

Officer's graft acquittal set aside, gets 2 years' jail

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IPOH: A land settlement officer, who was acquitted of corruption by a lower court last year, saw his hopes dashed when the High Court here yesterday set aside his acquittal and sentenced him to two years' jail.

Mohd Yusof Ishak, 45, was also fined RM460,000, in default 18 months' jail, on three charges of corruption involving RM92,000.

On the first charge, he had corruptly accepted RM32,000 from

businessman Loh Ah Oh at Lot 4143 Simpang Empat, Kampung Gajah, on April 23, 1999.

On the second and third charges, Mohd Yusof had received RM38,000 from Loh on June 15, 1999 and RM22,000 the following day, both at Batu 3.5, Jalan Changkat Jong, Teluk Intan.

The money was for Mohd Yusof to approve a piece of land at Chen-derung Kelubi in the Perak Tengah district to Syarikat Pelita Semarak, of which Loh was the proprietor. The land was to be used for an oil palm plantation.

In setting aside the acquittal, High Court judge Datuk V.T. Singham said he found Mohd Yusof guilty of accepting the bribes.

He said the Sessions Court had erred in law and facts when it regarded the money received by Mohd Yusof as his fees for acting as a part-time land broker.

He said the judge failed to evaluate the case in totality as it was an offence under Section 2 of the Anti-Corruption Act for a civil servant to accept a commission for services rendered.

"The judge is implying that it is

proper for Mohd Yusof to earn extra income by being a land broker. Civil servants are only allowed to do part-time jobs if they declare it to their superiors as required by the Government's General Orders." Singham granted Mohd Yusof a stay of execution pending his case at the Court of Appeal.

Mohd Yusof, who failed to pay his fine, was acquitted of corruption on April 12 last year.

Defence counsel Abdul Roni Rahman appeared for Mohd Yusof while deputy public prosecutor Nazlyza Mohd Nazri prosecuted.