Still a Dicey Affair

Contributed by Tobs Agbaegbu
Saturday, 24 December 2011

A Yola High Court is yet to decide on the validity of the primary election in which Murtala Nyako, incumbent governor of Adamawa State, emerged as the People’s Democratic Party’s flag bearer in next year’s governorship election

The battle for the governorship ticket of the People’s Democratic Party, PDP, for next year’s governorship election in Adawawa State, is not yet over. The battle has rather shifted to the Federal High Court in Yola, capital of the state, where the matter received a mention last week. Umar Ardo, an aspirant to the exalted office, wants the election of Murtala Nyako, the governor, as PDP candidate for the election, declared null and void by the court. The fight for justice in the controversial governorship primary is being spearheaded on Ardo’s behalf by Fattude Magaji Kojoli, a member of the PDP from Jada local government area of Adamawa State. In a suit he filed at the Federal High Court, Yola, against Nyako, PDP and the Independent National Electoral Commission, INEC, he wants the court to declare that the party breached the procedure adopted to nominate the incumbent governor as candidate for next year’s governorship election. He also wants the court to rule that the procedure used in selecting Nyako was also in breach of section 222 of the Constitution of the Federal Republic of Nigeria, a breach of the PDP constitution and also not in accordance with INEC guidelines for the primary election. Through an action filed by Dipo Agbede Okpeseyi, SAN, on his behalf, Ardo also wants the high court to further declare that the procedure adopted by the PDP in the conduct of the special ward congress to elect the Ad-Hoc Delegates that participated in the gubernatorial primary of the party, on Monday, October 24, denied him his right to be nominated the candidate of the party for the election next year. In consideration of the alleged breaches, he brought before the court, Ardo wants a declaration by the court that the said nomination of Nyako for the gubernatorial election in Adamawa State is invalid and void. Additionally too, he prayed the court to further declare that there is no validly nominated candidate of the party for the election, at present. Consequently, he wants the court to issue two orders. First, restraining INEC,from using, and, or acting on the result declared by the PDP at its gubernatorial primary held in Yola, Adamawa State, on October 24, where Nyako was nominated the candidate of the party for the election next year. Secondly, he requested the court to issue “an order directing the second defendant (PDP) to forthwith conduct a fresh gubernatorial primary for the nomination of its candidate for the 2012 gubernatorial election in Adamawa State in accordance with the Constitution of the Federal Republic of Nigeria, 1999(as amended); and the electoral guidelines for primary elections 2010 of the People’s Democratic Party.” Ardo said it was clear from what transpired during the nomination process that the party wanted Nyako to emerge. He explained to Newswatch how he was cheated out, after he bought his nomination form for the primary as required by the party, and proceeded to complete and submit same form on October 14, 2011. He said he was later screened by the PDP Screening Committee and cleared for the primary but he said he was later cheated out when many of his supporters were refused membership revalidation in the election of three Ward Ad-Hoc Delegates, which is mandatory and a condition precedent for the conduct of a valid gubernatorial primary election. If the court grants Ardo’s request, Nyako’s election as the candidate of the party will be voided. That will pave way for a new primary election which will provide a level playing ground for all aspirants to contest the primary, including Ardo. He believes that will be the only way for him to get justice. Newswatch learnt that the governor has already instructed his lawyers to enter appearance in the matter. The governor has also gone ahead to begin campaigns for his re-election in the state.