Twitter Thread by Project 2050 ■■



Project 2050 ■■
@iOLOTU

Dear @solomon_rep,

I saw saw the proposed bill you presented at @HouseNGR. My question is simple: How is this bill going to change the ineffectiveness of the LGA? How will further disempowerment of the LGA get it closer to the people?

> House of Reps considers bill to remove LGs as tier of govt https://t.co/6oeJcXcMln #vanguardnews pic.twitter.com/fRpnF41Bjb
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> — Vanguard Newspapers (@vanguardngrnews) December 25, 2020

Has the @HouseNGR ever challenged State Gvnors for not releasing funds to their LGA? If Gvnors do not give the funds that a constitutionally the right of the LGA, how then do you think they will fund it when it isn't a constitutional tier of Govt? These should be how we think

We should ask questions first when a problem exists, after which we can investigate one state in each region, then you have the appropriate committee brainstorm on d best cause for action that gets governance to the people. This eliminates any short sightedness in pushing a bill

Has d LGA elections been a reflection of the people's will? Why is the LGA election held by the SEC rather than by INEC? Why do we have all LGA in a state like Lagos owning a broom? Similarly some states having most LGA if not all using an umbrella? We should ask these questions

This brings me to the real reason why the LGA has continues to fail.

It has fail mainly because "The State Joint Local Government Account(SJLGA)"

When the LGA has revenue in its jurisdiction but the state govt fight them over jurisdiction. They can't get their own IGR.

The State Joint Local Government Account

Under the Constitution of Nigeria, the SJLGA is a special account maintained by each state government "into which shall be paid allocations to the local government councils of the state from the Federation Account and from the Government of the State" (Section 162 [6], 1999 Constitution of Nigeria). The Account is meant to be a mechanism that can implement the notion of 'fiscal federalism' at the local government level in Nigeria. Section 162 of the Constitution also provides for how public revenue shall be collected and distributed among the three tiers of government in the country. The following extract outlines the key elements of section 162:

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(1) The Federation shall maintain a special account to be called "the Federation Account" into which shall be paid all revenues collected by the Government of the Federation, …."

(2) The President, upon the receipt of advice from the Revenue Mobilisation Allocation and Fiscal Commission, shall table before the National Assembly proposals from the Federation Account, and in determining the formula, the National Assembly shall take into account, the allocation principles especially those of population, equality of states, internal revenue generation, land mass, terrain as well as population density. Provided that the principle of derivation shall be constantly reflected in any approved formula as being not less than thirteen percent of the revenue accruing to the Federation Account directly from any natural resources.

(3) Any amount standing to the credit of the Federation Account shall be distributed among the Federal and State Governments and the local government councils in each state on such terms and in such manner as may be prescribed by the National Assembly.

(4) Any amount standing to the credit of the states in the Federation Account shall be distributed among the states on such terms and in such manner as may be prescribed by the National Assembly.

(5) The amount standing to the credit of local government councils in the Federation Account shall also be allocated to the States for the benefit of their local government councils on such terms and in such manner as may be prescribed by the National Assembly.

(6) Each State shall maintain a special account to be called "State Joint Local Government Account" into which shall be paid all allocations to the local government councils of the state from the Federation Account and from the Government of the state.

(7) Each state shall pay to local government councils in its area of jurisdiction such proportion of its total revenue on such terms and in such manner as may be prescribed by the National Assembly.

(**8**) The amount standing to the credit of local government councils of a state shall be distributed among the local government councils of that state on such terms and in such manner as may be prescribed by the House of Assembly of the state.

Section 162, 1999 Constitution of Nigeria [extract]

The LG is dependent on the state because their fed allocation is maintained by the state under the SJLGA. A paper by Jude Okafor highlights the real issue.

The Borno State govt empowered a committee that effected the illegal deduction from the SJLGA.

It should be noted that the state government is not intended to be a *beneficiary* of the SJLGA, rather, it is a *trustee* of the Account. It is required to *maintain* the Account for the benefit of the local governments by ensuring that the amount allocated for this third tier of government is equitably and fairly shared among the councils, adhering strictly to constitutionally stipulated criteria. However, reports across the country indicate that most state governments are using SJLGA laws contrary to this intention.

Dlakwa (2004:119-122) has outlined this problem in the case of Borno State. He states that under the Borno SJLGA Distribution and Fiscal Committee Law 2002, a committee was set up to administer the Account. It comprised:

- the Commissioner of the Ministry of Local Government and Chieftaincy Affairs (Chairman)
- Permanent Secretary, Ministry of Local Government and Chieftaincy Affairs
- Accountant-General of the State
- all Local Government Councils' Chairmen in the State
- a representative of the Borno State Primary Education Board
- a representative of the Board of Internal Revenue, and
- the Director of Local Government and Chieftaincy Affairs (Secretary).

It should be observed that the key officers of the committee are state government officials and, in the view of this author, the committee was structured from the outset to disadvantage the Local Government Councils (LGCs). Moreover, the Borno SJLGA Law

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26 LG chairs with exception of one sued the Borno Govt and the Hight Court ruled that it was unconstitutional the provisions that empowered the committee to make those deduction.

I guess at this point you would say wow at least something worked, right?

I have sad news for you

The judgement was given in June 2002 and these deductions continued. Some deduction were above 50%.

So my question Sir @ @solomon_rep is this

Can this same state govt that's won't give the LG it's constitutional allocation and disregard our judicial process allow LG's develop.

I think as a country our educational system wasn't meant to see society through difficult social, economic and political storms. Because I would say the House meant not have the experience, in designing an effective LG structure that delivers good governance to the people.

That's where our academia comes in. Our ability to let their years of research leave d journals, to help politicians draft models that transforms the LG.

@solomon_rep @SpeakerGbaja this bill will not achieve its intended goal but rather it will take d LG further away from Us.