

Uzoegwu F.O.C Esq

-Applicant

And

1. The Central Bank of Nigeria

- 1<sup>st</sup> Respondent

2. Attorney General of the Federation

-2<sup>nd</sup> Respondent

The Applicant a Legal Practitioner by a letter dated 9<sup>th</sup> November 2011 applied for information pursuant to the Freedom of Information Act 2011 detailing the amount payable to the Governor, Deputy Governor and Directors of the Central Bank of Nigeria. He filed an Originating Summons when the 1<sup>st</sup> Respondent neither replied his letter nor furnished him with the information required by him within the timeline provided for by Section 4 of the Fol Act.

The 1<sup>st</sup> Respondent in his Counter Affidavit stated that the reason for the refusal to supply the information requested by the applicant is that the information "is personal information communicated to them upon their appointments". He stated that the information is protected by Section 15(1), 13(3) of the Act and Section 37 of the Nigerian Constitution.

The 2<sup>nd</sup> Respondent, the Attorney General of the Federation submitted that the information requested by the Applicant is personal information and therefore exempted from disclosure. He also stated that the offices of the Governor, his Deputies and Directors of the Central Bank being sensitive offices, "the disclosure of their salaries and allowances could cause or spark violence due to wrong interpretation and could endanger the lives and properties of the said officials".

The plaintiff replied on points of law relying on Section 3(3)(j) and (4) of the Act which provides the public institution shall publish and ensure the wide dissemination of the information relating to documents containing names, salaries, titles.... of all employees and officers of the institution. He urged the court to discountenance the argument of the 1<sup>st</sup> Respondents and grant the reliefs he has sought.

Hon. Justice Balkisu Bello Aliyu in ruling on the suit stated that the facts of the case are simple and not contested at all. She stated that 'the 1<sup>st</sup> Defendant said that Section 15(1) when read together with section 13(3) of the Act will show that the denial of information plaintiff requested is justified but I have to point out that section 13 has no subsection at all". "in fact, even the Section 15(1)(ii) which counsel quoted.... does not exist".

Dismissing the claims of the defendants to wit that the disclosure of information requested by the plaintiff will expose the officers to harm and injury, the judge said that there is nothing shown by the 1<sup>st</sup> Defendant to support the contention. She stated that "perhaps the reason why the legislature did not exempt the salaries and allowances from disclosure is because such salaries and allowances are paid from public funds through budget allocations".

She held that "the 1<sup>st</sup> Defendant's denial of the information requested by the plaintiff on the monthly salaries and allowances of the Governor, Deputy Governors and the Directors of the Central Bank of Nigeria is not justified by the Fol Act". The 1<sup>st</sup> defendant was ordered to " pursuant to section 25(1)(c) of the said Act to furnish the plaintiff with the information regarding the monthly salaries of the Governor, Deputy Governors and the Directors of the Central Bank of Nigeria within fourteen days from today, subject only to payment of fees for the certification of the information if necessary".