

Sacking of excos by Khalid is illegal, says law professor
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The sacking of five Pakatan Rakyat executive councillors by Selangor Menteri Besar Tan Sri Abdul Khalid Ibrahim today is unconstitutional, a law professor said.

Professor Gurdial Singh Nijar of the University Malaya law faculty said only the Sultan could dismiss the exco members.

"The MB can recommend, but the recommendation may or may not be accepted. Hence, the dismissal with immediate effect is not valid in law," he told The Malaysian Insider in an immediate reaction this evening.

Gurdial said the dismissal was fatal as the exco members were not given the right to be heard.

"The reason given by the MB is that the exco members have a bloc to reduce the efficiency of the exco. However, no such voting to 'block efficiency' has in fact occurred," he said.

Gurdial said on the contrary, the exco members had pledged to respect the Sultan's endorsement of Khalid yesterday pending a final determination of the MB's position according to the state constitution.

"In the meantime, they have agreed to proceed with their exco duties as usual. The MB's grounds, with respect, are spurious and are flawed in law as a basis for dismissal, in any event," he added.

Earlier in the day, six executive councillors from DAP and PKR took the position that any decisions made at the state cabinet meetings would have to go through a

voting process.

The six - Teng Chang Kim, Ean Yong Hian Wah and V. Ganabatirau from DAP; and Rodziah Ismail, Elizabeth Wong Keat Ping and Dr Daroyah Alwi from PKR - signed a statement which said Khalid and his state cabinet's function was limited to transition capacity.

Khalid was sacked last Saturday after he refused to resign as directed by his party, to pave the way for Kajang assemblyman and PKR president Datuk Seri Dr Wan Azizah Wan Ismail to take over the MB's post.

Khalid has also been facing mounting pressure from the PKR leadership to resign over his handling of Selangor affairs.

These include the state's management of its water resources, the Kidex highway and seizure of Bahasa Malaysia and Iban-language Bibles by the Selangor Islamic Religious Department (Jais).

Yesterday, Khalid told the press that the Sultan had consented for him to remain as MB as of now as he commanded the confidence of the majority.

However, Khalid said he would work with the four PAS exco members, the minimum required under the constitution to administer the government. – August 12, 2014.

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