

Ihiala auto crash: Reps mandate IGP to remove all illegal checkpoints nationwide

By Levinus Nwabughioqu

ABUJA—FOLLOWING the fatal auto accident that reportedly claimed the lives of over 20 persons on Sunday, November 28, 2021 at Ihiala, Anambra State, the House of Representatives has asked the Inspector General of Police, IGP, Usman Baba Alkali to immediately remove all illegal checkpoints across the country.

The resolution was reached after considering a motion by the member representing Ihiala federal constituency of the State, Hon. Ifeanyi Momah at Wednesday plenary.

The House also mandated the IGP to direct the commissioner of Police in Anambra State to review the location of the police checkpoint in Ihiala with a view to forestalling further occurrence of such disaster especially during the festive season.

Titled "Need to Investigate Loss of so Many Lives Along the Onitsha-Owerri Express Road Within Ihiala Federal Constituency", the motion also urged the military to relocate their checkpoints in the state to the border towns.

Presenting the motion, Momah noted that for over 2 years, military and Police checkpoints in Ihiala Onitsha-Owerri Express Road have been operational to quell insecurity in the area.

He, however, said that road users have since been subjected to devastating, degrading and inhuman treatment occasioned by the operation of the military and Police checkpoints in that area.

He said: "Being a major express road, the negative impact of this military checkpoint has been grave on the community as well as all the road users.

"In this menace, no one is spared, all suffer under the weight of the oppression. Men, women, children are forced to alight from their cars and raise their hands and pass through the checkpoint. Nursing and pregnant women are also not spared; in fact, nursing mothers are made to carry their babies up high as they walk across the checkpoint, sometimes being forced to walk for over 1km.

"Very recently, a pregnant woman on a bike was whipped

thoroughly at the military checkpoint. Traditional rulers are also stopped and searched in an embarrassing manner including ransacking of their traditional attire.

"The military and police checkpoints are located in the middle of the busiest road in the entire local government area, opposite Abbot Boys Secondary School Ihiala and opposite Ihiala Divisional Police headquarters both located within the same axis, an area that ought not to be associated with a military checkpoint. As is popular knowledge, military checkpoints are to be stationed at border communities.

"This military checkpoint ought to be mounted at Amorka community, which is the border between Ihiala Local Government and Imo State and not its current location which is

a commercial hub crammed with markets, businesses, schools, etc.

"The town leaders have also asked that the checkpoint be relocated because of these hazards mentioned above in order to mitigate the calamitous consequences of the current situation. Yet, this dreadful situation persists with no glimmer of hope of improvement."

The lawmaker recalled that on Saturday, the 30th day of May 2020, a police makeshift road blockage was the cause of a fatal accident at Ihiala which led to the death of a trailer driver and his conductor as well as over 10 bus passengers.

"On Thursday the 4th day of November 2021 at about 15:50 hours, an accident involving three vehicles on the Onitsha — Owerri Ihiala Road on Sunday, claimed the lives of

three (3) children and six (6) adults according to the Federal Road Safety Corps (FRSC) as the driver upon sighting the Police checkpoint, tried to apply brake but couldn't, thus resulting in the fatal accident (according to eye witness).

"Most recently, on Saturday, the 28th day of November 2021, a trailer carrying a container load of goods ran over twenty (20) public road users who died on the spot", Momah said.

Briefing Journalists after the plenary, Momah however said he was not averse to the mounting of checkpoints but not in a manner that will jeopardize the wellbeing of the people.

Adopting the motion after securing support of the majority of its members, the House mandated its committee on police affairs and legislative compliance to ensure compliance to the resolution.

Anambra: Court declines to nullify Soludo's election • Dismisses eligibility suit for lacking in merit

By Ikechukwu Nnochiri

ABUJA—RESPITE came the way of the Governor-elect of Anambra State, Prof. Chukwuma Soludo, on Wednesday, as the Federal High Court sitting in Abuja, declined to nullify his election.

The court, in a judgement that was delivered by Justice Taiwo Taiwo, dismissed a suit that sought to invalidate Soludo's election on the allegation that he supplied false information to the Independent National Electoral Commission, INEC.

The Plaintiffs, Adindu Valentine and Egwudike Chukwuebuka, had in their suit marked FHC/ABJ/CS/711/2021, alleged that Soludo lied in the affidavit (Form EC9), which he submitted to INEC.

They claimed that Soludo, in the said affidavit attached to his nomination form, stated that he was contesting the Aguata 2 Constituency seat, when, in fact, he was contesting the governorship seat.

More so, they told the court that an affidavit Soludo's running mate and Deputy Governor-elect, Onyeka Ibezim, also submitted to INEC, contained false particulars considering that he stated that he was vying for Awka 2 Constituency seat.

Cited as Defendants in the suit were the INEC, the All Progressive Grand Alliance, APGA, Soludo and the Deputy Governor-elect, Ibezim.

The Plaintiffs, through their lawyers, A. O. Ijeri and Kelvin Okoko, argued that having indicated the wrong seat on the form, Soludo, violated extant legal provisions and ought to be disqualified.

"The constitution has made a state a constituency in relation to the governorship election, but in this case, the third defendant (Soludo) named Aguata 2 as the constituency he is contesting.

"The cause of action in a pre-election matter, by the provision of Section 285(9) of the Constitution, is determined by the date of the occurrence of the event, a decision or action complained about in the suit by the Plaintiff.

"And in the instant suit, the cause of action of the Plaintiffs arose on July 6, 2021, when the 3rd Defendant's (Soludo's) Form EC9 was submitted by the political party (the 2nd Defendant)", they argued.

However, counsel for APGA and Soludo, Onyechi Ikpeazu, SAN, queried the jurisdiction of the court to entertain the matter which he maintained was statute barred.

Aside from contending that the suit was filed outside the 14 days period stipulated by the Constitution, Ikpeazu, argued that error in an affidavit could not be a basis to disqualify a candidate from an election.

He argued that the false information claimed by the Plaintiffs was not among the grounds stated in the 1999

Constitution for the disqualification of a candidate.

"False information, as envisaged in Section 31 of the Electoral Act is criminal in nature. Section 31 does not deal with error but a deliberate effort to steal a match and to misrepresent", he added.

On its part, INEC, through its lawyer, Bashir Abubakar said it would leave the issue to the discretion of the court.

Meanwhile, in his judgement on Wednesday, though Justice Taiwo dismissed the preliminary objection challenging the competence of the suit and jurisdiction of the court to hear it, he however held that the Plaintiffs, failed to establish that they had a reasonable cause of action.

Justice Taiwo held that the Plaintiffs failed to convince the court on how the alleged false information both Soludo and Ibezim supplied to INEC, misled them.

The court held that since the allegation by the Plaintiffs were also criminal in nature, it ought to be proved beyond reasonable doubt.

It held that the suit was filed in bad faith and a good example of cases that are not geared towards strengthening of the tenets of democracy in the country.

"I am yet to come to terms on the purpose for which this suit was filed. I am saying this because I am not convinced that this action is reasonable", Justice Taiwo added.

Consequently, the court awarded N2million cost against the Plaintiffs, in favour of the APGA, Soludo and Ibezim.