

## **Establishment of a Cadastral Surveying Policy for Adamawa State of Nigeria**

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### **Abstract**

*Adamawa State is one of the six states of the north-east sub-region of Nigeria. It was created in 1991 out of the defunct Gongola State. There is no Cadastral Survey Policy (CSP) in the state. The state's survey practice has been with the old method 'guided' by the old rules. As a result, the situation of the survey practice is archaic, complex, cumbersome and chaotic. State Survey Ethics Committee (SSEC) is non-existent and no private practicing surveyor is resident anywhere in the whole state. Survey practice has been dominated by the officials of the state's Ministry of Lands and Survey who seemed to practice without due regards to current rules and regulations. The survey Code of Ethics made by Surveyors' Council of Nigeria (SURCON) is not adhered to. As a result, the survey practice is at its lowest ebb with few surveyors and many quacks having field day and at liberty to charge fees without due regard to current and approved Scale of Fees. This paper critically examines current practice situation in Adamawa State with a view to formulate a draft cadastral survey policy which will guide the practice and bring sanity to the system. Questionnaires were shared to stakeholders and the responses subjected to statistical analysis and tests. Useful inferences were drawn from them. The paper also tried to offer useful suggestions on its implementation strategies.*

**Key words:** Cadastral Survey, Survey rules and regulations, Scale of Fees, Code of Ethics and Certificate of Deposit

### **1.0 Introduction**

Cadastral Surveying practice policy is an organized and well articulated document made by the surveyors in the state based on Surveyors' Council of Nigeria (SURCON) which has a set of guidelines, rules and regulations to control the practice of cadastral surveying within the states of Nigerian federation. These rules and regulations originated from CAP 194 of 1958 laws of the Federation of Nigeria and other survey laws. These laws have passed through series of amendments and repeals from then till date. The law establishing SURCON came to be in December 1989 as decree 44. This law was amended as CAP 425 of 1990 laws of the Federation. After the establishment of SURCON coupled with its empowerment with relevant provisions, a new set of rules and regulations were generally made at the national level with individual states and the Federal Capital Territory (FCT) to establish their own Cadastral Survey Policy (CSP).

Many states of the federation particularly those in the southern part of the country have since established and implemented their Cadastral Survey Practice Policy (CSPP) and have so far been guided by it. In these states State Ethics Committees (SEC) have been established, the Cadastral Survey Practice is well organized and they have been making pillar returns among others to the National Ethics Committee (NEC) of SURCON including NIS both at national and local branches. Unfortunately, this scenario is not evident in Adamawa State. The Survey practice in Adamawa State has not adhered to the current SURCON rules and regulations and as such there is no ethics committee and no cadastral survey policy hence this study.

### **2.0 Location of the Study**

Adamawa State is one of the six states in the Northeast geopolitical zone of the Nigerian Federation. It was created in 1991 out of the defunct Gongola State. Adamawa State is located between latitudes 7° and 11° North of Equator and longitudes 11° and 14° East of Greenwich meridian. It has a land mass of about 38,741 square kilometers and a population of about 3, 168,101 people according to the 2005 national population census.

Adamawa State is multi-lingual with many ethnic groups with Hausa and Fulfulde languages generally spoken. It is known as the land of beauty. It has beautiful landscapes adorned with hills and mountains. Adamawa State is relatively hot but has two main seasons as rainy and dry seasons.

### 2.1 The Problems of Survey Practice in the State include:

- Lack of independent practicing surveyors in the state.
- Proliferation of quacks in the state.
- Non-charllant attitude of government surveyors to issues relating to modern practice.
- Non-attendance to AGM and SURCON activities nation-wide.
- Lack of adequate man power.
- Non adherence to current survey rules and regulations.

This non charllant attitude of surveyors in the state was evident in the attendance of members in the state to annual AGMs as shown in table1 below:

**Table 1: Adamawa Surveyors attendance to AGM**

	650	710	730	755	801	88	931	928	938
2002 AGM	2								
2003 AGM		3							
2004 AGM			4						
2005 AGM				15					
2006 AGM					3				
2007 AGM						5			
2008 AGM							2		
2009 AGM								2	
2010 AGM									4
<b>TOTAL</b>	<b>648</b>	<b>707</b>	<b>726</b>	<b>740</b>	<b>798</b>	<b>878</b>	<b>929</b>	<b>926</b>	<b>934</b>

This non-chalant attitude was responsible for none collecting and remittance of pillar fees to SURCON and NIS and the establishment of the state ethics committee. The table 2 below clearly shows the states that are actually remitting the pillar fees as an indication of existence of cadastral survey policy and the adherence to the SURCON rules and regulations.

**Table 2: Pillar fees returns from states to SURCON**

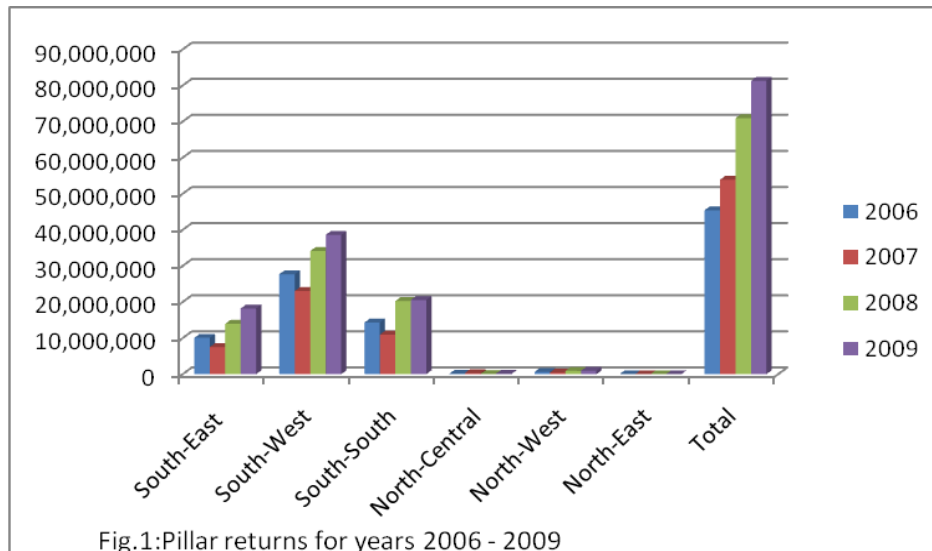
S/No	STATES	2006 Pillar Returns	2007 Pillar Returns	2008 Pillar Returns	2009 Pillar Returns
1.	Abia	N1,655,600	N1,248,800	N3,424,700	N3,948,000
2.	Adamawa	-	-	-	-
3.	Akwa Ibom	N1,816,000	N845,400	N4,690,600	N2,141,600
4.	Anambra	N2,781,200	N372,800	N3,360,800	N6,131,600
5.	Bayelsa	N2,349,800	N1,014,200	N2,679,800	N3,088,410
6.	Bauchi	-	-	-	-
7.	Benue	-	-	-	-
8.	Borno	-	-	-	-
9.	Cross River	N183,800	N379,400	N2,012,200	N2,166,400
10.	Delta	N3,846,000	N4,355,200	N5,130,807	N7,166,400
11.	Ebonyi	N633,000	N873,200	N861,000	N2,199,800
12.	Edo	N1,754,400	N2,274,400	N1,864,200	N1,737,400
13.	Ekiti	N742,200	N190,000	N169,000	N1,424,800
14.	Enugu	N2,126,140	N2,849,600	N2,713,000	N2,676,200
15.	Gombe	-	-	-	-
16.	Imo	N2,882,800	N2,158,200	N3,601,800	N3,261,600
17.	Jigawa	-	-	-	-
18.	Kaduna	N139,306	N165,660	-	N112,200
19.	Katsina	-	-	-	-
20.	Kano	N12,980	N149,240	N33,880	N30,000
21.	Kebbi	-	-	-	-
22.	Kogi	N84,200	-	-	N95,600
23.	Kwara	N530,800	N456,200	N917,600	N854,600
24.	Lagos	₦6,412,800	₦5,810,600	N5,274,800	₦7,890,600
25.	Nasarawa	-	-	-	-
26.	Niger	-	-	-	-
27.	Ogun	₦9,351,600	₦7,916,000	N13,888,400	₦11,265,200
28.	Ondo	₦3,003,220	₦1,791,000	N4,337,409	₦4,365,200
29.	Osun	₦2,215,400	₦1,751,800	N1,360,600	₦4,234,800
30.	Oyo	₦5,989,200	₦5,607,000	N9,097,200	₦9,426,200
31.	Plateau	-	-	-	-
32.	Rivers	₦4,356,600	₦2,075,000	N3,892,400	₦3,622,600
33.	Sokoto	-	-	-	-
34.	Taraba	-	-	-	-
35.	Yobe	-	-	-	-
36.	Zamfara	-	-	-	-
	Abuja	N764,708	-	-	N766,000
	<b>TOTAL</b>	<b>N45,439,100</b>	<b>N70,963,396</b>		<b>N81,303,010</b>

Source: Nigerian Institution of Surveyors

**Table 3: Pillar returns by Geopolitical Zones**

Geopolitical Zones	2006	2007	2008	2009
South-East	₦10,078,740	₦7,502,600	₦13,960,900	₦18,217,200
South-West	₦27,714,420	₦23,066,400	₦34,127,409	₦38,606,800
South-South	₦14,306,600	₦10,943,600	₦20,270,007	₦20,575,810
North-Central	₦152,286	₦314,900	₦33,880	142,200
North-West	₦615,000	₦456,200	₦0	₦950,200
North-East	₦0	₦0	₦917,600	₦0
<b>Total</b>	<b>₦45,439,100</b>	<b>₦53,911,154</b>	<b>₦70,963,396</b>	<b>₦81,303,010</b>

Source: Nigerian Institution of Surveyors



### 3.0 Cadastral Survey Policy for Adamawa State

#### 3.1 Preamble

Cadastral Survey Policy is a set of rules and regulations or guidelines that will enable the quality of survey service delivery in the state. This policy is not available in Adamawa State. Therefore, this study was intended to address this anomaly and put Adamawa State in the comity of States in Nigeria that have adhered to the rules and regulations of SURCON practice in Nigeria and making pillar returns. Therefore, the proposed policy is expected or suggested to start from here.

#### 3.2 The Cadastral Survey Policy

##### 3.2.1 State Ethics Committee

The establishment of State Ethics Committee was based on SURCON rules and regulations of 2001 as provided by the law establishing SURCON. Therefore, the cadastral survey policy proposed for Adamawa State would be made under the following headings:

- 1) Establishment of the State Ethics Committee
- 2) Pillar Allocation/Issuance of Beacon Numbers
- 3) Restriction/Regulation of Pillar Usage
- 4) Mandatory Deposit Scheme (MDS)
  - a) Perimeter Survey
  - b) Layout Survey
  - c) Change of Title/Plan Revalidation
  - d) Technical conditions for layout survey
  - e) Record copy submission for Certificate of Deposit (C of D)
- 5) Special Pillar numbers
- 6) Types of Property Plans produced
  - 6.1) Sketch copy
  - 6.2) Offence to invent own beacon number prefix
  - 6.3) Provisional/Miscellaneous plans
- 7) Record copy submission
- 8) Plan and Pillar returns for C of D
- 9) Processing period
- 10) Quality control of Plan submitted for C of D by practicing Surveyors
- 11) Schedule of Payments
  - 11.1) New Certificate of Deposit
  - 11.2) Individual Certificate of Deposit
- 12) Working Hours

- 13) Payments
- 13.1) SURCON Component Account
- 13.2) NIS Component Account
- 14) Penalties against default

### 3.2.2 Establishment of State Ethics Committee

There shall be established a SEC which shall comprise of the following:

- i. Surveyor – General of Adamawa State (Chairman)
- ii. NIS Branch Chairman (Member)
- iii. SURCON Council member ( “ )
- iv. NIS Council member ( “ )
- v. One Registered Surveyor ( “ )

\*Note\* Please note that (iv) and (v) above are proposed or suggested additions to make it more democratic and the interests of all stakeholders fully represented.

### 3.2.3 Pillar Allocation/Issuance of Beacon Numbers

- i. Because of the new secretariat project being embarked upon by the State branch of the NIS through the acquisition of land near the Bajabure Housing Estate Yola, and knowing full well the major source of funding shall come from pillar fees, it is hereby proposed that the issuance of beacon numbers to surveyors be in accordance with the provisions of sections 4.1(a) and 4.1(b) of SURCON rules and regulations.
- ii. The issuance of beacon numbers to practicing surveyors in the state shall be only by prepayment of the prescribed fees to SURCON and NIS contents as contained in the schedule of fees.
- iii. In accordance with section 4.1(b) of SURCON rules and regulations, a resident surveyor shall apply in writing for and collect as many beacon numbers as he/she can prepay for, but not more than forty (40) beacon numbers at a time, from the chairman of the SEC. Survey jobs requiring more than forty (40) beacon numbers will receive the required number of beacons as each job demands.
- iv. A non-resident Surveyor shall apply in writing for and collect beacon numbers only with evidence of the job(s) he/she intends to execute in the state but not more than forty (40) beacon numbers at a time or as particular job require.  
Resident Surveyors shall be allocated seventy five (75) pillars per quarter while non-resident surveyors shall be allocated fifteen (15) pillars per quarter.

### 3.2.4 Restriction/Regulation of Pillar Usage

- i. A maximum of twenty (20) plans per quarter or eighty (80) plans per annum are to be produced by each surveyor.
- ii. However, for item (i) above, any surveyor that exceeds this number of plans will be required to appear before the state ethics committee for investigation.

### 3.2.5 Mandatory Deposit Scheme (MDS)

#### (i) Perimeter Survey:

The mandatory deposit for all perimeter survey shall be as provided in table 3 below thus:

**Table 3: Perimeter Survey**

S/No	Size of Plot	Deposit
1	1 – 500m <sup>2</sup>	₦20,000
2	501 – 1000m <sup>2</sup>	₦30,000
3	1001 – 2000m <sup>2</sup>	₦40,000
4	2001 – 5000m <sup>2</sup>	₦50,000
5	5001 – 10,000m <sup>2</sup> (1ha)	₦70,000
6	10,000 – 50,000m <sup>2</sup> (5ha)	₦100,000
7	50,000 – 100,000m <sup>2</sup> (10ha)	₦120,000
8	100,000 – 300,000m <sup>2</sup> (30ha)	₦150,000
9	Above 30ha	₦200,000

**(ii) Layout Survey**

The mandatory deposit fee for all layout survey shall be as in table 4 below thus:

**Table 4: Layout Survey Mandatory Deposit Scheme**

S/No	Number of Plots	Deposit
1	1 – 50 Plots	₦30,000 Per Plot
2	51 – 100 Plots	₦25,000 Per Plot
3	Above 100 Plots	₦20,000 Per Plot

**(iii) Change of Title/Plan Revalidation/Land-in-dispute**

All change of title, plan revalidation and land-in-dispute cases are to be based on mandatory deposit scheme as applicable to either table 1 or table 2 above as the plot sizes determine.

**(iv) Technical Conditions for Layout Survey**

The technical conditions in table 2 still apply. The printed draft layout plan being submitted for special pillar numbers shall contain bearings, distances and areas of plots. The draft layout plan shall be signed live by the surveyor showing date of survey and the address of surveyor concerned.

**(v) Record Copy of Submissions for Certificate of Deposit (C of D)**

- Practicing surveyors in the state are to ensure deposit of record copies of survey plans prepared by them after every five (5) plans and on payment of prescribed fees.
- Practicing surveyors are to note they would not be attended to at the secretariat unless SURCON/NIS rules and regulations are complied with.
- Practicing Surveyors are to lodge Record Copies of prepared plans within one month of its preparation.
- All record copies shall be submitted in Hard Copy or in both HARD and SOFT copies in prescribed format.

**4.0 Special Pillar Numbers**

- Practicing surveyors are to collect special numbers through applications to the chairman of State branch of NIS (see annexure 1 bellow) for either perimeter or layout survey of properties if the number of pillars needed for a plot are fifteen and above. Separate returns of special numbers will be made to the chairman of NIS independent of the normal allocated pillar numbers.
- The special pillar fees that are applicable to the above (i) application is N2000.00 (Two thousand Naira) per pillar.

**5.0 Types of Property Plans Produced**

- The survey plans that are properly prepared for survey record purposes must be deposited at the Survey Department of the Ministry of Lands and Survey and the pillar numbers must be SURCON numbers (see fig.1 below for example). The use of old numbers has been outlawed by the 2001 SURCON Rules and Regulations.
- Sketch Plans

Sketch plans made for engineering purposes or other related needs should be boldly written SKETCH PLAN as the title and its beacon number prefix must bear CP numbering.

- Surveyors are to collect and register their own beacon number prefix according to section 24 of 2001 SURCON rules and regulations.

**6.0 Plan and Pillar returns for Certificate of Deposit (C of D)**

- All plans must be submitted in a flat file jacket on schedule to be prescribed by the Surveyor General.
- Submissions and payments must be made in duplicate according to annexure ii below.
- All survey plans submitted for Certificate of Deposit must be sent through the NIS Secretariat and to the office of the Surveyor General of the State and shall include the following:
  - One original copy of Bank Teller
  - One photo copy of Bank Teller or Government Treasury receipts attached.

### **7.0 Submission of Record Copies**

- (i) At the end of each quarter. Practicing surveyors are to ensure deposit of record copies of survey plans prepared by them to the NIS secretariat.
- (ii) Practicing surveyors are expected to have at least lodged all record copies of survey plans prepared in the previous quarter being attended to with a request for new pillar numbers.

### **8.0 Processing Periods**

- (i) A period of five (5) working days will be required as administrative processing period of all applications for special numbers.
- (ii) A period of three (3) working days will be required as administrative processing time period for confirmation of existing pillars on the ground.

### **9.0 Working Hours**

The working hours for NIS (Adamawa State) secretariat and the SURCON State Ethics Committee office is 8.00am – 4.00pm every working day of the week.

### **10.0 Quality Control of Plans submitted for Certificate of Deposit (C of D) by practicing surveyors.**

- (i) All plans submitted for processing for Certificate of Deposit (C of D) at the Survey Department or NIS secretariat must adhere strictly to the PRACTICE GUIDELINES RESPONSE FORMS as acceptable by NIS and the office of the Surveyor General and fines paid by the practicing surveyor concerned and receipts collected during corrections/resubmissions.

### **11.0 Schedule of Payments**

- (i) No cash payments shall be made to the secretariat. All payments shall be in either certified bank drafts, Tellers or personal cheques.
- (ii) the cost of new C of D per client to the surveyor shall be ₦5000 (Five thousand Naira only). The official fee of ₦500 per plan for C of D application shall be payable to Government of Adamawa State and the State Branch of NIS at acceptable ratios.
- (iii) The individual Certificate of Deposit payments shall be made as follows:
  - (a) N10,000 to surveyor as process fees
  - (b) N3,000 as other charges  
i.e., NIS – N1800 and Government Treasury - ₦1200.
- (iv) SURCON Component  
All SURCON payments shall be made in a Bank account to be named or titled SURCON Ethics Committee. Payments shall be ₦900 per beacon.
- (v) NIS Component  
All NIS payments shall be made in a separate bank account to be named NIS Ethics Implementation Committee. Payments shall be ₦600 per beacon and ₦1000 per beacon for old beacons found on plan.

### **12.0 Penalties**

There shall be penalties in defiance of this policy guidelines of a fine ₦20,000 in the first instance in addition to that prescribed by SURCON rules and regulations of 2001. In the second and subsequent instances, stiffer penalties shall be determined and prescribed to the offender by the State Ethics Committee.

### **13.0 Commencement Date**

This Cadastral Survey Policy must have a commencement date and after which signed by the State Chairman of the NIS who also shall double as the Secretary of SURCON Ethics Committee.

### **14.0 Discussion and recommendation**

It was discovered from table 1 that surveyors in Adamawa state showed high degree of non-challant attitude towards issues of surveying nationally due to poor attendance. Not more than 3% attendance was recorded at every AGM.

Table 2 showed that 11 states out of 36 states and Abuja were yet to adhere to modern practice of surveying hence establishing the cadastral survey policy. It is also shown that Adamawa was among the 11 states that were yet to collect and remit pillar fees to SURCON and NIS. It may also be noted that all these states including Adamawa and Abuja are found in the northern part of the country. Only Kaduna and Kano States have adopted the new policy and have established their state ethics committee.

The proposed cadastral survey policy looked at the various existing survey laws and tried to fashion out a set of guidelines for a smooth and flourishing practice in Adamawa State which will ensure sustainable development. The making of the rules and regulations is one thing and its implementation is quite another. That is why the establishment of State Ethics Committee in the State to carry out the full responsibility of implementing this set of guidelines became necessary and strategic.

This policy if established and implemented would not only usher in a new vista in the land administration processes in the state but generate revenue for sustainable development.

It is hereby recommended that prior to the implementation of this policy that adequate publicity be made to enlighten the public and all stakeholders in property surveys in the state on the need to adhere strictly to this policy directives.

The state government should be involved in its implementation through the provision of take-off funding for the policy implementation.

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