

**PKR claims PM tampering with FELDA court cases**  
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**By Shazwan Mustafa Kamal**

KUALA LUMPUR, March 19 — PKR has accused the prime minister of trying to influence the courts in on-going FELDA cases, and claimed to have evidence to back up its allegations.

Citing minutes of a meeting between Datuk Seri Najib Razak and FELDA management on June 27 in Parliament last year, PKR secretary-general Datuk Saifuddin Nasution read out excerpts that he said “proved” alleged attempts to interfere with FELDA court cases.

“Make sure judges and lawyers are given understanding of the subject and technical means in which to calculate the OER (oil extraction rate) to ensure that FELDA wins the cases and is not compromised,” Saifuddin read from the excerpts to reporters here.

The Machang MP pointed out that there were currently four court cases concerning FELDA settlers and the OER, and that this disclosure made it difficult to believe that justice would be served in courts.

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“The point is simple, if FELDA wants to brief their lawyers it’s up to them. But when you say you want to make sure the judge [is made to understand something]... based on separation of powers a judge is not answerable to the PM.

“Why is the prime minister instructing the FELDA management to explain matters to judges? If they can [do] this, where is the guarantee that FELDA settlers can win their court cases?” asked Saifuddin.

The PKR leader said the government needed to guarantee fair trials for all FELDA settlers, adding that this also cast serious doubts on the outcome of the legal action taken by settlers who are against FELDA’s listing.

Last month, eight FELDA settlers won a temporary court order blocking the transfer of shares from FELDA Investment Co-operative (KPF) to FELDA Global Ventures Holdings (FGVH), a crucial step in the government’s plan to list the plantation firm unit.

FGVH’s listing, first mooted by Najib in his Budget 2012 speech, will see the loss-making unit take control of assets now under the KPF.

“If it (influencing the judges) can be done, what’s to stop (interference) in court injunction on listing of FELDA? Where is the guarantee?” said Saifuddin, who added that he has demanded Najib clarify the details of the meeting last year.

Putrajaya said last week it will push ahead with the proposed listing in June, with or without the 51 per cent stake in commercial arm FELDA Holdings held by settlers.

According to Deputy Minister in the PM's department Datuk Ahmad Maslan during a press conference, this was because the government wished to capitalise on high crude palm oil (CPO) prices.

"If we cannot set the injunction aside or if they appeal, we still have to go ahead. We have to capitalise while CPO prices are high.

"That is the main factor for why we want to list in May, but now it will probably be in June. But we will go ahead without KPF," he had said.

The government previously insisted it had backing from a majority of settlers, despite reports of widespread opposition.

FELDA announced that proceeds from the IPO will now be channelled into a special purpose vehicle (SPV) to ensure settlers benefit directly from the listing, after the court blocked the shares transfer.

But PKR charged that the SPV would only lower FGVH's listing value, adding that the government's decision was a direct snub to KPF.

The co-operative has over 220,000 members, of which 112,635 are FELDA settlers while the rest are FELDA employees and children of settlers.

Reuters reported last month Putrajaya may delay FGVH's listing due to settlers' opposition, which risks undermining Barisan Nasional's (BN) support from voters long considered the ruling pact's vote bank.

Critics contend that the proposed listing, which will see loss-making FGVH assume control of KPF, will shortchange settlers and saddle FELDA with up to RM1.5 billion in yearly deficits.

FGVH subsidiaries such as FELDA Iffco Sdn Bhd, FELDA Global Technologies, FELDA Global Ventures Middle East and FELDA Global Ventures Arabia are reported to have chalked up accumulated losses of around RM500 million up to last year.

But Ahmad has said the unit recorded pre-tax profits of RM203 million and RM366 million in 2009 and 2010, respectively.

FELDA Holdings has a workforce of some 19,000 employees, with a labour force of 46,795 workers at 300 estates, 70 palm oil mills, seven refineries, four kernel-crushing plants, 13 rubber factories, manufacturing plants and logistic and bulking installations in Malaysia and overseas.

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