



KEMENTERIAN TENAGA DAN SUMBER ASLI

## KERATAN SURAT KHABAR

SURAT KHABAR	:	THE SUN			
TARIKH	:	4/6/2021	MUKA SURAT	:	2
JABATAN	:	JP NEGERI KELANTAN			

### Temiar orang asli lose land dispute suit

**PUTRAJAYA:** The federal government does not have the *locus standi* (legal standing) to take legal action on behalf of the nation's aborigines, the Court of Appeal ruled.

In line with the ruling yesterday, it also allowed an appeal by the Kelantan government to strike out a suit filed by the federal government on behalf of the Temiar orang asli

over a customary land dispute in Pos Simpor, Gua Musang.

In a unanimous decision, a three-member panel led by Justice Datuk Lau Bee Lan said that there is no provision in the Federal Constitution or any written law that allows the federal government to file a suit on behalf of aboriginal people.

Lau said it was the view of the

court that while the federal government had a fiduciary duty to provide for the welfare of aborigines, this duty does not come with the right to sue. In view of this, the suit is struck out, she added.

The dispute is over the alleged infringement of property rights of the Temiar orang asli by the Kelantan government and its agencies.

The court proceedings were conducted over Zoom. Also on the bench were justices Datuk P. Ravintran and Datuk Mohd Sofian Abd Razak, Bernama reported.

On Aug 29, 2019, the Kota Baru High Court ruled that it had the jurisdiction to hear the suit filed against the PAS-led Kelantan government, the state director of

Lands and Mines, the state director of the Forestry Department and five private entities.

In its statement of claim, the federal government said that the Kelantan government had issued licences to private companies, enabling them to carry out logging and land clearing for agricultural purposes on the native land.