

**REPORT BY Pro- Chancellor and Chairman, OF THE 14<sup>TH</sup> GOVERNING COUNCIL OF THE UNIVERSITY OF NIGERIA NSUKKA ON COUNCIL ACTIVITIES COVERING THE PERIOD APRIL 9<sup>TH</sup> 2013- DECEMBER 16<sup>TH</sup> 2013.**

Accountability is critical in any organization, especially in a democracy such as ours, and our national conscience demands no less, in view of the Governing Council's functions of policy-making and oversight.

This report is presented with the utmost sense of responsibility and patriotism, on behalf of the 14<sup>th</sup> Governing Council of the University of Nigeria, Nsukka and my humble self, for your information and further necessary action.

The report covers the period from April 9<sup>th</sup> to December 16<sup>th</sup> 2013.

On April 9<sup>th</sup> 2013, Professor Ruqayyatu Ahmed Rufa'i, at the time Minister of Education of the Government of the Federal Republic of Nigeria inaugurated the Governing Councils of 21 Federal Universities in Nigeria. The ceremony took place at the auditorium of the **National Universities Commission (NUC)** in Abuja. The Governing Council of the University of Nigeria Nsukka was one of the Councils and principal officers of Nigerian Universities were in attendance. The honorable Minister told the gathering that Nigerian Universities have many problems that need the full attention of Governing Councils.

Following the inauguration, the **14<sup>th</sup> Council of the University of Nigeria** came into existence for a 4-year tenure.

**232<sup>ND</sup> MEETING OF THE GOVERNING COUNCIL HELD MAY 24<sup>TH</sup> - 25<sup>TH</sup>, 2013**

The first meeting of the 14<sup>th</sup> council, which also was the 232<sup>nd</sup> meeting of the **Governing Council of the University of Nigeria, Nsukka** since its inception in October 1960 was held at Nsukka on Friday and Saturday, May 24<sup>th</sup> - 25<sup>th</sup>, 2013. The delay between the time the Council was inaugurated in Abuja on April 9<sup>th</sup>, 2013 and the holding of its first meeting at Nsukka was to enable the UNN Administration conduct elections for determining representatives of Senate, Congregation and Convocation of the University on the Governing Council before a properly constituted Council meeting could be convened.

## **A. INSPECTION OF THE UNIVERSITY'S FACILITIES AND PROJECTS IN ENUGU AND NSUKKA ONLY**

On Friday May 24<sup>th</sup>, 2013 Council inspected the facilities and projects of the University at Enugu and Nsukka. Council is yet to inspect facilities and projects, assets and properties in Aba, Abuja, Lagos, and or elsewhere.

On May 25<sup>th</sup>, 2013 the Governing Council paid a courtesy call on the LG Chairman and Councilors, Chiefs, Presidents and Secretaries of town unions of communities in Nsukka Local Government Area,- the Landlords of the University- at the headquarters of the Local Government in Nsukka. This afforded the Council the opportunity of appreciating the feelings of the landlords of the University on their relationship with the University overtime.

Council listened to their complaints of neglect and denial of their entitlements and rights over time.

Council pleaded for their understanding and for time to allow Council settle down before it can address the University's Obligations of service to its immediate community and evolve a policy that can last the test of time and in which they will be fully consulted.

## **B. TERMS OF REFERENCE TO GUIDE THE COUNCIL**

At its first meeting proper, immediately following the courtesy call on the landlords of the University, Council deliberated in great detail on the Minister's inaugural address and the opening remarks of the Pro-Chancellor, Sir (Dr) Emeka Enejere.

Council resolved and adopted a **terms of reference** to guide its work, going forward following its consideration of the two documents. The template Council adopted for its work is as follows:

- i. Acceptance that membership of the Council is a call to service to humanity and not a means for self aggrandizement and enrichment; and that this honor shall never be betrayed.
- ii. Pledge to uphold the sanctity and integrity of the University and to recognize that service to humanity shall be foremost in the decisions of Council on the award of Honorary Degrees to deserving individuals, so as to ensure that the award of Honorary Degree is not trivialized.

- iii. Commitment to operate, conduct itself as one Council with a common objective of improving the quality of the University of Nigeria, Nsukka as the varsity of excellence, and to **reject the dichotomy of 'external and internal' members of Council** as well as avoid being bugged down by subjective and mundane considerations, in all matters before it.
- iv. Pledge to ensure and adopt best governance practices and respect Federal Character principle in admission of students and recruitment of staff into the University, as well as restore the international character of Staff and Student population of the University in keeping with the vision of the Founding fathers of the University.
- v. Effectively monitor institutional projects, improve facilities and infrastructure of the University.
- vi. Refocus and encourage institutional mandates of community service, research and training by promoting learning, teaching, research and training for the purpose of making the University relevant to the needs of the Nigerian economy and to streamline its educational programmes to meet with national and international standards.
- vii. Improve the ability of the University to generate more revenue outside government allocation, subvention and grants.
- viii. Ensure respect for and compliment the approved scheme of service and organogram for Federal Universities by preventing the creation of bogus political portfolios (such as Personal Assistants, Special Assistants, Senior Special Assistants etc.) which duplicate the duties of scheduled or line officers and put unnecessary burden on wage bill, as well as prevent the creation of unnecessary directorates.
- ix. Uphold legality, transparency and openness; eschew impunity in all its forms and ensure that probity and due process are followed at all times in the exercise of Council's responsibility and in the governance processes of the University.
- x. Discharge its responsibility of policy formulation, general superintendence of the affairs of the university, the proper control of its finances, appointments, promotions, welfare and discipline of staff and students of the university through requisite organs of the University, such as the Senate and by following laid down rules and established laws governing Universities in Nigeria.

- xi. Ensure that management deposits funds not required for immediate use in Government Securities or in interest earning or fixed deposit account.
- xii. Tackle the emergence and appointment of Principal Officers in compliance with relevant University Laws and Government Guidelines.
- xiii. Encourage responsive and responsible unionism; arrest problem of cultism, drug abuse, sexual harassment and inducement, as well as examination malpractices.

**C. REPORT ON THE ELECTIONS OF FOUR (4) SENATE AND TWO (2) CONGREGATION REPRESENTATIVES TO THE GOVERNING COUNCIL**

Council considered and noted the memoranda CP/232/07(a) and CP/232/08(b) before it on reports of the result of the elections of four (4) Senate and two (2) Congregation representatives on the Governing Council of University of Nigeria Nsukka.

**D. MANAGEMENT STATUS REPORT ON THE UNIVERSITY**

To enable Council have a comprehensive and holistic understanding of the state of affairs of the University and as well, serve as a guide to Council for effectively carrying out its functions of policy-formulation and oversight, the 14<sup>th</sup> Council, in its wisdom, had requested Management for a status report on the University from the Vice Chancellor, the Registrar and the Bursar to be presented at its maiden meeting of May 24<sup>th</sup> - 25<sup>th</sup>, 2013.

***i. Vice-Chancellor's Report***

Due to noticeable communication gap between management, only the report of the Vice Chancellor was ready to be presented. Council considered Paper CP 232/09 which contained the Vice Chancellor's report to Council on his stewardship. Council observed some gaps of details in the report and directed that the report of the Vice Chancellor be updated to provide more information on all on-going projects in the University, including details of costs, payments so far made, time-frame for completion and proof of availability of funds for the projects, for representation at the next meeting of Council.

**ii. Reports by the Registrar and Bursar**

Council noted, with concern, that the expected brief by the Registrar on administration matters and financial report by the Bursar were not available. It became clear to Council, after explanations, that there was a communication gap between the office of the Vice-Chancellor and the Registrar/Bursar which led to the problem. Council therefore directed that the Registrar and Bursar should submit their reports on or before June 05, 2013.

Council deferred discussion and consideration of the reports of Management until all the reports had been received.

**E. MEMORANDUM TO COUNCIL ON THE REPORT OF THE ELECTION OF DEPUTY VICE CHANCELLORS (ACADEMIC AND ENUGU CAMPUS) OF THE UNIVERSITY OF NIGERIA, NSUKKA BY THE UNIVERSITY SENATE**

Council considered memorandum CP/232/07(b)k2 presented to it on the report of the election of the Deputy Vice Chancellors (Academic and Enugu Campus) conducted by the University Senate at its 267<sup>th</sup> special meeting of April 17<sup>th</sup>, 2013. Council observed that the request if approved would violate and contravene the policy statement of the Minister on the illegality of three Deputy Vice Chancellors in some of the Universities. Council therefore decided to stand down consideration of the approval sought by management on the matter in order to enable the Pro-Chancellor seek clarification and directive from the Minister of Education, Federal Government of Nigeria.

The Pro-Chancellor wrote the Minister on June 14, 2013, in keeping with the decision of Council but a response is yet to be received from the Honourable Minister on the issue.

**F. CONSTITUTION OF COUNCIL AD-HOC COMMITTEE ON STAFF AND STUDENTS AUDIT**

Council considered the directive of the National Universities Commission to conduct Staff and Students audit in federal universities. Council consequently constituted an Ad-hoc Committee to immediately conduct the exercise, using the approved template of the Commission and Federal Ministry of Education in order to ensure that the directive of Government is complied with, and on time.

## G. COMMITTEES OF COUNCIL

As Council performs its functions through various statutory committees and other committees it may deem fit to create, Council appointed and ratified members on the following statutory committees of Council viz:

- I. Finance and General Purpose Committee
- II. Appointments and Promotions Committee (Academic Staff)
- III. Appointments and Promotions Committee (Senior Administrative and Technical Staff)
- IV. Tenders Board
- V. Building, Works and Site Committee
- VI. Joint Council/Senate Committee on Endowment Fund
- VII. Council Representative on the Board of UNN Bookshop Ltd.
- VIII. Council Representative on the Board of the College of Medicine, UNN.

In view of the numerous sundry petitions Council had received, **Council created a Petitions and Appeals Committee** for the purpose of processing numerous petitions to Council by Academic, Administrative and Technical Staff, Students, Contractors, Landlords and other interests that have transactions or relationships with the University, with the sole purpose of taking prompt disposal action on the basis of fair hearing, fairness, equity and justice.

## 233<sup>RD</sup> MEETING OF THE GOVERNING COUNCIL AND DECISIONS

The 14<sup>th</sup> Council of the University of Nigeria, Nsukka held its 2<sup>nd</sup> meeting which is the 233<sup>rd</sup> meeting of the Governing Council since the inception of the University on Tuesday and Wednesday, July 30 and 31, 2013 at Nsukka.

### *i. Update on the Report of the Vice-Chancellor to Council:*

Council considered memorandum CP233/01A which contained an update on the on-going projects in the University as at June 2013.

Council decided that more information shall be further provided on the on-going projects with regard to the amount of money required for the completion of each project, as well as sources of funding, and projections

for the completion of the projects before disposal action can be taken on the matter.

**ii. Report from the Registrar**

Council considered Paper CP233/02 which contained the report from the Registrar. Council noted that the report said nothing about Staff of the University as would have been expected. However, it was clear to Council that the existing administrative arrangement in the University placed Staff matters under Personnel Department headed by the Controller, Personnel Services, who reports directly to the Vice Chancellor. This much was revealed in the Government white paper on the report of the last visitation panel to the University (2004 - 2010). Council further noted that the Visitor (the President of the Federal Republic of Nigeria) frowned at the set-up and therefore directed that the Personnel Department should be subsumed under the Registry as is applicable in the Nigerian University system.

To this end, **Council decided to abolish the post of the Controller, Personnel Services, and transferred the functions of the Personnel Department to the Registry with immediate effect.**

**iii. Report from the Bursar**

Council considered memorandum CP233/03 which contained the financial report from the Bursar. Council observed that the report did not contain detailed breakdowns of the Internally Generated Revenue (IGR) accruing to the University from Education Service Charges, staff house rents, electricity bills and internet fees. Council therefore directed the Bursar to rework the report, stating the number of Staff and Students who paid fees/bills that summed up to the amounts given. Council further directed that the Bursar should make the following documents available to it i.e. Fixed Assets Register; Management Accounts submitted to External Auditors for all accounting years since 2008, the university budgets for the period under review, as well as monetary values of shares held by the University in Corporate Institutions. These were to be forwarded to reach Council Secretariat on or before August 8, 2013 so that the Secretariat will make available the requested documents and data to Council members for study before the next meeting of Council.

**iv. Appointment of New External Auditors for the University**

Council considered memorandum CP233/05 which contained responses to the advertisement for the appointment of new External Auditors. Council frowned at the idea of carrying out the directive of the last Council without the knowledge of the present Council after it has come into existence. However, Council directed that the newspaper publications and the list of Audit firms that responded be properly documented and forwarded to the

appropriate Council Committee i.e. the Finance and General Purposes Committee (F&GPC) for further necessary action.

**v. Report from Council Ad-Hoc Committee on Staff and Students Audit**

Council considered memorandum CP233/06 containing the report from its Ad-hoc Committee on Staff and Students Audit which was authorized by the National Universities Commission. Council accepted the report in its entirety and approved the recommendation of the Committee that the contract appointments offered to the University's ICT Director (Mrs. Christiana Oriola) and Alumni Co-ordinator (Miss Chioma U. Onyenwe) who were on monthly salaries of **Two Million, Three Hundred and Thirty Seven Thousand, Six Hundred Naira Only (N2,337,600.00)** and **Five Hundred Thousand Naira (N500,000.00)** respectively, be terminated with immediate effect.

Council further directed that the University Administration should take appropriate steps for the recruitment/deployment of qualified staff into the two offices based on the approved University staff conditions of service.

Council also approved the recommendation of its Ad-hoc Committee on Staff and Students Audit, that all temporary appointments made in the University after the inauguration of the present Council on April 9, 2013 be reviewed.

Council accepted the Ad-hoc Committee's recommendation that the University Administration should revisit Sabbatical and visiting appointments with a view to determine appropriate and applicable remunerations for each and on the basis of need and request by Departments and Faculties, as well as availability of funds.

The report on staff and student audit of the University of Nigeria Nsukka has since been submitted to the Minister of Education and the National Universities Commissions in Abuja.



**vi. Re-constituted Standing Committees of Council**

Council considered memorandum CP233/07 which contained the re-constituted Standing Committees of Council and ratified the membership of the following reconstituted Standing Committees viz:

- a. Finance and General Purpose Committee (F&GPC)
- b. Tenders Board (TB)
- c. Appointments and Promotions Committee (Academic Staff)
- d. Appointments and Promotions Committee (Senior Administrative and Technical Staff)
- e. Building, Works and Site Committee (BWSC)
- f. Joint Council/Senate Committee on Endowment Fund (JCSC)
- g. Petitions and Appeals Committee.

Council directed the University Administration to ensure that the Committees are empowered to function as and when the need arises. All the numerous petitions so far received by Council from the University personnel, contractors, Unions and interest groups were handed over to the Petitions/Appeals Committee, for further necessary action.

**234<sup>TH</sup> MEETING OF THE 14<sup>TH</sup> GOVERNING COUNCIL AND DECISIONS**

At its 234<sup>th</sup> meeting held on September 12<sup>th</sup> and 13<sup>th</sup>, 2013 the 14<sup>th</sup> Governing Council considered a number of items and took actions as follows:

**1. Report and Recommendations of the Ad-hoc Committee on Staff and Students Audit:**

Council noted that its decisions that contract appointments of the Director of the Information and Communication Technology Unit (ICT) and the Co-ordinator of the Alumni Relations be terminated with immediate effect had been implemented. However, Council reiterated that the appointments were not in consonance with the extant laws on contract appointment for Nigerians. It therefore directed that Mrs. Christiana Oriola and Miss Chioma U. Onyenwe should not be paid any salary in lieu of notice of termination of their appointments since the contract appointments were flawed ab initio.

## 2. **Additional Information on the Vice Chancellor's Status Report on all On-going Projects in the University as at June, 2013:**

Council considered memorandum CP234/02 which contained additional information on the Vice Chancellor's status report on all on-going projects in the University as at June, 2013.

Council further noted that a **total of 113 projects were presented** and made the following preliminary observations on some of the projects presented, as follows, viz:

1. **Under year 2012 projects**, a contract for the **rehabilitation of UNN waterworks at SCC Faculty of Agriculture farm zone and Franco Hostel zone, located at Nsukka Campus** was awarded to EAUXELL Nigeria Ltd. at a contract sum of **One Hundred Million, Two Hundred and Ninety Three Thousand, Two Hundred and Twenty Five Naira only (N100,293,225.00)**. The **June report** shows that **Fifteen Million forty Nine Thousand, Eight Hundred Naira (N15,049,800.00)** has been paid to the contractor and the project was at 20% completion.
2. The **July Report** states that **Forty One Million, Four Hundred and Thirty Eight Thousand, Eight Hundred Naira only (N41,438,800.00)** has already been paid but curiously also shows that a balance of **Eighty Two Million, Two Hundred and Forty Nine Thousand, Two Hundred and Forty One Naira, Twenty Five Kobo (82,249,241.25)** is outstanding to the contractor while the job is 65% completed. Council noted the discrepancies in balances outstanding to the contractor and also that payments were made to the contractor between June 2013 and July 2013 without recourse to the Finance and General Purpose committee of the present Council.
3. Council also observed that contrary to University guidelines, Federal Government Financial Regulation and accepted standards, huge contracts were unduly split to smaller units to enable the University administration award the contract to several contractors; but in the case of the School of Post-graduate Studies building, which was split and awarded to one contractor, as indicated below:
  - i. **Construction of the right wing of the main building** of the School of Post-graduate Studies awarded to SYNDICATED CONSTRUCTION AND COMMERCIAL SERVICES LTD. at the sum of **Three Hundred and Eleven Million, Five Hundred and Three Thousand, Eight Hundred and Fifty Naira only (N311,503,850.00)**. The sum of **Eighty Seven Million Seven Hundred and Ninety Four Thousand, Four Hundred and Fifty Five Naira, One Kobo only (87,794,455.01)** has been paid to the contractor, yet the job is at 15% completion stage.

- ii. Construction of the **left wing of the main building of the School of Post-graduate Studies** awarded to the same company, SYNDICATED CONSTRUCTION AND COMMERCIAL SERVICES LTD. at the sum of **Two Hundred and Eighty Three Million, Two Hundred and Eighty One Thousand, Seven Hundred and Seven Naira, Fifty Kobo (N283,281,707.50)**, the sum of **Seventy Seven Million, Five Hundred and Seventeen Thousand, Nine Hundred and Fifty Six Naira, Twelve Kobo (N77,517,956.12)** has been paid to the contractor but the job is at 15% completion.
- iii. Construction of **the centre wing of the main building of the School of Post-graduate Studies** awarded to SYNDICATED CONSTRUCTION COMMERCIAL SERVICES LTD. at the sum of **Three Hundred and Nine Million, Five Hundred and Thirty Nine Thousand, Five Hundred Naira only (N309,539,500.00)**. The sum of **Eighty Four Million, Two Hundred and Fifty Seven Thousand, Seven Hundred and Twenty Five Naira only (N84,257,725.00)** has been paid but the job is at 15% completion.

The Vice Chancellor admitted that there were errors in figures presented before the Council in respect of the jobs awarded to SYNDICATED CONSTRUCTION AND COMMERCIAL SERVICES LTD. and said that the payments were made only as mobilization.

The Vice Chancellor also furnished Council with the **July report which showed that:**

- **N93,570,601.00 (Ninety Three Million, Five Hundred and Seventy Thousand, Six Hundred and One Naira only)** had been paid to the contractor for the right wing with 25% completion level attained.
- **N93,274,979.29 (Ninety Three Million, Two Hundred and Seventy Four Thousand, Nine Hundred and Seventy Nine Naira, Twenty Nine Kobo)** had been paid to the contractor for the left wing with 20% completion level attained.
- **N92,760,975.00 (Ninety Two Million, Seven Hundred and sixty Thousand, Nine Hundred and Seventy Five Naira only)** had been paid to the contractor for the centre wing with 25% completion level attained.

Council observed that the above 3 payments are 27% of the contract sums and that the mobilizations paid are at 27% instead of 15% as stated in the Procurement Act. Council also noted that the School of Post-graduate building contract was split into four units and one contractor got three units of the same project.

4. Council further noted that two days after the 12<sup>th</sup> February, 2013 meeting of the last Governing Council of the University, **three major contracts** were awarded on the 14<sup>th</sup> of February, 2013 with contract duration of four weeks without Council being aware.

Up to date, all contracts are on-going, despite the fact that most of the projects are almost fully paid for. These projects include the following:

- i. the proposed construction of Umunkaka Street (University Secondary School road, Nsukka) which was awarded to Ferotex construction company Ltd. on the 14<sup>th</sup> of February, 2013 at a sum of **Forty Nine Million One Hundred and sixty One Thousand, Six Hundred and Seventy Three Naira only (N49,161,673.00)** out of which the sum of **Forty Six Million, Seven Hundred and Three Thousand, Five Hundred and Eighty Seven Naira, Sixty Eight Kobo (46,703,587.68)** has been paid. The said project was to be completed in 4 weeks, yet almost six months later; the project is still on-going.
- ii. the proposed construction of Abuja building to Engineering Road, Nsukka Campus awarded again to Ferotex Construction Company Ltd. at a sum of **Fifty Five Million, Two Thousand, Four Hundred and Sixty Six Naira (N55,002,466.00)** of which the sum of **Fifty Five Million, Two Thousand, Four Hundred and Sixty Six Naira (N55,002,466.00)** has been paid. The contract has been paid in full while the project is still on-going and at a dismal 20% completion stage, whereas the project was to have been delivered within four weeks.
- iii. the proposed construction of James Africa (Medical Centre Road), Nsukka was awarded to Ferotex Construction company Ltd. on the 14<sup>th</sup> of February, 2013 at a sum of **Thirty Million, Seven Hundred and Seventy Six Thousand, Five Hundred and Fifty Naira only (N30,776,550.00)** of which the sum of **Twenty Nine Million, Two Hundred and Thirty Seven Thousand, Seven Hundred and Seventy Two Naira only (N29,237,772.00)** has been paid. The project is still on-going though it was scheduled with duration of four weeks only.

The Vice Chancellor also provided a July report wherein contracts were recorded as completed. The contract for the rehabilitation of IRVING LOVING AND CEC Road, Nsukka was awarded to LUGOPAL NIG. LTD. on the 4<sup>th</sup> October, 2010 at a contract sum of **Thirty Four Million, Two Hundred and Forty Six Thousand, Two Hundred and Ninety One Naira (N34,246,291.00)**. The sum of **Thirty One Million, Three Hundred and Ninety Nine Thousand, Two Hundred and Ninety Two Naira only (N31,399,292.00)** has been paid to the contractor, leaving the sum of **Two Million, Eight Hundred and forty Six Thousand, Nine Hundred and Eighty Eight Naira only (N2,846,988.00)** outstanding. Yet the contract is only at 57% completion though almost the entire contract sum had been paid and it ought to have been completed in 8 weeks only. Council noted the anomaly that an additional sum of **Seventeen Million Three Hundred and forty Four thousand, Nine Hundred and Ninety Naira only (N17,344,990.00)** from IGR was also used to lay asphalt on a portion of the road.

- **Erosion control contract at new entrance road/UNN business park, Nsukka Campus (lot 1) SUG building erosion control/landscaping of female hostel 2 awarded to University of Nigeria Consultancy Services Ltd. under the 2011 Appropriation projects.** Council noted that the contract was awarded on October 19<sup>th</sup> 2011 at a sum of **Sixty Three Million, Nine Hundred and Thirty Seven Thousand, Five Hundred and Seventy One Naira only (N63,937,571.00)** and that **Sixty One Million, Eighty Eight Thousand, Four Hundred and Twenty Two Naira only (N61,088,422.00)** has been paid to the contractor when the work done on the contract is still only at 50%. The duration of job is for 16 weeks, but two years past its completion date, the job is yet to be completed.
- A contract variation for the remodeling of the Fumilayo Ransome Kuti Refectory was approved on the 2<sup>nd</sup> May, 2013 before the first meeting of the current 14<sup>th</sup> Council on May 23<sup>rd</sup> and 24<sup>th</sup>, 2013, without recourse to this Council and in contravention of laid down guidelines stipulated in the Procurement Act with regards to variation of government contracts, despite the Council's inauguration in Abuja on April 9<sup>th</sup>, 2013.

Also, the report of the Vice Chancellor on the status of works under Donor projects stated that **Fifty One Million, One Hundred and Ten Thousand Naira only (N51,110,077.00)** has been spent from Internally generated revenue (IGR) for the construction of the proposed **Prof. B.I.C. Ijomah Sociological Studies Building** which is fully sponsored and paid for by the Delta State Government. Council has received exchange of letters, full of innuendos, accusations and name calling from Prof. B.I.C. Ijomah and the Vice Chancellor, Bartho Okolo on the matter, and has referred the matter to Council Committee on Petitions and Appeals for further necessary action.

Council observed that the submission was not legible enough and frowned at the fact that it had taken Management 3 months to provide Council with Vice Chancellor's brief on the status of all on-going projects in the University as at June, 2013, as well as the Bursar's financial report of the University/budget, and Registrar's brief on all administrative issues and personnel matters.

Some other issues Council also raised with respect to the anomalies in the report of the Vice-Chancellor on projects include:

- i. Why was a report presented to council not eligible enough to read and contained so many errors, despite the fact it had been rejected a couple of times?
- ii. What processes led to the awards, and was due process followed in the award of the jobs?
- iii. Why are jobs that have been totally paid for still at between 20% and 95% completion?
- iv. What were the modes of payments?
- v. What is the outstanding amount required for completion of the projects? Are funds available for the completion of the projects, and what is the time-frame for the completion of the projects?

**Council accepted Vice-Chancellor's acknowledgement of so many errors in the report and his offer to review the report, as well as ensure that the contradictions are addressed for subsequent re-presentation to Council. Council then decided to set up a Project Monitoring Committee to monitor all on-going projects in the University, and make periodic reports to Council, without prejudice to the existence of the Building, Works & Site Committee and expected re-submission of the VC's report to Council.**

The composition of the **Project Monitoring Team** sourced from University staff in extant Departments of Engineering, Architecture, Estate, and Survey, Works, Law, with Three Council members is as follows:

Sir E. C. Okoro	-	Chairman
Mr. Akin Taiwo	-	Member
Barrister Harrison Onwo	-	Member
Engr. Emeka Udechukwu	-	Member
Engr. C. U. Nwoji	-	Member
Prof. T. C. Madueme	-	Member
Dr. E. C. Moka	-	Member
Prof. J. U. Ogbuefi	-	Member
Arc. O. E. Nduka	-	Member
Prof. G.O.S. Amadi	-	Member
Engr. R. E. Nze	-	Member

5. **Expiration of the Tenure of the University Librarian**

Council considered Paper CP 234/02 which contained the report from the Registrar. Council noted from the report that the tenure of the University Librarian, Dr. C. O. Omekwu, would expire on October 01, 2013. Council therefore, decided that the post of the University Librarian should be immediately advertised. Furthermore, Council directed that the most senior University Deputy Librarian should oversee the affairs of the University Library, pending the appointment of a new University Librarian.

6. **Update on the Bursar's Financial Report:**

Council considered Paper CP 234/03 which contained the Update on the Bursar's Financial Report. Council noted, with dismay, that the Financial Report left a lot to be desired: **that Audited Accounts are five years in arrears, and the last audited account was in 2008 while the report did not provide management and internal control mechanism, or make available Management's accounts, with respect to budget.**

**The report also did not provide a functional budgetary system, as well as budgetary monitoring and control. The Fixed Assets Register that the report provided was not adequate.**

Council noted that Management had in the past appointed Price Waterhouse Coopers as Consultants, specifically on the computerization of the University's accounting system, as recommended in the White Paper Report on the Visitation Panel Report, but was dismayed that the financial report still left a lot to be desired. Council stressed that the current system faces huge challenges and cannot be relied upon to provide accurate financial status of the University, as well as properly guide Council well in performing its primary functions of policy making and oversight.

Council further observed that the non-submission of periodic (quarterly) Management accounts, as well as failure to produce annual accounts promptly, is symptomatic of a large problem in the system of the University and also against all the principles of best practices in accounting; as well as a breach of the Fiscal Responsibility Act 2007.

Stressing that the current system faces huge challenges and does not have in place a system that can be relied upon for accurate financial report and proper guidance of Council, **Council therefore decided that it cannot stand by without taking necessary corrective action, and resolved to appoint an independent consultant, through selective tendering, to confirm the reliability and integrity of the University accounting system and records.** In so doing, Council was convinced that the appointment of a Consultant does not conflict or represent a duplication of work, since the terms of reference for the Consultant would be made clear. The Bursar responded to Council's proposal to appoint a Consultant to evaluate the status of the financial records, thus **"I agree that we need the Consultants to help us to move forward"**.

After due consideration, David Adetuyi & Co, Chartered Accountants, were appointed, out of the three Firms that tendered, with the following terms of reference:

- i. To confirm the status of the accounting system and records of University of Nigeria, Nsukka;
- ii. To carry a process review to determine the integrity of the accounting records;
- iii. To confirm status of WIP of External Auditors' work in respect of accumulated accounts not audited;
- iv. To confirm the functionality of the internal audit system and budgetary system;
- v. To confirm the status of computerization of the accounts of the University;



- vi. To confirm the status of implementation of the recommendations of Price Water House and Coopers;
- vii. To consider and recommend the immediate action Council can take to ensure the proper and transparent records are kept;

***Matters Arising:***

In a letter UN/RC.270(c), to the Managing Partner, David Adetuyi & Co., dated 27 September, 2013 by the University Registrar and Secretary to Council conveying Council's appointment of the firm to review the current status of the financial accounts and records of University of Nigeria, which was copied to the Pro-Chancellor and Chairman of Council and the Vice Chancellor, the conditions of their engagement were stated as follow:

- (a) An advance payment of 50% of the contract sum will be paid on acceptance of the offer, to enable work commence immediately;
- (b) Submission of first report within four (4) weeks of the receipt of the advance payment;
- (c) The balance of the fee to be paid within one (1) month of the submission Of final report;
- (d) The University will not entertain any request for contract variation.

David Adetuyi & Co. wrote the Registrar on 2<sup>nd</sup> October, 2013, (copied to the Vice-Chancellor, Deputy Vice-Chancellor Administration and the Bursar), accepting the appointment to render consulting services to the University, and promising to discharge their responsibilities as regards the assignment with professional touch. They also indicated their readiness to commence the assignment as soon as their firm is mobilized. Their letter of acceptance was received in the Registrar's office and signed for on 4<sup>th</sup> October, 2013 by Onah John. Following this, management was to take further necessary action by mobilizing the consultants (David Adetuyi & Co.), in order to enable it commence the assignment.

By another letter dated 11<sup>th</sup> October, 2013, addressed to the Vice-Chancellor and copied to the Pro-Chancellor, the Registrar and Bursar, David Adetuyi & Co. formally requested for the advance payment of 50% of the contract sum, in line with one of the conditions of the appointment,

while expressing their desire to commence the assignment as soon as possible, “in view of the urgent need of our report by the University authority”. Their letter also provided the bank details for payment of the fee. **As at the time of writing this report, the consultants have not commenced work, because management has not authorized their being mobilized.**

In a letter dated October 30, 2013 addressed to the Vice-Chancellor on the matter, the Pro-Chancellor **reiterated that “Council and Management ought to recognize that the integrity of the financial records and system of the University of Nigeria, Nsukka is the foundation for the University to deliver on her promise, as well as realize its vision and mission to be one of the best universities in the global arena”**. The Pro-Chancellor further stated that Council is determined to ensure:

- (i) All wastages are blocked, and a **water-tight internal control mechanism put in place as the operating one has been discovered to be inefficient and very deficient;**
- (ii) The University breaks this cycle of lack of adequate records and proper book-keeping, and Management account is promptly prepared, i.e. quarterly and be up to date to June, 2013;
- (iii) **Audited Account must be brought up to date (i.e. 2012) and approved;** then copies sent to the Office of the Auditor-General of the Federation, within the stipulated period of six (6) months.

**He therefore advised the Vice-Chancellor to avoid further delay on this matter, and to promptly take disposal action** in order to enable David Adetuyi & Co. commence this important work.

On October 31, 2013 on learning that adverts had been placed and tenders were being processed without the knowledge of Council, for the award of contract to renovate the Pro-Chancellors lodge at a contract sum of Fifty million Naira, the Pro-Chancellor had cause to write the Vice-Chancellor, Prof. Bartho Okolo, asking him to suspend action on the renovation of the Pro-Chancellor’s Lodge, and reminding him that mobilizing David Adetuyi & Co., financial consultants that Council at its 234<sup>th</sup> meeting appointed to confirm reliability and integrity of the University accounting system and records, should for now be accorded utmost priority over any other matter, because of its importance to the policy-making and oversight functions of Council.

**As at the time of writing this report, no action has been taken by the University Management to effect the decision of Council on this very important matter.**

## **7. Security**

Council also noted from the report of the Registrar that the security situation in the University needed to be addressed with particular reference to outsourcing of security services as directed by the Federal Government. Council therefore, decided to set up an Ad-Hoc Committee on Security Services in the University to look into the matter. Meanwhile, Council advised that the University Administration should take the issue of security of lives and property in the University more seriously.

**Composition:**

Barrister Harrison Onwo	-	Chairman
Prof. P. E. Chigbu, Ag. DVC (Acad)	-	Member
Prof. M. I. Okwueze, DVC (Admin)	-	Member
Prof. E. O. Ezeani	-	Member
Mr. O. C. Nwangwa (AO Council Unit)	-	Secretary

**Terms of Reference:**

- i To examine the security set-up in the University.
- ii To ascertain from other Federal Universities how the Federal Government's directive on outsourcing of security services has been handled.
- iii To make appropriate recommendations to Council based on 1 and 2 above.

**8. Interaction with the Various Staff Unions in the University:**

Council met and interacted with the leaders of the various Staff Unions in the University in Council Chambers on ASUU Strike and the release of special Presidential Intervention funds to the universities as well as other sundry issues between the unions and University Administration.

Council informed the unions that no Administration in the history of the country has done as much in the Education sector as that of President GoodLuck Ebele Jonathan. Council pointed out that as the creme la crème of informed and educated Nigerians, it is not difficult for them to appreciate that given Nigeria's stage of development, various sectors of the Economy compete for Public fund and what President Jonathan has done requires their full understanding and appreciation

Council therefore persuaded ASUU and other unions to reconsider the effect of continuing the strike on students, parents, the Education sector

and call off the strike in public and national Interest so that the Universities can reopen.

After the representatives of the unions had left, Council in its meeting noted with concern, the allegation that the check-off dues of the Staff Unions were being withheld by the University Administration, thereby hindering them from fulfilling their financial obligations at the national level. **Council therefore, directed that the University Administration should ensure that all the check-off dues owed the Staff Unions, including the University of Nigeria Alumni Association, should be paid without delay on or before Monday, September 16, 2013.**

9. **Students Union Elections:**

Council deliberated on the embargo placed on Students Union activities in the University over the years. Council noted that the University Administration had slated to conduct Students Union Elections by November, 2013 as reported by the Vice-Chancellor. To that end, Council decided that a colloquium should be organized for the students prior to the elections, to be addressed by former Students Union leaders of the University and other Nigerian Universities. This will pave the way for a hitch-free election and credible student's unionism in the University and as well, encourage responsive and responsible unionism.

10. **Ad-Hoc Committee on the 2004-2010 Visitation Panel White Paper:**

Council decided to set up an Ad-Hoc committee on the government White Paper on the Visitation Panel Report into the affairs of the University of Nigeria (2004-2010) with the following composition and terms of reference:

a) **Composition**

Chief Chando Labar	-	Chairman
Prof. B.I.C. Onwubere	-	Member
Prof. C. A. Igwe	-	Member
Prof. E. O. Ezeani	-	Member
Sir E. C. Okoro	-	Member
Mr. S. E. Mbah, A/O (Personnel)	-	Secretary

b) **Terms of Reference**

i To identify the accepted Recommendations/Directives of the Visitor to the University.

ii To determine the extent of implementation of the accepted Recommendations/Directives of the Visitor.

## **MEETING OF THE FINANCE AND GENERAL PURPOSES COMMITTEE OF COUNCIL:**

The Finance and General Purposes Committee at its 71<sup>st</sup> Meeting held on September 19, 2013 considered the Communications from the National Universities Commission (NUC) and the Honourable Minister of Education on the release of special funds by the Federal Government for revitalization programmes in the universities and payment of earned allowances.

### **1. Special Presidential Intervention Funds:**

The Committee noted that the funds allocated to the University of Nigeria stood at N3,200,000,000.00 (three billion, two hundred million naira) for revitalization programmes and N1,891,348,558.00 (one billion, eight hundred and ninety-one million, three hundred and forty-eight thousand, five hundred and fifty-eight naira) for earned allowances, totaling N5,091,348,558.00 (five billion, ninety-one million, three hundred and forty-eight thousand, five hundred and fifty-eight naira). The Committee therefore, decided to set up a Sub-committee on **Special Presidential Intervention Funds** as directed by Federal Government of Nigeria to ensure proper supervision of utilization of the funds for the revitalization programme and disbursement of the earned allowances in keeping with approved template by Government with the following composition and terms of reference:

#### **(a) Composition**

Mr. Akin Taiwo	-	Chairman
Chief Chando Labar	-	Member
Barrister Harrison Onwo	-	Member
Sir E. C. Okoro	-	Member
Mr. O. C. Nwangwa (A.O. Council Unit)	-	Secretary

#### **(b) Terms of Reference**

- i) To determine the bank/banks that the funds should be lodged, in consultation with the University Administration.
- ii) To supervise the eventual disbursement of the funds as decided by Council at its 234<sup>th</sup> Meeting held on 12 and 13 September, 2013.

## **2. Annual Budgeting**

The Committee noted the report of the Vice-Chancellor to Council that the University did not actually operate Annual Budgets, over the years, due to the “Envelope System” of funding adopted by the Federal Government.

Committee frowned at the University Administration’s inability to operate a budget for the University. Committee observed that it was inappropriate for any organization to appropriate Government funds without a Budget and that the absence of a budget for the University has been the reason for the ad-hoc nature of financial transactions in the university without due process as well as the reason the administration finds it difficult to brief the Finance and General Purposes Committee (F&GPC) of Council on the financial status of the University.

Committee further noted that this is also why the consent of the F&GPC was often not sought before major payments were made and Council was shut out of any knowledge of any financial transactions of the University. It is on record that the F&GPC of the 13<sup>th</sup> Governing Council of the University at its last meeting in December 2012 vigorously complained about this problem and the hoarding of information on the status of the finances of the University through undue delays by the administration of Prof Batho Okolo.

Furthermore, expressing the need for annual budgeting, regardless of the modality for the release of funds by the Federal government, the committee decided that the University Administration should prepare annual budget, following due process and involving the necessary organs of the University in the process, for 2013-14 academic session, for the consideration of the F&GPC and approval by Council, before the commencement of the new academic session.

The question is: can any well meaning Governing Council of a University responsibly carry out its policy making and oversight functions when that Council has not seen a budget of the University? Therein, lay the dilemma of the University. The reality is that the administration is Okolo and Okolo is the Administration. He is the Bursar and decides what Contract to award without a budget. Under the fiscal Responsibility Act, this is a criminal offence.

In other not to be seen to be perpetuating the criminal conduct of operating without budget and as well save the administration from committing a criminal act, Council has directed that hence forth due process must be followed by the University in all Financial Transactions and expenditure, in keeping with the Fiscal Responsibility Act.

### **3. Meeting of the University of Nigeria Tenders Board held on Tuesday, September 17, 2013**

The University of Nigeria Tenders Board, at its regular meeting held on September 17, 2013, noted the information given by the Vice-Chancellor to the effect that the terms of reference for the Tenders Board had been largely overtaken by the provisions of the Public Procurement Act, and asked the Vice-Chancellor to make the document available to it for proper guidance.

On Tuesday, September 17, 2013 at the commencement of the meeting of Council's Tenders Board and Finance & General Purposes Committees, a text message was received by the Pro-Chancellor from the representative of the Federal Ministry of Education on the Governing Council of the University of Nigeria, Mr. Ebenezer Fayemi, Deputy Director, Tertiary Education, to the effect that he had been redeployed and would not be able to attend the meetings of that day. Mr. Fayemi is considered by Council to be positively impactful to the work of Council, and is an effective representative on Council of the Federal Ministry of Education; and by extension of the Federal Government of Nigeria, as well as the Visitor, His Excellency Dr. Goodluck Ebele Jonathan, GCFR, President and Commander-in-Chief of the Federal Republic of Nigeria.

On September 23, 2013 the Pro-Chancellor met with the Permanent Secretary, Federal Ministry of Education, Dr. MacJohn Nwaobiala in his office in the Ministry at Abuja, and discussed the matter. He expressed appreciation to the Pro-Chancellor for the maturity he had shown by coming to discuss the matter with him. He made a commitment to the Pro-Chancellor, that he would discuss the matter with the Director, Tertiary Education and revert to the Pro-Chancellor. He was never heard from again on the matter.

**On October 10, 2013 the Pro-Chancellor had cause to formally write to the Permanent Secretary, Federal Ministry of Education (Mr Mac John Nwaobiala) on the matter after a one-one discussion with him in his office at Abuja during which he promised to look into the matter but failed to**

**address the issue**, decrying that without Council ever complaining about Mr. Fayemi on any matter, including ineffectiveness or dereliction of duty, and without prejudice to the prerogative and right of the Ministry to appoint and deploy any of its officers to represent it on any Council/Board of its Parastatals, it was absurd that a complaint could come from an employee of Council, in this case a Vice-Chancellor, against the employer – a member of Council, and action is arbitrarily taken without recourse to Council, or to requirements of the culture of consultation and due process, as was done in this case.

The Pro-Chancellor further pointed out that the Vice-Chancellor of the University of Nigeria, Prof. Bartho Okolo, admitted before Committees of Council on Tuesday, September 17, 2013 that he complained to the Permanent Secretary about Mr. Fayemi, because Fayemi “spread falsehood” about him at the headquarters of the Ministry at Abuja, which impugned his character and integrity. The Pro-Chancellor pointed out to the Permanent Secretary that his action was tantamount to undermining the Governing Council of the University of Nigeria, Nsukka, and was disrespectful to the authority of the Visitor, who is the President and Commander-in-Chief of the Federal Republic of Nigeria, under whose instrument and authority, the Governing Councils of Universities derive their functions and legitimacy.

The Pro-Chancellor, made the Permanent Secretary to understand that a situation where an employee, in this case a Vice-Chancellor, can pick his employer or Council, is to say the least a dangerous precedence that should never be countenanced or tolerated. The Pro-Chancellor further observed that this whole absurdity was happening at a time the Academic Staff Union of Universities (ASUU) and the Federal Government were yet to resolve issues between them, while Universities in Nigeria were yet to reopen for the new academic session. The Pro-Chancellor therefore cautioned that it is necessary not to compound the effort of the Federal Government and well-meaning Nigerians who are committed to arresting the incessant crises in our universities by the supervising Ministry of the Universities indulging in unnecessary Actions that could stoke the fire rather than stem it. He called on the Permanent Secretary to rescind the redeployment of Fayemi, because it is terribly in bad taste.

**NB: as at the time of writing this report, no communication has been received from the Ministry of Education on this matter.**

**235<sup>TH</sup> MEETING OF THE GOVERNING COUNCIL HELD DECEMBER 03, 2013.**



**At its 235<sup>th</sup> meeting held on December 03, 2013 the 14<sup>th</sup> Governing council deliberated on a number of issues as follows.**

1. Resumption of duty by Academic staff on the strike action

Council considered the communication from the National Universities Commission to the Pro-Chancellors and Chairmen of Council of all Federal Universities on strike. In so doing, Council directed the University Administration to implement the resumption of Academic activities.

2. Report and recommendations from the Ad-hoc Committee of Council on Government White paper on the Visitation Panel report into the affairs of the University (2004-2010)

Council considered paper CP235\09 which contained the report from its Ad-hoc committee on Government White Paper on the visitation panel report into the Affairs of the university (2004-2010).

Council noted that the bursary department is pivotal in ensuring that the University archives the aims and objectives of the Visitor In setting up the University as well as the Vision and Mission of Council.

Council noted from the report that the Visitor's Directives with regard to the Bursary were ignored and not carried out. Council was shocked at the level of impunity and disregard to the Visitor.

It also noted from another report placed before it that Council decision on the appointment of an independent Consultant to look into the Accounts of the University, to aid Council in its policy making and oversight functions, was also ignored.

Council adopted the report for implementation. In so doing, council decided that the Ad-Hoc Committee should transform into an implementation Committee.

Concerned about the lack of efficiency and lack of transparency in the bursary department and determined to put a stop to this, Council decided that the Bursar be suspended from duty with Immediate effect, for not complying with the directives of the Visitor and Council; and that the most

senior deputy Bursar in the Bursary Mr Emma Dim take charge immediately and do a status report of the financial situation of the University to the Council, report unusual movement of cash or funds to Council as well as ensure that a budget for 2013-2014 academic session with inputs from relevant organs of the university is prepared and presented to Council for Approval before the commencement of the next academic session.

Council directed the Registrar to immediately communicate the decision of Council to the university community and its relevant organs, while the Registrar and the acting bursar are to write all commercial banks and the CBN to inform them of the Council decision.

Furthermore, Council accepted the recommendation of the AD-Hoc committee as follows:

- (i) That the use of special Assistants, Development Officers, Communication Secretary, Special Advisers and any other similar official alien to the statute governing the University should stop with immediate effect. Those of them that are not regular staff of the university should be terminated.
- (ii) That the Registrar should inform the University Community, in writing that the use of special Assistant, Development Officer, Communication Secretary and any other similar official alien to the statute governing the University has been abolished.
- (iii) That the Bursar should stop the payment of salaries and allowances to all the special Assistants, Development Officers, Communication Secretary, special Advisers and any other similar official alien to the statute governing the University with Immediate effect. However, that they should be paid one month on compassionate grounds.
- (iv) That all appointments made by the university Administration in the Administration Cadre, including that of College of Medicine be reviewed from the date of the receipt of the Visitation Panel Report i.e. June, 2010. To this effect, Council directed that its Ad-Hoc Committee on the review of appointments made in the university after April 09, 2013 should carry out this review and report to Council within three (3) months.
- (v) That the University Management should ensure regular, constant and active channels of communication between the University Management and the University Community.

- (vi) That the Management should lift the ban on the student Unionism with Immediate effect.

3. Student colloquium

Council noted its earlier decision that a colloquium on student unionism should be organized for UNN Students prior to the election of Student Union Government for the 2013-2014 academic session in which many former Students Union leaders and activists in Nigeria, across generations of students shall actively participate. The essence of the colloquium is to ensure the restoration of a culture of credible Student Unionism in Nigerian Universities in general and in the University of Nigeria in particular. In view of the above, it further noted the programme of events for the colloquium to be organized by Council in partnership with the university Administration and National alumni association of UNN. The administration was mandated to incorporate the programme of the colloquium approved by Council with necessary adjustments as it prepares for the forthcoming 2013-2014 session.

In recognition of the strategic role of Governing Councils, University Management and Alumni Associations of Universities throughout the world as primary stake holders that must cooperate, be on one page and work in tandem for the growth and development of their respective Universities and supported in their work by endowments and grants from Government and philanthropy, the **14<sup>TH</sup> Governing Council of the University of Nigeria Nsukka is determined to ensure that all three organs are primed to fulfill their task and responsibility as first line critical stake holders for the growth and development of the University of Nigeria Nsukka.** This is still a work in progress.

To ensure best governance practices in our Universities and save our Universities from collapse, the integrity of Councils and the authority of the Visitor must be preserved if the functions of policy making and oversight by Councils are to be archived.

Yours faithfully,

Sgd

**Sir (Dr) Emeka Enejere**  
*Pro-Chancellor/Chairman*  
*Governing Council, UNN.*