of our States and even other States have always seen budgets as Government business. But the budget is for everybody. If I may borrow a leaf from the budget speech, the Governor said that this budget is a challenge to the Executive, the Legislature, the Judiciary and indeed all the people of Enugu State. Everybody has a part to play to ensure that this budget is sustained, and that it becomes a success.

The school meal programme, as initiated by this budget, is intended to avert poverty. You will agree with me that if a child who is hungry is asked *one plus one* he will answer *five*. But if the children in the rural areas are fed just like those who attend schools here in Enugu, they will be well educated. And you will discover that tomorrow they may be the pillars of this

society. So, I commend the State Government for introducing that new school programme. It will go a long way towards bridging the gap between the rich and the poor.

This budget has made adequate provision for environmental management and water supply. It is said that cleanliness is next to Godliness and if we pass this budget and it is well implemented our people will have water and our environment will be clean. This will improve our health and the people of Enugu State will be glad for it. I, therefore, believe that everybody has a role to play to ensure that the objective of this budget is highly achieved.

An aspect I want the Government to look into is the issue of scholarships, that is, the re-introduction of scholarship scheme in this State to take care of indigent students, those who are brainy but cannot go to school because of funds. I am aware that we have scarce resources in this State, but human development is very important. The problem of third world countries is lack of adequate manpower to man machines and machineries. By the time we introduce scholarship in our system most people who would go out from school would have been well educated to contribute their quota to this State.

Under Housing, from last tenure till today, this Government has done marvelously well in providing Housing Estates in this State. I want to see smaller Housing Units introduced so that the Civil Servants who cannot afford duplexes will be accommodated. It will help us to sort out this problem of tenants/landlords feud ravaging our society today. I wish that this honourable House will give this budget a

speedy passage so that we will ensure that the Government continues in the right direction.

The Agricultural Sector has so many project sites that will help to ensure that there is food on our tables. I, therefore, believe that a lot will rest on their shoulders to ensure that food is on our tables.

I want to end my speech by suggesting that the introduction of exchange programmes that will help our workers to be exposed to what happens in advanced countries in terms of both co-ordination and other forms of managerial competence.

In those days when people are sent abroad for training and they come back here, there is always a difference. Whatever it will cost us to ensure that these people are exposed to the current challenges of life should be encouraged.

I want to thank the Government for presenting a budget that is all encompassing, that touched virtually all spheres of life. I just want to call on our people to realize, like I said earlier, that the budget is a budget of Enugu State. It is the budget of everybody. It covers every field of human endeavour, which means that everybody has a role to play to ensure that this State moves forward. Let us not see the budget as Government budget, it is for all of us. Thank you very much, Mr Speaker.

Mr E. Odo (Igbo-Etiti East): Mr Speaker, I have risen to align myself to the former speakers who had spoken in favour of this very Bill. Mr Speaker, you will recall that prior to 2003 Budget, there was a kind of condition just like the Governor

really pointed out in his speech but I see what is happening as a gradual reform and a gradual attainment of political and economic gains. What happened prior to 2003 Budget was that there was a little elevation than what is happening before.

You can recall, Mr Speaker, that the Government has done very well more especially in Agriculture, Education, Information, Works, Lands, Housing and Transport but we wish to urge the Joint Committees on Finance, Appropriation and Judiciary to make adequate recommendation especially in favour of Ministries that were poorly represented. I am talking of Ministry of Science and Technology especially and then that of Ministry of Youths and Sports. If you watch well, you can observe that most of our players in Rangers International are gradually decamping to other teams where they believe that they could be paid well. So, we are urging the Committee to make adequate recommendation to cover those areas so that they will move structurally with others because what has happened in the 2004 Budget, to my mind, appeared to be structurally functional, that means that almost all the sectors of the State Government had maximally received adequate share that could at least make all the Ministries work hand-in-hand.

I wish also to commend the Executive for recognizing that there are three arms of government, I mean the budget that was allocated to the Judiciary. I think this is the first time when Government has really taken into consideration that Judiciary is an important Arm of Government, and we say a big *thank you* for approving a lump sum of over four million Naira to the Judiciary.

Mr Speaker, having said all these, I do not want to repeat what others have said, I strongly align myself in favour of the previous speakers and urge my Colleagues to speak in favour of this Bill as it is structurally functional like I said already. None can work without the other and if you study the Budget critically you will find out that it has actually encompassed all the Ministries and Parastatals as given in their testimony, may be, during the defence of their Budgets. I think the Ministries were happy and everybody is happy and to crown it all, by the time we improve in our poverty alleviation, that would have solved a lot of problems; that would have actually dealt with education and even health. This is because if the government in trying to reduce poverty in Enugu State accomplishes that, I can assure you that virtually all the Ministries will attain a greater height and with these, Mr Speaker, I thank you for giving me the opportunity and urge my Colleagues to support this wonderful Bill. Thank you, very much.

Mr J. U. Onoh (Enugu North): Mr Speaker, my hon. Colleagues, we are all remembered by the efforts we all have made and our reward is also commensurate with what we have given. This year's Budget has actually dedicated so much to the payment of pensions and gratuities to those who have served the government selflessly and by doing so the Government has invested so much to ensure that those who have served us and retired will have their pensions and gratuities intact. By doing this, it has reduced poverty within some certain sectors of our economy.

The same budget has aimed at one of the basic essentials of life and that is health the same budget has actually tried very much to

provide us with the best accessible means of health facilities to enable us live a healthy life. And by spending so much on HIV programme, that will actually make people who live in both urban and rural areas to know much about this deadly disease called AIDS.

The budget has provided emergency ambulances that can help us in case of any emergency. We will not sit down there folding our hands or trying to run around looking for doctors for provision of emergency ambulances at our beck-and-call. In the same view, the same Budget has given so much to the branches of Education, Women Development, Youths and Sports. I cannot talk so much about something good but by your own hearts and your own eyes in the comprehensive list of this same Budget called a Budget of Integration, one can see the benefits to be derived.

I will not stress so much on what have been said. But I will urge all hon. Members to assist in the free passage of this Bill as it will benefit every one of us individually for a better today and tomorrow. I will rather say, may we all sacrifice our today to provide for the better tomorrow for all those around us and those to come after us.

Thank you, Mr Speaker, thank you, my hon. Colleagues.

Mr M. Onyeze (Igbo-Eze North I): Mr Speaker, Sir, I want to support my colleagues who have already spoken in favour of this Appropriation Bill that is before us. The spirit of this budget is very eloquent; it is people oriented, and that is to say that the elements in the various sectors are integrated, it is the human being that

will gain from it. I will not repeat what my Colleagues who spoke talked about.

I want to talk specifically on the allocations or projections to economic sector. In that Sector the Executive allocated Two Billion Naira for road development. We are aware that since the inception of this regime four years ago, the administration of His Excellency has made efforts through vigorous road development. In this year, we are lucky to have Two Billion allocated to that sector. This is for our people, when our people gain, we have gained. Road is one of the fastest ways of reducing poverty; when cost of transportation is reduced, movement of goods and services from parts of the state becomes facilitated. The Executive, by allocating Two Billion Naira to that Sector has given us more hope and faith.

The Rural electrification got One Billion Naira, when every community is given rural electrification, they start to develop faster because industrialization will be easier. In the rural communities where there is rural electrification, urban migration will be reduced.

Water also got Seven Hundred and Fifty Million Naira. The importance of water in the rural communities cannot be over-emphasised. I give example with my own community. Before 1999 we have no water; water is now everywhere even though we live in the boarder. Water is cheaper now in my village than here in Enugu. Fifty liters of water costs five Naira only. It is difficult to get such here. This is what we call dividends of democracy. People do not spend their time looking for water, because water is available everywhere.

Also on social aspects of Health and Education, one hundred million Naira was allocated to district schools, or neighbourhood schools where students from other schools come to study because it is not possible to provide all the facilities in those schools except in this District Centre, where students come to learn.

We are also aware that our university has stayed over the years without College of Medicine. Since last year our Governor has been making efforts to give us our own College of Medicine. This honourable House passed a Bill for the upgrading of Parklane Hospital into a Specialist Hospital. In this budget also the sum of one hundred million Naira has been allocated to that institution. Being a Specialist Hospital will make it possible for training of our own doctors.

Then we look at these sectors, we should support them by proper orientation of our people, for example, the Poverty Alleviation Programme, where one hundred people have benefited from. It is our duty to go home and prepare their state of minds for this scheme.

I think this budget is for us, it is for our people. If our people gain, we have gained because we are their Representatives. I urge our hon. Colleagues to give this Bill very urgent consideration so that the Executive will carry on with the good works that they have been doing in the various parts of the State. Thank you.

Mr E. C. Maduabu (Awgu South): Mr Speaker, Sir, I have risen to give my support and to make my comments on the *Budget of Invigoration 2004*. The Budget as we could have it, is all encompassing. It is

a very nice Budget of expression, if well implemented. In fact, the aim of poverty reduction and human development could be achieved with the Budget. The problem is its implementation by those that will handle the Budget.

I will speak mainly on rural Electrification. The sum of one billion Naira was perhaps earmarked out of that Budget for Rural Electrification. If well used, it will now make our rural areas to have electricity. Once our rural areas could have electricity, just as can be observed here, it will help to check urban migration. The NYSC Camp at Awgu, if electrified, will at least show that the Federal Government's aspect of providing electricity in the rural areas is a reality. It will there make the NYSC Camp viable. Since some years past, the NYSC Camp at Awgu has never had any sign of electricity. This year's Budget is proving that it has aims to energize the Awgu Orientation Camp. This was why I emphasized that if the Budget contents were implemented by the provision of electricity, all other developmental strategies will be a success.

On the provision of bore-hole water resources, with the electricity distribution, its enjoyment will be felt in most areas where they are provided. This will also help to eradicate urban migration. We have areas like Ugwueme which has never witnessed electricity but with the provision of Rural Electrification as contained in the Budget, it is anticipated that it could be extended to other areas.

On the issue of Agriculture, Enugu State is also the Food Basket of the Country. I am proud to say that Aninri, my Local Government Area, should not be forgotten

equally. At Uzo Uwani, we have Ada Rice Project. Please I am emphasizing that during the implementation of the Budget, Adani Rice Project should not be forgotten because I was privileged to visit the area. They have expanse of land for rice production. They have irrigation to encourage farming all year round. It was constructed by foreign firms. All these facilities seem to be forgotten. Most of these facilities have been vandalized. It could be emphasized that this year's Budget will invigorate and resuscitate the Adani Rive Project. I also wish to bring to mind Aninri as another area where Rice Production could be encouraged. Enugu State is mainly an agrarian area which deserves to be harnessed.

The area of manufacturing is another important area which emphasis should be placed for the production of Canned Juice and other canned beverages, which are being banned by the Federal Government. If Enugu State goes into manufacturing with the support of the University of Science and Technology, it will help to enhance the economy of this State, if given the proper attention. The State will be lively as far as manufacturing is concerned. These are some of the areas I will like to talk about in this 2004 Annual Budget. Every year the State roles out its work plan. What I am saying in essence is that if the Budget is properly implemented it will go a long way towards alleviating the suffering of the good people of Enugu State. I emphasise that if the Budget is properly implemented the welfare of the State will be guaranteed. Thank you, Mr Speaker.

Deputy Leader (Mr Anikwe): Mr Speaker, Sir, may I move that further debate on this Bill be deferred until a date to be

determined by the Rules and Business Committee of the House. Thank you, Mr Speaker.

Mr C. Enebe (Awgu North): Mr Speaker, Sir, I rise to second the Motion.

Question put and agreed to.

Mr Speaker: Further debates on Enugu State of Nigeria Appropriation Bill 2004 is hereby deferred to a later date which will be determined by the Rules and Business Committee of the House.

ANNOUNCEMENTS

Mr Speaker: Honourable Colleagues, I wish to formally welcome you all to yet another important year of deliberation. It is my wish that every one of you will deem it wise to participate actively and contribute effectively on issues that comes up on the Floor of this House. It is only when this is done that we will be able to deliver in our State.

I want to state that when the Executive plays her role, the House of Assembly will do the same, and the Judiciary will do the same. There must be a link between the three arms of government and it should be cordial. It will promote better relationship within the three Arms of government to enable us accomplish our legislative goals. That being the case, we must always maintain that separation of powers which must not be completely total.

As we all agree that separation of powers is not completely total, there must be rapport for discussions and dialogue. It is when there is dialogue that we will be able to come to a compromise for us to be

able to deliver to our people. There is no doubt that this great House of Assembly faces great challenges especially this point in time when we are battling with the 2004 Appropriation Bill.

We do hope that we will do justice to this Appropriation Bill which demands our comments to the Executive to enable her achieve success. It is an instrument, it is an authority and power that they now expect. It is our hope that the entire House will work harmoniously to ensure the passage of this 2004 Appropriation Bill, which will be the actual power and instrument to enable the Executive to perform. Based on the challenges success will not be achieved where rancour and bickering exists. I therefore urge hon. Members to display hard work at all times.

May I use this opportunity to express my happiness to all the staff of the Assembly for their wonderful cooperation throughout last year 2003. I also hope that we are going to enjoy the same cooperation being delivered to all the members of the House this 2004. I wish to extend my happiness to the Clerks-at-Table, the Press for their wide coverage given to this Honourable House. I urge the entire staff to endeavour as much as possible to give the House more coverage. I also enjoyed the support of everybody. I will not fail to mention that all the hon. Members have carried out their duties diligently and harmoniously.

I wish to state that I am so much impressed with the activities of some of you. I think the Chairman of various Committees for their hard work and commitment to duty. At most, all their endeavours to protect and project the integrity of this honourable House. I have

to state that Committees are the life wire of any Assembly. When I say *life wire of any Assembly*, I mean every bit of my words.

So I wish to appeal to those of you who are not actually performing to try as much as possible to buckle up. I believe that the Committee you occupy today may not be the Committee you will occupy tomorrow. I hope that in no distant time, we will reshuffle the Committees you are chairing. That will determine whether you will still stay in your former Committees or not.

I have to state too that it is not a must for you be the chairman of a Committee. It is not that you are not competent.

On that note, I sincerely welcome you back to Enugu. I urge you to keep the flag flying. I assure you of my maximum co-operation. Call on me whenever you feel that I am derailing.

I thank you all, I believe that the Almighty God will see us through. Thank you, and God bless.

Meeting

We will meet briefly in my office on the rising of the House.

ADJOURNMENT

Deputy Leader (Mr Anikwe): Mr Speaker, I hereby move that this honourable House do now adjourn until Tuesday 20th January, 2004 at 10 a.m. Thank you.

Mr E. Maduabu (Awgu South): Mr Speaker, I have risen to second the Motion moved by the Deputy Leader (*Mr Anikwe*).

Question put and agreed to

Resolved: That the House do now adjourn until Tuesday 20th January, 2004 at 10 a.m.

Adjourned accordingly at 1.47 p.m.

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**ENUGU STATE OF NIGERIA
PROCEEDINGS**

**AND DEBATES OF THE
FIRST SESSION OF THE
THIRD ASSEMBLY**

ENUGU STATE HOUSE OF ASSEMBLY

OFFICIAL REPORT

No. 47

**Tuesday
20th January, 2004**

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No proofs of the Daily Reports can be supplied. Corrections, which Members suggest for the Bound Volume, should be clearly marked in the Daily Report, but not telephoned and the copy containing the corrections must be received at the Editor's Room, House of Assembly

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HOUSE OF ASSEMBLY
ENUGU STATE OF NIGERIA

Tuesday, 20th January, 2004

(The House met at 10 a.m.)

PRAYERS

(Mr Speaker in the Chair)

APPROVAL OF VOTES AND
PROCEEDINGS

Mr Speaker: Honourable Colleagues, our Votes and Proceedings No. 46, dated Thursday 15th January, 2004 are before us. I have gone through them, and to the best of my knowledge they are correct. However, I need your contributions. Thank you.

Mr E. Maduabu (Awgu South): Honourable Speaker, I have as well gone through the Votes and Proceedings of 15th January, 2004 and I found them to be correct reflection of what we discussed on that day. I therefore, move for its adoption. Thank you.

Mr F. Onah (Nsukka West): Mr Speaker, I have risen to second the Motion.

Question put and agreed to.

Votes and Proceedings of 15th January, 2004 accordingly adopted.

ORDER OF THE DAY

THE ENUGU STATE OF NIGERIA
APPROPRIATION BILL, NO. 8, 2004

Adjourned Debate on Second Reading
(15th January, 2004)

Mr Speaker: Honourable Colleagues, you will recall that the second reading of this all-important Bill came up last week and along the line the debate was deferred to a later date to be determined by the Rules and Business Committee of the House. Today, it is reflected on the Order Paper. So, I wish to request that those who have not contributed to the debate can now do so. Thank you.

Mr J. Anichukwu (Nkanu East): Thank you, Mr Speaker. I am happy that you have asked me to identify myself with this budget. An Igbo adage says: *Ogbara nkiti kwerekwe*. That means the budget is very good. I should not fail to make my own contribution or evaluation and by my own understanding of the budget, His Excellency said *Budget of Integration*. I call it *Budget of Continuity* because some of us who know (*Interruption*).

Thank you very much, Mr Speaker. I am still very happy I have been enjoying your protection. I did say my own interpretation because we are all sons and daughters of Enugu State and we are living witnesses to the goings-on in the past four years of the administration of Dr. Chimaroke Nnamani. Why I said this is that everything he puts down he has been doing, there is no single joke about any comment in the budget the way I understand it.

My additional prayer is if this budget as usual, is well implemented, I believe the problem of Enugu State would be solved because the budget contains a lot of good ideas which goes a great deal to signify that the interest of a common man and the interest of the masses, both rural and urban dwellers, are closely being taken care of by the Executive. Going by the contents of the budget, under economic planning, the agric sector which is the major sector for the survival of Nigerian economy even before the advent of the oil, has been well taken care of. No nation survives without food and the Executive is quite aware of that. That is why the budget has in its entirety taken care of the agric sector because naturally the Igbo man is known for agricultural activities. I am a rural man and whenever I go home and come back, definitely some of our hon. members might have noticed a lot of difference in my outlook.

By this Budget we are made to understand that there is an aspect of it, which, if well implemented, will make Enugu State to be one of the best in Nigeria. I am happy that the Committee has been doing a lot of work to make sure that no single stone is left unturned towards making sure that the Budget is realistic at the end. On rural electrification, we all are living witnesses to the efforts of the Executive Governor of Enugu State in making sure that every community gets electricity, possibly before the end of this year.

With reference to Social Sector, Education, Health, or even the newly created Ministry of Human Development, Neighbourhood Development, Poverty Eradication/ Reduction, His Excellency has

mapped out N485 million Naira to make sure that no matter where you are in Enugu State, be it in the rural area, you will get the dividend of democracy once more.

Generally, Mr Speaker, that is why it is difficult for one to make criticism. What I have just done is evaluation; what I have just done is appreciation; what I have just done is to express my total support. I am happy and highly impressed that for the first time I will be involved in passing this kind of a Bill. And my friend will say that this is a high impact Bill to the betterment of Enugu State and this honourable House. Once again, the electorate will know that we are actually doing a good job because when you see a good job you will appreciate it. So, Mr Speaker, with this I am very happy to have been given the opportunity to say I am impressed with this Bill and my hon. Members will equally look at it so that we will not delay in giving the Bill a quick passage. Thank you, Sir.

Mr C. Ugwu (Enugu East II): Thank you Mr Speaker. The aims and objectives of His Excellency on the Budget is very specific and direct. It is direct in the sense that the Budget is targeted towards reduction of poverty in the State. And to buttress my points, if you go to Agricultural Sector, His Excellency magnanimously approved the sum of N50 million Naira to ENADEP. This ENADEP has international connections and I know that for some time now the activities in ENADEP have crumbled because of fund and thanks be to His Excellency for the release of the sum of N50 million Naira. I know with this ENADEP will now affiliate with the world agencies or international organizations for its own activities. And going by the recent happenings in Calabar, a nearby city, where

there is a cassava disease now and I know, that Calabar is very close to Enugu. This disease is called *mosaic one and two* and is causing serious havoc in Calabar now. So, with this N50 million Naira now, I know that ENADEP will be on the ground to fight the disease assuming it is noticed here.

If you go to manufacturing sector too, the international market and Enugu cement company, if they are in place, I know will give an opportunity for employment of indigenes and residents of our Enugu State.

Mr Speaker, Sir, under Transport Sector, the State Government has a good programme and I know that at the end, the entire fifty six local governments must have been connected with road. Those living in the border like I said will have a face lift. On Education, His Excellency ...

Mr E. Odo (Igbo Etiti East): Information, Mr Speaker I want the last Speaker to restrict himself because I understand that it was only Five Million Naira that was allocated to ENEDAP and not Fifty Million Naira.

Mr Ugwu: I refer the last Speaker to His Excellency's Budget Speech, page 8.

Mr Speaker: Yes page 8 of the recurrent 2004 Budget.

Mr Ugwu: We have ENADEP, Fifty Million Naira as an appropriation within the year.

Mr Odo: Mr Speaker, let me refer you to the Draft Estimate Capital Expenditure page 54. Just across that page, item 22, what is there is ordinarily, Five Million Naira, just forget the component.

Mr Speaker: You said forget the component, if you look at that place, it said *foreign component* that is two components making one, ENADEP is only State affairs, if there is foreign loan, it is part of the allocation. You will not treat that in isolation it is inclusive.

Mr Ugwu: Mr Speaker, in addition, it is budget estimate, anything can happen.

Mr Speaker: It is an asset it is part of it.

Deputy Leader: Point of Order!

Mr Speaker: What is the Point of Order based on?

Deputy Leader: My point of order is on the Member of the Appropriation Committee. The last Speaker is a Member of the Appropriation Committee and he was there yesterday when it was clearly summarized as Five Million Naira.

Mr Speaker: Why is the Deputy Leader talking about Five Million?

Deputy Leader: It is an intension.

Mr Speaker: I agree that it is an intention just like other allocations. Page 22 is clear, so it is part of it.

Deputy Leader: Mr Speaker all the Members agreed that it should not be fifty million but five million.

Mr Speaker: The Commissioner for Finance during the Budget break-down outlined all these things, he said that forty-five million is part of it just like in the case of DFID where the State Government is to provide counterpart fund as part of over-all

fund. If you do away with the forty five million where will you put it. In the Governors Budget Speech he said that fifty million has been allocated to ENADEP. Let me ask the Deputy Leader, if he has domestic debt and foreign debt, will he add both together or will he separate the foreign from the domestic.

Deputy Leader: You have the domestic one because you have already consumed the foreign one. (*Laughter*).

Mr Speaker: What we are going to get is forty five million which the Government has mapped out and the five million added together. This is very clear.

Mr Ugwu: I was commending His Excellency allocation on transport sector. The Government's project to link all road network is commendable. I know that by the end of the project, especially the Ugwuogo-Nike-Opi road and Ugwuogo-Nike-Ehamufu road must benefit. I know the gains and the benefits.

If you go to the Educational Sector, the State has continued to witness uninterrupted academic programme just because of His Excellency's vision in both Secondary and Tertiary Institutions in the State.

On Health, the upgrading of Park Lane General Hospital into a Specialist Hospital so raised the hopes of the people of Enugu State that they cannot now feel sad over the movement of the University Teaching Hospital UNTH out of the Metropolitan City.

Also on Health, in His Excellency's Speech, he said that he will intensify his

efforts in fighting this deadly disease called AIDS. If we look at statistics, we will see that the ages of between sixteen and twenty-five are where the disease is high and I thank His Excellency for having shown serious attention in this area.

Concluding on Health Sector, in the Enugu State University of Science and Technology (ESUT) College of Medicine there is serious work going on there. Going back to Information, I am happy with the speech of the Governor by promising that the Enugu State Printing and Publishing Corporation the Publishers of Daily Star will receive attention. I know the state of the *Daily Star* before and I know the state of *Daily Star* by 1999, I know there is improvement since 1999 when His Excellency took over the helm of affairs in the State. I thank him for having serious interest in the Newspaper.

In Town and Country Planning, attention has been given to streetlights. I know that in the past, if you are a visitor to Enugu town, while moving round at about 6 p.m. to 7 p.m., you will observe that everywhere will be flourishing with electric lights. The weather will assume daylight. The above experience is no longer there. I believe that was why the sum of Thirty Million Naira was earmarked for this project in the 2004 Budget.

I want to use this opportunity to urge His Excellency the Governor of Enugu State, Dr Chimaroke Nnamani to take a second look at the dualization of New Haven Road (Chime Avenue), Enugu. This road is a very busy road in Enugu State. It is also one of the earliest roads in Enugu town. The dualization of Chime Avenue, New Haven, Enugu is long over due. I plead to

His Excellency, to take serious steps toward the dualization of this all-important road. In summary, I believe that the Executive will implement her decisions as per the road project as reflected in the Budget of Year 2004. I therefore urge my hon. colleagues to speak in favour of the Budget and give it a speedy approval. Thank you, Mr Speaker.

Deputy Speaker (Mr Atigwe): Mr Speaker Sir, I have risen to contribute to the on-going debate on 2004 Budget. The Budget is titled *Budget of Integration*. I will also wish to refer to the past years' Budgets that have contributed immensely in modeling the lives of the good people of Enugu State. The Budget of year 2000 was christened *Budget of Transformation*, while that of year 2001 was tagged *Budget of Consolidation*, while Budget of 2003 was labeled *Budget of Reinvigoration, sustainability and actualization*. Mr Speaker, Sir, this year's Budget is part of the continuation of the good deeds of His Excellency, *Ebe Ano*. The 2004 Budget of Integration sent to the House for consideration is here with us. I stand to contribute to its passage. You will agree with me that this Budget of Integration is for participatory Democracy. The Budget is to model our lives. The Budget is also a part of the dreams of His Excellency for 1999, when he came to rule Enugu State for the very first time. Therefore this Budget is raw material of reality.

Mr Speaker, Sir, I have to state that the highlights of the 2004 Budget is hinged on Agriculture. You will agree with me that the most learned people have stated on the Floor of the House that Booker T. Washington said: *There is more dignity in belonging to tilling of the soil than writing*

of a Poem. His Excellency is now fighting food scarcity and that was the reason for the provisions made to Agricultural Sector. Permit me, Mr Speaker, to analyse this Agricultural Sector properly. The sum of N216.250 million was allocated to Agriculture. We observed some Modern Farms mentioned in the Budget for places like Akpugo-Eze, Obeagu, Ukehe and Adani in Uzo Uwani. While Ette Modern Farm is missing conspicuously in the Budget. I am calling on the House to make all necessary arrangements to include Ette Farm in this 2004 Budget. They should also allot the sum of N4 million accordingly to that farm.

Mr Speaker: I want to ask a question. Please, did I hear the Deputy Speaker (Mr Atigwe) demand that Ette Farm be included in the Budget and that the sum of N4 million be allocated to that farm?

Deputy Speaker: Yes, Mr Speaker Sir, I made mention of those things.

Mr Speaker: Where do you want the House to get the N4 million Naira?

Deputy Speaker: There is on the Budget an area where the sum of N16 million Naira was lumped together on Agriculture. I therefore suggest that the money could be carved out from there. Mr Speaker, Sir, I hope to elaborate on my suggestions during the amendment Session. Large sums of money were also allocated to ENADEP for their *Demonstration Farm*. We also have raw materials at Ette Farm, talkless to mentioning its inclusion as a *Demonstration Farm*, my constituency will be glad to hear such.

On the issue of Commerce and Industry, mention was made on New Haven Shopping Centre nearing completion. In this Year's Budget there was no mention as to the sums allocated to the project. I am praying the Executive not to say that the Shopping Centre is nearing completion, but rather to speed up action towards the accomplishment of that project.

Mention was also made on the provision of infrastructure for easy operations at the multi-billion Naira Ama Brewery. At this juncture, commendations will go to Enugu State Government. I pray God to bring money for the accomplishment of this task.

The sum of N33 million is allocated to strategic pilot fruit juice factory. I again want this very pilot factory project to be located right in Ette farm. Ette farm is the largest modern farm in this part of Enugu State.

This farm as we all know is for poverty reduction. It is not for eradication completely. The government is encouraging this sector. Again as I see it, it is the new avenue of getting more revenue for the government.

Rural Electrification: My Constituency is expected to benefit from the third phase of this project. An allocation of N350 million is there. Mr Speaker, I want to use this singular opportunity to remind the government and the Rural Electrification Board (REB) that the transformers, the wire sling, the insulators lying down at Umuogbuagu, Amachalla, and Amufu all in my constituency, are lying waste. The government should do something during this time around to make sure that they are installed.

Finance: The government is encouraging this sector, only that the government should know and expand her revenue base. It should not depend on Abuja allocation alone. This government like I have said earlier, have come to change our lives. We should follow suit.

Transport: I have to remind the government that after providing for the urban and rural areas, the Golf Estate is there. That Golf Estate is like ... may I quote my good Friends of Enugu East and Enugu South because they have the urban and rural areas. The Golf Estate is nearly rural and I understand it is the rural area. The government should do something to develop it, to tar the roads there. I say so because the people and countries of South Asia, such as Japan, Taiwan, urbanized their rural areas and today they have what we call infectious development.

His Excellency's urbanization of rural areas will bring more development, more poverty reduction and I know that may be before he leaves office, nearly poverty eradication in our State will nearly be a reality.

Social Services: The author of democracy dividend in this part of the world have again called for more social democracy for our people. No sane man will criticize this sector. It is said that our people, I mean the Igbos are lagging behind now in education. Our sons are now drop-outs from schools. Very soon, we will produce literate mothers and illiterate fathers. That will be a problem in future.

Information: Mr Speaker, it has been observed that information gap between the high and the low and between the

government and the governed create social problems. There, Mr Speaker, my people of Idoma do not have information on what the government is going. In Enugu State, we have three languages; the Igbos, the Igallas and the Idomas. In Enugu State here, the Igbos are there for *Ndi-Igbo Deje*, the Igallas are there for *Igalla Mewa*, the Idomas are not there and every human being, every living thing needs information around him or her. Even the animals need information.

His Excellency was around for campaign in this area, and he promised that these languages will be integrated in our system I mean in the ESBS/TV and ESBS AM and FM. I am reminding the executive to do something about that. By Section 39 (1) and (2), these people are entitled to that under the constitution of the Federal Republic of Nigeria.

Community and Neighbourhood Development: Igbos are known for self-help. This budget is for integration. We should participate, all should participate in the Community Development County Council (CDCC) programme. There, Mr Speaker, I have to refer to Dr. Martin Luther King (Jnr) and I quote: *if you cannot fly, you run, if you cannot run, you walk. If you cannot walk, by all means keep moving.* Here I mean we should work like a trinity, like a team to help the Governor to achieve the aims and objectives of this government. Mr Speaker, the greatest enemy of man, which is time, is kicking against me.

Legislature: I thank the executive for the democracy dividend we are now having. I am saying that it should not relent at this stage. I am saying that it should be

lifted more. The legislative House is where the democracy is practiced. The real democracy is practiced on the Floor of this House, and we are saying that the allocation to this arm of the government should be released and as when it is due.

Mr Speaker, I beg to rest my contribution. I wish the budget to be passed accordingly. Thank you, Mr Speaker.

Mr M. Njeze (Udi North): Mr Speaker, fellow hon. members, it is my wish to contribute on this 2004 plan of action of Integration. I stand to say that my people whom I represent in this honourable House are very much at home with the contents of this budget on the ground that they hope that the budget will be carried out to the letter. We note that Udi North is well represented in this budget. We equally note that last year's budget Udi North was remembered but not implemented. We pray that the constraint of last year's budget shall not occur this year to the good plans of the Executive to my people this year, which has to do with the Enugu Ring road network. The one that traverses through Udi North that will make it possible for the three Local Governments in that area to be linked, that is; Akpakwume Nze, Afa, down to Awhum, shall see the light of the day at the end of this year. I am making this special remark and prayer because we note that the budget has some reasonable deficit that the source of income, the total money expected for the year is not up to the total amount to be spent, because the sources of generation of about 6.8 billion Naira is not yet known. So, the people of Udi North are praying that the part of the budget that has to do with Udi North be given a priority in the available resources.

That aside, we equally note this budget has a lot of good intentions for the upliftment of the State, Enugu, and we are in support that the budget be passed. I wish to plead with my Colleagues that having seen that the Executive needs additional amount of about N6.8 billion which source of generation is not yet known, that we step down any intention to increase this deficit and shift it to next year since we all know that the night does not end the day. Those that were not included this year may be included in the next year's plan of action, and resources available for that year used to execute them. Part of my reasons is for us to see that this House, when we pass this Appropriation Bill, will be happy at the end of the year to sit and say, *yes*; we passed a Bill for execution of specified projects and we are happy to see the funds were used as approved. But when we have too much deficit, definitely what we have planned without providing for, cannot be executed. That is the basis on which I am appealing to my Colleagues that we pass this Appropriation Bill as it is without further inflation of a deficit.

Mr Speaker, with this few comments, I wish to end my contribution here and plead that we give the budget a passage. In the absence of any other hon. member wishing to contribute further, may I ask, Mr Speaker, that the Question be now put. Thank you.

Question, That Question be now put, put and agreed to.

Bill accordingly read the Second Time.

Mr Speaker: Honourable Colleague, the Enugu State of Nigeria Appropriation Bill No. 8, 2004 has now gone through the

Second Stage. I stand to say that today we have concluded the Second Stage of that Bill. The House Committee on Finance and Appropriation and Judiciary will send their report as appropriate. I wish to express my happiness to all of you for a job well done. In pursuance to Section 64, Sub-section 5, the Bill stands committed to the Committee of the Whole House otherwise called the Committee of Supply. I thank you very much for your wonderful contributions, I say, to God be the Glory.

ANNOUNCEMENT

Mr Speaker: Honourable Colleagues, we will meet for about two minutes on the rising of the House in my office. It will not last longer than two minutes, please.

ADJOURNMENT

Leader (Mr K. Ebenyi): Mr Speaker, hon. colleagues, I humbly move that the House do now adjourn till on Thursday 22nd January, 2004 at 10 a.m.

Deputy Speaker (Mr Atigwe): Mr Speaker, I beg to second the Motion.

Question put and agreed to.

Resolved: That the House do now adjourn till Thursday 22nd January, 2004 at 10 a.m.

Adjourned accordingly at 2.32 p.m.



**ENUGU STATE OF NIGERIA
PROCEEDINGS**

**AND DEBATES OF THE
FIRST SESSION OF THE
THIRD ASSEMBLY**

ENUGU STATE HOUSE OF ASSEMBLY

OFFICIAL REPORT

No. 48

**Thursday
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HOUSE OF ASSEMBLY
ENUGU STATE OF NIGERIA

Thursday, 22nd January, 2004
(The House met at 10 a.m.)

PRAYERS

(Mr Speaker in the Chair)

APPROVAL OF VOTES AND
PROCEEDINGS

Mr Speaker: Honourable Colleagues, our Votes and Proceedings No. 47, dated 20th January, 2004 are before us. I have gone through them and found them to be correct. However, I wish to call for your comments. Thank you.

Mr J. N. Anichukwu (Nkanu East): Mr Speaker, Sir, I have equally gone through the Votes and Proceedings and found them to be correct. I now move for their adoption. Thank you.

Deputy Leader (*Mr P. Anikwe*): Mr Speaker, Sir, I have risen to second the Motion for the adoption of the Votes and Proceedings.

Question put and agreed to.

Votes and Proceedings of Tuesday 20th January, 2004 accordingly adopted.

PRESENTATION OF BILL

THE ENUGU STATE UNIVERSITY OF
SCIENCE AND TECHNOLOGY
EDICT (AMENDMENT)
BILL, NO. 2004.

A Bill for a Law to further amend the Enugu State University of Science and Technology Edict 1996 as Amended, presented by the Leader of the House (*Mr Ebenyi*), and read the First Time.

Leader (*Mr K. Ebenyi*): Mr Speaker, Sir, may I humbly move that the Bill be read a Second Time.

Deputy Leader: Mr Speaker, Sir, I have risen to second the Motion.

Mr Speaker: Honourable Colleagues, you have heard the Motion as proposed and seconded.

Leader: Mr Speaker, Sir, once more, the Bill before this honourable House, ie, the Enugu State University of Science and Technology Edict (Amendment) Bill, No. 1, 2004 is an amendment Bill which seeks to further mend the original Edict, as amended. The Enugu State University of Science and Technology amendment edict 1998 established such campuses as colleges, faculties, institutions, schools, extra moral departments and other teaching and research units within the confines of the University. Mr Speaker, before this time, in 1998, an edict was enacted by the then Military Administrator of Enugu State which made provision for the establishment of College of Health Science at Nsukka. The cost of running this College is so enormous that it is becoming so unbearable for the State Government and the University. All the

lecturers that lecture at the College of Health Science Nsukka go from Enugu to Nsukka every day to deliver lectures, and one can imagine the high risk of traveling the express road from Enugu to Nsukka.

Thus, this makes it very hard for good lecturers who are willing to take such high risk as to travel to Nsukka from Enugu everyday to be hired by the institution. As you can see, at Nsukka, all the lecturers that lecture at Health Sciences, Nsukka come from Abakaliki and they go from there everyday and come back to Enugu and others will go back to Abakaliki. Because of the high risk they are taking, when you approach any of the lecturers you can hardly get anyone to accept to go to Nsukka to lecture. The amount of money they will charge for undertaking such risk will also be enormous. At last, you find out that it is only mediocre lecturers, those who do not have anything to do that will accept to go to Nsukka and lecture these students.

Again, Mr Speaker, if one takes a look all over the world, one finds that University campuses are always situated within the area of the University. You do not have one campus here and other satellite campuses everywhere. It does not make for easy administration of the University. If the College of Health Sciences is established in Enugu, it would enable the School to enjoy the services of experts and consultants from UNTH and Park Lane Specialist Hospitals. These are institutions that have been well established for a long time.

Mr Speaker, this time around that the country, especially the State Government, is talking of meager financial resources, it is very, very wise that we should bring back

this Campus of the University to where the main Institution is, so that we should reduce the cost and produce high quality students. Mr Speaker, I therefore specifically urge my Colleagues to please, support this very important Amendment Bill so that it can be passed. Thank you, Mr Speaker.

Deputy Leader (Mr Anikwe): Mr Speaker, I have risen from my seat to support this import Amendment of the already existing Edict. If you go through the proposed amendment of that law, you will discover that, primarily, the democratic characteristic of our Governor is yet to be imparted in the existing law where we have Military Administrators when we are now really running a democratic government and that is sufficient enough for such amendment.

Mr Speaker, on the issue of the essence of the University as a teaching institute, you will discover that I am privileged as a Member of Education Committee of this House to know that the Medical Department of the University is yet to be accredited. And the major problem is the issue of a teaching hospital formally affiliated to the university.

You will recall that last time we passed a Bill upgrading the existing Park Lane General Hospital to a Specialist Hospital. The Bill was intended in good fate to actualize the proper and practicable administration of the medical students and the medical unit of this only University of Science and Technology, the first of its kind in Nigeria. We will not be doing our people any good if we continue to admit students into the school of medicine and at the end of it all they will not graduate and even if they graduate they will not be certificated,

because the course is not accredited by the National University Commission.

I think this Bill is primarily seeking to bring into effect the actual and authentic existence of the medical unit of the Enugu State University of Science and Technology. Like the last speaker said, Mr Speaker, we have two existing Hospitals within the vicinity of Enugu which can now help if this Health College is re-established here in Enugu. I know Enugu State comprises Nsukka but we are talking of the vicinity of Enugu.

Mr Speaker, I have no doubt in my mind that the good intent of this amendment is sought in the law primarily to let us understand that we are under the democratic government. We have in the Edict the issue of *Military Administrator* and this Bill seeks to replace such terminology wherever it exists with the *Governor*, a democratically elected Governor and for that matter a performing Governor. So, Mr Speaker, the good intent of this Bill is that it will first of all be an honour to this House that the long awaited accreditation of the most famous medical department of Enugu State University of Science and Technology is actualized when our own voice was added to it. It will also be a greater honour to this honourable House and a greater responsibility and a reflection of our responsiveness to the greater majority of our students in Enugu State. Mr Speaker, I therefore call on my Colleagues to give this particular amendment Bill its due passage.

Mr J. N. Anichukwu (Nkanu East): Mr Speaker, I am happy to be given the opportunity to support this all-important Bill. All-important in the fact that for any

meaningful society to progress, education has got to be taken seriously in all its ramifications. Democracy is good; that is why it is a gradual process to change Edict into Law and in doing this a lot of considerations are taken.

Like my Colleagues had earlier observed, Enugu State University of Science and Technology (ESUT) as at now remains in history, the only university that Enugu State has but it surprises me that up till now the faculty of medicine is yet to be given its due status. I believe that taking these steps, sooner or later we shall all achieve our objective whereby this faculty of medicine will be recognized internationally. In like manner, I think that the University of Nigeria, Nsukka has its Faculty of Medicine here in Enugu and the Faculty of Medical Teaching should also be a stone throw from the main campus. My Colleagues have already observed that the purpose of this Bill is for continuity because a lot of the teaching and learning effectiveness on the faculty will be realized if it is close to the main campus of the faculty.

On the issue of risk on the lecturers and students it is not only carving out a branch of a faculty that matters; what really matters is the effectiveness of the faculty because the academic welfare of the lecturers must be taken into consideration because traveling very far might increase the risk involved and the students actually ought to live very close to the main faculty.

So, I think the intent of this Bill is very well articulated as has earlier been observed. It is just for the purpose of continuity and effectiveness, because the Enugu State University of Science and

Technology is not only concerned with the number of students it produced, but also with the quality of students and the clinical teaching standards of the students. This will ensure that in future both critically and practically any graduate from that University of Medical Faculty will be definitely proud that he or she has gone through the medical training in that University. All these things will be possible if the teaching and learning atmosphere are closely monitored.

Mr Speaker, I think, there is every good intent in that Bill. That is why I am urging my fellow hon. Colleagues to look at it from the positive angle and I will be happy at the end that the Bill is given its due passage. Thank you, Mr Speaker.

Mr C. Ugwu (Enugu East II): Mr Speaker, Sir, I wish to add to the speeches of argument made by my hon. Colleagues that had spoken earlier. The amendment of this Bill is highly welcome. It is welcome in the sense that States where this type of institution is established, there are various faculties, schools, etc. within the University.

There are lots of reasons adduced by my hon. Colleagues against the different campuses scattered all over the State due to emergency demands. For instance, we have the UNTH here in Enugu, it plays a great role in the servicing of academic pursuits of the University of Nigeria, Enugu Campus (UNEC). The Faculty of Law is very close to Secretariat where we have the Court of Law. The reasons for the above could be apportioned to long military dictatorship in Nigeria. However, one would have loved to continue making contributions on the debate, but based on the facts adduced by

my hon. Colleagues and some State functions yearning for the attention of the hon. Members, it made most Members to be silent, meaning that they have given their consent to the Bill. I therefore urge Mr Speaker to put the Question. Thank you, Sir.

Mr Speaker: I object to that Motion. Please I need more contributions from the Floor.

Mr C. Ugwu (Enugu East II): Mr Speaker, Sir, I thought I made a Motion that you put the Question?

Mr Speaker: I have the right to over-rule your Motion.

Mr J. U. Onoh (Enugu North): Mr Speaker, Sir, I rise to Second the Motion.

Mr Speaker: The hon. Member for Enugu North (*Mr Onoh*), does not need to second the Motion. I have over-ruled and there is no Motion on the Floor of the House for now. I need more comments on this very debate.

Mr E. C. Maduabu (Awgu South): Mr Speaker, Sir, the Bill before the House is of high impact. It is trying to bring some cohesion in the academic business of Enugu State University of Science and Technology (ESUT). The essence of this Second Campus at Nsukka to be brought within the environment where Enugu State University of Science and Technology is situated is very important.

I was at the University of Ibadan not long ago, the University Teaching Hospital at Ibadan was sited within the Medical Department of the University so that

students could walk from the Main Campus to other departments. It will make for easy academic environment, where students could interact with Colleagues of other departments in the University. I have also visited University of Lagos and I saw that the Medical Department is situated within Lagos. It was easy for students to move from the Main Campus to other departments. Just like in the Secondary Schools where boarding system is established, students stay together to carry out their academic interactions. Students can now study together.

The issue of scattering Campuses does not make for healthy academic performance. It is better not to stagger University Campuses. Having Medical Department of Enugu State University of Science and Technology at Nsukka where nothing like academic work is happening, should not be encouraged. It will produce students that are half-baked. Most of the lecturers do not like going there. It is better to locate the Medical Campus within Enugu where both the lecturers and students will have cordial academic environment. I am highly in support of this Bill.

I am therefore asking my hon. Colleagues to support the passage of this Bill. I do not intend to ask Mr Speaker to put the Question. I believe that more Members are interested to talk in favour of this all-important Bill. I am therefore requesting my Colleagues to help this Bill excel. Thank you, Mr Speaker.

Mr A. O. Chigbo (Uzo Uwani): Mr Speaker, Sir, based on the documents available here, the Gazette establishing the Enugu State University of Science and

Technology (ESUT) was promulgated in 1996.

Its first amendment took place in 1998 two years after, the Second amendment took place on 27th January 1999. It is third amendment we are talking of today 22nd January, 2004. This is five years after. Mr Speaker, Sir, based on this, if you subtract four years from five years, that His Excellency, Dr Chimaroke Nnamani has served this State, you will observe that the military, within two years, have effected amendments up to one to two years, after the first amendment had taken place.

In paragraph 2(e) of the document available to the House, you will observe in that Section that *Abakaliki* was deleted to insert *Nsukka*. Today, we are talking of deleting *Nsukka* to insert *Enugu*. Mr Speaker, Sir, I want to make a remark on family life. That was the reasons some people detest getting married to a lady working under the Federal establishment because of the issue of staying together. If you, the wife is here in Enugu, the husband will be posted to work in Abuja the life and mutual understanding of the family becomes a problem. So this very amendment is seeking to bring the University and Faculty of Medicine together and that was how the marriage issue comes into play. I am in full support of this amendment so that ESUT Medial School will now remain with the parent body. Mr Speaker, Sir based on the aforementioned points, I hereby move that the Question be put.

Question, That the Question be now put, put and agreed to.

Main Question put and agreed to.

Bill accordingly read the Second Time.

Mr Speaker: Honourable Colleagues, the Enugu State University of Science and Technology Amendment Bill No. 1, 2004 has now been read the Second time. I thank you very much for your contributions.

Leader (Mr Ebenyi): Mr Speaker, the Bill, having been read the Second time, may I now move that the House resolves itself into the Committee of the Whole House for the purpose of considering the Bill.

Deputy Leader (Mr Anikwe): I have risen to second the Motion that the Bill be considered in the Committee of the Whole House as moved by the Leader, (Mr Ebenyi).

Question put and agreed to

**THE ENUGU STATE UNIVERSITY OF
SCIENCE AND TECHNOLOGY
EDICT (AMENDMENT)
BILL, NO. 1, 2004.**

A Bill for a Law to further amend the Enugu State University of Science and Technology Edict 1996 as amended – (Considered in the Committee of the Whole House).

SECTION 2 (INTERPRETATION) –
ordered to stand part of the Bill.

SECTION 3 – (AMENDMENT OF SECTION 3) –
ordered to stand part of the Bill.

SECTION 4 - (AMENDMENT of Section 5) –
ordered to stand part of the Bill.

SECTION 5 – (AMENDMENT Statute of 13) –
ordered to stand part of the Bill.

SECTION 6 – (GENERAL AMENDMENT) –
ordered to stand part of the Bill.

SECTION 7 – (REPEAL) –
ordered to stand part of the Bill.

TITLE –
agreed to

ENACTMENT – (Short title and Date of Commencement).

Mr Speaker: When is the Bill taking effect?

Several hon. Members: The commencement date should be today (22/01/2004).

Short Title and Date of Commencement –
agreed to.

Leader (Mr K. Ebenyi): Mr Speaker, may I now move that the Enugu State University of Science and Technology Law (Amendment) Bill No. 1, 2004 be read the Third time.

Question put and agreed to.

Bill accordingly read the Third time and passed.

Mr Speaker: Honourable Colleagues, the Enugu State University of Science and Technology Law (Amendment) No. 1, Bill has been passed. I wish to express my happiness to everyone of you for your cooperation. More importantly, like I said earlier, this Bill came here some couple of

days ago and I am aware that not every hon. Member was around because it came just last night. I thank you for your prompt articulation and understanding; I thank you for your cooperation; I thank you for the efforts made to ensure the passing of this important Bill. To God be the Glory.

Governor of Imo State. I am doing so because it will not be proper that such a personality of his caliber died and his name was not mentioned in this honourable House. I sincerely pray God to give his family the heart to bear the loss. Thank you very much.

ANNOUNCEMENTS

Invitation

Mr Speaker: All the hon. Members are invited to a function at the Old Eastern House of Assembly. Since we are all invited, I appeal that we shall all move for the function after the rising of the House because all of us are expected to be there.

Appeal to Joint Committees

I equally appeal that the Joint Committees of the House on Finance and Appropriation endeavours to forward the reports on 2004 Appropriation Bill at the next sitting on Tuesday, 27th January, 2004 since we were not able to do justice to the Bill before today. However, I depend on your cooperation.

ADJOURNMENT

Leader (Mr K. Ebenyi): Thank you, Mr Speaker. May I move that the House do now adjourn till Tuesday, 27th January, 2004, at 10 a.m.

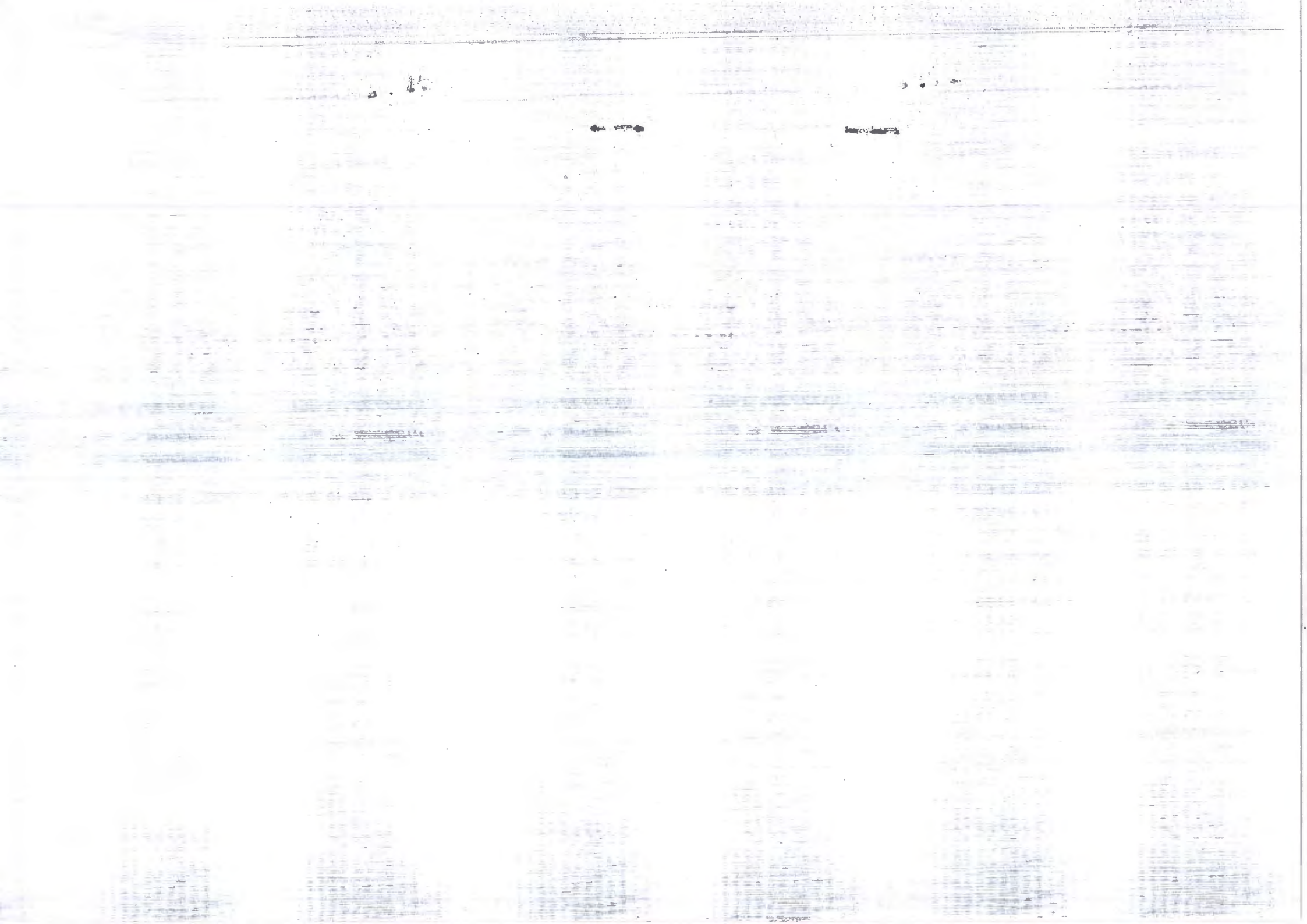
Late Chief Sam Mbakwe

Mr C. Enebe (Awgu North): Mr Speaker, I rise to second the Motion for adjournment and in doing so, I wish to make some statements concerning the death of late Chief Sam Mbakwe, the former

Question put and agreed to.

Resolved: That the House do now adjourn till Tuesday 27th January, 2004, at 10 a.m.

Adjourned accordingly at 12.13 p.m.





**ENUGU STATE OF NIGERIA
PROCEEDINGS**

**AND DEBATES OF THE
FIRST SESSION OF THE
THIRD ASSEMBLY**

ENUGU STATE HOUSE OF ASSEMBLY

OFFICIAL REPORT

No. 49

**Tuesday
27th January, 2004**

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No proofs of the Daily Reports can be supplied. Corrections, which Members suggest for the Bound Volume, should be clearly marked in the Daily Report, but not telephoned and the copy containing the corrections must be received at the Editor's Room, House of Assembly

not later than four days
after receipt of the Printed Report

Produced by the Publications Department
Enugu State House of Assembly

HOUSE OF ASSEMBLY
ENUGU STATE OF NIGERIA
Tuesday, 27th January, 2004
(The House met at 10 a.m.)

PRAYERS

(Mr Speaker in the Chair)

**APPROVAL OF VOTES AND
PROCEEDINGS**

Mr Speaker: Order Paper No. 49, Tuesday 27th January 2004, item 3, Approval of Votes and Proceedings. Honourable Colleagues, before us are our Votes and Proceedings No. 48, dated Thursday, 22nd day of January 2004. I have gone through them, and to the best of my knowledge, I think they are correct. I wish to call on Members for their contributions. So that we can give it a legal backing.

Mr C. Ugwu (Enugu East II): I have equally gone through Our Votes and Proceedings of 22nd January, 2004 and found them to be correct. I therefore move for their adoption.

Mr J. Onoh (Enugu North): I stand to second the Motion as moved by my Colleague.

Question put and agreed to.

Votes and Proceedings of Thursday, 22nd January, 2004 accordingly adopted.

**REPORT OF THE JOINT COMMITTEE
ON FINANCE AND JUDICIARY, PUBLIC
PETITIONS, ETHICS AND PRIVILEGES
RE: THE ENUGU STATE OF
NIGERIA 2004 APPROPRIATION
BILL NO. 8, 2003**

Chairman, Joint Committee on Finance and Appropriation, Judiciary, Public Petitions and Ethics and Privileges (Mr J. Onoh): Preamble: Sequel to the presentation of the Enugu State 2004 Appropriation Bill to this

honourable House by His Excellency, the Executive Governor of Enugu State, on 23rd day of December, 2003 and after its adoption and successful First reading, the Bill was referred to the above Joint Committee for consideration.

This Budget of twenty two billion, two hundred and ninety eight million, eight hundred and twenty nine thousand, six hundred Naira, which is aptly christened 'Budget of Integration', is sub-divided into N12,410,829,600 and N9,888,000,000 for recurrent and capital expenditures respectively. Its policy thrust is poverty eradication and economic empowerment of the people.

GENERAL COMMENTS: In view of both the importance of the Bill and the urgency inherent in its passage, the Joint Committee had some plenary sessions, studied the estimate sector by sector and component by component and then resolved to conduct budget defense for Ministries and Extra-Ministerial Departments, with a view to ensuring that their areas of felt need were clearly reflected and not neglected in the budget.

Notwithstanding the restriction imposed by time, the Joint Committee had some wide-ranging discussions with representatives of virtually all the Ministries and Extra-Ministerial Departments, including the Offices of the Executive Governor, Deputy Governor, SSG, SPA (Political and Local Government Affairs), Accountant-General, Auditor-General, among others.

The benefits of the discussions were significant and far reaching as some salient explanations and suggestions were exchanged.

2004 REVENUE ESTIMATES: The Committee meticulously appraised the 2003 Revenue estimate i.e. recurrent revenue under the following heads, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410; as well as capital receipts summary.

Nonetheless it was the recommendation of the Committee that the Executive ought to devise more effective ways of generating and enhancing revenue internally to supplement significantly the State share of Federal Revenue.

RECURRENT EXPENDITURE

ESTIMATES: The Committee analyzed the allocation meant for the Heads under First Schedule (clause 3) of the Bill and being mindful of the Administration's avowed commitment to (a) prompt payment of salaries, allowances and other entitlements to civil servants; (b) increased overhead costs including subventions to Parastatals and Tertiary Institutions; (c) proposed payment of pensions and gratuities to retired civil servants; and (d) Additional provisions for the newly created Ministry of Human Development and Poverty Reduction and other non-ministerial departments, without hesitation, recommended for approval the sums attached to the following heads respectively 412, 412A, 412B, 412C, 412D, 413, 413A, 413B, 413C, 414, 414A, 415, 415A, 416, 417, 418, 418A, 418B, 418C, 419, 419A, 420, 420A, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439 and 440.

In broad terms, the above constitute Personnel Costs, Overhead Costs (including subventions) and Consolidated Revenue Fund Charges (CRFC) and the sums amounted to twelve billion, four hundred and ten Million, eight hundred and twenty nine thousand six hundred Naira (N12,410,829,600) only.

CAPITAL EXPENDITURE ESTIMATES: Second Schedule (clause 5) the policy of the government here is a double-barreled one: to provide more socio-economic amenities to her citizenry, and two; to reposition the State unwaveringly on the path of mainstream integrated development and sustained growth.

The Committee aligned itself with these noble objectives, albeit with amendments in the form of recommendations to this honourable House based on prioritizations and felt-need.

The Committee examined each Head and more critically too, the various subheads and made the following recommendations.

Head/ Subhead	2004 budget	Additional sum required	Total recommended approval Remarks	amount for NM &
450	161,500	-	161,500	
451	31,500	-	31,500	
452	21,250	-	21,250	
453	2,000	-	2,000	
454	150,000	-	150,000	
454A	80,000	11,000	91,000	

13 This upward review was adjudged expedient to enable the Ministry cope with the requirements of Sub head 13. The N2m allocated would be grossly inadequate. With the additional N11m, if approved, would suffice for the State Counterpart fund of N7m and the energization and expansion of the V-sat network.

455	1,000,000	-	1,000,000	
	60,000	-	60,000	
456A	55.00	-	55.00	
457	2,000,000	-	2,000,000	
	Amend sub-head 2 to read: 9 th Mile Comer Aguobu-Owa-Olo-Umulokpa-Nkpologwu Road and add an additional subhead 46 to read: Aguobu-Ofunofia Enugu Onitsha Express Way. N60M was allocated to it without affecting the total of 2,000,000			
458	1,071,000	-	1,071,000	
458A	33,200	-	33,200	
459	972,800	-	972,800	
460	129,500	13,000	142,500	

14 An additional sum of N13m was recommended to augment the N2m already allocated to Enugu State Printing & Publishing Corporation for the purchase, installation and refurbishment of vital components to enable it perform its role of propagating the good works of His Excellency, and disseminating the programmes and policies of the State Government.

460A	7.000	4.000	11.000	An additional N4m was recommended to supplant the N1m allocated for Park Development. This would service as a gradual step towards building the tourism industry in the State.
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Head/S ubhead	2004 budget Nm	Addition- al sum. required Nm	Total amount recomme- nded for Approval Nm
461	33.000	-	33.000
461A	40.000	10.000	50.000

3 & 7 An additional sum of N10m was recommended for the equipment of Skill Acquisition Centre and Vocational Rehabilitation Centre, Emene. This upward review shall give force to the Policy Thrust of developing human potentials and reducing poverty.

462	750.000	-	750.000
463	590.000	-	590.000
463 A	75.000	-	75.000
464	9.500	-	9.500
465	499.500	-	499.500
466	485.000	-	485.000
467	1,492.950	-	1,492.950

18 The Committee recommended that this sub-head (Skills Acquisition Centres) be transferred to Head 461A, that is, Women Affairs and Social Development.

468	138.300	-	138.300
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Total Recurrent Estimates = N12,410,829,600.

Total Capital Estimates (Excluding Committee's additional recommendations) = N9,888,000,000.
Total = N22,298,829,600.
Additional Recommendations from the Joint Committee = N11m + N13m + N4m + N10m = N38m.
Grand total = N22,298,829,600 + 38,000,000 = N22,336,829,600.

Mr Speaker, Sir, having come this far, the Joint Committee observed that for the full realization of the objectives/policies of the government, a kind of regulatory mechanism ought to be put in place to carryout periodic monitoring of projects with a view to ensuring that monies allocated were strictly meant and utilized for the projects/purposes they were earmarked for.

It was the view of the Committee that the government should always endcavour not to default in paying its own counterpart fund in the case of projects with foreign component so as not to impair the progress of the project or even terminate its implementation.

The Committee also appraised the state of Rangers International Football Club and found the need to urge the government to re-invigorate the club which has been the darling and identity of the Igbo race. The club, if well motivated, would serve as a beautiful index for measuring the achievements of the State Government.

As we convey our thanks to the Members of the Joint Committee for their commitment, we humbly appeal to this honourable House to accept and consider favourably these recommendations of the Committee.

I also thank the Secretary of the House Committee on Finance and Appropriation, Mr Emeka Aro and Mr Jude Chukwu the Secretary to the House Committee on Judiciary, Public Petitions, Ethics and Privileges, and also my hon. colleagues in the Joint Committee for their immense contributions which made the process of this Report possible. I thank you all.

Leader: Mr Speaker, Sir, may I move that the Report from the Joint Committee on Finance and Appropriation; Judiciary, public Petition, Ethics and Privileges on Enugu State Appropriation Bill, 2004 be accepted for immediate consideration. Thank you.

Mr F. E. Amu (Nsukka East): Mr Speaker, Sir, I rise to second that Motion.

Question put and agreed to.

Report from the Joint Committee accordingly accepted for immediate consideration.

Leader: Mr Speaker, Sir, having accepted the Report, may I now move that the House resolve itself into a Committee of Supply for the purpose of considering the Report along with the original Bill.

Mrs C. Eneh (Udi South): Mr Speaker, Sir, I rise to second that Motion. Thank you.

Question put and agreed to.

**THE ENUGU STATE OF NIGERIA
APPROPRIATION BILL, 2004.**

A Bill for a Law to make provision of the sum of Twenty-two Billion, Two hundred and Ninety-eight Million, Eight hundred and Twenty-nine Thousand, Six hundred Naira (N22,298,829,600) to the services of the Government of Enugu State of Nigeria for the year ending 31st December, 2004 and for other related purposes – CONSIDERED IN THE COMMITTEE OF SUPPLY.

The Chairman: Honourable Colleagues, let us first of all suspend the Title, Date of Commencement and Enactment, and proceed with clause 2 of the Bill.

However, let us look at the Report, whether we are going to accept the Expenditure. It is no longer N22,298,829,600, what we are going to

have in its place, if it is accepted by this honourable House, is N22,336,829,600.

If it is the wish of this House, this amount as recommended by the Joint Committee shall form the new Estimate for the year 2004.

Mr Speaker: Page three of the committee report, sub-head 450. First Schedule.

Head 412 – OFFICE OF THE EXECUTIVE GOVERNOR – Head 419 – MINISTRY OF HEALTH – ordered to stand part of the Bill

Head 419A – HOSPITALS MANAGEMENT BOARD – Head 440 – CONSOLIDATED REVENUE FUND CHARGES (CRFC) – ordered to stand part of the schedule.

Head 430 – (MINISTRY OF WORKS AND TRANSPORT N380,880,100) – ordered to stand part of the Bill.

Head 431 – (CIVIL SERVICE COMMISSION – N32,090,400) – ordered to stand part of the Bill.

Head 432 – (LOCAL GOVERNMENT SERVICE COMMISSION – N65,510,000) – ordered to stand part of the Bill.

Head 433 – (OFFICE OF THE AUDITOR-GENERAL OF THE STATE N40,805,000) – ordered to stand part of the Bill.

Head 434 – (OFFICE OF THE AUDITOR-GENERAL FOR LOCAL GOVERNMENT – N18,630,100) – ordered to stand part of the Bill.

Head 435 – (POST PRIMARY SCHOOLS MANAGEMENT BOARD – N3,637,173,200) – ordered to stand part of the Bill.

Head 436 – (THE LEGISLATURE – N283,661,110) – ordered to stand part of the Bill.

Head 437 – (THE JUDICIARY – N468,136,410) – *ordered to stand part of the Bill.*

Head 438 – (JUDICIAL SERVICE COMMISSION – N18,131,710) – *ordered to stand part of the Bill.*

Head 439 – (ENUGU STATE PRIMARY EDUCATION BOARD – N215,701,010) – *ordered to stand part of the Bill.*

Head 440 – (CONSOLIDATED REVENUE FUND CHARGES (CRFC) – N1,250,000,000) – *ordered to stand part of the Bill.*

Clauses 450 – 454, *ordered to Stand Part of the Bill.*

Clause 454A – (SCIENCE AND TECHNOLOGY)

Mr Speaker: Honourable Colleagues, look at Clause 454A, that is, where we have an additional Eleven Million Naira. If we look at the original Bill, it was Eighty Million Naira, and the Committee made an addition of Eleven Million Naira. If they are added together, it will read Ninety One Million Naira. I hope hon. members are following?

Several hon. members: Yes, we are following.

Mr Speaker: Please I will not like the House to pass this Bill just for passing sake. I will like the Committee on Appropriation to inform the House why there was an increase, and where they anticipate to make-up for the additional Eleven Million Naira, or where they have made the virement. I recollect that I informed the Committee, that should they have the desire to make increase on figures, they must be aware or sure of where to get the money. It is not a question of just including figures in the Bill. The Chairman, Committee on Finance and Appropriation should give the House explanations on where to get this amount of money and why the increase in figures.

Chairman, Committee on Finance and Appropriation (Mr Onoh): Mr Chairman, Sir, you will get the explanations and where to get the amount of money, when it is due.

Mr E. Odo (Igbo-Etiti East): Mr Chairman, Sir, the rationale behind the increase, if you watch out properly, you will observe that the Ministry of Science and Technology was not really adequately provided for. There is a huge project that the UNICEF has attracted to the State. It is the establishment and control of over 5000 Computers. Due to the capital funding of the project, it was meant for the coverage of Enugu State and other Eastern States. Luckily, Enugu State was chosen as where it is to be mounted. The Programme will attract Investors and that could boost the economy of the State. Based on this, the Committee deemed it necessary to add the sum of eleven million Naira to the already approved sum, hoping that this could be sufficient for the Programme. Rather than frustrate the intents of the Ministry, we made the addition realizing the fact that Science and Technology, from the way the world is growing today, appears to be a very sensitive ministry, if managed properly.

In consonance with these submissions, we felt that there was need to add to what has been allocated to it. I do not know if I have exactly mentioned the minds of the Members of the Committee. My hon. Colleagues who may wish to assist me in buttressing the facts could contribute please. Thank you, Mr Chairman.

Leader: Mr Chairman, Sir, I have heard the explanations made by some hon. members on the additions made on that item. I want to know, from where the House could get the additional two million Naira added to the existing sum. Where will the House get the money from? Are we making deductions from which Sub-Head? Thank you, Mr Chairman.

Mr J. U. Onoh: Mr Chairman, Sir, we will get the additional amount from internally generated revenue.

1045

An hon. Member: From Where?

Mr J. U. Onoh: I mean internally generated revenue.

The Chairman: O.K.

Deputy Leader: Thank you, Mr Chairman. To be specific, the Federal Government, with the arrangement of the State, is required by agreement to pay seven million Naira, which they have already done. They have installed the machines, what only remains is the energization of the machines. The State is expected to pay a State counter-part sum of seven million Naira. Altogether already they have fourteen million Naira. The Ministry of Science and Technology has written more than seven letters to that effect. It is expected that another firm from Abia State will supply these particular machines to the State. When we talk of how to generate funds, the machines themselves are fund generating. Enugu State should contribute her quota to finance and install the machines. We cannot afford to waste these machines. The award of two million Naira to this all important Ministry of Science and Technology will help to lessen the matter. What we have done is what the people that elected us will like us to do. Thank you, Mr Chairman.

The Chairman: I do not have contrary views, I am very comfortable with the explanations of the hon. deputy Leader (*Mr Anikwe*). However, if any hon. member has contrary views, such a Member should feel free to make an input.

Leader: Mr Chairman, Sir, I will like to ascertain if the Ministry of Science and Technology was included in the Budget?

Deputy Leader: I was able to observe that the Ministry of Science and Technology was not provided for in the Budget proposal and I was told it was a mistake. The Budget Committee detected it and incorporated the Ministry of

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Science and Technology. It was included during the Budget Defence.

Deputy Speaker: With the explanation being given by the Deputy Leader of the House (*Mr Anikwe*), I am being arrested by superior argument, but the problem is that may be the government did not send their policies to the ministries before this budget and I am advising that they should do so in the next budget.

Head 454A – *as amended, ordered to stand part of the Bill.*

Head 455 (RURAL ELECTRIFICATION) – *ordered to stand part of the Bill.*

Head 456 (FINANCE) – *ordered to stand part of the Bill.*

Head 456A (BOARD OF INTERNAL REVENUE) – *ordered to stand part of the Bill.*

Head 457 (TRANSPORT)

Deputy Leader: When the Ministry of Works and Transport came for their budget defence, we found that it was omitted. It was an on-going project. Aguobu - Owa - Obunofia - Ugwuoba - Enugu - Onitsha Expressway is an on-going project, already embarked upon by the State Government to which fifty *per cent* or sixty-five *per cent* of the job has been completed. Then the other one that remains there is the 9th Mile Corner - Oghe - Olo - Umulokpa Road. We just included the one omitted. We did not touch the amount.

Head 457 – *as amended, ordered to stand part of the Bill.*

Head 458 (EDUCATION) – *ordered to stand part of the Bill.*

Head 458A (POST PRIMARY SCHOOLS MANAGEMENT BOARD) – *ordered to stand part of the Bill.*

Head 459 (HEALTH) – ordered to stand part of the Bill.

Head 460 (INFORMATION)

Deputy Leader: The Enugu State Printing and Publishing Corporation has a major Newspaper, the famous *Daily Star*. Now, when they came for defense, we discovered that they used to pay high price to print outside. This means that if the government has classified information to appear in the paper, they have to go and contract any private printing press outside to print it. And when we went further, we discovered that last year, this particular parastatal was allocated N29 million then coming to this year, it has N22 million.

The Committee saw the need that Enugu State should have a very viable press which will even be fund generating. If you go to other States of the federation, they have such. If you go to Ebonyi, they have their own Newspaper. If you go to Abia State THE SUN and the DEMOCRAT. The only one which was serving the then Eastern Region, the *Daily Star* is just dead and moribund.

Again, N2 million cannot even buy ... when we discovered the money debt and even their expenditure before the budget release. It was N50 million that they recommended in their proposal. So we saw the need for this particular Newspaper to be kept alive so that the programmes of the State Government cannot only be done in the electronic media, they can equally be carried in the print media. Thank you, Mr Chairman.

Mr E. Odo (Igbo Etiti East): Mr Chairman, actually, I am not all that comfortable. Even the N13 million is too small in my own mind.

Deputy Speaker: Mr Chairman, I have an observation there on Head 459, sub-head 18. Again Head 459 sub-head 23. Sub-head 18 talks about up-grading of Parklane General Hospital of which the sum of hundred million Naira is provided.

The Chairman: The hon. Deputy Speaker, we are now on Head 460.

Deputy Speaker: Have we finished with 459?

The Chairman: Yes, we have passed that place.

Deputy Speaker: But my observation there has not been treated.

The Chairman: I want to inform the hon. Deputy Speaker, that I have put the Question on Heads 458 and 459.

Deputy Speaker: But why did government not accept that mistake for correction. So, it is better for you to correct that mistake.

The Chairman: What is the mistake there?

Deputy Speaker: See the mistake involved. Page 15 head 459 sub-heads 18 and 23, understand me now. Sub-head 18 provided hundred million Naira for up grading of Parklane General Hospital then sub-head 23 provided for ESUT. Now that ESUT has been taken to Parklane, the money meant for Parklane should now be taken down to where ESUT money was taken from otherwise Parklane will have two allocations.

The Chairman: No, no, no.

Deputy Speaker: Mr Chairman, do not say no, no. You better understand what I am saying.

Deputy Leader: The honourable Deputy Speaker, try to understand me first.

Deputy Speaker: I said, the sum of hundred million Naira was provided for upgrading of Parklane Hospital and the sum of one hundred and thirty-four million Naira was for ESUT College of Medicine. Now that one hundred and thirty-four million Naira has been transferred to Parklane, then hundred Million Naira should be

taken to where ESUT College of Medicine was removed.

The Chairman: For what? Before now, there is what is called ESUT Medical School, may be, they are together today or they are merging it with Parklane or somewhere else, we do not know where it is going to be, and I am still saying that Parklane is different from School of Medicine. If we now say ESUT School of Medicine, at where and for what reason.

Deputy Speaker: Mr Chairman, information! If I may understand the hon. deputy Speaker properly, it is clear for the Deputy Speaker to understand that the case in point is that upgrading of the Parklane Specialist Hospital does not make Parklane a College of Medicine for ESUT. If the Deputy Speaker will wish this House to make a Motion at least to establish a General Hospital to replace the vacated College of Medicine at Nsukka that will come under a Motion as you can see with me, not in this Budget.

Deputy Speaker: The hon. Deputy Leader should try to understand me. His information is right but he will equally agree with me that that former ESUT Specialist Hospital should be established there, so, we should go by that arrangement.

The Chairman: No, no, no. The hon. Deputy Speaker is taking us back; we are talking about budget.

Deputy Speaker: I am not taking us back. If you are removing One Hundred and Thirty-Four Million Naira from Nsukka ESUT College of Medicine and taking it where you have other divisions, you should know that we are human beings. Take that One Hundred Million Naira back to Nsukka where you removed the divisions (*Interruptions*).

The Chairman: Order! Order!!

Deputy Speaker: I am on my feet, let me finish.

The Chairman: Somebody wants to give information.

Mr C. Enebe (Awgu North): Information! We have some basic facts to establish. One is that we have passed a Bill establishing Parklane Specialist Hospital and that does not make it ESUT College of Medicine. The other day we passed ESUT amendment Bill which removed ESUT College of Medicine from Nsukka. That is just the answer to this argument and that law does not exist. Thank you.

The Chairman: The honourable Deputy Speaker, should realize that this is a very straight forward matter. One does not budget for something that does not exist. The ESUT Medical School has been removed from Nsukka. The other day we made an amendment expunging that and starting it here in Enugu. So, it is no longer existing at Nsukka and he is telling us to take back hundred million Naira to Nsukka for what reason and for who?

Deputy Speaker: I say, again, hundred million Naira was provided for Parklane (*Interruptions*).

The Chairman: Does the Deputy Speaker know that it is because of him that I did not call for division. I just want to use my discretion. So, I am going to put the Question on this issue. The earlier we put the Question on 460; the better I do not mind whether they are going to accept it or not. I did not know that he is going to say this kind of a thing.

Deputy Speaker: So, tell me, what is the 234 million Naira provided for Parklane for?

The Chairman: Not Parklane for goodness sake! We have 134 million Naira for ESUT College of Medicine.

Deputy Speaker: For ESUT College of Medicine to be situated where?

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The Chairman: We do not know!
(Interruptions).

Let me ask the Deputy Speaker a question. The day we removed Nsukka did we put Enugu? We did not put anywhere. We do not even know whether it is going to be built at Enugu or Aninri. (Interruptions).

Deputy Speaker: Bring the law, it is talking about Enugu.

The Chairman: We did not put anywhere.

The Chairman: We do not even know whether it is going to be at Enugu or at Aninri.

Deputy Speaker: I am happy you are taking it kindly with me and we are human beings, we passed a law that Esut' College of Medicine should be at Enugu where the main campus is.

The Chairman: No, no, no.

Deputy Speaker: Go and bring the Verbatim Report, read it.

The Chairman: With due respect, the hon. Deputy Speaker, knows it is because of him I did not put the Question on this matter, because we have already passed this area. But I thought that people will come up with a superior argument that could save the situation. Now that the situation is not improved, I have no other thing to do than to put the Question.

Question put and agreed to.

Head 460 – *as amended, ordered to stand part of the Bill.*

Head 460A – (CULTURE AND TOURISM)

Chairman Joint Committee (Mr Onoh): Mr Chairman, Sir, like I was saying, in the Joint Committee, we considered the amount projected for Park development which came to six million

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and this included the development of our major streets and maintenance of environment, and also the development of Chief Edward Nnaji Park which is very very deteriorated. We decided to increase the amount by one million which cannot even go an inch.

This project is a fund generating project which will enhance Tourism in this State. It was in this spirit that the Committee decided to increase it by one million Naira to enable these things to be done. Thank you.

Head 460A – (CULTURE AND TOURISM) – *as amended, ordered to stand part of the Bill.*

Head 461 (YOUTH AND SPORTS) – *ordered to stand part of the Bill.*

Head 461A (SOCIAL DEVELOPMENT) – *as amended, ordered to stand part of the Bill.*

Heads 462 – 466 – *ordered to stand part of the Bill.*

Head 467 (GENERAL ADMINISTRATION)

Mr E. Odo (Igbo-Etiti East): Mr Chairman, Sir, the rationale behind transferring subhead 18 of 467 to 461, the 461 is Office of the Secretary to the State Government. This is Skill Acquisition Scheme and it has not actually received any attention. When the Committee noticed this, Office of the Secretary to the State Government suggested that the establishment be transferred to the Ministry, and the Ministry then made a proposal to accommodate it under her Ministry.

Head 467 (GENERAL ADMINISTRATION) – *as amended, ordered to stand part of the Bill.*

Total Recurrent Estimate: N12,410,829,600 – *ordered to stand part of the Bill.*

SHORT TITLE - *agreed to*

2nd January, 2004 – COMMENCEMENT
DATE – *agreed to:*

ENACTMENT – *agreed to:*

Mr C. Enebe (Awgu North): Mr Chairman Sir, observation. I just want to observe that only the two committee chairmen signed the Report to the exclusion of other Members. Other Members did not sign.

(Mr Speaker resumed the Chair)

Leader: Mr Speaker, Sir, having thoroughly examined the report as presented by the Joint Committee along with the Bill, may I now move that the Enugu State Appropriation Bill, 2004, as amended be now read the Third time.

Bill reported out of Committee with amendments, read the Third time and passed

Mr Speaker: Honourable Colleagues, the Enugu State of Nigeria Appropriation Bill No. 8, 2003, having been now read for the third time is hereby passed. I deem it wise to thank Members of this honourable House, especially Members of the Joint Committee on Finance and Appropriation for a wonderful job done on this appropriation Bill. I keep on saying that committees are the life-wire of any legislative house. I remember vividly that even when we were on recess, the Members of the Committee were meeting in order to meet the deadline and I am happy today, that this Bill has been passed.

I wish to appeal to other Committees to emulate this Joint Committee. Not only that they turned out their report on time, the report appeared to be very accurate. That is to say that we have men of honour, men of integrity, men of respect in that very Joint Committee.

However, I will not end up without expressing my happiness to all the hon. Members of this House for their wonderful contributions during the debate on this Bill. And I cannot end up still without expressing my happiness to the Clerk of the House and his

team for their wonderful co-operation. Of course, I will not leave the Press, the time we had the debate they tried as much as possible to air it and I thank them very much for their wonderful co-operation too. I thank all of you for your wonderful co-operation on this Bill and I believe that we still have some other Bills at various stages of passage and I sincerely appeal that those of you that are already having the assignments should try as much as possible to turn them out. I thank you immensely for your wonderful co-operation so I say to God be the glory. Thank you and God bless you.

ANNOUNCEMENT

Committee Meetings

Mr Speaker: The House Committee on Judiciary, Public Petitions, Ethics and Privileges will meet today on the rising of the House at Room 225, signed by the hon. Member for Igbo-Etiti East (*Mr Odo*), the Chairman of the Committee.

The House Committee on Civil Service and Labour Matters will meet today on the rising of the House at Room 02, signed by the hon. Member for Igbo-Etiti West (*Mr Nnadi*), the Chairman of the Committee.

The House Committee on Education, Science and Technology will visit the University of Nigeria Nsukka and they will later give the date and the modalities on how they will take off.

My hon Colleagues, like I had earlier said the other day, I wish to inform you that I have the intention to dissolve all the Committees, so as a matter of fact I want it to be at the back of your mind, and after due consideration, it will be reconstituted.

ADJOURNMENT

Leader: Mr Speaker, I stand to move that this honourable House do now adjourned till Thursday, 29th January, 2004 at 10 a.m.

Deputy Speaker: Mr Speaker, I have risen to second the Motion on adjournment. Mr Speaker, may I use this opportunity to thank the hon. Members for having passed the Appropriation Bill, 2004, and I pray that the Executive should try to spend the money judiciously.

I also use this opportunity to warn the Nsukka old Zonal Leaders for their unconstructive criticism against the Leaders of today in Nsukka. These Leaders who criticize us now about marginalization are cowards because they were there when we had ten Local Governments on the other side and seven on our side. And what we met is the Federal structure and it is what we have inherited, and that is what we are dealing on. They had not talked about the democratic dividend that our people have gotten.

Mr Speaker, I take this opportunity to warn those radicals to allow us inherit what we have gained. We are emulating good governance. We have attracted democratic dividends to our people. We did not get that through criticism, we got that through loyalty. Again, Mr Speaker, these people were there when the University of Nigeria Teaching Hospital was built and our son, Late Dr (Hon.) B.C. Ugwu, of the blessed memory was a Minister of Health by then. It was not the Executive Governor, His Excellency, Dr Chimaroke Ogbornia Nnamani who sent the University Teaching Hospital here and it was not His Excellency, Dr Chimaroke who created the ten old Local Governments against old seven local governments here. It was Federal Government project and the State Government cannot do anything about it.

So, what I am saying is that they should not parade themselves with their unnecessary unconstructive criticism, rather they should join us and attract more democracy dividends to our people. Thank you, Mr Speaker.

Question, That the Question be now put, put and agreed to.

Main Question put and agreed to.

Resolved: That the House do now adjourn till Thursday, 29th January, 2004 at 10 a.m.

Adjourned accordingly at 1.10 p.m.

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ENUGU STATE OF NIGERIA
PROCEEDINGS

AND DEBATES OF THE
FIRST SESSION OF THE
THIRD ASSEMBLY

ENUGU STATE HOUSE OF ASSEMBLY

OFFICIAL REPORT

No. 50

Thursday
29th January, 2004

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HOUSE OF ASSEMBLY
ENUGU STATE OF NIGERIA
Thursday, 29th January, 2004
(The House met at 10 a.m.)

PRAYERS

(Mr Speaker in the Chair)

**APPROVAL OF VOTES AND
PROCEEDINGS**

Mr Speaker: Honourable Colleagues, our Votes and Proceedings No. 49 of Tuesday, 27th January, 2004 are before us. I have gone through them and to the best of my knowledge, they are correct. However, I call for hon. Members' comments.

Deputy Whip (Mr Agbo): Mr Speaker, I have equally gone through the Votes and Proceedings of our sitting dated Tuesday, 27th January 2004. I, therefore, move for their adoption. Thank you.

Mrs C. Eneh (Udi South): Mr Speaker, I have equally gone through our last Votes and Proceedings and I have risen to second the Motion for the adoption.

Question put and agreed to.

Votes and Proceedings No. 49 of Tuesday 27th January, 2004, accordingly adopted.

PRESENTATION OF A BILL

**THE ENUGU STATE
ENVIRONMENTAL PROTECTION
AGENCY BILL, NO. 2, 2004**

A Bill for a law to establish the Enugu State Environmental Protection Agency and Other Matters connected therewith; presented by the Leader of the House (Mr K. S. Ebenyi), read the First time, referred to the House Committee on Environmental Protection, Petroleum Resources, Judiciary, Public Petitions and Ethics and Privileges.

Mr Speaker: The Committee is given one week to turn out their Report. I wish to appeal to the Joint Chairman, Committee on Judiciary, Public Petitions, Ethics and Privileges (*Mr Odo*) to try as much as possible to assist us. I am not saying that the Chairman, Committee on Environment is not there.

**REPORT FROM JOINT COMMITTEE
ON JUDICIARY, PUBLIC PETITIONS,
ETHICS AND PRIVILEGES ON THE
REVISED EDITION (LAWS OF
ENUGU STATE OF NIGERIA) BILL
NO. 7, 2003**

Chairman Joint Committee on Judiciary, Public Petitions, Ethics and Privileges (Mr E. Odo): You may recall that some time towards the end of last year, a Bill for "a law to make provisions for the revision, printing and publication of the revised laws of Enugu State; for the appointment of a law revisor and for related purposes was referred to this Committee. Following this mandate, the Committee in her wisdom decided to pursue the bill with every commitment and dedication it

deserved by having constant sittings, interviews and visitations.

The Committee visited the British Department for International Development through their Access to Justice focal person in the State and found out that they have taken the bull by the horn by agreeing to make a counterpart funding of the printing and publishing of the revised laws of Enugu State with Enugu State Government. The Committee also visited the Enugu State Judiciary whereupon they found out that the Enugu State Justice reform team has done a commendable job working assiduously towards the articulation, updating and revision of laws of Enugu State and the affected laws include the following:

- a) The laws contained in the Revised laws of Anambra State 1991 with necessary modifications;
- b) The laws not contained in the said revised laws but are extant on the date of the creation of Enugu State;
- c) The edicts enacted by the military administration in Enugu State between 27th August 1991 and 28th May 1999.
- d) The laws enacted by the State House of Assembly since 29th May 1999; provided that the revised edition shall not contain the Appropriation laws laws and other laws of a temporary nature.

The Chief Judge of Enugu State, through the team, has equally reviewed the High Court rules and High Court laws in the State. We also perused in detail the powers of the law Revisor and found it very important, thus recommending accordingly

to the team that a specialist in law revision of a high reputable standard be appointed so as to discharge without delay the enormous responsibilities attached therewith.

Finally, the Committee, in her detailed scrutiny of the bill, came with no amendment and urged this honourable House to give the bill a favourable consideration and passage.

The Report will be incomplete if I do not joyfully thank the respected members of this Committee and the Committee secretary for their constant availability and dedication in all the proceedings of the Committee. Thank you, very much. Signed: hon. Eugene Odo, Chairman, Hon. Onyeze, Member, Hon. C. Enebe member, Hon. K. Ebenyi, Member, Hon. J. Obidinma, Member.

Leader (Mr Ebenyi): Mr Speaker, may I now move that the Report just presented before this honourable House from the Chairman, Committee on Judiciary, Public Petitions, Ethics and Privileges on the Revised Edition Laws of Enugu State of Nigeria be accepted for immediate consideration. Thank you.

Mr F. Amu (Nsukka East): Mr Speaker, I rise to second the Motion.

Question put and agreed to.

Leader: Mr Speaker, may I now move that the House do now resolve itself into a Committee of the Whole House to enable it consider the Report alongside with the original Bill. Thank you.

Deputy Leader (Mr Anikwe): Mr Speaker, I rise to second the Motion as moved by the hon. Leader of the House.

Question proposed

Mr C. Enebe (Awgu North): Mr Speaker, I do not understand, I cannot follow where you are now.

Mr Speaker: I want to inform the hon. Member for Awgu North (*Mr Enebe*) that we are now in the Committee of the Whole House. The Report will now be discussed alongside with the original Bill. So, if he is ready he should make his contribution.

Leader: Mr Speaker, what the hon. Member for Awgu North (*Mr Enebe*) is saying is that he has not got the original copy of the Bill.

Mr Speaker: So, the hon. Member for Awgu North (*Mr Enebe*) does not have this Bill?

Mr Enebe: On Tuesday, when we met last, there was no copy of the Bill given to me. How can I know what to contribute? (*Interruptions*).

Mr Speaker: This Bill came into this House some time last year and we treated it up to this stage it is now. So, the next stage now is the Committee of the Whole House. I advise the hon. Member for Awgu North (*Mr Enebe*) to pair up with a Member who has a copy and make his contribution.

Ordinarily, the Chairman Rules and Business Committee informed me that what they have for today is the Bill on Sanitation and this very Bill on the Revised Edition (Law of Enugu State of Nigeria) Bill No. 7,

2003, and subsequently we now put it in the Order Paper. I do not think it is proper for them or for me to go round from house to house telling hon. Members that this Bill is coming up today on the Order Paper.

Besides, every Member was still in his office when they brought the Order Paper for today. If they had any objection, they would have brought their objection right there in my office, because I believe in dialogue. If we then say there is no need going into this Bill today, I am not in a hurry. We would have expunged it from the Order Paper and do other things and go away. But we came in, and even when the paper was yet to be presented the hon. Member for Awgu North (*Mr Enebe*) would have raised objection on this item five, but he did not.

Thirdly, there was a Motion that we go into Committee of the Whole House for the purpose of considering this Bill along with the Report which, of course, came in without amendment and it was duly seconded. So, I think at this point in time, the only thing left for me to do is to put the Question.

Mr Enebe: Mr Speaker, Sir, what I am saying is that I would have felt comfortable if before today I was aware that we are going to bring this Bill, and also I would have brought a copy of the Bill to this House so that as we are reading I will be following, that is one.

Secondly, the Order Paper in question says, the Order of the Day is the Report, and not the Third reading of that Bill. It is on the Third reading of the Bill that we go Clause by Clause. So, if you take Report

from the Committee to mean Third reading, it is not proper.

Mr Speaker: The hon. Member for Awgu North (*Mr Enebe*) may be setting us back. Even the last Bill we passed in this House, we got the Report from the Committee and considered it along with the original Bill in the Committee of the Whole House. If the hon. Member for Awgu North did not come with his own copy, he should have informed me and we get one copy for him.

Mr Enebe: Mr Speaker, Sir, my question is this, is it proper for us to enter into the House for sitting and have a Bill for consideration without our knowledge? If it is proper, let us continue. But I am saying that it is wrong.

Mr Speaker: Honourable Colleagues, the only thing left for me now is to put the Question on the Motion on the Floor duly seconded. If I put the Question and the House says that we are not going to consider the Bill today, what am I losing?

And please, for Christ's sake, I have been saying it and I am still going to say it. Some of us, hon. Members, have formed the habit of coming to the House only when we have sitting. Honourable members do not expect me or the Leader of the House to start going from house to house telling them what is coming up on the Floor of the House. If the hon. Member for Awgu North (*Mr Enebe*) was here yesterday he would have known what was coming up today.

Question put and agreed to.

REPORT FROM THE COMMITTEE ON JUDICIARY, PUBLIC PETITIONS, ETHICS AND PRIVILEGES ON A BILL FOR A LAW TO MAKE PROVISION FOR THE REVISION, PRINTING AND PUBLICATION OF THE REVISED LAWS OF ENUGU STATE; FOR THE APPOINTMENT OF A LAW REVISOR AND FOR RELATED PURPOSES

(Considered in the Committee of the Whole House)

The Chairman: Let us suspend Enactment, Citation and Commencement for now and move to Interpretation.

Preamble – agreed to:

Clauses 2 – 10 – ordered to stand part of the Bill.

SCHEDULE

POWERS OF LAW REVISOR

Clauses 1 – 18 – ordered to stand part of the Bill

Enactment – agreed to:

Citation – agreed to

Commencement (31st December, 2003) – agreed to

(Mr Speaker resumed the Chair)

Leader: Mr Speaker, hon. Colleagues, having considered the Report from the Committee on judiciary along with the original Bill, may I now move that the Bill be now read the Third time.

Bill reported out of Committee without amendments, read the Third time and passed.

Mr Speaker: Honourable Colleagues, the Bill known as the Revised Edition (Law of Enugu State of Nigeria) Bill No. 7, 2003, has today, having gone through the 1st, 2nd and final reading, been passed. I wish to express my happiness once more to those of you who contributed to make it a reality. My thanks go more especially to the Chairman and Members of the Committee on Judiciary, Public Petitions, Ethics and Privileges for a job well done.

I know very well that the Chairman House Committee on Judiciary, Public Petitions, Ethics and Privileges has in no small way helped this House. He has contributed a lot to the progress made so far by this honourable House and, of course, he will still be contributing and I wish everybody to emulate him. I am very grateful for the efforts, I say more grease to his elbow.

I equally wish to thank every other person who contributed towards the success of this Bill. I thank them very much and say more grease to their elbows. I do hope we have other Bills lying at various stages. We have been elected to make laws for the good governance of this State and I am appealing that all hands should be on deck to ensure that we deliver to our people. I thank members, once more, for their understanding and I say to God be the Glory.

ANNOUNCEMENT

Be Men of Honour!

Mr Speaker: I have noticed that some Members usually sign for their Colleagues even when they are not here. I noticed it on Tuesday and I believe that we are honourable Members and men of honour. Please do not ever sign for anybody any more.

If Members watched that of Tuesday, I cancelled everywhere that they signed for some other persons not present. We are lawmakers and not lawbreakers. It is an offence to sign for somebody. It is a criminal offence. Let us not take the laws into our hands.

ADJOURNMENT

Leader: Mr Speaker, may I now move that the House do now adjourn until Tuesday, 3rd February 2004 at 10 a.m.

Mr M. Njeze (Udi North): I wish to second the Motion as moved by the Leader

Question put and agreed to.

Resolved: That the House do now adjourn until Tuesday, 3rd February, 2004 at 10 a.m.

Adjourned accordingly at 4 pm.

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ENUGU STATE OF NIGERIA
PROCEEDINGS

AND DEBATES OF THE
FIRST SESSION OF THE
THIRD ASSEMBLY

ENUGU STATE HOUSE OF ASSEMBLY

OFFICIAL REPORT

No. 51

Tuesday
3rd February, 2004

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HOUSE OF ASSEMBLY
ENUGU STATE OF NIGERIA
Tuesday, 3rd February, 2004
(The House met at 10 a.m.)

PRAYERS

(Mr Speaker in the Chair)

**APPROVAL OF VOTES AND
PROCEEDINGS**

Mr Speaker: Honourable Colleagues, before us are our Votes and Proceedings No. 50 dated Thursday 29th January, 2004. I have gone through them and found them to be very, very accurate. In keeping with the rules of the House, I wish to humbly request that hon. Members give it their approval.

Mr D. Ani (Enugu South D): Mr Speaker, Sir, I have equally gone through the Votes and Proceedings of our last sitting and found the contents to be correct. I therefore, move for their adoption.

Chief Whip (Mr F. Ezema): Thank you, Mr Speaker, I have risen to second the Motion as moved by the hon. Member for Enugu South (Mr Ani).

Question put and agreed to.

Votes and Proceedings of Thursday, 29th January, 2004 accordingly adopted.

PRESENTATION OF BILL

**THE ENUGU STATE ENVIRONMENTAL
PROTECTION AGENCY BILL,
NO. 2, 2004**

A Bill for a Law to make Provisions for the Establishment of the Enugu State Environmental Protection Agency and for other matters connected Thereto.

Leader: Thank you, Mr Speaker, I have risen to comment on item 4, the Enugu State Environmental Protection Agency Bill No. 2, 2004 which has been presented for Second Reading. Mr Speaker, this is a very sensitive Bill and needs to be well articulated.

In the light of this, I wish to move that we step down the Second Reading of this Bill to a later date to be determined by the Rules and Business Committee of the House to enable the Committee do a thorough job on it.

Mr E. Maduabu (Awgu South): Thank you, Mr Speaker, I beg to second the Motion. Thank you.

Question put and agreed to.

Mr Speaker: Please hon. Colleagues let me make a passionate appeal. I remember that this Bill that was stepped down, that the documents were distributed a week ago.

Several hon. Members: No! No!

Mr Speaker: I felt that we are all matured and I would not like anybody to hold the House to ransom. If you know your own role, endeavour to play it at an appropriate time. What we should have talked about is the merits and demerits of re-establishing the monthly sanitation.

Several hon. Members: It is not there!
It is not there!

Mr Speaker: Please hon. Colleagues that is the purpose of this Bill. I have gone through the Bill that is the cardinal point.

Leader: There is nothing like monthly sanitation.

Mr Speaker: It is part of it. I am just appealing.

Deputy Speaker (Mr Atigwe): Mr Speaker, Sir, where is the former Edict that established it?

Deputy Leader: Mr Speaker, is it an Executive Bill?

Mr Speaker: It is.

Deputy Leader: Mr Speaker, it is not an Executive Bill. There is no note which normally carries the inscription Executive Bill, it is not there.

Mr Speaker: What the hon. Deputy Leader is looking for will not come.

Deputy Leader: Therefore it is not an Executive Bill.

Mr C. Enebe (Awgu North): If that is the case, the matter should be sent back to the Executive for necessary amendments.

Mr Speaker: It is an Executive Bill.

Deputy Speaker: Before me and the House it is not.

Mr Speaker: Before me and the House it is an Executive Bill.

Several hon. Members: No! No!

ANNOUNCEMENT

Committee Meetings

Mr Speaker: Order! Order! There will be a meeting of the Joint Committee on Judiciary and Environment. Date Thursday, 5th February, 2004. Venue is Room 225, signed by hon. Eugene Odo. The House Committee on Education, Science and Technology will meet on the rising of the House. They will discuss the modalities for the visit to the University of Nigeria Nsukka on 4th January, 2004.

ADJOURNMENT

Leader: I hereby move that the House do now adjourn till Thursday, 5th February, 2004, at 10 a.m.

Mr J. Anichukwu (Nkanu East): Mr Speaker Sir, I have risen to second the ...

Deputy Leader: Information, Mr Speaker.

Mr Anichukwu: Mr Speaker am I protected?

Mr Speaker: Partially. Go on.

Mr Anichukwu: I have risen to second the Motion.

Question put and agreed to.

Resolved: That this House do now adjourn till Thursday 5th February, 2004 at 10 a.m.

Adjourned accordingly at 12.30 p.m.



**ENUGU STATE OF NIGERIA
PROCEEDINGS**

**AND DEBATES OF THE
FIRST SESSION OF THE
THIRD ASSEMBLY**

ENUGU STATE HOUSE OF ASSEMBLY

OFFICIAL REPORT

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Enugu State House of Assembly

HOUSE OF ASSEMBLY
ENUGU STATE OF NIGERIA
Thursday, 5th February, 2004
(The House met at 10 a.m.)

PRAYERS

(Mr Speaker in the Chair)

**APPROVAL OF VOTES AND
PROCEEDINGS**

Mr Speaker: Honourable Colleagues, before the House are the Votes and Proceedings of Tuesday 3rd February, 2004. I have gone through them and have found them to be correct. However, I need hon. Members' comments.

Mr F. E. Amu (Nsukka East): Mr Speaker, Sir, I have equally gone through the Votes and Proceedings and found them to be correct. I, therefore, move for the adoption of the Votes and Proceedings. Thank you, Mr Speaker.

Mr D. A. Anih (Enugu South I): Mr Speaker, Sir, my hon. Colleagues, I stand to second the Motion moved by the hon. Member for Nsukka East (*Mr Amu*) for the adoption of the Votes and Proceedings of Tuesday, 3rd February, 2004.

Question put and agreed to.

Votes and Proceedings of Tuesday 3rd February, 2004, accordingly adopted.

Mr Speaker: I am very very surprised that Members of the Press are not here in the Pres Gallery. Before one knows it, they will converge at a corner seeking information from hon. Members on those that contributed during the Motion for

Adjournment. They will still credit wrongly some hon. Members that did not even attend the day's sitting. I know they are yet to arrive here.

ORDER OF THE DAY

**THE ENUGU STATE ENVIRONMENTAL
PROTECTION AGENCY BILL,
NO. 2, 2004**

A Bill for a Law to Establish the Enugu State Environmental Protection Agency and other Matters Connected therewith.

(Adjourned Debate on Second Reading, 3rd February, 2004)

Deputy Speaker; Mr Speaker, Sir, before we comply with Section 44(1) of our rules, I want to know whether this Bill is an existing Law or is this a new Bill, because before me is Edict No. 4 of 1999, Enugu State Environmental Protection Agency Edict. Before the House again is a Law to establish the Enugu State Environmental Protection Agency.

Section 315 of the Constitution of the Federal Republic of Nigeria is where we have existing Law. The existing law talks about appropriate authority and this is an Edict.

Mr Speaker: I think the Sponsor of the Bill should brief the House whether this is an existing law or a new Law.

Deputy Speaker: Mr Speaker, Sir, I refer the House to Section 44(1) of the Rules of the House.

Mr Speaker: Did I hear the Deputy Speaker refer the House to Rules 44(1)?

Deputy Speaker; Mr Speaker, yes, and it reads: *on the order for the Second Reading of a*

Bill being read, a Motion may be made that the bill be now read a Second Time and a debate may arise covering the general merits and principles of the Bill.

This is where I want the House to clear before going into the Second Reading of this very Bill.

An hon. Member: Which part of the Rules?

Deputy Speaker: I am referring the House to Section 315 of the Constitution of the Federal Republic of Nigeria. It talks about existing Law, while No. 315(ii) talks about Appropriate Authority and that Appropriate Authority is talking about a Decree or an Edict and this is an Edict before the House.

Mr Speaker: The Leader of the House (*Mr. Ebernyi*) is here and he will explain the intent of the Bill.

Deputy Speaker: Mr Speaker, Sir, if the Mover of this Motion cannot comply with the Rules, I may ...

Leader: What Rule is the Deputy Speaker looking for?

Mr Speaker; He is quoting Rules of the House No. 44(1).

Deputy Speaker: Mr Speaker, before we can go on to debate its merits and demerits, the House will like to know what it is and I have now pointed out that we have existing Law which is an Edict. I want to know whether this Bill is a new Law to repeal the Edict or not. Thank you, Mr Speaker.

Leader: This Bill is a new Law which will repeal the already existing Edict. If we

go through the Bill we will observe where it is repealing the existing Edict. This is a new Law that will repeal the existing Edict.

Deputy Speaker: Mr Speaker, Sir, where does the Leader of the House say that it repeals the old?

Mr Speaker: Please hon. Members should go to page 50 of the Bill, take a look at Section 97: *Nothing of this Law shall affect anything done or being done or duly suffered under the provisions of any Law repealed or replaced of this Law, or any part or parts thereof as the case may be.*

Leader: Mr Speaker, Sir, may I refer the Deputy Speaker to page 50 of the new Bill where it is said that the Enugu State Environmental Protection Agency Edict No. 4, of 1999 is hereby repealed.

Mr Speaker; Is the hon. Deputy Speaker, now okay?

Deputy Speaker: Mr Speaker, I am yet to be cleared.

Mr E. Odo (Igbo-Etiti East): Mr Speaker, Sir, I am quite convinced about the repeal position of this new Bill, but I feel that if the Bill is coming for debate today, it will be of interest for hon. Members to have the repealed Edict. That will assist us to hold debate on the Edict as to enact a new one.

It will also be convenient for hon. Members to, at the end of the day, speak effectively on the merits and demerits of the Bill that is presently before us. It will help us to know even why the previous law is being repealed. So, Mr Speaker, it will be in the interest of the House to step down debate on the new Bill while we look into the previous Edict.

On this strength, Mr Speaker, may I formerly move that debate on this new Bill be stepped down so that all the relevant laws, especially Edict No. 4 of 1999, is made available to the House. Thank you.

Deputy Speaker: Mr Speaker, Sir, I accordingly second that Motion.

Question put and agreed to.

Debate on the Enugu State Environmental Protection Agency Bill, No. 2, 2004 accordingly deferred.

MOTION OF URGENT PUBLIC IMPORTANT

Deputy Leader: Mr Speaker, Sir, may I seek leave of this House to request that Rule No. 25 of this honourable House be suspended to enable me move a Motion of Urgent Public Importance.

Mr Odo: Mr Speaker, Sir, I stand to second that Motion.

Question put and agreed to.

Rule No. 25 of the Standing Orders accordingly suspended.

Deputy Leader: Mr Speaker, Sir, the Motion is that this honourable House do urge the National Assembly to call on the Minister of Health, Prof Eytayo Lambo to personally intervene and bring to an end the strike action embarked upon by workers at the National Orthopedic Hospital, Enugu.

Mr Odo: Mr Speaker, Sir, I accordingly second that Motion as moved by the Deputy Leader of the House.

Deputy Leader: Mr Speaker, Sir, the National Orthopedic Hospital Enugu is a

hospital with a difference. It is a hospital with unique character, training and responsibility. It is not an ordinary hospital. Because of this special nature and orientation, the hospital cannot afford to close up her services to people arising from labour dispute, and or any other reasons.

Mr Speaker, Sir, hon. Colleagues, for some days now, the management and workers of this noble hospital are engulfed in internal disputes leading to workers down tolling their services. It is not a strange news to hear that a minimum of ten accidents, motor, and other forms do occur on daily basis in both our State and the neighbouring States. The victims of these mishaps have no other place of treatment than the National Orthopedic Hospital Enugu. One now wonders where such victims can be taken to now that the hospital is under lock and key.

Mr Speaker, Sir, the most disheartening part of it all is that the patients already on admission have been asked to go home and possibly die there. This is so because there is no efficient and effective alternative to this unique hospital. It is also a fact that no Federal Health Institution is on strike now. Why the National Orthopedic Hospital Enugu? Going on strike as a means of realizing workers demand without due dialogue is always counter-productive. It is my belief that dialogue is the panacea to this problem. Life which has no duplicate, is supreme. All hands must be on deck to save and protect life entrusted in our care.

Mr Speaker, Sir, hon. Colleagues it is on the strength of the above that I urge this honourable house to resolve as follows:

1. That this honourable House do urge the National Assembly to call on the Minister of Health, Prof. Eytayo Lambo to intervene personally and bring to an end the face-off between Management and

Staff of National Orthopedic Hospital, Enugu and call off the strike action.

2. That the Management and Staff should enter into dialogue immediately and harmonize all existing variables.
3. That workers should take strike as the last option after exhausting all avenues for dialogue.

Be it moved and it is hereby moved.

Mr E. Odo (Igbo-Etiti East): Mr Speaker, once again, I have to be a co-sponsor of this Motion based on the fact that industrial action in this country has virtually come out to be a vindictive measure through which people, instead of trying to agree with the Government on an issue where there is a kind of controversy, now resort to maltreating the patients in the hospital as it is in this case. It is my thinking that in the internal wrangling amongst the people in the Orthopaedic Specialist Hospital, no effort has been made to dialogue with the government and I can assure you that the government is virtually losing nothing.

The people who are being victimized are the patients, some of them have their legs and hands hung up on the beds in the hospital receiving no attention and, as long as they are on strike, those doctors and other paramedical personnel may even join the strike including the nurses. So, we appreciate the fact that we do not have the direct jurisdiction over this issue but it seems to me that this House can assist by allowing this Motion sail through thereby beckoning the sympathy of the National Assembly who will, in turn, co-ordinate

with the Minister of Health or even the Presidency to treat with utmost urgency the issues and controversies in the Orthopaedic Specialist Hospital. We do not need to over labour this issue. I think it is one of the exceptions when somebody is talking about industrial actions.

I, therefore, urge this honourable House that in line of paramount importance placed on the health sector and in the line of safety of our people considering the fact that the majority of people in almost all the hospitals in Enugu, I think, sixty *per cent* will be Enugu State indigenes, so we will be doing ourselves a great thing if we support this Motion and call on various bodies to come to the rescue of the patients.

Certain factors are capable of aggravating issues. Sometime in the United State of America, you could recollect that something happened and till date they have not recovered from the shock and the problems is not only that they have lost economically, they lost a lot of souls; some peoples' sicknesses got aggravated. And if this is happening in the United States of America, we have a Specialist Hospital of this nature that is trying to engulf itself in the same problem. I think this one will be worse because if somebody who has accident for instance, may be receiving treatment at the Orthopaedic Hospital, the mere fact that the person is disregarded just a day can cause more problems on the person especially the fractured bone.

We urge this honourable House to support this very Motion and also go as far as devising means whereby efforts could be made towards resolving disputes instead of resorting to strikes. They can take a leaf from the umbrella body, that is, Nigerian Labour Congress. They do not normally go on strike like that, there must be proper consultation.

So, this honourable House will be doing themselves a great price if they will disassociate themselves from this issue of strike. The strike or industrial actions should occur when all the possible avenues of reconciliations have failed and we are aware that when this type of strike happens it means that the citizenry and the government itself will suffer.

Therefore, let me not belabour issues, I want Members to give supporting hands to this very Motion. Thank you, very much.

Mr J. Obidinma (Oji-River): Mr Speaker, I have risen to support this all-important Motion. It is quite unfortunate that people will decide to go on strike without any negotiations especially those in the health sectors who are aware that their services involve lives of human beings like themselves.

I am, therefore, urging the hon. Members to support this very important Motion because, when the two elephants are fighting the grass will be suffering. The elephants are the government and the striking workers while the grass are the patients in the Orthopaedic Hospital who are admitted and have no immediate alternative. I am urging this honourable House to pass all the prayers in this particular Motion. Thank you, Mr Speaker.

Mr E. Maduabu (Awgu South): Mr Speaker, I have risen to support and then talk on this very all-important Motion. The situation at the Orthopaedic Hospital is better imagined than seen. I witnessed what has been going on there, because I was concerned. I had a patient there who is an amputee and is still under treatment. We were told last time to come, and, in fact, it was very pathetic because the operation or

the amputation was almost two days old when the strike happened.

The case of the workers of the National Orthopaedic Hospital is that their salaries were stopped and that they are being owed some months salaries. This is an essential service. In fact, like the Motion is praying, the Minister of Health and others concerned should pay attention to the case of the workers of the hospitals, not only the National Orthopaedic Hospitals, but in this case, the National Orthopaedic Hospital Enugu. They should take it as a matter of priority. They should pay them as and when due. They should know that these workers are the life-wires of some people because what is happening there is that you will see people there, whose legs or hands are cut off and these people are in great pains. How much more when you deny them the attention that is required for them to keep their lives going.

It is very painful and I wonder why it is happening in Enugu. This Enugu Orthopaedic Hospital is serving a lot of States. It is here that Ebonyi, Abia, Rivers and Imo come for their treatment. So attention should be paid and then... I do not see why the Minister of Health should keep mute when a thing of this nature is happening. Therefore, I am urging our Members to support this Motion and have it passed and then we ask the National Assembly to urge the authorities concerned to come with immediate effect and address the situation, because it is too pathetic. Thank you.

Deputy Speaker (Mr Atigwe): Mr Speaker, Sir, I am in line with the prayers as is contained in the Motion by the Sponsor and co-Sponsor. They say, health is wealth. In this case, the patients there, according to this Motion, not only that they have bad health, they are also in prison. Because they said that the hospital is under lock and key. This is very

inhuman. The authorities concerned should do something about it.

This Motion does not need any panel beating. It needs the Members to just buttress the points there and pass the Motion accordingly. For that, Mr Speaker, I am saying that the Question be put.

Question, That the Question be now put, put and agreed to.

Main Question put and agreed to.

Resolved: That this honourable House do urge the National Assembly to call on the Minister of Health, Prof. Eytayo Lambo, to intervene personally and bring to an end the face-off between management and staff of National Orthopaedic Hospital Enugu and call off the strike action.

- 2) That the management and staff should enter into dialogue immediately and harmonize all existing variables.
- 3) That workers should take strikes as the last option after exhausting all avenues for dialogue.

ANNOUNCEMENTS

Report Accurately – News Reporters

Mr Speaker: It has come to my notice that at times, the Reporters do not report accurately. In most cases, even when somebody failed to attend sittings, when somebody did not participate in the day's sitting, if you listen to ESBS, they will refer to an hon. Member saying; "supporting the Motion for adjournment", even when the person did not attend sitting. I do not know where they manufacture the documents they use and again, I remembered on Tuesday,

when we met, one of our Colleagues who never said anything at that point in time, he might have probably said something before that time, but I was surprised to hear again when they were quoting the said honourable Member as having said something while supporting Motion for adjournment. That is carelessness, that is a criminal act, and I am appealing that if you did not enter the Chambers, please, for Christ's sake ... supporting Motion for adjournment is not hand written and submitted to the press. It is not done that way. You must say it right on the Floor of the House and it must be documented.

If we get the Verbatim Report, you will discover that that person never made any comment during the day's deliberation but when you listen to the news, it will be talking a different thing. So, I am appealing to the reporters to report accurately. I am talking about the press not the Official Reporters. I am talking about the press. So, please, you should try as much as possible to avoid all these unnecessary contradictions.

Meetings

The House Committees on Judiciary, Ethics and Privileges and Environmental Management will meet on the rising of the House, room 225.

We are going to have a short briefing in my office. It will not take more than five minutes please.

Furthermore, I wish to formerly inform you that the fuel dump is now functioning in this premises. Those of you who have cars can always go there and fuel according to your purse. It is meant for both the hon. Members and Members of staff of this Assembly. We do not encourage jerry cans for whatsoever reasons, it is not allowed.



ENUGU STATE OF NIGERIA
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ENUGU STATE HOUSE OF ASSEMBLY

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No. 54

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HOUSE OF ASSEMBLY
ENUGU STATE OF NIGERIA
Thursday, 12th February, 2004
(The House met at 10 a.m.)

PRAYERS

(Mr Speaker in the Chair)

APPROVAL OF VOTES AND PROCEEDINGS

Mr Speaker: Honourable Colleagues, before us are the Votes and Proceedings. I have gone through them and found them to be the true reflection of what transpired on that day. However, I need Members' comments.

Mr C. O. Enebe (Awgu North): Mr Speaker, I have gone through the Votes and Proceedings of our last sitting. The issue of whether the Bill on the Enugu State Environmental Protection Agencies is a private Member Bill or Executive Bill is not reflected in the Votes and Proceedings.

Mr Speaker: Was there any debate on it?

Several hon. Members; No! The Bill was deferred.

Mr Speaker: There was no debate; it was deferred.

Mr Enebe: It is necessary to reflect the issue of whether the Bill is a Government Bill or a private Member Bill in the Votes and Proceedings since the issue was raised by a Member in this House.

Mr Speaker: So, what the hon. Member for Awgu North (*Mr Enebe*) is saying is that the Votes and Proceedings did not say that the Bill is a Government Bill or a Private Member Bill. Is there any other thing?

Mr Enebe: It is necessary that that should be reflected in the Votes and Proceedings so as to enable Members study whether the Bill is a private Member Bill or Government Bill and have more knowledge and also compare it with the existing Edict.

Mr Speaker: Well, I still say that there was no debate whether it is a Private Member Bill or not. To my mind, I think what is supposed to bear the entire thing the hon. Member for Awgu North (*Mr Enebe*) is talking about is the Verbatim Report and not the Votes and Proceedings since there was no debate on whether the Bill is a Private Member Bill or an Executive Bill.

Mr Enebe: Mr Speaker, can I explain further?

Mr Speaker: Why?

Mr Enebe: There is something at stake on this issue, suppose after the adoption of this Votes and Proceedings

and after a year or so something crops up and the matter at stake involves whether the Bill is a Private Member Bill or not, how are we going to handle it?

Deputy Leader: Mr Speaker, I think that the Votes and Proceedings, to the best of my knowledge, will be adopted because our business is to legislate and not to debate whether a Bill is a Private member Bill or a Government Bill. Our business is to legislate and to let us go through the relevant documents already existing. Although, we have to agree whether a Bill is Private Member Bill or a Government Bill but the major thing, as it is contained in the Votes and Proceedings, is that we should make available all documents that will help us debate effectively on the Bill.

So, what we only want is a Member who will move for the adoption of this Votes and Proceedings so that we should go ahead and approve the Votes and Proceedings. So, I will now go ahead to move for the adoption of the Votes and Proceedings and I hereby move that the Question now be put.

Mr Speaker: I think the explanation is clear to the hon. Member for Awgu North (*Mr C. O. Enebe*).

Mr Enebe: I am aware of the explanation adduced but apart from

that there is an issue ... (*Interruptions*)

Mr Speaker: Order! The hon. Member for Awgu North should not feel otherwise. What we are saying is that the Bill was deferred not because we are unable to find out whether it is a Private Member Bill or an Executive Bill. It was deferred because some of the relevant documents were supplied just some few minutes before the commencement of the sitting. Honourable Members then demanded that they should be given sometime to go through the documents. Remember that that was even why we are talking about Tuesday next week because they said that the documents were too voluminous and that they should be given time to go through the documents.

Mr Enebe: Mr Speaker, that is the more reason why the Bill should be taken afresh since that issue was not recorded in the Votes and Proceedings.

Leader: Mr Speaker, I want to say something, in addition to what the Deputy Leader (*Mr Anikwe*) said. The reason why the Bill was deferred was never because of the title of the Bill. If we recall the previous meeting before the last sitting, it was then that the issue of its sponsor came up and it was after that we deferred debate on the Bill till the second day. Therefore, what the hon. Member for Awgu North (*Mr Enebe*) is saying is not correct because during our last sitting our Votes and Proceedings of the previous meeting were adopted. I do not know why these Votes and Proceedings should not be adopted. And besides, it

was the Deputy Speaker who raised this issue of the Sponsor and it was after I had moved a Motion to step down debate on the Bill. So, I do not think it is proper to start this Bill afresh.

Mr Speaker: This is just the reason why members were talking about starting afresh and I said no because we will be making a fool of ourselves if a Bill, having sailed through the First Reading, we just come back and say we do not know whether it is a Private Member Bill or an Executive Bill.

We are making a mockery of ourselves. Does it mean that we did not even go through the Bill *ab initio*? We did not go through the Bill from the beginning to dictate whether it is a private Bill or an Executive Bill. So, let us just allow the Votes and Proceedings to read as they are and make progress.

Mr E. Odo (Igbo Etiti East): Mr Speaker, I think, to my mind, the argument as to whether or not the Bill is a Private Bill or an Executive Bill should reflect on the Votes and Proceedings. A Point of Order was raised on the Floor of the House, which the Speaker acknowledged.

Mr Speaker: What did the hon. Member for Igboetiti East say the Speaker acknowledged? I acknowledged the fact of deferment

when the issue of deferment and documents were raised.

Mr Odo: Yes, the issue of deferment was agreed upon. The Members then felt that the Bill could still not go on even with the deferment, if the anomaly was not corrected. On that basis, there was a short argument which now led to Mr Speaker asking the Leader (*Mr Ebenyi*) to go and put the things in order and we are believing that he has put things in order.

Mr Speaker: If there is an argument, arguments have sequence and any argument after I had put the Question should not be reflected in the Votes and Proceedings.

Remember the issue before the House that day was that the documents came to the Members very late, just some few minutes before we started sitting. It was after the Question was put and agreed to that the issue of whether it is a Private Member Bill or an executive Bill came up. There is no way it could have been reflected in the Votes and Proceedings because I do not know the angle it should have entered the Votes and Proceedings.

Mr Odo: The acceptance by Mr Speaker of the Point of Order we raised, that was Order 26 (12), which says that; *A Member may rise to a point of information or explanation on a previous statement made by a Member.* So, you acknowledged that.

I am of the opinion that such an issue could have been reflected in our Votes and Proceedings. Thank you.

Mr Speaker: Can we now say that when we got this Bill, we did not go through it, and we were unable to detect the defect or discover whether it is a Private Member Bill or an Executive Bill.

Mr Odo: We were able to detect that it is a Private Member Bill. What we saw appeared like a Private Member Bill. *(Laughter)*

Mr Speaker: It does appear.

Deputy Leader: Further clarification. I am saying, Mr Speaker, that we have fixed a public hearing on this Bill initiated by the Joint Committees. This Bill has already been assigned to a Joint Committee of this honourable House. When the Bill was assigned, one would have expected them to raise objections on whether it was a Private Member Bill or not.

Mr Speaker: At this point in time, let me speak from the two sides of my mouth. One is that I have a document from the hon. Leader of the House and this document has to do with a matter of urgent public importance referring to the correction that we intend to make on the Bill before the House and if I continue to argue that it should have been reflected on the Votes and

Proceedings, on what basis is this Motion coming now.

Mr Enebe: Information! Mr Speaker, remember that if we continue to argue on this very matter, it will jeopardize the passage of that Motion.

Mr Speaker: Please, Clerks-at-Table take note. Let us make progress. Somebody should now move for the adoption of the Votes and Proceedings having made all the necessary observations and corrections.

Mr J. Anichukwu (Nkanu East): Mr Speaker, having observed that Members are satisfied with the explanation, I now move that the Votes and Proceedings of our last sitting be adopted. Thank you.

Mr F. Amu (Nsukka West): Mr Speaker, I stand to second the Motion.

Question put and agreed to.

Votes and Proceedings of Tuesday, 10th February 2004, accordingly adopted.

MOTION

Matter of Urgent Public Importance

Leader (Mr Ehenyi): Mr Speaker. Sir, I seek the leave of the House to suspend Order 25 of the Standing Orders to enable me move a Motion on a Matter of Urgent Public Importance.

Deputy Speaker: (Mr Atigwe): Point of Order. He should have said, as adopted by the House.

Mr Speaker: Okay, please go on.

Leader: May I seek the leave of the House by requesting this honourable House to suspend Order 25 of the adopted Standing Orders of Anambra State House of Assembly, to enable me move a Motion on a Matter of Urgent Public Importance.

Mr Speaker: That was what he said before.

Mr E. U. Eze (Udenu): I rise to second the Motion.

Question put and agreed to.

Leader: Mr Speaker, Sir, may I move the amendment to the Bill with respect to the Sponsorship of the Enugu State Environmental Protection Agency, 2004 –

That this Honourable House do hereby approve that the words: "at the request of the Executive" be inserted immediately after the last word "Assembly" in the Sponsorship Column of the said Bill.

I am proposing this amendment in view of the fact that the Bill was forwarded to this House by the Office of the Governor ...

Mr Odo: Point of Order. The Motion was not seconded.

Mr Speaker: Yes.

Mr Odo: I have risen to second the Motion.

Leader: I thank my hon. Colleagues. As I was saying, this Bill was forwarded to this House by the Office of the Governor through a letter No. GHS/123/III/199 dated 14th January, 2004; a copy is attached for ease of reference.

Any misconception, the earlier incomplete expression must have caused, is regretted.

PRAYER: That the phrase *at the request of the Executive* be immediately inserted after the incomplete expression in the Sponsorship Column of the said Bill. Be it moved and it is hereby moved. Signed hon. (Dr) Kingsley Ebenyi, Leader/Chairman Rules and Business Committee.

Mr Odo: I accordingly second this Motion bearing in mind that if this Motion does not sail through, it will entirely give a different meaning to the Bill. As we all know, there is a difference between a Private Member Bill and an Executive Bill. We ought to know the credits and merits of the Bill. The Leader sponsors the Executive Bill on the request of the Executive. That clause should be printed in the Bill. Now this Motion seeks to correct the effect for

speedy passage of this Bill. I urge my Colleagues to support this Bill. It is not contentious. This Motion will enable us make progress. I thank Mr. Speaker, once more for giving me the opportunity to speak. I call on my Colleagues to support this Motion.

Mr Enebe: I have risen to contribute to this short Motion. First of all, I support the amendment contained in the Motion. Last time, we were talking about clarification; whether it is a Private Member Bill or an Executive Bill. If we go through our Rules, Rules 40 and 41 deal with Private Member Bill. By the time this Bill came to us, it appeared like a Private Member Bill, without satisfying the Rules.

This Motion now seeks to change the face of the Private Member Bill which means that the provisions of Rules 40 and 41 are no longer necessary and once this Motion is passed, the records will be straight and those who will go through our records by the time we have left, will know that we mean business; that we tried to be consistent as we should. The Leader, as I said last time, has dual responsibility in this House as Member and also as the Leader of the House. He has the right to sponsor Private Member Bills and also Government Bills, but each time, he is sponsoring a Bill the clarification is very necessary so that whichever way he goes we should know.

Thank you, very much.

Deputy Leader (Mr Anikwe): Mr Speaker, Sir, my support to the Motion moved by the Leader can be best appreciated by asking you to put the Question.

Mr J. Anichukwu (Nkanu East): Mr Speaker, Sir, I support entirely the Motion moved by the Leader but I want us to remember that the issue of whether it is a Private Member Bill or an Executive Bill should not be the question. So in trying to find out the source of the Bill ...

Deputy Speaker: Point of Order.

Mr Speaker: Let me remind the hon. Member for Nkanu East (*Mr Anichukwu*) that at this point in time, there is a Motion before us and the Leader sought the leave of the House to suspend Order 25 and it was duly seconded and people have been speaking on this Motion. So, at this point in time, what he should be saying is purely on the Motion. The leader realized what members are saying about the title and sponsorship and he came up with the Motion. So the issue of whether to insert or expunge (*Laughter*) should not come up. So let us talk on the Motion before the House.

Mr J. Anichukwu: Mr Speaker, Sir, thank you for the correction. I completely support the Bill and call on members to help make the Motion sail through.

Mr E. Eze (Udenu): Mr Speaker, Sir, I have risen to give my support to this Motion coming from the Leader of this House. The Motion is trying to put us on the right track. If this Motion has not come up, we would have been derailing, trying to diagnose a Bill which I termed anonymous – without an author. What this Motion is trying to do is to author the Bill before us. This honourable House, at this point in time is in no way in a position to campaign a Bill without an author. But this amendment has put us in proper perspective through the source and author of the Bill. Therefore, I thank the mover of the Motion. Having said so, may I now request that the Question be put.

Question, That the question be now put, put and agreed to.

Main Question put and agreed to.

Resolved: That this honourable House do hereby approve that the words: “at the request of the executive” be inserted immediately after the last word “Assembly” in the sponsorship column of the said Bill.

ANNOUNCEMENT

Mr Speaker: I request a meeting in my office just for a brief information. It will not take two minutes.

There will be a meeting of House Committee on Education, Science and Technology at the Chairman’s office, room 216.

Please, like I said earlier, the Clerks-at-Table should take note because there should be a link between the Motion we adopted now and what we said earlier. I am aware that there are so many Bills still being worked on by various committees. Those responsible should try to report out.

There are many Bills written by hon. Members. These Bills are receiving attention. We cannot discuss any Bill not published in a Newspaper. For us to discuss the Bill, all necessary procedures must be followed. Some of these Bills we have passed are Executive Bills. I have the confidence that some hon. Members can come up with their own Bills, so we can have Private Member Bill.

Mr Enebe: Mr Speaker, Sir, my question is concerning the time of publication of the Bill in a newspaper. The Rule says, in addition to this, is the official gazette. Can we be doing the two? May I read it Mr Speaker?

Mr Speaker: Okay, go ahead.

Mr Enebe: It says: 40(1) *Any Member who wishes to move for leave to bring in a bill shall give notice of such Motion by sending a copy of the provisions proposed to be embodied in the bill to the Clerk who shall cause them to be printed*

and published in the Enugu State of Nigeria Official Gazette and shall send a copy to every Member.

(2) A bill may, in addition to the publication in the official Gazette be published in any of the other information media for the attention of the general public. That is all Mr Speaker.

Mr Speaker: Honourable Colleagues, Rule 52 also says: *If it appears to Mr Speaker from the notice of the terms proposed to be embodied in a bill that the proposals are intended to affect or benefit some particular person, association or corporate body then:*

(1) *Before allowing such a bill to be read the first time Mr Speaker shall satisfy himself that, in addition to the notices already presented under Standing Order 40 (Notice regarding Bills), additional notice of the bill has been given by advertising a statement of its general nature and objects in the official Gazette and in one newspaper circulating in Nigeria, (Laughter)*

Honourable Colleagues, there is no way we can wave these things. There is no way we can just say that we bring a bill, nobody is aware of it, no publication, no official gazette, nothing and we go ahead and start

passing the Bill. It is not done anywhere please.

Mr Enebe: Even a Government Bill?

Mr Speaker: Yes, even Government Bills. There is no Government Bill that is not gazetted before we go on with it.

Leader: Mr Speaker, Sir, in respect to what the hon. Member for Awgu North (*Mr Enebe*) asked about Government Bills, a Government Bill is a Government Bill. Government, through the Bill, tells the people what it wants to do. So, one does not expect Government to tell the people before it carries out any of her programmes. Government cannot publish her programmes in the newspaper before she carries them out.

Mr Speaker: I want to inform the Leader of the House, that what the hon. Member for Awgu North (*Mr Enebe*) is trying to say is that the Government, Bill, unlike a Private Member Bill which may center on individual interest or a group interest, a Government Bill affects the lives of many citizens.

So, his assumption is very clear. There is no Government Bill that has nothing to do with your own life and my own life.

Mr Enebe: Mr Speaker, what we are saying is that even a Private Member Bill affects the people. If you conduct public hearing on every Bill, it will be free and fair. That is what I am saying.

Mr Speaker: What I am saying is that if an hon. Member has written a Bill he should follow the procedure. The procedure is that he must publish and gazette it, period.

Mr Enebe: Mr Speaker, we shall amend the Rules.

Mr Speaker: If we amend the Rules that is okay, but as far as it remains the way it is now, that is the procedure.

Mr E. U. Eze (Udenu): Mr Speaker, Sir, my question is on the word publication. I think if we publish the heading of the Bill, it is as good as having published the Bill. Or does the word publication mean the entire contents of the Bill?

Mr Speaker: Yes, the entire contents.

Mr Eze: To this, I say No! Nobody can publish over fifty pages of a Bill, (*Laughter*). If one publishes the title of the Bill that is sufficient, Mr Speaker (*Prolonged Laughter*).

Mr Enebe: There are some Bills that are up to 50 or more pages, how can he publish them.

Leader: Mr Speaker, Sir, what I have to say about the publication and the question of amending our Standing Orders, is that work is in progress on the amendment of the Standing Orders and any Member

who wishes this procedure to be amended can come and point it out to the Rules and Business Committee of the House.

ADJOURNMENT

Leader: Mr Speaker, Sir, I move that the House do now adjourn till Tuesday 17th February 2004, at 10 a.m.

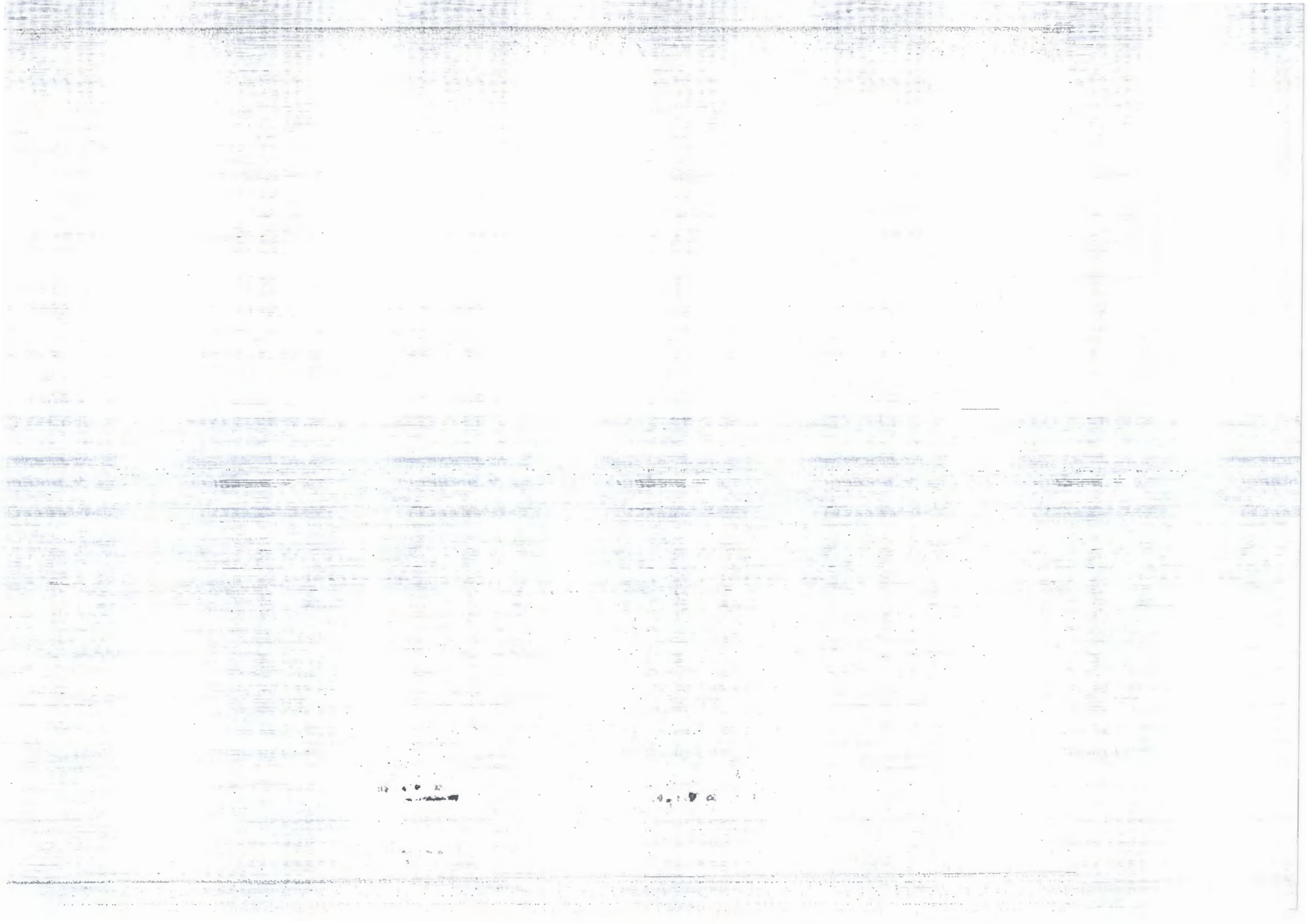
Parking Space

Mr Enebe: Mr Speaker, Sir, I rise to second the Motion, and in doing so, I want to draw the attention of this honourable House to the fact that parking space has become a problem in this House. I wish that something should be done urgently to that effect so that people will see spaces where to park their cars. Thank you.

Question put and agreed to.

Resolved: That the House do now adjourn till Tuesday 17th February, 2004, at 10 a.m.

Adjourned accordingly at 1.20 p.m.





ENUGU STATE OF NIGERIA
PROCEEDINGS
AND DEBATES OF THE
FIRST SESSION OF THE
THIRD ASSEMBLY

ENUGU STATE HOUSE OF ASSEMBLY

OFFICIAL REPORT

No. 55

Tuesday
17th February, 2004

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No proofs of the Daily Reports can be supplied. Corrections, which Members suggest for the Bound Volume, should be clearly marked in the Daily Report, but not telephoned and the copy containing the corrections must be received at the Editor's Room, House of Assembly

not later than four days
after receipt of the Printed Report

HOUSE OF ASSEMBLY
ENUGU STATE OF NIGERIA
Tuesday, 17th February, 2004
(*The House met at 10 a.m.*)

PRAYERS

(Mr Speaker in the Chair)

**APPROVAL OF VOTES AND
PROCEEDINGS**

Mr Speaker: Honourable Colleagues, before the House are the Votes and Proceedings of Thursday 12th February, 2004. I have gone through them and to the best of my knowledge, they are correct. However, I call for hon Members comments. Thank you.

Mr E. C. Maduabu (Awgu South): Mr Speaker, Sir, I have equally gone through the Votes and Proceedings of Thursday, 12th February, 2004, and have found them to be correct. Therefore, I move for the adoption of the said Votes and Proceedings. Thank you, Sir.

Mr F. E. Amu (Nsukka East): Mr Speaker, Sir, I rise to second the Motion for the adoption of the Votes and Proceedings of Thursday 12th February, 2004. Thank you, Sir.

Question put and agreed to.

Votes and Proceedings of Thursday 12th February, 2004 accordingly adopted.

ORDER OF THE DAY

**THE ENUGU STATE
ENVIRONMENTAL PROTECTION
AGENCY BILL, NO. 2, 2004**

A Bill for a Law to Establish the Enugu State Environmental Protection Agency and other Matters Connected Therewith.

(Adjourned Debate on Second Reading, 3rd February, 2004)

Leader (Mr Ebenyi): Mr Speaker, Sir, hon. Colleagues, I hereby move that the Bill on Enugu State Environmental Protection Agency be read a Second time.

Mrs C. Ene (Udi South): Mr Speaker, Sir, I rise to second the Motion moved by the Leader of the House. Thank you, Sir.

Leader: Thank you, Mr Speaker, Sir. The Bill before this House, the Enugu State Environmental Protection Agency, Bill No. 2, 2004, is a very important one in the sense that this Bill is people oriented and has direct impact on the people of Enugu State. The Bill seeks to establish the Enugu State Environmental Protection Agency and also to create a healthy environment for the people of the State.

The Agency when established, will among other functions, oversee the general protection and development of the Enugu environment for sustainable development. The Agency will advise the Government on adequate rehabilitation necessary for areas in the State affected by pollution or natural disasters, and more importantly advise the Government on the adequate compensation payable to communities affected by environmental pollution or natural disasters such as flood, fire, oil spillage due to

leakage from old pipes, etc. Mr Speaker, Sir, you will recollect that a few months ago we had oil spillage in one community in Aninri Local Government Area and we had another oil spillage at Okpuofu in Isi-Uzo Local Government Area. Also at Uzo-Uwani Local Government Area, we had flood disaster but because we do not have an agency or a body that is in charge of environment, no compensation was paid to the affected communities. On the establishment of the Enugu State Environmental Protection Agency, they will be in charge of the environment and whenever such disaster occurs they will be able to advise the government adequately on the type of compensation that could be paid to the victims. Other functions of the Agency shall include:

- a) the maintenance of clean and healthy environment in the State;
- b) the removal and disposal of any vehicle(s) abandoned or cannibalized on any road in the State;

If you walk round the whole city you will see cars vandalized and spoilt cars parked here and there all over the place. Nobody takes care of them. But once this Agency has responsibility to remove those cannibalized vehicles, they will be forced to take care of those abandoned vehicles and to make sure that they are removed from our streets. The owners of such vehicles will be penalized, and they will pay some fines for parking unlawfully.

- c) thirdly, their functions shall also include impounding any vehicle(s) that is/are improperly kept or parked along the roads in the State;

- d) controlling and supervising sewage disposal services; and finally
- e) the establishment, maintenance and clearing of public conveniences etc.

It will be recalled that a monthly sanitation day was set aside for the cleaning of our environment. This practice had been in existence until the advent of the present civilian administration. This Bill, in addition seeks to reintroduce monthly sanitation day. This makes the last Saturday of every month to be observed as Sanitation Day. On that day, there will be general clean-up activities between the hours of 7 a.m. to 10 a.m. same day. Everybody will be involved except people on essential services, the sick and people exempted by the Agency or Authority. It also involves those in the rural areas.

Mr Speaker, Sir, you will agree with me that if you make any law without adequate enforcement, that law is as good as being useless. Therefore, in order to enforce this law and ensure its sustainability, there is provision under this law for the establishment of Mobile Environmental Protection Court which shall be presided over by a Magistrate and shall have jurisdiction to try offences and hear and determine civil causes and matters relating to environment under this law. The court equally has jurisdiction to try offences committed on sanitation days. There is provision by the Agency to establish local government Environmental Committees and Liaison Offices in each Headquarters of the 56 Local Government Areas of the State and shall be headed by the Chairman of the Local Government Area. The Committee will be in charge of creating enabling

environment for the people of the Local Government.

Mr Speaker, to maintain a healthy environment is not an easy task; it requires adequate funding. Thus the Bill makes provision in the Second Schedule for Environmental Development Fees which is categorized so as to enable the people comply. The aim is to get the people involved and committed in keeping their environment clean. The fees are charged according to the size and type of business or establishment in order to complement Government's efforts in maintaining the environment.

Cleanliness, they say, is next to Godliness and a healthy State is a wealthy State. Therefore I urge my hon. Colleagues to rise in support of this Bill so that Enugu State and its environment will be clean and healthy in order to attract investors who will come and invest in the State. Thank you, Mr Speaker.

Mr C. O. Enebe (Awgu North): Mr Speaker, I have risen to contribute to the debate on the Enugu State Environmental Protection Agency Bill. Mr Speaker, you will agree with me that a saying goes that cleanliness is next to Godliness. The importance of clean environment cannot be overemphasized.

We say that we want to have clean environment, we must entrust such an important matter in the hands of competent organisation. That is what this Bill seeks to do. We should not just say that we want to have a clean environment, we should go further to establish an Agency that will be charged with the responsibility to make sure that our environment is clean, so that if our environment is not clean we will know

who to hold. It is important to note that just as we want to keep our bed-rooms or our sitting rooms clean, there is need to equally keep our environment clean.

I have gone through this Bill and the contents of the Bill to the best of my knowledge are okay. But I want to urge this House to introduce something that I feel is missing in this Bill. Section 40 talks about *discharging of toxic waste in the environment* and if we pass this Bill the way it is, it is open ended. I am looking at what is obtainable in advanced countries, I want to see a situation whereby we go further to introduce a *Mission Test* on vehicles in our State.

In advanced countries what is done is that the moment the established Agency sees any vehicle that is polluting the environment it will impound it. And if we should bring in automobile vehicles we should equally look for *Mission Test* to ensure that the vehicles are fit to ply on the roads, otherwise we will end up spending our meager resources on drugs by going to the hospitals.

So, I want to see the *Mission Test* introduced in this State so that all these vehicles that are not fit to ply on our roads will be removed. If one's vehicle is involved in toxic waste one should go for repairs or change the engine to make sure that the environment is save.

Another aspect I want to talk on is the issue of *Waste Management* as it affects human waste. Mr Speaker, you will agree with me that the practice of each building having soak-away will be abated; for instance, the present layouts that we are having in Enugu now. It will be important and worthwhile if we can introduce a

central sewage disposal system where the people living in a particular estate will channel all their human wastes for easy treatment and for easy collection. If it is done individually, there is no way one can guarantee what is happening there. The human waste can be airborne. Probably, the landlords or tenants may not have the resources to even treat it. The odour from that particular compound will affect the people who are living in the neighbourhood. But if we introduce central sewage disposal system, it will help a lot.

I am not talking about Independence Layout or Uwani or other places; I am talking about the new layouts being introduced. As Enugu and its environs are expanding there is need to introduce this central sewage disposal system.

I would like to talk about fines, fines will be abused if it is not taken care of. Therefore, this Bill should state that *the fines the offenders should pay would be determined and approved from time to time, by the Executive* (appropriate Ministry). Mr Speaker, I do not want to over labour my debate except that, I want to state that there is a need to ensure that the Agency should be established within our own society. And I equally want to say that there is a need to strengthen the School of Health Technology at Oji River. That is where you will draw the core staff that will help to manage this Agency. Thank you, very much.

Mr F. Onah (Nsukka West): Mr Speaker, I totally align myself to this Bill. The primary aim of this Bill is environmental, water, land, and air protection. Mr Speaker, this Bill is very, very important in the sense that it will go a long way in bringing environmental

cleanliness to the entire State. Take for instance the abolition of bucket latrines which had been in use in this State for sometime now, re-introduction of bucket for dustbin in our vehicles, the monthly environmental sanitation, use of approved bags for refuse at our various houses. All these will bring to a stop industrial wastes more especially at Onyeama Hill, Ninth Mile and Nsukka road. Re-introduction of sanitary inspectors, will go a long way towards enhancing cleanliness in Enugu State. There will be reduction in accident rate because vehicles that are packed along our roads will be impounded.

In the area of noise control. In some yards some people generate a lot of noise either from their musical sets or any other type of noise and this can be a disturbance to their neighbours. So this Bill will go a long way in bringing about noise control in our various houses. Good health will be assured because of this all-important Bill. We all know that a clean environment is next to good health. It will enhance good health to the people in general.

It will also boost revenue generation, more especially now that the budget has been passed in Enugu State. It will strengthen the achievement and the aim of our budget. It will be a realistic budget because this Bill will go a long way in raising our revenue standard.

Mr Speaker, with all these points, I strongly align myself with this Bill and I urge my hon. Colleagues to speak in favour of this Bill. Thank you.

Mr M.N. Onyeze (Igbo Eze North I): Mr Speaker, I have risen to support this all-important Bill that deals on environment. We are all aware that the present

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government of Enugu State has been investing a lot of money on health, particularly in this year's budget when we are expecting a Teaching Hospital in the State. Whatever one invests on health without good environment is like wasted fund because if one is treated and stays in a bad environment, one will fall sick again. Therefore, this Bill seeks to compliment the efforts of the Ministry of Health in keeping the environment clean. It is not only by working in the hospital alone, all those people who are engaged in keeping the environment clean will be helping to prevent diseases, thereby helping to reduce the number of patients admitted in the hospitals. For that reason, this Bill should be supported.

We are also aware that democracy has attracted a lot of investment in the State. As a matter of fact, Enugu State is ranked high as an investment friendly state. That is why we have something like AMA Brewery at Ngwo, Enugu, which is the largest of such Brewery in Africa and we know that more investors are coming, in the manufacturing sector we have what is called externalities, ie, we have to lose in some aspects and one of such aspects is on our environment. We have air pollution and all sorts of hazards.

There is therefore the need for a body that is authorized to regulate the excesses of manufacturers in terms of air pollution and other hazards which the ordinary citizen will be suffering if they are not controlled. Those of use who pass along 9th Mile Corner/Nsukka road will understand that people are confronted with one type of pollution or the other. I believe that the agency will now have the power to visit

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regularly those manufacturing companies and help them to maintain a healthy environment. In as much as we need the economic development of the State, we also need a good environment to prevent more diseases because our degree of resistance is not the same.

This Bill also seeks to re-focus the Agency itself, because, most of the time the officers that are given the responsibility to help keep the environment clean do not concentrate on their work, rather they go out and continue extorting money from the people. I believe that this Bill will re-focus them and make them more result-oriented in terms of keeping a more clean environment for our people. If you go to places like Port Harcourt, the capital of River State, the Environmental Workers work during the night, cleaning the environment so that when you come out in the morning, the streets will be clean, looking like a new place. I believe this Bill, if passed into law, will re-focus the environmental Agency of the State so that we will have a better environment.

I have to make few observations on the Bill. I hope the committee handling it will do a lot of work on the offences and penalties, that is, *part 6, section 36*. If you look at the powers given to the workers of this environmental Agency, and knowing that we are all Nigerians, if you give such elastic power to operate without proper checks, there is the tendency that it will be abused or used to maltreat the less privileged people. Let me read for example: (d) of that Section 36 to highlight the type of powers that have been given to these people. *Any person who does anything which in the opinion of an authorized*

officer of the Agency, constitutes nuisance in a street, highway, open spaces or in any place adjoining a dwelling house, factory, school, workshop or any public institution. What I am trying to say here is that if you give such powers in Nigeria you have to clearly define its meaning, otherwise they can jump into any place and say that people are causing nuisance, that your speaker is too loud and start collecting money from people. So I am appealing to the Committee that will handle this Bill to liaise with the Agency so that the offences will be clearly defined.

If you look at page 28(f) and (g), you will also see something like: *any person who allows dirt in the form of waste paper, wood, metal or other matter to be left or littered within 20 metres of his place of abode, company, factory, office, school, shop, market store or any public institution.*

What I am trying to say is that some of these areas or offences should be clearly defined and contracted. That is from *Section 36(a) to (n)*.

If you look at (g) again, you can see: *any person who discharges, deposits or leaves urine, faeces or other human waste or allows dirty water to accumulate in any place other than a well constructed toilet; should be punished.*

Any of us can be held for this offence. I appeal to the House Committee on Environment to liaise with the Agency so that they contract Section 36(a) to (n) and get the offences clearly defined so that when one is committing an offence one knows that one has actually committed an offence otherwise if you have a quarrel with your neighbour you will go and invite Enugu State Environmental Protection

Agency to come and arrest him because there are faeces behind his house. So, I appeal to the Committee to couch the Bill in such a way that offences should be clearly defined so that we have blessed schemes.

With this contribution Mr Speaker, I wholeheartedly support this all-important Bill that is talking of healthy environment. Thank you.

Mr E.C. Maduabu (Awgu South): Mr Speaker, Sir, I have risen to support this all-important Bill. It is a high impact Bill because it touches on the life of the people of this State. Enugu State used to be one of the cleanest State in the Federation. That was as far back as 1960s, 70s and early 80s, but of recent, it seems that waste has taken over all the places. There is no road in Enugu State now that is clean. Almost all the major roads have been closed with dirt and it is a risk to the State.

Therefore, the establishment of Environmental Protection Agency of Enugu State is very important to management of the disposal of waste in the State. It calls for healthy living in the State. The Agency when established will now advise the State Government on the proper utilization of one per cent ecological fund which is meant for the maintenance of environment. It will seek to control and preserve the environment and natural resources of the State. It will now ensure that all the building plans for the industrial layout and markets take cognizance of the waste habits like sanitary aspect of such buildings. It will as well ensure that the factory complies with laws whereby as it affects workers welfare and safety. The abolition of bucket latrine system will also be enforced. These are the things that the Agency is trying to guard against in order to preserve and

ensure a healthy environment in the State. This is very important.

The area where one of the speakers talked about is very comprehensive. The way we throw our wastes is not encouraging. We throw away faeces, and dirt haphazardly. Punishment should be meted to offenders; they should be made to pay. What I am saying is that the management should be sincere. When this law is made, I doubt if there will be something like victimizing a person who has not committed any offence. That will not happen because if one defecates and somebody reports to the Agency, the Agency will go to the scene and see the waste and the person will be arrested, and adequate punishment meted to him.

I am seeing this as a very important bill, which every hon Member in this house should not hesitate to support. Therefore, I plead that fellow hon. Members should give this Bill their full support. Thank you.

Mr J. N. Anichukwu (Nkanu East): Mr Speaker, Sir, thank you for giving me this opportunity to identify with this Bill, which I call an all embracing Bill. I have taken time and pains to go through the Bill, and have discovered that I really forgot to point out some areas of interest as contained in the Bill. There is no amount of contribution made towards the sanitation Bill that anybody will say is too much because Enugu State, in particular, has been known for its beauty.

On several occasions we observed the sanitation day, on the last Saturday of every month. This is an innovation; there is another attachment that will make it positively new.

In the past, some people do observe the sanitation day just for the fun of it. Even those whose responsibility it is to evacuate the garbage will even have problems on the street about what they should be doing. But in this Bill there is a recommendation of introducing Mobile Court, so that anybody, who thinks that the environment should not be clean should definitely have to think twice because there is no way anybody who goes contrary to the provisions, would go scot-free. With that, we are even more conscious of the need for us to have a clean environment.

Mr Speaker, this Bill needs a lot of long-term observation. We are all aware of the fact that about five or six months past, this House has devoted much of her time to passing Motions on oil spillage down to the East, West, North and South. Even at this, the villagers who suffer the problem, only knew that they have representatives, and incidentally when they report to either the Chairman or the House, we have no option than to come up with a Motion.

For almost three months, this House was on Motion on oil spillage and we only had to urge either the NNPC or the Federal Government to do something about it, which at the end, they will not do much. This Bill, if passed, will give encouragement to the Enugu State Environmental Protection Agency (ENSEPA) so that if there is any problem, either man-made or otherwise, we have an Agency to report to and hold responsible and they will take action immediately.

Why I am saying that the Bill is some aspects not being tak

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sanitation in the past, we just concentrate on the urban areas.

We have forgotten that pollution could be even through the water we drink. So the Bill if passed now, will go a long way to control even those who fish in the rural areas. They use all sorts of chemicals to kill fish, and they do not know the implications of the chemicals. For instance, it is used to kill fish, any human being that eats that fish, has taken poison. In addition, when one drinks water from such rivers, it will equally affect ones health. We were all crying because of oil spillage crossing through one or more communities, and as if that is not enough, the chemical is equally posing another danger to human health. This Bill if well implemented will go a long way towards making sure that the people are enlightened.

Mr Speaker, Sir, this Bill will help the Women Affairs Commission to make sure that lunatics and beggars in Enugu State are taken care of and settled in a proper place. Incidentally, it appears that nothing has been done because the problem lingers on. The contents of this Bill if passed, will specifically give ENSEPA authority to search all places inside the town, etc., to take care of all the lunatics, and all the beggars and probably to rehabilitate them to make their lives much better.

This Bill is all encompassing and it is self sustaining. While going through the Bill one will observe lots of offences and penalties. The authorities will not say that do not have money, to implement or the Bill. They will have enough because they will generate funds to take care of their operations. I can remember that sometime last year, we were taken to our village because the

bridge across Nyaba River nearly collapsed because of earth excavation. If this type of Bill was in place, at least the people excavating the sand as a way of making money will have known the implications that at the end the state government will spend so much in reactivating the bridge.

We have to use the little resources we have to solve the problems we have actually created for ourselves. On cursory look, we notice that the so-called businessman in their efforts to get money, and unconscious of the implications come to residential areas to build industries even when the Industry is not actually supposed to exist there. If the Bill is implemented effectively I am convinced that no industry will be sited wrongly to the detriment of human health, and no industry will be sited where human beings are living. This is to avoid air pollution occasioned by chemical wastes.

Mr Speaker, Sir, even if this Bill comes up five times I will make my input five good times. I have gone through the Bill and other aspects of the Bill as they involve human health and existence in Enugu State. I very much appreciate the Bill, I assure my hon. Colleagues that when the time comes, we will give the Bill a speedy passage. Thank you, Mr Speaker, Sir.

Mr Speaker: I also thank the hon Member for Nkanu East (*Mr Anichukwu*). We are not in a hurry to pass the Bill. We want to get your minds about the Bill. Even if you want to speak again you will be allowed.

I want to appeal for your kind interventions to restrict movements on the Floor of the House and that hon Members should sit down to listen to debates. I do not like people moving about no matter how

you think you are organised. A little move could distract one's attention, and before you know it, you have started derailing on the debate.

At the appropriate time, I will relocate the hon Member for Udi South (*Mrs Ene*), in her own best interest.

Mr E. Odo (Igbo-Etiti East): Mr Speaker, Sir, I have risen to allow myself contribute to the debate. The importance of this Bill cannot really be over-emphasised. You will realize that apart from the general protection and development of our environment, this Bill will assist to recondition our resources. It will also assist with the provision and maintenance of our refuse dumps and sewage disposal facilities. Most of my Colleagues have already highlighted the importance of this Bill. While supporting what they have said, I wish to point out some little areas where the Committee may wish to make slight amendments to avoid altering the entire concept of the Bill.

Mr Speaker: Excuse me! I think that the hon. Member for Igbo-Etiti East (*Mr Odo*) is the Chairman of the Committee.

Mr Odo: Mr Speaker, Sir, I am speaking like an individual because it is part of the debate.

Mr Speaker: OK.

Thank you, Mr Speaker, for your protection. I want to re-address our minds to the issue of the conflicts as regards to the various laws on local governments that one may wish to really anchor this Bill.

Mr Speaker, you may realize that before now, even at present, a lot of local

governments have been enacting their environmental Bye-laws which goes a long way in conflicting what this Agency is doing and in so doing have created multiple identities so much so that if people come today and say that there is Ministry of Environment or ENSEPA, the next month you see another people coming, and the next two months you see another group of people coming. So, we are believing that this Bill will once and for all address the issue of clashes between the laws of the State and those of the Local Governments' administration.

I also wish to point out that Section 89 of the Bill seeks to confer on the magistrates the powers to adjudicate on flaws or anomalies created or breach of this very Bill but there is a problem there. If we confine this issue to the Magistrate alone then the implication is that the Magistrate must carry out his judicature beyond his jurisdiction. Then, in a situation where this Agency catches somebody who has flouted the law and that offence exceeds that jurisdiction, it will now be very difficult to implement.

So, my thinking is that the High Court of Justice should be enjoined to be part of the adjudicating courts depending on the jurisdiction. I think in Enugu State, the jurisdiction of magistrate depends on the level of an offence. If somebody confiscates a vehicle that is more than N250,000 two hundred and fifty thousand Naira, that means that a magistrate will not be able to really address that issue.

Then, Mr Speaker, the provisions of the Bill is quite omnibus and is more or less a replica of the Edit we are seeking to repeal. The only difference is in the annexure, in the last page, where they listed out the

private companies and parastatals, that wish to pay for something. But authentically they are the same.

We can recall that this Edit was made during the Military Regime and it cannot adopt entirely the contents of the Edict. So, we must be conscious of some of the loose provisions of the Bill just like the hon Member for Igbo-Eze North I (*Mr Oryeze*) has just pointed out. A lot of provisions especially in Sections 36 and 37 did not pigeon-hole any of them into one angle, one can only know that it leans on the discretion of the workers of the Agency assuming that the workers are honest. But you know that seventy *per cent* of the workers of the Agency are recruited on ad-hoc basis and in that way they have nothing at stake to really implement the law; so the committee should take note when addressing this issue. In schedule two of the Bill where some items were listed you can see, Mr Speaker, that even though they have just agreed in about forty topics which is from category A to J all these things, if you really go into a little detail, you will discover that it cuts across the whole society and this is what this Bill meant. The issue now is how do you recruit staff that can do all these things? At the end of the day they will be left with the option of recruiting ad-hoc staff. So the Bill should contain the means through which those ad-hoc staff should be recruited and also ensure that people with less multiplicity of Agenda are equally recruited.

Mr Speaker, I would want to chip in that it will be in the interest of the Committee to observe that there is a little lacuna in the Bill. Since some products are regarded as hazardous products, and these products like kerosene, diesel, gasoline, fertilizer,

potassium, pomade, products which often and on, vehicles deliver to and from Enugu State. It is my humble suggestion that each time these vehicles are delivering these goods, they should be made to seek the permission of the ENSEPA by paying some amount of money so as to make sure that if in the course of operating this Bill there is some environmental hazards, then from such funds they can now take care of the hazards. That is why you find out that each time you have accidents where they are carrying some hazardous products; people will be there, spoiling the environment, they have no capacity because there is no commitment between those products and the ENSEPA. This thing has been tried in several States and even in the whole Eastern Nigeria. I think it is only Imo State that is applying it and it is working well for them and it is even a way of generating revenue inasmuch as it restores the sustaining attribute of ENSEPA.

Mr Speaker, I equally want to say that the functions of this ENSEPA arising from this Bill appears to conflict a little with the Enugu State Water Corporation, with the Public Health Department and then with the Town Planning Authorities in the State. Efforts should be made to sever the functions, so that after enacting this law, they will not conflict because, all these establishments I have mentioned have State laws guiding them. If this Bill is passed into law then the Agency should not be seen as being superior to any of them and there is need of severing the functions so as to avoid the conflict.

Mr Speaker, finally, I wish to suggest that the degree of noise as regards adjoining premises should be really looked into. From what is on, even as I am talking,

somebody can call it noise. So the degree of noise as it constitutes a nuisance should be really looked into and on this grounds, I humbly rest my case and urge my Colleagues to support this Bill after taking care of these offences. Thank you.

Deputy Speaker (Mr Atigwe): Mr Speaker, I have risen to contribute to this Bill. This Bill touches on the lives of the people. We should have more advocacy meetings before passing this Bill. Mr Speaker, you will agree with me that the Constitution of the Federal Republic of Nigeria is superior to any other law.

Before passing this Bill into law, we have to refer to the Constitution of the country, 1999. We have Part II, Section 4; the taxes to be collected; that should be the Concurrent Legislative List at Page 134 of the Constitution. It talks about the collection of taxes. I refer you to items (7) to (10). Furthermore, we should know about the laws operating. ... *(Interruptions)*

I am coming. Let met read it out. Item 7 of it says:- *In the exercise of its powers to impose any tax or duty on, (a) Capital gains, incomes, or profits of persons other than companies and (b) documents or transactions by way of stamp duties, the National Assembly may subject to such conditions as it may prescribe, provide that the collection of any such tax or duty or the administration of the law imposing it shall be carried out by the government of a State or other authority of a State.*

(8) Where an Act of the National Assembly provides for the collection of tax or duty on capital gains, incomes or profit or the administration of any law by an authority of a state in accordance with paragraph 7 hereof, it shall regulate the

liability of persons to such tax or duty in such a manner as to ensure that such tax or duty is not levied on the same person by more than one State.

(9) A House of Assembly may subject to such conditions as it may prescribe, make provisions for the collection of any tax, fee or rate for the administration of the law providing for such collection by a local government council.

(10) Where a law of a House of Assembly provides for the collection of tax, fee or rate or for the administration of such law by a local government council in accordance with the provisions hereof, it shall regulate the liability of persons to the tax, fee or rate in such manner as to ensure that such tax, fee or rate is not levied on the same person in respect of the same liability by more than one local government council.

I am taking this Section because of the implication of taxes.

Mr Speaker, Sir, we all agree that Environmental Protection Agency, as we all know, is what is said that *health is wealth* and that is part of development.

Mr Speaker, this very Bill, as we see it, should be effectively monitored, if passed into law. And again the cities should be categorized. By this I mean, we know the number of urban areas in the state as well as rural areas and how much they should pay this time. These rural areas should as well be categorized because even in heaven all Angels are not equal. We have the Archangels in heaven *(Laughter)*. Yes, the Archangel Michael and the Archangel Raphael, they are there *(Laughter)*. And they are in charge. *(Prolonged Laughter)*.

Mr Speaker: Order! Order!! Honourable Colleagues, what is the problem. *(Laughter)*.

Deputy Speaker: Mr Speaker, Sir, may you please give me chance to continue another day because I am making some mistakes here. *(Prolonged Laughter)*. I am not fixed properly again, please.

Mr Speaker: Honourable Colleagues, we are finishing debate today.

Several hon Members: No! No!! *(Laughter)*.

Deputy Speaker: If so, O.K. *(Prolonged Laughter)*.

Mr Speaker: Order! Order!! Fellow Colleagues, if there are some other hon. Members who wish to contribute on Thursday, we can continue on Thursday.

Deputy Speaker: Thank you, Mr Speaker. I shall continue on Thursday.

Leader: Mr Speaker, Sir, you will agree with me that most of us, hon. Members have spoken in favour of this Bill, and others still wish to speak. In view of that, may I move that further debate on the Bill be deferred until our next Legislative sitting. Thank you.

Mr F. Onah (Nsukka West): Mr Speaker, Sir, I rise to second that Motion.

Question put and agreed to.

Debate on the Bill accordingly deferred.

ANNOUNCEMENT

Briefing

Mr Speaker: Honourable Colleagues, we shall have a briefing for about a minute or two in my office on the rising of the House. Those of you who are going to *Ojebu Ogene* would be very eager to leave. *(Laughter)*.

ADJOURNMENT

Leader: Mr Speaker, Sir, I hereby move that the House do now adjourn till Thursday, 19th February, 2004, at 10a.m.

Car Park

Mr C. O. Enebe (Awgu North): Mr Speaker, Sir, I have risen to second that Motion for adjournment as moved by the Leader of the House.

On this note, Mr Speaker, may I kindly still appeal that we designate an area as a new car park for hon. Members. When I came in this morning, I could not park my car and the other day it was the same thing.

Question put and agreed to.

Resolved: That the House do now adjourn till Thursday 19th February, 2004 at 10 a.m.

Adjourned accordingly at 1.20 p.m.



**ENUGU STATE OF NIGERIA
PROCEEDINGS**

**AND DEBATES OF THE
FIRST SESSION OF THE
THIRD ASSEMBLY**

ENUGU STATE HOUSE OF ASSEMBLY

OFFICIAL REPORT

No. 56

**Thursday
19th February, 2004**

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Enugu State House of Assembly

HOUSE OF ASSEMBLY
ENUGU STATE OF NIGERIA
Thursday, 19th February, 2004
(The House met at 10 a.m.)

PRAYERS

(Mr Speaker in the Chair)

**APPROVAL OF VOTES AND
PROCEEDINGS**

Mr Speaker: Honourable Colleagues, before us are our Votes and Proceedings number 55, dated 17th day of February, 2004. I have gone through them and to the best of my knowledge, they are correct. However, I call for your comments.

Mr A.C. Nnadi (Igbo Etitu West): Mr Speaker, Sir, I have equally and joyfully studied the immediate past Votes and Proceedings of this honourable House and have equally found them very excellent. I have therefore risen from my place to move a Motion for their adoption.

Mr F. Onah (Nsukka West): Mr Speaker, may I quickly second the Motion.

Question put and agreed to:

Votes and Proceedings of Tuesday 17th February, 2004 accordingly adopted.

MOTION

Withdrawal of a Bill

Leader (Mr K. Ebenyi): Mr Speaker, Sir, pursuant to Order No. 50 of our Standing Orders which talks about withdrawal of Bills, there is a Motion I want to move. Mr Speaker, in line with Order No. 50, I hereby move that the Bill, Enugu State Environmental Protection Agency Bill No. 2, 2004, which was earlier introduced to this honourable House two weeks ago and we have already commenced second reading, be withdrawn. This is in line with the request of the Executive that the Bill be withdrawn to enable it make more inputs. The Bill, however, will be re-introduced to the House in due course.

Mr A Chigbo (Uzo-Uwani): Mr Speaker, Sir, the Motion is hereby seconded.

Question put and agreed to:

Bill accordingly withdrawn

ORDER OF THE DAY

**OBITUARY ANNOUNCEMENT
AND ARRIVAL OF THE CORPSE
OF LATE HON. EMMANUEL P.I.
OMEJE**

Leader (Mr Ebenyi): Mr Speaker, Sir, information reaching me says that the corpse of Late Omeje was to be brought here, but it appears the family

are not yet ready. I hereby move that the item be deferred sine die.

Mr Speaker: What is the problem? I think the House should better allow the hon. Members to continue with their local government tours.

Mr A. Nnadi (Igbo-Etiti West): Mr Speaker, Sir, I rise to second the Motion.

Question, That items 4 and 5 on today's Order Paper be deferred sine die, put and agreed to.

ANNOUNCEMENT

Meetings

Mr Speaker: Honourable Colleagues, may I please invite you to a very important meeting in my office on the rising of the House.

A meeting of the House Services and Security Matters Committee will hold immediately after the adjournment of the House.

The venue is Room 103. It is signed by the Chairman, hon. Anih Donatus.

Appreciation

I am also very happy, and wish to state that I appreciate the way and manner in which the hon. Members turned up for duties this morning. It is very commendable. Most of you were

here before 10 a.m. I appreciate it and wish you more grease to your elbow.

ADJOURNMENT

Leader: Mr Speaker, Sir, I hereby move that the House do now adjourn till Tuesday 24th February, 2004, at 10 a.m. prompt. Thank you, Sir.

Mr E. Odo (Igbo-Etiti East): Mr Speaker, Sir, I rise to second the Motion for adjournment and in doing so, I wish to express my heart-felt sympathy over the outbreak of fire which occurred at some parts of Ogbete Main Market sometime ago. Accordingly, I would request Mr Speaker, to direct the Chairman, House Committee on Commerce and Industries, to visit the scene and report back to the House.

Question put and agreed to.

Resolved: That the House do now adjourn till Tuesday, 24th February, 2004 at 10 a.m. prompt.

Adjourned accordingly at 11.42 p.m.



**ENUGU STATE OF NIGERIA
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ENUGU STATE HOUSE OF ASSEMBLY

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No. 57

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HOUSE OF ASSEMBLY
ENUGU STATE OF NIGERIA
Tuesday, 24th February, 2004
(The House met at 10 a.m.)

PRAYERS

(Mr Speaker in the Chair)

APPROVAL OF VOTES AND PROCEEDINGS

Mr Speaker: Honourable Colleagues, our Votes and Proceedings of Thursday, 19th February, 2004 are before us. I have gone through them, and found them to be correct. However, I need your comments. Thank you.

Mr E. Odo (Igbo-Etiti East): Mr Speaker, Sir, hon. Colleagues, I have gone through the Votes and Proceedings of our last sitting and found them to be correct. I therefore, move for the adoption of the said Votes and Proceedings as correct recording of what transpired that day. Thank you.

Mr J. Anichukwu (Nkanu East): Mr Speaker, Sir, I have equally gone through the Votes and Proceedings of the last legislative sitting, and found them to be a true reflection of what we discussed. I therefore, second the Motion for their adoption. Thank you.

Question put and agreed to.

Votes and Proceedings of Thursday, 19th February, 2004, accordingly adopted.

ANNOUNCEMENT

Mr Speaker: Honourable Members please be reminded that the Board of the Code of Conduct Bureau is coming by 12.00 noon today. Thank you.

Deputy Leader (Mr Anikwe): Mr Speaker, Sir, hon. Colleagues, I rise to move that this honourable House do now adjourn till Thursday, 26th February, 2004, at 10a.m. Thank you.

Mr A. Chigbo (Uzo-Uwani): Mr Speaker, Sir, hon. Colleagues, I rise to second the Motion for adjournment. Thank you.

Question put and agreed to.

Resolved: That this honourable House do now adjourn till Thursday, 26th February, 2004 at 10.00 a.m.

Adjourned accordingly at 11.07 a.m.





ENUGU STATE OF NIGERIA
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HOUSE OF ASSEMBLY
ENUGU STATE OF NIGERIA
Thursday, 26th February, 2004

(The House met at 10 a.m.)

PRAYERS

(Mr Speaker in the Chair)

**APPROVAL OF VOTES AND
PROCEEDINGS**

Mr Speaker: Honourable Colleagues, our Votes and Proceedings of 24th February, 2004 are before us. I have gone through them and to my mind, they are correct. However, I humbly request your comments. Thank you.

Mr F. Onah (Nsukka West): Thank you, Mr Speaker. I have equally gone through the Votes and Proceedings of Tuesday 24th February, 2004 and to the best of my knowledge, they are the true reflections of what transpired on that day. I therefore, move for their adoption. Thank you.

Deputy Leader (*Mr Anikwe*): Mr Speaker, I have risen to second the Motion for the adoption of the Votes and Proceedings of our last sitting.

Question put and agreed to.

Votes and Proceedings of Thursday 24th February, 2004 accordingly adopted.

ANNOUNCEMENT

Mr Speaker, Honourable Colleagues, you will recall that few minutes ago, the Speaker and hon. Members of Kaduna State just left here for another assignment. They came since yesterday and they are going to

stay till tomorrow. On that note, to night, we are organizing a cultural night for them at the Premier Garden, Hotel Presidential, Enugu. You are all cordially requested to be there body and soul with your wives. Other information as regards to what will be done to them will be communicated to you in due course. Time is 7 p.m. Both hon. Members and staff of the House of Assembly are invited, please.

ADJOURNMENT

Leader (Mr Ebenyi): Mr Speaker, hon. Colleagues, may I humbly move that the House do now adjourn till Tuesday, 2nd March, 2004, at 10 a.m.

Mr A. Chigbo (Uzo-Uwani): Honourable Speaker, I rise to second the Motion.

Mr C. Enebe (Awgu North): Mr Speaker, I rise to support the Motion for adjournment, and in doing so, I wish to use this opportunity to urge the House Committee on Health to closely monitor those who are in charge of the current National Programme on Immunization (NPI), to make sure that all the Constituencies are covered. As we are here now, we are not aware of the extent of the immunization. The Committee has to do something urgently to ensure that the immunization exercises are comprehensive so that the youths and leaders of tomorrow will be saved. Thank you.

Question put and agreed to.

Resolved: That the House do now adjourn till Tuesday 2nd March, 2004 at 10 a.m.

Adjourned accordingly at 1.29 p.m.





ENUGU STATE OF NIGERIA
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ENUGU STATE HOUSE OF ASSEMBLY

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No. 59

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HOUSE OF ASSEMBLY
ENUGU STATE OF NIGERIA

Tuesday, 2nd March, 2004

(The House met at 10 a.m.)

PRAYERS

(Mr Speaker in the Chair)

APPROVAL OF VOTES AND
PROCEEDINGS

Mr Speaker: Order Paper No. 59, Tuesday 2nd March 2004, Item 3, approval of Votes and Proceedings. Honourable Colleagues, our Votes and Proceedings No. 58 of Thursday, 26th February 2004 are before us. I have gone through them and to the best of my knowledge, they are correct.

However, I need hon. members' comments.

Deputy Chief Whip: Mr Speaker, I have equally gone through the Votes and Proceedings of our last sitting of Thursday, 26th February, 2004. I, therefore, move for the adoption.

Mr J. Anichukwu (Nkanu East): Mr Speaker, I have risen to second the Motion as Moved by the Deputy Chief Whip.

Question put and agreed to.

Votes and Proceedings of Thursday, 26th February 2004 accordingly adopted.

Leader: Mr Speaker, hon. Colleagues, I have risen to move a Motion that item No. 4 on our Order Paper be stepped down to enable the hon. Member for Uzo-Uwani (*Mr Chigbo*) look into the matter before presenting it to the House.

Mr Speaker: To do what?

Leader: To look into the matter, may be, to find an amicable way of resolving the issue before bringing it to the House.

Mr C. Enebe (Awgu North): Mr Speaker, I have risen to counter the Motion presented by the Leader. It is either there is a petition or there is no petition. But if it is stepping down, I do not support stepping down. It is better they withdraw the petition entirely. Let them not joke with legislative proceedings. Thank you.

Mr A. Chigbo (Uzo Uwani): Mr Speaker, hon. Colleagues, I have risen to support the Motion moved by the Leader of the House. I am the representative of that community and as God will have it, it is my intention to call the two parties and, talk to them. Where the matter cannot be resolved amicably, Mr Speaker, I will come back to the Floor of this House. Thank you.

Mr E. Odo (Igbo Etiti East): Mr Speaker, I have risen to express my

views on the appearance of the petitioner. If the hon. Member for Uzo-Uwani (*Mr Chigbo*) wants to arbitrate between the two parties on the matter, he ought not have in the first instance brought it before the House. The petition was written in his name, he must have made some moves to register the petition before the House.

The writer of the petition or the beneficiary of the petition could not have gone anywhere if the hon. Member for Uzo-Uwani (*Mr Chigbo*) did not for any reason register it. So the House should not really be taken for granted. If there is a petition before the House, let there be a petition before the House because at the end of the day, the House Members might look as if we are gambling. If the petitioner is leading, then we see it as so. My opinion is that if there is a petition before the House, let there be a petition it is not a question of withdrawing and applying. No!

Deputy Leader: Mr Speaker, I think that at this point in time, the appropriate thing to be done is that the one who initiated the petition should move a proper Motion of withdrawal, because there is an intent of leading the House into granting stepping down on an issue he specifically presented. He, the petitioner is not even mentioned here; we only saw it on the Order Paper.

At this point in time, the appropriate thing is, let there be a formal Motion for withdrawal, so that if at the end of the mediation, there is still need for him to

petition, then he can go on with the petition, but it cannot be accepted that we grant stepping down on an issue he has already now declared interest to mediate. So the matter should be totally expunged from our Order Paper.

Deputy Speaker: Mr Speaker, Sir, before the House, there is no petition. If you go to our rule 11(1), it says: *A petition may only be presented to the House by a member who shall affix his name at the beginning thereof.* What are we stepping down? So, I tend to agree with the Members who said that there is no petition before us.

Mr Enebe: I have been in this House when issues based on reason, and on the rule of law are being discussed and Members requested that we stepped them down because the petitioner were not around. Do not talk about stepping it down; it is wrong. What an injustice. How can one speak unless we have seen the petition. If my Colleague, the hon. Member for Uzo-Uwani (*Mr Chigbo*), is now saying that he owns this, he should do it with expedition because this thing is being delayed. He has brought a petition to this House, the thing was entered in the Order Paper. For them to withdraw it saying it is an error; if they say it is an error, that could be excused but to step it down, you cannot step down what is not existing. Thank you.

Mr J. U. Onoh (Enugu North): Mr Speaker, Sir, as far as in the Votes and Proceedings, it is stated that there is a petition but based on the fact that this

same petition has not been presented to the members of the House prior to the sitting of this House, the presenter of the petition still reserves the right to withdraw that petition. So I still support my hon. Colleagues that the matter be stepped down. Based on the fact that no petition has been issued to the House, the petition does not exist. Based on the same fact that there was no other petition that has been issued, it can also be withdrawn but that is at the sole discretion of the person that is responsible for the same petition. And I am not in support of its withdrawal, rather it can be stepped down.

Mr. M. Njeze (Udi North): Mr Speaker, Sir, it is my belief that the issue of item four in the Order Paper should not give us much headache as it did not properly come into the House and therefore I want to move a Motion that item four on the Order Paper be removed entirely from the Order Paper. Thank you.

Mr. Speaker: Before I allow somebody to second the Motion, let me make a brief remark. As far as we are concerned, the way and manner petitions come to the Floor of the House is that, if not for some interest groups, this petition, is only after we have seconded the Motion, on it, is sent to a committee. Generally, what they did on the Order Paper is very correct. But if he now wants to withdraw it completely, I do not have any agenda, but as far as I am concerned, item four in the Order Paper is correct.

Mr E. Eze (Udenu): Mr Speaker, Sir, can you go further in enlightening us in respect of the observation you have just made, precisely, what the Deputy Speaker, (*Mr Atigwe*), the point of order or rule he raised. Can you marry the two?

Mr Speaker: If a Motion is presented to the Floor of the House based on the order quoted by the Deputy Speaker, a Member has the right to present a petition before the House. It is just like we did it in the order paper. He can withdraw it afterwards.

Mr Eze: Can the Deputy Speaker read the Order again for us?

Deputy Speaker: Order 11 talks about petition; sub-section (1) says: *A petition may only be presented to the House by a member, who shall affix his name at the beginning thereof.* We have no petition before this House. Democracy is practised on the Floor of the House.

Mr Speaker: We are now saying step it down. We will not allow him to present the petition. With regards to the procedure, it is very correct. If the petition is not in the Order Paper, on which grounds can we discuss it?

Mr Enebe: Mr Speaker, Sir, this issue is very straight forward unless you do not want to see it that way. If I have a petition, it is my duty to come and tell you that I have a petition. At the end of the day as we are talking about Order

Paper, you give me opportunity to present my petition. On presentation, the petition will be shared to Members with my name properly affixed. Not when you enter it in the Order Paper before presentation. So when I present it, you now send it to the relevant committee.

The essence of these things is to forestall what we are having now. Assuming it was properly discussed, the issue of withdrawal or stepping down would not have arisen. It is either you have a petition or you do not have. My position before I sit down, Mr Speaker, is that I am supporting what the hon. Member for Udenu (*Mr Eze*) said that we treat this matter as if it is not existing.

Mr Speaker: Go to Order 11(6): Now I read: *No petition shall be presented to the House unless it shall have been endorsed by the Clerk as being in accordance with the following rules:*

- a) *Every petition must be properly addressed to the House, respectfully, decorous and temperate in its language, and must conclude with a prayer setting forth the general object of the petitioner.*
- b) *Every petition must be signed by at least one person on every sheet on which the petition is written.*

c) *If signatures are affixed to sheets other than that containing the petition itself, such sheets shall carry at their head the prayer of the petitioner.*

d) *Signatures or marks will not be counted unless, in the case of signatures, they are in the handwriting of the person signing and in the case of marks ...*

We do not talk about presentation. The Clerk has the right, if there is petition in the House, to put it in the Order Paper with the consent of the Speaker. If this matter is presented today, there will be no debate at all. If presented, we now send it to a Committee.

Deputy Leader: Mr Speaker, Sir, I have an observation. My observation is this, it has done us no good by leaving the issue. It should be more clarified by what you have just read out now. Let us clarify the issue.

Question put and agreed to.

Resolved: That item four (4) in Order Paper No. 59 of 2nd March, 2004 be withdrawn completely.

Item four accordingly withdrawn.

ANNOUNCEMENT

Mr Speaker:

- 1) Honourable Colleagues, we know all our forms, Code of Conduct Bureau Forms, have all been returned. Members have to pick them from the Office of the Deputy Speaker, if they have not taken. They have to do so and fill and return to them.

- 2) Honourable Colleagues, in keeping with the Rules of the House, I wish to express my happiness and state that all Standing Committees of this honourable House stand dissolved with immediate effect. So, I wish to express my happiness to those Committee Chairmen who must have during their tenure done marvelously well in their various Committees. I hope that when we reconstitute these Committees, those who are going to head the Committees should work very hard.

I do not think we are going to have more than Ten Committees to enable us co-ordinate the activities of the Committees. It is not a question of having many Committees and only very few will be functioning; where only the Chairman will be working. So, it is only few that we are going to recognize. As time goes on, if we are going to

increase it, we shall do so, but at the moment we are going to limit it to not more than *ten*. A member will belong to not more than three (3) or four (4) Committees. Please take note.

Deputy Speaker: Mr Speaker, Sir, is the dissolution *sine die*?

Mr Speaker: It has been dissolved and I will set up a re-constitution Committee that will look into it and know how many Committees we are going to have.

ADJOURNMENT

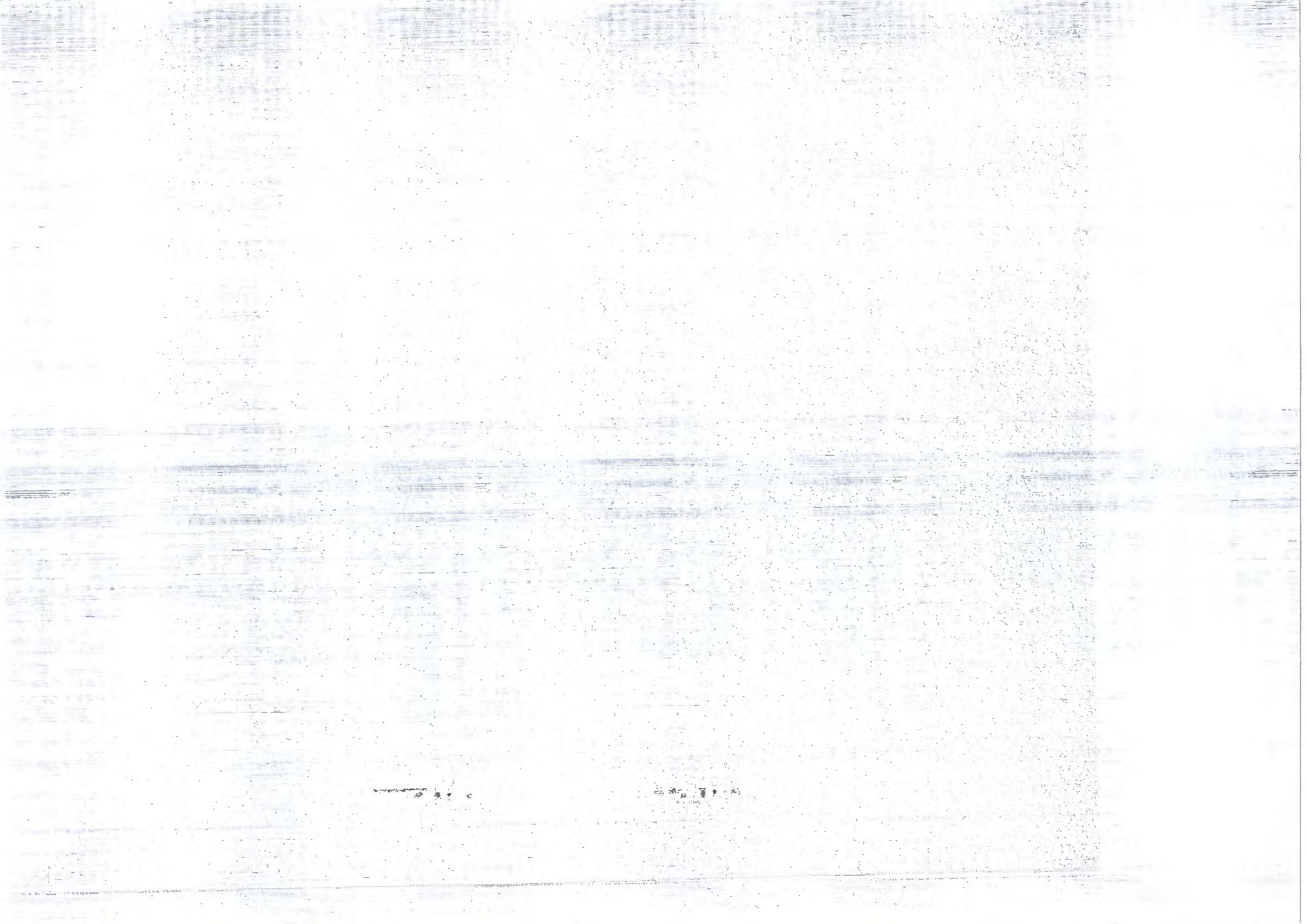
Leader: Mr Speaker, Sir, I hereby move that the House do now adjourn till Thursday 4th March, 2004, at 10 a.m. Thank you.

Mr J. N. Anichukwu (Nkanu East): Mr Speaker, Sir, I have risen to second that Motion as moved by the Leader.

Question put and agreed to.

Resolved: That the House do now adjourn till Thursday, 4th March, 2004, at 10 a.m.

Adjourned accordingly at 12.57 p.m.





ENUGU STATE OF NIGERIA
PROCEEDINGS
AND DEBATES OF THE
FIRST SESSION OF THE
THIRD ASSEMBLY

ENUGU STATE HOUSE OF ASSEMBLY

OFFICIAL REPORT

No. 60

Thursday
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Enugu State House of Assembly

HOUSE OF ASSEMBLY
ENUGU STATE OF NIGERIA
Thursday, 4th March, 2004
(The House met at 10 a.m.)

PRAYERS

(Mr Speaker in the Chair)

APPROVAL OF VOTES AND
PROCEEDINGS

Mr Speaker: Honourable Colleagues, our Votes and Proceedings of Tuesday 2nd March, 2004 is before the House. I have gone through them and to the best of my knowledge, they are true reflections of what transpired on the Floor of the House. However, in keeping with the Rules of the House, I humbly wish to call for comments.

Mr C. O. Enebe (Awgu North): Observation! Mr Speaker, Sir, I have risen to observe that the seat of the Leader of the House is vacant. May I move that the Deputy Leader should go and take that position. I do not know why he has not taken over the position for us to go ahead with the business of the day.

Mr Speaker: He can sit wherever he wishes and perform his duties. Honourable Members I hope that we all support that the Deputy Leader should go and take-over the vacant seat of the Leader of the House.

Several hon. Members: Yes!

Mr Enebe: Mr Speaker, Sir, I have equally gone through the Votes and Proceedings of our last sitting and before I move for their adoption, I want to point to some questions about Item 4 on our Order Paper of Tuesday, 2nd March, 2004. The Votes and Proceedings did not carry it and it appears to be silent.

Mr Speaker: Nothing was said on the matter.

Mr Enebe: I know there was a Motion that made it impossible for that issue to be taken.

Mr Speaker: There was no debate or discussion on that item. So it should not appear in our Votes and Proceedings and so there is no way it has to appear on the Order Paper again.

Mr Enebe: I am not talking about the Order Paper, rather I am talking about the Votes and Proceedings of that same day.

Mr Speaker: This item was thrown out. There was no way it should have appeared on the Votes and Proceedings because there was no discussion.

Mr Enebe (Awgu North): Does Mr Speaker understand what I am saying.

Mr Speaker: Yes I do.

Mr Enebe: A Motion by the hon. Member for Udi North (*Mr Njeze*) was moved that the item should be entirely deleted from the Order Paper.

Mr Speaker: For what reason?

Mr Enebe: For wrong procedure.

Mr Speaker: That was why it should not reflect because it was what we condemned as stated *ab-initio*.

Mr Enebe: Mr Speaker, Sir, if you condemn something at the discussion of the House it should be part of the procedure. If you bring the Order Paper and put the Votes and Proceedings side by side, the Votes and Proceedings are supposed to take care of everything that was said on the Floor of the House. So if it was reflected, it would have shown permanently that the matter was sealed. Otherwise, by the time you look at the Order Paper and the Votes and Proceedings one will see that is very silent about it, and the Verbatim Report is not enough to take care of it.

Mr Speaker: Okay!

Deputy Leader: Mr Speaker, Sir, I think the issue before the House was whether item 4 on the Order Paper of Tuesday, 2nd March, 2004 did not reflect on the Votes and Proceedings. The Mover of the Motion never sought the leave of the House on that item. It was an entrenchment. If we had granted that issue of stepping down, one would now have expected it to appear

on the Votes and Proceedings stating that it was stepped down. The House could observe that it never appeared on the Floor of the House. It never appeared and then there was no Motion to that effect. Even if there was a Motion to that effect, the obvious was that such a thing did not appear on the Floor of the House. There was even no notice for its withdrawal, as such it never appeared on the Floor of the House and that was how it was treated. Therefore, it should not appear in the Votes and Proceedings. I think it is in order.

Mr Speaker: Please, hon. Members, let us get this correct. I remember that very day some of the hon. Members said that as far as they were concerned there was no petition whatsoever on the Floor of the House. There was no petition before the House. Do we then record that there was no petition in the Votes and Proceedings. They said there was no petition before the House and there was no debate at all, there was nothing before the House.

Mr E. Odo (Igbo Etiti East): Mr Speaker, Sir, I was to believe that the withdrawal of the petition ought to have appeared on the Votes and Proceedings of Tuesday 2nd March, 2004. No matter what difference, whether it is positive or negative, what matters was that something of cognizance happened some time, some day. That the matter was withdrawn and was not deliberated upon on the Floor of the House is no excuse. What matters was that a

petition was brought to the Floor of the House. Whether the matter was withdrawn on grounds of technicalities should reflect on the Votes and Proceedings. Whether it was positive or negative is another point.

Mr Speaker: The House cannot talk about negative or positive because it was not discussed on that particular day on the Floor of the House.

Mr Odo: I agree with hon. Speaker that there was no discussion.

Mr Speaker: Why does the hon. Member for Igbo Etiti East (*Mr Odo*) now request that it be reflected on the Votes and Proceedings, while there was no discussion on the matter on the Floor of the House?

Mr Odo (Igbo-Etiti East): The Withdrawal of the petition should reflect in the Votes and Proceedings.

Mr Speaker: What did they withdraw? There was no petition before the House. We argued on that day that there was no petition at the Floor of the House.

Mr Odo: Mr Speaker, Sir, you are correct. I want to bring to your notice that the essence of the Votes and Proceedings is to reflect what happened on the Floor of the House. It was not just like writing minutes of meeting, rather this is Parliament in session.

Mr Speaker: Honourable Colleagues, let us not misunderstand ourselves on the Votes and Proceedings. The Votes and Proceedings are matters or issues discussed, either resolved or pending.

Mr Odoh: Mr Speaker, Sir, does it mean that any matter that appears to be withdrawn *sine die* should not appear in the Votes and Proceedings?

Mr Speaker: It is not even *sine die*, the hon Member for Igbo-Etiti East (*Mr Odoh*), before then, opposed that there was no petition before the House. Therefore, as far as we are concerned, no petition came to the Floor of the House.

Mr Chigbo (Uzo-Uwani): Mr Speaker, Sir, hon Colleagues, I have gone through the Votes and Proceedings of our last sitting and found them to be correct. I, therefore, move for the adoption of the Votes and Proceedings as correct recording of what transpired that day. Thank you.

Mr J. Obidinma (Oji River): Mr Speaker, Sir, I have equally gone through the Votes and Proceedings of our last legislative sitting, and found them to be true reflection of what we discussed. I, therefore, second that Motion for their adoption. Thank you.

Question put and agreed to.

*Votes and Proceedings of Tuesday,
2nd March, 2004, accordingly adopted.*

Matter of Urgent Public Importance

Mr Chigbo (Uzo Uwani): Mr Speaker, Sir, I have a matter of Urgent Public Importance. And in view of the seriousness attached to this, Mr Speaker, may I seek the leave of this honourable House to suspend Order 25 of the House, which said that every Motion must be on Notice to enable me bring to the attention of this honourable House this all important matter. Thank you.

Mr Speaker: The hon Member for Uzo-Uwani (*Mr Chigbo*) is seeking the leave of the House to suspend Order 25?

Mr Chigbo: Yes, Mr Speaker.

Mr Speaker: Okay, (*Laughter*)

Mr J. U. Onoh (Enugu North): Mr Speaker, Sir, I rise to second the Motion that was moved by the hon Member for Uzo-Uwani (*Mr Chigbo*). Thank you.

Question put and Negatived

ANNOUNCEMENT

Mr Speaker: Honourable Colleagues will recall that about two days ago, I dissolved all the Committees of the House. And we are aware that Committees are the life-wire of any Legislative House. The idea of my dissolution has to do with trying to re-organise for good direction and focus. The dissolution also has to do with

trying to regulate the number of Committees to ensure efficiency in their work. As I earlier said, the Committees of the House are the life-wire and watchdog of the House. I decided, this morning, to reconstitute the selection Committee, which will in turn, look at the various Committees of the House.

Reconstitution of the Selection Committee

I had the following hon Members as the Members of the Selection Committee to be headed by my humble self, Chief (Hon) A. Chukwu, the Speaker of the House, as Chairman of the Selection Committee. The Deputy Speaker, Chief hon D. Atigwe, as Member of Education Committee. The reason why the Selection Committee include the Deputy Speaker, is that, in the absence of the Speaker the Deputy Speaker will act or preside. Even the rules of the House makes it clear that the Deputy Speaker should be in the Selection Committee. The Committee Members are as follows:- Mr C. Enebe – Member; Deputy Leader, Hon P. Anikwe – Member; Mr J. Anichukwu – Member; Mr G. Chukwuegbo Member; and Mr E. Odoh – Member.

So, I believe from time to time I will look at the various Committees of the House and also those ones we can do away with. I do hope that shortly I will call a meeting of this Selection Committee. I do hope also, within a couple of days or one week, to come up with the Committees and their

Chairmen. And I want to make an appeal. If one is a member of this Selection Committee and I call a meeting and he fails to attend I will expunge his name and replace it with another person. If I call a meeting and he is not there I remove his name right there and put another person's name.

This time around we want to be very, very serious, especially at the Committee level. I do not want a situation where we have up to eighteen Committees; they include Education Committee, Local Government Committee, Agriculture, Judiciary, Works and Transport Committee and few others; then Finance and Appropriation Committee. Finance and Appropriation will work with the Committee on House Services and a few others.

I want everybody to be committed this time around. If somebody is made Chairman of a Committee, he has to work very hard in order to carry the House along. If a Member is a Chairman of a Committee, no matter the position he is taking, he must carry everybody along. And in a Committee there is a quorum, it is in the rules, just like we have a quorum in the House. One Member cannot form a quorum. When they have about ten members of a Committee, two persons will just go on with the deliberations. It is very wrong and I will never allow that again. Members have to go through the rules and see how the Committees function. So, Please, take note.

ADJOURNMENT

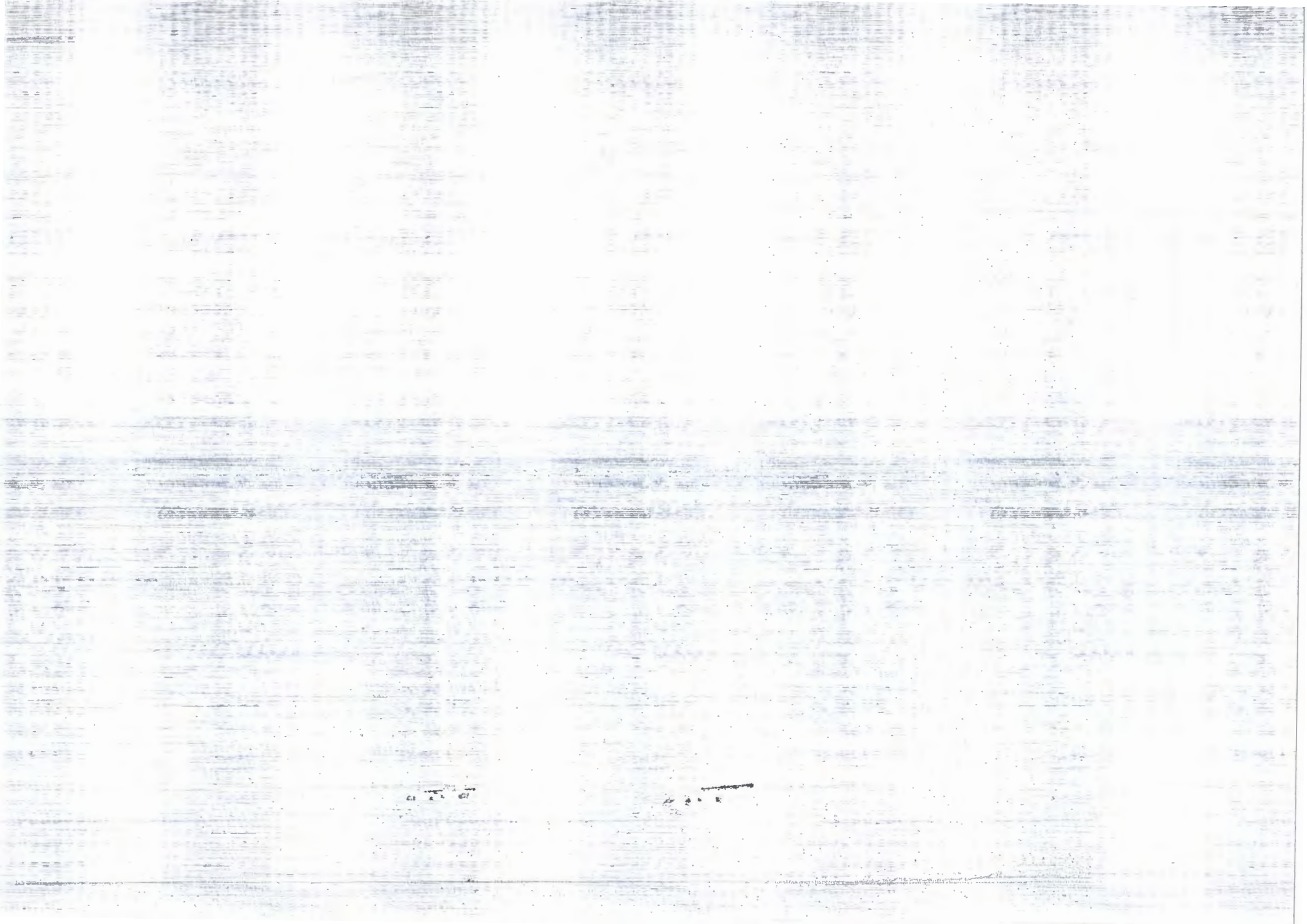
Deputy Leader: Thank you, Mr Speaker. May I move that this honourable House do now adjourn till Tuesday, the 9th day of March, 2004, at 10 a.m.

Mr C. Ugwu (Enugu East II): Mr Speaker, I have risen to second the Motion for adjournment as moved by the Deputy Leader.

Question put and agreed to.

Resolved: That this honourable House do now adjourn till Tuesday, 9th March, 2004, at 10 a.m.

Adjournment accordingly at 1.14 p.m.





**ENUGU STATE OF NIGERIA
PROCEEDINGS
AND DEBATES OF THE
FIRST SESSION OF THE
THIRD ASSEMBLY**

ENUGU STATE HOUSE OF ASSEMBLY

OFFICIAL REPORT

No. 61

**Tuesday
9th March, 2004**

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Mr J. Onoh (Enugu North): Mr Speaker, I have risen to second the Motion moved by the honourable Member for Awgu North (*Mr Enebe*).

Deputy Leader: Mr Speaker, the observation I want to make is the issue of removing "other purposes". Is it not proper to say other *official purposes*, because, if we just leave it at private purposes, we have some of these donor agencies and some other people who will say that they are using it for private purposes. So why don't we try to clarify that other purposes, using the word other official purposes. So that when we talk about it, it will be clearly understood. Somebody will know that when we say official purposes, we are talking about governmental purposes. So that is the observation I am trying to make. Instead of removing other purposes, we clarify the type of purposes we mean and that type of purpose is official government purposes. Thank you, Mr Speaker.

Mr Speaker: I hope members are aware that the purpose of this amendment is to ban these high speed gear motorcycles for private purposes. And if that is true, I believe that if we expunge "other purposes" as proposed by the hon. Member for Awgu North (*Mr Enebe*), that it will be more acceptable.

The reason why we try to remove other purposes is that if we do not remove it, which means that the Governor cannot use it. The Road Safety cannot use their own, the Police cannot use their own. But if we now make the amendment without adding other purposes, then we shall be correct.

Mr Enebe: Mr Speaker, to add flesh to what you have just said, we should be

looking at the intention. What we intend to achieve, if we pass this bill.

I believe that the donor agencies like the UNICEF cannot use their own, assuming that they have it, they will not use it to rob, but what we are targeting is individuals who will hide under the canopy that they are passing along the road and police stops them. They will now say the 'Okada' is their private motorcycle. That is the target. It will be difficult to start putting governmental and non-governmental. In the first law we said commercial what we are amending now is private.

Mr E. Odo (Igbo-Etiti): Mr Speaker, Sir, I want to align myself with the intent of the amended Bill but before then, the intent as it applies ...

Mr Speaker: There was an amendment proposed by the hon. Member for Awgu North (*Mr Enebe*) expunging other purposes and was duly seconded by the hon. Member for Enugu North (*Mr Onoh*). Then along the line, there was an observation raised by the Deputy Leader.

Mr Odo: You are preempting me

Mr Speaker: I am preempting the hon. Member for Igboetiti East (*Mr Odo*).

Mr Odo: What I was expecting is that, may be over, something was said and it has been taken, but not when I open my mouth ...

Mr Speaker: He said he wants to make a contribution.

Mr Odo: I have not made a contribution.

Mr Speaker: Go ahead.

Mr Odo: Thank you, Mr Speaker. I want to draw your attention to line 5 of the principal law which we seek to amend. It says, *notwithstanding the provisions of any other written law, and in the state, the licensing authority will on the payment of such fees as may be specified by it from time to time authorize the motorcycle to start to ply for hire for the conveyance of passengers.*

Now, the amendment comes in, for private and other purposes. Can a private motorcycle ply for hire or can a private motorcycle carry a passenger? So, what I am trying to say is that the intent we seek to achieve is quite acceptable but the way it is couched or phrased in the amendment Bill negates entirely the intended aim and on the grounds of this, Mr Speaker, I would move that this Bill be stepped down so that the Presenters of the Bill will go and put their house in order. This is my humble application, Mr Speaker.

Mr Speaker: You agree that we step it down?

Mr Odo: Yes.

Mr Speaker: Listen please. I am aware that some hon. Members got this amendment yesterday. I cannot accept that Motion unless Members will agree to adjourn this House, retire and come back. Otherwise, I will not accept that.

Mr E. C. Maduabu (Awgu South): This is a complex matter.

Mr Speaker: It is not complex.

Mr M. Njeze (Udi North): Mr Speaker, Sir, I still want to stand by the amendment proposed by the hon. Member for Awgu North (*Mr Enebe*). There are no ambiguities that cannot be corrected within this space of time. What the hon. Member for Igbo Etiti East (*Mr Odo*) pointed out is true, but can be amended and if we agree, I have this proposal that instead of inserting the word *for private* at the place it was intended, that we move up a bit to line 4 after the word *motorcycle*, we now insert *and or ply as private* in that space so that it now reads *notwithstanding the provisions of any other written law in force and in the state the licensing authority may on payment of, for such fee or fees as may be prescribed by it from time to time authorize a motorcycle to stand or play as private or for hire for the conveyance of a passenger* ... It will not cover that they may authorize the use of these motorcycles either as private or as commercial provided that it is within the prescribed capacity. It will now achieve the purposes for which we intended and it will equally cover the area we intend to amend. That is to protect the use of this high powered motorcycles by security agencies like Road Safety, the Executive or Federal Government. It will cover these areas.

Mr Enebe: Mr Speaker, we seem to be pursuing what we do not suppose to pursue because in the first place, this is now a law. Those who have access to high capacity machines do not have the right. There is no room for them to license machines that are of high engine capacity. They must show their documents to prove that what they are being given paper for falls within the law.

So you must get license for machines approved by law. If you go there without the machines, the documents they will issue you will state the category of machines it covers. So if you carry a high speed machine, you must produce the papers authorizing you. Where you fail, you are breaching the law. The licensing authority must issue papers covering that which is within the confines of the law we passed. I want to still appeal that there is no reason being in a hurry. If we can retire and come back and continue with the debate, that is fine.

Question put and agreed to.

Sitting suspended at 12.40 p.m.

Sitting resumed: 1.18 p.m.

Mr Speaker: Honourable Colleagues, you are welcome back to the Chambers. We stopped somewhere because of obvious reasons, and I believe that we have been able to sort out those problems. We can now commence our debate on the amendment Bill before the House.

Mr E. Odo (Igbo-Etiti East): Mr Speaker, Sir, having advanced my reasons for stepping down this Bill prior to the little adjournment the House had, I wish to move that these following amendments be made in the Bill:

On the title of the Bill, I wish to move that the words *private and* be inserted immediately after *for*. Thus reading, *A Law authorizing the use of motor-cycles for private and commercial purposes and other related matters incidental thereto*. The word *private and* be inserted, that is in the title. Then in

Section One (1) I also move that the words *private and* ...

Mr Speaker: Order! The hon. Member for Igbo-Etiti East (*Mr Odo*) may we agree on one amendment before we go to another one.

Deputy Leader: Mr Speaker, Sir, I have risen to second the amendment as moved by the hon. Member for Igbo-Etiti East (*Mr Odo*).

Question put and agreed to.

Mr Odo: Mr Speaker, Sir, secondly, I hereby move that the words *private and* be inserted again after the word *of* in Section One (1). Thus reading, *This Bill may be cited as the Road Traffic (Operation of Private and Commercial Motor cycles) Bill No. 6, 2003, and shall be deemed to have come into force on ...*

Mr F. Onah (Nsukka West): Mr Speaker, Sir, I stand to second that Motion.

Question put and agreed to.

Mr Odo: Mr Speaker, Sir, may I also move that the marginal note in Section Three (3) which reads: Authority for motor-cycles to ply for commercial purposes and condition thereof; that the words *private and* be inserted immediately after *ply* in the marginal note, so that it will now read, *authority for motorcycles to ply private and commercial purposes and conditions thereof*.

Then in the same Section Three (3) Mr Speaker, may I equally move that in line four (4), *for private uses or* be inserted immediately after *ply*. Thus, reading

notwithstanding the provisions of any other written law in force and in the state, the licensing authority may, on the payment of such fee or fee(s) as may be prescribed by it from time to time, authorize the motorcycle to stand or ply for private uses or for hire for the conveyance of a passenger, if the owner thereof ordinarily resides within the State, or where he does not so reside, if the motorcycle will normally be operated within the State.

Deputy Leader: Mr Speaker, Sir, I have also risen to second the Motion for the amendments as proposed by the hon. Member for Igbo-Etiti East (Mr Odo).

Question put and agreed to.

Mr Odo: Mr Speaker, Sir, it is my wish also to move that in between Section 3(a)(i) and (ii), the word *or* be expunged entirely, leaving only the word *and*, thus reading, *no such authorisation shall be given in respect of any motorcycle:*

- (i) *whose engine capacity exceed one hundred cubic centimeters, and*
- (ii) *that has more than four (4) speed gear system.*

Then, the final amendment is that in Section Four (4), the words *or private use* be inserted immediately after passenger. Thus, reading, *any driver of motorcycle who stands or plies for hire or the conveyance of passengers or private use in contravention of the provisions of this law and the owner of such motorcycle or any passenger who hires, and so on.*

So, Mr Speaker, these are my little amendments. I thank you very much.

Deputy Leader: Mr Speaker, Sir, I have risen to second the Motion for the amendments as proposed by the hon. Member for Igbo-Etiti East (Mr Odo).

Question put and agreed to.

Leader: Mr Speaker, Sir, may I move that the Question be now put.

Question, That the Question be now put, put and agreed to.

Main Question put and agreed to.

Bill accordingly read the Second time and immediately considered in the Committee of the Whole House

The Chairman: Honourable Colleagues, let us leave the Short Title, Enactment and Citation. Let us go straight to Section Three of the Bill.

Section 3 (1a) – (c) - *as amended, ordered to stand part of the Bill.*

Section 4 – *as amended, ordered to stand part of the Bill.*

Short title – *agreed to.*

Enactment – *agreed to.*

Citation and Date – *as amended, agreed to.*

(Mr Speaker resumed the Chair)

Leader: Mr Speaker, Sir, may I now move that the Bill, as amended be now read the Third time. Thank you, Sir.

Bill reported out of Committee with amendments, read the Third Time and Passed.

Mr Speaker: Honourable Colleagues, the Bill as amended is now a law authorizing the use of Motorcycles for Private and Commercial Purposes and other Matters Incidental thereto. I wish to express my happiness to all of you for your contributions, especially, when I discovered that we may run into problem and I had to suspend sitting for a while.

ANNOUNCEMENT

Meetings

Mr Speaker: The House Committee on Selection will have its meeting in my office by 2.00 p.m. Also there will be a meeting of all the hon Members in my office on the rising of the House.

ADJOURNMENT

Leader: Mr Speaker, Sir, hon Colleagues, I rise to move that this honourable House do now adjourn till Thursday, 11th March, 2004, at 10.00 a.m. Thank you.

Provide Member with Clean Copies

Deputy Leader: Mr Speaker, Sir, hon Colleagues, I rise to second the Motion on adjournment. And in doing so, Mr Speaker, Sir, it has become important for hon Members to have at the end of each amendment Bill, clean copy of the amendment Law. You could recall that in most of the amendments we made, we did not have complete clean copy as already amended. We only had those Laws before

the amendment. In view of this, I am urging the appropriate authority to ensure that every hon Member, at the end of each amendment of any Bill, should have a clean copy, as amended. Thank you.

Question put and agreed to.

Resolved: That this honourable House do now adjourn till Thursday, 11th March, 2004, at 10.00 a.m.

Adjourned accordingly at 1.44 p.m.



ENUGU STATE OF NIGERIA
PROCEEDINGS

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ENUGU STATE HOUSE OF ASSEMBLY

OFFICIAL REPORT

No. 62

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HOUSE OF ASSEMBLY
ENUGU STATE OF NIGERIA
Thursday, 11th March, 2004
(The House met at 10 a.m.)

Question put and agreed to.

*Votes and Proceedings of Tuesday,
9th March, 2004 accordingly adopted.*

ORDER OF THE DAY

PRAYERS

(Mr Speaker in the Chair)

APPROVAL OF VOTES AND PROCEEDINGS

Mr Speaker: Honourable Colleagues, our Votes and Proceedings No. 61, dated 9th March, 2004 are before the House. I have gone through them, and found them to be correct. Please, if Members go through the Votes and Proceedings at page 4 under Committee report progress, ignore the mistake there. Clerks-at-Table take note. Is that clear? They wrote Mrs Speaker in the Chair (*Laughter*). It is just a mistake, ignore it. Apart from that, I believe that others are correct. However, I need hon. Members' comments.

Deputy Leader (Mr Anikwe): Mr Speaker, I have equally gone through the Votes and Proceedings of our last sitting and found the contents to be correct. I, therefore, move for their adoption.

Mr M. Njeze (Udi North): Mr Speaker, I wish to second the Motion on the ground that at page 4 where we have Committee of Selection the word *of* be changed to *on* while I second the Motion. Thank you

PRESENTATION OF BILL

The Enugu State Local Government Areas (Creation and Transitional Provisions) Law (Amendment) Bill, No. 1, 2004

A Bill for a Law to amend the Local Government Areas (Creation and Transitional Provisions) Law No. 1, 2003, presented by the Leader of the House (*Mr Ebonyi*), and read the First time.

Mr Speaker: My hon. Colleagues, the Enugu State Local Government Areas (Creation) Transitional Provisions Law has now been read the First time.

Leader: Thank you, Mr Speaker. Now that the Bill has been read the First time, may I now move that the Bill be read the second time.

Mrs C. Eneh (Udi South): I rise to second the Motion.

Leader: Mr Speaker, this Bill, the Enugu State Local Government Areas Creation and Transitional Provisions Law Amendment Bill No. 1, 2004, is seeking to amend Sections 5, 6, 7 and

the Second Schedule serial No. 1, 18, 22, 37, 39 and 44 of the Local Government Area (Creation and Transitional Provisions) Law No. 1, 2003 with respect to their Headquarters, Constituent Communities, and the correct names of the new Local Government Areas.

This amendment becomes necessary due to recent pronouncements of the Council of States and the P.D.P Central Working Committee (C.W.C) to the effect that Local Government elections should be limited to the old Local Governments Areas as contained in the First Schedule to the Constitution of the Federal Republic of Nigeria 1999. Thus in order to accommodate the 39 newly created Local Government Areas in the State, Sections 5, 6, 7 and the Second Schedule serial Nos. 1,18,22,37,39 and 44 need to be amended. The amendment will give the Governor power to appoint to the new Local Government Areas;

- i. A Chairman and Deputy Chairman
- ii. Supervisors
- iii. A Councilor from each new wards of the Local Government to run the affairs of the said new Local Governments.

Also in the local government law which we passed few months ago their original names were lost and headquarters, but this amendment which we are about to make is going to correct the anomalies, so that all the old seventeen local government areas will retain their original names and headquarters as is contained in the First

Schedule of the Constitution of the Federal Republic of Nigeria.

For instance, if you look at the law we passed, Nkanu Central, that is, the local government now, formerly it was Nkanu West but after the creation of the new local government area, it becomes Nkanu Central with its headquarters at Agbani. It thus brings confusion like if you get to Abuja, they will not know which one is the new local government area and which one is the old local government area. That is why we are making this amendment, so that Nkanu West will take its old name of Nkanu West with its headquarters at Agbani. The same is applicable to Oji River, Aninri, Ezeagu, Igbo-Etiti.

I, therefore, appeal to Mr Speaker, and my hon. Colleagues to rise and support this amendment so that we have a smooth running of our newly cherished local government areas. Thank you.

Mr E. Odo (Igbo Etiti East): Mr Speaker, I rise to support the Bill as expounded by the hon. Leader of the House (*Mr Ebonyi*). The rationale behind the amendment of this Bill stems from the fact that pursuant to Sections 8 and 9 of Part I of the First Schedule of the 1999 Constitution, some local governments in this state have been notably inserted into the Constitution and these local governments have been changed or altered a little bit, but in order to keep

in line with the directives of the Federal Executive Council, the Bill if it comes into law, will now restore the said local government headquarters and its original names back to *status quo* and in that regards, I wish to say that the House will be doing itself proud if they should listen to the voice at the national level.

Then on the issue of Sections 5, 6 and 7, there has to be intention on the part of the legislators not only to see to the appointment of the Chairmen, Deputy Chairmen but also, we have to endeavour to find a way of inserting supervisors as well. The whole spirit, apart from creating the structure called local government, is also to see the need of creating job opportunities for the people of Enugu State.

A situation where about 56 local government Chairmen will be accommodated within the system, a situation where about 56 Deputy Chairmen will be accommodated within the system and generally a situation where about 560 Councillors will be appointed within Enugu State in the respective local governments and if the House confirms, supervisors as well.

In this way, I believe that, to the people of Enugu State, it will serve as employment generation. And Mr Speaker, having perused the Bill carefully, I have little amendments to make in respect of the Bill. Mr Speaker, you will see that in Section 6(b) of the Bill and Section 7 appear to contradict each other. For instance, Section 6(b)

permits the Governor, under this Section, to appoint elected Chairmen, Deputy Chairmen and Councilors to have the same powers and privileges of those elected under the law, while Section 7 says that: "*All persons appointed under Section 6 of this law shall hold Offices at the pleasure of the Governor or until elections are held to fill their position*".

If these people were to be appointed, believing that they have the same power and privileges under the law, it now becomes unnecessary for somebody to say that they should hold Offices at the pleasure of the Governor. So my amendment is that Section 7 be amended to read, I formally move that Section 7 be amended to state "*Notwithstanding the provisions of Section 6(b), all persons appointed under Section 6 of this law shall hold Offices at the pleasure of the Governor*". Then the second ... (*Interruptions*).

Mr Speaker: Read the first Motion again.

Mr Odo: *Notwithstanding the provisions of Section 6(b), all persons appointed under Section 6 of this law shall hold Offices at the pleasure of the Governor or until elections are held to fill their positions.* The rationale behind this stems from the fact that if this provision was not included, there will be a sharp contradiction between Section 6(b) and Section 7.

Then finally, I wish also to move that in Section ... (*Interruptions*).

Mr Speaker: Let somebody second the proposed amendment.

Mr J. Obidinma (Oji River): Mr Speaker, I have risen to second the amendment.

Question put and agreed to.

Mr Odo: Thank you, Mr Speaker, I equally want to move that there is absence of a clause in Section 6(a), which I will urge Mr Speaker, to allow me move a Motion in respect of. May I move that in Section 6(a) that, the word *Supervisors and*, be inserted immediately after, *new ward*. Thus reading; any time after the said elections, the Governor may appoint for each new local government area, a Chairman, Deputy Chairman, a Councillor from each of its component new wards and Supervisors to run the affairs of the said new local governments.

May I move that in section 6(a) that the word 'supervisors are,' be inserted immediately after new ward, thus reading, "any time after the said election, the Governor may appoint for each new local government area a Chairman, Deputy Chairman, a Councillor and Supervisors to run the affairs of the said new local government. In other words, I move that the 'and' between the Deputy Chairman and Councillors be expunged and comma be inserted and then after the new ward, you now insert 'and supervisors.' So, on

the grounds of this Mr Speaker, I wish that if the said amendments are made, I throw my weight solidly behind this Bill. Thank you.

Mr Speaker: Honourable Member for Udenu (Mr E. Eze) has a proposed amendment in 6(a). So let us hear him before we go ahead and put the Question on the other one.

Mr E. Eze (Udenu): Mr Speaker, Sir, I have risen to make a little contribution to this important amendment to our local government, Bill. The amendment is timely ... (*Interruptions*)

Mr Speaker: Go on, that may be the last contribution by the hon. Member for Udenu (*Mr Eze*) (*Laughter*)

Mr Eze: Mr Speaker, I will still come back. The amendment is proper and timely. Proper in the sense that this will re-assure the good people of Enugu State that the new local governments we have created have come to stay. Since the pronouncement from the Federal Executive Council and also from our great party, the common man in the rural area has been asking questions, to be or not to be. That is why this amendment is timely and proper. That the issue of local government creation in Enugu State has come to stay. Having said so, may I propose a little amendment to 6(a) which I feel, if I am correct is clumsy. At any time

after the said election, the Governor may appoint for each new local government area, a Chairman, a Deputy Chairman and a Councillor from: note the word from; from is controlling Chairman, Deputy Chairman and Councillor. So, I have proposed amendment thus: at any time after the said election, the Governor may appoint from each of the new local government areas:

1. a Chairman and Deputy Chairman
2. Supervisor
3. a Councillor from each of the new ward of the local government.

The difference is that I said that the word *from* is controlling (if you allow it as it is) is a preposition controlling the appointment of Chairman, Deputy Chairman and appointment of Councillor. So, I am saying for each of the local governments we separate these appointments. The word *from* is now controlling the Councillors only. If you leave it as it is without separating them numerically, by numbers, then, *from* will be controlling all of them. That is the Chairman from each of the ward. That is my suggestion and Motion. Thank you.

Deputy Leader (Mr Anikve): Thank you, Mr Speaker. I have risen to second the Motion for amendment of section 6(a) as proposed by the hon. Member for Igbo Etiti East (Mr Odo). I have risen to do that because if you watch out the words as they are here, the only amendment there which will go a long way to showing democratic government at the third tier is

the issue of supervisors because you will not vote only the chairman and Councillors without the supervisors. It will just appear as if we are trying to run a different system of government at the third tier. So, with that amendment, it is more than clear, because why that amendment is not necessary is that for this honourable House to understand and appreciate the fact that the Governor at the end of the election may appoint the Chairman, the Deputy and the Councillor. The word Councillor from now shows that the newly created wards is the only area designated for these new Councillors to be appointed. That is why it is *from*, and then the Chairman and Deputy to be appointed in the new local government also testify that the appointment of Chairman and Deputy cannot be outside the newly created local government. No Councillor can be appointed from outside his own ward. That is what the amendment is seeking. So, at this juncture, Mr Speaker, I have risen to second the Motion moved by hon. Member for Igbo Etiti East (Mr Odo).

Mr M. Njeze (Udi North): Mr Speaker, Sir, I have risen to move these amendments on the ground that ...

Mr Speaker: Order! As that Motion by the hon. Member for Udenu (Mr Eze) has been duely seconded, I will put the Question. After, if the hon Member for Udi

North (*Mr Njeze*) likes he can go ahead and propose his own amendment.

Mr Njeze: Mr Speaker, I would have liked us to subject the Motion to a reasonable logical reason based on what we are intending to achieve. We are not just intending to achieve number, but what will benefit our people. Because we know that we are hinging the whole amendments on the reasons given by the Executive Council that they would prefer elections to be held only on the 774 Local Governments, that is, 17 in Enugu State.

So, if we are hinging it on that and we know that the same Executive Council in that same reason advised that parliamentary system should be used in the local government because there was a lot of wastages in the whole system. Local government fund was supposed to be used in the development of the local government and should not only be expended wholly on salaries alone. We should understand that when we appoint supervisors in the new local governments, we are going to have about 224 supervisors; and we now ask ourselves, do we create these local governments to pay salaries and end there, or have we created them to carry development to the hinter-land?

If we have to accept what we intend to achieve, and the answer to ourselves is that we want to develop the hinter-land, then there is need for us to appoint Supervisors from the Councillors, so that we have parliamentary system running in the local government system. If our

intention is just to create job, then we can go ahead, but I believe that time has come in this country when we should start to encourage productivity instead of father Christmas, that is, giving out funds because we have to sustain life.

Mr Speaker: May I know the argument of the hon. Member for Udi North (*Mr Njeze*).

Mr Njeze: Mr Speaker, my argument is that we should include in the amendment that Supervisory Councillors should come from the Councillors. Moreover, what I have to say is that the amendment proposed by the hon. Member for Udeni (*Mr Eze*) would be quite in order because when we say that, may I read the sentence so that we understand it. It says: *At any time after the said elections, the Governor may appoint for each new local government area: (1) A Chairman, (2) A Deputy Chairman, and (3) A Councillor, from each of the component new wards.* That is, if you go to every ward, you appoint a Chairman, a Deputy Chairman and a Councillor, but we should separate that area so that it will now be that after the appointment of Chairman and Deputy Chairman, that Councillors should be appointed from wards.

So, it will now be that appointment for each new local government area will be a Chairman and a Deputy Chairman, and a Councillor from each of the new wards. The Chairman and

the Deputy Chairman should be from the local government area, while the Councillors will be from the wards. On that note, Mr Speaker, I would want to second the Motion as moved by the hon. Member for Udenu (*Mr Eze*).

Mr J. U. Onoh (Enugu North): Mr Speaker, observation!

Mr Speaker: Order! The hon. Member for Udi North (*Mr Njeze*) supported the Motion moved by the hon. Member for Udenu (*Mr Eze*). What he did was to expatiate on the reasons why he was supporting the Motion. That, if it remains as it was written in the Bill, what it means is that we appoint a Chairman and Deputy Chairman from each ward. That is what he is saying, and that is now what this Bill is trying to achieve.

Mr Onoh: Point of observation. Mr Speaker, my observation is for us to refer back to the same observation raised by the hon. Member for Udenu (*Mr Eze*). The term *from* goes in contradiction with the term *discretion of the Governor*, as *from* only specified and intensified that the Chairman and his Deputy must be selected from the same local government.

That does not actually specify his own discretion because he is now compelled to go to the same local government and pick whoever he wishes to select, and that will be at his own discretion. I am appealing that the term *numerical* as was proposed by the hon. Member for Udenu (*Mr Eze*) would have been the best option. Thank you.

Mr Speaker: Honourable Colleagues, I have to put the Question now, may be at the end of the day the proposal made by the hon. Member for Udenu (*Mr Eze*) may stand.

6(a) At any time after the said elections, the Governor may appoint for each new local government area:

- 1) a Chairman and Deputy Chairman
- 2) Supervisory Councillors, and
- 3) a Councillor from each new ward of the local government.

Deputy Leader: Mr Speaker, Sir, Councillors should come before Supervisory Councillors (*interruptions*).

Mr Speaker: Order! Order!! May I repeat:

- 1) a Chairman and Deputy Chairman,
- 2) a Councillor from each new ward of the local government.
- 3) Supervisory Councillors

Question put and agreed to.

Mr Njeze: Mr Speaker, Sir, because the Supervisors are superior, he supervises those under him. If the Councillors are under the Supervisory Councillors, then supervisors should come before the Councillor, they are supervising the Councillors.

Deputy Leader: No! No!! They are not supervising the Councillors.

Mr Njeze: Why are their position higher than that of the Councillors?

Mr Speaker: The hon. Member for Udi North (*Mr Njeze*) is not aware that if a Supervisory Councillor is appointed from the Councillors, the person so appointed resigns his seat as a Councillor. It is just like if a Member of this House is appointed a Commissioner, he resigns as a Member of this House.

Mr Njeze: I agree that if you appoint a Member of this House as a Minister, he will resign, and if you appoint him a Councillor in a ward, he will resign (*interruptions*).

Several hon. Members: No! No!! Not as a Councillor.

Mr Njeze: All of them may resign and become local government Chairmen then. The fact I am trying to put across is that the office you are taking is not enough reason to decide whether you will resign or not. Even if you are taking the lowest position you must resign once you have accepted that position.

Mr Odo: Point of Order.

Mr Speaker: Order what? The hon. Member for Igbo-Etiti East (*Mr Odo*) should read the Order.

Mr Odo: Mr Speaker, Sir, Order 26(12) which says:

A Member may rise to a point of information or explanation on a previous statement made by a Member.

So, Mr Speaker, I am now reacting to what the hon. Member for Udi North (*Mr Njeze*) said. The reason why Councillors should come before Supervisory Councillors is that, if we watch at Section 6(b) we can see that any officer shall enjoy the privilege and powers of elected members under the local government Law. And do not forget that Supervisors are under the third tier of the Local Government, even the Councillors have to screen them. Just like we are doing here. That presupposes that the Councillors should come out so as to be on their own before these people will come. It cannot be the other way round.

Mr Speaker: That is very, very correct.

Mr M. Onyeze (Igbo-Eze North I): Mr Speaker, Sir, I want to make a little contribution on the views of my hon. Colleagues.

Mr Speaker: Please hon. Colleagues, excuse me. We have two Motions on the Floor. What we have to do is to vote according to your consciences. I have two Motions, that is two proposed amendments. One by the hon. Member for Udenu (*Mr Eze*)

and of course, the other one by the hon. Member for Igbo-Etiti East (*Mr Odo*). I want to take that of the hon. Member for Igbo-Etiti East (*Mr Odo*) and it reads: *At any time after the said elections, the Governor may appoint for each new local government area, a Chairman, a deputy Chairman, and a Councillor from each of its component new ward and a Supervisor to run the affairs of the said new local government area.* Then that of the hon. Member for Udenu (*Mr Eze*) read: *At any time after the said election the Governor may appoint from each new local government, a Chairman and Deputy Chairman* and he now said you put Councillor ...

Several hon. Members: No! No!

Mr Speaker: No! We have agreed to that, we said we should put Councillor before the Supervisor, and a Councillor from each new ward of the local government and thirdly Supervisor.

We are still on amendments, okay! Please more contributions if any.

Mr J. C. Obidinma (Oji River): Thank you, Mr Speaker, I have risen to support the proposed amendments. You know that Enugu State is a law abiding state. After these amendments, the position of the new local government will be very clear. With that, Mr Speaker, I beg that you put the Question.

Mr Speaker: Did you say that I should put the Question?

Several hon. Members: No! No!

Deputy Speaker: He did not move any Motion. Mr Speaker, Sir, I have risen to contribute to this all important amendment, it becomes a News ...

Mr Speaker: Please hon. Colleagues listen! May the hon. Member for Enugu North (*Mr Onoh*) go back to his seat. When I will announce the Committees by next week. I will change the sitting arrangements.

Deputy Speaker: Thank you, Mr Speaker, for your protection. I agree entirely with the amendments so far made, but I disagree that we are amending this law because of National Council of State's Meeting. Theirs is mere advisory, ours is to make the law. We have all powers about Local Government Creation and I refer the House to Section 7(1) of the Constitution of the Federal Republic of Nigeria 1979 which says: *The system of Local Governments by democratically elected Local Government Councils is under this Constitution guaranteed, and accordingly, the Government of every State shall subject to Section (8) of this Constitution ensure their existence under a Law which provides for the establishment, structure, the composition, finance and functions of such Councils.* Here we have done our duty and not the duty of the National Council of States. That was why Admiral Nelson when he lost one

of his eyes during the First World War, said, "*England has expected everyone to do a duty, thank God I have done my own*".

Mr Speaker: Did I hear the hon. Deputy Speaker say that the Admiral lost one eye?

Deputy Speaker: Yes! I said when the Admiral lost one of his eyes in a battle. *(Laughter)*

Mr Speaker, Sir, it becomes a News when something is wrong, when you correct it, it will no longer be a News. By this correction we are making now, there is no doubt, that the creation of Local Governments is the base which shows that we have done our duty. We are supporting the laws that we have made.

By the amendments, we are making, we are making sure that we do not have what we call fabricated foundations without base. Now we have the democratically elected Local Government on the grass root, and it proves that the foundation we are making has a base. Therefore we should all support this all important amendments without delay. We pray that the Question be put except for my hon. Colleagues who want to make their own contributions. I beg to warm my seat.

Deputy Leader: Mr Speaker, Sir, I have risen to add my own contributions to the support of this important amendment to our principal law on Local Government Creation. You will agree that in 1979

Constitution, these governors were empowered to appoint not to elect officers. The Constitution made it exceedingly clear that any matters about Local Government is an exclusive right of the State. This honourable House has enacted a law for the existence of this Local Government and this law we have made cannot be exterminated by any other suggestion or mere specimen.

The National Assembly is only involved by mere consultation or information. By this amendment you can understand with me that the Enugu State House of Assembly has given more life to the law we made. We cannot just within such a while, say we are done with the Local Governments we created. The law they say is no respecter of persons, be you high or low, rich or poor, known to it or not. The law, of course, must be allowed to prevail. So all this important amendment, if you watch out, will now make it more democratic. What it is talking about is democratic infrastructural development. While we are talking about infrastructural development we should not forget the human development equally.

The only democratic dividend we can give to our people is by accommodating them by means of this law. It does not neglect the issue of development in the rural areas. It is only saying you have more people joined together in that development.

We have more forces, more hands to be put on deck in that collective development. All this important law, the Enugu State Government, the Executive, and the Legislature by this law have come to maintain the supremacy of law in the Local Government. I call on my Colleagues to give this all important Bill the required passage.

On this note Mr Speaker, Sir, may I use this opportunity to call on the Governor of State, may be by the time he may decide appointing, to make sure that all the appointed Chairmen or elected Chairmen reside within the Local Government not outside the Local Government. On this note, may I call that Mr Speaker, can now put the Question. Thank you, Mr Speaker.

Mr M. Njeze (Udi North): Mr Speaker, Sir, thank you for the opportunity given to me to second this Motion that was moved by the Deputy Leader. And before then, I want to make a little contribution. I agree with the Deputy Speaker that we are not making any change, because of what the National Council of States will either say or not say. We know that the voice of the people is the voice of God. Our people want it and; we want it because of the forth coming Local Government Election. The Election will be done throughout the country. And we want to participate in the election. We should know that any law which exists without being put into operation, is no longer a Law.

We should create a Law that is functional. This section of the Local Government Law that deals with the election which is no longer operational should be amended to enable us participate in the Local Government Election. There is need to make the amendment. The section 5 makes provision for the appointment of Transitional Chairmen and Transitional Committee Members. Then, if we effect the change, we will probably participate in the Election.

This is why I wish to call every hon Member of this House to support this amendment so that our people will participate in the Election. Also, the Local Governments which we created will stand, because what we conclude/put in the amendment will surely be reflected in the changes we made so far. Then, our people will gain. Therefore, I urge, for acceptance of this amendment. Thank you.

Question put and agreed to.

Bill accordingly read the Second time.

Mr Speaker: Honourable Colleagues, the Enugu State Local Government Area (Creation and Transitional) Law (Amendment) Bill No. 5, 2004 has now sailed through, the Second reading. I wish to humbly thank Members for the contributions and ideas; and also wish to thank

everybody for his individual efforts and contributions.

Leader: Mr Speaker, Sir, I rise to move that the House resolve itself into the Committee of the Whole House for further consideration of the amendment Bill. Thank you.

Question put and agreed to.

**THE ENUGU STATE LOCAL
GOVERNMENT AREAS
(CREATION AND TRANSITIONAL
PROVISIONS) LAW (AMENDMENT)
BILL, NO. 1, 2004**

A Bill for Law to amend the Local Government Area (Creation and Transitional Provisions) Law No. 1, 2003 (Considered in the Committee of the Whole House)

The Chairman: Honourable Colleagues, let us suspend the Short title, Enactment and also the Commencement date until later.

Clause 5 (1), (18), (22), (37), (39) and (44) – *ordered to stand part of the Bill.*

Clause 6(a) At any time after the said elections the Governor may appoint from each new Local Government

- i) The Chairman and a Deputy Chairman;
- ii) A Councillor from each new ward of each Local Government; and
- iii) Supervisors

Clause 6(a) (i-iii) *ordered to stand part of the Bill.*

(b) Any officer appointed by the Governor under this Section shall have the powers and privileges of those elected under the Local Government Law.

Clause 6(b) and (c) – *ordered to stand part of the Bill.*

7. Notwithstanding the Provisions of Section 6(b) of this Law all persons appointed under this Section 6 of this Law shall hold offices at the pleasure of the Governor or until elections are held to fill their positions.

Section 7 – *ordered to stand part of the Bill.*

Short Title – *agreed to.*

Commencement – (11th Day of March, 2004) – *agreed to*

Mr Speaker resumed the Chair

Leader: Mr Speaker, now that the Bill has been amended, may I move that the Bill which has been amended be now read the Third time.

Question put and agreed to.

Bill reported out of Committee with amendments, read the Third time and passed

Mr Speaker: Honourable Colleagues, the Bill, as amended has been passed. I have the honour and

privilege to express my happiness the way and manner we conducted ourselves during debate on this Bill. I wish to express my happiness towards the various contributions made. When I came in this morning I never knew that this Bill would scale through the way it went this morning. I believe in consultation, I believe in dialogue, I am happy we were able to do some consultations this morning and we have now seen the result of that consultation we made. I sincerely wish to express my happiness to everyone of you who contributed in no small way to ensure the passage of the amended Bill.

I wish also to express my happiness to the Clerk and his team for their contributions and efforts because as at yesterday, I never knew that this Bill would be passed this morning but because of his commitment, dimension, zeal and interest he has for the affairs of this honourable House, we were able to pass the amended Bill. So, I thank members very much. More grease to their elbows. May God bless everyone of us. Thank you.

ANNOUNCEMENT

Obituary

Mr Speaker: Honourable Colleagues, please remember that one of our Colleagues lost somebody. The announcement is from the hon. Member for Enugu South I (*Mr Ani*). He says, I humbly invite all hon. Members to the burial ceremony of my brother-in-law, who died recently. His body will leave

the University of Nigeria Teaching Hospital, Enugu on Saturday, 13th March 2004 by 10 a.m. I implore all Members to please, accompany me in this trying moment. Thank you, and God bless you.

ADJOURNMENT

Leader: Mr Speaker, I hereby move that the House do now adjourn till Tuesday, 16th March, 2004, at 10 a.m.

Mr M. Njeze (Udi North): Mr Speaker, hon. Members, I wish to second the Motion for adjournment as proposed by the Leader of the House.

Question put and agreed to.

Resolved: That the House do now adjourn till Tuesday, 16th March, 2004, at 10 a.m.

Adjourned accordingly at 2.16 p.m.



ENUGU STATE OF NIGERIA
PROCEEDINGS

AND DEBATES OF THE
FIRST SESSION OF THE
THIRD ASSEMBLY

ENUGU STATE HOUSE OF ASSEMBLY

OFFICIAL REPORT

No. 63

Tuesday
16th March, 2004

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No proofs of the Daily Report should be supplied. Corrections, which Members suggest for the Bound Volume, should be clearly marked in the Daily Report, but not telephoned and the original containing the corrections must be received at the Editor's Room, House of Assembly.

not later than five days
after receipt of the Daily Report

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HOUSE OF ASSEMBLY
ENUGU STATE OF NIGERIA

Tuesday, 16th March, 2004
(The House met at 10 a.m.)

PRAYERS

(Mr Speaker in the Chair)

**APPROVAL OF VOTES AND
PROCEEDINGS**

Mr Speaker: Honourable Colleagues, our Votes and Proceedings dated Thursday, 11th March, 2004 are before us, I have gone through them and found them to be correct. However, I need hon. Members' comments. Thank you.

Mr J. N. Anichukwu (Nkanu East): Mr Speaker, I have equally gone through the Votes and Proceedings of Thursday, 11th March, 2004 and found them to be correct. I, therefore, move for the adoption. Thank you.

Mrs C. Eneh (Udi South): Mr Speaker, I rise to second the Motion.

Question put and agreed to.

Votes and Proceedings of Thursday, 11th March, 2004 adopted accordingly.

ANNOUNCEMENT

Mr Speaker: Honourable Colleagues, we will recall that about two weeks ago that I dissolved all the Committees of the House. And after that I announced a

Selection Committee and they held series of meetings, and today we are going to reconstitute these Committees.

And let me make it very, very clear to everybody now. It is not a question of giving a Member a Committee. If after one week, two weeks, three weeks, one month, I do not get anything from that Committee, I dissolve that Committee totally. I will not dissolve it politically, I will dissolve it based on the Members inability to handle his Committee. There is no point having twenty, thirty, fifty Committees and may be, one or two are working. The moment one cannot perform or he cannot do it, he is taking it for granted, I just dissolve the Committee immediately.

There are some of the Committees I decided to retain their Chairmen and some I decided to change them.

I have the following Committees now:

a) *House Committee on Economic Development, Civil Service and Labour Matters:*

- 1) Hon. A. C. Nnadi ... Chairman
- 2) Hon. J. U. Onoh ... Member
- 3) Hon. J. Obidinma ... Member
- 4) Hon. J. N. Anichukwu ... Member
- 5) Hon. D. A. Anih ... Member
- 6) Hon. C. Ugwu ... Member

b) *House Committee on Youths and Sports*

- 1) Hon. C. Ugwu ... Chairman
- 2) Hon. F. Onah ... Member
- 3) Hon. E. Maduabu ... Member
- 4) Hon. J. N. Anichukwu ... Member
- 5) Hon. J. U. Onoh ... Member

c) *House Committee on Agriculture
and Natural Resources*

- 1) Hon. A. Chigbo ... Chairman
- 2) Hon. (Mrs) C. Ene ...
Member
- 3) Hon. D. I. Agbo ... Member
- 4) Hon. A. C. Nnadi ... Member
- 5) Hon. O. C. Nnamani ...
Member

d) *House Committee on Local
Government, Inter-Parliamentary
Relations, Rural Development and
State INEC Matters*

- 1) Hon. C. O. Enebe ... Chairman
- 2) Hon. G. O. Chukwuegbo ...
Member
- 3) Hon. P. Anikwe ... Member
- 4) Hon. D. O. Atigwe ... Member
- 5) Hon. C. Ugwu ... Member
- 6) Hon. D. I. Agbo ... Member
- 7) Hon. F. E Amu ... Member
- 8) Hon. A. Chigbo ... Member

e) *House Committee on Lands,
Housing, Works and Transport*

- 1) Hon. G. O. Chukwuegbo ...
Chairman
- 2) Hon. E. Odo ... Member
- 3) Hon. M. Onyeze ... Member
- 4) Hon. D. O. Atigwe ... Member
- 5) Hon. E. Maduabu
- 6) Hon. F. E. Amu ... Member
- 7) Hon. D. A. Anih ... Member

f) *House Committee on Public
Accounts and Anti Corruption*

- 1) Hon. J. N. Anichukwu ... Chairman
- 2) Hon. E. Maduabu ... Member
- 3) Hon. O. C. Nnamani ... Member
- 4) Hon. F. Onah ... Member
- 5) Hon. D. I. Agbo ... Member
- 6) Hon. M. Njeze ... Member

g) *House Committee on Chieftaincy,
Culture and Tourism*

- 1) Hon. F. E. Amu ... Chairman
- 2) Hon. J. N. Anichukwu ... Member
- 3) Hon. A. Chigbo ... Member
- 4) Hon. O. C. Nnamani ... Member
- 5) Hon. J. Obidinma ... Member
- 6) Hon. D. A. Anih ... Member

h) *House Committee on
Petroleum Resources and
Environmental Management*

- 1) Hon. J. Obidinma ... Chairman
- 2) Hon. G. O. Chukwuegbo ... Member
- 3) Hon. F. Onah ... Member
- 4) Hon. (Mrs) C. Ene ... Member
- 5) Hon. (Barr) E. Odo ... Member
- 6) Hon. C. O. Enebe ... Member
- 7) Hon. D. I. Agbo ... Member
- 8) Hon. A. C. Nnadi ... Member

House Committee on Health
Hon. Fabian Onah – Chairman
Hon. M. Njeze – Member
Hon. E. Maduabu – Member
Hon. C. Ugwu – Member
Hon. O. C. Nnamani – Member
Hon. Nze Onyeze – Member

*House Committee on Education, Science
and Technology*

Hon. N. Onyeze – Chairman
 Hon. E. Odo – Member
 Hon. P. Anikwe – Member
 Hon. D. Atigwe – Member
 Hon. Ofor Chukwuegbo – Member
 Hon. C. Ugwu – Member
 Hon. C. Enebe – Member
 Hon. C. Ene (Mrs) – Member
 Hon. M. Njeze – Member

*House Committee on Finance
and Appropriation*

Hon. J. U. Onoh – Chairman
 Hon. P. Anikwe – Member
 Hon. J. Anichukwu – Member
 Hon. N. Onyeze – Member
 Hon. C. Enebe – Member

House Committee on Public Utilities

Hon. O. C. Nnamani – Chairman
 Hon. A. Chigbo – Member
 Hon. J. U. Onoh – Member
 Hon. A. C. Nnadi – Member
 Hon. N. Onyeze – Member

House Services Committee

Hon. D. Ani – Chairman
 Hon. P. Anikwe – Member
 Hon. A. C. Chigbo – Member
 Hon. J. Anichukwu – Member
 Hon. C. Ene (Mrs) – Member
 Hon. J. Obidinma – Member

*House Committee on Women Affairs and
Special Duties*

Hon. E. Enebe – Chairman
 Hon. D. Agbo – Member
 Hon. A. C. Nnadi – Member
 Hon. D. Ani – Member
 Hon. F. Amu – Member

*House Committee on Commerce
and Industry*

Hon. E. Maduabu – Chairman
 Hon. D. Atigwe – Member
 Hon. J. U. Onoh – Member
 Hon. O. C. Nnamani – Member
 Hon. J. Obidinma – Member
 Hon. C. Ugwu – Member

Rules and Business Committee

Hon. P. Anikwe – Chairman
 Hon. D. Atigwe – Member
 Hon. E. Odo – Member
 Hon. M. Njeze – Member
 Hon. N. Onyeze – Member

*House Committee on Judiciary, Public
Petitions, Ethics and Privileges*

Hon. E. Odo – Chairman
 Hon. C. Enebe – Member
 Hon. J. Obidinma – Member
 Hon. F. Amu – Member
 Hon. D. Ani – Member

House Committee on Information

Hon. M. Njeze – Chairman
 Hon. J. Anichukwu – Member
 Hon. F. Onah – Member
 Hon. J. U. Onoh – Member

Mr Speaker: On the whole, we have eighteen Committees. I hope that as soon as we get the replacements of those Members leaving us, we review these Committees.

Please let me repeat myself. I will not allow what happened before to happen again. I do not need to be told. I do not need to be consulted. Immediately I discover a Committee Chairman is doing his Committee work alone, a one-man riot

squad, I will dissolve it. That is why they have five, six members. If they are six and four members are in attendance, they can go ahead with their deliberations.

I do not know why a person can wake up in the morning, starts building up a problem and carry it to the Committee. If I get at such a Member, I will dissolve the Committee, because I will not allow such a Committee to exceed more than a day.

These Committees we are reconstituting today, we believe that all of us are men of integrity, men of honour and men of excellence. We should try, as much as possible, to be transparent in dealing with the public, because I did also say that wherever Members are, they are representing this House of Assembly.

If a Chairman of a Committee knows that he cannot lead his own Committee, it is not only that I will dissolve the Committee, but the Chairman can come to me privately and I will dissolve it.

After constituting the House Committees at the beginning of this Assembly, some Chairmen never called a meeting of the Members for one day to inaugurate their Committees. Now that I have reconstituted these Committees, if a Committee is being inaugurated I must be there live to know those who are inaugurating the Committee. After the inauguration, if such a Committee is not relating with the Ministry or whoever it is supposed to relate with, I will dissolve the Committee without notice.

If a Committee Chairman has a problem of how to handle his own Committee, he can come back to the House for guidance, but what I do not want to see is people not actually doing their work.

ADJOURNMENT

Deputy Leader (Mr Anikwe): Mr Speaker, Sir, I hereby move that this honourable House do now adjourn until Tuesday 23rd March, 2004 at 10 a.m.

Mr E. C. Maduabu (Awgu South): Mr Speaker, Sir, I second that Motion as moved by the Deputy Leader, and wish to draw attention to the issue of upper Saturday's election. I think the election campaign will start off ...

Mr Speaker: Order! The hon. Member for Awgu South (*Mr Maduabu*) should recall we discussed that issue just before we came into the Chambers. We are aware of what is coming up, he may just second that Motion for adjournment.

Mr Maduabu: Noted, Mr Speaker. I, therefore, second that Motion for adjournment as moved by the Deputy Leader of the House.

Question put and agreed to.

Resolved: That the House do now adjourn until Tuesday 23rd March, 2004, at 10 a.m.