

THE CONCERNING STATUS OF
MALAY RESERVE LAND

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UNIVERSITI TEKNOLOGI MALAYSIA

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THE CONCERNING STATUS OF
MALAY RESERVE LAND

MOHANACHELVI GOPINATHAN

A thesis submitted in fulfilment of the
requirements for the award of the degree of
Bachelor of Engineering (Geomatics)

Faculty of Built Environment and Surveying
Universiti Teknologi Malaysia

JULY 2020

DECLARATION

I declare that this thesis entitled “*The Concerning Status of Malay Reserve Land*” is the result of my own research except as cited in the references. The thesis has not been accepted for any degree and is not concurrently submitted in candidature of any other degree.

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DEDICATION

This thesis is dedicated to my father, who inspired me to strive to be my best self. It is also dedicated to my mother, who taught me to strive through adversities, for the best is yet to come.

This thesis is also dedicated to my supervisor, Sr. Dr. Tan Liat Choon, for guiding and supporting me throughout the journey of writing and publishing this research. I will forever cherish his wisdom and persistence.

I would like to dedicate this thesis to my sisters and fellow friends, who have supported me throughout the journey of producing the thesis.

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ABSTRACT

The increase in Malaysian population and housing development is undeniable. It is important for the economic growth of our nation. The state government and private companies have taken advantage of any type of land that is available and is suitable for housing development. However, Malay Reserve Land (MRL) had suffered the most to be developed due to several reasons. Moreover, there was the issue of acquisition of Malay Reserve Land and not replacing it accordingly. This study will focus on the status of Malay Reserve Land in Johor, particularly in Segamat, Pontian and Muar. The study is completed through careful analysis of literature review, the quantitative and qualitative data collected from questionnaires and validation from the authorities from several official government officers. The study discovers the opinion of land owners, the efficiency involved in Malay Reserve Land management and discusses the ways to overcome those issues. To restore the status of Malay Reserve Land, it is important to have stricter laws and create incentives to promote the development and ownership of Malay Reserve Land.

ABSTRAK

Peningkatan populasi dan perumahan di Malaysia tidak dapat dinafikan. Ini penting untuk pertumbuhan ekonomi negara kita. Kerajaan negeri dan syarikat swasta telah memanfaatkan setiap jenis tanah yang sesuai dan sedia ada untuk pembangunan perumahan. Namun, Tanah Rizab Melayu (TRM) mengalami kemunduran dari segi pembangunan disebabkan oleh beberapa faktor. Tambahan pula, isu pengambilan tanah rizab tanpa penggantian yang sepatutnya. Kajian ini adalah tentang Tanah Rizab Rizab di Johor, terutamanya di Segamat, Pontian dan Muar. Kajian ini telah dihasilkan dengan menganalisis kajian literatur, data kuantitatif dan kualitatif yang diperoleh melalui selidik soal jawab dan temubual pengesahan pegawai kerajaan, Kajian ini telah menemui pendapat pemilik tanah, keberkesanan pengurusan Tanah Rizab Melayu dan membincangkan cara-cara mengatasi isu-isu tersebut. Bagi memulihkan status Tanah Rizab Melayu, ia adalah penting untuk mengetatkan undang-undang dan memperkenalkan insentif yang mempromosikan pembangunan dan pemilikan Tanah Rizab Melayu.

TABLE OF CONTENTS

	TITLE	PAGE
	DECLARATION	iii
	DEDICATION	iv
	ACKNOWLEDGEMENT	iv
	ABSTRACT	vi
	ABSTRAK	vii
	TABLE OF CONTENTS	viii
	LIST OF TABLES	xi
	LIST OF FIGURES	xii
	LIST OF ABBREVIATIONS	xiii
	LIST OF APPENDICES	xiv
CHAPTER 1	INTRODUCTION	1
1.1	Background of Study	1
1.2	Problem Statement	2
1.3	Objectives	3
1.4	Scope of Study	4
1.4.1	Data	4
1.4.2	Research Area	5
1.5	Limitation of Study	5
1.6	Contribution of the Study	6
CHAPTER 2	LITERATURE REVIEW	7
2.1	Introduction	7
2.2	The History of Malay Reserve Land	8
2.3	Definition of Malay	8
2.3.1	Enactment of Malay Reserve	9
2.3.1.1	<i>Enakmen Rizab Melayu Kelantan 1930</i>	10
2.3.1.2	<i>Enakmen Rizab Melayu Kedah 1931</i>	10
2.3.1.3	<i>Enakmen Rizab Melayu Perlis 1935</i>	10

2.3.1.4	<i>Enakmen Rizab Melayu Johor 1936</i>	11
2.3.1.5	<i>Enakmen Rizab Melayu Terengganu 1941</i>	11
2.3.2	Federal Constitution of Malaysia	12
2.4	The Definition of Malay Reserve Land	12
2.4.1	The Characteristics of Malay Reserve Land	14
2.4.1.1	Ownership	14
2.4.1.2	Location	14
2.4.1.3	Land Dealings	15
2.4.1.4	Restrictions	15
2.5	Malay Reserve Land in Peninsular Malaysia	15
2.6	The Area of Malay Reserve Land in Peninsular Malaysia	16
2.7	The Decrease of Malay Reserve Area and its Effect on Malay Community	18
CHAPTER 3	METHODOLOGY	19
3.1	Introduction	19
3.2	Stage 1: Preliminary Research	21
3.3	Stage 2: Data Collection	21
3.3.1	Primary Data	22
3.3.2	Secondary Data	22
3.4	Stage 3: Data Analysis	24
3.5	Stage 4: Conclusion and Suggestion	24
CHAPTER 4	ANALYSIS	25
4.1	Introduction	25
4.2	Data Analysis Method	25
4.3	The Analysis of Challenges of Maintaining Malay Reserve Land from Landowner's Perspective	26
4.4	Research Analysis Result	27
4.4.1	Level of Knowledge of Land Owners regarding Malay Reserve Land	27
4.4.2	Market Value of Malay Reserve Land	29
4.4.3	Location and Infrastructure	31

4.4.4	The Effectiveness of Restrictions of Malay Reserve Land	33
4.4.5	Malay Reserve Land being Acquired by Certain Authorities	34
4.5	Conclusion	34
CHAPTER 5	CONCLUSION AND SUGGESTIONS	35
5.1	Introduction	35
5.2	Research Outcomes	35
5.2.1	Declare More Lands as Malay Reserve Land	36
5.2.2	Tighten Land Dealing Restrictions on Malay Reserve Land	36
5.2.3	Establishing Information Inventory System	37
5.2.4	Charge Exemption for Malay Reserve Land	38
5.2.5	Improving the Quality of Public Facility and Infrastructure	38
5.3	Contribution to Knowledge	39
5.4	Future works	41
5.5	Conclusion	41
	REFERENCES	43
	APPENDIX A	45
	APPENDIX B	51

LIST OF TABLES

TABLE NO.	TITLE	PAGE
Table 2.1	Data from Director of State Land and Mining Office 2009	16
Table 2.2	Malay Reserve Land, Peninsular Malaysia 1913 - 2005	17

LIST OF FIGURES

FIGURE NO.	TITLE	PAGE
Figure 1.1	Districts of Johor	5
Figure 2.1	Data from Director of State Land and Mining Office 2009	17
Figure 3.1	Research Methodology flowchart	20
Figure 4.1	The Knowledge of Malay Reserve Land owner	27
Figure 4.2	Factors for selling Malay Reserve Land	29
Figure 4.3	The obstacles of Malay Reserve Land	31
Figure 4.4	The effectiveness of restrictions on Malay Reserve Land	33

LIST OF ABBREVIATIONS

ERM	-	<i>Enakmen Rizab Malyu</i>
FMS	-	Federal Malay States
MRL	-	Malay Reserve Land
PTD	-	<i>Pejabat Tanah Daerah</i>
TRM	-	<i>Tanah Rizab Melayu</i>

LIST OF APPENDICES

APPENDIX	TITLE	PAGE
Appendix A	<i>Borang Soal Selidik</i> (Malay Reserve Land Owner)	45
Appendix B	<i>Borang Soal Selidik</i> (District Land Office staff)	51

CHAPTER 1

INTRODUCTION

1.1 Background of Study

Land has always been a crucial part of human civilizations. It provided the resource of nutrients to the early humans, as well as space to live on. The development in land management system from the earlier days to today's system is what allows the human civilization to thrive. In my opinion, the abundance of undeveloped land with great potential was what sparked the making of Malaysia that we know today. The supreme law of Malaysia, Federal Constitution of Malaysia sets the rules and regulations regarding land matters in Part VI, Chapter 4 from Article 83 till 91. National Land Code 1965 is enacted to amend and consolidate the laws relating any form of land dealings. Both of these laws are important in maintaining the land usage of Malaysia. There are two methods of land disposal, land alienation and land reservation. Land reservation is done to reserve the land for public usage and land alienation is done to give away the right of the state land.

In the year 1914, Malay Reserved Land (MRL) was introduced to block any disposal of government land under Malay Reserve to Non-Malays and to block any private dealings of land ownership between Malays and Non-Malays through Enactment of Malay Reserve (*Enakmen Rizab Melayu* - ERM) 1913. Starting 15 December of 1933, the enactment was abolished and replaced with Enactment of Malay Reserve 1933. It was later revised and republished as Enactment of Malay Reserve (FMS Chapter 142) in 1935, which is still being used till today. The laws of Malaysia states that the land is to be owned by Malays and developed by them. Degazetting reserved land is allowed as long as a new location with similar characteristics and space area can be found and be established. If a replacement was failed to be established, the process is cancelled. Even with all these laws and Malays

comprising of 69.3 % of 32.6 million population (Mohd Uzir Mahidin, 2019), the development of these Malay Reserve Land are still few. Nurnabihah binti Zulkapar (2016) states that the situation is due to the lack of public knowledge of MRL, the market value, the infrastructure and facilities of MRL and the land acquisition of certain parties of the MRL are the main reasons. Moreover, the disappearing land area reserved for Malays also contributes to this matter (Kurniawati Kamarudin, 2018). This scenario happens when the reserved land was failed to be re-established in a new area in order to degazetize the original land to allow non-Muslim developers to develop it.

To overcome these issues regarding the development of the Malay Reserve Land, several actions have been taken into account. When the reducing land issue was recognised, the state authority immediately took action to increase the percentage of the Malay Reserved Land back to the healthy level. Several Malay Reserved Land has also been developed through a joint venture with non-Malay developers (Yee Hui Tee, 2011) which is beneficial towards both of the parties. Meanwhile, the state of Negeri Sembilan was stated to be not having issues of depleting Malay Reserve areas, whereas most of the states face the issue.

1.2 Problem Statement

A news article published by Bernama.com on 29th October of 2018 discussed the matter of disappearing Malay Reserve Land throughout Peninsular Malaysia. This article brought to light the concerning matter. *Wasiat Raja-Raja Melayu* that was signed on 5th August of 1957 states that the Malay Reserved Land should be at least 50 percent, but the *Laporan Ketua Audit 2013* revealed that only 12 percent of it is left. This revelation brought the question of what has caused the reduction and the disappearance of these lands.

The Land Acquisition Act 1960 states that MRL can be acquired under the circumstances that the state authority deems there are economic benefits in developing the land, or for the purpose of mining or housing, agricultural or commercial, trading,

industrial and recreational or a combination of the purposes above. Federal Constitution of Malaysia states that when a Malay Reserve Land is cancelled, a different land that is ‘similar in character’ and has the same area has to be declared as the new MRL, otherwise, the cancellation process should be considered null.

According to Rohayati Hussin and Rusnadewi Abdul Rashid (2014), there are several factors that causes the reduction of MRL, the main factor being the land owner selling their land for instant income or a new house. The state authority also plays an important role in allowing the sale transaction of MRL between a Malay land owner to a non-Muslim party. Moreover, the state government also has acquired MRL for the purpose of public development without establishing the new piece of land or by replacing the MRL with a land that is not similar (Siti Nursyahidah, 2014).

While Article 89 (1) of Federal Constitution of Malaysia allows the change of a land’s reserve status to freehold for public purpose, most states had done it through the method of ‘land swapping’. However, the method of ‘land swapping’ allows the practice of changing the land’s status without establishing a new MRL and allowing the land to be developed by non-Malay companies (Rohayati Hussin and Rusnadewi Abdul Rashid, 2014).

1.3 Objectives

Two objectives were determined to achieve the goals of this study:

1. To investigate the land decreasing issue of Malay Reserve Land in Johor Bahru.
2. To identify the solution that will be suitable to reduce the decline of the Malay Reserve Land area.

1.4 Scope of Study

The scope of this study is to determine the factors that cause the problems of undeveloped Malay Reserve Land. This study will focus on responses from the local population and the officer in charge of it in that area. With the responses obtained, the factors can be identified based on land owner's and the officer's perspective.

1.4.1 Data

The data for this study is obtained through two sources, which are primary data and secondary data. Primary data refers to the data obtained through reading materials such as articles, books, newspapers, law books and etc. Secondary data refers to the data obtained through questionnaires to the public from several villages in selected districts of Segamat, Pontian and Muar. A total of 50 land owners are selected with 15 response from Segamat district, 15 responses from Muar district and 20 responses from Pontian district. The villages in focus for the Segamat District are Kampung Batu Lima, Kampung Tebing Tinggi, Pagoh and Labis while in Muar district, the villages are Kampung Raja, Kampung Panchor, Kampung Bukit Gambir and Kampung Durian Chondong. The rest of the respondents are from Kampung Chokoh, Pekan Nanas and Kampung Ayer Baloi in Pontian district. The secondary data also includes interviews of validation from several officers from District Land Office (*Pejabat Tanah dan Daerah - PTD*). The Land Offices chosen for this study are PTD Segamat, PTD Pontian and PTD Muar.

1.4.2 Research Area

Malaysia has 14 states as a total in two different regions, separated by the South China Sea, which is the Peninsular Malaysia and West Malaysia. The southernmost state in Peninsular Malaysia is Johor Darul Ta'zim. Johor is the third largest state in Peninsular Malaysia and is bordering the states of Melaka, Negeri Sembilan and Pahang, while being surrounded by Straits of Malacca, Straits of Johor and South China Sea. The state of Johor consists a total of 10 districts, which are Segamat, Ledang, Muar, Batu Pahat, Pontian, Johor Bahru, Mersing, Kluang, Kulai Jaya and Kota Tinggi. The research area of this study focuses in Segamat, Pontian and Muar districts.



Figure 1.1: Districts of Johor

1.5 Limitation of Study

The limits of this study would be that the result is to represent that isolated area only and cannot be inferred for other regions, as different regions has different approach in dealing with MRL. For the purpose of this study, the PTD has shared only certain detail about the MRL of the study area.

1.6 Contribution of Study

Malay Reserve Land was originally introduced to block any and all land exploitation that may occur from outside forces, preserving the land and its importance. When Malaysia achieved independence, it was agreed upon to maintain the system to preserve the custom through *Warisan Raja-Raja Melayu*. It was promised to ensure 50 percent of the available land to be reserved for the Malays. Many individuals and parties have made decisions throughout history that landed Malaysia with only 12 percent of the 50 percent MRL is available.

This study is conducted in the hopes of re-enforcing the status of Malay Reserve Land in Malaysia. Any official officers that are involved in this study along with Malay citizens of Malaysia can benefit from this study. The state authority of Johor may also refer to this study in the future for references.

CHAPTER 2

LITERATURE REVIEW

2.1 Introduction

Land has always been an important element in human civilization and evolution. Therefore, there will always be some difference when it comes to the definition of land. A businessman would define an empty lot of land has high potential to be developed, once planning permission and building plan is approved. A farmer would identify the potential of the land for farming, meanwhile a lawyer would refer to Article 89 (2) of Federal Constitution of Malaysia, which states that any state or federal land can be established as MRL (Federal Constitution of Malaysia, 1957, 2010).

The land is favored for its physical attributions, such as the location of the land, natural resources available there and the route to the location, among other factors. This differentiates the value of the land.

2.2 The History of Malay Reserve Land

Before the arrival of British colonizers, a land property did not have a physical boundary. As long as the land is being cultivated or developed by someone or some group of people, it belonged to them. This system was known as the customary law system was monitored by the Village Leader. This customary law allowed the people to develop the land and pay taxes to Raja and Administrator to protect the land from being cultivated by other individuals.

When the British colonizers arrived in Malaya, they have kept the law to ensure the land is owned by the local community and not the foreigners. However, due to economic disadvantage, the Malay began selling the land to non-Malay. In order to reenforce the status of Malay, the Enactment of Malay Reserve (ERM) was introduced by British Government in the Federal Malay States in the year of 1914. This enactment allowed the reserve land to be sold to Malay only. It was later adopted by other states onwards of 1930. The Enactment is still being used till date, as it preserves the rights of Malay Lands exclusively (Nor Asiah and Bashiran Begum, 2009).

2.3 Definition of Malay

There are 3 categories of ‘people’ that needs to be considered in the contexts of Malay Reserve Enactment, which are ‘*Melayu Definisi*’, ‘*Melayu Polisi*’ and ‘*Bukan Melayu*’. Resali Muda (2011) has stated that the people that are categorized as ‘*Melayu Polisi*’ and ‘*Bukan Melayu*’ can participate in the process of MRL but well within the different capacity that are stated in ERM.

2.3.1 Enactment of Malay Reserve

Malay Reserve Enactment (ERM) 1913 was then introduced to the Federal Malay States (FMS) which consisted of Pahang, Perak, Selangor and Negeri Sembilan on 1st January of 1914. The main purpose of introducing MRL is to block any land and resource exploitation that can be done by other foreign colonizers. The ERM was later adapted into other states as well. On 12th December of 1933, the ERM 1913 was abolished and was replaced with ERM 1933, which was reviewed and republished as ERM (FMS Chapter 142) (Noor Asmida binti Abu Bakar, n.d.).

The states that later established their own ERM are also known as Non-Federal Malay States, which are: -

- i. ERM Kelantan 1930
- ii. ERM Kedah 1931
- iii. ERM Perlis 1935
- iv. ERM Johor 1936
- v. ERM Terengganu 1941

According to ERM 1931, the definition of Malay is as stated below:

‘Malay refers to a person of Malay race that usually speaks in Malay language and has embraced Islam’ (Section 2, Malay Reserve Enactment)

With the implementation of Malay Reserve Enactment (ERM) in other states, the definition of Malay has varied. This is because the term Malay now refers to whoever that is defined as Malay. With the differences of Malay definition, when in doubt, it is mandatory to refer to the *Raja* to make the final decision. (Section 14, Malay Reserve Enactment).

Below is the definition of Malay based on Malay Reserve Enactment according to their respective states:

2.3.1.1 Enakment Rizab Melayu Kelantan 1930

Malay refers to a person who hailed from any Malayan race that can communicate in any Malayan language and has embraced the religion of Muhamad, which includes Islamic Religion Council or trustee of a deceased Malay's inheritance. Kelantan also includes the 'Kelantan native' as a condition for owning MRL in Kelantan.

2.3.1.2 Enakmen Rizab Melayu Kedah 1931

Malay refers to a person who holds on to Islam and usually communicates Malay language. They should also have any of their parent to be Malay or of Arabic lineage. Moreover, any Siamese person that has written documentation by the Director of State Land and Mining Office (*Pejabat Tanah dan Galian* – PTG) that the Siamese farmer is a permanent resident of Kedah is also given the same privileges of Malay.

2.3.1.3 Enakmen Rizab Melayu Perlis 1935

Malay refers to a person that hails from any Malayan race or has Arabic lineage who is able to communicate in Malay language or any other Malayan language and has embraced the Islamic religion.

2.3.1.4 Enakmen Rizab Melayu Johor 1936

Malay refers to a person who hails from Malay race or any Malaysian race that can communicate in Malay language and has embraced the Islamic religion. This also includes Government Officials, Institution, Organization, Association and Companies that has been mentioned in Table Two of the enactment.

2.3.1.5 Enakmen Rizab Melayu Terengganu 1941

Malay refers to a person that hails from any Malayan race who can usually communicate in Malay language or any Malayan language and has embraced the Islamic religion.

Even though the definition of Malay varies from state to state, it can be concluded into three (3) factors, which are;

- i. Have to be a Malay or Malayan (except for Kedah and Perlis which includes Arabic lineage)
- ii. Have to be able to communicate in Malay or Malayan language
- iii. Have embraced the Islamic religion.

The Enactment of Malay Reserve also defines a company as Malay if the company is registered under the Companies Act 1965, where all the staffs are Malay and conducts sale of shares with Malay individuals or Malay companies only (Nor Hamizah binti Mohd Napiah, 2012).

2.3.2 Federal Constitution of Malaysia

The Federal Constitution of Malaysia, as the supreme law of Malaysia, has defined Malay as the following three (3) categories:

- i. A person who has embraced the Islamic religion, able to communicate in Malay language, follows custom and was born before the Independence Day of Federation of Malaya or Singapore, or has a parent who was born in Federation of Malaya or Singapore during Independence Day, or have settled down in Federation of Malaya or Singapore [Article 162 (2) Federal Constitution of Malaysia].
- ii. A person who is considered as Malay for the purpose of Malay reservation according to the resident state law [Article 89 (6) Federal Constitution of Malaysia].
- iii. Based on the criteria set in *Enakmen Tempahan Melayu* [Article 89 (6) Federal Constitution of Malaysia].

2.4 Definition of Malay Reserve Land

New Oxford Dictionary defines the word reserve as something that you keep for a special reason or to use at a later date and as an area of land where the plants, animals, etc. are protected by law. These statements clarify the meaning of reserved land, a land that is allocated for certain purposes.

The introduction of National Land Code, which was enacted in 1965, enabled better management of land administration and the eased the process of gazette and reserving land. Malay Reserve Land was introduced to ensure the land that is declared as Malay stays within the Malay Community.

The objective of Malay Reserve Land is to:

- i. Prevent State Land in Malay Reservation Area from being disposed by any means to the non-Malay.
- ii. Prevent any private dealings between Malay and non-Malay in term of Malay Holding or Malay Reservation Land.

Based on Article 89 (6), Malay Reserve Land refers to a land that is meant to be owned by Malays or the native of the state in which the land is located, and ‘Malays’ include the anyone that has been the resident of the state in reference to the state’s law, is considered as Malay for the land reservation purpose (Rohayati Hussin and Rusnadewi Abdul Rashid, 2014).

Therefore, the *Sultan* and the state authority have the power to dispose the land to a Malay person only. Any dealing regarding MRL has to be done by Malays only. Malay land owners are required to apply for the MRL status, if they wish, to obtain the Malay Reserve status, since not all land owned by Malays are considered as such (Nurnabihah Zulkapar, 2016).

2.4.1 The Characteristics of Malay Reserve Land

Malay Reserve Land is meant to be maintained and owned by Malay only, and should not be owned by non-Malay. However, the usage and enforcement of Enactment of Malay Reserve depends on the state in which the reserve land is located. Even though there are different interpretation of Enactment of Malay Reserve, there are several characteristics of Malay Reserve Land that are involved in enforcing the enactment, which are the ownership, location, land dealings and restrictions.

2.4.1.1 Ownership

In order to protect the importance of Malay, the Malay Reserve Land should be owned by Malays only. As stated in the enactment, non-Malays are not allowed to be involved in any form with Malay Reserve Land. Therefore, any dealings that involves non-Malay is null.

2.4.1.2 Location

Usually, the location of Malay Reserve is located in rural and inland areas that has low quality. The most common location of these reserve land is near valleys and are peatlands. Most of the good quality lands with ideal conditions were owned by estate owners during the British Governance. However, there are some Malay Reserve land that are located near big and established cities, such as Kuala Lumpur, Ipoh, Kuantan, Johor Bahru and many more.

2.4.1.3 Land Dealings

Since most of the Malay Reserve Lands are located in the rural area, the prospect of development for these lands are low. This is due to the factor that the land is mostly an undulating land and is not suitable for the intended development which may result in risks.

2.4.1.4 Restrictions

As mentioned above, non-Malays are not allowed to buy, lease, rent or own a Malay Reserve Land. If a landowner wishes to do so, they are required to obtain approval and discharge from *Majlis Mesyuarat Kerajaan Negeri* and the land office.

2.5 Malay Reserve Land in Peninsular Malaysia

Malay Reserve Land has always been an important part of Malaysian history and culture. In order to maintain this privilege, *Raja-Raja Melayu* released seven (7) wills before signing the Declaration of Independence. The second will quotes “*Kami isytiharkan dan kami simpan untuk kamu, dan kami benarkan kamu untuk mengisytiharkan dan simpan untuk anak cucu, selain gunung-ganang, tasik dan hutan simpan, Tanah Simpanan Melayu sehingga nisbah 50 peratus, selebihnya kamu berebutlah bersama-sama kaum lain*”.

However, based on *Laporan Ketua Audit Negara 2013*, there are only 12 percent of the MRL left, instead of 50 percent. There was an increment in the percentage of the MRL after three (3) years after the report was presented, which is now estimated to 33.3 percent (Kurniawati Kamarudin, 2018). The decrease in percentage of MRL in 2013 had happened due to the cancellation of the reserve status and not replacing it, as well as the greedy attitude of land owners who expect instant profit.

2.6 The Area of Malay Reserve Land in Peninsular Malaysia

Throughout the years after *Wasiat Raja-Raja Melayu* was signed, the original area of MRL established in Malaysia has decreased drastically. Based on the study conducted by Aziz Muda (2013), there is only 1,578,263.91 hectares of MRL left in Peninsular Malaysia, which is just 11.99 percent of promised land.

Figure 2.1, Table 2.1 and Table 2.2 below shows the portion of Malay Reserve Land based on the states in Peninsular Malaysia.

Table 2.1 Data from Director of State Land and Mining Office 2009

State	Reserve Land/Custom (Hectares)	State Land (Hectare)
Johor	195,262.42	1,898,688.00
Kedah	868,836.09	942,500.00
Kelantan	1,307,153.40	1,510,462.00
Melaka	187,378.34	165,200.00
Negeri Sembilan	161,982.75	665,709.00
Pahang	438,491.68	3,596,500.00
Perak	763,666.28	2,100,500.00
Perlis	37,348.53	79,500.00
Pulau Pinang	-	103,104.00
Selangor	126,227.34	793,020.00
Terengganu	118.21	1,295,514.00
WP Kuala Lumpur	803.43	24,270.00
WP Putrajaya	-	4,930.00
Total	4,087,268.47	13,179,897.00

Figure 2.1 Data from Director of State Land and Mining Office 2009

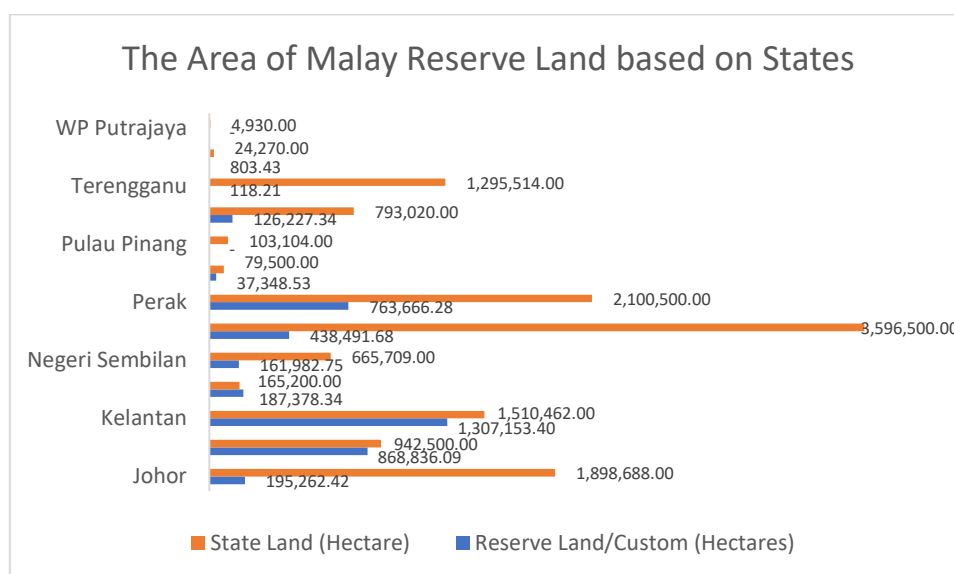


Table 2.2 Malay Reserve Land, Peninsular Malaysia 1913-2005

State	Area of State (km ²)	1921	1931	1947	1955	1998	2005
Perlis	795.00			371.65	50.28	375.00	373.49
Kedah	9,426.00			8,081.62	1,278.04	8,394.00	8,688.36
Federal Territory	243.00					7.83	8.03
Negeri Sembilan	6,643.00	1,870.79	2,084.21	2,372.59	394.72	2,116.00	1,619.82
Johor	18,986.00			499.85	805.85	3,273.00	1,952.64
Pahang	35,964.00	540.05	2,754.79	2,993.93	2,183.26	4,361.00	4,384.91
Terengganu	12,955.00				12.57	0.95	1.18
Kelantan	14,920.00			1,277.85	7,178.79	14,771.00	13,071.53
Perak	21,005.00	5,676.19	7,036.47	7,371.26	5,230.31	8,769.00	7,636.66
Selangor	7,955.00	365.03	869.27	1,258.45	445.01	1,792.00	1,262.27
Penang	1,030.00						
Melaka	1,651.00						
Total	131,573.00	8,452.06	12,744.74	24,277.20	17,578.83	43,859.78	38,998.89

2.7 The Decrease of Malay Reserve Area and its Effect on Malay Community

The Enactment of Malay Reserve is the law that regulates the land ownership of Malay Reserve Land. Based on the statistical research conducted by Mohd Hasrul Haffiz Aliasak, Malay Reserve Land is decreased to 12 percent, which equals to 1.57 million of hectares of land in the year 2009. However, Malay reserve Land was 23.92 percent, which equates to 3.1 million hectares of land (Siti Nursyahidah, 2014).

Compared to non-reserve lands, the development of Malay Reserve Land is very less. There are some factors that has directly and indirectly resulted in this decrease of Malay Reserve area, which includes, the location, physical condition and size of the land and government policy. There are also several factors that contributes to the decline of Malay Reserve area and quantity, where a handful of landowners that has leased or sold their land to non-Malays due to economic disadvantages, lack of infrastructure, difficulty of development due to the location, lack of knowledge of owning and maintaining the land as well as other problems that are related to Malay.

Other factor that causes the decline in Malay Reserve area is the land acquisition made by the government for public benefit without replacing the land or replacing the land with another that is not similar in characteristics and does not have the same market value. If a proper replacement is not established, the transaction should be considered as null, as stated by the law.

Moreover, most of the Malay Reserve Land has been stripped of its reserve status and was not replaced , as intended by the Enactment of Malay Reserve, especially for the lands that are located in major cities. There has been incidents over the years where the landowners are not given proper compensation after acquiring their land. The Malay Reserve Land that has been acquired for public development without replacement is also a factor that contributes to the declination of Malay reserve area. By declaring any of the government land as Malay Reserve Land, the acquired land can be replaced.

CHAPTER 3

METHODOLOGY

3.1 Introduction

This chapter is to explain the method that was used to conduct this study, referring to the techniques is used to obtain the data and information required for this study. For this topic, the methodology focused more on reading materials, previous researches and questionnaires. There are four (4) stages in producing this thesis, which are:

Stage 1: Preliminary Research

Stage 2: Data Collection

Stage 3: Analysis

Stage 4: Conclusion and Suggestion

The following flow chart illustrates the methodology of this study.

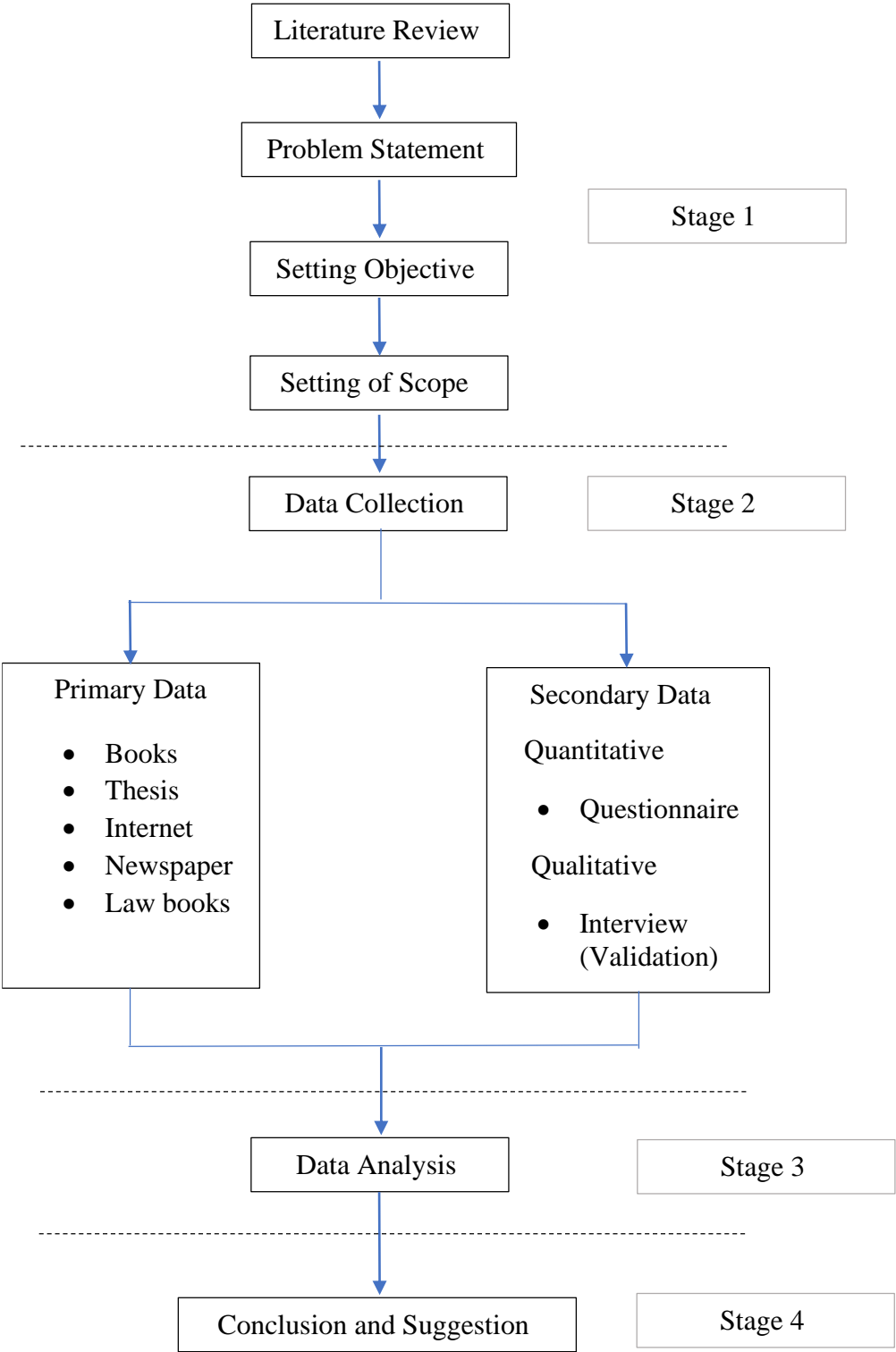


Figure 3.1 Research Methodology flow chart

3.2 Stage 1: Preliminary Research

This stage was the beginning process that provides a rough outline of the problem. The first step was conducting a study to identify the existing problems of Malay Reserve Land. Previous thesis paper, internet articles, newspaper clipping and books were used to identify the major problems faced by MRL along with several other sources. It was identified that the decreasing and disappearance of the MRL is the current major issue.

This issue was identified using the Research Gap method, which is one of the most common method used to identify uninvestigated research topics. Based on the problem identified, the objective and the scope of study was set to focus the study towards the goal of reducing the frequency of disappearing Malay Reserve Land. Then, the approach that should be used to solve the problem was studied.

3.3 Stage 2: Data Collection

At this stage, data is collected through two (2) types of sources, which are primary and secondary data.

3.3.1 Primary Data

The first type of data source is the primary data, which are collected through reading existing books, thesis, internet articles, law books and newspapers. An extensive reading was conducted to be able to understand the concept of MRL and its problems. Information regarding the law and regulations of MRL is obtained from Federal Constitution of Malaysia, National Land Code, Enactment of Malay Reserve and etc.

3.3.2 Secondary Data

Quantitative analysis refers to the method of analyzing numerical data through collection, classification and computation through a set of statistical methods. Qualitative analysis refers to the method of understanding the ‘why’ a certain phenomenon occurs. For this paper, the secondary data that will be collected through questionnaires and interview of validation, which will then be analyzed through quantitative and qualitative analysis.

a) Questionnaire

Questionnaire is the best option for collecting the data from the civilians’ at large quantity. This method enables in analyzing the respondent’s response based on several criteria, since different respondents have different backgrounds. Through this, it is able to identify the level of exposure and understanding of the respondents.

The questionnaire that will be used in this study consists of closed questions, open questions and optional questions with statements that are most relatable to the respondents. There are 3 parts of the questionnaire;

i. Part A: Respondent's Personal Information

This part contains questions regarding the demographics of the respondents, such as their age, career and gender.

ii. Part B: Opinion of Research Topic

This part requires the respondents to answer questions that are related to the research topic.

iii. Part C: Action or Solution

In this part, the respondents are required to provide a few suggestions that can help in reducing the problem.

b) Interview and Validation

For this paper, an official government officer will be interviewed with questions that will help us to understand the severity of the problem and the major factors of it as well as their opinion on ways to overcome the problem. This will be done by setting several questions to validate the data obtained from the quantitative analysis of the questionnaire. This also enables the respondent to answer the questions with limited answer option as they can explain in detail of the problem and solution.

3.4 Stage 3: Data Analysis

From the information that will be obtained through the interview, the analysis will be done through quantitative analysis of the questionnaire and the qualitative analysis of the interview which will be to validate the data obtained.

3.5 Stage 4: Conclusion and Suggestion

The comparison will help to identify correct and effective method for solving the problem. With all the information collected, a conclusion can be made if the status of MRL is as serious as predicted.

CHAPTER 4

ANALYSIS

4.1 Introduction

This chapter explains the analysis of data and the inferred result from the analysis. This helps in making sure that the objectives and goals of the research are achieved. The analysis was done with the data that was obtained through the questionnaire survey and validation interview of several PTD officers. the analysis discussed the challenge and the obstacles of owning and maintaining Malay Reserve Land, especially in the study area.

4.2 Data Analysis Method

Descriptive analysis is the method chosen for the analysis of the obtained data. This analysis method uses the data collected from the qualitative and quantitative methods, which are from the questionnaire surveys and interview of validation. The data is analyzed through a technique of reasoning and explanation.

4.3 The Analysis of Challenges and Obstacles of Maintaining Malay Reserve Land from Landowner's Perspective

As mentioned in Chapter 2, there are a few factors that causes the decrease in the Malay Reserve Land area. One of the reasons is there are a few land owners who have or are willing to sell or lease their land to non-Malays. This is due to economic factors, lack of infrastructure, difficulty of development due to the location, lack of knowledge about Malay Reserve Land and problems that are related to Malay.

Land acquisition made by the government without replacing it or replacing it with a land does not have same market value or area is one of the factors that contributes to the decrease in Malay Reserve Area. Owing to the development of land that has occurred in Malaysia, there is not much of land that is left that is suitable as a replacement. Moreover, it is difficult to replace the land that was already in use.

Furthermore, the development of Malay Reserve is only limited to Malay developers only. This led to the market of Malay Reserve Land to be low. Many Malays are willing to buy ordinary housing land compared to Malay Reserve Land due to its resale value for future dealings.

Through the interviews the writer had conducted of the District Land Office staffs and Malay Reserve Land owners, several problems and obstacles of owning and developing Malay Reserve Land was discovered in the study area. The following chapter will discuss the suggestions and methods that can be used to overcome the problem of decline in Malay Reserve area.

4.4 Research Analysis Result

The analysis reveals that the problems and obstacles of owning and maintaining Malay Reserve Land involves the level of knowledge of Malay Reserve Land of the land owners, the market value, the location and infrastructure factor, the effectiveness of restrictions placed upon Malay Reserve Land and land acquisition of Malay Reserve Land made by certain authorities.

4.4.1 Level of Knowledge Of Land Owners Regarding Malay Reserve Land

The lack of exposure and knowledge about Malay Reserve Land among the Malay society is one of the factors that contributes to the decline in Malay Reserve area. Based on the responses the author have received, 58 percent of the respondents have admitted that they have a medium level of knowledge, while 30 percent have admitted that they have a high and extensive level of knowledge and the rest agreed that they have low level of knowledge regarding owning and developing Malay Reserve Land.

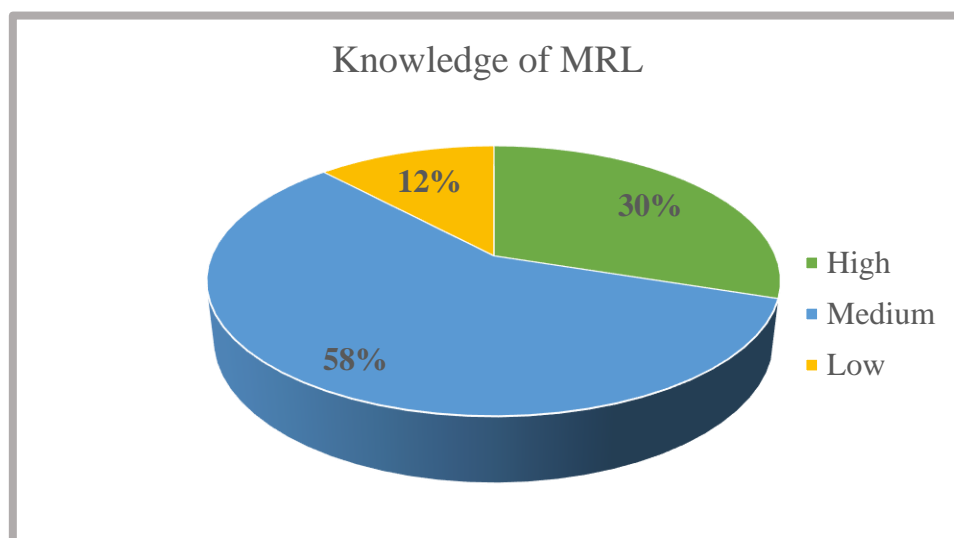


Figure 4.1: The knowledge level of Malay Reserve Land owner

The Malay society should know and understand extensively about the Malay Reserve Land to avoid exploitation from other authorities that may intend to acquire their land without proper replacement for other development.

The lack of exposure regarding the knowledge of Malay Reserve Land leads to difficulty in maintaining the land. Most of the Malay Reserve Land owners live in rural and inland areas, where most of them have less knowledge and exposure in efficient management of the reserve land. The government and other authorities' failure in providing resources and exposing the land owners to the knowledge of owning and developing the land, most of the land owners have difficulty in defending their land as is their right.

During an interview with Mohd Ezwan bin Abdul Ghani, the Assistant Land Administrator 1 (Disposal and Development) from District Land Office Kulai, stated that most of the problems that revolves around Malay Reserve Land stems from the owner's own decisions without consulting with any other authorities, especially in regards of the development of Malay Reserve Land.

4.4.2 Market Value of Malay Reserve Land

First schedule of Land Acquisition Act 1960 (Amendment 1992) states that the status of a land as Malay Reserve should not affect its market value. However, most of the Malay Reserve Lands are sold at a lesser value compared to a land that is not Malay Reserve Land. This led to a market difference between Malay Reserve Land and a land that is not a reserve land that increases over the years.

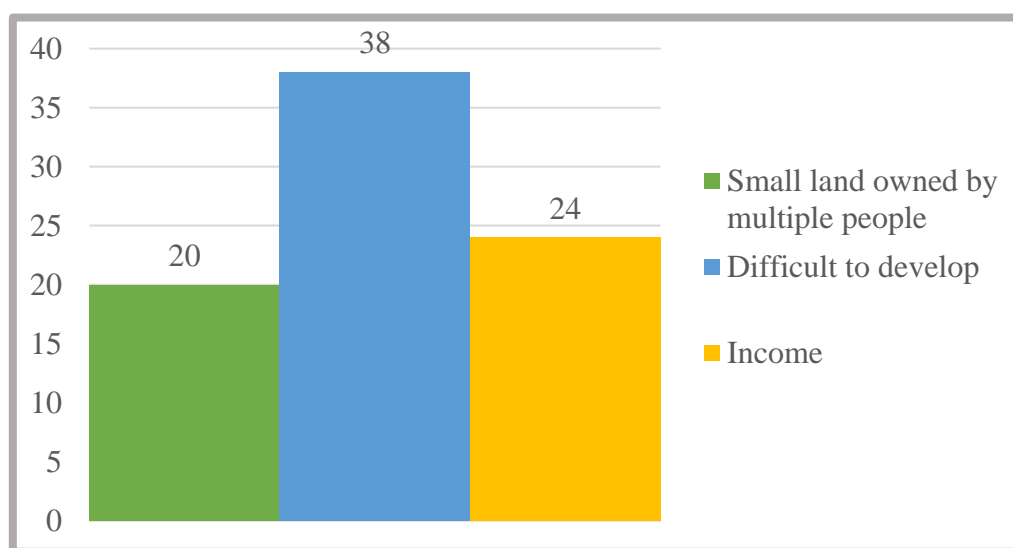


Figure 4.2: Factors of selling Malay Reserve Land

Based on the responses that the author had received, 38 of the 50 respondents admitted that Malay Reserve Land is difficult to develop, 24 respondents agree that they are willing to sell their land for instant income while 20 respondents admit the land is too small and is owned by multiple people.

There are some land owners that are willing to sell their land to other Malays or non-Malays for a higher price than market value for instant income, since 85 percent of the respondents have admitted that their land is undeveloped. According to Mohd Farhan bin Kasmunee, the Assistant Land Administrator (Development and Disposal) from District Land Office Pontian, the attitude of land owners who are not willing to develop their land productively on their own results in the land being abandoned. This leads the owners to sell their land to other parties to be developed. Moreover, there are some owners who would sell their land to a non-Malay to obtain a larger amount of

profit. This leads to the land not being under the ownership of Malays, causing in the decrease in Malay Reserve area. There are also some owners who are willing to rent their land to other people as a source of income.

The land owners are also facing difficulty in getting financial aid from any financial institutes in order to develop their land due to the low market value for Malay Reserve Land compared to non-reserved land. This results in the land owners not being able to develop their land productively, which requires a large modal. Since most of the owners do not have a high income, their land tends to be left abandoned as it is not developed and does not serve as a source of income. these land owners are from rural area and are located in the inland area with medium income.

4.4.3 Location and Infrastructure

Most of the Malay Reserve Land that exist today is in a area that has limited access, inland and lacks infrastructure, which led them to being abandoned and forgotten by the owners. The lands that are established by the British colonizers as Malay Reserve comprises of rural area or abandoned land that has a low market value.

Since most of the high quality and large lands are owned by estate owners under the approval of the British colonizers, most of the Malay Reserve area are located in rural, inland areas with low quality. These Malay Reserve Lands are located in valleys and are peat soil, which were once preferred by the Malays for the ease of access of water supply and for cultivation and farming. This was due to the fact that the British government reserved the lands based on their need for building cities rather than the suitability of the land for cultivation and development, as the lands that are closer to the cities does not include Malay Reserve.

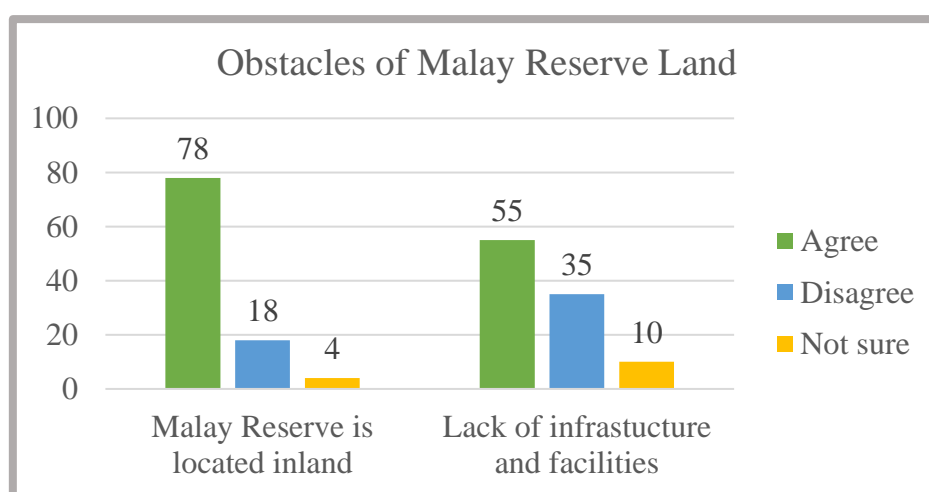


Figure 4.3: The Obstacles of Malay Reserve Land

The analysis of the data collected through the questionnaire reveals that 78 percent of the respondents agree that the obstacle in developing Malay Reserve Land is the location of the land being in the rural area and inland, 18 percent disagree that the location plays a factor while the rest are unsure if the statement is true or false. However, there are 55 percent of the respondents who believe that the lack of

infrastructures and facilities is an obstacle for developing Malay Reserve Land. 35 percent of the respondents disagree with that statement while 10 percent are unsure.

Norazimah binti Maaksom, the Assistant Land Administrator (Development and Disposal) from District Land Office Segamat stated that there are infrastructures and facilities that exist in Malay Reserve Area but not enough, and they need to be upgraded to a better quality. In order to improve the infrastructure and facilities, the construction and expansion of road requires land acquisition that belongs to other people, where they work to get their land exempted from being acquired.

4.4.4 The Effectiveness of Restriction of Malay Reserve Land

The lack of exposure and knowledge about Malay Reserve Land among the Malay society is one of the factors that contributes to the decline in Malay Reserve area. Based on the responses the author have received, 58 percent of the respondents have admitted that they have a medium level of knowledge, while 30 percent have admitted that they have a high and extensive level of knowledge and the rest agreed that they have low level of knowledge regarding owning and developing Malay Reserve Land.

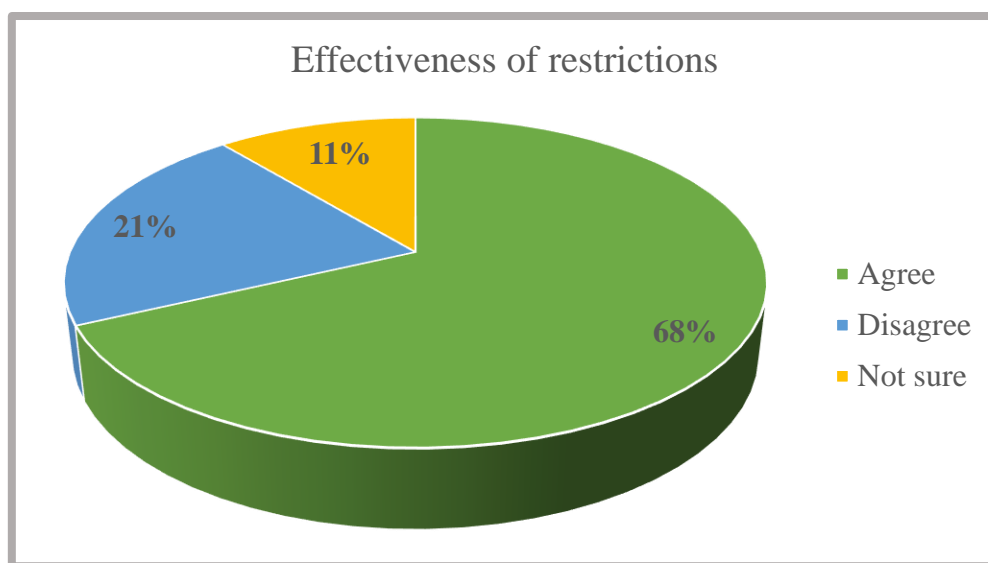


Figure 4.4: The effectiveness of restrictions on Malay Reserve Land

All the Malaysian states have prepared the list of companies that are suitable to do land dealings with Malay Reserve Land owners. However, the irresponsibility of certain land owner who would sell their land to non-Malays, confidentially or otherwise, is the reason for the decline in the Malay Reserve area. Norazimah binti Maaksom agrees that the people who are meant to be protecting and maintaining the Malay Reserve Land have failed to do so by cancelling the reserve status and not replacing it.

4.4.5 Malay Reserve Land being Acquired by Certain Authorities

There are certain authorities that acquires Malay Reserve Land for public facility development purposes or other development without replacing the land with another land that has the same market value and area. This had resulted in decrease of Malay Reserve area throughout Malaysia.

The result of the analysis states that 57 percent of the respondents agree that only a few of the authorities that acquire land has not replaced it while some of the authorities have replaced the land with a replacement that does not have the same market value and area.

4.5 Conclusion

Based on the analysis conducted by the author, it was understood that all the problems and obstacles identified in the previous Chapter 2 do contribute to the decline in Malay Reserve area, which includes the knowledge level of Malay Reserve owners, the market value of Malay Reserve, the location and infrastructure facility, the effectiveness of restrictions and land acquisition by certain authorities. The District Land Office staff that the author have interviewed agree with the problems and obstacles mentioned by the land owners in the questionnaire survey.

CHAPTER 5

SUGGESTIONS AND CONCLUSION

5.1 Introduction

This chapter explains the suggestions that are obtained from the results of the research and the analysis conducted. The suggestions that are mentioned in this chapter are obtained from the respondents with the consultation of District Land Office staff as well as the suggestions from the author.

All the suggestions and methods stated on this chapter can be used as a reference or guide to be used by other authorities that are related to the matter of maintaining Malay Reserve Land to strengthen their efforts in recovering the status of Malay Reserve Land. In addition, the author has also explained the efforts that are made by the government to maintain the Malay Reserve Land. This research is expected to be used as a reference and guide to overcome the problems and obstacles of maintaining Malay Reserve Land.

5.2 Research Outcomes

In order to maintain the status of Malay Reserve Land, especially in the research area, there are some proactive methods that can be taken by certain authorities. The following ideas are taken from the questionnaire surveys, with the consultation and suggestions from several District Land Office staff.

5.2.1 Declare More Lands as Malay Reserve Land

Malay Reserve Land can be restored to its original intended area by declaring more lands as reserve land. The most suitable for this purpose would be planned land are such as Federal Land Development Authority (FELDA) and Federal Land Consolidation and Rehabilitation Authority (FELCRA) that are mostly inhabited by Malays. Therefore, the declaration would be easier to be made. Moreover, any new lands that are meant to be endowed can be declared as Malay Reserve to maintain the status of the reserve land even though the reserve lands are acquired by certain authorities for development.

5.2.2 Tighten Land Dealing Restrictions on Malay Reserve Land

The restrictions made by Enactment of Malay Reserve to block Malay Reserve Land dealings such as being sold, leased, pawned or transferred to non-Malays or non-Malay financial institutes. Even though there several restrictions placed on Malay Reserve Land, there are some unauthorized land transactions that occur with non-Malays to obtain a large profit due to economic factors. This results in Malay Reserve area to decrease since there are no replacement was established.

Therefore, the authorities should tighten the restrictions that are placed upon Malay Reserve Land by taking action on land owners who stubbornly disobey the restrictions. This will result in the land owners being cautious and careful in conducting land dealings. The government should also review and revise the requirement of owning Malay Reserve Land so that the owner does not feel burdened to own or manage the reserve land.

5.2.3 Establishing Information Inventory System

Another suggestion to maintain the Malay Reserve Land status in Malaysia is, the government should establish an Information Inventory System for every district that will monitor and update the status of Malay Reserve Land.

Through this, every Land Administrator from every district would be able to report the information regarding Malay Reserve Land to the State Land and Mining Office every six months. This will ensure that all information regarding Malay Reserve Land is coordinated and up-to-date. The inventory system can function as:

- i. Collect, store and update the records of Malay Reserve Land and other lands to ease information retrieval.
- ii. The government can identify the land that is not Malay Reserve Land that can be used as the replacement for acquired Malay Reserve Land. This would allow the land owners to request for a replacement if the government does not provide one.
- iii. The land owners that would like to change the status of their land as Malay Reserve Land can also consult the government. Once the status is changed, the information shall be inserted into the inventory system.
- iv. Record the details of cancellation of status of Malay Reserve Land that involves the development of roads, ditch and open space on the old reserve land.

5.2.4 Charge Exemption for Malay Reserve Land

There is an opinion among Malays that the future of Malay Reserve Land is concerning. However, there are a few methods that can be taken to realize the original purpose of Malay Reserve Land. It is suggested that all the financial institutes that are registered under Financial Act 1989 (Act 372) or Islamic Bank Act (Act 276) should not be charging the Malay Reserve Land owners. Any corporation that is established under the federal constitution or State laws with the approval of State Authority should not be allowed to accept the pawn of Malay Reserve Land.

Moreover, the tax that is applied on Malay Reserve Land should be reduced to enable the land owners to maintain their ownership on the reserve lands without feeling burdened even though the Malay Reserve Land is not being productively development.

5.2.5 Improving the Quality of Public Facility and Infrastructure

The authority should provide appropriate public facilities and infrastructures, especially access to the Malay Reserve Land such as roads, drainage and other facilities that enables the land owners to productively develop their land on their own without selling their land to other authorities.

5.3 Contribution to Knowledge

The enforcement of Enactment of Malay Reserve has positive and negative effects in preserving the Malay Reserve area. The positive effect of the enforcement is it blocked the all forms of land transactions, which indirectly protected and guaranteed the importance and specialty of Malay lands. Meanwhile, from the negative perspective, the enforcement of the law causes Malay Reserve Land to be difficult to develop, which resulted in lower market value of the reserve land compared to other land that are not Malay Reserve. Moreover, the land dealings of Malay Reserve Land are limited to Malay institutes only. The low ability and purchase power of Malays results in difficulty of development, unless the land is located near any city.

In Chapter 2, the author had explained the meaning of Malay and Malay Reserve Land in detail, based on the sources retrieved from Enactment of Malay Reserve and the Federal Constitution of Malaysia. The chapter also emphasizes on the declination of Malay Reserve area and its factors.

In the following chapter, Chapter 3, the author had explained the methodology that was used since the beginning of the research to achieve the research objective. The methodology involves 4 stages of research, which is the initial research, data and information collection, information analysis and making conclusion and suggestions. The author had also made explanations regarding the selected research area, Malay Reserve Landowners as respondents and several staffs from the District Land Office.

Chapter 4 is the elaborate analysis conducted regarding the challenges faced by land owners and authorities in maintaining the status of Malay Reserve Land. The analysis was made with the data collected through questionnaire survey of Malay Reserve Land owners and interviews of several District Land Office from selected districts for the research survey.

In this research, the author had set a couple of objectives needs to be achieved, which are:

- i. To investigate the land decreasing issue of Malay Reserve Land in Johor Bahru.
- ii. To identify the solution that will be suitable to reduce the decline of the Malay Reserve Land area.

The first objective, which is to investigate the decreasing issue of Malay Reserve Land in Johor Bahru has been achieved through primary data collection made in Chapter 2 through reading materials such as books, journals, newspaper articles, seminar papers and law books and through Chapter 4, which explains the analysis conducted and the justification of factors that causes the decrease of Malay Reserve area. The second objective, to identify the solution that will be suitable to reduce the decline of the Malay Reserve Land area, was achieved through Chapter 5, where the suggestions that are collected from questionnaire survey respondents, District Land Office staff and the author themselves are discussed.

5.4 Future Works

The issue that was discussed by the author is regarding Malay Reserve Land, which is difficult to get attention from authorities. In this research, the author has identified the challenges and factors that causes the decline in Malay Reserve area. Therefore, the result and the suggestions of the research can be used to maintain the status of Malay Reserve Land.

For the future researcher, the author would suggest research about the government's suggestion to amend the Enactment of Malay Reserve to enable the reserve land to be leased to non-Malays for a longer period to obtain higher profit. The research should address the effectiveness of the amendment and its effects on landowners. Moreover, the author also suggests for another research regarding the experience of Malay Reserve Land whose land had been acquired by developers or the government for development purposes.

5.5 Conclusion

The future of Malay Reserve Land depends on the Malays themselves. Even though the Enactment of Malay Reserve has implied restrictions, it does not completely protect the specialty of Malay Reserve Land, especially from the misuse and irregularity of the land owners. Different authorities such as State authority, *Majlis Raja-Raja Melayu*, Land Administrator and politicians are the authorities that are involved in protecting and deciding the future of Malay Reserve land.

To conclude, even though there are steps taken and amendment made to the laws, it needs to be taken in regards of development and to guarantee the retention of land ownership of Malay Reserve Land. To achieve this, the government and the Malay community needs to be committed and supportive to each other as well as other authorities.

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FAKULTI ALAM BINA DAN UKUR
KEJURUTERAAN GEOMATIK

BORANG SOAL KAJI SELIDIK

STATUS TANAH RIZAB MELAYU YANG MEMBIMBANGKAN

Borang soal kaji selidik ini adalah bertujuan untuk mencapai objektif bagi kajian ini. Berikut merupakan objektif-objektif yang hendak dicapai:

- 1) Mengkaji isu kehilangan tanah Rizab Melayu di Johor Bahru
- 2) Mengenalpasti penyelesaian yang sesuai bagi masalah ini.

Justeru itu, diharapkan pihak tuan/puan dapat membantu dalam mencapai objektif-objektif ini. Segala maklumat yang diberikan adalah SULIT dan hanya diunakan bagi tujuan kajian ini sahaja. Untuk maklumat lanjut, sila hubungi Mohanachelvi a/p Gopinathan (018-977 0145) atau emelkan ke mohanachelvi2@live.utm.my. Kerjasama daripada pihak tuan/puan amatlah dihargai. Sekian, terima kasih.

DISEDIAKAN OLEH:

MOHANACHELVI A/P GOPINATHAN

PENYELIA:

SR. DR. TAN LIAT CHOON

BAHAGIAN A

LATAR BELAKANG RESPONDEN

Sila penuhkan dan tandakan (\checkmark) di ruang yang telah disediakan

1. Nama:

2. Alamat:

3. No. Tel/ No. Fax:

4. Jantina: () Lelaki () Perempuan

5. Umur: () 30-35 tahun () 36-40 tahun () 40-45 tahun () 45 ke atas

BAHAGIAN B

CABARAN TANAH RIZAB MELAYU

Sila tandakan (\checkmark) di ruang yang telah disediakan

1. Adakah anda memiliki tanah yang berstatus Rizab Melayu?

() Ya () Tidak

2. Adakah terdapat sebarang pembangunan di atas tanah anda?

() Ya () Tidak

3. Tandakan pilihan jawapan mengikut tahap pengetahuan anda

1 = Rendah

2 = Sederhana

3 = Tinggi

	1	2	3
Sejauh mana pengetahuan anda terhadap Tanah Rizab Melayu			
Perlukah Tanah Rizab Melayu ini dipertahankan dan dikekalkan pada masa kini			
Adakah Tanah Rizab Melayu ini memberi impak kepada bangsa Melayu			
Sejauh manakah keberkesanan undang-undang yang berkaitan Tanah Rizab Melayu dengan perlaksanaannya kepada masyarakat umum			

4. Pernahkah anda memikirkan atau mengalami situasi seperti berikut terhadap Tanah Rizab Melayu milik anda?

	Ya	Tidak
Menjual Tanah Rizab Melayu untuk mendapatkan keuntungan		
Menjalankan urusniaga Tanah Rizab Melayu dengan orang bukan Melayu		
Tanah Rizab Melayu diambil oleh pihak berkuasa bagi menjalankan aktiviti pembangunan		
Mencagarkan Tanah Rizab Melayu kepada pihak lain dalam tempoh masa tertentu		
Menjual tanah yang berstatus Rizab Melayu kerana ianya sukar untuk dibangunkan		
Mengalami masalah ketika ingin membangunkan kawasan Tanah Rizab Melayu		

Bagi soalan 5 di bawah, anda diminta menandakan (✓) di ruang yang telah disediakan mengikut tahap persetujuan anda.

5. Pernyataan di bawah merupakan beberapa halangan yang berkaitan dengan Tanah Rizab Melayu. Adakah anda bersetuju dengan pernyataan-pernyataan berikut?

1 = Sangat Bersetuju 2 = Bersetuju 3 = Tidak Bersetuju 4 = Tidak Pasti

	1	2	3	4
Lokasi Tanah Rizab Melayu terletak di kawasan pendalaman				
Keluasan Tanah Rizab Melayu kecil dan dimiliki oleh ramai pemilik				
Kemudahan dan infrastruktur yang tidak mencukupi di kawasan Tanah Rizab Melayu				
Undang-undang menyekat urusan kepada orang bukan Melayu				
Pemilik tidak mempunyai pengalaman dan pengetahuan yang mencukupi berhubungn dengan Tanah Rizab Melayu				

Lain-lain (Sila nyatakan)

6. Wajarkah perkara-perkara berikut dilaksanakan bagi memastikan status Tanah Rizab Melayu dipelihara?

	Ya	Tidak
Pihak berkuasa mengambil Tanah Rizab Melayu bagi aktiviti pembangunan yang boleh dimiliki oleh orang Melayu dan orang bukan Melayu		
Pihak berkuasa mengambil Tanah Rizab Melayu tanpa menggantikan tanah tersebut dengan tanah yang sama nilai dan keluasan memandangkan tiada lagi tanah yang sesuai bagi menggantinya		
Pihak berkuasa mengambil Tanah Rizab Melayu tanpa menggantikannya dengan tanah tetapi diberikan dalam bentuk unit amanah atau wang tunai		
Mengurangkan sekatan terhadap Tanah Rizab Melayu agar ianya mudah dibangunkan oleh pemilik tanah itu sendiri tanpa perlu melakukan urusan dengan pihak bukan Melayu		
Memperkuatkan lagi undang-undang yang berkaitan dengan urusan dan pembangunan tanah yang berkaitan dengan Tanah Rizab Melayu		
Pihak berkuasa mengenakan tindakan yang berat kepada pemilik Tanah Rizab Melayu yang melanggar syarat-syarat yang telah ditetapkan		

BAHAGIAN C

CADANGAN PENDAPAT

1. Pada pendapat anda, perlukah Tanah Rizab Melayu ini dipertahankan?

Nyatakan alasan anda.

2. Bagaimanakah caranya bagi mengatasi masalah tersebut?

**SEKIAN, TERIMA KASIH DI ATAS KERJASAMA YANG ANDA
BERIKAN**



FAKULTI ALAM BINA DAN UKUR
KEJURUTERAAN GEOMATIK

BORANG SOAL KAJI SELIDIK

STATUS TANAH RIZAB MELAYU YANG MEMBIMBANGKAN

Borang soal kaji selidik ini adalah bertujuan untuk mencapai objektif bagi kajian ini. Berikut merupakan objektif-objektif yang hendak dicapai:

- 1) Mengkaji isu kehilangan tanah Rizab Melayu di Johor Bahru
- 2) Mengenalpasti penyelesaian yang sesuai bagi masalah ini.

Justeru itu, diharapkan pihak tuan/puan dapat membantu dalam mencapai objektif-objektif ini. Segala maklumat yang diberikan adalah SULIT dan hanya diunakan bagi tujuan kajian ini sahaja. Untuk maklumat lanjut, sila hubungi Mohanachelvi a/p Gopinathan (018-977 0145) atau emelkan ke mohanachelvi2@live.utm.my. Kerjasama daripada pihak tuan/puan amatlah dihargai. Sekian, terima kasih.

DISEDIAKAN OLEH:

MOHANACHELVI A/P GOPINATHAN

PENYELIA:

SR. DR. TAN LIAT CHOON

BAHAGIAN A

LATAR BELAKANG RESPONDEN

1. Jawatan:

2. Jabatan / Agensi / Unit:

3. Pengalaman Bekerja: _____ tahun

BAHAGIAN B

CABARAN TANAH RIZAB MELAYU

Sila tandakan (✓) di ruang yang telah disediakan.

1. Pernahkah pihak tuan/puan mengendalikan kes berkaitan Tanah Rizab Melayu?

Jika ya, nyatakan bilangannya.

() Ya, _____ () Tidak

2. Apakah kes yang sering diajukan oleh pemilik Tanah Rizab Melayu?

() Pemilik ingin membuat pembangunan di atas Tanah Rizab Melayu miliknya

() Pemilik ingin memecah bahagikan tanah kepada beberapa bahagian

() Pemilik ingin menjual tanah miliknya kepada orang lain

() Pengambilan tanah Rizab Melayu oleh pihak kerajaan

() Lain-lain (Sila nyatakan):

3. Adakah pihak tuan/puan mengalami sebarang masalah ketika menyelesaikan kes berkaitan Tanah Rizab Melayu?

Jika ada, nyatakan masalah tersebut

() Ya () Tidak

Masalah:

4. Wajarkah perkara-perkara berikut dilaksanakan bai memastikan status Tanah Rizab Melayu diperlihara?

	Ya	Tidak
Pihak berkuasa mengambil Tanah Rizab Melayu bagi aktiviti pembangunan yang boleh dimiliki oleh orang Melayu dan orang bukan Melayu		
Pihak berkuasa mengambil Tanah Rizab Melayu tanpa menggantikan tanah tersebut dengan tanah yang sama nilai dan keluasan memandangkan tiada lagi tanah yang sesuai bagi menggantinya		
Pihak berkuasa mengambil Tanah Rizab Melayu tanpa menggantikannya dengan tanah tetapi diberikan dalam bentuk unit amanah atau wang tunai		
Mengurangkan sekatan terhadap Tanah Rizab Melayu agar ianya mudah dibangunkan oleh pemilik tanah itu sendiri tanpa perlu melakukan urusniaga dengan pihak bukan Melayu		
Memperkuhkan lagi undang-undang yang berkaitan dengan urusniaga dan pembangunan tanah yang berkaitan dengan Tanah Rizab Melayu		
Pihak berkuasa mengenakan tindakan yang berat kepada pemilik Tanah Rizab Melayu yang melanggar syarat-syarat yang telah ditetapkan		

BAHAGIAN C

CADANGAN PENDAPAT

1. Pada pendapat anda, perlukah Tanah Rizab Melayu ini dipertahankan?

Nyatakan alasan anda.

2. Pada pendapat anda, apakah faktor yang menyebabkan pengurangan Tanah Rizab Melayu pada masa kini?

3. Bagaimanakah caranya bagi mengatasi masalah tersebut?

**SEKIAN, TERIMA KASIH DI ATAS KERJASAMA YANG ANDA
BERIKAN**