

REPORT OF THE TASK FORCE ON SHARIA IMPLEMENTATION BAUCHI STATE OF NIGERIA

Submitted to the Executive Governor of Bauchi State
His Excellency Alhaji (Dr.) Ahmadu Adamu Mu'azu (Mutawallen Bauchi)
14th August, 2001

VOLUME V: MAJOR ACTIVITIES OF THE TASK FORCE

Contents:

1. [Letter from Secretary to State Government to Alh. Muhammad Dan Madami, Appointing him as Chairman of Task Force](#)
2. [Letter from Task Force Chairman to the Director, Judicial Service Commission, re Appointment of Judges of Sharia Courts](#)
 - a. [Annex I: Terms of Reference of the Task Force](#)
 - b. [Annex II: Details of Interviews for Prospective Sharia and Upper Sharia Courts Judges](#)
 - c. [Annex III: Results of Written Tests and Interviews for New Applicants for the Post of Sharia Judges](#)
 - d. [Annex IV: Position of the Task Force on Some Judges Petitioned Against for Corrupt Practises and Others Whose Outward Conducts and Dispositions are Manifestly Injurious to the Implementation of Sharia](#)
3. [Letter from Task Force Chairman to the Director, Judicial Service Commission, re Appointment of Inspectors of Sharia Courts](#)
 - a. [Attachment: Details of Interviews for Prospective Inspectors of Sharia Courts](#)
4. [Letter from Task Force Chairman to the Director, Judicial Service Commission, re Screening of Sharia Court Registrars, Court Clerks, Messengers, Bailies, Cleaners and Watchmen](#)
5. [Letter from Task Force Chairman to the Secretary to the State Government re Establishment of Hisbah Organisation](#)
 - a. [Annex I: Reports of Men's and Women's Wings of Hisbah](#)
 - [IA: Report of Men Wing of Hisbah](#)
 - [Hisbah: Its Plan and Implementation](#)
 - [Preaching Sub-Committee: Plan of Activities](#)
 - [Names of Associations and Their Representatives in the Preaching and Guidance Sub-Committee](#)
 - [Report of the Hisbah Intelligence Sub-Committee \(Uyunul Hisbah\)](#)
 - [Names of Associations and Their Representatives in the Hisbah Intelligence Sub-Committee](#)
 - [Plan of Aid Group Organisations Under Hisbah in Bauchi State](#)
 - [IB: Report of Women Wing of Hisbah](#)
 - [Report of the Bauchi State Women Hisbah Committee](#)

ACTIVITIES OF THE BAUCHI STATE TASK FORCE ON SHARIA IMPLEMENTATION:
DETAILS AND DOCUMENTATION

[Report of the Committee of Representatives of Associations
\(Women Wing\) on Planning and Execution of Hisbah under
Sharia in Bauchi State](#)

[Lists of Members of State and Ward Committees](#)

[Plan of Activities of Hisbah Women's Wing](#)

[Introduction](#)

[Origin of Hisbah and Its Importance](#)

[Plan of the Central Hisbah Committee](#)

[Qualifications of Hisbah Members](#)

[Important Considerations in Hisbah](#)

[Activities of the Hisbah Member](#)

[Plan of Activities of Ward Hisbah Preaching Sub-Committee](#)

- b. [Annex II: Material Estimate of the Requirement of Men Wing of Hisbah](#)
- c. [Annex III: Material Estimate of the Requirement of Women Wing of Hisbah](#)
6. [Letter from Secretary to the State Government to Task Force Chairman re Islamic Preaching Session Organised by Hisbah](#)
7. [Press Release on the Take-off of Sharia Judicial System 31 May 2001](#)
8. [Letter from Task Force Chairman to Secretary to the State Government re Office and Residential Accommodation for Sharia Court Judges](#)
 - a. [Annex I: Specification of Locations for Constructions/Renovations of Sharia Courts and Residential Quarters of the Sharia Judges](#)
 - b. [Bill of Quantities Prepared by the State Ministry of Works](#)
9. [Letter from Deputy Governor to Task Force Chairman re Commencement of Sharia Legal System in the State](#)
10. [Letter from Secretary to the State Government to Task Force Chairman re Constitution of Bauchi State Sharia Commission](#)
11. [Letter from Task Force Secretary to the Secretary to the State Government re Request for Approval of Transfer and/or Delegation of Powers on the Control and Supervision of Sharia Courts to the Office of the Grand Kadi of Bauchi State](#)
12. [Letter from Task Force Chairman to Chief Judge Forwarding Approval for Transfer and/or Delegation of Powers on the Control and Supervision of Sharia Courts to the Office of the Grand Kadi of Bauchi State](#)
 - a. [Approval for the Transfer and/or Delegation of Powers on the Control and Supervision of Sharia Courts to the Office of the Grand Kadi of Bauchi State](#)
 - b. [Instrument on Formal Transfer of Control and Supervision of Bauchi State Sharia Courts from the Hon. Chief Judge of Bauchi State to the Hon. Grand Kadi of Bauchi State](#)
13. [Draft Rules of Civil Procedure for the Sharia Courts](#)
14. [Draft Sharia Criminal Procedure Code](#)

ACTIVITIES OF THE BAUCHI STATE TASK FORCE ON SHARIA IMPLEMENTATION:
DETAILS AND DOCUMENTATION

2. Letter from Task Force Chairman to the Director, Judicial Service Commission, re Appointment of Judges of Sharia Courts

**TASK FORCE ON SHARIA IMPLEMENTATION
BAUCHI STATE OF NIGERIA**

ADMINISTRATIVE SECRETARIAT;

Gombe Road (Adjacent Local Government Audit) Bauchi Ph: 077-642259
Our Ref: TFSI/BS/ADM/Vol.I/75 Your Ref:----- Date: 15th May 2001

The Director,
Judicial Service Commission,
Bauchi State Judiciary,
Bauchi.

**RECOMMENDATIONS FOR APPOINTMENT OF SHARIA COURT
JUDGES**

1. One of the terms of reference of the Task Force on Sharia Implementation, which was inaugurated by the Executive Governor on 27th February 2001 is appointment of judges and inspectors of Sharia Courts in liaison with the State Government, the Judicial Service Commission and the Office of the Grand Kadi of the State (see [Annex I](#) attached).
2. The first requirement of the exercise is to ascertain the optimum number of Sharia and Upper Sharia Courts for the first phase, which is the take-off phase as well as the number that will be required in the subsequent or second phase. It is envisaged that the take-off phase will commence 1st June 2001 and should be completed by December 2001. The second phase is to commence as from 1st January 2002 and be completed including buildings by 31st December 2002.
3. The Second requirement is to ascertain the number of judges that will be required to man these established courts under the two phases.
4. The third requirement is to ascertain the realistic number of inspectors, registrars, clerks and other staff that will be required to support these courts.
5. At paragraph 3.1.4 of the White Paper, the State Government has approved, for the take-off phase, the establishment of at least one (1) Sharia Court in each administrative district area and one (1) Upper Sharia Court in each Local Government Area of the State.

PHASE I: TAKE-OFF 1ST JUNE 2001 – 31ST AUGUST 2001

A. SHARIA COURTS

6. As is the case at present, there is at least one Area Court in each administrative district of the State. These will now be re-designated Sharia Courts and the total number should be as follows:

ACTIVITIES OF THE BAUCHI STATE TASK FORCE ON SHARIA IMPLEMENTATION:
DETAILS AND DOCUMENTATION

	Local Govt.	Administrative Districts		District Hqtrs Town
1.	Alkaleri	Pali	1.	Alkaleri
		Duguri-Gwana	2.	Duguri
			3.	Futuk
2.	Bauchi	Bauchi Town	4.	Kobi
			5.	Tashar Babiye
		Galambi	6.	Kangere
		Zungur	7.	L/Katagum
3.	Dambam	Dambam	8.	Dambam
		Dagauda	9.	Dagauda
		Jalam	10.	Jalam
4.	Darazo	Darazo	11.	Darazo
		Sade	12.	Sade
5.	Dass	Dass	13.	Dass
6.	Gamawa	Gwamawa	14.	Gamawa
		Udubo	15.	Udubo
7.	Ganjuwa	Ganjuwa	16.	Kafin Madaki
8.	Giade	Giade	17.	Giade
9.	Itas/Gadau	Itas	18.	Itas
		Gadau	19.	Gadau
10.	Jama'are	Jama'are	20.	Jama'are
		Dogonjeji	21.	Dogonjeji
		Jurara	22.	Jurara
		Hanafari	23.	Hanafari
11.	Katagum	Azare	24.	Azare I
			25.	Azare II
		Madara	26.	Madara
		Chinade	27.	Chinade
12.	Kirfi	Kirfi	28.	Kirfi
13.	Misau	Yerima	29.	Misau
		Hardawa	30.	Hardawa
14.	Ningi	Ningi	31.	Ningi
		Burra	32.	Burra
15.	Shira	Shira	33.	Shira/Yana
		Disina	34.	Disina
16.	Tafawa Balewa	Lere	35.	T/Balewa
		Bula	36.	Bununu
17.	Toro	Toro	37.	Toro
		Lame	38.	Gumau
		Jama'a	39.	Nabordo
18.	Warji	Warji	40.	Katangan Warji
19.	Zaki	Katagum	41.	Katagum
		Sakwa	42.	Sakwa
20.	Bogoro	Bogoro	43.	Bogoro

There will thus be 43 Sharia Courts to be established in the 41 administrative districts of the State for the take-off phase.

ACTIVITIES OF THE BAUCHI STATE TASK FORCE ON SHARIA IMPLEMENTATION:
DETAILS AND DOCUMENTATION

B. UPPER SHARIA COURTS

7. There are two (2) Upper Sharia Courts in Bauchi Metropolis as at now, there should thus be 21 Upper Sharia Courts going by the Government White Paper since there are 21 Local Governments in the State. However, Bogoro Local Government, being a predominantly non-Muslim area, will have only one Sharia Court. There will not be enough cases for the Upper Sharia Court as an appellate and first instance court. No Upper Sharia Court will therefore be established in Bogoro Local Government to be heard by Upper Sharia Court will be referred to Tafawa Balewa Upper Sharia Court. There will thus be 20 Upper Sharia Courts for the State to be established as follows:

	Local Govt.	Location of Upper Sharia Court
1.	Alkaleri	Alkaleri
2	Bauchi	Bauchi
3	Bauchi	Bauchi
4	Dambam	Dambam
5	Darazo	Darazo
6	Dass	Dass
7	Gamawa	Gamawa
8	Ganjuwa	Kafin Madaki
9	Giade	Giade
10	Jama'are	Jama'are
11	Itas/Gadau	Itas
12	Katagum	Azare
13	Kirfi	Kirfi
14	Misau	Misau
15	Ningi	Ningi
16	Shira	Yana
17	Tafawa Balewa	Tafawa Balewa
18	Toro	Toro
19	Warji	Katangan Warji
20	Zaki	Katagum

C. APPOINTMENT OF SHARIA COURT JUDGES

8. As can be seen from the above calculations. 43 Sharia Court and 20 Upper Sharia Court judges will need to be appointed to man the courts scheduled to take off under phase 1 by 1st June 2001.

A total number of 89 judges already in the service have been interviewed and 99 new applicants sat for written tests out of whom 56 have been interviewed (see [Annex II](#) and [III](#) attached for the overall results).

(i) EXISTING SHARIA COURT JUDGES

In the opinion of the Task Force, the following existing judges are qualified by good service record, education and experience, for re-designation as Sharia Court judges and to be deployed as follows:

ACTIVITIES OF THE BAUCHI STATE TASK FORCE ON SHARIA IMPLEMENTATION:
DETAILS AND DOCUMENTATION

S/No	Name	Designation	Salary Grade	Posting
[1-36]	[omitted]	[SC] to HSC], SSC]II, SSC] I, PSC] II]	[GL 08 to GL 12]	[to all but seven of the forty- three District Headquarters Towns listed in ¶ 6 above]

Going by the above posting, it could be observed that Duguri, Kangere, Jalam, Sade, Jurara, Hanafari and Bogoro Sharia Courts have not been posted Sharia judges on the list above. Seven out of the new judges proposed for direct appointment are however recommended to fill these vacant positions and the details were provided under item vi (paragraph 13) of this letter.

(ii) **EXISTING UPPER SHARIA COURT JUDGES AND THOSE TO BE PROMOTED**

9. Out of the eight (8) existing Upper Area Court judges, three have not been recommended for appointment as Upper Sharia Court judges either because they are overdue for retirement due to age or length of service or because of pending petitions against them for alleged wrong doing fifteen vacancies are therefore available to be filled by appointments as follows:

S/No	Name	Present Status	Salary Grade	Recommendation	Posting
[1-20]	[omitted]	[HAC] to SAC] II, SAC], PAC] II, PAC] I, UAC] I, UAC]I]	[GL 09 to GL 15]	[all to be re- designated or appointed Upper Sharia Court judges, all on GL 14 or 15]	[the 20 locations of Upper Sharia Courts listed in ¶ 7 above]

(iii) **NORMAL RETIREMENT**

10. The under listed are recommended for normal retirement because of age or length of service.

S/No	Name	Status	Salary Grade	Date of Birth	Date of First Appointment
[1-3]	[omitted]	[PAC] II (2) and UAC] II]	[GL 12 (2) and GL 14]	[all 1940]	[1969, 1972, 1974]

(iv) **UNSUITABILITY TO SERVE AS SHARIA COURT JUDGES**

11. The Task Force is unable to recommend the following for appointment as Sharia Court judges either because of sub-standard performance at the interviews which indicates incompetence on their parts or because of pending petitions and complaints alleging wrong doings against them which are yet to be resolved. It will be better for the Commission to deal with their cases as deemed appropriate.

