

IN THE SUPREME COURT OF NIGERIA
HOLDEN AT ABUJA
ON THURSDAY, THE 11TH DAY OF JULY, 2024
BEFORE THEIR LORDSHIPS

MOHAMMED LAWAL GARBA
EMMANUEL AKOMAYE AGIM
CHIOMA EGONDU NWOSU-IHEME
HARUNA SIMON TSAMMANI
MOORE ASEIMO ABRAHAM ADUMEIN
HABEEB ADEWALE OLUMUYIWA ABIRU
JAMILU YAMMAMA TUKUR

JUSTICE, SUPREME COURT
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JUSTICE, SUPREME COURT
SC/CV/343/2024

BETWEEN:

ATTORNEY-GENERAL OF THE FEDERATION = PLAINTIFF

AND

1. ATTORNEY-GENERAL OF ABIA STATE
2. ATTORNEY-GENERAL OF ADAMAWA STATE
3. ATTORNEY-GENERAL OF AKWA-IBOM STATE
4. ATTORNEY-GENERAL OF ANAMBRA STATE
5. ATTORNEY-GENERAL OF BAUCHI STATE
6. ATTORNEY-GENERAL OF BAYELSA STATE
7. ATTORNEY-GENERAL OF BENUE STATE
8. ATTORNEY-GENERAL OF BORNO STATE
9. ATTORNEY-GENERAL OF CROSS RIVER STATE
10. ATTORNEY-GENERAL OF DELTA STATE
11. ATTORNEY-GENERAL OF EBONYI STATE
12. ATTORNEY-GENERAL OF EDO STATE
13. ATTORNEY-GENERAL OF EKITI STATE
14. ATTORNEY-GENERAL OF ENUGU STATE
15. ATTORNEY-GENERAL OF GOMBE STATE
16. ATTORNEY-GENERAL OF IMO STATE

DEFENDANTS

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17. ATTORNEY-GENERAL OF JIGAWA STATE
18. ATTORNEY-GENERAL OF KADUNA STATE
19. ATTORNEY-GENERAL OF KANO STATE
20. ATTORNEY-GENERAL OF KATSINA STATE
21. ATTORNEY-GENERAL OF KEBBI STATE
22. ATTORNEY-GENERAL OF KOGI STATE
23. ATTORNEY-GENERAL OF KWARA STATE
24. ATTORNEY-GENERAL OF LAGOS STATE
25. ATTORNEY-GENERAL OF NASARAWA STATE
26. ATTORNEY-GENERAL OF NIGER STATE
27. ATTORNEY-GENERAL OF OGUN STATE
28. ATTORNEY-GENERAL OF ONDO STATE
29. ATTORNEY-GENERAL OF OSUN STATE
30. ATTORNEY-GENERAL OF OYO STATE
31. ATTORNEY-GENERAL OF PLATEAU STATE
32. ATTORNEY-GENERAL OF RIVERS STATE
33. ATTORNEY-GENERAL OF SOKOTO STATE
34. ATTORNEY-GENERAL OF TARABA STATE
35. ATTORNEY-GENERAL OF YOBE STATE
36. ATTORNEY-GENERAL OF ZAMFARA STATE

DEFENDANTS

JUDGMENT

(DELIVERED BY MOORE ASEIMO ABRAHAM ADUMEIN, JSC)

I had the rare advantage of previewing the judgment just delivered by my learned brother, **Emmanuel Akomaye Agim, JSC**. I agree with the reasoning and conclusions of my learned brother. I have nothing to add to the decision of my learned brother. My contribution is just to fulfill “all righteousness”.

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The various preliminary objections of the defendants are obviously frivolous and I also dismiss each and every one of them.

For instance, the contention by some of the defendants that the failure of the Registrar of this court to sign his column or portion of the originating summons makes it incompetent ought not to have been raised at all. The questions raised and the claims in the originating summons are those of the Attorney-General of the Federation, the plaintiff in this suit, and not those of any Registrar of this court. On page 13 of the originating summons, **Prince Lateef O. Fagbemi, SAN**; the Honourable Attorney-General of the Federation duly signed the originating summons, thereby authenticating the questions and reliefs therein and claiming responsibility thereof.

I agree that the settled principle of law is that unsigned document is worthless. The point was loudly pronounced in the case of **E. A. Garuba v. Kwara Investment Company Ltd. & 2 Ors. (2005) 5 NWLR (Pt. 917) 960 at 176** per

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Oguntade, JSC; that an unsigned document is “clearly of unexplained and dubious origin.”

In this case the originating summons is of clear and unambiguous origin and duly signed by the plaintiff.

The failure or omission of the Registrar to sign his own column in the originating summons has not occasioned any miscarriage of justice against any of the defendants and does not affect the competence of the process. It is not the habit of our courts to visit the sins of the courts’ registry on litigants or parties. Thus, in the case of **Co-operative & Commerce Bank (Nig.) PLC v. Attorney-General of Anambra State & Anor. (1992) 8 NWLR (Pt. 261) – at 528, per Olatawura, JSC; it was made clear that:**

“However, it will be contrary to all principles to allow litigants to suffer for the mistake of the Court registry.”

See also the cases of **Mr. G. O. Duke v. Akpabuyo Local Government (2005) 19 NWLR (Pt. 959) 130; Dominic Ede & Anor. v. Nwagbara Nwodo Mba & Ors. (2011) 18 NWLR (Pt. 1278) 236 and Mr. Labaran Maku & Anor. v.**


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Audu Alhaji Sule & Ors. (2022) 3 NWLR (Pt. 1817) 231 at 257, per Musa Dattijo Muhammad, JSC.

The defendants also queried the plaintiff's *locus standi* in this suit. May I refer the defendants challenging the plaintiff's *locus standi* to the case of **Josiah Kayode Owodunni v. The Registered Trustees of Celestial Church of Christ & 3 Ors. (2000) 10 NWLR (Pt. 675) 315 at 354, per Anthony Ikechukwu Iguh, JSC;** where this court held that:

"...It cannot be disputed that the question whether or not a plaintiff has a *locus standi* in a suit is determinable from a totality of all the averments in his statement of claim. See *Bolaji v. Rev. Bamgbose* (1986) 4 NWLR (Pt. 37) 632, *Momoh v. Olotu* (1970) 1 All NLR 117 at 123. In dealing with the *locus standi* of a plaintiff, it is his statement of claim alone that has to be carefully scrutinized with a view to ascertaining whether or not it has disclosed his interest and how such interest has arisen in the subject-matter of the action. Where the averments in a plaintiff's statement of claim disclose the rights or interests of the plaintiff which have been or are in danger of being

violated, invaded or adversely affected by the act of the defendant complained of, such a plaintiff would be deemed to have shown sufficient interest to give him the *locus standi* to litigate over the subject-matter in issue

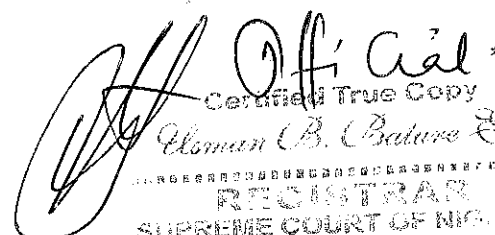
By the provisions of section 5(1) (a) and (b) of the Constitution of the Federal Republic of Nigeria, 1999 (as amended), **“the executive powers of the Federation”** are **“vested in the President”** who may exercise them **“directly or through the Vice-President and Ministers of the Government of the Federation or officers in the public service of the Federation”**; and the executive powers **“extend to the execution and maintenance of this Constitution --- and to all matters with respect to which the National Assembly has --- powers to make laws”**.

Section 162 of the Constitution deals with public revenue of the Federation and distribution of the revenue from the “Federation Account”. If, as alleged by the plaintiff, the failure by the defendants to comply with the provisions of the Constitution on the autonomy of local government councils is negatively impacting the ability of the Federal

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Government to fully perform some of her constitutional duties and responsibilities, thereby unwittingly allowing the general public to attribute all the problems the country is confronting on the Federal Government, then the plaintiff, as the Chief Law Officer, of the Federation, has very ample *locus standi* to institute this suit.

On the merits of the suit, it is on record that all the defendants are opposing the declarations and orders sought by plaintiff. The defendants seem to be asserting that they are not in breach of the constitutional provisions granting fiscal autonomy to the Local Government Councils. According to them, they have been acting in conformity with the Constitution of the Federal Republic of Nigeria, 1999 (as amended). If the defendants' assertion is true, why have they spent their valuable time and resources in opposing this action? Why did they not concede, even out of abundance of caution, so that this country will move on smoothly, for "*abundans candela non nocet*" meaning "abundant caution does no harm". The truth is that, as demonstrated by the plaintiff, the defendants have been carelessly and


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consistently in breach of the provisions of the Constitution guaranteeing democratically elected local government councils with financial autonomy or independence. This is even a matter of common public knowledge.

The illegality or unconstitutionality of States truncating democratically elected local government councils and replacing them with sole administrators, caretakers, caretaker committees or transition committees has long been settled by this Court. For example, in the case of **Hon. Chigozie Eze & 147 Ors. v. Governor of Abia State & 2 Ors. (2014) 14 NWLR (Pt. 1426) 192 at 214**, per Rhodes-Vivour, JSC; this court held thus:

“Section 7(1) of the Constitution states that:

‘7(1) *The system of Local Government 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*

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establishment, structure, composition, finance and functions of such councils.”

On a careful reading of the above it becomes clear that it is the duty of the Governor to ensure that the system of Local Government continues unhindered. Dissolving Local Government councils and replacing them with caretaker committee amounts to the Governor acting on his whims and fancies, unknown to our laws, clearly illegal. It is the duty of the Governor to ensure their existence rather than being responsible for destroying them.

It amounts to executive recklessness for the 1st respondent to remove from office democratically elected chairmen and councillors under whatever guise”.

(Underlining mine, for the sake of emphasis)

The facts, issues and arguments in this suit have been comprehensively summarized by my learned brother and I find it unnecessary to repeat them.

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Local government system, in Nigeria, is a matter of constitutional significance and it has been extensively discussed in various fora, articles, textbooks and journals. Of prominence and relevance is sub-chapter 2 of **S.T. Hon's Constitutional And Immigration Law In Nigeria (2016)** where **"Local Government System"** is the subject of discussion, spanning pages 198 to 207 thereof. There, the learned author and Senior Advocate of Nigeria has answered the live question in this suit, backed with judicial authorities or pronouncements of this court. The learned author has opined, and I agree, that:

"The intention of the framers of the Constitution is that democracy or democratic government and due process must be established not just at the Federal and State Government levels, but also at local government levels".

I think that one of the main reasons for this suit is to ensure that there is local government autonomy across the Federal Republic of Nigeria. And because of its serious legal

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implications, I have consulted several articles by various authors and researchers in the United States of America, from where our Legislature copied the Presidential System of Government. The articles or papers include:

1. **"Comparing Local Government Autonomy Across States"** – George Washington Institute of Public Policy (GWIPP) Working Paper by Hal Wolman, Robert McManmon, Michael Bell and David Brunori (2022 version).
2. **"The Tax Autonomy of Local Governments in the United States"** by Andrew Reschovsky (University of Wisconsin - Madison) being a Working Paper presented in 2019 at Lincoln Institute of Land Policy.
3. **"How Local Governments Raise Revenue – and What it Means for Tax Equity"** by Andrew Galen and Boardman Hendricks presented on March 30, 2023 at the Institute On Taxation And Economic Policy.

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I think that of importance and relevance to this case is the definition of local government autonomy by Hal Wolman, Robert McManmon, Michael Bell and David Brunori. These experts define local government autonomy conceptually-

“as a system of local government in which local government units have an important role to play in the economy and the intergovernmental system, have discretion in determining what they will do without undue constraint from higher levels of government, and have the means or capacity to do so.”

The said authors opine, and I think there is merit, that:

“Local Government may have either or both importance and discretion, but neither of these may be relevant if the local government system does not have the means to accomplish its objectives”.

In Nigeria, by the provisions of the Fourth Schedule to the Constitution of the Federal Republic of Nigeria, 1999 (as

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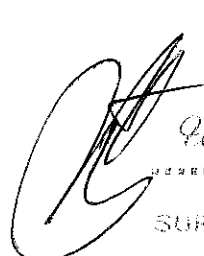
amended) the objectives of a local government council, as can be deduced from the functions specified therein, are very important in achieving decentralization of power and government, such that the people in our cities, towns and villages can enjoy basic social amenities and security of their lives and property. For the avoidance of any doubt, the functions of a local government council, in Nigeria, include the “establishment and maintenance of cemeteries, burial ground and homes for the destitute and infirm”; “establishment, maintenance and regulation of slaughter houses, slaughter slabs, markets, motor parks and public conveniences”; “control and regulation of movement and keeping of pets of all description, shops and kiosks, restaurant, bakeries and other places for sale of food to the public, laundries, and licensing, regulation and control of the sale of liquor” – see paragraphs 1(c), (e) and (k) of the Fourth Schedule to the Constitution of the Federal Republic of Nigeria, 1999 (as amended). These functions are very important and, if properly exercised, will positively impact on all the citizens of this country and thereby reduce

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incidents of unprecedented mass rural-urban migration, insecurity, misery, poverty, social injustice and other myriad of problems confronting all of us.

Some States have, by their various illegal actions, starved the local government councils in their States to the extent that most of them cannot exercise their constitutional powers and/or perform their statutory functions. This is one tier of government's inhumanity to another tier of government!

Local Government Areas in Nigeria, unlike branches of incorporated bodies or entities, are constitutionally the third tier of government of the Federation, having their political and financial independence duly guaranteed by the Constitution of the Federal Republic of Nigeria, 1999 (as amended). Section 2(2) of the Constitution provides that: **"Nigeria shall be a Federation consisting of States and a Federal Capital Territory"**. The 36 (thirty-six) States in Nigeria are specified, in an alphabetical order, by section 3(1) of the Constitution. And section 3(6) of the Constitution

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of the Federal Republic of Nigeria, 1999 (as amended), provides that:

“There shall be seven hundred and sixty-eight local government areas in Nigeria as shown in the second column of Part I of the First Schedule to this Constitution and six area councils as shown in Part II of that Schedule.”

Section 1(2) of the Constitution has earlier provided that:

“The Federal Republic of Nigeria shall not be governed, nor shall any person or group of persons take control of the Government of Nigeria or any part thereof, except in accordance with the provisions of this Constitution”.

In respect of area councils of the Federal Capital Territory, Abuja, there is a template legislation by the National Assembly by way of sections 108, 109, 110 and 113 of the Electoral Act, 2022 on dissolution (tenure of Area Councils), vacation of seat of members, removal of

Chairman/Vice Chairman, recall; etc. And elections into the area councils are promptly conducted or held by the Independent National Electoral Commission. It is, therefore, unfortunate that some States do not even bother about conducting elections into local government councils as required by the relevant laws of their Houses of Assembly.

Under section 135 (3) of the Constitution, the tenure of 4 (four) years for the president, provided for by section 135(2) thereof, shall be extended, for periods not exceeding "a period of six months at any time", by a resolution of the National Assembly, if it "is not practicable to hold elections". By the same token, by a law of a State House of Assembly the tenure of local government councils can be legally extended, for any reason, such as insecurity or war, if it becomes impracticable or impossible for elections into the local government councils to be conducted.

The mandate given to an elected local government council is the mandate of the electorate of that local government area and if the tenure is extended, it is the people's mandate that is extended. If the tenure of a local

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government council is truncated, as it is the norm now, it is an illegal termination of the electorate's mandate and it is not to be encouraged but roundly condemned.

By the doctrine of separation of powers, it is the constitutional duty or function of the Legislature to make laws, which includes amendments and repeals; and the duty of the judiciary is to interpret the laws to achieve the intendment of the legislation. See **Ahmed v. Kassim (1958) SCNLR 28; Lawal v. G. B. Ollivant Ltd. (1972) 3 SC 124; Ojokolobo v. Alamu (1987) 3 NWLR (Pt. 61) 377 and Festus Ibidapo Adesanoye v. Prince Francis Gbadebo Adewole (2006) 14 NWLR (Pt. 1000) 242.**

From the words used in a constitution or a statute the judiciary can discover the intention of the lawmaker. To guide the judiciary in its onerous but noble task, some canons of interpretation have been laid down by our learned predecessors. One of the settled rules of interpretation is that a constitution, legislation or statute must be read and interpreted as a whole and not piecemeal. See **Shamsideen Aboloke Bakare v. Nigerian Railway Corporation (2007)**

7-10 SC 1; Engr. Charles Ugwu v. Senator Ifeanyi Ararume (2007) ALL FWLR (Pt. 377) 807 and Unilife Development Co. Ltd. v. Mr. Kolu Adeshigbin (2001) 4 NWLR (Pt. 704) 609 at 736. Thus, in the case of A. I. Wilson v. Attorney-General of Bendel State (1985) 1 NWLR (Pt. 4) 572 at 601, per George Sodeinde Sowemimo, CJN; the court held that:

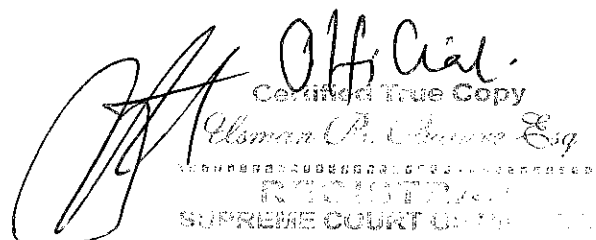
“The office of a good expositor of an Act of Parliament said *Lord Coke in Lincolen College (1583) Co. Rep 588* is to make construction on all parts together not of one part only by itself. *Nemo enim aliquam partem recte illeligere protest antequam totum iterim perlegeril* (for no one can rightly understand any part without perusing the whole again and again)”.

Another guiding principle, which is relevant here, is that the court will adopt the principle of strict construction, *fortissimo contra proferentes*, which clearly leans in favour of citizens' rights. See the cases of **Bello v. Diocesan Synod**

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of Lagos (1973) All NLR 196; Peenok Investment Ltd. v. Hotel Presidential Ltd. (1982) 12 SC 1; (1983) 4 NCLR 122; Attorney-General, Bendel State v. Aideyan (1989) 4 NWLR (Pt. 118) 646; Osita C. Nwosu v. Imo State Environmental Sanitation Authority (1990) 2 NWLR (Pt. 135) 688 at 733, per Agbaje, JSC; and Victor Manyo Ndoma-Egba v. Nnameke C. Chukwuogor (2004) 6 NWLR (Pt. 869) 382.

The defendants have argued strenuously that because the Legislature has provided in section 162(6) of the Constitution that: **“Each State shall maintain special account into which shall be paid all allocations to the local government councils of the State from the Federation Account”** and that by the use of the word **“shall”**, it is compulsory or mandatory that the allocations to the local government councils from the Federation account be paid to the State. The law is trite that the use of the word **“shall”** does not necessarily imply or mean mandatoriness. The word **“shall”** **often connotes permissiveness or directory”** – per **Musa Dattijo Muhammad, JSC**; in the case


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of **Amalgamated Trustees Limited v. Associated Discount House Limited (2007) 15 NWLR (Pt. 1056) 118 at 187.** See also the cases of **Francis Adesegun Katto v. Central Bank of Nigeria (1991) 9 NWLR (Pt. 214) 126; Alhaji Oloyede Ishola v. Memudu Ajiboye (1994) 6 NWLR (Pt. 352) 506** and **Dr. Tunde Bamgboye v. University of Ilorin (1999) 10 NWLR (Pt. 622) 290.**

By interpreting the word “**shall**” used in section 162(6) of the Constitution to connote mandatoriness, the defendants, for more than two decades, have been failing, neglecting or refusing to remit or transmit, as and when due and in full, the allocations to the local government councils from the Federation Account, thereby defeating the very essence and purpose of section 162(5) of the same Constitution. Having regard to the circumstances and facts of this case, I prefer to interpret the word “**shall**” in section 162(6) of the Constitution as merely directory or permissive and not mandatory, so that the allocations to the local government councils, from the Federation Account, will get

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directly to them without being shortchanged and without hinderances or obstacles.

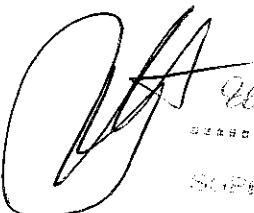
By the clear provisions of section 162 sub-sections (3), (5), (6) and (7) of the Constitution, the States are mere couriers of the allocations from the Federation Account to the local government councils. However, in delivering same as trustees, the States have, unfortunately, been using the allocations due to the local government councils as if they are the owners themselves. Must this unconstitutional Conduct be permitted to continue *ad infinitum*? I do not think so. The chokehold on the allocations to local government councils, from the Federation Account, by the States has to be stopped by the court, otherwise the local government areas in Nigeria will suffocate, die and go into extinction.

States should stop treating local government areas as their colonies. Local government areas are constitutionally recognized and protected as the third level of the Government of the Federal Republic of Nigeria, just as the States are the second layer.

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It is becoming worrisome that some legislative assemblies make laws that take only the interests of some privileged people into consideration and not the overall interests of the general public. . By way of a very subtle appeal to the Legislature – both the National Assembly and the Houses of Assembly, there is a sacred duty for laws to be made with the interests of all the citizens of the Federation in mind, irrespective of colour, creed, gender, size or status. And in this respect, I refer to the evergreen statement of **Lord Kenyon** in the case of **Rex v. Rusby (1800) Peake’s N. P. Cases 192**, where His Lordship stated as follows:

“Though in a state of society some must have greater luxuries and comforts than others, yet all should have the necessaries of life; and if the poor cannot exist, in vain may the rich look for happiness or prosperity. The legislature is never so well employed as when they look to the interests of those who are at a distance from them in the ranks of society. It is their


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duty to do so: religion calls for it; humanity calls for it; and if there are hearts who are not awake to either of those feelings, their own interests would dictate it”.

In this case, the Legislature has by the very clear, straightforward and unambiguous provisions of sections 7(1) and 162(5) of the Constitution guaranteed **“The system of local government by democratically elected local government councils”** which are entitled to **“the amount standing to the credit of local government councils in the Federation Account”**.

The conceptualization and perpetuation of unelected persons as members of caretaker committees, interim committees or transition committees of local government councils in Nigeria, constitute a grievous sin against the Constitution of the Federal Republic of Nigeria, 1999 (as amended). If one is permitted to ask: How will the defendants feel if the Federal Government of Nigeria fails, neglects or refuses to allow the Independent National Electoral Commission to conduct governorship and State

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Assembly elections and goes about appointing sole administrators or caretaker committees for the States in Nigeria? Any one can accurately guess an answer. What is good for the States is also good for the local government areas of the Federal Republic of Nigeria.

This suit is the people's case against injustice and judgment should be in favour of the people of the Federal Republic of Nigeria. Some people may think that some of us have other considerations other than the interest of justice, before arriving at our respective conclusions. To such people, the answer is that Judges have always appreciated and borne in mind the admonition of **Bayley, J; in Case of Edmonds and others (1821) 1 St. Tr. (N. S.) 899**, as follows:

“There may be cases in which there is so much of difficulty in knowing where the law stands that we take time to consider, and sometimes doubt much and sometimes differ among ourselves. But I believe every one of the Judges acts upon the principle

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that he is before man and God in the discharge of his duty, and acts upon his solemn oath, and declares the law not according to any political fancy, or for the purpose of serving one party or serving another, but according to the pure conviction of his own mind without looking to any party.”

In respect of what reliefs should be granted in this suit, I think that granting all or some of the declaratory reliefs, without the appropriate orders, will mean that the decision of this court is nothing but an exercise in futility. This is because, as settled by this court, a declaratory judgment merely declares or proclaims the existence of legal relationship and do not contain enforceable order(s) against a defendant. See **Government of Gongola State v. Alhaji Umaru Abba Tukur (1989) 4 NWLR (Pt. 117) 592** and **Chief R. A. Okoya & Ors. v. S. Santilli & Ors. (1990) 2 NWLR (pt. 131) 172 at 196**. Therefore, there is nothing beneficial to the plaintiff if the reliefs set out in the leading

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Prince Lateef O. Fagbemi (SAN; Attorney-General and Minister of Justice) and **Prof. Yusuf Ali (SAN); S. T. Hon (SAN); T. A. Gazali (SAN;** Acting Director, Civil Appeals Department, Federal Ministry of Justice) with **O. A. Oloruntogbe, Esq.** (Assistant Chief State Counsel, Federal Ministry of Justice) for the plaintiff.

Ikechukwu Uwanna, Esq. (Attorney-General and Commissioner for Justice, Abia State) with **Mrs. Nkeiru N. Akinola** (Director, Legal Services, Abia State Ministry of Justice); **Mrs. Ihuoma Omokwe** (Director, Abia State Ministry of Justice); **Mrs. Nkolika Ubani** (Senior Special Assistant to the Governor of Abia State) and **Chinedu Amanamba, Esq.** (Assistant Chief State Counsel, Abia State Ministry of Justice) for the 1st defendant.

A. K. Jingi; Esq. (Attorney-General and Commissioner for Justice, Adamawa State) with **J. A. Waya, Esq.** (Acting Director, Civil Litigation, Adamawa State Ministry of Justice) and **Z. Y. Usman, Esq.** (Senior State Counsel I, Adamawa State Ministry of Justice) for the 2nd defendant.

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Dr. Onyechi Ikpeazu (SAN; OFR; OON) and P. I. N. Ikwueto (SAN) with Julius Mba, Esq; Nwamaka Ofoegbu, Esq. and Emeka Chinwuba, Esq. for the 4th defendant.

Hassan Usman El-Yakub (SAN; Attorney-General and Commissioner for Justice, Bauchi State) with M.U. Usman, Esq. (Deputy Director of Public Prosecutions, Bauchi State Ministry of Justice) and S. M. Toro, Esq. (Chief State Counsel, Bauchi State Ministry of Justice) for the 5th defendant.

Emmanuel Yinfaowei, Esq. (Solicitor-General of Bayelsa State) with Lugard Tare-Otu, Esq; Erebi Biboye, Esq. (Principal State Counsel, Bayelsa Ministry of Justice) and Michelle Zuokumor, Esq. (Principal State Counsel, Bayelsa State Ministry of Justice) for the 6th defendant.

F. B. Mnyim (Attorney-General and Commissioner for Justice, Benue State), E. Enyikwola (Director Citizens Rights, Benue State), Z. O. Onum, Esq. (Assistant Chief State Counsel, Benue State Ministry of Justice), J. T. Gwa, (Assistant Chief State Counsel, Benue State Ministry of Justice) and E. N. Agoh (Senior Chief State Counsel, Benue State Ministry of Justice) for the 7th defendant.

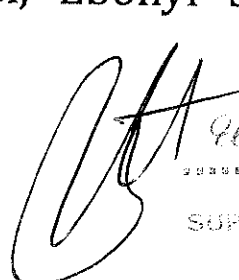
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J. J. Usman, (SAN) with **Bulus Adamu, Esq**, (Director of Civil Litigation, Borno State Ministry of Justice), **C. O. Ogbu, Esq.** **Asma'u Ahmed, Esq.** and **I. Q. Abbey, Esq.** for 8th defendant.

Ededem C. Ani, Esq. (Attorney-General and Commissioner for Justice, Cross River State), with **Anthony Effiom, Esq.** (Director, Civil Litigation Cross River State Ministry of Justice), **Gregory I. Okem, Esq** (Director Public of Prosecution, Cross River State Ministry of Justice), **John Ogban, Esq** (Director Appeals, Cross River State Ministry of Justice) and **Udenyi Omaji, Esq.** (Senior State Counsel I, Cross River State Ministry of Justice) for 9th defendant.

Omamuzo Erebe, Esq (Solicitor-General of Delta State) with **S. O. Monye, Esq.** (Director Civil Litigation, Delta State Ministry of Justice), **I. G. Eze-Owenze, Esq.** (Director, Advisory Services, Delta State Ministry of Justice), **U. P. Okolotu, Esq.** (Principal State Counsel, Delta State Ministry of Justice) and **O. B. Okonye, Esq** (Principal State Counsel, Delta State Ministry of Justice) for the 10th defendant.

Dr. Ben Uruchi Odoh (Attorney-General and Commissioner for Justice, Ebonyi State) with **Israel Ikechukwu Alobu, Esq., Ikenna Michael Nwidagu, Esq.** (Assistant Chief State Counsel, Ebonyi State Ministry of Justice) and **Sylvia Nnenna Nworie** (Senior State Counsel, Ebonyi State Ministry of Justice) for 11th defendant.


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Oluwole Oasaze-Uzzi, Esq (Attorney-General and Commissioner for Justice, Edo State) and **Prof. Faith Osadolor** (Solicitor-General of Edo State) with **Dr. Solomon Agbonhulu, Mrs. Esosa Osula, Chukwuemeka Achugbu, Esq** for the 12th defendant.

Dayo Akpata SAN (Attorney-General and Commissioner for Justice, Ekiti State) with **Gbemiga Adaramola, Esq.** (Director, Civil Litigation, Ministry of Justice Ekiti State), **Olalekan Suleiman, Esq** (Assistant Chief Legal Office, Ekiti State Ministry of Justice), **O. M. Atibioke, Esq** and **A. D. Adeleye, Esq** for 13th defendant.

Dr. Kingsley T. Udeh (Attorney-General and Commissioner for Justice, Enugu State) with **I. I. Eze** (Director Appeals, Ministry of Justice Enugu State), **Lilian Ogar** (Senior Legal Officer, Ministry of Justice Enugu State) and **C. V. Asogwa-Ugwueze** (Legal Officer, Ministry of Justice, Engu State) for 14th Defendant.

Muzzammil Yahaya, Esq. for 15th defendant.

Chief C. O. C. Akaolisa (Attorney-General and Commissioner for Justice, Imo State) and **Mrs. Ifeoma Charles-Umeh** for the 16th defendant.

Bello Abdulqadir Fanini (Attorney-General and Commissioner for Justice, Jigawa State), **Aliyu Abdullahi** (Deputy Director Civil Litigation, Ministry of Justice, Jigawa

State) and **Aliyu Hassan Hassan** (Civil State counsel, Ministry of Justice Jigawa State) for 17th defendant.

Sule Shu'aibu, SAN (Attorney General and Commissioner for Justice, Kaduna State) with **Jummai Adamu Dan'azumi, Esq** (Solicitor General of Kaduna State), **Mohammed Tajudeen Mohammed, Esq., Salvation Zainabu Kyari, Esq.** (Senior State Counsel, Ministry of Justice, Kaduna State) and **Sadiya Nasir, Esq** (Senior State Counsel, Ministry of Justice, Kaduna State) for 18th defendant.

Ahmed Raji, SAN, FCIArb (U. K) with **Ibrahim Tukur Elsudi, Esq., Bimbo Atilola, Esq., Abdulkarim Maude, Esq.** and **Peter Nwatu, Esq.** for 19th defendant.

Lukman O. Fagbemi (SAN) with **Ibrahim A. A, Esq.** (Director Civil Litigations, Ministry of Justice, Katsina State); **Kamal O. Fagbemi, Esq.;** **Khalil O. Ajana, Esq., K. A. Imafidon, Esq., Ibrahim A. Saleh, Esq.** and **I. O. Adedoyin, Esq.** for the 20th defendant.

Olanrewaju Osinaike, Esq. for the 21st defendant.

J. B. Daudu, SAN, FCIArb (U.K) and **A. M. Aliyu, SAN;** **Ibrahim Sani Muhammad, SAN, Aliyu O. Saiki, SAN;** **Adedayo Adedeji, SAN** with **P. B. Daudu, Esq.** for 22nd defendant.

Senior Ibrahim Sulyman, Esq. (Attorney-General and Commissioner for Justice, Kwara State) with **A. M. Bello, Esq.**

(Director Civil Litigation, Kwara State Ministry of Justice), **Isiaq Abdulrasheed Olorundare, Esq.** (State Counsel 1, Kwara State Ministry of Justice) and **Hussein Afolabi, Esq.** for 23rd defendant.

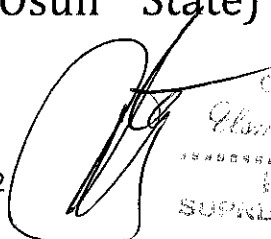
S. M. Labaran, Esq (Attorney-General and Commissioner for Justice, Nasarawa State) with **Y. Y. Ede, Esq.** (Director, Civil Litigation, Ministry of Justice, Nasarawa State) **E. U. Aliyu, Esq.** (Deputy Director Legal Drafting, Ministry of Justice, Nasarawa State) **M. J. Abokee, Esq.** (Deputy Director Law Reform, Ministry of Justice, Nasarawa State), **B. A. Jankat, Esq.** and **F. A. Tunga, Esq.** for 25th defendant.

J. J. Usman (SAN) with **M. S. Abdul-Aziz, Esq.;** **D. O. Atita, Esq.,** **I. U. Ujah, Esq.** and **N. U. Usman, Esq.** for 26th defendant.

Kehinde Ogunwumiju, (OFR, SAN, FCIArb), O. M. Atoyebi, SAN,; **Tunde Afe-Babalola, SAN, FCIArb;** **Eko Ejembi Eko, SAN** with **Opemipo Owotume, Esq.** for 27th defendant.

Dr. Olukayode Ajulo, SAN (Attorney-General, Ondo State) with **O. F. Bosun Kwadjo Esq., Emmanuel Patrick, Esq., Eniola Oyelami, Esq.** and **Margaret Aguocha, Esq.** for the 28th defendant.

OluWole Jimi-Bada, Esq.,(Attorney-General and Commissioner for Justice, Osun State) with **John E.**

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Opaluwa, Esq., Nurudeen Hakkem, Esq. and Jide Obisakin, Esq. for the 29th defendant.

Abiodun Aikomo, Esq. (Attorney-General and Commissioner for Justice, Oyo State) with **N. A. Abiola** (Director Legal Drafting and Ministerial Counselling, Ministry of Justice, Oyo State) and **Adeola Ige Adeleke** (Assistant Chief State Counsel Ministry of Justice, Oyo State) for the 30th defendant.

P. A. Daffi (Attorney-General and Commissioner for Justice, Plateau State) with **J. I. Mantu, Esq.** (Assistant Director, Plateau State Ministry of Justice) for 31st defendant.

I. D. Iboroma, SAN (Attorney-General and Commissioner for Justice, Rivers State) with **Ibiwari Clapton-Ogolo, Esq., Uzor Ikenga, Esq., R. O. Adakole, Esq., U. P. Ogo, Esq., and T. C. Shalom, Esq.** for the 32nd defendant.

Mohammed Nasiru Binji, Esq. (Attorney-General and Commissioner for Justice, Sokoto State) with **L. S. Wali, Esq.** (Director Civil Litigation, Ministry of Justice, Sokoto State) and **Amanzi F. Amanzi, Esq.** for 33rd defendant.

G. A. Idiagbonya, Esq. with **Mrs. P. N. David** (Principal State Counsel, Taraba State Ministry of Justice) for the 34th defendant.

Saleh Samanja, (Attorney-General and Commissioner for Justice, Yobe State) with **Baba Dala Fika, Esq., Isma'il**

Usman, Esq. and Muhammad S. Dan'azumi for the 35th defendant.

Abdulaziz Sani, SAN (Attorney-General and Commissioner for Justice, Zamfara State) with **Mustapha Aikawa, Esq.** for the 36th defendant.

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