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The Decision of Nigerian Supreme Court in *Orianzi* v *Attorney-General of Rivers State & ors* and its Implications on Service of Revocation Notice under the Land Use Act, 1978

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Abstract

A key factor in determining a valid process of revocation of property right of a landowner for public purpose is issuance and service of revocation notice as provided by the Land Use Act (LUA) 1978. Nevertheless, it is trite law that expropriation matters are construed fortissime contra preferentes. Despite this, outcomes of the process are sometimes crammed with problems and lingering disputes between the acquiring authorities and the affected landowners. This study, therefore, examined the procedure of issuance and service of notice of revocation on the evictee as provided under the land Use Act, 1978 as well x-rayed the new genre of the espoused rule provided in Orianzi v A-G, Rivers State &Ors to further a fair deal in the process. Results of the finding revealed that before the Supreme Court's decision in Orianzi's case; an evictee in an expropriation matter was only entitled to the notice of revocation of his interest for public purpose by the State. With Orianzi's decision, such an evictee is not only to be served but also need to be heard. This latter's position is believed to be in tandem with the common law principle of fair hearing. With this new judicial genre, the lawmakers are expected to review the LUA to expressly provide for the same whilst the policymaker and the executive arm of the government is to be so guided by the new rule to avoid friction between the State and the landowners when exercising her expropriation power.

Keywords: *Revocation, Notice, Implication, Orianzi, A-G, Rivers State, Expropriation, Public Purpose*

1. Introduction

Property right is not only accorded special protection by the municipal laws in Nigeria, but it is also constitutionally enshrined, and any violation of such right attracts severe sanctions except such an act is permitted by the Constitution itself. Various international legal instruments also support the enjoyment of this right by the citizenry. Service of notice is usually an instrument employed as may prescribed by the law to afford any party whose action of the other on his right might be prejudiced if not informed of the latter's intended action.

In an expropriation, the evictee is to be put on notice of the intended exercise of the State expropriation power which consequence is to forcefully take over the latter's interest in property for public use. Issuance and service of notice in expropriation is a matter of law and not that of policy. This is in support of the principle of *fortissimo contra preferentes.*[1]

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[1]Meaning "strictly against the acquiring authority but sympathetically in favour of the person whose property rights are being taken away*";Kandix Ltd. v. A.G, Cross Rivers State* [2012] All FWLR (pt. 624) 164 p.175*: Boye Industries Ltd. v. Sowemimo* [2010] All FWLR (pt.521) p.1485*: Bello v. Diocesan Synod of Lagos* (1973) 1 All NLR 196*: Ndoma- Egba* v. *Chukwuogor* [2004] All FWLR (pt.217) 735*; Adole v. Gwar* [2008]All FWLR (pt.423)

Notwithstanding, incessant crises have been experienced during the revocation of private interest in property for public use. Sometimes, evicteesclaim that they were not served revocation notice before taking over their property by the State; in another argument, it is has been inadequate compensation whilst some assert that they need to be involved in the entire process as well as being consulted before the take-over. A new lease of life has been brought into the issuance and service of revocation notice by the apex court in *Orianzi's* case to allow the evictee not only to be served but also to be heard.

Therefore, it becomes imperative to examine the process of issuing and serving revocation notice on the prospective dispossessed under the current legal regime of compulsory land acquisition in Nigeria. The innovation introduced by the Supreme Court and its justification become desirable for study. Possible areas that are to be addressed as well as how best to ensure better handling of expropriation matter needs to be considered.

2. Issuance of Notice of Revocation

The Act (LUA) provides that revocation of a right of occupancy by a Governor 'shall be signified under the hand of a public officer authorized in that behalf by the Governor and notice thereof shall be given to the holder'[1] This presupposes that there is essentially an instrument of revocation which must be communicated to the holder whose right of occupancy is being revoked. Where the claimant never received any revocation notice, and no gazette or letter divested him of his right of occupancy, any purported right of occupancy issued by the Governor to another party over the same parcel of land is void and all the second party has in his hand is a valueless piece of paper.[2] It, therefore, follows that a valid revocation of the right of occupancy exists where the holder of the land has been duly served with the revocation notice and such is duly issued under section 28 of the Act.[3]

However, this must be a positive act to be communicated to the occupier of the land before the act of revocation is accomplished.[4] It is the public officer acting pursuant to the directive and authority of the Governor that is empowered by law to give a notice of revocation of right of occupancy to the holder.[5] In *Majiyagbe v. A.G & ors,*[6] it was held that a revocation of a right of occupancy is not effective unless notified under the hand of a public officer authorised in that behalf by the Governor. Until this is done, the holder is entitled to remain in possession of the land.[7]

It must be noted that the LUA does not define the term, 'public officer'; it thus becomes pertinent to refer to the Interpretation Act[8] and the Constitution of Nigeria, 1999, as amended. A 'public officer' is a member of the public service of the Federation or of the public service of a State.[9] A public officer has also been defined as every officer invested with or performing duties of a

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[1] Section 28(6) of the LUA.
[2] *Ogunleye v. Oni* (1990) 2 NWLR (Pt. 135) 745
[3] *Lateju v. Farayo* [2012] All FWLR (Pt1575) 1577.
[4] *ibid.*
[5] Section 28(6) of the Act
[6] (1957) NRNLR 158
[7] Oludaye Gabriel Amokaye, 'The Impact of the Land Use Act upon Land Rights in Nigeria' in Robert Home (ed), *Local Cases Studies In African Land Law* (Pretoria: University Law Press, 2011) 73
[8] Cap 192 LFN 1990 or Cap I 23 LFN 2004
[9] Section 18 (1) of the Interpretation Act and section 318 (1) of the Nigerian Constitution , 1999 (as altered)

public nature whether or not under the immediate control of the Governor of a State.[10] It therefore follows that a public officer may be described as an employee or officer of the Federation or of a State government sometimes referred to as a civil servant. He is a person who serves the Federation in a civil capacity as staff of the office of the President, Vice President, a Ministry or Department of the Government of the Federation assigned with the responsibility for any business of the Government of the Federation or one who serves the Governor of a State in a civil capacity as staff of the office of the Governor, Deputy Governor or a Ministry or Department of the Government of a State assigned with the responsibility for any business of the Government of the State.[11] He is not merely a consultant to or an independent contractor of the Government. This public officer, it would seem, may or may not be different from the State Commissioner referred to in section 45(1) of the Act.[12]

At any rate, whoever this public officer is, he is required by the Act to endorse an instrument indicating the fact of the revocation of the right of occupancy with appropriate and relevant details and specifying that he is doing so on the authority and on behalf of the Governor.[13] Sholanke submitted that the instrument of revocation could be a letter, a notice, an order or a deed of revocation.[14] The important thing is that there must be documentary evidence of the revocation of the right of occupancy authored by the public officer and duly authorized by the Governor.[15]

A notice of acquisition of property by the government has to be specific and precise as to the property acquired; a notice thereof which is ambiguous and capable of more than an interpretation will not be valid and where a community acquisition is involved, there must be a schedule annexed to the notice specifically ascertaining the boundaries and area of the land to which the acquisition relates.[16] The instrument of revocation must give details of the right of occupancy being revoked. In *C.S.S. Bookshops Ltd. v R.T.M.C.R.S*[17], Tobi, JSC declared that:

> *The reason for revoking a person's right of occupancy must be stated in the notice of revocation notwithstanding that the Act did not expressly state that the specific ground of the revocation must be stated in the notice.*

In other words, the notice of revocation must contain a clear and full description of the right of occupancy affected by the revocation and preferably the date of the revocation.[18] The instrument or notice must also state the specific reason necessitating the revocation of the right of occupancy.[19] Though the Act does not explicitly require that the reason for the revocation must be stated in the notice or instrument of revocation[20] nor stipulate that the landowner has a right to

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[10] *Aroyame v The Governor of Edo State* (2008) AFWLR (Pt 425) 1807.
[11] *Ojukwu* v *Yar'Adua & ors* (2009) LPELR/EP-SC 270/2007.
[12] The section provides that the Governor may delegate to the State Commissioner all or any of the powers conferred on the Governor by the Act, subject to such restrictions, conditions, and qualifications, not being inconsistent with the provisions or general intendment of the Act as the Governor may specify.
[13] Section 45(2) of the Act.
[14] OOSholanke, 'Thoughts on Revocation of Rights of occupancy under the Land Use Act' <http://www.sholankeandsholanke.com/up-content/uploads/2012/06/> accessed 12 June 2019
[15] *Ibid.* .
[16] *Provost Lagos State College of Education & ors v Edun & ors*.[2004] All FWLR (pt.201) 1628
[17] [2006] 11 NWLR (Pt. 992) 530 at 577 - 578
[18] Section 28 (7) of the Act.
[19] *Osho v Foreign Finance Corporation (1991) 4 NWLR (Pt.184) 157*; *Ereku v Military Governor of Midwestern State* (1974) 10 SC 59; *Adukwu v. Commissioner for Works, Lands and Transport, EnuguState* (1997) 2 NWLR (Pt. 489) 588.
[20] *Nigeria Engineering Works Ltd. v. Denap Limited* (1997) 10 NWLR (Pt. 525) 481.

be heard.[21] His constitutional right however in this regard is eternal and cannot be waived.[22] A landowner whose interest is being compulsorily taken away ostensibly for an overriding public interest would appear to have a right in law and in equity to know the precise reason why he is being deprived of his interest in the land. In *Obikoya & Sons Ltd v. Governor of Lagos State*,[23] the court frowned at a blanket notice of revocation notwithstanding the fact that the enabling legislation might not stipulate the fact that the specific grounds of the revocation must be stated in the notice. It is submitted that where an enabling statute gives power to an authority to act within categorised conditions, and obliges it, expressly or impliedly, to give notice that it is acting under the statute, the notice must specify under which of the categorised reasons it proposes to act.[24] Hence, an instrument of revocation which does not state the purpose of the revocation, even if it can be deduced from the circumstances of the case may be successfully challenged in a competent court.

Besides, the Public Lands Acquisition Law[25]which is the replica of those of other regions in Nigeria including the Federal Capital, Abuja contains similar provisions to the Act.[26] Sections 5 and 9 (1) of the said Public Lands Acquisition Law, which directly relates to notice and services thereof provide as follows:

> *Whenever the governor resolves that any lands are required for a public purpose, he shall give notice to the persons or to the person entitled by the law to sell or convey the same or to such of them as shall after reasonable inquiry be known to him (which notice may be as in Form A in the schedule or to the like effect).*

The above foregoing reveals that issuance of notice of acquisition to the prospective landowner as a condition precedent to a valid expropriation is sacrosanct.

3. Service of Notice of Revocation

Even where the instrument of revocation contains all the relevant and necessary information, the next step is that the landowner must be duly informed. Section 44 of the Act provides as follows:

Any notice required by this Act to be served on any person shall be effectively served on him

(a) by delivering it to the person on whom it is to be served; or

(b) by leaving at the usual or last known place of abode of that person: or

(c) by sending it in a prepaid registered letter addressed to that person at his usual or last known place of abode: or

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[21]*Obikoya & Sons Limited v Governor of Lagos* State (supra)*[1987] 1 NWLR (Pt.50) 413*

[22]*Ibid.* at 402.

[23] [1987] 1 NWLR 385

[24] In *Cooper v Wandsworth Board of Works* (1863) 14 C.B.n.S.180, an owner of property had sued the Board for demolition of his property. The Board had the power to demolish it if he did not give them proper notice under the Act. It turned out at the trial that the board did not give proper notice to him. Byles J. after observing that it was an Act prejudicial of his proprietary rights, said at page 194 that: " although there are no positive words in the statute requiring that the party shall be heard, yet the justice of the common law supply the omission of the legislature." See also the case of *Hopkins v. Smethwick Local Board of Health* (1890) 24 Q.B.D.712, p. 714-715 and *Smith v The Queen* (1878) LR.3 App. Cas. 614 (P.C).

[25]Cap 105, Laws of Western Region of Nigeria 1959

[26]These laws only defer from each other in nomenclature and form whereas the substances are identical.

(d) in the case of an incorporated company or body, by delivering it to the secretary or clerk of the company or body at its registered or principal office or sending to in a prepaid registered letter addressed to the secretary or clerk of the company or body at that office.

(e) if it is not practicable after reasonable inquiry to ascertain the name or address of a holder or occupier of land on whom it should be served by addressing it to him by the description of 'holder' or 'occupier' of the premises (naming them) to which it relates, and by delivering it to some person on the premises or, if there is no person on the premises to whom it can be delivered, by affixing it, or a copy of it, to some conspicuous part of the premises.

It is obvious that this section leaves no one in doubt as to the mode of communication required under the Act. In *Obikoya & Sons Limited v. Governor of Lagos State*[27] it was held that the issuance and service of the notice of revocation expressly stating under which of the provisions of the Act the acquiring authority proposes to revoke a right of occupancy is mandatory because the landowner has a constitutional right of fair hearing before he can be deprived of his right. In *A.G Bendel State & Ors v. Aideyan,*[28] one of the complaints of the respondent was that no personal service or any due notice as prescribed by law was served on him before the appellants deprived him of his property. The case of the appellants was that they sent a registered letter to him and then published notices of the acquisition in the 'Observer newspaper' and the Government Gazette. Nothing was served before the publications. The Respondent denied receipt of the letter or seeing any notice of the acquisition. The learned trial Judge found that the registered letter was returned unclaimed and that no certificate of title was tendered. The Supreme Court, per Nnaemeka-Agu, JSC, held that constructive notice is not enough and the law insists on actual notice of intention to revoke. Anything short of that amounts to non-compliance with the express provisions of the law.

It is therefore surprising that there have been situations where revocations of rights of occupancy have been purportedly done without complying with the provisions of section 44 of the Act. In *CSS Bookshops Limited v. RTMCRS & Ors*[29]for example, a purported revocation of the right of occupancy of a Plaintiff/Respondent was concluded by a Governor by merely publishing the notice of revocation in an official gazette. There was no evidence whatsoever that the Plaintiff/Respondent, an incorporated limited liability company, was duly informed as required by the Act. It was not unexpected that the Supreme Court had no difficulty in holding that such a revocation was ineffectual. A public notice like the one referred to in the prelude to this work is certainly out of it. It is submitted that a registered letter must have been duly received by the recipient. Hand bills and posters should be discouraged. Publications in National newspapers which appear to be fashionable among some Governments are not good enough. These publications or public notices must be in addition to the personal service or substituted service required under the Act. They cannot be an alternative or a replacement for the clear mandatory provisions of the Act.

The Law on acquisition requires actual notice of intention to acquire; anything short of that is non- compliance with the law and it amounts to act of illegality which is null and void.[30] Personal service of notice is essential and not a mere technicality, it is to guarantee the inviolable constitutional fundamental right to property and ensure that there is protection for the owner of

[27] Supra
[28] (1989) 4 NWLR (Pt. 118) 646 SC.
[29] Supra.
[30] *A.G Bendel v Aideyan[1989] 4 NWLR (Pt.118) 646*

the property and not the acquiring authority, thus, constructive notice will not suffice.[31] This is because such an owner is entitled to make representation as to the propriety or otherwise in respect of the acquisition and to make compensation claims. The law has taken into cognisance the constitutional right to own property by her citizens and as such any attempt at depriving any of the citizens of this right in defiance of the laid down procedure is void.[32]Also, any law of a State which purports to infringe on such right is void.[33]

Therefore, effective service of a notice of revocation is*sine qua non* to any valid acquisition of land by any government since the property will not be divested of the landowner until the notice of such revocation is served in the manner prescribed by the law.[34] There must be strict compliance with the issue of serving notice on landowners or interested persons in the compulsory acquisition of land in accordance with the provisions of the law.[35] Publication in a gazette does not constitute sufficient notice and therefore, there must be personal service of same on the person.[36] It is therefore the clear intention of the law that publication of the notice served on the claimant in the gazette shall be after personal service of that or in a prescribed manner.

What will qualify as service of the requisite notice on landowners, in any event, is to be determined by the circumstances of each case guided by the provisions of the Act. It should be sufficient to establish from the circumstances of a case that the acquiring authority took diligent and reasonable steps in accordance with the law to notify a landowner. In *Okeowo v. AG, Ogun State*[37]the Supreme Court held that it was not a perversion of justice to paste a notice of acquisition on conspicuous portions of an acquired land where the property was a large expanse of land of 80 kilometers and on which no one was living before finally publishing the said notice in a gazette. An argument by one of the landowners that the acquiring authority should have done more than pasting the notice in the manner aforesaid was dismissed by the court. Onnoghen, JSC, who delivered the lead judgment, made the following remarks:

> *It is settled law that there should be strict compliance with the issue of serving notice on landowners or interested persons in compulsory acquisition of land in accordance with the above provisions of the law. For instance, in Ibafon Co. Ltd. vs Nigerian Ports Plc (2000) 6 NWLR (Pt. 667) 86, it was held that personal, service of the notice is mandatory. From the above provisions, publication of the notice of acquisition in the Gazette comes after personal service had been effected. See also A-G Bendel State vs Aideyan (1989) 4 NWLR (Pt.118) 648 at 678; Bello vs Diocesan Synod of Lagos (1973) NSCC 137 at 149. However, the above two cases are distinguishable from the instant case on the facts particularly as the owners of the properties involved in those cases were ascertainable and could be traced without difficulties but no notice of acquisition was served on them as required by law, before their said property was compulsorily acquired. In the instant case, however, the land acquired is a large expanse of land of 80 (eighty) kilometres and appellant's two parcels or pieces of land making up the 80 (eighty) kilometres land had no one living on them on whom the notices could have been handed over which made it necessary for the respondent to paste the notices on*

[31] See section 44(1)(b). The right to service of proper notice is sacrosanct. See the case of *Chiadi & anor v. Aggo & ors* [2004] FWLR (pt. 190) 1321-3

[32]*LSDPC v Finance Corp.* (1987) 1 NWLR 413

[33]*Peenok Investment Ltd .v Hotel Presidential Ltd.*(1982) 12 S.C.1

[34]*Wuyah v Jama'a Local Govt., Kafancha [2013] All FWLR* 1192

[35]*Goldmark (Nig) Ltd v. Ibafon*(2013) All FWLR (Pt.663) 1885-188, paras. G-C

[36]*Okeowo v A-G, Ogun State* ((2010) 16 NWLR (Pt. 1219) 327); *Provost Lagos Sate CollegeofEduation*'s case (n17)

[37] supra

> *conspicuous portions of the 80 (eighty) kilometres land which includes the two portions of land belonging to the appellant before finally publishing the said notice in the Gazette… Hence I agree with the learned trial judge that the appellant was adequately served with notice of the acquisition by affixing same to strategic areas of his farmland.*[38]

The mode of service of notice of compulsory acquisition of land by the government is on the affected persons and that service by leaving the same at their last place of abode or business if any such place can after reasonable inquiry be found, in the absence of which leaving the notice with the occupier of the land or affixing upon some conspicuous part of such land would be considered as having been strictly complied with.[39]

4. Proof of Notice of Revocation

The proof of the receipt of the notice is *sine qua non* to a valid revocation. The title of the holder of a right of occupancy shall be extinguished on receipt by him of the notice of the revocation or on such later date as may be stated in the notice[40]. Notice must be provided to have come to the knowledge of the prospective dispossessed landowner and there must be receipt of the notice of revocation of the right of occupancy by the person concerned[41]. The Supreme Court in *Nlewedim v. Uduma*[42] laid down three criteria of receipt of the document as follows:

i. Dispatch book indicating the receipt
ii. Evidence of dispatch by registered post, and
iii. Evidence of witnesses credible enough that the person was served with the document.

It is submitted that in the absence of compliance with the above laid down principles guiding service of notice of revocation, any other revocations purportedly carried under the guise of the power of *eminent domain* is invalid.

5. New Genre of Rule on Revocation Notice by the Supreme Court in Orianzi v A-G, Rivers State &Ors.

The fact of the case of ***Orianzi* v *A-G, Rivers State; Rivers State Housing and Property Development Authority; Grace Dima & Samuel Dima***[43] is as follows:
Sometimes in 1981, the Rivers State Government offered to sell the disputed property, an abandoned property to the Appellant, who accepted the offer and paid a deposit of ₦10, 000.00 towards its total value. An agreement evidencing the sale was subsequently entered into between the Appellant and the Secretary to the Government of Rivers State and the Appellant was put in possession after the agreement aforesaid was registered in the Land Registry.

When the military took over the government in 1983, the Appellant was put in detention and his properties including the disputed property were confiscated.

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[38](2010) 16 NWLR (Pt. 1219) 327
[39] See *Amoo & ors v. Majasan & ors [2004] All FWLR (pt.227) 525* where the court while examining s. 9 (1) of the Public Acquisition Law of Oyo State 1978 Cap. 105 vol. 5 Laws of Oyo State applied the rule of *fortissimo contra preferentes*
[40] See section 28(7) of the Act.
[41] See A.G, Lagos v. Sowande (1992) 8 NWLR (pt.261) p. 589 at pp.601-602
[42] [1995] 6 NWLR (pt.402) 383 at 394
[43] (2017) 6 NWLR (Pt. 1561) 224

After his release, he was made to appear before Justice Uwaifo Special Panel on Recovery of Public Properties in Lagos. The Panel recommended that all his properties including the disputed property be returned to him. This recommendation was approved by the Armed Forces Ruling Council, which was the highest ruling body in the country at the time. Later, the Rivers State Government appointed Sanomi Commission to look into the allocation of plots and abandoned properties between 1st October, 1979 and 31st December, 1982. This commission recommended to the Rivers State Government that the disputed property be retained as Government Quarters. The Rivers State Government accepted the recommendation and published in its gazette that the Appellants' right over the said property had been revoked. The property was retained as a government quarter for six months and was subsequently sold to Dr Charles Dima. At the trial court, the appellant who was a plaintiff/claimant sought an order of the court to declare the purported sale of the property to the 2nd defendant unconstitutional. In addition, he prayed the court to validate his right of occupancy over the property whilst declaring the purportedly appointed Sanomi Commission of Inquiry as unconstitutional and amongst others.

In the decision of the trial court, his submissions were upheld. Dissatisfied with the decision, the defendant/respondent appealed to the Court of Appeal in Port Harcourt. After the review of the decision of the lower court, the court in its unanimous decision set aside the decision of the trial court. Hence, the appeal to the Supreme Court which enabled the apex court to consider several issues raised by the appellant including a pronouncement of the right of an evictee not only to be served with a revocation notice under the LUA but also to be heard.

Furthermore, revocation of the right of occupancy or title to landed property is not just a mere executive or administrative act that can be done in secret or asurreptitious manner and later conveyed in official Government gazette. EKO, J.S.C in *Orianzi* v. *A.G Rivers State*& ors[44] affirmed that the title holder is not only entitled to the notice of the proposed revocation with the public purpose for the revocation clearly spelt out therein, he is also entitled to be heard on the proposed revocation of his title. Even where no label of judicially or quasi-judicially may be placed on the Governor to so act, his duty to act fairly cannot be denied since he has a duty to give notice of the intended revocation wherein he must spell out the public purpose of the intended revocation to the title holder.

Although, the apex court is however silent on the manner such a hearing should take. It is submitted therefore that affording the prospective dispossessed the right of audience in the acquisition not minding the overriding power of expropriation of the State will not prejudice the right of either party. Notwithstanding, the pronouncement of the Supreme Court on the need to have the evictee's heard on the proposed revocation is in tandem with the principle of fair hearing as practiced in India. Under the Indian jurisprudence, land acquisition is reportedly composed of three major processes: affected parties are to be identified; they are given a chance to voice their views and finally, an adequate compensation must be arrived upon and disbursed to them accordingly.[45] Affected landowners reserve the right to contest not only the quantum of compensation payable but also the acquisition of the land being sought to be acquired by the State.

It therefore follows that the legal effect of this new rule as espoused by the Supreme Court is that while issuing and serving the revocation notice as provided under the LUA on the evictee, failure

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[44] supra

[45] MA Vikram & K Murali, 'A Critical Review on Land Acquisition and Valuation Process across the World' *Journal of Mechanical and Civil Engineering* (2015) 12 (5) at 13. Also available online <www.iosrjournals.org> accessed on 23 May2018

to afford him with the right to be heard on the proposed acquisition for public notice will automatically vitiate the expropriation exercise. Since by the rule of *stare decisis*, this decision is binding on all lower courts where such issue is raised and also until such is reversed by the apex court, it has become part of our law; it is thus submitted that the legislature should amend to provisions of the LUA to accommodate same.

Conclusion

This study has been able to review the process of issuing and serving revocation notice on the prospective evictee in the exercise of the expropriation power of the State. It analyses the position of this matter under the LUA in contradistinction with that of India as well as x-rayed some of the inherent challenges in it. Under the regime of LUA, if the express provisions are followed, there might be no fair dealing as dictated by best global practices. It appears that it is in the light of the foregoing that the Supreme Court has to invent the rule of the need not to only put the prospective evictee on notice but also to factor in his views on the proposed compulsory acquisition. With the new rule in place, frictions and confrontations are likely to be reduced to minimal