

**Probe ends, Penang to act on Batu Kawan sand mining**  
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The committee directed by Chief Minister Lim Guan Eng to investigate sand mining activities in Batu Kawan recently has found that there indeed have been "illegal activities" in Mukim 3, Seberang Perai Selatan, since 2008.

Lim said action would be taken against the operator of the sand mine, whose activity resulted in a municipal councillor quitting his post in PKR and the circulation of poison pen letters alleging top level corruption in the state government.

He said although the sand operator was mining within the boundaries of his own land, he was not allowed to carry out the activity before obtaining the approval of the Land Office in Seberang Perai.

"This shows that the state government will take firm action against anyone or on any activity that is not in accordance with the law," Lim (left) told a press conference at his office in Komtar today.

The investigating committee headed by Bukit Tambun assemblyperson Law Choo Kiang submitted its findings to the state exco at its meeting yesterday, and suggested that action be taken against the company under the Land Conservation Act (LCA) of 1960 and related laws, Lim said.

The LCA imposes penalties on those responsible for illegal hill-clearing activities and provides measures for regulating hillside development.

"Based on the findings of the investigating committee, we have found that illegal sand mining activities were carried out on Grade A land, which needs no permit for such work," he said.

Land gazetted under hillside regulations

"However, based on the LCA, the sand operator needs the approval of the state Land Office before it starts operations (since the land had been gazetted under hillside regulations)," Lim added.

Also present were Deputy Chief Minister I Mansor Othman and state exco member for local government, traffic management and environment and Tanjung (DAP) MP Chow Kon Yeow.

The issue blew into the open when Seberang Perai Municipal councillor and PKR Batu Kawan exco member Goh Choon Aik abruptly quit his party post.

He was reportedly upset that the state did not carry out investigations into the allegations about the illegal sand mine.

Goh, who retained his councillor's post, has been at loggerheads with Law (right) over the matter, following a poison pen letter which accused the latter and Mansor of having a clandestine relationship with the mine owner.

The mine owner, however, maintains that he has official state approval for his mining activities.

Later, Law clarified that Grade A land under the 1963 National Land Code was unique to land in Penang and Malacca.

He explained that companies deriving any produce from the land, such as minerals or sand, were exempted from paying the government royalties and neither was it necessary for them to apply for a permit to carry out mining activities.

'No question of state losing royalties'

"The state government also has no right to ask the companies to pay royalties to the state, and therefore the question of the state losing money over this matter does not exist," Law said.

He also clarified that despite the Grade A status of a plot of land, the Seberang Perai Municipal Council would monitor activities on the land according to the work plan submitted to the town planning committee.

In June this year, the state land committee decided that quarries must submit their work plan before starting operations.

Law said the landowner had applied for the land to be degazetted in April 2008 but until today, he had not received any reply from the Land Office.

"The Land Office has not completed its task yet, but the landowner should be aware that he cannot start any activity until he gets the approval of the state," he said.

"Therefore, we found that the company did not comply with Land Office regulations to have the land degazetted before sand mining activities were carried out."

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