

Voter alleges Nurul committed graft in defaming Nong Chik

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By Hafiz Yatim

A voter is contesting PKR vice-president Nurul Izzah Anwar's win in the 13th general election for the Lembah Pantai parliamentary seat, alleging that the latter had committed a graft offence in defaming BN candidate Raja Nong Chik Zainal Abidin and his supporters as purportedly having destroyed two ballot boxes and papers.

Petitioner Mohamad Sazali Kamilan named Nurul Izzah, the Lembah Pantai returning officer Rolan Abd Rahman and the Election Commission (EC) as respondents in the petition filed at the Kuala Lumpur High Court registry today.

NONEMohamad Sazali claimed that Nurul Izzah had published a false statement a day before polling day (on May 4) - which constituted a corruption offence - on former federal territories minister Raja Nong Chik (right) over his alleged involvement in the Bukit Kiara land deal which was published by Malaysiakini.

He alleged that the publication of Nurul's statement had resulted in indecisive voters for Raja Nong Chik, and that such matters uttered by Nurul Izzah could be considered as a graft offence under Section 11(1)(d) of the Election Offences Act 1954 and hence, her win should be declared null and void under Section 32 of the same Act.

Following the publication of the alleged false statement, Raja Nong Chik has lodged a police report against Nurul Izzah over the matter.

Mohamad Sazali also claimed that the returning officer had failed to report to the EC on the destruction of two ballot boxes - which were brought in two cars, a Proton Waja and a taxi - where the obstruction by Nurul Izzah's supporters had resulted in damage to the ballot papers.

"The ballot boxes were prevented from being brought into the tallying centre, Sekolah Rendah Kebangsaan Bukit Bandaraya, by Nurul Izzah's supporters and could have changed the outcome of the election results," he alleged.

Biting incident haunts Tian Chua

A separate petition was filed by BN's candidate from Gerakan, Dr Dominic Lau Hoe Chai, against another PKR vice-president, Tian Chua, for the Batu parliamentary

seat.

NONE Lau named Chua (left), returning officer Mustafa Mohd Nor and the EC as respondents.

Lau contested Chua's legitimacy to contest and win, when the PKR vice-president had been found guilty by the Kuala Lumpur magistrate's court and fined RM3,000 and two months' jail. Later in 2010, the Kuala Lumpur High Court had upheld the sentence, although Chua's fine and sentence had been reduced to RM2,000 or in default, two months' jail.

The petitioner contested that based on Article 48(1) of the federal constitution, Chua had lost his qualification to contest in the elections due to the fine, and that the returning officer had wrongly announced Chua as being able to contest.

Under the federal constitution, a lawmaker loses his eligibility after being fined RM2,000 or above or one year's jail time.

"The returning officer ought to reject Chua's nomination as it is a violation of Regulation 7(1)(c) of the Election (Conduct of Elections) Regulations 1981 which will form the basis for the court to declare Chua's win as null and void.

Lau also claimed that Chua had violated Section 24B(1), (4), (6) and (10) of the Election Offences Act for publishing and putting up campaign materials on April 19, 2013 a day before the nomination day.

NONETHis included areas in Bandar Baru Sentul, near Jalan Pahang; police reports have been made over these advertisements and banners, said Lau in his application.

It is noted that the applications of Lau (left) and Mohamad Sazali were filed by law firm Raja Riza & Associates.

Both petitioners seek for the results of the Lembah Pantai and Batu parliamentary seats to be declared null and void, and that the MPs for both constituencies had not been duly elected.

They also want a ruling under Section 36(1) of the Election Offences Act that Raja Nong Chik of Lembah Pantai and Lau of Batu had been the ones who were duly elected instead.

They are also seeking other relief as deemed fit by the court.

Lawyer Shahir Ab Razak filed the documents for the firm of Raja Riza.

Besides the two BN petitions, it was learnt that separate petitions had been filed by PAS - for the Titiwangsa parliamentary seat - and PKR for the Setiawangsa parliamentary seat.

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