

Prepare for court if water tanks plan goes ahead, Penang warns Kedah

State won't hesitate to lodge protest with Putrajaya, table the matter in Parliament, says CM

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Sg Muda flows through Kedah and Penang, and the riparian rights say that the two states have equal rights to extract water. – Wikipedia pic, March 25, 2021

GEORGE TOWN – Penang is turning to a slew of legal action to counter Kedah's plans to build large water tanks along Sg Muda.

Penang Chief Minister Chow Kon Yeow said the state wants to lodge an official protest with the federal government, table the matter in Parliament and pursue legal injunctions to stop Kedah's project.

He added that Penang will not hesitate to take legal action if Kedah's planned infrastructure hampers the supply of water into the state.

Since 1973, Penang has been extracting raw water from Sg Muda without having to pay Kedah through the riparian rights, Chow said in the statement.

"If (Kedah) Menteri Besar (Muhammed Sanusi Md Nor) can easily implement projects in Kedah that threaten the water supply in Penang, he is wrong. If such a project generates a negative situation to Penang, we will act to stop it immediately."

Penang will also pursue a court injunction to stop the project.



Penang Chief Minister Chow Kon Yeow says since 1973, Penang has been extracting raw water from Sg Muda without having to pay Kedah through the riparian rights. – File pic, March 25, 2021

Sanusi had yesterday said that 14 large water tanks would be built along Sg Muda to ensure there is enough water for Kedahans and padi farmers along the river.

About 80% of Penang’s water is extracted from the same part of the river that flows into state territory.

Sg Muda flows through Kedah and Penang, and the riparian rights say that the two states have equal rights to extract water.

A riparian owner – which includes a state – is the owner of land that runs into a river.

If the project causes financial losses to any resident or entity in Penang, Chow said that they will sue Kedah for damages.

If such a project generates a negative situation to Penang, we will act to stop it immediately.

The proposed project by Kedah sits at the river mouth of Lahar Tiang, which faces Penang.

“Sanusi can propose it but the federal government must sanction it. Kedah cannot carry out a project that is not agreed to by the federal government.”

Chow said Penang is confident of its riparian rights and ready to face Kedah in court.

Penang has a contingency plan to ensure water security for the next 50 years, such as the possibility of importing raw water from Sg Perak, and the use of new technologies but that may result in higher water tariffs in the future.

In the past, several parties had mooted a water desalination plant to convert seawater to consumable freshwater.