

Analysis of the Issues in the Settlement of Compensation Claims for Revoked Rights of Occupancy in Anambra State

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ABSTRACT

Compulsory land acquisition is the power of the government to acquire private rights in land without the consent of its owner or occupant in order to benefit the society in exchange for compensation payment. Land acquisition evolved as a result of the invaluable nature of land and the important role it plays in the socio-economic development of a country. The aim of this study is to identify the issues in the compulsory land acquisition, revocation and compensation payment in Anambra State with a view to proffering lasting solutions to the compensation settlement challenges in the State. The objectives of the study are; to identify the methods of valuation that could lead to adequacy of compensation payments in Anambra State, determine the reasons for delayed compensation payment in Anambra State, investigate the drivers and barriers during revocation, acquisition and compensation payment in Anambra State, analyze ways to improve inadequacy of revocation, acquisition and compensation payment in Anambra State. The population of this study was randomly drawn from adult male representatives of the host communities who were in leadership positions in the communities who were affected by the revoked right of occupancy. Such communities include; Eriato Community in Igbakwu, Millennium City Layout Awka and Ovunu Layout Amawbia representatives including Estate Surveyors and Valuers in Ministry of Lands, Awka and Registered Estate firms in Anambra State. The population was obtained from the field. The total population of the study was 105 distributed among the various host communities and professionals. The sample size of the study was 131. Total population sampling was adopted for this study. Systematic random sampling method was adopted in obtaining data from the respondents. A descriptive Statistical technique was used to measure mean score variances. Standard deviation was adopted to classify descriptive results and was presented in the form of tables and descriptions. The study revealed that bureaucratic administrative malfeasance was a major driver to delayed compensation payment in Anambra State. While a relatively higher proportion of the respondents considered resistance to acquisition caused by lack of sensitization of local communities as a major barrier to compensation payments, a slightly lower but significant proportion of them were uncertain about it. The study also revealed that the majority of the respondents was of the view that seminars and workshops may not be a feasible measure to address delays in compensation payment in Anambra State. Local communities would be a viable measure to address delay in compensation payments, as such would give them a sense of belonging and patriotism to the acquiring authorities. Minimizing bureaucratic systems of delays in settlement of claims would be a viable measure to address delays in compensation payment in Anambra State.

Keywords: Analysis, Settlement, Compensation, Revoked Rights of Occupancy

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I. INTRODUCTION

In Nigeria, acquisition and compensation for interest in landed property is statutorily controlled by the provisions of the Land Use Act (1978). In this study, various interests compulsorily acquired will be looked into; the compensation paid for these interests will be examined to determine its adequacy. In the payment of compensation, time factor will also be considered to determine the effect of inflation on the amount payable, using interest rate as a parameter. This study will examine the evolution and formation of acquisition laws in Nigeria with a detailed examination of the Land Use Act of 1978.

The powers of the Governor to acquire land are sourced from the Land Use Act. It states that, it shall be lawful for the Executive Governor of a state to revoke a right of occupancy for overriding public interests (Section 28)(1) of the Land Use Act 1978). The Overriding public interest could be for mining purposes, Road construction, Agricultural, Residential, Commercial, Industrial and other purposes. This is because all land comprising the territory of each State in Nigeria are vested in the Governor of that State who is the Chief Land Officer and as such, shall be held in trust for the citizens.

The right of every Nigeria to own a piece of land in any part of the country is therefore subject to the interest of the Governor and it shall be unlawful for the holder of a statutory right of occupancy granted by the Governor to alienate his right of occupancy or any part thereof by assignment, mortgage, transfer of possession or sublease or otherwise without first obtaining the consent of the Governor.

It is said that land is the most valuable asset owned by man and the loss of its ownership cannot be easily forgotten by mere pat on the back. In Nigeria, there is a somewhat battle line between the acquiring body (Government) and the Community/Owners (Natives) of the land even in a situation where the land owners donated their right and interest to the government for acquisition. Recently, there have been issues of compensation payment between the Anambra state government and the affected Communities (Natives) of the state.

The purpose of this study is to basically ascertain a workable and effective practice and find a lasting solution to the issues /conflicts of acquisition and compensation payment in Nigeria.

When monetary compensations are not paid, the traditional land owners see the land as still theirs since compensation was not fully paid or not paid at all which could be the fault of the Government or the Attorney representing the Community. Because of this, they resist the Contractors/ allottees of the land from entering into the land since the government, on their part, did not keep to the terms of the acquisition. This is ongoing at Eriato Community in Igbakwu, Millennium City Layout Awka and Ovunu Layout (Amawbia).

This not- withstanding, the power of eminent domain makes it possible for the government to revoke and acquire land for overriding public interest based on the fact that the Land Use Act entrust all the land in a state to the Governor of that state who is the chief land administrator of his state (Land Use Act section 28 (1)).

There is no doubt that compulsory land acquisition and its compensation payment is a critical area of concern to Nigerians in recent times. The issue of compulsory acquisition of land and payment of compensation arises as a result of the government's need of land for the purposes of overriding public interest, to decongest a city or for development/civilization.

Umeh (2007) stated that the 36 States Governors in Nigeria have become the 36 super landowners in Nigeria. The Governor of a state may also revoke a Statutory Right of Occupancy on registered documents if the terms and conditions of the certificate of occupancy were breached.

Compulsory acquisition is defined by Egwuatu (2008) as mass expropriation of rights and interests in land by the government or through any of its agencies mostly for public purposes and for which monetary entitlement by way of compensation is paid to the affected individuals, communities, families or organizations. Similarly, Umeh (1973) observed that irrespective of whether or not it is sugar coated with palatable terminology such as "Compulsory purchase", land acquisition is essentially the coercive taking of private lands (individuals or communal) or estates and interests in those lands for public purposes.

Thus, land acquisition has a redistributive effect on the land ownership pattern in the country. In most cases, this redistribution leads to an increase in the quantum of state land which most of the times are not for the overriding interest of the public and at the expense of the private landowners.

The purpose of this study is to find a lasting solution to the issues /conflicts associated with compensation payment.

The introduction of the Land Use Act of 1978 has made land easily accessible to the government for various projects through land acquisition for overriding public interest. On the contrary, land owners experience lots of problems during land acquisition such as; poor sensitization, inadequate compensation and delay in payment of compensation. This work tends to look at the challenges encountered by land owners during land acquisition and how to proffer possible and lasting solutions to ameliorate these challenges.

The issues with the practice of compulsory land acquisition, revocation and compensation payment are not new in Anambra State but also to the human society at large. The issues arose because land is assumed as the most valuable asset to an individual, family or community and the loss of it cannot be redressed by cash payment (Compensation). Whenever the issues of land acquisition arise; people, properties, and businesses are displaced but the Government has no option but to acquire land because there is no readily available land at the requisite location and size at any given time for the Government.

Most times, compensation payable to the affected persons (victims) of land acquisition in most cases may not be paid and when paid, may not be adequate to the land acquired. The Anambra State Government in most cases did not pay adequate and prompt compensation nor pay at all even while the land had been acquired, revocation notice served and the land allocated to allottees. The purpose of this study is to basically ascertain a workable and effective practice and find a lasting solution to the issues /conflicts associated with acquisition, revocation and compensation payment in Nigeria.

II. LITERATURE REVIEW

Concept of Land Acquisition

Acquisition of land came into existence as a result of the increasing need of land for the provision of Roads, Schools, Drainages, Hospitals, Courts, Offices etc, by the Colonial Government. Acquisition can be seen as the act or process of transferring something valuable from one person to the other. Land Acquisition is the process whereby a person is compelled by the Government to alienate all or part of the land he/she owns or possesses to the ownership and possession of the Government for public purpose in return for the payment of compensation. The acquisition of land could be said to be central to the existence, comfort and well-being of man. As stated above, it has been a subject of interest, anxiety, dispute, quarrel and wars in the country.

In the view of Egwuatu (2008), Compulsory Acquisition and Compensation imply the expropriation of right and interest in Land by Government itself or through any of its agencies mostly for public interests and for which monetary entitlement is paid to the affected individuals, communities, families or organizations.

Historically, Umeh (1973, 2009) maintained that Compulsory Acquisition of land in Nigeria can be traced to the pre-colonial era though Compulsory Acquisition was not really felt during the early days of the colonial administration. However, various interests on land in the country can be acquired in the following ways:

(a) Private Treaty (Mutual agreement). Here land is transferred on the terms, conditions and consideration agreed by the owner and the acquiring authority or the land transferred through the gift/donation by the owner(s).

(b) Compulsory Acquisition (For Overriding Public Interest). Here the acquisition arises as a result of the Government need of land which is being taken up without the owner being allowed to exercise the ownership right of saying "NO or YES" to the Government's intention (s).

Concept of Land Ownership

The most comprehensive of relations that may exist in land is expressed in the notion of ownership. Ownership connotes the totality of right and powers that are capable of being exercised over a thing. Ownership could also be defined as a state of owning a thing or a right of possession, a right to decide to use a thing without permission granted from any superior person(s). Omotola, (1985) sees ownership as "the collection of right to use and enjoy property, including the right to transmit it to others, the right to possess and use anything to the exclusion of others".

Udoh, (2003) defined ownership as "the right to the exclusive enjoyment of a thing. This right may be absolute in the sense that the owner may deal with the property as he likes, It may alternatively, be restricted as in the case of joint ownership". In the same manner, Nwabueze (1972) stated that 'ownership implies the fullest amplitude of rights of enjoyment, management and disposal over property'. This means that the owner's title to these rights were superior and paramount over any other rights that may exist in the land in favour of other persons.

With the promulgation of the Land Use Act in 1978, "all land comprising the territory of each state in the federation are vested in the state Governor and such land shall be held in trust and administered for the use and common benefits of all Nigerians". Also, all that land within the local government areas are vested on the Local Government Chairman.

Olawoye (1982), stated that "by this Act, the previous owners, communities, families or individuals are divested of the ownership of their land, whether occupied or unoccupied". The Act allows citizens to hold an interest called a "Right of Occupancy" which may be statutory or customary. Therefore, the land itself is incapable of being owned but the right of occupancy can be owned.

However, the fact remains that ownership of land is modified from Absolute ownership (Freehold) to Right of Occupancy (lease). The implication is the degree of control one has on a particular thing. In other words, from the provision of the Land Use Act, it can be said that all land in the Country is owned by the Government, since they decide to what use the land will be put at any point in time. But with the Right of Occupancy given to citizens of Nigeria through purchase of land, it is expected that they should be entitled to some level of control in matters relating to land.

Compensation

Compensation payment is an integral aspect of this topic. If there is no compensation payment in the acquisition process, the acquisition is said to be incomplete. Akujuru, (2005), stated that "compensation simply means to place in the hands of the owner expropriated the full money equivalent of the thing of which he has been deprived. Compensation prima facie means recompense for loss, and when an owner is to receive compensation for being deprived of real or personal property loss must be ascertained by determining the value to him of the property taken from him. It cannot be less than the money value into which he might have converted his property had the law not deprived him of it. You do not give him any enhanced value that may attach to his property because it has been compulsorily acquired by the governmental authority for its purposes. Equally you exclude any diminution of the value arising from the same cause. The hypothesis upon which the inquiry into value must

proceed, is that the owner had not been deprived by the exercise of compulsory powers of his ownership and of his consequent rights of disposition existing under the general law at the time of acquisition”.

Davies, (1975) in the case of *Horn V Sunderland Corporation* in London. Here a particular piece of land is acquired in its entirety, (meaning that what the land owner loses in land, the value he must get back to the equivalent amount in money). The monetary value of the property acquired worth Ten thousand N10, 000 and the claimant also received N10, 000.

It is generally believed that compensation should be a measure of the loss suffered by a person whose interest on land has been compulsorily acquired. Onuorah, (2005) called this measure Open Market Value. Open Market value is “The estimated amount for which a property should exchange hands on the date of the valuation between a willing buyer and seller at an arm’s length transaction after proper marketing wherein the parties had each acted knowledgeably, prudently, and without compulsion”.

According to Sonoiki, (1978) “The right to compensation for any property acquired (voluntarily or compulsorily) is a basic proprietary and human right particularly where such acquisition is compulsory, an owner is entitled to no more and no less than of that at which he is being deprived. This principle is long established in the English legal system under the decision in the case of *Harvey V Crawley Development Corporation*, see also case of *Horn V Sunderland Corporation*”, where it was stated that the compensation must reflect the value and the circumstance of the person who is compelled to sell.

Compensation Under the Public Land Acquisition

Uduehi (1987) defined compensation to mean “The amount paid for his land to a claimant by an acquiring authority which puts the claimant in the same position as he was immediately before the acquisition”.

Basic rules for assessing compensation under the Public Lands Acquisition Law of the Federation of Nigeria are that;

(a) No allowance was to be made for the fact that the acquisition was compulsory. The claimant was not expected to be paid an inducement for surrendering his land interest.

(b) The value of the land was usually taken as the amount which the land would fetch if sold in the open market by a willing seller to a willing buyer considering all the underlying economic factors. This means that compensation was based on the best value the property could fetch as at the date of the acquisition.

(c) The special suitability or adaptability of the land for any purpose was not taken into account if that purpose was deprived from obligation imposed by statutory powers for which there was no market apart from the particular needs of a special purchaser.

(d) If the value of land was increased by unlawful use or for any use detrimental to health, that increase was to be ignored.

(e) By the rule of equivalent reinstatement, the principle behind compensation was to put the claimant in the position in which he had been when his land was acquired no more no less.

(f) In certain cases, compensation was limited to equivalent reinstatement, especially where the land was devoted to a purpose having no general demand or market for land. Section 15(b), of the Public Lands Acquisition Act, 1917 which strongly supported the above had earlier been replaced by a new definition in section 17 of the public Lands Acquisition (miscellaneous provisions) Decree 1976 and transferred the powers of the High Court in compensation matters to a new Lands Tribunal to be established in each state of the Federation section (18).

Uduehi, (1987) It is also important to note that this Act enforces acquiring Authorities to pay compensation for any land rendered useless on the event of acquisition of one part of the land through intersection of a road or any kind (injurious affection).

Under this Act, it is obligatory for the acquiring authority to publish acquisition notice for at least six weeks before the acquisition takes place. During the preliminary works or survey of the site to be acquired, adequate care is taken not to cause unreasonable damage to the properties of the owner or the occupier because adequate compensation must be paid both to damage caused during the preliminary stage and to the properties acquired. According to Uduehi, (1987,9), During the preliminary survey of Oboh’s plantation, the acquiring authority destroyed 20 rubber trees, 25 orange trees, a stretch of boundary fence and 40 banana trees. Oboh is therefore entitled to compensation as stated below (based on the State or Federal Government rates of compensation for crops) apart from the compensation that might have been payable for his interest when the land was finally acquired.

Compensation

20 mature rubber trees at	3.00	60.00
15 mature orange trees at	20.00	300.00
40 mature banana trees at Stretch of fence (lump sum)	2.00	80.00
		Say: <u>200.00</u>
		<u>₦640.00</u>

Source: Uduehi, 1987.

In 1976, this Act was replaced by The Public Lands Acquisition (Miscellaneous Provisions) Decree 1976. By this, all cases on land matters were to be referred to the Lands Tribunal to be established in all the States. As regards compensation to be paid on properties, Lands in the country were zoned as follows:-

Federal Territory and State Capital lands will attract a maximum of N7,500 per Hectare, Industrial and Commercial Urban Center lands will receive N3,750, Other Urban and Semi- Urban Centers will be paid N1,500 while other areas will be paid N1,250. Others not included above will be paid according to Customs and Land Tenure Law applicable in the State.

It changed the method of valuing a developed property from open market value basis to replacement cost of the building approach.

It allowed compensation in lieu of resettlement of displaced persons to be offset against cost of replacement.

Public Lands Acquisition (Miscellaneous Provision) Decree No. 33 of 1976

Section 4, of this decree provides that Compensation for a developed land shall be limited to the current Replacement Cost of the building or structure on the land. Compensation payable in any other case shall be limited to such amount as may be determined to be reasonable by the appropriate officer or the land tribunal. While compensation for land was zoned and fixed by the schedule to the decree, Section 18 provided that the Jurisdiction of the High Court of a state is excluded from the operation of the Decree.

Compensation and Basis under the Act in Anambra State

The powers of the Governor to acquire land are sourced from the Land Use Act. It states that, it shall be lawful for the Executive Governor of a State to revoke a right of occupancy for overriding public interest Section 28(1) of the Land Use Act (1978). This overriding public interest could be for Mining, Road construction, Agricultural, Residential, Commercial, Industrial and other purposes. This is because all land comprising the territory of each State in Nigeria are vested in the Governor of that State and as such, shall be held in trust and administered for the use and common benefit of all Nigerians. The right of every Nigerian to own a piece of land in any part of the country is therefore subject to the interest of the Governor and it shall be unlawful for the holder of a statutory right of occupancy granted by the Governor to alienate his right of occupancy or any part thereof by assignment, mortgage, transfer of possession or sublease or otherwise without first obtaining the consent of the Governor.

It is said that land is the most valuable asset owned by man and the loss of its ownership cannot be easily forgotten by mere pat on the back. In Nigeria, there is a somewhat battle line between the acquiring body (the government) and the community land stakeholders even in a situation where the land owners donated their land to the Government for acquisition for the purposes of developing their community.

When monetary compensations are not paid, the traditional land owners presume the land as still theirs since compensation was not fully paid or not paid at all which could be the fault of the Government or the Attorney representing the community. As a result of this, they resist the Contractors/ Allottees of the land from entering into the land since the government on their part didn't keep to the terms of the acquisition. This is ongoing at Eriato Community in Anyamelum L.G.A, Awka Millennium Layout in Awka South L.G.A, Eziagulu Omambala and Umueze Igboezunu Communities Aguleri in Anambra East L.G.A of Anambra State.

That notwithstanding, the power of eminent domain makes it possible for the Government to revoke and acquire land for overriding public interest based on the fact that the land Use Act entrust all the land in a State to the Governor of that State who is the Chief Land Administrator or Custodians of his State (Land Use Act section 28 (1)).

There is no doubt that compulsory land acquisition and its compensation payment is a critical area of concern to Nigerians in recent times. The issue of compulsory acquisition of land and payment of monetary compensation arises as a result of urgent need of land by the Governments for the purposes of overriding public interest either to decongest a city or for development/civilization.

The main features of this Act as it relates to the compensation of the heads of Claims under Section 29(4) of the Land Use Decree of 1978 now Land Use Act, stipulates that compensation shall be calculated as follows:

1. **Land:** That Compensation for land is an amount equal to the rent, if any, paid by the occupier during the year in which the right of occupancy was revoked. That is, the ground rent paid for the year of revocation (if any). The rent paid prior to the revocation exercise does not count.
2. **Building, Installations or Improvement Thereon:** The compensation payable in building, installations or improvements is the amount for the replacement cost of the building, installations or improvements. That is, such costs may be assessed on the basis of the prescribed method of assessment as determined by the appropriate officer less any depreciation, together with the interest rate in the bank for delayed payment of the compensation. However, the improvement being calculated is the unexhausted term of the improvement.
3. **Economic Trees and Crops on Land:** Crop on land apart from any building, installation or improvement thereon shall be compensated for an amount equal to the value as prescribed and determined by the appropriate officer. There is an approved fee for the economic crops and trees for the three geographical zones in Nigeria.
4. **Revocation of Rights of Occupancy/Payment of Compensation:** The compulsory acquisition notice, which the Land Use Act refers to as Revocation of Right of Occupancy, is the starting point for any land acquisition. Specifically, land could be required by the State, Federal or Local Government for public purposes for the establishment of diverse/specific uses.

However, the appropriate authority or agency (in this case, the Land Officer in Ministry of Lands),

- a. Scouts for land
- b. Goes into negotiation with the customary land owners
- c. Requests for a perimeter Survey of the proposed land for acquisition.
- d. Prepares and sends the notice of revocation order to the Governor for His approval/ execution.

The revocation order could be approved, amended or rejected by the Governor. If approved, the acquiring authority (Ministry) sends the Notice of Revocation of Right of Occupancy to the land owners/community. Nonetheless, it is only the Governor that has the power under Section 28 of the Land Use Act to revoke right of occupancy be it statutory or customary after which the compensation due will be computed in line with the provisions of the law.

Claimants Perception and Issues of Land Acquisition and Compensation

It has earlier been stated that claimants are those individuals whose land/interest on land has been revoked by the government for overriding public interest. Perception on the other hand as defined by the Oxford Advanced Learner's Dictionary of Current English is "the process by which we become aware of changes (through the sense of sight, hearing, etc.); act or power of perceiving". From this definition, it is obvious that the process of land administration and management will play a vital role in restoring peace and harmony in our society. Land administration and management means direction, control and supervision of interests in land with the aim of securing the optimum return which need not always be financial but may be in terms of social benefits, status, prestige, political power or group of related goals. Administration ordinarily depicts the activities of directing and controlling the use of ownership rights by a person or body of persons who have no ownership relationship with the subject of administration.

Land administration covers a wide range of activities such as physical planning, development control, estate management, and enactments regulating land tenure and transaction etc.

An effective land administration by the government will create room for effective land allocation and control over land development. When land allocation is carefully done it will go a long way to checkmate issuance of appropriate title documents to rightful owners and avoid controversies in the land.

Land has been acclaimed to be a good base for taxation thus a sound land administration will help to generate heavy income for the government. It is important to note here that before the creation of the state in 1991 that it was believed that some states like Lagos, Anambra, etc. depended so much on tax and rates generated from land and investments on land. For example, it was said then that the money generated from Onitsha main market alone went a long way in offsetting government expenditure in the then Anambra State.

As it is now, Land acquisition, allocation and document perfection are the major revenue generation windows in the State and not as it were.

Effect of Land Acquisition and Compensation on Land Administration

Nigerian land ownership desire can be fulfilled with the ability to exercise ownership rights to the exclusion of others. In as much as ownership is established over a piece of land, improper land acquisition process, non-payment or inadequate compensation will impact on land administration. In acquisition by private treaty, there is an agreement between two parties (say Mr. A the land owner and Mr. B the buyer or acquiring agent) thus there is no problem in the administration unless where a man dies without proper statement as regards his will. However, under Compulsory acquisition and Compensation, in as much the relevant laws give the property owner/claimants prompt payment of compensation, the provisions of the Land Use Act Cap 202 LFN of 1990

does not offer a fair compensation and this adversely affects the perception of the claimants.

Furthermore, the sudden changes in government policies, inadequate compensation/where compensation money is not enough to go round the claimants, unfaithfulness to proposed purpose of acquisition, non-continuity and abandonment of government projects, weighs so much on the people and this causes lots of confusion, problem, dispute, distrust and riots among youth and communities in general.

III. METHODOLOGY

The field survey design is considered appropriate for this study because it is amenable to situations where facts or data must be collected from respondents scattered in different locations, and data collected from a sample of the target population will be used to predict certain characteristics of the population. A descriptive Statistical technique was used to measure mean score variances. Standard deviation was adopted to classify descriptive results and was presented in the form of tables and descriptions. The population of the study is made up of Eriato Community in Igbakwu, Millennium City Layout Awka and Ovunu Layout Amawbia representatives including Estate Surveyors and Valuers in Ministry of Lands, Awka and Registered Estate firms in Anambra State. The population was obtained from the field. The total population of the study is 105 distributed among the various host communities and professionals.

IV. RESULTS

Table 4.1: *Respondents Ratings on the Methods of Valuation that could lead to Adequacy of Compensation Payments*

Statements	Strongly Disagree	Disagree	Uncertain	Agree	Strongly Agree	Total
Replacement Cost Method	15 11.8%	12 9.4%	29 22.8%	45 35.4%	44 34.6%	127 100.0%
Sales Comparison Method	12 9.4%	27 21.3%	12 9.4%	40 31.5%	36 28.3%	127 100.0%
Investment Method	14 11.0%	16 12.6%	25 19.7%	40 31.5%	34 26.8%	127 100.0%
Residual Method	14 11.0%	36 28.3%	12 9.4%	27 21.3%	20 15.7%	127 100.0%
Discounted Cash flow Method	25 19.7%	31 24.4%	23 18.1%	36 28.3%	12 9.4%	127 100.0%

Data analysis as presented in table 4.1 revealed that on the first item “Replacement Cost Method”, the greater proportions the highest proportion (35.4%) of the respondents agreed, while (34.6%) of the respondents strongly agreed that to it as a method of valuation that could lead to adequacy of compensation payments. On the second item “Sales Comparison Method”, the majority (31.5%) of them ticked the option “agree”, while about a quarter proportion (28.3%) of them ticked to the option “strongly agree”. On the third item, (i.e. Investment Method), (31.5%) of the respondents agreed, while (26.8%) of the respondents went for the option “Strongly agree”. For the fourth item “Residual Method”, (21.3%) of the respondents equally ticked the option “agree”, which about a quarter proportion (28.3%) of them went for the option “disagree”. On the fifth item (i.e., Discounted Cash flow Method), the highest response was observed among 28.3% of the respondents who ticked to the option “agree”. This was followed by 9.4% of them who went for the option “strongly agree”.

Table 4.2: *Respondents Ratings on the Reasons for Delayed Compensation Payment*

Statements/Items	Strongly Disagree	Disagree	Uncertain	Agree	Strongly Agree	Total
- Non adherence to policies	26 20.5%	12 9.4%	13 10.2%	36 28.3%	40 31.5%	127 100.0%
- Rejection of the compensation amount by the Land owners/ natives	15 11.8%	11 8.7%	24 18.9%	41 32.3%	36 28.3%	127 100.0%
	9	24	30	40	24	127

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- The Attorney issue whereby the claimants/ land owners debate whose account the compensation due will be paid.	7.1%	18.9%	23.6%	31.5%	18.9%	100.0%
- The predetermination of the quantum of compensation sums by the acquiring authority prior to the completion of the assessment.	12 9.4%	26 20.5%	12 9.4%	38 29.9%	39 30.7%	127 100.0%
- Hostility of land owners during the enumeration exercise	17 13.4%	16 12.6%	12 9.4%	46 36.2%	36 28.3%	127 100.0%

Table 4.2 contains item by item descriptive analysis on the identified reasons for delayed compensation payment in Anambra State. On the first item, the highest proportion (31.5%) of the respondents ‘strongly agreed’ on lack of policies on compensation payment, a major reason for delayed compensation in Anambra State. This was equally followed by 28.3% of them who ticked the option “agree”. On the second item, the highest response among 32.3% of the respondents who went for the option “Agree” and equally followed by 28.3% of those who went for the option “strongly agree”. This implies that the respondents were in agreement that the predetermined rates for unexhausted improvements and its method of application was a major reason for delayed compensation in Anambra State. On the third item, the highest proportion (31.5%) of the respondents “agreed” with the view that loss of use of land was a major reason for delayed compensation payment in Anambra State. However, about a quarter proportion (23.6%) of them were uncertain about this, which implies that it may not certainly be true in some occasions that loss of use of land is a major reason for delayed compensation payment in Anambra State. On the fourth item, the highest proportion (30.7%) of the respondents went for the option “strongly agree”, while another slightly similar proportion (29.9%) of them went for the option “agree”. Cumulatively, it could be deduced that the greater proportions of the respondents were affirmative in relation to the view that the predetermination of the quantum of compensation sum by the acquiring authority prior to the completion of the assessment, was a major reason for delayed compensation payment in Anambra State. For the fifth item, data analysis showed that the highest proportions (36.2%) of the respondents ‘agreed’ that hostility of land owners during enumeration exercise is a major reason for delayed compensation payment in Anambra State. This was followed by 28.3% of them who ‘strongly agreed’ that such is the case. In the overall, it could be deduced that the majority of the respondents were in affirmation that delays in compensation payment was associated with hostility of land owners during enumeration exercise.

Table 4.3: *Respondents’ Ratings on the Drivers and Barriers during Revocation, Acquisition and Compensation Payment*

Statements/Items	Strongly Disagree	Disagree	Uncertain	Agree	Strongly Agree	Total
1. Bureaucratic administrative malfeasance caused by the personnel of the State	12 9.4%	11 8.7%	24 18.9%	39 30.7%	41 32.3%	127 100.0%
2. Resistance to acquisition caused by lack of sensitization of the local communities on the intention of the acquiring authority and their possible benefit from the project	16 12.6%	12 9.4%	32 25.2%	39 30.7%	28 22.0%	127 100.0%
3. Disputed claims caused by individuals with no claims will impersonate crop/land owners in their absence	36 28.3%	14 11.0%	39 30.7%	26 20.5%	12 9.4%	127 100.0%
4. Non adherence to the approved method of valuation	12 9.4%	15 11.8%	40 31.5%	36 28.3%	24 18.9%	127 100.0%
5. Violation of the basic principle of valuation which does not stand to give the claimants the actual value of their improvements	23 18.1%	20 15.7%	23 18.1%	25 19.7%	36 28.3%	127 100.0%

Results of the item-by-item analysis as presented in table 4.3 revealed that for the first item, the largest proportion (32.3%) of the respondents ‘strongly agreed’ with the view that bureaucratic administrative malfeasance was a major driver to delayed compensation payment in Anambra State. This was followed by 30.7% of them who went for the option ‘agree’. On the second item, the highest proportion (30.7%) of the respondents ticket to the option ‘agree’, while about a quarter proportion (25.2%) of them went for the option ‘uncertain’. These findings imply that while a relatively higher proportion of the respondents’ considered resistance to

acquisition caused by lack of mobilization of local communities as a major barrier to compensation payments, a slightly lower but significant proportion of them were uncertain about it. For the third item, the greater proportion (30.7%) of the respondents were ‘uncertain’ in relation to the view that delays in compensation payment are posed by disputed claims caused by individuals who impersonate land owners in their absence. This was equally followed by 28.3% of them who ‘strongly disagreed’ with such a view. These findings imply that the respondents did not consider disputed claims caused by individuals who impersonate land owners in their absence, as a major driver to delayed compensation payment in Anambra State. On the fourth item, the highest proportion (31.5%) of the respondents ticked the option ‘uncertain’ – implying that they were uncertain if outdated method of assessment was a driver to delayed compensation payment in Anambra State. However, only about a quarter proportion (28.3%) of them ticked the option ‘agree’, which implied that they considered outdated methods of assessment as a driver to delayed compensation payment in some situations. On the fifth item, the largest proportion (28.3%) of the respondents went for the option ‘strongly agree’, which is an indication that they considered the violation of basic principles of valuation as a driver to delayed compensation payment in Anambra State. This was equally followed by 19.7% of them who ticked the option ‘agree’.

Table 4.4: *Respondents Ratings on ways to Improve Inadequacy of Revocation, Acquisition and Compensation Payment*

Statements/Items	Strongly Disagree	Disagree	Uncertain	Agree	Strongly Agree	Total
- Organize seminars and workshops so as to educate, train and acquaint all officers or personnel responsible for implementation of land policies of their responsibilities	36 28.3%	46 36.2%	12 9.4%	21 16.5%	12 9.4%	127 100.0%
- The local communities should be sufficiently educated so as to enable them demonstrate a sense of belonging and patriotism to the acquiring authority	24 18.9%	12 9.4%	37 29.1%	18 14.2%	36 28.3%	127 100.0%
- Proper investigation, planning and budgeting to determine a fair opinion of the type of damages a proposed acquisition may involve in a location be formed prior to actual acquisition	17 13.4%	38 29.9%	24 18.9%	36 28.3%	12 9.4%	127 100.0%
- Bureaucratic system of delaying settlement of claims should be drastically minimized to dispose land owners even though it offers no complete satisfaction for their losses	28 22.0%	12 9.4%	12 9.4%	51 40.2%	24 18.9%	127 100.0%
- The best approaches for determining the value of a property where there are evidences of annually accrued income is by investment method	13 10.2%	14 11.0%	28 22.0%	24 18.9%	48 37.8%	127 100.0%
- Replacement cost method is best ideal for properties that do not generate or command income.	28 22.0%	23 18.1%	12 9.4%	40 31.5%	24 18.9%	127 100.0%
- Approved rates for economic trees and crops should be used as well as the method of valuation approved by the Land Use Act in the computation of the compensation.	36 28.3%	17 13.4%	22 17.3%	16 12.6%	36 28.3%	127 100.0%

As contained in table 4.4, the item-by-item descriptive analysis showed that in the first item, surprisingly, the greater proportion (36.2%) of the respondents ticked the option ‘disagree’, while this was equally followed by 28.3% of them who ticked the option ‘strongly disagree’. This implies that for the majority of the respondents, seminars and workshops may not be a feasible measure to address delays in compensation payment in Anambra State. On the second item, while 29.1% of the respondents expressed uncertainty, 28.3% of them strongly agreed that the education of local communities would be a viable measure to address delay in compensation payments, as such would give them a sense of belonging and patriotism to the acquiring authorities. For the third item, the highest proportion (29.9%) of the respondents ticked the option ‘disagree’, while another significant proportion

(28.3%) of them ticked the option 'agree'. This implies that while some of the respondents disagreed that proper investigation, planning and budgeting would not significantly improve delays in compensation payment; others were in agreement with such. On the fourth item, the highest proportion (40.2%) of the respondents 'agreed' that minimizing bureaucratic systems of delays in settlement of claims would be a viable measure to address delays in compensation payment in Anambra State. This was against 22.0% of them who strongly disagreed with this view. On the fifth item, the highest proportion (37.8%) of the respondents ticked to the option 'strongly agree', which implies that they were in affirmation that the investment method would be a viable measure to address challenges associated with delays in compensation payment in Anambra State. In the sixth item, the highest proportion (31.5%) of the respondents went for the option 'agree', while 22.0% of them went for the option 'strongly disagree'. Finally on the seventh item, there was a match on the proportion (28.3%) of the respondents who ticked to option 'strongly agree' and those who ticked the option 'strongly disagree'.

V. CONCLUSION AND RECOMMENDATION

The study has been able to identify reasons for delayed compensation payment in Anambra State. The first reason was lack of policies on compensation payment, a major reason for delayed compensation in Anambra State. The respondents were also in agreement that the predetermined rates for unexhausted improvements and its method of application was a major reason for delayed compensation in Anambra State. Again, not using the land for the purpose for which it was acquired was a major reason for delayed compensation payment in Anambra State. However, about a quarter proportion (23.6%) of them were uncertain about this, which implies that it may not certainly be true in some occasions that loss of use of land for its purpose of acquisition is a major reason for delayed compensation payment in Anambra State. Cumulatively, it could be deduced that the greater proportions of the respondents were affirmative in relation to the view that the predetermination of the quantum of compensation sum by the acquiring authority prior to the completion of the assessment, was a major reason for delayed compensation payment in Anambra State. Hostility of land owners during enumeration exercise is a major reason for delayed compensation payment in Anambra State. This was followed by 28.3% of them who 'strongly agreed' that such is the case. In the overall, it could be deduced that the majority of the respondents were in affirmation that delays in compensation payment was associated with hostility by the landowners during enumeration exercise.

From the findings, the researcher hereby gives the following recommendations: The Replacement Cost Method should be adopted as a method of valuation that could lead to adequacy of compensation payments in Anambra State. The state government through the ministry of lands should organize seminars and workshops for land officers which could be a feasible measure to address delays in compensation payment in Anambra State. The local communities should be educated and sensitized in respect to acquisitions, revocations and compensation in pursuit to address their hostility which leads to delay in compensation payments, as such would give them a sense of belonging and patriotism to the acquiring authorities. The Attorneys representing the communities should be registered with the ministry and the power of Attorney should state clearly the bank account details where the Compensation sum should be paid. There should be proper investigation, planning and budgeting which could improve delays in compensation payment. There should be streamlined procedures which could reduce the bureaucratic systems of delays in settlement of claims. These will be a viable measure to address delays in compensation payment in Anambra State.

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