

Agong ada kuasa ambil tanah, sumber

Kuala Lumpur: Ordinan Darurat (Kuasa-Kuasa Perlu) 2021 memperuntukkan kuasa kepada Yang di-Pertuan Agong atau mana-mana orang dikurniakan kuasa berhubung pengambilanilikan tanah dan penggunaan sumber.

Berdasarkan dokumen ordinan berkenaan yang disiarkan di laman web rasmi Pejabat Peguam Negara, ia menyebut kuasa berkenaan melangkaui sebarang sekatan dikenakan terhadap tanah terbabit, yang mungkin disebabkan faktor undang-undang bertulis atau surat cara lain.

“Perintah untuk mengadakan peruntukan bagi melarang atau

mengehadkan penggunaan hak lalu lalang ke atas tanah atau bangunan itu dan hak lain yang berhubung dengannya juga boleh dibuat.

“Apa-apa maklumat dalam milikannya, berhubung dengan tanah, bangunan atau harta alih itu, juga wajar diberikan pemilik atau penghuni kepada Yang di-Pertuan Agong atau orang yang diberi kuasa,” menurut dokumen ordinan berkenaan.

Sepanjang darurat berkuat kuasa, ordinan mengandungi 18 seksyen itu juga memperuntukkan bahawa Yang di-Pertuan Agong atau pihak dikurniakan

kuasa untuk meminta sebarang sumber, bagi kegunaan apa-apa maksud yang difikirkan perlu.

“Yang di-Pertuan Agong atau mana-mana orang yang diberi kuasa boleh memberikan apa-apa arahan berhubung dengan penggunaan, pengurusan dan kawalan sumber kepada orang yang sumbernya diminta.

“Yang di-Pertuan Agong atau mana-mana orang yang diberi kuasa boleh memberikan apa-apa arahan berhubung dengan pengeunaan apa-apa fi atau caj yang boleh dikenakan oleh orang yang sumbernya diminta di bawah Subseksyen (2).

“Bagi maksud seksyen ini,

‘sumber’ termasuk sumber manusia, kemudahan, utiliti dan aset, dan pengawal atau pengurus sumber manusia, kemudahan, utiliti dan aset itu,” mengikut warta berkenaan.

Turut diperincikan ialah aspek pampasan tanah, bangunan atau harta alih, menerusi pentaksiran yang dijalankan orang diberi kuasa oleh Yang di-Pertuan Agong.

Taksiran pampasan itu bagaimanapun muktamad dan tidak terbuka kepada sebarang pertikaian, selain tidak boleh dicabar atau dipersoalkan di mana-mana mahkamah atas sebarang alasan.

Land office postpones objection date

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THE Federal Territories Land and Mines Office (PPTGWP) has postponed the objection date for the degazetting of a plot of land in Kuala Lumpur reserved for public use, to a later date.

PPTGWP director Muhammad Yasir Yahya told *StarMetro* the Jan 26 date was chosen by the Attorney General (AG) and not PPTGWP.

But, as the city was under the second movement control order, he said the government had agreed to its postponement.

"We also accept the objections filed by those who came in on Tuesday.

"We are not cancelling the process but merely postponing it to another date in the future," Yasir said.

StarMetro reported on Monday that the authorities initiated the

process to degazette a plot of land known as Lot 80835 that had been gazetted as "land for public purpose" on April 17, 2015.

Located on the border of Kepong and Batu constituencies, the land owned by the Federal Territories Ministry is currently being used by Kuala Lumpur City Hall (DBKL) as its nursery.

The Federal Territory Land Executive Committee has moved to degazette Lot 80835 according to Section 64 of the National Land Code.

The notice on the proposed revocation was issued on Jan 11 in the Federal Government Gazette.

The revocation will proceed if there are no objections from the public and the land will be degazetted to accommodate a proposed housing development.

Yasir said the government did not anticipate there would be an MCO in place when the date was selected for objections to be filed.

"No one expected that, but after receiving a lot of objections on Tuesday from various stakeholders, including non-governmental organisations and residents, I contacted the AG and was advised to postpone the date," he said, adding that the public would get more time to file their objections.

Malaysian Institute of Planners (MIP) president Ihsan Zainal Mokhtar had criticised the timing and short deadline for the public to voice their objections to the proposal at this juncture due to the MCO and ongoing pandemic.

"We are concerned with any attempt to degazette land originally meant for public use and allowing housing and other uses on such land.

"While it is a positive move to allow for public objections in the application process, the timing is not suitable," he said.

"As a professional body champi-



oning the gazette of statutory plans, any plan changes should only be carried out as a last resort.

"The sanctity of the plan and its components must be adhered to

at all times," he added.

Ihsan Zainal said MIP fully supported the pledge made by Annuar on Facebook to increase public open spaces and protect the ones already gazetted.

StarMetro's
report on
Monday,
Jan 25.