



**FEDERAL UNIVERSITY OF TECHNOLOGY  
MINNA**

# **LAND SAFETY: HOW SECURED?**

*By*

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*FNIVS, FICA, MRICS, MNIM, MNES, RSV*

*HND (Arc.), DPA, B.Tech., PGDM, PGDE, M.Tech., PhD (Est. Mgt.)*

*Professor of Estate Management and Valuation*

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## 1.0 PROTOCOLS AND INTRODUCTION

### 1.1 Inaugural lecture

**M**r. Vice-Chancellor, Deputy Vice-Chancellors, the Registrar, other highly respected Principal officers, Deans, my colleagues Directors, Distinguished Professors, Head of Departments and other members of the Senate, members of the Administrative and Technical/Technology Staff, my Lords, invited guests, distinguished press men, my friends and family, Distinguished Ladies and Gentlemen, our amiable future leaders, Greatest Nigerian students.

Today's lecture is perhaps a milestone in at least four perspectives. Firstly, it is the first in this University from the Department of Estate Management and Valuation, equally by first alumnus of the Department and the seventh from the School of Environmental Technology. Secondly, it is the first in the entire Northern region to be presented in the field of Estate Management and Valuation. Thirdly, it is another vindication that those from the local government system can also excel in academic. Fourthly, and undisputedly most significant to me, is the fact that today marks a major landmark of an interest that started in 1994 when as then the Sectional Head of Architecture, Land and Survey in Chanchaga Local Government Area of Minna, I was threatened to be removed by the then Supervisory Councilor for Works on the basis that his younger brother who then, was a fresh holder of Higher National Diploma in Estate Management while I was then a holder of Higher Diploma in Architecture and considered unfit to be Land Officer. Consequently, I was inspired to a direct entry admission at FUT Minna in 1995 to read Estate Management and solidified my position then. It was this experience that in part shaped my decision. The decision to read Estate Management, however, was not accidental as I was already involved in land administration

activities at grassroots level. My responsibilities then as Sectional Head Architecture, Land, and Survey, were land related such as Site Board Meeting, Land Disputes resolutions, Possessing of Customary Right of Occupancy, Local Government Layout Design and administration, etc. That positioned me more on Land related matters than Architecture. To my credit, I initiated and saw to the full implementation of three layout designs in Minna, namely; MTP93 and MTP98. This little successes attracted attention and more influence. This and many more stimulated and further inspired me to read Estate Management at FUT Minna on self-sponsorship and without release from official duties just because of my interest to solidify my inner quest for the newly found profession and this was successfully achieved within a record time with 2.1 (4.16) and the first runner-up in the class of 1998.

My sojourn into the service of Niger State Local Government Service Commission climaxed at its pinnacle when I was then appointed the Director of Works, Housing and Transport from year 1998 – 2005. Similarly, my transfer of service to Federal University of Technology, Minna was also voluntary and purely based on passion and genuine interest haven also lectured as part time lecturer in 2002 both at FUT Minna and Niger State Polytechnic, Zungeru (pro bono). Thereafter, I successfully got transfer of service to FUT Minna with effect from 1<sup>st</sup> March, 2005 and since then; a lot of water had passed under the bridge with varied experiences to the glory of Almighty Allah the rest today is history and ultimately here we are.

## **1.2 Rationale for the Title**

The rationale for the title is predicated on the framework of good land governance. First, it is intended to directly address the issue of land administration and land management reforms under six major and key structured perspectives:

- I. Security of tenure,
- ii. Access to land,
- iii. Land Use,
- iv. Land Valuation, taxation and land market,
- v. Land acquisition, and
- vi. Modernization of land administration services.

Secondly, it is fundamentally underpinned by a strong inclusive perspective that considers the issues affecting the land security and how secured it is for all citizens. This includes but not limited to:

- I. Rehabilitation of landless, squatters and informal tenure-holders for improved housing,
- ii. Access to land and security of tenure,
- iii. Tenure security for landless peasants for farming,
- iv. Women's access to land ownership, and
- v. The optimum use of land for sustainable housing.

Third, the title considers key environmental challenges related to food security, infrastructure development, and the application of techniques in land administration.

### **1.3 Securing Land for All in Nigeria**

Technically, the Land Use Act in Nigeria is the framework for Land Policy and Land Administration throughout the country. In the case at FCT, the FCT Act provide additional legal framework for Land Administration and management in the FCT Area.

The Land Use Act of 1978 is made up of eight parts of fifty-one sections. It addresses four important issues arising from the former land tenure systems in Nigeria: the problem of lack of uniformity in the laws governing land-use and ownership; the issues of uncontrolled speculation in urban land; the question of

access to land rights by Nigerians on equal legal basis; and the issues of fragmentation of rural lands arising from either the application of traditional principles of inheritance and/or population growth and the consequent pressure on land (Nuhu, 2012). It approaches these issues via three related strategies: the vesting of proprietary rights in land in the state; the granting of usufructuary rights in land to individuals; and the use of an administrative system rather than market forces in the allocation of rights inland (Uchendu 1979:71; Francis 1978:12). While, Ebong (2009) concluded that the Land Use Act 1978 was against conferment of valid title to Land, resolution of its use and enjoyment of land for the sustenance of Nigeria and the effective utilization of land and development. The general principles of the Act state that: subject to the provisions of this Decree, all land comprised in the territory of each State in the Federation are hereby vested in the Military Governor of the State and such land shall be held in trust and administration for the use and common benefit of all Nigeria. (Nigeria Land Use Act 1978: part 1: A. 49). By this provision, the Act altered the existing land laws (particularly in the Southern part of the Country) in three fundamental ways: it removed corporate groups, families and chiefs from the trusteeship of land and replaced them with the state governor; individual interests in land which have expanded with economic development arising from the 'oil boom' are now one of occupancy and therefore fall short of the plenary. Consequently, the community's allodial interests in land are denied or frozen: and the Act broke up local sovereignties and merged them into a single sovereign (Uchendu 1979). In part I titled 'General,' apart from the vesting of all land in the state, the Act also distinguishes between two types of land - urban and other lands (presumably rural lands).

While urban lands were placed under the control and management of the Governor of the state with a 'Land Use and

Allocation Committee' as an advisory body, on the other hand, 'other lands' were placed under the control and management of the Local Government in which the land is situated with the 'Land Allocation Advisory Committee' (Land Use Act 1978: Section 2(1) a and b). Two radical changes flow from part 1 of the Act. The legal status of the Nigerian land user becomes that of statutory rights of occupancy are severely limited by law since proprietary interest in land are lost and claim are restricted to improvements made on the land.

For the interim administration of land, the Act provides that the land tenure law of Northern Nigeria or the State law of Southern Nigeria shall have effect with modifications as well bring these laws in conformity with the Act under review. Furthermore, in Part II of the Act, which introduce the new land tenure law, distinction are made between statutory and customary rights of occupancy leading to the changing of the traditional system or rules of inheritance to land.

The Land Use Act Cap L.5, has been with us for forty-one (41) years now, having been first enacted on the 29th March, 1978 and subsequently incorporated into the Nigerian Constitution. With the laudable **OBJECTIVES** as explicitly stated when the Act was promulgated include the following:-

- (i) To remove the bitter controversies that usually arise over title to land;
- (ii) To assist the citizenry, irrespective of status, realize their ambition and aspiration of owning land within the country;
- (iii) To assist the government in the exercise of its power of eminent domain or power to compulsorily acquire land, as all land was, after its enactment, deemed to belong to the state.

- (iv) To curtail the activities of speculators who hoarded land and therefore made it very expensive.

Sadly, since its promulgation, none of these objectives has been achieved. Hence, there has been a cry for the amendment of the Act in such a manner that it will serve the purposes for which it was promulgated. Over many years, especially since 1990, hardly has any year passed without Government setting up Commissions or Committees or some of such Bodies to review and make recommendations for the suitable amendments. Since then hardly has any year passed without one professional body or the other calling for the amendment of the Act. Again no year has passed without one group of Nigerians or the other calling for the amendment of the Act. If the matter of whether or not to amend the Act were taken in a referendum, majority of Nigerians would overwhelmingly vote in favour of amendment. It is imperative therefore, to note that many of my research works added it voices for the need to respect the wishes of the people of Nigeria and resolve to bring an end to this nagging question by appropriately amending the Act (Nuhu, 2006, 2012/2016).

My Vice-Chancellor, distinguished guests, I have gone ahead to reinforce the necessity to proposed amendments. However, the submission is in four parts, Part I dealing with taking the Land Use Act out the Constitution, and other issues in the remaining three parts are as follows:-

- i. Part I need to remove the act from the constitution
- ii. Part II consent and title issues
- iii. Part III compensation
- iv. Part IV other areas.

I. **PART I.** One of the most important amendments which will make all others possible is the removal of the Act from the Constitution. The huge discussions that have attended the effect

of entrenching the act in the Constitution have been a distraction. For these and other reasons (Nuhu, 2007):-

- i. Instead of implementing the provisions of the Act, a lot of time, energy and resources have been spent on considering the import of the Act as part of the Constitution.
- ii. If the Act remains in the Constitution, amending it is very laborious.
- iii. The cost implications of any such amendment are huge.
- iv. The Land Use Act is a working document on land administration which is subject to review from time to time based on exigencies. It is therefore an anomaly for such a document to remain in the Constitution.
- v. If removed from the Constitution, of course the Act still remains a Federal law which no State can tamper with unless through the National Assembly. All that States can do, as some are doing already, is to make regulations as empowered under the Act.
- vi. It is possible that there are fears in some quarters that if removed from the Constitution, acts done under the Act previously may be overturned. That is baseless fear as no amendment made now is going to have a retrospective effect.
- vii. The Act being an outcome of a minority report of the Rent Panel of 1976, was hurriedly put in the Constitution for fear that soon after change of government, the Act would be jettisoned without following due process. But we are now in a democracy.
- viii. The Act being a part of the Constitution creates a special problem of interpretation of the provision of the Act viz-a-vis the provisions of the main part or the Constitution.
- ix. Majority of Nigerians, especially the professionals, demand that it be removed from the Constitution.
- x. All the Commissions, Committees and other bodies set up



by Government have recommended that it be so removed. The Law Reform Commission which was charged in the late 80s to review the Act so recommended; the Presidential Committee on Urban Development and Housing said so in 2002, etc.

## ii. **PART II**

### **a. Consent Issues – Sections 21, 22 & 23**

Sections 21, 22 and 23 prohibit alienation of a Customary or Statutory right of Occupancy as well as a sub-lease of a statutory right without consent or approval. The prior **Consent** of the **Governor** is required:

- (a) In S. 21 (a) where a Customary right of Occupancy is to be sold by or under the order of any Court under the sheriff and Civil Process Law.
- (b) In S. 22(1) where a holder of a statutory right granted by the Governor seeks to alienate his right or any part thereof howsoever.
- (c) In S. 23 (1) where a sub-lessee of a statutory right intends a demise of his sub-lease wholly or in part.

**Approval of the appropriate Local Government** is required in S. 21(b) for the alienation of a Customary right of Occupancy in all cases other than alienation under a Court order.

**Approval of the holder of a Statutory right** is required in S. 23 (1) where a sub-lessee intends a demise of his sub-lease.

The case for the removal of the consent provisions of the Act are as follows:-

- i. The process of obtaining consent is cumbersome.
- ii. In terms of cost, consent fees, in some respects, are excessive and arbitrary, costing as much as 15% of the assessed value as in some states and requiring up to three months or more to perfect the document.

- iii. All these add to the cost of doing business in Nigeria.
- iv. Consent has been used as a political tool, bringing hardship to a good number of Nigerians.
- v. The over-all tardiness and cumbersomeness discourage credit flow from banks and other financial institutions.

To ensure the operation of a free market economy, the provisions of the Land Use Act which require the consent of the Governor or other Local authority for dealing in land should be repealed. Approval however, of the holder of a statutory right to alienation of a sub-lease may be retained. In place of consents, the stamping and registration of instruments evidencing the transaction should be provided for.

## **2.0 LAND ADMINISTRATION AND THE SUSTAINABLE DEVELOPMENT GOALS (SDGS)**

World over, land provides a primary source of income, food security, cultural identity and shelter. It also serves as a fundamental asset for the economic empowerment of the poor and provides a safety net in times of hardship. Food and Agricultural Organization (FAO, 2008) defines land administration as “the way in which the rules of the land tenure are applied and made operational”. It comprises of an extensive range of systems and processes to administer the holding of rights to land (allocation, delimitation, transfer, and disputes), economic aspects of land (gathering revenues valuation, disputes), control of land use (regulation, land use planning, disputes). Land administration is conceived in many different ways. UN/ECE Guidelines (1996) land administration is defined as the “process of determining, recording and disseminating information about the ownership, value and use of land when implementing land management policies”. Dale and McLaughlin (1999), define land administration as “the processes of regulating land and property development and the use and

conservation of the land, the gathering of revenues from the land through sales, leasing, and taxation, and the resolving of conflicts concerning the ownership and use of land.

The critical view of UN/ECE Land Administration Guidelines (1996), simplified the component of land administration to include; processing, distribution, process data-acquisition, rights, assessment, inventory land purpose. Land Administration has been considered to include a core parcel based cadastre and law registration component, multi-purposed cadastre and/or land information systems. This implies that many land administration systems also facilitates or include information on land use planning and valuation/land taxation systems although land administration does not usually include the actual land use planning and land valuation process (FAO, 2008). However, the operational component of the land management paradigm is the range of land administration functions that ensure proper management of rights, restrictions, responsibilities and risks in relation to property, land and natural resources. According to Enemark (2004), the functions include:

- I. **Land Tenure:** as the allocation and security of rights in lands; the legal survey to determine the parcel boundaries; the transfer of property or use from one party to another through sale or lease; and the management and adjudication of doubts and disputers regarding rights and parcel boundaries.
- ii. **Land value:** as the assessment of the value of land and properties, the gathering of revenues through taxation; and the management and adjudication of land valuation and taxation disputes.
- iii. **Land Use:** as the control of land-use through adoption of planning policies and Land-use regulations at national, regional/federal, and local levels, the enforcement of

land-use regulations and the management and adjudication of land use conflicts.

- iv. **Land Development:** as the building of new infrastructure, the implementation of construction planning; and the change of land-use through planning permission and granting of permits; and the distribution of developing costs. Land administration activity is never an end in itself, but operates within a certain context of land policy, land management and good governance.

The justification for paying attention to land administration is to be found in its application in the field of providing security of tenure, regulating the land markets levying land tax, planning and control of land use, land reform etc. From a financial point of view this will mean that the investments and costs of a land administration system should be justified by macro-economic factors (like the importance of land market transaction; industrial and agricultural development towards economic growth; and environmental sustainability of land and natural resources) and micro-economic factors (such as land as a collateral for micro credit for households and small businesses; paid mortgage interests that underpin the financial institutions, and paid land taxes that underpin public services). UN/ECE (1996) views Land Administration as a system referred to as Land Administration System (LAS). LAS are important infrastructure, which facilitate the implementation of land policies in both developed and developing countries. LAS are concerned with the social, legal, economic and technical framework within which land managers and administrators must operate. The system supports efficient land markets and is, at the same time, concerned with the administration of land as natural resources to ensure its sustainable development.

The design of adequate systems in the area of land tenure and land value lead to the establishment of an efficient land market

capable of supporting trading in complex commodities. The design of adequate systems in the areas of land use control and land development should lead to effective land-use management. The combination of an efficient land market and efficient land-use management should then form the basis for a sustainable approach to economic, social and environmental development. A modern land administrative system acts within the environment of adopted land policies that fulfill political objectives with regards to land issues. It also acts within an institution framework that imposes mandates and responsibilities on the various agencies and organizations. The system is concerned with providing detailed information at the individual land parcel level. It should serve the needs of both the individual and the community at large.

Dale and McLaughlin (1999) identify ownership, values, and use as the three key attributes of land. They continue that land administration functions can be divided into four (4): Juridical, Fiscal, Regulatory and Information Management. The first three functions are traditionally organized around three sets of

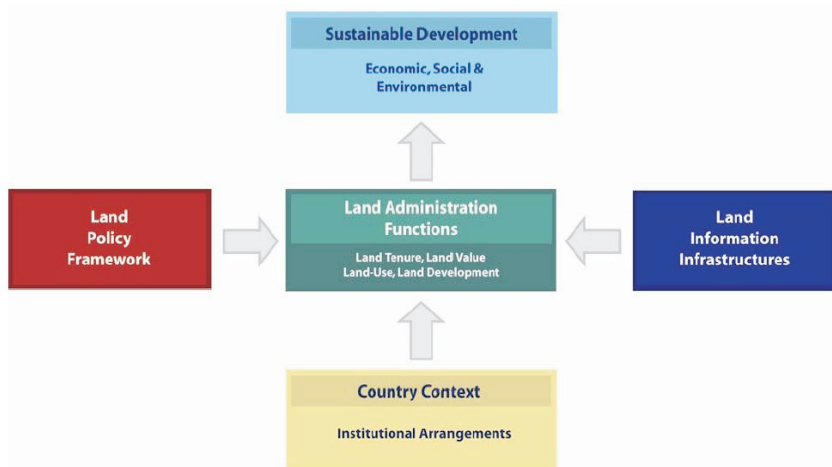


Figure 2.1 The land management paradigm (Enemark, 2004)

organizations while the latter, information management is integral to the other three components. Land administration framework is described in Figure 2.1 above and gives a cursory view of the entire scenario surrounding land administration issues and development described by Enemark 2004.

The process of formalizing tenure and rights, restrictions and responsibilities in land are important to develop land administration and cadastral system that are sensitive to sustainable development objectives. Enemark (2005) and UN-ECE (1996) define Land Management as the process by which the resources of land are put into good effect. Land management encompasses all activities associated with the management of land that are required to achieve sustainable development Land Administration Systems (LAS) are institutional framework complicated by the tasks that must be performed, by national cultural, political and judicial settings, and by technology. It is also posited that sound land management is the operational processes of implementing land policies in comprehensive and sustainable ways.

Van der Molen (2007) describes land administration as related to land management. The rationale for land administration is to facilitate land management. According to the author, land administration and management belongs to the domain of government authority. Formal decisions are necessary to register a property, to grant a mortgage, to impose or lift restrictions and to allocate a certain land use, which implies discretionary powers of the public sector. Land management activities rely on some forms of land administration infrastructure that permits the complex range of rights, restrictions and responsibilities in land to be identified, mapped and managed as a basis for policy implementation (Enemark, 2005). Institutional development in land management implies

adoption of long-term strategic actions and capacity building activities (Nuhu, 2016). This includes the need to:

- i. Establish a strategic approach to donor projects and ensure that capacity building measures are addressed upfront-not as an add-on.
- ii. Develop in-country self-assessment procedures to identify the capacity needs and there by argue for establishing the necessary measures of capacity development in terms of policies, legal framework, institutional infrastructures, and human resources and skills.
- iii. Promote the creation and adoption of a comprehensive policy on land development and establish a holistic approach to land management that combines the land administration/cadastral/land registration function with the topographic mapping function.
- iv. Establish a clear split of duties and responsibilities between national and local government (decentralization). Ensure that the principles of good governance apply when dealing with rights, regulations and responsibilities with regard to law resources and land development.
- v. Promote the understanding of land management as highly interdisciplinary that includes a whole range of policy measures such as social, economic, environmental, judicial, and organizational.
- vi. Promote the need for an interdisciplinary approach to 'surveying education' that combines both technical and social science and thereby links the areas of measurement science and land management through a story emphasis on spatial information management.
- vii. Establish strong professional bodies such as a national Institution of Surveyors who are responsible for the development and control of professional standards and

ethnics, enhancement of professional competence, and interaction with governmental agencies to develop the optional conditions and services.

- viii. Promote the need for Continuous Professional Development (CPD) to maintain and develop professional skills and promote the interaction between education, research and professional practice.

Mabogunje (1992) opined that urban land management is a system of land administration concerned with the judicious allocation and use of land to achieve orderly growth and efficient functioning of cities. Within different modes of production, orderliness and efficiency are concepts that manifest themselves in different forms. With the traditional land management system, colonial land management involve the determination of land tenure or property rights, the spatial definition of the extent of land to which the rights relate, the registration of the spatial entities embodying these rights, and the transactions involving those entities and their rights.

In any dimension land administration and management is viewed, the central issues are the people, politics, institutional arrangements, procedures, information technology, and data bases (Williamson, 1992). The irresistible connection between land security and SDGs can be found within the following; SDGs 1, 2, 5, 11 and 15 with 8 Targets and 12 indicators related to land:

- o Targets 1.4 (Indicator -1.4.2 on tenure security)
- o Target 2.3 (Indicators – 2.3.1 and 2.3.2 addressing smallholder farmers)
- o Target 2.4 (Indicator – 2.4.1 on agricultural area)
- o Target 5.a (indicators- 5.a.1 – securing women's agricultural land, and 5.a.2 on legal framework on securing women's land)



- o Target 11.1 (Indicators -11.1.1, 11.3.1 and 11.7.1 urban informality, access to housing, open spaces and land consumption rate)
- o Target 15.1 (indicators 15.1.1, 15.1.2 and 15.3.1 on forest areas, biodiversity and land degradation neutrality).

The above identified connections between land security and SDGs is the Land Indicators embedded in the SDGs. In September 2015, world leaders unanimously approved the Sustainable Development Goals (SDGs), a comprehensive set of 17 goals and 169 targets, referred together as the 2030 agenda. The Inter-agency and Expert Group on SDG Indicators (IAEG-SDGs), composed of United Nations Member States, developed global indicator framework to track progress towards the achievement of the SDGs, which were adopted by the UN ECOSOC in March 2016. Among the indicators proposed by the IAEG-SDGs are numerous indicators related to land, advocated for and supported by various global land community actors including the Global Donor Working Group on Land, members of the Global Land Indicators Initiative, FAO, UN SDSN and others.

Indicators in the SDGs monitoring framework have been categorized and assigned a 'tier status,' meaning that the indicator does not yet have a methodology for tracking it (Tier 3), has a methodology but no regular data (Tier 2), or has both a methodology and regular data (Tier 1). The development of a methodology for measuring respective indicators is assigned by IAEG-SDGs to various UN agencies, in collaboration with other stakeholders as “custodian agencies”. In the last quarter of 2017 the IAEG-SDGs reviewed progress made in the development of Tier 3 indicators, including indicator 1.4.2 for measuring tenure security including perception, and indicator 5.a.2 on countries' legal provisions that secure women's land rights among others. Legal documentation goes beyond land ownership by title deed and includes other legally enforceable documentation of user

rights. For this component, National Statistical Offices (NSOs) will use administrative data from government registries and cadaster systems.

Security of Tenure is the certainty that a person's rights to land will be recognized by others and protected in cases of specific challenges. People with insecure tenure face the risk that their rights to land will be threatened by competing claims, and even lost as a result of eviction. Measuring perception of tenure security entails capturing the extent to which individuals, households and communities perceive their tenure as secure and measuring their fears of threats to their land rights. Data on perception of tenure security will be collected through national population surveys (survey data). In addition to informal tenure rights holders, landholders with legally documented land rights may still feel that their land rights are vulnerable to infringement by outsiders.

Indicator 1.4.2 covers both rural and urban tenure. Indicator 1.4.2 is classified by the Inter-agency and Expert Group on the Sustainable Development Goals (IAEG-SDGs) as Tier III. This means the indicator's conceptual clarity and the methodology for monitoring the indicator is currently being developed, and the indicator's baseline data is being compiled. GLII and the Global Donor Working Group on Land are supporting the efforts of the custodian agencies to elevate indicator 1.4.2 to Tier II status at the IAEG-SDGs meeting in November 2017. UNSD has announced that the 6th Meeting of the IAEG-SDGs will take place in Manama, Bahrain from 11-14 November 2017. Custodian agencies are expected to submit their request for reclassification including key documents in support of their request by October 2, 2017. The ultimate goal of the custodian agencies and the land community at large is to achieve a Tier I status by end of 2018, when most countries will be able to report on this indicator on a regular basis.

## 2.1 Land Security and Food Security

Improving food security at both the global and local level will require land governance that creates incentives for greater productivity and improves access to nutritious food for the poor and vulnerable, without creating further strain on environmental services. More efficient use of agricultural land can boost crop yields and meet growing global demand for food. Smallholders have a vital role to play, because they produce much of the world's food and because they represent a large share of the world's poor and food insecure. At the local level, land tenure security, along with access to other resources, is linked with increased productivity and investments in land fertility, which in turn can increase food security [3]. What holds for small farmers in general is even more critical for women. Empowering women through more secured land rights and greater control over household decision making not only boosts production of food crops but also leads to improved nutrition for families. However, climate change and resource degradation are reducing yields and available land, threatening to slow or reverse progress on world hunger [4]. Addressing these new challenges requires investment in sustainable and climate-smart intensification. What is needed to improve food security? Natural and social science data, knowledge, and tools will all be essential to address the coming challenges [5]. Solutions will include improved crop varieties and agricultural technologies, and just as importantly, improvements and adaptations in the social and economic systems that link land to food security outcomes, including governance, incentives, markets, and investments.

An organization research carried out by Economic Commission for Africa (2004) exposed the finding of various studies that had been done on Africa. The study adopted conceptual model framework using both primary and secondary data. The study developed an analytic perspective of the linkages between land tenure, food security and sustainable development. It was

suggested that land is central in promoting rural livelihoods in Africa because access to land and security of tenure are the main means through which food security and sustainable development can be realized. The study empirically demonstrated how the linkage from these concepts to policy making in relation to food security and sustainable rural livelihoods has been developed in a historical context. However, the study has narrowly concentrated on rural land and failed to outline procedures of land administration and management. Again, Economic Commission for Africa (2008) examined Land Management Information System in the knowledge economy, using colloquium of experts on the subject from around Africa but informed by best practices from around the world. A detailed task brief was circulated through various networks, describes the objectives of the publication and calling for proposals from interested contributors. The contributors decided on their exact topics within broad themes. This approach allowed for both a wide participation and a wide scope to topics being treated. The authors of the fifteen proposals that were selected for inclusion constituted the panel of experts to discuss the pertinent issues for the publication. Among the issues examined are; information needs for land administration in various jurisdictions and sectors-urban, rural, environmental management and social and economic development; land rights in customary traditional systems, legal/formal systems, common property regions, and gender issues, land identification methods in cadastral and rural jurisdictions and other situations; and information solution for land administration. However, the study scope is too broad to capture core challenges of land administration. Besides, Nigeria is exceptionally exempted among the African countries surveyed.

In Malawi, Matchaya (2008) empirically examined land ownership security using empirical data from different parts of Malawi descriptive and logistic regression analysis. The study

revealed that the development framework helps to explain land ownership security in practice. According to the author, land ownership in security is almost negligible in the studies areas and the study found that households that are categorized by the framework as non-indigenous (the weakest category of the four) are associated with a higher likelihood of feeling land tenure insecurity than the other categories (indigenous, weakly indigenous, absolutely indigenous). The study also argued that outcomes from studies seeking to examine the link between land tenure security and land use efficiency in Malawi may become clearer if the develop framework or its variants are used to model the influence of customary land access systems on land ownership security because titling/no titling dummy variable do not say much about land ownership security in areas where customary systems dominates. The empirical study is observed to be solely focused on tenure security in lieu of other land administration. The work of Arnot and meadows (2006) on reforming the land Registration process in Nigeria positioned strongly on the support of international bodies in assisting Nigeria in land registration task. It is a report/information format study condemning uncertainties regarding the status of land documentation and delays in the process which slow the development of land property markets. As a case study research, Lagos State land registry was briefly considered using secondary data and concluded with benefits accrued to the development. Yet the study is silent on acquisition process, compensation and resettlement issues. One of the deficiencies noted in the work of Arnot and Meadows (2006) was observed to be addressed in the work of Jibril (2009) on squatter resettlement/relocation programme in Abuja, Nigeria. Using explanatory approach supported with empirical data, the study anchored its emphasis on squatter problems, security of tenure, housing and resettlement issues. The author examined the factors that led to the near complete failure of such a laudable programme. It discovered that the government, the private sector and even the

squatter have their own share of the blame. In this study squatter settlement and relocation programmes are mentioned without mentioning the causes in term of compulsory acquisition and procedures.

Another indigenous study worth mentioning is the work of Ikejiofor (2005) on Equity in Informal Land Delivery from Enugu. Using secondary (documentary) data search, quantitative and qualitative surveys, the study revealed that escalating costs and the resistance of pre-capitalist elements (some aspects of traditional culture) have meant that informal channels of land delivery are increasingly failing to meet equity concerns in providing access to land in cities, and that poor city immigrants and other vulnerable groups, especially women, are particularly disadvantaged. The study did not address issues of land administration processes and challenges in any context. It is pertinent to state that sustainable principles are far more embedded in European laws and customs than in Australia. Europe tends to legislate spatial enablement and codify self-regulation which differs somewhat from the Australian cooperative approach; however institution issues are still the major stumbling block in relation to achieving change with Land Administration System (LAS) in both Australia and Europe. Australia is attempting to embrace sustainability principles at all levels of government within its land administration systems and is using the concept of 'unbundling' property (creation of water rights carbon credits etc) in order to help achieve this i.e. markets will support the most efficient use of natural resources (Williamson *et al*, 2005). This unbundling however has resulted in disparate management systems which often fall outside of Land Administration System (LAS). Therefore, land administration is part of the infrastructure that supports good land management. It should be treated as a means to an end, not end in itself land management involves the implementation of fundamental policy decision about the nature and extent of

investments in the land. Land management is affected by land policy (Nuhu, 2011).

## **2.2 Access to Land and Tenure Security**

Land tenure is the relationship, whether legally or customarily defined, between people (individuals or groups) and land. Land tenure rules are established by societies to define how rights to land are allocated and managed. They define how access is granted to rights to use, control, and transfer land, as well as associated responsibilities and restraints. In simple terms, land tenure systems determine who can use what resources for how long, and under what conditions. Land tenure is an important part of social, political and economic structures. It is multi-dimensional, bringing into play social, technical, economic, institutional, legal and political aspects that are often ignored but must be taken into account. Land tenure relationships may be well-defined and enforceable in a formal court of law or through customary structures in a community. Alternatively, they may be relatively poorly defined, ambiguous and open to exploitation. GLTN developed tools to render access to land and tenure security more equitable and accessible to all, with special attention to the poor, women and the disadvantaged groups; these are:

- i. The Continuum of Land Rights
- ii. The Participatory Enumeration for Tenure Security
- iii. Land Records System for the Poor
- iv. Customary Land Tenure.

## **2.3 The Continuum of Land Rights**

One of the key GLTN instruments is the Continuum of Land Rights, a powerful alternative concept and approach to simply focusing on the titling of individually held private property. Land tenure is frequently understood in binary terms:

formal/informal, legal/extra-legal, secure/insecure, de facto / de jure. However, in practice, a wide and complex spectrum of appropriate, legitimate tenure arrangements exists between these extremities. Recognition of this important reality has been part of a global paradigm shift on tenure that has taken place over the past decade, in large part through work done by GLTN and its partners, and is formulated as the continuum of land rights. The continuum of land rights is a concept or metaphor for understanding and administering the rich complexity of land rights on the ground. The rights along the continuum may be documented or undocumented, formal as well as informal, for individuals and groups, including pastoralists and residents of slums and other settlements that may be legal or not legal. The rights do not lie along a single line and they may overlap.

Registered freehold is not seen as the preferred or ultimate type of tenure, but is rather one of a number of appropriate and legitimate forms of tenure available (customary, leasehold, group tenure and others). The most appropriate form(s) depends on context. Tenure types that best suit both the social, cultural and economic needs of local communities and the needs of responsible land administration authorities at a particular time are advocated. The continuum provides for recognition and an increase in security across the spectrum, with the opportunity for movement between numerous tenure forms. This offers land actors and governments an innovative approach for the realization of tenure security through recognizing, recording and administering a variety of appropriate and legitimate land tenure forms. In terms of practical implementation, a continuum of land rights can be said to have been fully implemented in a particular context when:

1. The full spectrum of formal, informal and customary rights is catered for within the land information



management system; and

2. The full range of rights constitutes legally enforceable claims that can be asserted and defended in a forum such as a court. To get to this situation it would be necessary to develop a regulatory environment and to establish the necessary administration and land records systems.

In addition, it would be necessary to develop and test innovative implementation tools to fill the land recordation and other gaps that exist in conventional land administrations and to roll these out at the country level. Crucially, it would require a political environment that recognizes the need for tenure security to everyone, including those who are poor and marginalized. Successful application of the continuum of land rights, therefore, depends on existing contextual challenges and opportunities, and the application of innovative land tools at scale. A well-supported, sustained and locally driven strategy involving multiple partners is crucial. This is the main work of GLTN.

Elements of the continuum of land rights in practice can be found in many contexts. Research by GLTN in Southern Africa (Malawi, Namibia, Angola, Mozambique and South Africa) has found compelling evidence that elements of the continuum of land rights already exist in the diversity of deep-rooted, contextually appropriate and legitimate practices and systems. These include: witnessed rights to land; locally documented rights to land (security via social legitimacy); familial/marital rights to land; administratively documented rights to land (security via official recognition); occupation rights/permission to occupy; customary land rights; group rights to land; de facto rights of possession; various forms of leasehold; and individual private ownership/freehold. “Namibia has passed a law called the Flexible Land Tenure Act, which provides for the creation of a

simple land tenure form that is registerable in a public registry. With the support of GLTN partners, Namibia is in the process of passing regulations and making institutional arrangements for the establishment of a Flexible Land Tenure System incorporating a broader spectrum of land rights in urban areas"- GLTN Report 2019. In recent years, an increasing number of key land actors have embraced the continuum of land rights approach to promote tenure security. Within GLTN, a large majority of GLTN partners regard the continuum as highly relevant to their work, and a similar proportion has practically applied it. Uses have included contributions to policy and legal reform; changes in land administration practice; advocacy, teaching, training & research; capacity development for land practitioners; and community participation and action. GIZ: "For small farmers and their families, secure access to land is essential to their very livelihood. Yet, the land is more than just a plot on which food and raw materials can be cultivated, livestock pastured, or plants and roots gathered. In all cultures land holds fundamental traditional, religious and social value. For this reason, land rights impact profoundly on the lives of families and their status within their community or group.

Secure land rights include not only individual private rights. They also encompass collective use rights, for example at the community or village level. Access and use of rights for natural resources such as grazing land, water, forest or forage food are likewise linked to land rights. This means that a wide range of access and usage of rights exists between the two poles of formal and informal land rights and systems.

## **2.4 Participatory Enumeration for Tenure Security**

A key challenge is how to make sure that the information produced by an enumeration exercise is also used to strengthen security of tenure through state recognition, and for use in

physical planning. Participatory enumeration is an important tool for the achievement of tenure security. It can be used alongside and in support of, among other things, the Continuum of Land Rights, the Social Tenure Domain Model and the Gender Evaluation Criteria. Enumerations are a fundamental part of the slum upgrading process. It is intended to establish information on the population size, ownership patterns and the state of infrastructure. Enumerations provide the means by which not only data is gathered to allow for local planning, but also the process by which consensus is built and the inclusion of all residents negotiated. Enumerations are means to federate and organize communities and involve them in large-scale slum-upgrading projects.

The experience with enumerations worldwide has revealed the importance of having people from the community as the main enumerators rather than developing a specialist team of external enumerators. How an enumeration is done and who does it, is as important as the information it collects. In informal settlements, there might be groups and sub-groups and complex micro-politics that may act to exclude or hide some of the poorest households. All community processes as they stand may not be positive. Therefore, mediation and negotiations while surveys are ongoing is important to ensure sustainability and justice. A participatory approach also allows for community validation and accountability, thus improving the quality and relevance of the data gathered. An accurate enumeration of conditions for tenure security is a prerequisite to:

- Evaluate various levels of insecurity and corresponding risks of eviction;
- Provide the normative foundation for promoting secure tenure and guidelines for statutory recognition of secure tenure; and
- Identify and develop global norms for secure tenure.

This could be based on:

- A global comprehensive typology of tenure categories and associated rights;
- An inventory of legal, regulatory and planning measures aiming to provide temporary or permanent protection against forced evictions; and
- An inventory of public policies and practices on informal settlements and customary tenures.

## **2.5 Land records system for the poor**

The lack of reliable records of land rights and transactions at local or central levels is one of the main problems hindering the development of land markets. This concerns mainly, but not exclusively, informal and/or customary land markets. Even when titles or deeds have been issued and formally registered, land transactions or transfers may not be systematically recorded, or are recorded in registers that are not properly kept or updated. The cost of creating and maintaining land records, both in human and financial terms, has meant that less than 30 per cent of the developing world is covered by land records held in a registry.

Inadequate land records give rise to a series of difficulties: problems identifying right-holders, risk of multiple sales of land plots, use of forged deeds or titles. This situation increases insecurity of tenure and generates land disputes, and, without formal records of deeds or titles, landowners cannot access mortgage loans. Land management is also limited by lack of records as it is difficult to set up economic and social services, such as roads, electricity, clinics, etc., without land records that also indicate state land.

Cadastral, or any other appropriate land information systems, may improve land record management. However, they are a long-term objective. In the short term, simplified record techniques and procedures need to be set up that are compatible with

existing land information management systems (LIMS), if any, and can be incrementally improved over time and integrated into LIMS operating at district, city and national levels (technical obstacles, access to or updating of land-related information, and cost incurred).

## **2.6 Customary Land Tenure**

Customary tenure, including communal tenure, is critical in both rural and urban areas. It is a form of holding land that follows the customary norms and practices of a particular community or group. This means that it is unique to every group or community and its peculiarities, although there may be similarities in all the groups. In many countries, the only tenure type available is customary tenure. The challenges and pressures on customary tenure systems are many: insecurity, conflicts, land market inconsistencies and inefficiencies, gender discrimination in customary systems, and the reluctance of some governments to formally recognize customary land tenure. Furthermore, the decrease of customary land reserves combined with the accelerated commodification of customary lands is leading to increased competition for access to land.

For most poor people in sub-Saharan Africa, the Pacific and some parts of Indonesia, low-income demand for land is overwhelmingly met by informal delivery systems, which combine customary practices with other informal and formal practices. They work through individuals who have received their land rights from a customary system, but who treat these rights as market commodities. The failure of governments to provide land for the low-income sector and the weakness of formal private sector systems have strengthened the attractiveness of customary land delivery systems in peri-urban areas, including on land which is not customary in the first place but belongs to the state. They are delivering land to the poor that

formal systems have failed to provide.

Compared to formal land delivery processes, Customary Land Tenure systems can deliver at scale, are cheap, and provide fast access to bigger plots. In many settlements, a grassroots land management body can mediate and arbitrate land disputes and make requests for services and development to public authorities. Legal pluralism, land market diversity and the reluctance of governments to formally recognize customary land delivery and customary social land tenure systems give rise to land policies whose unintended impacts can further reduce the access of poor households to shelter on one hand, and food security on the other. Furthermore, the drying up of customary land reserves combined with the accelerated commodification of customary land delivery systems is leading to increased competition from low-middle and middle-income groups for access to land. However, recognizing the decision-making power of customary systems and authorities may have serious implications for women's land rights and those of the poor, as land allocation and dispute settlement tend to be dominated by elites, usually men. At planning level, it impacts negatively on urban management. Consequently, key questions need to be answered as thus:

#### **i. What is a Land Tool?**

A land tool is a practical way to solve a problem in land administration and management. It is a way to put principles, policies and legislation into effect. The term covers a wide range of methods according to GLTN: a simple checklist to use when conducting a survey, software and accompanying protocols, training modules, or a broad set of guidelines and approaches. The emphasis is on practicality; users should be able to take a land tool and apply it or adapt it to their own situation. Land tools may complement each other. For example, one tool may give

overall guidance on how to collect data on land use, while another may give detailed instructions on how to assess whether the different needs of women and men are taken into account.

ii. **What are the features of pro-poor gender responsive land tools?**

The Global Land Tool Network (GLTN) develops tools that benefit all, with special attention to the poor, the women and the disadvantaged people. Land tools are pro-poor and gender responsive if they have the following features:

- **Affordable** – The overall cost of the tools should be affordable for both the poor (if they are required to pay user and maintenance fees) and the government or other body that manages the tool.
- **Equitable and gender-responsive** – The land tools should address everyone's needs fairly, while paying particular attention to inequalities faced by women in comparison to men.
- **Pro-poor** – The tools should aim to reduce poverty; they should take the situation and needs of poor people into account and give them a voice in decisions.
- **Sustainable** – It should be possible to implement the tool in the future without large-scale external inputs. Where possible, they should be self-financing through fees or taxes.
- **Systematic, large-scale** -The land tools should be usable at a large scale, be it city-wide or across a whole country, and not just have a one-off, localized use. That means they must be flexible enough to deal with a wide range of situations and can be replicated easily at minimal cost.
- **Governance** – The process of tool development and implementation should take into account how decisions are made regarding access to and use of land, how those decisions are implemented, and how conflicting interests

in land are reconciled. Key elements of this include decision-making conflict resolution, with an emphasis on the process and outcomes.

- Subsidiarity – Land tools must be sensitive to local situations and needs, and applicable at the lowest appropriate level of authority, whether by the community or at the lowest level of local government.

Land management concerns putting land resources to efficient use, such as producing food, providing shelter, preserving the environment, making sustainable use of natural resources, etc. Land administration is traditionally the responsibility of the government; governments at local and central levels enforce land policies and legislation through land administration (Nuhu, 2008; Nuhu, 2009 and Nuhu, 2017). The production, dissemination and use of land information is necessary to inform different land administration aspects, such as tenure security provision, regulation of property markets, promotion of effective land use planning and taxation (Nuhu, 2011a), etc. GLTN developed and promoted innovative, fit-for-purpose land administration tools and approaches that support governments and their counterparts in their land administration work. These are:

- The Social Tenure Domain Model (STDM);
- Costing and Financing of Land Administration Services;
- Transparency in Land Administration; and
- Fit-For-Purpose Land Administration

Transparency is a critical component of a functioning land administration, particularly in view of the scarcity of clear and credible information on land laws and policies, land availability, land prices and transactions. When land administration is opaque, it is difficult to know who is responsible for what, steps, time and costs required to process transactions, means and



routes of appeal in the event decisions are unfavorable. Transparency can be a powerful tool to reduce the impact of corruption and improve the fairness of land administration systems. When in place, transparency obliges land administrators, for example, to operate 'openly, understandably and predictably.' Via policies, laws, regulations, charters, codes, rules, structures, functions, and by making processes and procedures 'open, understandable and predictable ', transparency provides a fundamental template for efficient and effective service provision from which a broad cross-section of clients and service providers derive both benefit and satisfaction. Again, GLTN has developed the Transparency in Land Administration training package (toolkit and trainer's guide) aimed at 'sensitizing' 'up-stream change agents' about land administration, develop their capacity to address issues of corruption and to enhance transparency in the land sector. It focuses specifically on land administration with a view to filling the capacity development gap in the land administration sector. Training content covers key themes clustered into different training sessions related to land governance, transparency, land administration and tools that could help bring about transparency. This is within the context, principles, and recommendations set out in regional and global frameworks that highlight the importance of good land governance and equitable access to land as key ingredients in successful land policy development and implementation.

## **2.7 Security of Tenure for all People**

Most developing countries struggle to find remedies for land issues that lead to land conflicts, reduce investments and economic development, and prevent countries reaching their true potential. Existing investments in land administration have been built on a legacy of approaches, have been fragmented and have not delivered the required changes and improvements at

scale. The review of Previous Studies on Land Administration and Management indicated several studies that have relevance to the understanding of land administration and management that have been carried out over the years in American, Europe, Australia, Asia and Africa. The much attention shown has been attributed to renewed interest in Land administration system for either poverty eradication, sustainable development, and peaceful co-existence as a panacea to land conflicts, war, injustice, homelessness, contained environment, housing problem and urban decay (Mabogunje, 1992; Van der Molen, 2007; FAO, 2008; Enemark et al, 2009; Viitanen et al, 2010; UNECE, 2005; Soltanieh, 2008; Larbi, 2009; Acharya, 2009; Nuhu, 2009; Economic Commission for Africa, 2008). The food points of these studies vary such as: constraints to implantation of land management systems, measures to improve land administration, land management information systems, tool for e-land administration, land acquisition in emerging economies, land governance and lots more.

Considering general phenomena attaching to land administration, Palmer *et al* (2009) and Nuhu, 2011b, examined pragmatic ways to improve land governance. According to the authors, conventional technical approaches to land will not be adequate to address issues. The study which took a form of opinion study posited that while reliable statistics are difficult to obtain, there is wide consensus that majority of people in the world do not have legally recognized and documented rights to land and that the land rights of most women are weak in quantity and quality. While reviewing the opinion of other researchers, Nuhu (2011) concluded that land governance is about power and the political economy of land. The power structure of society is reflected in the rules of land tenure, at the same, the quality of governance can affect the distribution of power in society. However, the study did not concentrate on a particular area of

land administration and management whereas mainstreaming a governance approach to these reforms is essential.

In Africa, Mabogunje (1992) examined perspective on urban land and urban management policies in Sub-Saharan Africa. The World Bank technical paper investigated the need for a new analysis of the twin problems of urban land and urban management. The study focused on governance. It argued that a prerequisite for dealing with these problems is an institutional environment with which the target populace is familiar and to which it is likely to relate in participating in managing the city. New solutions are required that can deliver security of tenure for all people, are affordable and can be quickly developed and incrementally improved over time. The new approach to land administration in the name of Fit-For-All Purpose (FFP) land administration has emerged to meet these simple, but challenging requirements; it is a game changer that offers a viable, practical solution, quickly and affordably, and enables control of the use of all land. It provides a new, innovative and pragmatic solution to land administration where conventional high accuracy solutions are not delivering.

The FFP concept has three interrelated core components: the spatial, the legal and the institutional frameworks. The spatial framework supports recording the way in which land is occupied and used. The scale and accuracy of this representation should be sufficient to secure the various kinds of legal rights and tenure forms recognized through the legal framework. The institutional framework is designed to manage these rights and the use of land and natural resources, and to deliver inclusive and accessible services. The process entails recognizing, recording and reviewing land rights; this means balancing the financial cost against speed of delivery against quality, such as levels of accuracy to meet the needs; in short, finding a suitable solution

for the purpose.

The solution can be directly aligned with country-specific needs, is affordable, is flexible to accommodate different types of land tenure, and can be upgraded when economic opportunities or social requirements arise. Most importantly, the FFP approach can be implemented quickly, using a low-risk entry point that requires minimal preparatory work. It provides a rationale to re-focus land administration to meet the needs of people and their relationship to land, to support security of tenure for all and to sustainably manage land use and natural resources using flexible and pragmatic approaches rather than insisting on rigid, high-end requirements.

...it is worth highlighting that while insecure land tenure is a major influence on existing vulnerabilities (with land pressures likely to intensify in the face of contemporary human and climate-change drivers), public investment - and determined efforts by governments - to improve the land tenure status of the poor and vulnerable can lead to greater community resilience to multiple stresses. Secure land tenure rights should therefore be a central consideration in all global frameworks that target human wellbeing ... (Executive Summary of GLTN 2019).

## **2.8 Land Policy and Legislation**

A land policy can be defined as a set of rules and guidelines that govern how a country's administration will govern, manage and administer land in that country (Nuhu, 2011). It should strengthen access to land, tenure security; it should especially ensure the land rights of poor and vulnerable communities; ensure sustainable land use; provide direction for fit-for purpose land administration services; and guide the prevention and resolution of land conflicts and disputes. Umeh (1983) examined

land policies in developing countries. In the monograph, various objectives, interests, land reform and challenges are comprehensively dealt with. The land policy development process is essential to social and economic development and should:

1. Be inclusive and have the full and informed participation of all stakeholders, including women who are the majority users of land;
2. Ensure national ownership in the land policy formulation process to enable smooth and easy implementation of the land policy document, especially at the grassroots;
3. Recognize the roles of local and community-based land administration structures alongside those of the state and how these can best collaborate.

### **2.8.1 Policy changes and policy inconsistencies in Federal Capital Territory, Abuja as an example**

The Policy change in the land management of Abuja was made between 1976 and 2003, (a period of 27 years). In total, there had been about four major policy changes affecting resettlement within the FCT. Resettlement is a relevant component of land policy and land administration.

#### **i. The First Policy Change (1978)**

The ecological survey was conducted in 1977 and the report indicated that a large part of the territory was still infested with tsetse-fly whilst the river courses still provided breeding grounds for the simulium fly, the carrier of the disease vector giving rise to river blindness. To evacuate all the human population whose farming activities had helped to keep down and destroy much of the habitat favourable to the tsetse-fly was to compromise the future health status of the population of the new capital. In the circumstance, the decision to evacuate all the inhabitants had to be revised and compensation and

resettlement undertaken only in respect of those occupying the site chosen for building the city. (Mabogunje, 1977).

In addition to the above, a detailed study of the area in question, had made it clear that the local inhabitants within the Territory were far from being 'few' in fact well over 316,000 people were enumerated and not the 25,000-50,000 earlier thought. It was then estimated that the funds required for their compensation entitlement and resettlement outside the FCT were put at over 1.8 Billion Nigerian Naira. In these circumstances, resettlement costs would have been astronomical, and would have delayed the development of the new capital (Mobagunje, 1977).

The above two reasons necessitated a major shift in resettlement policy which was announced by the government in July 13, 1978 and it states in parts thus:

"...those not affected by the first phase of resettlement, but wish to move out of the territory may do so, but such people will have no claims on the FCDA, as they have not been forced to leave. This in effect means that inhabitants (indigenes) not moved out during the present exercise who decide to stay will now be deemed to be citizens of the FCT and FCDA will soon appoint an administrator to administer them and look after their welfare. The present land area gazetted as FCT will remain. The site cleared for the building of the capital itself will be evacuated and resettlement of the people so evacuated can take place within or outside the territory. The meagre funds available now should be spent more on development of infrastructure rather than on payment of compensation..." (Gen. Obasanjo, 1978).

## **ii. The Second Policy Change (1992)**

On December 2, 1992 the Government made a complete U- Turn and opted for "Integration Policy" for those who have chosen to remain in the FCC as against complete resettlement. Accordingly Garki Village within Garki II District of the City in Phase I was allowed to remain, except for the people to be affected by the construction of access roads and other infrastructures

## **iii. The Third Policy Change (1999)**

In 1999 the "Integration Policy" was reversed for that of complete resettlement again. Settlements of Jabi, Kado, Gwarinpa among others within Phase II of the City were slated for resettlement outside the FCC. Actual construction work stated at the end of 1999 on the new site in Jibi resettlement town outside the FCC to the north. Most of the houses were completed and ready for occupation by end of 2002. While the people affected were fully prepared for movement to the new location, another policy change happened. In preparation for the 2003 general election the additional security personnel brought into the Federal Capital Territory occupied the buildings under the resettlement scheme. The Government looked the other way - perhaps out of political expediency.

## **iv. The Fourth Policy Change (2003)**

What happened in the year 2003 set the clock of resettlement programme back. The new administration decided to take a bold step to resettlement. It approaches the issue with new vision, complete sense of direction and dedication. Having realized that it would be practically impossible to implement the original provisions of the Abuja Master Plan, without a well-articulated resettlement policy in place, it embarked on the restorations of the original provisions of Master Plan. One of the cardinal principles of this policy is of course the complete resettlement of all areas hitherto earmarked for resettlement by the Plan. This

resulted into massive demolition in the entire FCT.

### **2.8.2 The implications of these policy changes**

These series of policy changes and inconsistencies by Government had a lot of serious implications on the implementation of the provisions of both the Abuja Master Plan and the Regional Development Plan of the FCT. As earlier seen, the FCT Act was enacted with the initial intention of getting every person residing within the Territory evacuated, (Section 1[3], FCT Act, 1976). That is why the Act vested all land within the FCT absolutely in the Federal Government. This effectively alienated the original inhabitants from their ancestral land. Section 297, Subsection 2 of the 1999 Constitution of the Federal Republic of Nigeria further affirms the above provision, that: "The ownership of all lands comprised in the Federal Capital Territory, Abuja shall vest in the Government of the Federal Republic of Nigeria" (FGN, 1999).

The 1999 constitution (Section 299) provides that FCT should be administered as if it were one of the states of Nigeria. Abuja, the Federal Capital of Nigeria, with an exact Land area of 7,315Km<sup>2</sup> is conceptualized on Abuja master plan 'Neighborhood concept'. The first phase of Abuja master plan has six residential districts, namely: Asokoro, Wuse I, Wuse II, Garki I, Garki II, Maitama, and Central Area considered the highest in the hierarchy of function and facilities to be provided to the Federal Capital City (FCC) (Nuhu, 2006). GLTN has developed some guidance to inform land policy and legislation processes: Regulatory framework for non-state actors.

- **Pro-poor land policy development**
- **Land sector coordination**

Land reform processes involve many diverse actors who, in most cases, bring conflicting perceptions into the discussions, making



the process complex and lengthy. Non-state actors are non-sovereign entities that exercise significant economic, political or social power and influence at a national and international level. They play a catalytic role in land reform processes, ensuring that all experiences and perceptions are tabled in these processes (Nuhu and Ojetunde, 2013).

Often, vested interests create conflict and hinder the effectiveness of land reform processes, so a land sector non-state actor mechanism is needed to engage stakeholders at various levels and build key relations with decision makers and interest groups in order to understand their views and positively influence the reform process.

- GLTN developed how to establish a non-state actor mechanism guide on how to effectively establish this mechanism and to inform decision-makers engaged in the land sector, including national governments, bilateral and multilateral implementing agencies, about value-addition of land sector non-state actors' mechanisms in land reform processes. Developing new land policies can be a long and difficult process. It is even more so if the policies are to help correct the disadvantages that poor people typically suffer in many areas of land policy. Using examples from Africa and Asia. GLTN's guide on pro-poor land policy development outlines a participatory process that can be adapted as appropriate to the situation in each country and the specific aspect of land policy that needs to be addressed.

It involves a wide range of stakeholders from all aspects of land policy, including civil society and the poor themselves. Including all these groups are vital if the resulting policies are to be politically acceptable, technically feasible, pro-poor and enforceable. This guide is intended for ministers and senior policymakers responsible for land issues, donors, professionals,

consultants and non-government organizations involved in developing land policies. Fig. 2.2 below show land policy framework to further illustrate the principles.

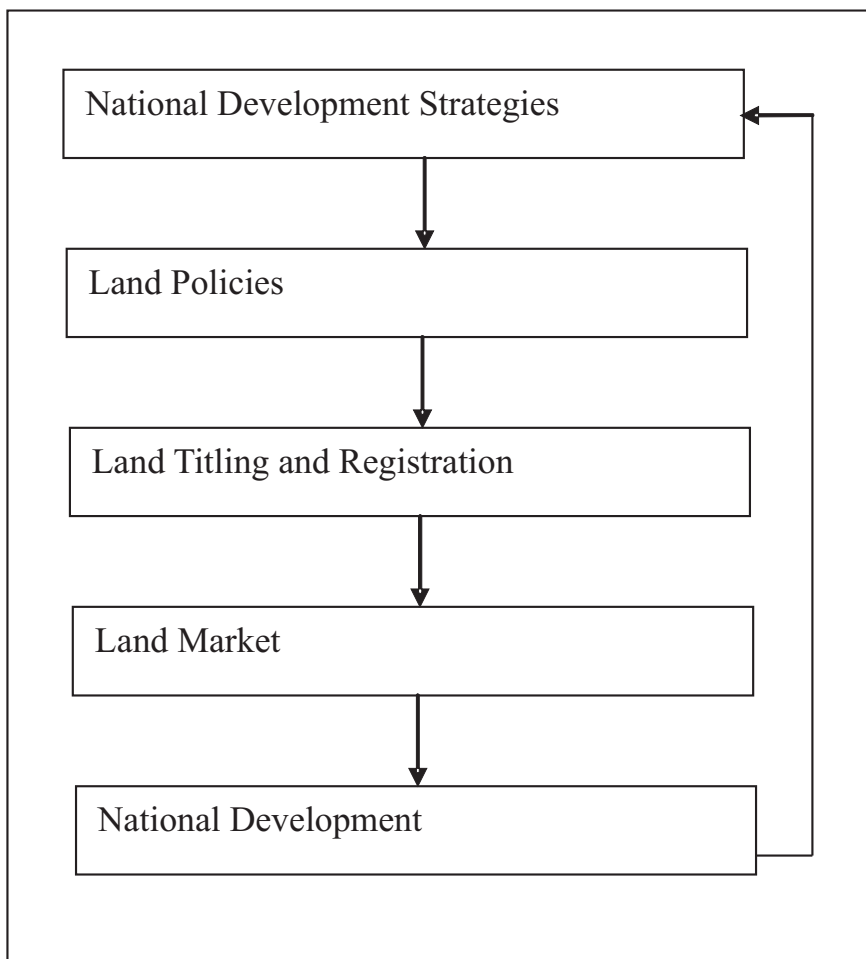


Figure 2.2: Land Policy Framework

**Source:** Dale and McLaughlin, (1999)

This examines these problems and their implications on land administration in the FCT. It argues that policy inconsistencies and adoption of short time measures as well as lack of serious efforts and political will by the government have militated against a lasting solution to these problems within the FCT. Until these issues are properly addressed, the implementation of the Master Plan would be a very difficult task to accomplish in the long run. The efforts of Government in 2004 for complete restoration of Abuja Master Plan is recognised, but requires more practical commitment and policy sustainability.

Some of the limiting factors can be attributed to the absence of defined land policy framework on ground (Nuhu, 2015). The land policy document for FCT is discovered to be in fragmented form not as a single legal document. The practice is based on the adoption of LUA and FCT Act to administer land policy direction in FCT. This therefore studied and identified the following shortcomings/gaps:

Section 3 of LUA which gives the Governor of a state power to designate parts of the area of the territory of the state constituting land on urban area is inapplicable to the land in the FCT.

Similarly, section 49(1) of LUA stated that the LUA shall not apply to land “held by the Federal Government”. Therefore, the question of urban or non urban land could not apply and before Area Councils can have anything to do with lands within the FCT an Act of the National Assembly must first be promulgated to define the administrative and the political structure of the area councils and this has not been done. The issue of urban and non urban area is a creation of the LUA and has no relevance or applications to Federal held lands. (2000)5N.W.L.R.

LUA possessory rights to land leads to uncertainties as contained

in two clauses of the LUA and is in conflict with section 1(3) of the FCT Act. The two clauses of the LUA are contained in sections 34 (2) and 36 (2). The former relate to land in urban areas and states that:

*“Where the land is developed the land shall continue to be held by the person in whom it was vested immediately before the commencement of the Act as if the holder of the land was the holder of a statutory right of occupancy issued by the Governor under this Act”.*

Similarly in respect of the vast majority of land owners living in rural areas, section 36 (2) states as follows:

*“Any occupier or holder of such land whether under customary rights or otherwise however, shall if that land was on the commencement of this Act being used for agricultural purposes continue to be entitled to possession of the land for use for agricultural purposes as if a customary right of occupancy had been granted to the occupier or holder thereof by the appropriate Local Government and the reference in this subsection to land being used for agricultural purposes includes land which is, in accordance with the customary of the locality concerned, allowed to lie fallow for purposes of recuperation of the soil”.*

These two clauses of the LUA were further reinforced by the supreme court of Nigeria judgments in 2008 as follows:

*“A certificate of occupancy issued under the Land Use Act – not conclusive evidence of any interest or valid title to land in favour of the grantee – it is only a prima facie evidence of such right, title or interest and not more – it may be effectively challenged and rendered invalid” - S. O. Adole, V. Boniface and B. Gwar (2008) 4 S.C.N.J.1*

Similarly, in the same case above, the Supreme Court held that: “– deemed grant – comes into existence automatically by the operation of law and the grantee acquires a vested right just as an actual grantee of a right of occupancy”.

All these are in contrast to FCT Act, section 1 (3) state that:

*“The territory now known as the federal capital territory was created by the Act as the federal capital territory for Nigeria as from the commencement of the Act on 4<sup>th</sup> February, 1996. The area also ceased to be a portion of the states from which it was carved out and it will henceforth be governed and administrated by or under the control of the federal government. ”*

Consequently, section 49 (1) of the LUA provided that:

*“Nothing in this Act shall affect any title to land whether developed or underdeveloped held by the federal government or any agency of the federal government at the commencement of this Act.....” “it follows from the above that the provisions of the LUA do not affect title to land held by the federal government or its agency before the coming of the LUA”.*

Similarly section 51 (2) of the LUA vested all power on any land held or vested in the federal government on the President or any Minister designated by him. No mention was made on any LG or Area council. Section 261 (1) of the 1979 constitution as (amended) defined the boundaries of the FCT; while, section 261 (2) vest the ownership of land within the FCT shall be the capital and the seat of the government of the federation.

All the above provisions have exclusively vested all rights of land in the FCT on the federal government. The LUA which designated lands into urban and rural or non urban is not applicable to the

FCT. Undoubtedly nothing affects the ownership of the land of FCT that is vested in the government of the federation. This clearly exposes the inadequacies in the structures and implementation strategies in FCT land administration.

Policy gap specific to assessment and payment of compensation in FCT relate to FCT Act in section 6 (1) and (2) provided for the computation and assessment of compensation payable to people formally occupying land acquired for the FCT section 6 (3) which requires any person claiming right or an interest or an interest in the right or an interest in the land within FCT to submit in writing particulars of his claim on or before the expiration of twelve month on the day of commencement of the order. This is in contract to section 49(1) of the LUA and section 29 (1) and section 41 of the 1999 constitution of FRN.

An example of the adoption of LUA in FCT land administration is established when the Minister, Modibbo Administration inaugurated Land Use and Allocation Committee, he argued that it was in fulfilment of his promise to the nation that he will ensure equity and fairness in the allocation/revocation of plots of land in the Federal Capital Territory, the FCT Minister, has inaugurated the FCT Land Use and Allocation Committee. The Minister who inaugurated the Committee at the Banquet Hall of the FCT Minister's residence in Life Camp, Abuja said the members of the committee were carefully selected to give the committee the integrity it deserves, adding that this action has been taken in accordance with the law of the land. The minister remarked that the FCT Land Use Act directs that there must be a standing Land Use and Allocation Committee to handle and advise the FCT Minister on all land related matters.

*"The Committee is statutorily created by the Land Use Act CAP 202 LFN 1990 saddled with the responsibility for*

*advising the Minister on any matter connected with the management of land with particular reference to land allocations and other related matters” the Minister noted.*

According to him, other functions of the Committee include to “advise the Minister on any matter connected with the resettlement of persons affected by the revocation of Rights of Occupancy on the ground of overriding public interest and determine disputes as to the amount of compensation payable under Land Use Act for improvements on land”.

This is a confusion which is now characterized in the FCT management of land in the Federal Capital Territory. There is need to be guided by the rule of law, due process, principle of transparency and equity in land policy direction in FCT.

In addition, the then Modibbo administration at the FCTA inherited over 500 lawsuits against it, most of them concerning land title revocation or eviction from accommodation. Following consultations with the judiciary, there was an effort to resolve as many of the litigation as possible through Alternative Dispute Resolution (ADR) or outright settlement out of court.

As envisaged by planners of Abuja, the city centre and the satellite towns ought to have been developing *pari-pasu*. However, this did not happen. The consequence of this has been acute shortage of accommodation especially for the low income people bringing to the front burner the urgent need for aggressive ministerial intervention in the satellite town. The implementation strategies as at the time of this research have not been clearly defined and the stakeholders' were yet to be integrated.

### **3.0 LAND ACQUISITION AND COMPENSATION**

FAO (2010) defined Land Acquisition as a situation where public authorities such as the municipality acquire land through private agreement with the landowners to achieve their development objectives. Land Acquisition by agreement (or by buying a development option) is also used by professional developers. Expropriation or compulsory purchase as well known and used in most countries is defined as a method that enables any tier of government to purchase land in the public roads, parks, and service facilities such as schools and health care. According to FAO (2010), land administration theory identifies a series of tools for land delivery consistent with good governance. Standard tools that deliver land for private and public purposes fall into two broad categories market acquisition models. With market acquisition system, there are four common problems; the ability to define a level of “compensation”, reliance on government set values, rather than transparent values set by land trading in an open market recorded in formal systems, inadequate property base essential for a participation and cooperation among the occupiers and owners in their removal from their businesses and homes.

Compulsory acquisition cannot be discussed without compensation. Compensation, whether in financial form or as replacement land or structures, is at the heart of compulsory acquisition. Compensation is to repay them for the losses, and should be based on principles of equity and equivalence. The principle of equivalence is crucial to determining compensation. Affected owners and occupants should be neither enriched nor impoverished as a result of the compulsory acquisition (FAO, 2008 and Nuhu, 2008).

Viitanen and Kakulu (2008) posited that compulsory purchase (expropriation) is an important tool in most countries for land



acquisition for public purposes although in many countries land acquisition can be often arranged through other means. Crawford (2008) opined that payable compensation is the value of the land to the owner at the date of gazettal. The value is not necessarily limited to the market value of the land itself, or its value to the resuming authority.

Plimmer (2008) while examining compulsory purchase and compensation system in England and Wales provided an overview of the legal principles which govern the process of gaining compulsory acquisition powers in England and Wales and, in more detail, the circumstances under which compensation may be claimed. It also revealed the process of assessing compensation, although detailed valuation and procedures to be adopted in order to claim compensation are not provided. However, this study is a revelation and reflection of what are obtainable and relevant in developed economics, not in transitional systems like Nigeria (Nuhu, 2011).

Several statutes (see tables 3.1 and 3.2 below) have been enacted to regulate compulsory acquisition and compensation in Nigeria. In this presentation, the statutory provisions for the assessment of compensation under the following laws will be examined as explained by Tunde (2003), Olusegun (2003) and (Nuhu (2011);

- i. Public land acquisition Act 197 (Cap 167 of 1958),
- ii. Public lands acquisition Acts 1917,
- iii. The land tenure law of Northern Nigeria (CAP 59, 1962),
- iv. Public land acquisition miscellaneous provision decree 33 of 1976,
- v. State land resumed decree 38 of 1968,
- vi. The mineral Act Cap 350, laws of the Federation of Nigeria 1990,
- vii. The Land Use Decree No.6 of 1978 (now Land Use Act - Cap 202)
- viii. Law of the Federation of Nigeria.

**Table 3.1 Analyses of the various laws in Nigeria**

<b>Laws Process</b>	<b>Public Lands Acquisition 1917</b>	<b>Land Tenure Law 1962</b>	<b>State Lands Compensation Decree No.38, 1968</b>	<b>Public Lands Acquisition 1976</b>	<b>Land Use Decree 1978</b>
Notice of Acquisition	6 weeks Notice		-	-	-
Claim of Compensation Payable	- Lands - Damage - Severance	-Disturbance Unexhausted Improvement	- Land -Unexhausted Improvement	- Payable for land - Unexhausted improvement (buildings, fixtures & crops)	- Ground rent is payable for land - Unexhausted improvement (buildings, fixtures & crops)
Method of Compensation	Open Market Value	Depreciated Replacement Cost method	Depreciated Replacement Cost method	Depreciated Replacement Cost method	Depreciated Replacement Cost method
Settlement Compensation	-	-	-	Compensation to be off set against cost of resettlement	Discretionary by the Governor

*Source: Adopted from Statutory Laws of Nigeria (1917, 1962, 1968, 1976, 1978)*

**Table 3.2 Salient Statutory provision on public Land Acquisition and Compensation in Nigeria**

<b>S/N</b>	<b>Date of Enactment</b>	<b>Name of statute/Act</b>	<b>Essential Provisions (A) (Civil Legislations)</b>	<b>Comments</b>
1.	1876	Public Lands ordinance No. 17	Empowered Colonial Government to acquire land Compulsory for public purposes in Lagos	Paid compensation (Repealed)
2.	1917	Public Land acquisition Act. Cap 167	(i) Introduced open market as basis for assessment, (ii) Introduced principle of equivalent re-instatement	(Repealed)
3.	1968	State Lands (Compensation) Decree No.38	Acquired lands as states lands	(Repealed)
	<b>(c) Mineral industries</b>			
1.	1969	(i) Petroleum Decree (Now cap.350 of 1969) - paragraph 36, schedule I	Makes provision for payment of fair and adequate compensation for disturbance	Still Relevant
2.		(ii) Regulation 17 (l)(c)(ii) of petroleum drilling and	-ditto-	-ditto-
3.	1999	Constitution of the Federal Republic of Nigeria	(i) Section 44 (l)(a) and (b) (ii) Section 44 (2) (m) relevant	Relevant
4.	1946	Mineral Act Cap 121	(i)Section 77 does not provide for payment of compensation for land parse acquired for mineral prospecting (ii) Provides for compensation for disturbance.	Relevant

5.	1976	Public Lands Acquisition (MISC. Provision) Decree No. 33,1976.	(i) Zoned lands within the Federation for Compensation assessment purposes. (ii) Introduced replacement cost as basic of assessment, (iii) Introduced re-settlement of displaced persons (optional) (iv) Excluded court jurisdiction on hearing matters relating to assessment of compensation.	Still relevant to compensation cases unsettled under the law
6.	1978	Land use Decree No. 6, 1978	Details of compensation assessment are provided -Ousts court's jurisdiction on matters relating to assessment for compensation.	Still relevant
7.	1956	Oil Pipeline Act (Cap 145) Now Cap 338 of 1990	(i) Permits holder to take reasonable step to avoid unnecessary damages to land entered into. (ii) Permits holder to pay compensation to owner/occupier for damages done and not made good. (iii) No compensation for unoccupied land except as provided under Land use Act. (iv) Gives jurisdiction on compensation to courts as it considers fit.	Relevant subject to modifications by land use Act (1978)

**Source:** Iseh (2004) and Nuhu (2011)

Similarly, Nigeria as a country can be said to have gone through various phases of Compulsory Land Acquisition. Various laws, statues and policies have been enacted, and over the years implemented, reviewed and modified so as to suit prevailing conditions and make acquisition exercise more successful.

### 3.3 Comparative Analysis of Compulsory Purchase Processes

STAGE ONE	<ul style="list-style-type: none"> <li>•Pre-colonial days</li> <li>•the diety, socio-political, ancestral concepts of land</li> <li>•Land held in trust for community by accredited chiefs and elders.</li> <li>•Public acquisition, minimal.</li> <li>•Grant by chiefs and elders.</li> </ul>
STAGE TWO	<ul style="list-style-type: none"> <li>•The transitional period around 1863, choicest locations in cities like Lagos occupied by missionaries, their adherents and Brazilian settlers mostly about 1861 to 1917. Allocation started to be made by the colonial government in Lagos.</li> </ul>

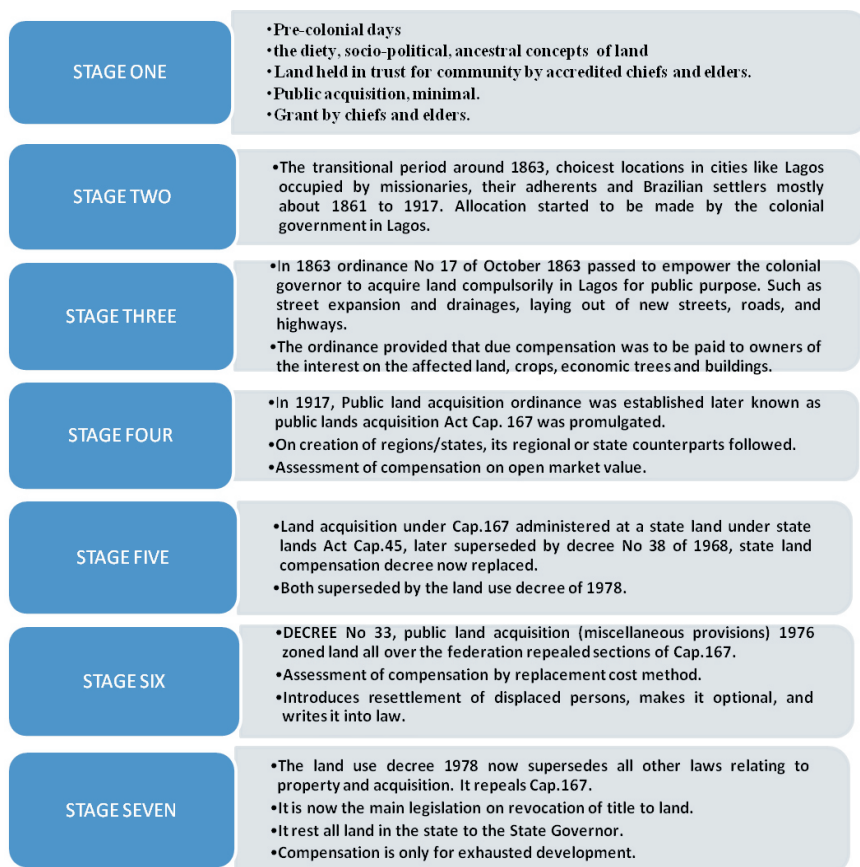


Figure 3.3: Showing Acquisition and Compensation Stages in Nigeria

**Source:** Uduehi, G. O. (1987) adopted by Ishaya (2004) and Nuhu (2011)

A comparative analysis of the structure of the process of valuation for compensation reveals the nature of the structure as it exists today. Using the structure contained in the UK compensation guide booklets as a normative model, the process in Nigeria is examined in more depth. The UK Department for Communities and Local Government Compulsory Purchase and Compensation Booklets is a series of five booklets which explains, in simple terms, how the compulsory purchase system

works. It provides direction to those who think they may be affected by compulsory purchase and gives directions on procedural issues. The outline in that booklet is used in this Table 3.4 below analysis as follows:

**Table 3.4 Compensation when land is taken between UK and Nigeria**

DESCRIPTION	ENGLAND AND WALES	NIGERIA
General Principle	The general principle is equivalence is one of equivalence which simply means that the affected land holder should be no worse or better off in financial terms after the acquisition	No principle of this nature is expressly stated anywhere in statute.
Bases of Valuation	Land is valued on the basis of its open market value; or the cost of equivalent re-instatement in extreme circumstances. The open market value may also be based on the existing use of the property in the absence of a ready market.	No value whatsoever is ascribed to the land. The existing use value is not an option
Disregard Compulsion	Any increase or decrease in value attributable to the scheme of development which underlies the acquisition is ignored.	This is not specified in any statute of the enactments in Nigeria.
Valuation Date	This is the date of assessment or the earliest of the date the acquiring authority enters to take possession; or the date title is vested in them; or the date values are agreed or the date of the lands tribunal decision.	The date of assessment is not provided for in statute.
Heads of Claim	The heads of claim are specified and include in the value of land; severance and injurious affection when only part of the land is taken; disturbance (paid to occupiers) only; and reasonable surveyor's fees incurred in preparing and negotiating a compensation settlement and solicitor's fees.	The only head of claim in the Land Use Act is the value of un-exhausted improvements on the land. No provision is made for any other form of payment to the claimant in statute or any existing code. There is no payment for the value of the land. In oil mineral licences, provision is made for disturbance compensation.
Techniques of Market Value	The open market value may be based on the development value; marriage value; and ransom value provided that it can be demonstrated that these would have existed in the absence of the scheme warranting the acquisition.	No provision is made outside the replacement cost method for improvements upon the land.

Unlawful Use	No regard is made to increases in value caused by unlawful use of the land.	No mention is made of this as there is no value for bare land.
Agricultural Land	The future profitability of the farming business is included in the value of the land.	The only payment for agricultural land is one year's rental and the cost of economic crops on the land.
Loss Payments	Provision is made for home loss payments in addition to value of property, basic loss for freehold or leasehold interests in farmland; occupiers loss payment.	No provision is made either by reference to statute or policy for loss payments.
Third Party Liability	Contractors to the acquiring authority are responsible for the damage they cause.	This is provided for in the acquisition of oil mineral licenses only and not acquisitions of other private lands
Advance Payment of Compensation	Land owners can request advance payments of up to 90% of the agreed compensation payment or acquiring authority's estimates before or after possession of the land.	There is no provision for this option in the Acts

**Source:** *Modified and summarised (2010) from Nuhu (2007) and Plimmer (2008)*

The issues considered above apply to compensation where the land is acquired outrightly. In the Niger Delta region, the larger fraction of land though often misconstrued as an outright acquisition in real terms is not. It is usually a right-of-way acquisition which by definition, 50% of it should be relinquished in 20 years and the rest over a balance of 10 years. At the end of the first ten years, by right, communities should enter into fresh negotiations for another period of twenty years over 50% of the land which should be relinquished by the provisions of the law. If this had been the practice all this while, it may have reduced suspicion on the part of land owners. A comparative review is now done based on compensation when no land is taken as contained in Oil and Gas Right-of-Way (R-O-W) acquisitions. Provision is made for the payment of compensation for a reduction in value of land adjacent to public development works if the land is affected by the work and subsequent use. Once pipelines are buried it might restrict access or trespass and

farmers on adjacent lands may not be able to gain access to their land any longer as a result of the acquisition.

**Table 3.5 Compensation when no land is taken between UK and Nigeria**

<b>Description</b>	<b>England and Wales</b>	<b>Nigeria</b>
Compensation for Reduction in value	Compensation is payable when loss occurs because some right in property is taken away or interfered with.	Same holds for Nigeria
Basis of compensation	Based on the reduction in value of the land as a result of seven specific physical factors which are noise; vibration; smell; fumes; smoke; artificial light; discharge unto the land of any solid or liquid substance. Anything outside this is not to be compensated for.	Not applicable
Compensation for adverse effects of the development.	Acquiring authorities are given certain discretionary powers to reduce the impact of their development works in agreement with those whose premises are affected.	There is no provision like this except a general claim for damage.
Fees	The acquiring authority would usually pay legal and surveyors fees to the land owner or occupier for negotiating claims.	There is no provision for such payments whatsoever in the statutory enactments.

**Source:** *Modified and summarised (2010) from Nuhu (2007) and Plimmer (2008)*

### **3.2 Step by Step Procedure in Acquiring Land for State Uses**

The acquisition process of land for any project in FCT entailed quite a number of activities from the decision to acquire to payment of compensation. Fig 3.5 shows a diagrammatic representation of the Acquisition procedure of land.

Below is the Step by Step Procedure in Acquiring Land for State Uses:

- i. Site Inspection
- ii. Preliminary Survey & Survey Description
- iii. Gazetting and Publication/News Paper Advert
- iv. Service Notice of Trent/Revocation Order
- v. Affidavit
- vi. Verification

- vii. Payment of Compensation and Issuance of Certificate of Indemnity
- viii. Documentation.

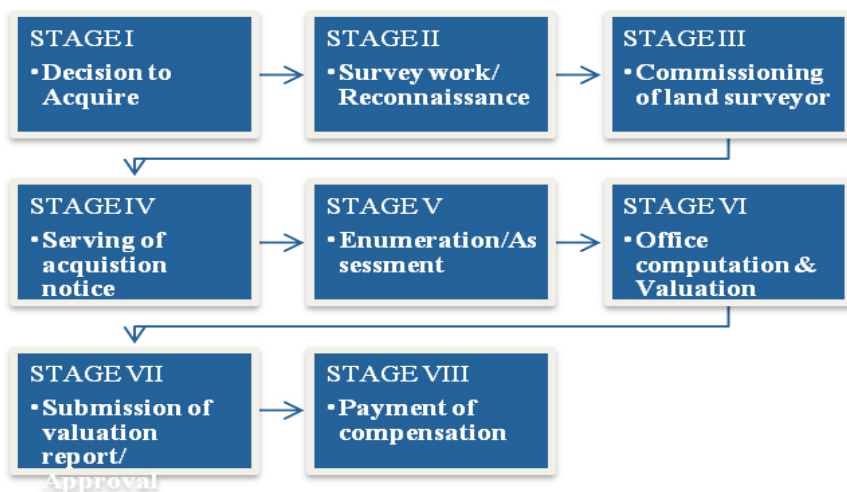


Figure 4.1: Showing Acquisition Procedure

*Source: FCDA, 2010 & Nuhu, 2016*

### 3.3 Compensation payment process

The Compensation payment process starts when decision has been made to pay, to the point where all unclaimed cheques are noted & returned. Figure 4.2 provides a diagrammatic presentation for a better understanding of the payment process.



Figure 4.2: Showing Compensation Payment Process



#### 4.0 MY CONTRIBUTIONS

Mr. Vice-Chancellor Sir and distinguished audience, my contributions for this inaugural lecture are predicated on the tripod of land administration. Therefore, my understanding of the Core Areas of Land Administration as established in the elements of land issues under the land administration which include land acquisition and compensation; eviction and relocation; procedures for acquisition and resettlement; and challenges attached to them, particularly as it situate within LUA. The analysis of the issue impacted by specific issues in the administration and management process. Figure 4 below presents the conceptualized pathway.

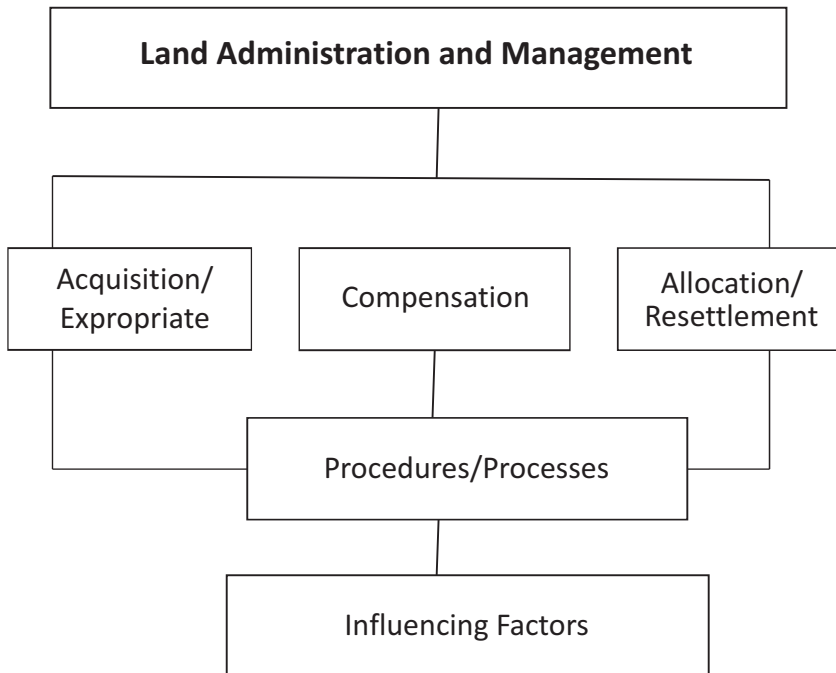


Figure 5: Essential Pathway for the sustainable land administration

**Source:** Nuhu, 2011

#### 4.1 Imperativeness of Stakeholders and their Roles in Land administration

The analysis of Plamer *et al*, (2009) presents an appropriate pattern of stakeholders in land sector. The pattern is inculcated in my contributions. What is very important is the achievement of the objectives of any institutional systems considered. Figure 6 below presents the list of Stakeholders tested in my previous studies and modified for better inclusiveness.

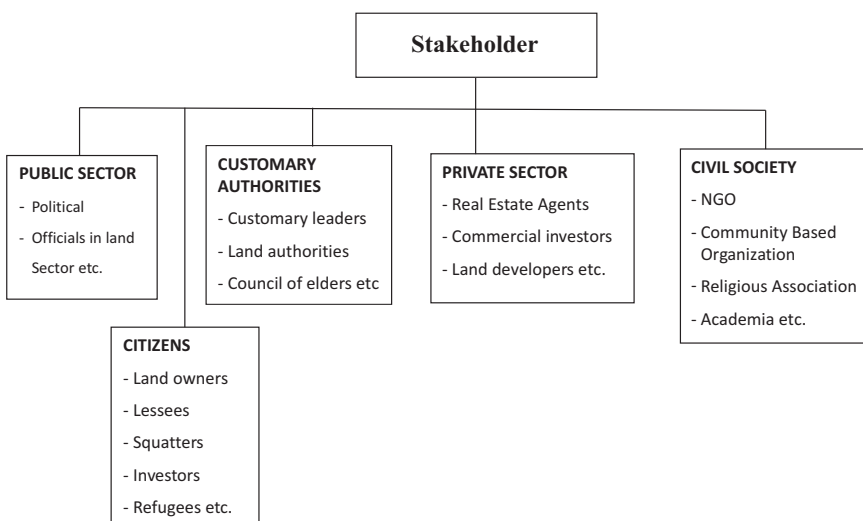


Figure 6: More Inclusive Engagement in Land Administration Development

**Source:** *Modified Improved Land Governance, (Nuhu, 2011)*

By understanding the substantive linkages of the administration and the interests of different individuals, alliances within and between the stakeholder groupings, and their institutional relationship to each other, it is possible to begin to understand the relationship among the stakeholders affecting the potentials for land management. This will help identify the sources of influence that each actor can bring to bear on other stakeholders. With recent advancement in the use of satellite imagery,

Geographical Information System (GIS), as well as Geographical Positioning System (GPS), the issues of land registration should not be that difficult except, of course, the cost (Nuhu and Tunde, 2012). Given the centrality of land for the development process, the Federal Government should put money where its mouth is. Nuhu (2009) recommended that some amendments be made to the Act to free it from ambiguities, in addition to providing genuine commitment to implement in full, Mobogunji (2010) again stressed the need for a review of the Act because of high cost of Certificate of Occupancy (C of O) and administrative bottlenecks. Hence the need for land reform in order to create effective utilization of land resources in Nigeria.

To reinforce the need to review the Act in the following areas: Governor's consent, consent for registration of mortgages; procedures for obtaining consent; uniformity of changes, designation of urban Areas, State and Federal Government control of land; adequate compensation of Land owners; and management control of common waters (recommended amendment section 15, 21, 22, 23, 28 etc). In light of all the above issues of LUA, it is herein recommended that sections 21 and 22 be repealed and replaced with the following:

***“It shall not be lawful for any statutory right of occupancy granted by the State Governor to be alienated or parted with by way of assignment, mortgage, transfer of possession, sublease or otherwise, howsoever without the instrument evidencing the transaction being stamped and registered in an appropriate Land Registry.”***

Section 23 (1) – Should be amended as follows by deleting the phrase “with the prior consent of the Governor and” coming after the words “Right of Occupancy may”, in the first line of S. 23 (1) and S. 23 (2) – should be repealed.

**B .TITLE ISSUES.** Opportunity should be taken of this endeavour now to make adequate provisions to ensure certainty and **security of title** **As at now nobody even the experts is sure of the true import of any the title documents** relating to land in Nigeria. There is need to streamline title and all instruments that should be used in land transactions so that each holder or prospective holder would know exactly what he holds.

- Presently under the Act, what the holder of a Certificate of Occupancy has is a right of occupation not ownership.
- There is uncertainty of tenure with regards to rights acquired before the commencement of the Act (including deemed rights).
- There is a plethora of documents flying all over the place – the Land Certificate in some parts of states in Nigeria, Deed of Conveyance, Deed of Assignment, Certificate of Occupancy, Power of Attorney, Deed of Sub-Lease, etc. This is so because of the indefiniteness of the transition period provided in the Act.
- This uncertainty is slowing down the economy.
- There should be comprehensive registration of titles and instruments affecting rights on land.
- All deemed rights should be registered forthwith.
- In registration, the ultimate should be Land or Title Registration. With Nigeria having two satellites in space, and generating satellite imagery we already have the facility to generate the required infrastructure to achieve this within a reasonable time.
- There is the need to register all documents – deeds and instruments relating to subsequent transactions.
- The pilot scheme on Title and Registration of Title to land presently going on in Ondo and Kano States should as a matter of urgency, and as part of the amendment of the Land Use Act, be extended to cover the entire country.

i . **TITLE DOCUMENTS: Rights of Occupancy and Certificate of Occupancy**

- When some many years ago a title document was drafted, what is now widely used as the Certificate of Occupancy was so named. That template for sure, is the Right of Occupancy. It should be so re-named.
- The Right of Occupancy is akin to the Deed of Conveyance which founds the application for registration of title in the former Federal Capital Territory of Lagos ; (or which is registered as a Deed ) On registration ,the Deed is filed away in the property file while the Land Certificate is kept on the Register .The Right of Occupancy contains the terms of the grant .
- The Statutory Right of Occupancy is akin to the Deed of Conveyance referred to above. When an applicant receives a grant of a right of occupancy (Statutory or Customary) he is obliged to apply to the Governor for a Certificate of Occupancy. Under the Land Use Act, only the Governor is empowered to issue a Certificate of Occupancy whether statutory or customary.
- The Certificate of Occupancy should be akin to the Land Certificate in some part of States, containing only sketchy details of the title or grant as the case may be. Subsequent transactions on the same parcel of land will then be noted or endorsed on the Certificate of Occupancy.
- The proper thing to do is to call these documents by their true names. The templates can be exhibited in Schedules in the amended Land Use Act.

ii .**PART III COMPENSATION ISSUES - Section 29**

By far, this is the single provision (section 29) that has caused the most discontent amongst the population since the promulgation of the Act in March, 1978. The defects under this section are:

- a . It recognizes the occupier as against the holder of the

- right of occupancy in payment of compensation.
- b. It limits the compensation payable for land to the ground rent paid during the year of revocation. The section does not conform to the doctrine of adequate compensation as envisaged by the Nigerian Constitution.
  - c. It does not recognise the interest of other parties other than the holder who may have paid the market value for the property prior to a government acquisition.

If erstwhile land owners are adequately compensated, they might be able to resettle themselves and keep life going. Whereas inadequate or no compensation at all, as seen under the Act exposes the affected persons to untold hardship.

The way compensation issues were handled in the Act amounts to cutting our noses to spite our faces. There is no doubt that the way our erstwhile colonial masters handled compensation issues was clearly to protect their commercial interests. It is interesting to compare the application of the principles of calculation of compensation for compulsorily acquired land in England and in Nigeria which derived from the same law in the two countries. In the two regimes, the applicable laws were fashioned from The Lands Clauses Consolidation Act, 1845. In England the law was applied to people seen to have rights worthy of protection; while in Nigeria, what was more important was the protection of the 'masters' business interests, and the compensation law was fashioned and applied to protect the same.

In England, the law recognized the right of the erstwhile owner to compensation for:

- i . Land Taken
- ii . Land Injuriouslly Affected, and
- iii .Disturbance, amongst others.

Over the years, these have been modified by amendments and judicial interpretations to really protect the rights of affected persons. By 1991, about fourteen (14) amendments including major reviews had been made. Several court decisions, including landmark decisions in *Prasad v. Wolver Hampton BC* (1983) 266EG 1073; *Horn v. Sunderland Corporation* (1941) 2 KB 76; *Lindon Print Ltd. West Midlands CC* (1995) 283 EG 70; *Director of Buildings and Lands V. Shun Fung Ironworks Ltd.* (1995) 19 BG 147; among others, have been used to firmly establish the rights of property owners to adequate compensation in England (Nuhu, 2011).

In Nigeria the same provisions have been further whittled down, most especially by the Land Use Act. When that happened it was like the concern of the Government was more of the protection of commercial interests. Today the expectation of aggrieved people is that any amendment of the Act must at least redress this injustice. For us to achieve that, as we indeed should, (Nuhu, 2016) suggested that, compensation for land ought to be as follows:

- i . **Land Taken.** Compensation should be on the basis of market value .People who argue against compensation for land advance the view that land is a free gift of nature. However they forget that, right from the first settlement till the time of compulsory acquisition, owners of land had paid dearly with blood, sweat or money. Who can evaluate that today? Commending open market value is just a fair way of pleading with the owners to forgo their right and allow to be expropriated for the public good. Nothing less than this should be suggested or considered.
- ii . **Disturbance.** Each time land is acquired ,the former owner incurs other losses in the nature of disturbance arising by reason of the acquisition .For instance in the

Niger Delta ,when an acquisition occurs ,the erstwhile owner may have been denied the opportunity of continuing in his traditional farming and br fishing . Having lost such opportunity he would also have lost the opportunity of bringing up his children in any of those trades Having lost his means of livelihood, he would not be in a position to send the children to school or any other vocational training. And it is only in the compulsory acquisition that all these losses have arisen. He ought to be compensated for all such losses (Kakulu and Nuhu, 2012).

- iii .**Injurious Affection.** Property in the same holding as the one taken may have been injuriously affected .Having been so affected ,the value to the owner would have depreciated simply because of the acquisition The owner ought to be taken care of by way of compensation (Nuhu and Ogunbajo, 2013) .

The whole principle is to put the owner whose property was acquired for public purposes, as much as possible, in the same position he was in before the acquisition.

When all these compensation issues are duly taken care of, much of the concerns of property owners would have been taken care of. My experiences in acquisition and payment of compensation exercise as reflected on the table below arranged in no particular order and importance.

S/N	PROJECT	LOCATION	PERIOD	Remarks
1.	Valuation survey on all unexhausted improvements on MTP108 Residential Layout which was revoked according to section 28(1) of Land Use Act, 1978	MTP 108, Residential Layout locates behind former Women Teachers College (WTC).	October, 2007	Paid
2.	Assessment/Valuation of the Darul-Islam village and farmlands along Mokwa-Tegina road, Mokwa LGA under the instruction of the Government of Niger State.	Mokwa-Tegina Road, Mokwa LGA	August, 2008	Paid
3.	Assessment and Valuation of the site for Dermatology & Cosmetology School	Along Abuja – Kaduna Road, Diko, Gurara L.G.A	September, 2008.	Paid



4.	Assessment and Valuation of the site for Living Water Pharmacy.	Along Abuja – Kaduna Road, Diko, Gurara L.G.A.	September, 2008	Paid
5.	Assessment and Valuation of the site for the Nigerian Civil Defence Corps.	GidanMangoro, Minna – Bida Road, Bosso L.G.A.	2008	Not paid
6.	Assessment and Valuation of the site for 1000 Housing Units (Cityscape International)	Diko – Kobo Road, Diko, Gurara L.G.A.	October, 2008.	Paid
7.	Assessment and Valuation of the site for 500 Housing Units opposite Field Base (Former STP 14) Suleja,	Suleja, Suleja L.G.A. Niger State	October, 2008.	Not paid and abandoned
8.	Assessment and Valuation of the site for Nigerians in Diaspora Housing at New Bwari	(Ijah – Koro, Gwari, &Ijah – Kuchiko Villages). In Tafa L.G.A.	December, 2008	Not paid
9.	Assessment and Valuation of the site for Zuma Tourism Resort (Zuma Rock)	Chachi Village, Tafa L.G.A. Niger State	December, 2008	Paid
10.	Assessment and Valuation of the site for the Nigerian Police Force (NPF) Housing Scheme.	Gidan Mangoro Village, Minna – Bida Road, Minna, Niger State	January, 2009.	
11.	Assessment and Valuation of the site for Development of Industrial Estate	Garam – Azhi Bisa in Tafa L.G.A.	February, 2009	Not paid
12.	Assessment and Valuation of the site for New Government House (Three – Arm- Zone).	Maitumbi Village, Minna	March 2009.	Paid
13.	Assessment and Valuation of the site for Properties Affected by the Dualization of the Minna Central Market Road (Township Road) Minna	Minna Central Market Road (Township Road) Minna	March 2009.	Not paid
14.	Assessment and Valuation of the site for 500 Housing Units	Zariawa Village, Suleja L.G.A. Niger State;	May, 2009.	Paid
15.	Assessment and valuation of the site for Low/ Medium Density Residential layout, MTP 115 and MTP 116.	Gidan Mangoro, Minna – Bida Road, Minna	May, 2009.	Paid
16.	Assessment and valuation of the site for Minna Airport City and free cargo zone.	Maikunkele, Bosso L.G.A.	June 2009.	Paid
17.	Assessment and Valuation of the site for Nigerian Intelligence Agency (N.I.A) Headquarters	Gurusu Village, Minna – Gwada Road, Gurusu, Minna	June, 2009.	Not paid
18.	Assessment and Valuation of the site for 1000 Housing Units.	Chawa Village, Sabon-Wuse, Tafa L.G.A.	June, 2009	Paid
19.	Assessment and Valuation of the site for 500 Housing Units.	Tutungo Village, Minna – Paiko Road, Minna	June 2009.	Not paid
20.	Valuation of Unexhausted Improvements On Revoked MTP 105 Residential Layout (Industrial Layout), SaukeKahuta, Minna, Niger State	Sauke Kahuta, Minna, Niger State	August, 2009.	Paid
21.	Valuation Survey on all unexhausted improvements Revoked on MTP109, Residential layout (N.S.T.A. Site) which was revoked in accordance to Section 28(1) of Land Use Act, 1978.	NSTA Office Complex Minna.	August, 2009.	Paid
22.	Assessment/Valuation of all unexhausted improvement (properties) at the proposed site for the Minna Ultra-Modern building materials/Automobile village	SaukaKahuta area on MTP 54 Plot 27/28 in Birgi Village Minna, Niger State	Sept. 2009	Paid

23.	Assessment/Valuation of all unexhausted improvements at the site set aside for Dry Dock Port at Beji Town, Bosso LGA.	Beji village environs	Sept. 2009	Not paid
24.	Assessment/Valuation of all unexhausted improvements for the purpose of payment of compensation over properties to be affected the Dualization of Lagos Road in Kontagora Township	Kontagora Township	November, 2009	Paid
25.	Assessment and Valuation of the site for the Niger State Media Corporation Office Complex.	Minna Niger State	2009	Paid
26.	Assessment of compensation in respect of the Government Acquisition for the Nigerian Air force (NAF),	Maikunkele District of Minna comprising of Tusha, Chikodna, Jangaru, Gyimbi, Baina, Dabo, Fyitsa, Fyeko, Yakpapi, Shai and Dikoyobi communities;	May, 2010	Not paid
27.	Assessment and valuation of the unexhausted improvements for the purpose of payment of compensation over unexhausted improvement to be affected by the Lapai Gwari – FUT, Minna Road Construction Project in Minna, Niger State	LapaiGwari – FUT, Minna Road	June, 2012	Paid
28.	Assessment/Valuation Of The Unexhausted Improvements For The Purpose Of Compensation Over Properties To Be Affected By The Construction Of Matumbi Eastern ByePass – Maikunkele Road Project In Minna, Niger State	Matumbi Eastern Bye Pass – Maikunkele Road	June, 2012	Paid
29.	Assessment / valuation of the unexhausted improvements for the purpose of payment of compensation over unexhausted improvement to be affected by the Rijau-Dukku Road Construction Project.	Rijau Local Government Area of Niger State.	June, 2012	Paid
30.	Assessment/Valuation of the Unexhausted Improvements for the purpose of payment of Compensation over Properties to be affected by the dualization of Idi – Burial Ground - Bahago Roundabout Road in Minna, Niger State.	Idi – Burial Ground – Bahago Roundabout Road in Minna, Niger State.	August, 2012	Paid
31.	Assessment / Valuation of Unexhausted Improvements of Land set Aside for Federal Ministry of Lands, Housing and Urban Development (Housing Estate).	Tungan Makama (Iko district), Tafa Local Government Area, Niger State	August, 2012	Not paid
32.	Survey and valuation of properties to be acquired for overriding public interest (Government Project) along Bosso Road in Minna, Niger State.	Bosso Road, Minna.	July, 2014	Not paid and abandoned
33.	Assessment of compensation in respect of Acquisition of Land for Development of Gurara water falls	Bonu village, Gurara Local Government Area of Niger State. Phase 1 and Phase 2	2016	Partial

## 5.0 SPECIFIC RECOMMENDATIONS

Arising from my experiences above, studies and interactions/engagement with the relevant stakeholders, the following specific recommendations are made:

**Section 29 (1)** the last three words, “their unexhausted

improvement”, should be deleted and replaced with “*at the prevailing market value.*”

**Section 29 (4)** – Should be amended as follows: The land, for an amount equal to the market value.

**Section 29 (5)** - To start after the words “part of a larger area” in line 2,.....” the holder of the statutory right of occupancy shall be entitled to compensation for;

- i. Injurious affection and
- ii. Disturbance arising from the part revocation of their holdings, and any interest payable shall be assessed and Computed in the like manner.

### **5.1 Disputes as to ADEQUACY OF COMPENSATION – Section 2 (2)**

One of the roles stipulated for the Land Use and Allocation Committee (LUAC) in S.2 (2) (c) is the power to determine disputes over adequacy of compensation payable to claimants by an acquiring authority. Membership of the LUAC in most states if not all, includes Chief land Officers who are responsible for assessment of compensation. Therefore, allowing LUAC to determine disputes as to amount of compensation makes the Chief Land Officer a judge in his own cause. The issue of final determination of disputes as to adequacy of compensation should be returned to High Courts or Judicial Tribunals in line with section 44(b) of the 1999 Constitution of the Federal Republic of Nigeria. It is further expedient to also recommend that:

*S.2 (2) (c) Determining disputes as to the amount of compensation payable under the Act and from which appeals shall lie to the High Court.*

## 5.2 POWER OF THE FEDERAL GOVERNMENT OVER LAND IN STATES –Sections 28(4), 49 and 51(2)

Section 1 of the Act vests all land within each State in the Governor. This implies that if the Federal Government requires land for development purposes within a State, it must ask the State for such land. This Power was grossly abused during the second republic when some State Governments refused to release land for Federal housing projects for political reasons in spite of provisions of Section 28(4). A State even bulldozed the Federal Low Cost Housing in her territory. Even though section 49 preserved Federal Government powers over land vested in the Federal Government and its agencies and reinforced same in section 51 (2) of the Act, this is still being challenged in practice in some parts of the states. In Lagos State, every allottee of “Federal land” with a valid Federal Government Certificate of Occupancy is being compelled to surrender such title in exchange for a Lagos State Certificate of Occupancy at huge expense before such a person can obtain planning approval. In effect, Lagos State has stopped recognizing Federal Ownership of Land.



Plate 1: Benue State protest over RUGA settlement land requirement

Even if Federal Government is not to have control over land generally, it should be vested with over-riding powers of acquisition. The provision in section 28(4) is not being taken seriously by the Federal Government and the States are taking advantage of that. Another current issue in respect to the above is the '**Ruga Settlements**' saga in Nigeria. The word RUGA means Rural Grazing Areas. Already Benue State rejected Ruga settlement scheme, vows to challenge decision in court. Plate 1 above reflected the rejection.

According to the spokesman of the Federal Government, Garba Shehu (2019) reported that, "Ruga Settlement" that seeks to settle migrant pastoral families simply means rural settlement in which animal farmers, not just cattle herders, will be settled in an organized place with provision of necessary and adequate basic amenities such as schools, hospitals, road networks, vet clinics, markets and manufacturing entities that will process and add value to meats and animal products. Therefore, the beneficiaries will include all persons in animal husbandry, not only Fulani herders. The Federal Government is planning this in order to curb open grazing of animals that continue to pose security threats to farmers and herders. The overall benefit to the nation includes a drastic reduction in conflicts between herders and farmers, a boost in animal protection complete with a value chain that will increase the quality and hygiene of livestock in terms of beef and milk production, increased quality of feeding and access to animal care and private sector participation in commercial pasture production by way of investments. Other gains are job creation, access to credit facilities, security for pastoral families and curtailment of cattle rustling. The FGN has no plan to seize state land, colonize territory or impose Ruga on any part of the federation. Government has made it clear term and again that the programme is voluntary.

The concept of what Federal Government is planning, is Ranching

under The National Livestock Transformation Plan (NLTP) 2019-2028. It is done across the world. People were sent to Brazil, Netherlands, etc., to learn the modern art of ranching. State governments who are interested were asked to allocate pieces of land. The general fear about RUGA is to do with perhaps implementing the project in the States that declared interest. We only hope that states government will not arm twist the people to cede their lands putting them in adverse situations. RUGA should not be robbing Peter for Paul.

### **5.3 Definition of the Transitional Period Sections 34-38**

Part VI, containing Sections.34-38 of the Act, makes provisions for what is described as the transitional period. The duration of the transitional period should have been stipulated to ensure that record of old transactions commence thereafter. But the absence of this stipulation as well as the problems of implementation has compelled the public to continue to buy land privately and back-date the instruments with which C of Os are obtained as if the lands were held before the Act.

### **5.4 The Half Hectare Rule – Section 34 (6)**

The provision in S. 34(6) is ambiguous to the general public even if it is clear to legal experts who drafted it. The provision has not been enforceable because:

- a ) There is lack of statistics of land ownership or holdings prior to the Act. It has thus been impossible to know what other property in land an applicant for a C. of O. has unless he declares it, and invariably no one ever declares fully his holdings.
- b) The imprecise nature of what is termed “developed land” inhibits the realisation of the limitation placed by this provision.

A third criticism of the half hectare rule is that, in failing to make

exceptions of undeveloped land holdings of corporate bodies, like housing and development corporations, statutory and public companies, it has the negative effect of hindering development. Therefore, it is herein recommended that:

S.34 (6) be repealed.

## **5.5 Acquisition Procedures**

Under the Public Lands Acquisition Act, 1917, provision was made for the service of Notice to treat, otherwise, known as notice of Intention to Acquire Land. Under a similar provision like this in England, opportunity was given to the property owner to study the proposal, make claims or raise objections. Opportunity was given for the Land Tribunal to hear and determine objections and or claims for compensation. In Nigeria under the same provision, the owner was not considered ripe for any of those rights; probably because of colonialism. But we have been independent for quite a while. And even in the Land Use Act which was fashioned out by us, such rights were not restored. Instead a straight Notice of Revocation was stipulated without any chance to the owner to raise any objection.

In the provision for the owner to make claims, nothing is really required of the owner, except to passively wait for the acquiring authority to offer whatever compensation it wishes to the owner.

## **5.6 Land Safety and Security**

Mr. Vice-Chancellor, Distinguished Guests, I wish to further observe that the extant law regulating Land administration in Nigeria today is still the Land Use Act. However it is observed that this Land Use Act has posed challenges to land administration in Nigeria. This rather makes land unsecured, unsafe and unfit for productive activities. Consequently, we are aware that the Act has suffered series of attempt of amendments. It is therein recommended that, the following urgent steps towards

improving land administration in Nigeria be taken in order to make land safe and secured:

- a. To title register all parcels of land both in urban and rural areas. The regulation proposed by the Presidential Technical Committee on Land Titling and Registration for approval of the National Council of States should be considered and approved. This may necessitate the review and enactment of the Registration Laws throughout the Federation. In addition, it should be made easy, simple and clear with transparent institutional service charter.
- b. Stoppage of the excessive abuse of power being experienced in some states in the implementation of the Land Use Act.
- c. Exorbitant charges for C of O. the experience in the Pilot States under the Presidential Technical Committee for Titling and Registration. There should be standardization across the states for land processing and titling fees for benchmarking.
- d. Re-design the Certificate of Occupancy to be more in line with a Certificate, similar to the Land Certificate that operated in the former Federal Capital Territory of Lagos where the title registration operated. Such Certificates can be updated by entries being made on them each time a transaction occurs on the title. What is being peddled around as C of O is, and should more properly be regarded as, the Right of Occupancy.
- e. The Nigeria Institution of Estate Surveyors and Valuers (NIESV) has also noted in what it considers as poor or inadequate inventory of public or government fixed



assets. It is impossible at the moment to find a complete record of all Federal Government fixed assets in one location, say the Lands Department which ideally is government's repository of such records. Apart from the loss or damage of records cited earlier, Government has not consciously invested in *inventorizing* its fixed assets over the years. This, we understand, has to do with funding. There is no doubt that any investment in carrying out a proper inventory of Government assets and creating a reliable database therefrom, is sustainable investment. Not only will it minimize the loss of Government properties, it will make portfolio management easier and critical decisions on rationalization of non-core assets can be taken transparently. To make such inventories more meaningful, periodic valuation of such assets are also critical.

- f. The general public has also experienced delay in obtaining certificates of occupancy and Minister's consent for secondary transactions on landed properties allocated by the federal Government. These delays are attributed to two main causes, namely, failure of the Ministry to provide survey plans for certificates of occupancy after allottees have paid the statutory survey fees and other charges, and delay by Minister to endorse the certificate of occupancy or the Deed for the Secondary transactions. The negative impact of such delays on the economy is also unquantifiable as business requiring injection of borrowed capital had collapsed as a result of the failure of the Ministry to perfect mortgage transactions for the parties.
- g. Challenges with the enabling laws for each of the consolidated taxes as reflected in the table below:

S/N	PROPERTY TAX	ENABLING LAW	BASES OF LIABILITY	FREQUENCY OF PAYMENT	RESPONSIBLE PARTY
1	Ground Rent	Land Use Act 1978, now under the Constitution as CAP LS LFN 404	Leasehold interest in land under the Land Use Act 1978	Annual	Land Owner
2	Neighbourhood Improvement Charge	Neighbourhood Improvement Law of Lagos State 2015	Infrastructure improvement in a neighbourhood or government estate	Lump sum (Once)	Developers or Property owners
3	Tenement Rate	Tenement Rate Law of 1989	Occupancy of hereditaments or properties	Annual	Occupier (Or tenant)

- h. It is also noteworthy that there are different agencies of government collecting these taxes previously before the consolidation of their collection commenced. Some of these agencies still charge for the different taxes when the Land Use Change (LUC) 2001 was in force. This needs to be stopped.
- i. The above requires a proper assessment of a property on annual rental and holistic Market Value basis for the appropriate application of each of the taxes; hence the assessment is crucial and requires each of these values (rental and market value) to be captured.
- j. Another clarification which needs to be made is whether the Neighbourhood Improvement Charge has been converted to an annual charge, payable for the lifetime of the interest in the property and if there are variations in the charges from one neighbourhood to the other as physical design and cost of improvement actually vary. The originating law made it a one-off payment to take care of the cost of improvement in the neighbourhood. If this has changed, the lacuna so created by the LUC needs to be corrected.

d. **Need for proactive push in pursuance of the purpose of the draft REGULATION in fulfillment of section 46 of LUA**

- This part of the regulation is made in pursuant to the powers conferred by section 46 of the land Use Act on the National Council of States to make regulations to generally advance implementation of the Land Use Act.
- This part of the regulation is generally intended to secure the issuance of Certificates of Occupancy to all persons over all land in Nigeria not vested in Governor of a state, adopting the systematic land registration process.
- For the avoidance of doubt, all land within a state is vested in the Governor of the State except the land previously held by persons pursuant to section 34 of the Land Use Act and the Federal Government under section 4 of the Land Use Act which remains and continue to be held to be the maximum limits secured by the Land Use Act.
- All persons therefore who claim to have rights or interest in land that is traceable to the commencement of the Land Use Act and this regulations shall be entitled to the issuance of the Certificate of Occupancy and its registration under the process of systematic Land Titling and registration regulations.

## **6.0 MY CONTRIBUTION IN ENTRENCHING GEOGRAPHIC INFORMATION SYSTEM (GIS)/LAND INFORMATION SYSTEM (LIS) TO LAND ADMINISTRATION**

Contemporary trends in a number of countries revealed that the separate functions of land administration are being drawn together through the creation of digital cadastral databases (DCDBs). Data conversion has been a relatively slow and expensive process and priority has been given to the computerization of alphanumeric, abstract data rather than graphic data. This priority has been set partly because it has been

technically easier to convert and handle text data and partly because there is a greater demand by users for text data. Nigeria has also embraced this development. Niger State Geographic Information System (NIGIS) was designed and implemented under my leadership as the main consultant. The Project officially commenced on the 4<sup>th</sup> January, 2010 with Design, installation of hardware and software. We customized our Software based on needs in compliant with its various origins to UTM. 9,600 files were transformed from Analogue to Digital form with its corresponding textual and Geo-Spatial Data. The linkage of datasets held by different units of Lands Department of Niger State Ministry of Lands and Housing made it is relatively easy with the established systems for defining and referencing parcels. The types of data that are linked together include:

- Data for defining land ownership and secondary land transactions, land transfer, mortgaging, and investment ;
- Data for assessing the value of land and property (for example, for taxation or calculating land acquisition compensation) ;
- Data for land market support and analysis, and for identifying trends in rents and prices and their relation to location ;
- Data for the planning and management of utilities such as water, sewerage, electricity, telecommunications, and cable masts.

It is imperative to note that land administration has been boosted extensively by the establishment and use of GIS technology under the platform of NIGIS (Niger State Geographical Information) in the state. The NIGIS office is well defined, equipped and open to the public. Among the accomplishment of the office is production of digital cadastral maps and survey plans, the production of electronic land records already mounted on the internet for easy access to the public, preparation of information index for basic urban services, initiation of the state's strategic administration.

The NIGIS office attempts to be a one stop shop for processing C of O. A senior officer from the Niger Board of Internal Revenue is positioned in the NIGIS office where assessments are raised for all land transactions. Payment is done via point of sale (POS) equipment and details are electronically captured and reflected in the data base for reference purposes. The C of O issued is laminated 2-page document with the certificate on one side and the survey plan on the other side. As a result, many certificates of occupancy in excess of twenty thousands have been issued between commissioning and December 2013 while revenue generation has increased tremendously.



Plate 2: NIGIS Office Complex



Plate 3: Commissioning Plague



Plate 4: Commissioning of NIGIS Project by President Goodluck Jonathan, GCFR in October 2011



We as the consultant developed a step by step approach for implementation of NIGIS project.

- i. The satellite imageries for Suleja and Minna acquisition.
- ii. Field Survey for ground control points
- iii. Geo-referencing, mosaicking and colour balancing.
- iv. QA and corrections (orthorectification).
- v. Integration into NIGIS and in-house capacity building.
- vi. Geospatial data base queries in order to test data management; data retrieval, value addition process, analysis and modeling and land information output.
- vii. Demo presentation showing all that has been done (to clearly demonstrate workability of the solutions and the operation of the NIGIS) to major stakeholders. The objective is to examine the effectiveness of the project, efficiency and where necessary fine-tuning the process and solutions.
- viii. Final evaluation and certification of the project by the NIGIS Consultant before handing and taking-over of the project as contained in the scope of work.
- ix. After successful testing, evaluation and certification exercise, the next level is RECERTIFICATION after commissioning of the project. This should be structured in phases as thus;
  - a. **Phase I** - mobilization/enlightenment of all stakeholders and the certification should target approved layouts (MTPs) and GRAs.
  - b. **Phase II** - almost concurrent to phase I, should also target Banks, functional commercial areas, Institutional lands etc.
  - c. **Phase III** - segmentation of Minna and Suleja into zones and neighbourhoods for effective coverage and strategic planning.
  - d. **Phase IV** - people orientated planning and conversation of customary titles to statutory titles at a reduced cost to attract the people.

## 7.0 MY CONTRIBUTIONS TO THE ASSESSMENT OF LAND GOVERNANCE IN NIGERIA

The International Food Policy Research Institute (IFPRI)/ World Bank, with support of Food and Agricultural Organization (FAO), IFAD and UN-Habitat, undertook a study of assessing land governance in Nigeria. The assessment used Land Governance Assessment Framework (LGAF) which was developed by World Bank tested in four pilot countries (Peru, Kyrgyzstan, Tanzania and Indonesia). I was identified online (following some of my research work on table below) that led to my invitation by Peter O. Adeniyi, *OOA (Emeritus Professor)* (country coordinator) and I participated at various expert panels that developed a comprehensive assessment of the land governance situation in Nigeria (2011).

The Land Governance Assessment Framework (LGAF) is a diagnostic tool that has been developed for the evaluation of the legal framework, policies and practices relating to land policy, administration, use and management: Five thematic areas of the framework are:

- i. Legal and Institutional Framework
- ii. Land Use Planning, Management and Taxation
- iii. Management of Public Land
- iv. Public provision of Land Information
- v. Dispute Resolution and Conflict Management.

The LGAF – Assessment of Land Governance in Nigeria was with the following objectives:

- Improve information, co-ordination and co-operation,
- Boost the country partnership model for better land governance,
- Promote private sector support for better land governance through core business procedures,
- Provide more coherent approaches by donor governments,



- Establish a single hub for all matters related to land governance.

At the end of “improving Land Sector Governance in Nigeria – Implementation of the Land Governance Assessment Framework” Report dated October 13, 2011 has referenced some of my research works as indicated in the table below:

S/N	Author	Title of Research	Study Location	Citations	Read By
1.	M.B Nuhu (2007)	Urban Land Management: the Need for Innovative Approaches to Land Registration System in Nigeria	Nigeria	2	87
2	M.B Nuhu (2008)	Compulsory Purchase and Payment of Compensation in Nigeria: A Case Study of Federal Capital Territory (FCT) Abuja	Abuja	25	292
3.	M.B Nuhu (2008)	Public Land Policy, New Trends: Challenges in Nigerian Institutional Frameworks for State and Public Sector Land Management	Nigeria	4	104
4.	M.B Nuhu (2009)	Compulsory Acquisition of Communal Land and Compensation Issues: The Case of Minna Metropolis	Minna	4	89
5.	M.B Nuhu (2009)	Enhancing Land Titling and Registration in Nigeria	Nigeria	14	139
6.	M.B Nuhu (2012)	Efficient Land Titling Through GIS and LIS Tools: A Panacea to Economic Transformation in Nigeria-Abuja, FCT Experience.	Abuja	6	136
7.	M.B Nuhu (2016)	Emerging Issues in Land Acquisition and Compensation: The Role of Public Private Partnership in Nigeria	Abuja	5	88

## 8.0 MY CONTRIBUTIONS TO THE LAND REFORM PANEL OF NIGERIA

It is generally established that all land reform however emphasized the need to: (i) improve peasants' social conditions and status, (ii) alleviate poverty, (iii) redistribute income and wealth, (iv) create employment opportunities, (v) provide health and education services, and (vi) redistribute benefits to community at large especially the younger generation as the main target (Nuhu, 2011). The Land Reform Panel was set up primarily to improve land management in the area of:- Land use planning; Land consolidation; Public land management reform; Common property management reform.

The Presidential Technical Committee on Land Reform in

discharge of its mandate “to make recommendations for the establishment of a mechanism for land valuation in both urban and rural areas in all parts of the federation” conducted a review study of land valuation mechanisms as an integral part of the land reform program. GEMS 3 of the DFID supported the study where in the final report my role and invaluable support during the Niger State study visit was greatly acknowledged (see page V). Similarly, at page 140 of the report on Niger State (4.2), it was revealed that compared to other states visited so far, Niger State seems to offer the most modernized, people friendly and technologically empowered system of valuation for compensation and other statutory purposes. This is expected as my consulting firm was behind the introduction of “Compensation Survey” (sample at appendix A & A1) using Global Position System (GPS) in capturing details of claims at their locations. This conformed to international best practice. The report further acknowledged my contributions in “driving innovation and influencing government policies and activities with regards to Land Management and Control of the Property Market”.

Similarly, the last activity organized by the Presidential Technical Committee on Land Reform was on 4<sup>th</sup> to the 7<sup>th</sup> of June, 2018 in Abuja, Nigeria where I chaired the Technical Session III of the National Stakeholders Dialogue on Land Reform. It is sad to lastly state here that, the efforts of Professor Emeritus Peter O. Adeniyi to ensure that the committees achieve significant success proved abortive. Our contributions to the draft regulations in pursuance to sections 3 and 46(1) of the Land Use Act since February 18, 2013 are still in the works. The Draft Regulations has ten (10) broad laudable categories into which the Regulations have been classified and are:

- i. Systematic Land Titling and Registration (SLTR) Regulations

- ii. Designation of Urban Areas
- iii. Land Registries (One Stop Shop)
- iv. Contents of Certificates of Occupancy
- v. Assignment of Rights
  - v (a). Lease Regulations
- vi. Devolution of Interest Regulations
- vii. Public Acquisition of Land Regulations
- viii. Mortgage and Foreclosure
- ix. Sectional Title
- x. LAAC Regulations.



## 9.0 CONCLUSION

My Vice-Chancellor, ladies and gentlemen, given the level of our land resources estimated at approximately 92.4 million hectares, no Nigerian should go to bed on an empty stomach and everybody should have a decent and affordable roof over his or her head. The reverse is however the case in Nigeria, hence the land safety challenge and land security. Poverty is everywhere, both rural and urban. Majority of Nigerians are absentee landlords in our towns and villages either by inheritance or purchase. We have been using our powers of ownership and control to hold on to these tracts of land without accounting for it. Land information is lacking as we do not know who owns what and where in Nigeria. Rather many Nigerians wallow in poverty while our productive lands remain idle. Conflicts abound everywhere over vast areas of productive lands and no geo-political zone of the country is spared. Consequently, there is an urgent need to overhaul our entire land management and administration framework architecture in order to protect vulnerable groups against the “vultures” of local land grabbing. Such holistic intervention by public authorities will entrench transparency in negotiations involving land deals especially in peripheral areas, discourage corrupt practices by government officials, community leaders and influential individuals. Nigerians would then be able to use their ingenuity to invest, produce, eliminate poverty and create wealth for themselves and the country would develop. All forms of insecurity would then vanish and the country will experience lasting peace. **To this end, a National Land Commission proposed by Presidential Technical Committee of Land Reform is hereby reinforced to oversee land matters in the country. Similarly, the establishment of the office of the VALUATION – GENERAL of the Federal Republic of Nigeria and the 36 states including FCT, Abuja is urgently necessary to coordinate all lands taxation, vetting of computation of land acquisition compensation, supply**

data for land market support and analysis, identifying trends in rents and property prices and their relation to location, etc. Therefore, **'REFORM LAND, TRANSFORM NIGERIA.'**

“a deprived man (be it materially, politically, socially or landlessness) is an angry man---and only angry people are involved in conflicts.” Similarly, development and wealth creation cannot thrive under conflict situation and land became unsafe and unsecured.

## ACKNOWLEDGEMENT

This presentation will not be complete without expressing my profound gratitude to Allah (S.W.A), the Omnipotent, the Omnipresent, and the Omniscience Who in His infinite mercy Has brought me to this juncture of my life today. He said in Q3:200: 'O' you who have believed, persevere and endure and remain stationed and fear Allah that you may be successful." It is this verse that kept me going thus far. Any time I remembered that there is light after the tunnel, I couldn't help but to keep pushing and Alhamdulillah here I am today before this wonderful august gathering in August of my well-wishers, friends and family celebrating my long awaited success. Indeed, only Allah makes the impossible becomes possible and what will be, will be!

Mr. Vice-Chancellor Sir, it is with gratitude to the will of Allah that I humbly wish to inform this well constituted assembly that as a man of different parts, I have tremendously enjoyed Allah's favour and encouragement from people of diverse nature not necessarily related to me, consequently, I wish to provide a caveat that those whose names are not listed herein to know and accept that you are all equally significantly appreciated.

Sincerely, let me start by showing gratitude and appreciate the confidence, encouragement and stimulation of my Vice-Chancellor, Prof. Abdullahi Bala, for giving me this special opportunity to deliver the 72<sup>nd</sup> Inaugural Lecture of the Federal University of Technology, Minna barely just about three months after Council at its 135<sup>th</sup> Meeting held on 2<sup>nd</sup> May 2019 approved my promotion to the rank of Professor of Estate Management and Valuation with effect from 1<sup>st</sup> October, 2018.

I cannot truly express my deep sense of gratitude for the sacrifices of my late father, Alhaji Nuhu T. Usman, the Shettiman Minna, had to

make in ensuring that I had a morally decent upbringing. His commitment to faith in Allah and the display of virtues of contentment, sincerity, hard work, integrity, humility and act of worship shall remain indelible in my memory. I pray Allah grants him Aljannatul-Firdausi Aameen. My mother, Hajiya Hajaratu Gambo Nuhu, who is my source of strength, she is an iron lady of moral standing, discipline in her point of interest in our growth and development, thank you for standing by me through thick and thin.

My beloved wives, Hauwa, Fatima and Rukayyah, you have been strong support and stood by me all these years, the challenges notwithstanding. Hauwa my first wife, who coincidentally by 19<sup>th</sup> of August, 2019 would have spent twenty-five years of marriage with me. Together with all my wives we have shared our joys and sadness and our tears and smiles. May Allah continue to make it easy for us, Aameen. I shall remain ever appreciative of you all for your love, prayers and encouragement.

To all my children, both biological, chemical and physical, I thank you for putting a smile on my face and for making life more memorable. May Allah continue to bless and guide you all. Indeed, I am missing my late Basira today, we love you but Allah loves you more.

In my life time history, I have come in contact with several personalities, too numerous to enumerate, who in their own distinctive ways have contributed to who and what I am today. These obviously, include members of my immediate and extended family, my inlaws, my friends and well-wishers, mates, teachers, colleagues at various work places, students, acquaintances, mentees and protégés. I am highly honoured and pleased for being part of the history of my life and I feel indebted to you for the value added to my success or life. Certain individuals who, supported, encouraged and mentored me at critical stages of my education and career development; I highly consider these distinguished personalities as my mentors, even though some we shared different ideologies, hence the need to single them out for mentioning. They include spiritual and political mentors, His Royal Highness, Alhaji (Dr.) Umar Faruq Bahago CON, the Emir of Minna, Late Justice

Mua'zu Muhammad (the first Chief Justice of Niger State), General Abdulsalami Abubakar, GCFR (former Head of State), Mallam Ibrahim Aliyu (Sardaunan Minna), Justice Musa Dattijjo (Justice of the Supreme Court), Dr. Mu'azu Babangida Aliyu (Talban Minna) just to mention a few.

My academic mentors are, Professor James Idemudia Ighalo, who came to Minna, developed and mentored us to the level we are today. In recognition of his tremendous contributions, I personally initiated and donated funds for the establishment of endowment in his honour for academic prize for the best graduating student in the Department of Estate Management and Valuation. Prof. Timothy C. Mogbo was the one that stimulated my interest to join academic line after he had successfully supervised my Masters of Technology thesis, Prof. Kauko Viitanen of the Helsinki University of Technology, Finland who gave me the opportunity of research desk study at Finland and got me the support to move round the world for conferences and academic network. Prof. Godwin N. Nsofor our RCE Minna father is an example to emulate in terms of discipline, mentoring and encouragement. Prof. M. A. Akanji to me is an exemplary leader full of energy and compassion. Professor J. A. Umeh (first professor of Estate Management in Nigeria) his encouragement since 2008 after my presentation at the NIESV National Conference at Abuja is still fresh. Prof. A. M. Junaid, Prof. I. J. Nwadior are senior colleagues/co-supervisors that assisted in my PhD thesis, I remain very appreciative. Equally, Dr. Sunday Oyegbile (my undergraduate HOD), Dr. (Alh) Sulaiman Bolaji, Dr. Jide Babatunde, ESV. (Sir) Rowland Abonta (NIESV President), Past President Bode Adediji, Prof. T. Nubi of Unilag amongst others contributed to my professional standing and I remain grateful to them.

My distinguished appreciations go to all the Vice-Chancellors of FUT Minna. In particular, Prof. H. T. Sa'ad, Prof. M. S. Audu, Prof. M. A. Akanji and the incumbent Prof. Abdullahi Bala for their contribution in my academic and Administrative leadership capacity. I cannot but



sincerely thank the former Registrar Mal. M. D. Usman and Mrs. V. N. Kolo and other Principal Officers then and now. Generally, I am deeply grateful to the authorities of the Federal University of Technology, Minna for their support and for finding me worthy of serving the University in different capacities. To my colleagues at the School of Environmental Technology and the Department of Estate Management and Valuation, FUT Minna, I say thank you so much especially the Dean, my HOD and other HODs.

Permit me to appreciate all my teachers from Central Primary School, Minna through Government Secondary School, Minna (Father O'Connell School), then Sokoto State Polytechnic, Birnin Kebbi, Kaduna Polytechnic, Kaduna, Federal University of Technology, Minna, etc. My students both at undergraduate and postgraduate levels, the Personal Change Reform (PCR), BBF, M.B. Nuhu & Company, NIESV and RCE-Minna families are deeply appreciated as they make me feel accomplished in all ramifications. The staff and students of the Centre for Human Settlements and Urban Development (CHSUD) have also created positive impression in life one way or the other. I sincerely appreciate you all for your support and encouragement.

Finally, I would like to thank Prof. Bisi Ayanwale, Dr. Jude Kur and other members of the University Seminar and Colloquium Committee. I appreciate your encouragement and commitment for making today a dream come true. Not forgetting to appreciate the presence of all here today and the prayers and support of others who, for various reasons, are unable to be here with us today.

***I thank you all for your time and kind attention.***

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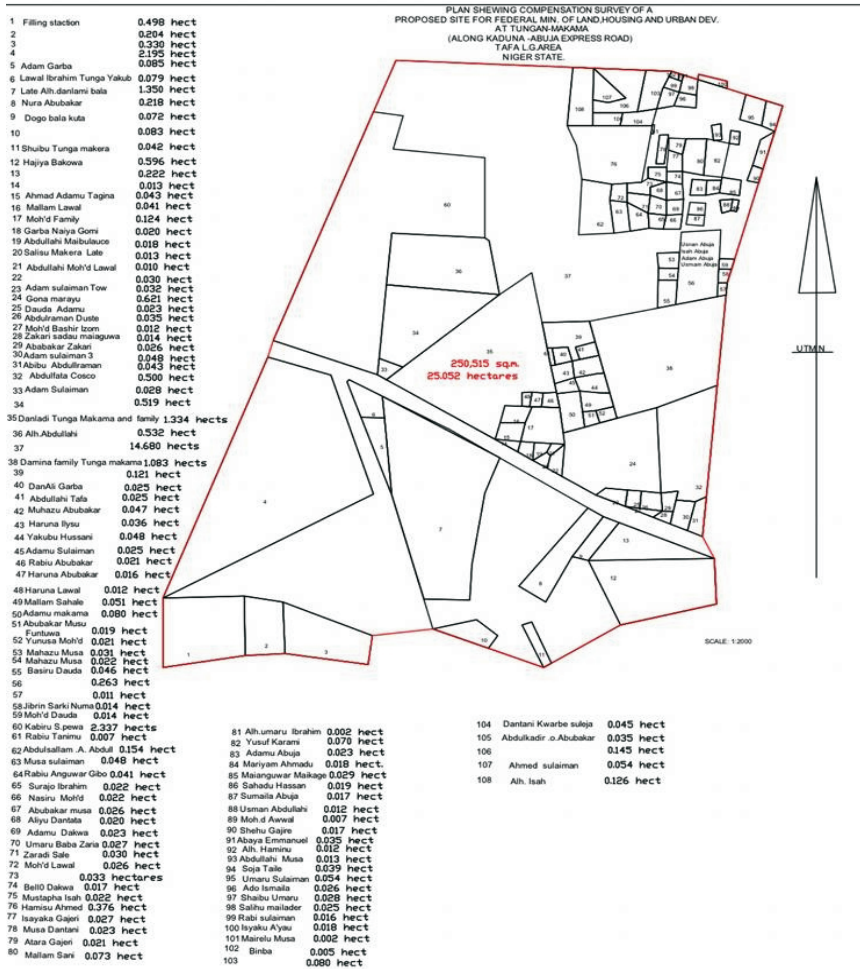
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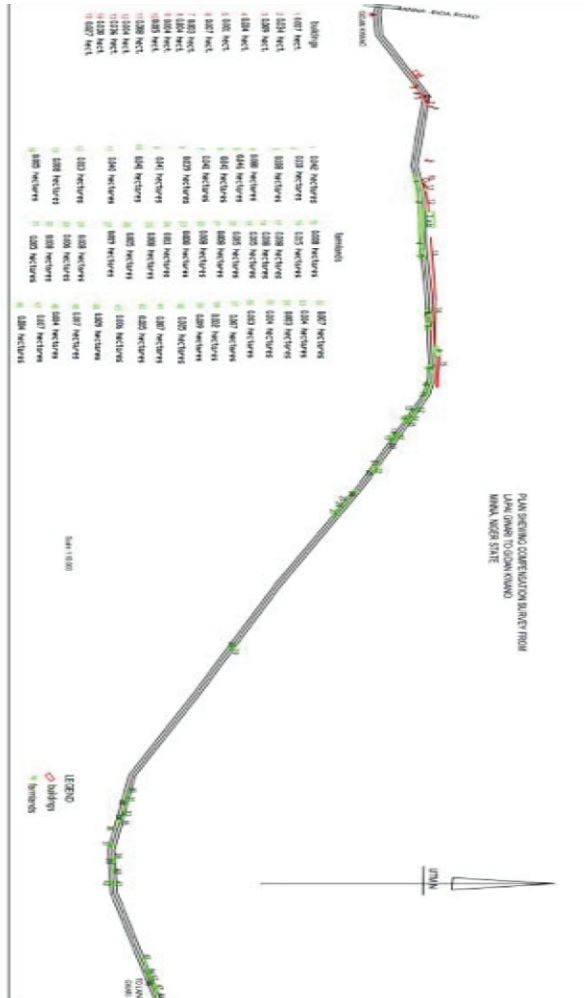
# APPENDIX A

## COMPENSATION SURVEY (Unexhausted Improvements)



# APPENDIX A1

## COMPENSATION SURVEY (Road Corridor)



## PROFILE OF THE INAUGURAL LECTURER

Professor Muhammad Bashar Nuhu was born on the 22<sup>nd</sup> November, 1969 in Minna, Niger State. He attended Central Primary School, Minna before proceeding to Government Secondary School Minna (Father O'Connell School) for his secondary education, graduated in 1986. He thereafter went for his National diploma and Higher National Diploma in Architecture from then Sokoto State Polytechnic, Birnin Kebbi and Kaduna Polytechnic, Kaduna, respectively and did his NYSC between 1993/1994.

He started his career as a civil servant with Local Government Service Commission. He worked with Chanchaga, Shiroro and Rafi Local Government Councils where due to his dedication to duty and leadership quality rose rapidly through the ranks to a Director of Works & Housing in the Local Government at a very tender age. At a time where people see such position as lucrative, Professor Nuhu not determined to end up as a local champion, left voluntarily and joined the service of Federal University of Technology, Minna in 2005 on tenure appointment.

Having spent less than five (5) months as a lecturer, it was not hard for the then Vice Chancellor, Prof. Hamman Tukur Sa'ad to notice the glaring leadership qualities in him and was appointed the Ag. Head, Estate Management & Valuation Department (first Alumni of the Department to be HOD) a position he occupied for more than eight (8) years.

Prof. M. B. Nuhu also fondly called as Shekwonya (God's own) by his mentees and admirers, has several academic laurels and

achievements in addition to the earlier ones mentioned above. He possesses Diploma in Public Administration, Bachelor of Technology Degree in Estate Management, Postgraduate Diploma in Management (PGDM), Postgraduate Diploma in Education (PGDE), Masters of Technology Degree and PhD in Estate Management (the first in Northern Nigeria), RICS 450 hours Academic Certificate of The College of Estate Management, University of Reading, UK and he at one time or the other served as external examiner to many tertiary institutions and accreditation team head/member to many Departments of Estate Management in Nigerian Universities and Polytechnics.

Prof. Nuhu, as a member of University Senate, he served on several Committees including Chairman, Board of Survey; Chairman, Committee on University Cooperative Societies policy formulation, Board of Directors, Federal university of Technology, Minna Microfinance Bank among others.

From 20th February, 2013 to October 17, 2014, Prof. M. B. Nuhu was Honourable Commissioner for Tertiary Education in Niger State. During his tenure as the Commissioner for Tertiary Education, he brought a lot of reforms in the Tertiary Education sector in the State, which includes the Tertiary Education and Scholarship Policies in Niger State for the first time since the State was created. He also organized series of Mentorship programmes for the leadership of various Students' Unions in the State. He also introduced the Personal Change Reform (PCR) which became a slogan to Niger State students at that time.

Prof. Nuhu also declined reappointment as Hon. Commissioner Vide letter dated February 20, 2015 after he attempted the Primary Election of his Federal Constituency under the platform of Peoples Democratic Party (PDP) in 2014, and returned to his much loved vocation of mentoring and lecturing in the University. He went on sabbatical leave at Bayero University,

Kano (2015/2016) where he helped in setting up Estate Management Department and was the pioneer Head of the Department.

On his return from Sabbatical leave in 2016, the then Vice Chancellor of FUT Minna, Prof. Musbau A. Akanji reappointed him as the Head of Department of Estate Management & Valuation again on a rescue mission in order to stabilize the Department. He got his assignment delivered with ease within the shortest possible time and was appointed the Director, Centre for Human Settlements and Urban Development in the University.

Despite a lot of his achievements, he remained a very humble person. His trademark is his smile, always genuine, infectious and unfaked, which he carried along wherever he goes. Whenever he speaks, he does so plainly with the artless candor of the innocent child.

Professionally, Prof. Nuhu has reaches the pinnacle of his profession as a Fellow of the Nigerian Institution of Estate Surveyors and Valuers, Member of the National Council of The Nigerian Institution of Estate Surveyors and Valuers (NIESV) for more than nine (9) years, Past Chairman of NIESV-Niger state Branch, and the first NIESV National Chairman of Education and National Continuing Professional Development Committees from Northern Region of Nigeria where he successfully introduced online Examination registration for the first time and equally organized the successful first NIESV Education Summit. He is now the honorary Director-General of NIESV Learning Centre and Chairman Implementation Committee of NIESV Learning Centre.

He was a Board Member of Estate Surveyors and Valuers Registration Board of Nigeria (ESVARBON), he was Chairman of the sub-committee that organized the first ESVARBON National

MCPD at Abuja. He served on several Committees of the Board and NIESV including Education, Membership, Corporate Affairs, and Editorial Board of NIESV Journal among others.

Prof. Nuhu belong to many other learned societies and associations such as, Member Nigerian Institute of Management (NIM), Member; Nigerian Environmental Society (NES), Member Royal Institute of Chartered Surveyors (UK), Fellow Institute of Corporate Administrator, and Member Nigerian Institute of Marketers.

Prof. Nuhu had supervised several undergraduate dissertations, Professional Synopsis/Critical Analysis, Postgraduate projects, PGD/M.Tech/Ph.D theses. He also has widely published in reputable journals both national and international.

He had over 15 years experience in Lands Management and Administration at the Local Government (LG) level of Niger State, He was the pioneer National Secretary of the Federation of LG Directors of Works in Nigeria (2000-2005) and equally engages in consultancy and ground breaking research in Land administration and Management. He was the consultant that midwife the establishment of Niger State Geographic Information System (NIGIS) for improve land information system. His research interest areas are: Land Policies & Administration, Housing Development & Management and Investment Appraisals.

He was involved in an International Training Programme on 'Financing and Management of Local Infrastructure Initiatives, under the auspices and sponsorship of Swedish International Development Co-operation Agency (SIDA) at Sweden, Zambia and Kenya. He has served as Guest Speaker and presented papers at different fora, nationally and internationally.

He facilitated the affiliation of Nigeria Institution of Estate



Surveyors and Valuation (NIESV) to International Federation of Surveyors (FIG) and the pioneer coordinator of Nigerian Estate Management & Valuation Academics Forum (ANESVA).

He was the only Nigerian selected and sponsored to the Joint Research Expert Team of International Federation of Surveyors (FIG)/Food and Agricultural Organization (FAO) of the United Nations at Verona, Italy and presented Nigerian Land Policy country situation in 2007. In addition, he participated on funded land governance assessment research and land reform activities in Nigeria.

He is also NIESV Country representative to Federation of International Surveyors (FIG) and had Chaired Technical session of Cadastral and Land management at 2009 Working Week of FIG, Eilat, Israel. He had attended not less than twenty (20) intentional conferences and visited over thirty five (35) countries; he had won many awards and he is also the Founder/Chairman of Basira Bashir Foundation (BBF) with the following windows: BBF Green Promoters, BBF Child & Mother Care, BBF Peace Da'awah, BBF Literacy Initiative, BBF Scholarship Scheme.

His Royal Highness the Emir of Minna, Alhaji (Dr.) Umar Faruq Bahago CON, conferred on Professor Nuhu a prestigious title of Shettiman Minna, a title he inherited from his Late Father. Earlier he was conferred the Shettiman Kuta and Sarkin Yakin Egwa, respectively.

He is married with children and a lover of horse racing, badminton and travelling. He is also a man of many awards, cutting across religious organizations, students' bodies, administration and academic circle.

Finally, he is **the First Professor of Estate Management and Valuation in Northern Nigeria.**

# Note

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