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26th October, 2023.

The President and Commander-in-Chief
of the Armed Forces
His Excellency, Bola Ahmed Tinubu GCFR

Through the Chief of Staff
Rt. Hon. Femi Gbajabiamila
Aso Rock Villa
Abuja

Your Excellency Sir,

SUIT ON NON-EXECUTION/DIVERSION OF ECOLOGICAL FUND CONTRACT:
RE: 3.8 KILOMETER EROSION CONTROL AND ROAD IMPROVEMENT WORKS
ALONG ENUGU EKE- OGUI EKE - EKE MARKET-OBODO AMANKWO-OMA ROAD
PROJECT, UDI. L.G.A., ENUGU STATE.

We represent the Oma-Eke Community in Udi Local Government Area of Enugu State and its is on their instruction, authority and mandate that we present to you this report with regard to the above stated subject matter.

1. Following series of requests/representations to the Ecological Funds Office, Abuja by Oma-Eke people, the Fund, in 2019, awarded the above stated project to Flab Engineering Services Ltd. at the cost of N429,878,505.13 (Four hundred and twenty nine million, eight hundred and seventy eight thousand, five hundred and five naira, thirteen kobo).
2. When the community noticed that the project was not being executed/being diverted, they complained in writing to:

Teind
[Signature]
13/11/23
13/11/23

- a. The secretary to the Government of the Federation via a letter dated 06/11/2019 and received on 28/11/2019 (Annexed as Annexure A).
 - b. The Economic and Financial Crimes Commission (EFCC) via a letter dated 16th October, 2020 and received on 3/11/2020 (Annexure B)
 - c. The Independent Corrupt Practices and other Related Offences Commission (ICPC) via a letter dated 16th October, 2020 and received on 3/11/2020 (Annexure C).
 - d. Hon. The Attorney General the Federal via a letter dated 16th October, 2020 and received on 2/11/2020 (Annexure D).
3. When their complaints could not yield any positive result they filed a suit at the Federal High Court Enugu, against the contractor (Flab Engineering Services Ltd); the consultant (Eco Project Services Ltd); Permanent Secretary Ecological Funds Office and the Attorney General of the Federation in suit No FHC/EN/CS/59/2021 - Nze Christopher Onwumelu & 5 Ors. V Flab Engineering Services Ltd. & 3 Ors.
 4. While the matter was still in court intervention came between the community and the office of the Secretary to the Government of the Federation. In the intervention, the community requested that another of its requests, which the office acknowledged via a letter dated 27th January, 2020 (Annexure E) be awarded and executed in their community so that they can withdraw the suit. This, however, did not materialize.
 5. From the replies of the contractor and the consultant to the suit, it became obvious that it was the Permanent Secretary then, Dr. Habiba M. Lawal, that authorized the diversion of the project to places not mentioned in the contract award letter and the contract agreement.
 6. Based on the said replies, the community via a motion dated 28th June, 2023, and filed on 4th July, 2023, applied to join Dr. Habiba M. Lawal in the suit in her personal capacity so that she can state the source of her power to divert a contract duly awarded by the Tenders Board of the Ecological Funds Office. The motion is still pending before the Federal High Court, Enugu, and is yet to be heard.

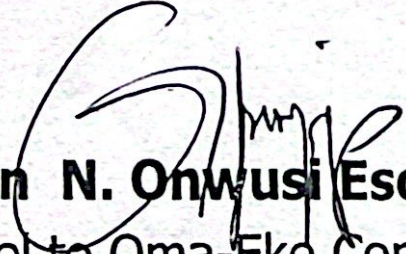
7. With the coming in of your very cherished and esteemed government and a new Secretary to the Government of the Federation, who oversees the Ecological Funds Office, the Community is minded to withdraw the suit, if the contractor is directed to go and execute the contract as contained in the letter of award and the contract agreement.
8. The community is equally minded to withdraw the suit if a new project is awarded or their request acknowledged by the Ecological Funds Office via annexure E is approved, awarded and executed in their community to address the ecological challenges that necessitated their requests to the Ecological Funds Office for intervention.
9. All that the community wants is an intervention that will address the ecological challenges in their community.

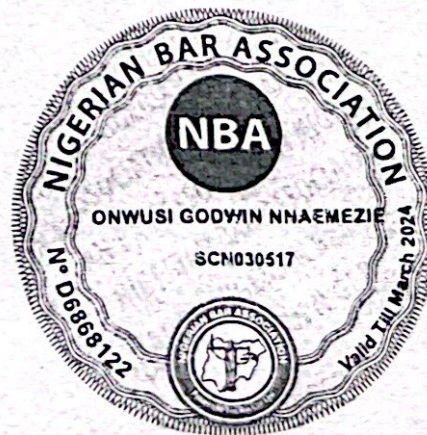
ACTION SOUGHT

Your Excellency Sir, it is the humble request of the Oma-Eke-Community in Udi L.G.A of Enugu State that you use your good offices to direct the contractor to go and execute the contract as awarded or direct that a new one be awarded and executed in the community.

It smacks of injustice for a contract awarded to be executed in their community to be diverted to other places not mentioned in the contract award letter and the contract agreement. Government has always encouraged communities to own and protect government projects awarded to be executed in their community. The Oma-Eke community may never have that opportunity again, if your Excellency fails to act in their favour.

Thank You, Your Excellency, and remain blessed.


Godwin N. Onwusi Esq. (B.Sc; MPA; LL.B, B.L)
(Counsel to Oma-Eke Community)





Ecological Fund Management Committee (EFMC)

Ecological Fund Office

Office of the Secretary to the Government of the Federation

THE PRESIDENCY

EF/EN/10/T²

27th January, 2020

HRH Igwe H.C. Onuoha

Ezeoha I of Eke

Traditional Ruler of Eke Town

Udi L.G.A.

Enugu State

**RE: PASSIONATE APPEAL TO SAVE OUR VILLAGE OMA-
EKE IN UDI LOCAL GOVERNMENT AREA OF ENUGU STATE
FROM BEING WASHED AWAY BY EROSION AS A RESULT
OF LACK OF GOOD ROAD AND DRAINAGES**

I am directed to acknowledge receipt of your letter dated 8th November 2019, on the above subject matter and to inform you that your request has been captured in Ecological Fund Office data bank for further necessary action.

2. Please, accept the Permanent Secretary's kind regards.

Engr. F.O. Okeke

Director (Soil Erosion and Flood Control Department)

for: Permanent Secretary