

DAP Perak: We're disgusted!
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The Ipoh city council, headed by Mayor Mohamad Rafiai Moktar, has been accused of "acting above the law" by clearing councillor Lim Huey Shan of breaching the law in operating a factory without a licence.

DAP Perak chief Ngeh Koo Ham, in levelling the charge, said: "I would like to express my disgust with the way the matter was handled.

"If it this is the case, it should apply (the rule) across the board. Either penalise Lim or allow all of us to operate without a licence."

Lim, the Ipoh Barat MCA public services and complaints bureau head, is the major shareholder in a plastic-moulding factory which was found to be operating without a premise licence.

Ngeh, a lawyer by profession, pointed out that the law states that no operations can be carried out in such circumstances.

"If the ordinary man does the same thing, he would be penalised. The laws says you cannot operate until you have a licence - it's as simple as that. The council cannot apply double standards. The local government has degenerated to such a state that they are acting above the law," he said.

Even if an application for a premise licence receives conditional approval, operations should not start until the licence is issued, Ngeh said when commenting on the mayor's explanation via the press on March 7.

Application approved

The New Straits Times had quoted Rafiai as saying the company had not violated licensing regulations because conditional approval had been given when the factory applied for a premise licence on Sept 28 last year.

"The city council issued conditional approval last November for the premise licence and requested that the company complies with the fire department's regulations for the installation of water sprinklers, which the company has done," he was quoted as saying.

"As a rule, the council will issue conditional approval to an applicant and within six months he must comply with regulations and install whatever has been found lacking ...by the authorities. In this case, the company complied within the six-month period, and therefore (it) is not operating illegally."

Rafiai also said the city council approved the company's application for the premise licence on Feb 7 and that the company had paid RM480 as the fee for the current year.

The delay in approving the application arose because the city council was waiting for an evaluation report from the Fire and Rescue Services Department, he said.

"As soon as the council received the fire department's response on Feb 6, it issued the premise licence the following day," Rafiai said.

The case was exposed by Ipoh Barat MP M Kulasegaran in January.

Lim, one of the directors of the company, has denied being involved in day-to-day operations at the SMI company which began operating in February 2004.

He had earlier said the company, Marvellous Essence Sdn Bhd, is a family business and that it started operating even before he was appointed city councillor in January 2005.

MCA Perak head Ong Ka Chuan has defended Lim, describing the issue as a "a technical error and not a moral issue".

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