



FEDERAL MINISTRY OF SCIENCE AND TECHNOLOGY
Office of the Permanent Secretary

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P.M.B. 331, Abuja-Nigeria

14th May, 2020.

Dr. Folasade Yemi-Esan,
Head of Service of the Federation,
Office of the Head of Service of the Federation,
Federal Secretariat,
Abuja.



**RE: ALLEGATION OF ACTS OF SERIOUS MISCONDUCT IN MY FORMER POST OF
PERMANENT SECRETARY IN THE FEDERAL MINISTRY OF AGRICULTURE AND
RURAL DEVELOPMENT:**

RESPONSE TO PRELIMINARY LETTER/QUERY

I humbly acknowledge the receipt of your letter No. HCSF/PSO/AOD/P.030/58 dated 11th May, 2020 containing various allegations against me while serving in my position as the Permanent secretary Federal Ministry of Agriculture and Rural Development. While denying in totality all the allegations, I hereby forward my representations and response to all the false allegations contained in the query.

2. I am constrained to give details of the transactions I approved to set the record straight and clear my name. I will like state the following:
- i. that all transactions at the Ministry of Agriculture and Rural Development were approved through Administrative process and principles as traditioned in the conduct of Government business;
 - ii. that FMARD run a rolling budget year in year out as most projects are been captured as ongoing;



- iii. That all contracts/procurement and payments at the FMARD followed due process. There are procedures for contracts/procurement and payments handled by various departments in all government agencies, FMARD inclusive; and
 - iv. that my tenure as Permanent Secretary at FMARD commenced from **10th January, 2019 to 18th December, 2019** and hence cannot be held responsible or liable for actions prior to 10th January, 2019. Vide **Annexures I & II**
3. At this juncture, I will represent specific reaction to all the allegations against me in order of how the allegations were presented;

a. In reaction to **"2 a"**, I state that contractors were dully paid. The allegation of contractors not been paid is totally false. All contractors whose contract was captured in the 2018 budgetary allocation were paid in accordance to budgetary releases. However, contractors whose contracts are ongoing were rolled over as ongoing. Rollover capital projects are not new in contract management.

The contractual liability as at when I was leaving was not ~~N48,~~ 429,543,895.72. Here it should be noted that FMARD usually runs two budgets; that of the current year and the preceding year and, that most contracts of FMARD are continuous in nature and hence the necessity for contractual liabilities. Ministries that rollover Budget cannot escape having liabilities.

b. In reaction to **"2 b"**, I state that I have never directed or approved any form of virement during my tenure. The decision to make such payments was reached at management meeting presided over and approved by the current Minister of FMARD Alhaji Muhammed Sabo Nanono. This is now in agreement with my earlier assertion that most projects in FMARD are ongoing and the ministry runs two budget; the current year and the



preceding year. When funds are released Management will seat to decide implementation in line with the priorities.

- c. In reaction to "2 c" I will state that due process was followed to the latter in the purchase of the said building. The processes that were followed included the following which were all documented;
- i. Expression of interest to sale the property was forwarded by the company to the Hon. Minister (FMARD). Consequently, the building was inspected by Management and agreed to setup process for acquiring the building.
 - ii. A Committee of relevant Directors was set up to engage with the owners to ascertain their willingness to sell and validity of title of ownership. I was never a member of the said committee.
 - iii. The Federal Ministry of Works and Housing was written to give valuation/determine the price and conduct its integrity test which they did. Vide FMWH letter attached as **Annex III**.
 - iv. Thereafter, FMARD sent to Bureau for Public Procurement (BPP) to ascertain their own value and give letter of no objection. Vide copy of BPP Due Process Review Report and Certificate of No Objection attached as **Annexures IV & V**.
 - v. We wrote to Abuja Lands department AGIS, the branch of FCDA saddled with responsibility of ascertaining land title, land use and authenticity of ownership which they replied.
 - vi. We wrote Development Control, the FCDA branch saddled with responsibility of giving building plan approval and monitoring all building projects for conformity to standard, they replied (vide copy attached as **Annex VI**) us in the affirmative.
 - vii. After submission of recommendation to the Hon. Minister of Agriculture; He approved that Council Meme be made to that effect. We then sent the Memo to the Secretary to Government of the Federation who then scheduled it for Federal Executive Council Approval. Consequently, the Federal Executive Council



approved (vide Council Extract attached as **Annex VII**) the purchase of the building. Kindly note that we have been invited, interrogated and cleared by the EFCC and ICPC on this particular matter after glaring facts were presented to them.

4. It may interest you to know that as I left FMARD in December, 2019, MTB Met that same December 2019 and among the projects approved then includes:

- i. The remodeling and partitioning of new office complex
- ii. Procurement and installation of 1000KVA generator set
- iii. Fencing of new office complex and other related auxiliaries;
- iv. Procurement and Installation of ICT internet at the new office complex and,
- v. Procurement and Installation of Solar Energy in FMARD

5. The outlined 5 projects as per Para 4 (i – v) totaling ~~₦~~1,478,372,897.13 as approved vide **Extract of the said MTB December 2019** attached as **Annex VIII**. This approval was granted under the leadership of Alhaji Sabo Nanono and Dr. Mu'azu Abdulkadir being the current Hon. Minister and Permanent Secretary respectively. These are the same people alleging that the purchased office building was unfit for use.

6. It is worthy of note at this point that it is the current Permanent Secretary FMARD who is actually guilty of virement as since after the approval of the above contracts has refused to sign and release letters of award of contract to the respective contractors but instead diverted and vire the funds to other projects in his locality that were never part of the appropriation, neither advertised nor bided for. This is a case of unequivocal virement.

7. The projects in his locality that he awarded and executed in complete disregard for due process (vide copy attached as **Annex IX**) is estimated at over ~~₦~~3,000,000,000.00. For ease of reference, the twenty-seven (27) specific contracts he executed in his locality are asterisked in red ink as contained in Annex IX.



d. In reaction to "2 d" I will state in categorical terms that the award and approval of the procurement of the rigs was never awarded by me. I met the whole process ongoing as usual with FMARD projects.

e. In reaction to "2 e" I will like to state that the project of procurement of rigs was a project I met, the said project which is ongoing typical of government projects predated my assumption of office as the PS FMARD. It was a project initiated in 2016 (vide page 330 of copy of 2016 Appropriation attached as **Annex X**) and captured in the **2018 Appropriation Act, For the Supply, Installation & Commissioning of Water Rigs Nationwide**. Vide copy attached as **Annex XI**. I further state that none of the rigs was given to any individual under any sort of fraudulent arrangement. This accusation is entirely false and he who asserts should prove that I took any rig for myself. All the rigs were given to organizations and in strict compliance with government policy known as **Agro-Rural Water Supply Support Initiative (A-RUWASSI)**. This initiative was meant to operate as a PPP. FMARD had an exhaustive discussion with the Master Drillers Association on the need for this partnership; kindly refer to **Annex XII**.

7. Further to this, it is worthy of note as captured in **Annex XIII** herein, an approval was sort and granted in 2019 for the release of the rigs to the qualified companies who are all members of the Master Drillers. None of the listed names were individuals.

f. The allegations as contained in 'f i & ii' are baseless, completely concocted, unfounded, without facts, malicious and calculated to deceive.

i. In reaction to "f i" it is completely false that any monies of which the quoted figure is not known to me meant for emergency procurement of strategic grains was used to pay contractors. Kindly



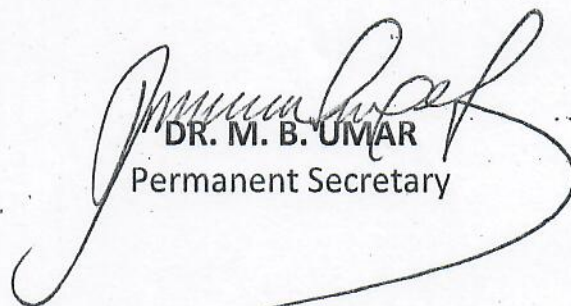
note that not a single contractor who participated in the supply of grains was not paid.

- ii. In reaction to "f ii". It is clear that the accuser has run out of what to say because he has clearly not said what I specifically did under this subparagraph. I will however state categorically that I met the RUGA Project on process and it was followed to the latter as approved by the Federal Executive Council. Here while the implementation was ongoing there was heated national reaction which culminated to Mr. President's directive to suspend the project. Thus I directed the Director of Procurement to issue letter to contractors to that effect. Vide sample attached as **Annex XIV**.

8. Ma, I by way of conclusion further state that I am not liable to any of the allegations contained there in the query. They are mere concoction based on malice for whatever reason best known to the perpetrators.

9. Having served in the Federal Civil Service for over Thirty-Five (35) years, I was never queried or found wanting but earned various commendation Awards and many indelible contribution to the Nation Building.

10. While thanking you for the opportunity given to me to make my representation, please accept the assurances of my loyalty always and pledge to continue to abide by the Public Service Rules.


DR. M. B. UMAR
Permanent Secretary