

KINIGUIDE | Exploring temple crisis in the heart of KL

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KINIGUIDE | A reported proposal to build a mosque on a piece of private land, which is the site of a century-old Hindu temple, had prompted a flurry of urgent actions from Kuala Lumpur City Hall (DBKL) as the local authority in charge.

Advocates for the Dewi Sri Pathrakaliamman temple had raised their concerns following reports of a purported groundbreaking ceremony by Prime Minister Anwar Ibrahim at the temple site on March 27.

This KiniGuide looks at a brief history of the temple and current developments.

Where is the temple located?

The temple is on Lot 328 Seksyen 40, Jalan Bonus Enam, Off Jalan Masjid India.

The temple was built in 1893 and its main deity, Dewi Sri Pathra Kaliaamma, stands over six feet tall.

Initially, it was reported that the temple had been relocated just a short distance in 2008 at DBKL's request.

However, it has since been clarified that the temple was not moved.

Instead, a part of the temple - notably its kitchen and priests' living quarters - was demolished to make way for road expansion works.

A ritual cleansing ceremony (kumbhabhishekam) was later carried out.

What is the land status?

According to a land search document from the Federal Territories Land and Mining Office, Lot 328 Seksyen 40 is designated only for commercial use.

The 1,128 square metres plot of freehold land is also not gazetted for any other use, including to build a house of worship.

Who is the landowner?

Despite staking their claim on the land, the Dewi Sri Pathrakaliamman temple committee has no legal ownership rights under the law.

Malaysiakini sighted an application signed by the temple committee dated Nov 15, 2012, submitted to the Federal Territories Land Administrator under Section 14 of the National Land Code, for the land to be gazetted as a reserve land for a non-Muslim house of worship.

According to the land search document, DBKL registered their ownership of the land on July 19, 2010.

The same document states that DBKL had on Oct 23, 2014, transferred ownership of the land to Jakel Trading Sdn Bhd - owner and operator of Jakel Mall located opposite the temple.

The process surrounding the sale of the land by DBKL to Jakel also remains unclear.

How did the problem start?

Lawyers for Liberty co-founder N Surendran, representing the temple committee, alleged that the sale was conducted without their knowledge until two years later in 2016.

Malaysiakini sighted a letter dated March 25, 2016, from DBKL to the temple committee, informing them that a sale and purchase agreement was signed with

Jakel Trading on May 12, 2014.

After being informed of the sale, the temple committee initiated engagements with Indian leaders in government, including former minister and MIC deputy president M Saravanan, as well as former federal territories deputy minister Loga Bala Mohan, to seek updates on the status of their application to reserve the land.

Their engagement attempts spanned several administrations, including the present government through Minister in the Prime Minister's Department (Federal Territories) Dr Zaliha Mustafa, in June and December last year.

The status of the application remains unclear.

What else happened last year?

According to documents sighted by Malaysiakini, Jakel Trading had on March 21 issued a notice to inform the temple committee that it had obtained a Development Order and Building Plan Approval from DBKL.

Jakel Trading said the company has plans to commence a project development within two months, and the temple committee was given 30 days to vacate the land.

The temple committee however persisted in remaining on the site.

In August last year, through assistance from among others, Batu MP P Prabakaran, the temple committee conducted “site visits” to several alternative locations around the area, together with officers from the Federal Territories Land Office.

Where are the ‘alternative’ sites?

Malaysiakini understands the site visits involved three locations - Lot 316, Lorong Tunku Abdul Rahman; A plot identified as PT 5005 “next to Kedai Emas Joyalukkas”; and 73, Lorong Lai Tet Loke, Sg Bunus.

DBKL on March 20 this year said it had identified a new site to relocate the temple but did not mention an exact location.

At a separate press conference, Jakel legal and corporate communications head Aiman Dazuki said DBKL had proposed two or three relocation sites but were “rejected” by the temple committee.

On the same day, temple committee vice-chief Raj Mohan Pillai during a press conference with LFL said the Sungai Bunus location was unsuitable due to the risk of flooding.

LFL executive director Zaid Malek, as well as former Malaysian Bar chairperson Ambiga Sreenevasan, proposed for the temple to remain at the current site, while the proposed mosque can be constructed on two adjacent plots of land that also belonged to Jakel.

What were the criticisms against the current temple structure?

Many objections based on public comments on media reports of the incident centred around the temple's existence on land belonging to another party, in this case, DBKL and subsequently Jakel.

Critics argued that the temple committee, as well as advocates from LFL and others, have no right to dictate how the "rightful land owner" should act.

They further questioned why the temple committee since its existence did not raise funds to purchase the plot of land from DBKL, instead of insisting on remaining on the site for free or negotiating compensation for relocation.

There were also broader allegations of "trespassing" made against the construction of Hindu temples or Hindu sites of worship in general.

Will the temple be demolished?

As of March 20, Jakel and DBKL both reaffirmed there will be no forced demolition of the Hindu worship house and that any proposed construction will only commence after the matter is resolved through relocation to a site agreed by the temple committee.

Jakel insisted they had engaged with the temple committee over the last 10 years after the land was identified to fulfil company founder Mohamed Jakel Ahmad's wish to donate a mosque to the local community.

Jakel also said the March 27 groundbreaking ceremony with the expected attendance of the prime minister will be a "symbolic" function and no construction will commence pending an agreed relocation.

According to Deputy Entrepreneur Development and Cooperatives Minister R Ramanan, Anwar wanted the issue to be resolved amicably.

Others in government who have spoken up to reassure that the temple will not be immediately demolished include Digital Minister Gobind Singh Deo and Bukit Bintang MP Fong Kui Lun.

With all eyes on Anwar, it remains unclear if the prime minister will officiate the mosque's groundbreaking ceremony on March 27 or if the event will proceed as planned.

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