

REPORT OF THE PROCEEDINGS
OF THE SECOND LEGISLATIVE
ASSEMBLY, PENANG

3 RD SITTING OF THE
FOURTH SESSION THURSDAY
28 TH MARCH, 1968

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28HB, MACH, 1968.

HADZIR

- Yang Berhormat Tuan Speaker (Tuan Haji Sulaiman bin Haji Ahmad, P.J.K.)
- Yang Amat Berhormat Ketua Menteri (Tan Sri Wong Pow Nee, P.M.N.)
- Yang Berhormat Penasihat Undang2 Negeri (Enche Abdul Razak bin Dato Abu Samah)
- Yang Berhormat Ahli Kawasan Glugor (Enche Aziz Ibrahim, J.M.N., J.P.)
- " " Kawasan Muda (Tuan Haji Ismail bin Che Chik, A.M.N., J.P.)
- " " Kawasan Sungei Bakap (Enche Kee Yong Chin, J.P.)
- " " Kawasan Permatang Pauh (Enche Ariffin bin Shariff, A.M.N., P.J.K.)
- " " Kawasan Sungai Pinang (Enche D. S. Ramanathan, J.P.)
- " " Kawasan Kelawei (Enche Tan Khim Hoe, P.J.K.)
- " " Kawasan Dhoby Ghaut (Enche M. S. A. Zachariah, P.J.K.)
- " " Kawasan Kepala Batas (Tuan Haji Ahmad bin Haji Abdullah A.M.N.)
- " " Kawasan Bagan Ajam (Enche Phee Joo Teik, P.J.K.)
- " " Kawasan Nibong Tebal (Tuan Haji Sahid bin Hassan, P.J.K.)
- " " Kawasan Balik Pulau (Tuan Haji Ahmad bin Mohamed Taib, P.J.K.)
- " " Kawasan Butterworth (Enche Williams David, P.J.K.)
- " " Kawasan Bayan Lepas (Enche Ismail bin Hashim)
- " " Kawasan Kota (Dr. Lim Chong Eu)
- " " Kawasan Tanjong Barat (Enche Teh Ewe Lim)
- " " Kawasan Tanjong Tengah (Enche Teh Geok Kooi)
- " " Kawasan Tanjong Utara (Enche Khoo Kay Por)

TIDAK HADZIR:

- Yang Berhormat Ahli Kawasan Tanjong Bungah (Enche Cheah Seng Khim, J.P.)
- " " Kawasan Tasek Glugor (Tuan Haji Ahmad bin Haji Jamil)
- " " Kawasan Ayer Itam (Enche Lim Kean Siew)
- " " Kawasan Tanjong Selatan (Enche Khor Peng Seah)
- " " Kawasan Jelutong (Enche Tan Hock Hin)



The Assembly resumes at 10.00 a.m.

6. MOTIONS.

(A) Motion by the Hon'ble Enche Ariffin bin Shariff.

Tuan Speaker, saya mohon men-
chadangkan —

"Bahawa Dewan ini meluluskan perbelanjaan sebanyak \$82,392/- yang di-tunjokkan dalam Anggaran Pembangunan Tambahan yang Pertama, tahun 1968 yang di-bentangkan sebagai Risalat Dewan Undangan Negeri, Pulau Pinang Bil. 3 tahun 1968 dan seterusnya membuat ketetapan bahawa wang itu akan digunakan untuk tujuan2 yang di-tentukan di-dalam Anggaran Pembangunan Tambahan yang Pertama, tahun 1968."

Ahli2 Yang Berhormat maseh ingat bahawa rakan saya Yang Berhormat Wakil Kawasan Glugor semasa membentangkan Rang Undang2 Tambahan yang Pertama bagi Negeri Pulau Pinang tahun 1968, menyatakan bahawa wang sebanyak \$82,392.00 akan di-un-tokkan pada Tabong Kemajuan Negeri untuk menemui perbelanjaan tambahan bagi tahun 1968 seperti yang di-tunjokkan dalam jadual pertama Anggaran Pembangunan Tambahan tahun 1968. Ada-lah mustahak bahawa peruntokan ini di-tambah oleh kerana, jika tidak, perbelanjaan yang berlebihan tidak boleh di-perbuat.

Tuan Speaker, jika sekira-nya Ahli Yang Berhormat menatap Anggaran Pembangunan bagi tahun 1968 mengenai peruntokan yang di-tentukan maka dapat-lah di-ketahui bahawa wang tambahan yang di-kehendaki itu ia-lah wang peruntokan semula bagi menggantikan wang peruntokan dalam

tahun 1967 yang tidak dapat di-belanjakan.

Tuan Speaker, seperti yang di-bentangkan dalam Belanjawan Pembangunan Tambahan yang Pertama tahun 1968, maka peruntokan yang terlibat ada-lah seperti berikut:

Kepala 107 Kerja Raya — Di-bawah Pechahan-Kepala 27 Kerja Raya, Kemajuan Pechah Batu Pejabat Kerja Raya — wang sebanyak \$3,396 ada-lah di-kehendaki dan wang itu ada-lah sebenar-nya wang yang tidak dapat di-belanjakan dalam tahun 1967, di-mana jumlah peruntokan ia-lah \$56,280 manakala perbelanjaan sebenar ia-lah \$52,350.

Kepala 107, Pechahan Kepala 31 — Menyambung dan Memperbaiki Rumah Pekerja2 — \$57,395.

Dalam Anggaran Pembangunan Tahun 1967 satu peruntokan sebanyak \$165,000 telah di-buat di-dalam pechahan kepala tersebut akan tetapi wang yang di-belanjakan ia-lah sebanyak \$26,861.51 sahaja. Untuk melaksanakan ranchangan ini, peruntokan sebanyak \$169,000 bagi tahun 1968 itu di-dapati tidak menchukupi oleh kerana belanja ranchangan ini di-anggarkan sebanyak \$226,394. Oleh sebab yang demikian, maka terpaksa-lah di-minta wang tambahan sebanyak \$57,394.

Kepala 109 — Haiwan, Pechahan-Kepala 5: Pusat Baru Pembiahan Babi dan Rumah untuk Penjaga — \$14,614.

Tuan Speaker, tahun lalu peruntokan sebanyak \$25,000 telah di-masokkan di-dalam Anggaran untuk ranchangan ini, dan di-masa menyediakan Anggaran tahun 1968 telah di-jangka ia-itu sebanyak \$15,000 daripada Anggaran

tahun 1967 itu akan dapat di-belanjakan, dan peruntukan sebanyak \$32,000 akan menchukupi bagi menyiapkan ranchangan tersebut. Bahawa telah di-dapati hanya \$258.60 sahaja yang dapat di-belanjakan dalam tahun 1967 dan ini berma'ana, wang yang di-kehendaki untuk menyiapkan ranchangan ini berjumlah lebeh daripada peruntukan \$32,000 yang di-masokkan dalam Anggaran Tahun 1968. Ada-lah di-taksirkan ia-itu wang sebanyak \$14,614 ada-lah di-kehendaki sebagai tambahan kepada peruntukan yang ada sekarang dan dengan itu ada-lah mustahak di-buat permintaan tambahan bagi pechahan-kepala ini.

Kepala 112 — Bomba, Pechahan-Kepala 1: Alat Perkakas dan Bangunan bagi Perkhidmatan2 Bomba di-Balik Pulau — \$6,454.

Tuan Speaker, satu peruntukan tambahan sebanyak \$6,454 ada-lah di-kehendaki ia-itu melebehi peruntukan sebanyak \$57,000 bagi tahun 1968 supaya dapat Jabatan Kerja Raya membiayai perbelanjaan berhubung dengan Bangunan Bomba. Manakala anggaran perbelanjaan tahun 1968 di-sediakan, telah di-fikirkan bahawa Jabatan Kerja Raya berkehendakkan \$26,000 sahaja tetapi tahun ini Jabatan Kerja Raya menyatakan bahawa satu tambahan sebanyak \$6,454 akan di-kehendaki dan oleh yang demikian ada-lah perlu di-minta satu tambahan.

Tuan Speaker, saya mohon men-chadangkan.

Member for Butterworth (Enche Williams David): Tuan Speaker, saya menyokong.

Member for Kota (Dr. Lim Chong Eu): Tuan Speaker, saya minta izin berchakap dalam Bahasa Inggeris.

Sir, yesterday when we were discussing the Supplementary Estimates for this year, we had indicated that the last item of the Supplementary Estimates—which was the provision for this \$82,392 for development projects — was a matter of great concern to us and that we would deal with it, however, when it was taken up under this motion.

I feel, Sir, that yesterday what we pointed out was that the State had from the Report of the Auditor-General as tabled yesterday, the Report for 1966, been in the habit of blowing up its development expenditure to the extent, for 1966, of providing even up to \$5,316,000 authorised by supplementary estimates that we found to be unnecessary. Sir, that was the preliminary theme on which we base our opposition to Government now coming to us within a matter of four months for a further supplementary expenditure to the Development Fund. Sir, in November of last year, when we were debating the general estimates, the Government had already provided substantial funds to be put into the State Development Fund. Sir, the total amounts that are involved here are not particularly large nor in actual fact, Sir — we have to admit on principal — we can really object to the requisition of the funds as they now stand provided for in Paper No. 3, because these funds that are now being sought come well within the purview of the original total estimates provided for the various items. An example — I think an immediate one, Sir — would be given in page 3 of the Paper. provision for Public Works. \$1,556,280 was the original vote sought for and up till December of 1967 \$1,090,900 had been spent; and so this additional provision of another \$16,324 that is now being sought lies well within the original total.

Sir, there is however a certain necessity for us to raise a certain comment in this House and I feel, Sir, that the best way of indicating why we are concerned even over a small supplementary request of this type can best be indicated by what the Hon'ble the Chief Minister chose to comment on some of the statements we made yesterday. Sir, we are not unaware of the fact that, even if Government wishes to spend one cent extra money, it has to come to this House for the necessary approval. However, Sir, all that we maintain is that the Government's policy has been to transfer large sums of money under the provisions of the general estimates each year to be put into the State Development Fund. As a matter of fact, Sir, two years ago, when we were debating the proposed large deficit budget for the State, I think the Hon'ble the Chief Minister raised a very pertinent question challenging the validity of some of our arguments. He asked: is the State Government therefore not to provide contributions to Statutory Funds and therefore to take sums of money from our General Revenue balance and place it into this Development Fund because the State wishes to provide for future development? Sir, that was a very pertinent view against the views and opinions that we ourselves had advanced from this side of the House. However, Sir, what concerns us is the fact that the State is putting large sums of money into the State Development Fund far beyond its capacity to use it at one time.

Now, with very great respect to the views and opinions that were put forward by the Member for Sungei Pinang yesterday that the \$1.3 million out of a provision of 10.5 of 10.9 million dollars is only a sum representing 10% of the total provided expenditure, and

therefore it shows that the State is viable and vital and dynamic, and so forth and so on — Sir, 1.3 million dollars' excess over a total provision does express a very large chunk out of our State's resources and our State's financial balances. In view of the fact that in the last four years the State revenue balances have been steadily decreasing and been steadily cut into, I suggest, Sir, that we are now presenting the State with a rather unbalanced type of budgetary situation whereby the General Revenue balances began to become smaller whereas funds are accredited into the State Development Fund where it cannot at any one time be properly utilised. I firmly suggest, Sir, that instead of the State Government coming to us for a further supplementary vote to the Development Fund, which involves an addition to the total estimated expenditure for the next year — if the Government had really gone back and looked into these total provisions for all the various items of development and pruned down where it cannot spend, where it does not anticipate to be able to spend the full amount for 1968, Government can quite easily save this \$82,392 from other items already provided for. By saving, Sir, in this particular case, Government could prune down for immediate usage in certain other areas; and on this particular occasion Government would then come to this House to ask for a vote that had been provided for any specific item to be transferred to another subhead where it could be used. Under the circumstances, Sir, the general estimated expenditure for 1968 would have been kept within the bounds of the original 16 million over dollars provided for by this Assembly in November.

Sir, that is the approach that we had suggested to Government.

Sir, it is a matter of contention—the Government would say ‘a matter of opinion’—which is the better way. What we however maintain, Sir, is that for all these years the Government has chosen the easy way—the easy way because they firmly believe, and I am sure all of you believe, that because you were elected to such strength you have the full confidence of the people and continue to have the full confidence of the people. It is our business to tell you that the people are losing confidence in you because you have, in actual fact, fritted away our revenue balances and you have used the public funds in a manner which brings question of your real energy and your real intention of keeping within the bounds of the provisions given by this House at your request. Sir, this is not a matter of political needling or a time, as the Hon’ble Member for Permatang Pauh suggests, to begin electoral campaigning from within this House. Sir, this has never been our interest in this House.

Sir, it is a matter of serious concern to every single ratepayer in this country and in the State of Penang when an Auditor-General can write down and come to such a conclusion and I quote again and again this last sentence of paragraph 28, page 31, of the 1966 Report:—

“The total provision for three subheads totalling \$5,316,000 authorised by Supplementary Estimates was found to be unnecessary.”

Sir, what we wish the Government to really tell us to-day and really inform this House, and though its public affirmation in this House to get to the people of this country, is that this provision which you now seek for \$82,392 will not even-

tually in the later Report of the Auditor-General for 1968 be adjudged to be again a supplementary provision which is unnecessary. That is the main contention that we have.

Sir, if you look through the manner in which Government has gone through its provision for Development Estimates, and even the request for supplementary vote, we see, Sir, a terrific fluctuation. Sir, there are only three items—one item under Head 107, second item under Head 109 and third item under Head 112. Sir, under Head 107, Public Works—as I said, original provision one million five hundred over thousand; present request \$61,324; amount of votes still to be utilised \$235,056. So, Sir, you will see that there is still a very big fluctuation in the provision but this \$61,324 represents a further additional vote over and above the \$169,000 which Government had sought for and which had been approved in November last year. And, Sir, if we turn to page 4 of Paper No. 3, we discover that this additional provision of \$61,000 is broken into two parts: one a very small sum of money really to complete the Public Works Development of the P.W.D. Quarries,—a small sum of \$3,930. The next, Sir, is an item which I maintain is a matter of considerable importance and a matter of great interest to the public at the present time. We are asking for a further provision of \$57,394 for Additions and Improvements to Labour Lines. This, Sir, is a sum of money which is to fulfil the original provision of \$1,500,000 for that purpose. Sir, as we all know, the Government is at the present moment caught in an important policy decision as to what it should do on the question of housing for its workers and so on. However, Sir, it does appear that four months

ago, in November, the Government’s estimate was that for 1968 they required \$169,000 for this specific purpose of additional improvements to labour lines. Now, within four months, they have suddenly projected a further development to that \$169,000 planning; and we would like to know what were the reasons that Government should have forwarded its planning to this extent and why Government feels it is necessary now, at this stage, to come to us to ask for that provision within actually three months of our original estimates. Why has it suddenly become an important matter and a priority matter that Government should seek additions and improvements to the labour lines?

Sir, the other items that are asked for, I feel, are fairly straightforward and the recent drought and spate of fires in this country must have led to the Government’s sudden intention to improve the Fire Brigade Service in Balik Pulau; or, whatever the reason may be, I feel it is necessary, in view of the past comments of the Auditor-General, that the Government in presenting a motion of this type in this House should elaborate the reasons why priorities have been taken in order that the House should not appear to be lackdaisical over important observations made by an important person like the Auditor-General.

Sir, I feel that we have agreed in principle that the State Development Fund has to be provided for. We have however contended that the State Development Fund should be built up in accordance to what the State can provide.

Sir, at this point I wind up by just saying that in November, when the general estimates were provided for, the Government

were cock-a-hoop—saying that we are at last providing for a surplus budget of \$244,992, the first time in four years the Government has done so. But, as I had pointed out yesterday, by this one single immediate request for development funds Government has knocked down its estimated surplus by about one-third. Sir, it is the result of this willy-nilly type of planning, and because the House is inveigled by the weight of the Alliance majority in this House to put large sums of money into a kitty so that the Government can fiddle around with it and not actually utilise our resources to its maximum so that every one dollar voted for a specific subject is made to produce one dollar’s worth of development in this country. What actually this House has been doing, if we interpret the Report of the Auditor-General as a fact, is that this House is being asked to make provision of \$10 so that the Government can only make use of \$2. So, for one dollar’s worth of provision, the Government can only return something like 50 cents actual value in development. Sir, it is this attempt to urge the Alliance Government, in the last days of this present Session of this House, to be realistic and to try, even before you leave this House, to actually sit down and consider your responsibility with the ambition and hopes and the unbounded desire of your request for more and more money in this Assembly that we now make these comments on general principles against a very small supplementary budget. I hope, Sir, that in the remaining months of this year Government will not again come for more and more supplementary votes. Last year, we had four Supplementary Estimates and four supplementary votes. Sir, this is the beginning and right from the very beginning, although the sum is small, we tell

you to be careful — to be very careful.

Member for Bayan Lepas (Enche Ismail bin Hashim): Tuan Speaker, saya bangun menyokong usul yang di-bawa oleh rakan saya ahli daripada Permatang Pauh, ia itu meminta Dewan ini meluluskan wang peruntukan sebanyak \$82,392 untuk tambahan kapada ranchangan Pembangunan bagi Negeri Pulau Pinang. Jadi pada fikir-an saya, saya rasa anggaran yang di-minta bagi Dewan ini, ada-lah satu anggaran yang menasabah dan realistik. Sebab saya berkata begitu ia-lah memandangkan kapada beberapa perkara yang telah pun di-bentangkan kapada Dewan ini. Kerajaan Negeri dan juga Negeri kita berkehendakkan kapada perbelanjaan tambahan kerana pembangunan. Jadi saya telah dua hari mengikuti Yang Berhormat Ahli Kawasan Kota berucap dan membuat comment berkenaan dengan buku penyata Juru Odit Negara yang mana saya rasa buku penyata itu ada-lah bagi tahun 1966, sekarang kita ada dalam tahun 1968, ini tentu-lah kalau sekira-nya pun ada berlaku apa2 yang telah pun di-chatitkan oleh Juru Odit Negara, tetapi perkara2 ini telah dapat di-betulkan dalam tahun ini, jadi jangan-lah hanya menggunakan modal tahun 1966, 2 tahun yang lepas itu untuk di-jadikan sebagai satu..... (interrupted).

Member for Kota (Dr. Lim Chong Eu): Tuan Speaker, on a point of clarification — I think, Sir, that the Honourable Member for Bayan Lepas should also remember that I referred to an earlier comment by the Auditor-General that there is little possibility of improving, and I think the Honourable Member for Bayan Lepas realises that every year the Auditor-General indicates worsening situations.

Member for Bayan Lepas (Enche Ismail bin Hashim): Tuan Speaker, itu boleh jadi — kedua-dua masa itu. Tetapi kita per-chaya dengan kebijaksanaan Kerajaan Perikatan yang ada pada hari ini kita dapat membe-tulkan perkara2 itu dan kita belajar daripada kesilapan2 kita. Satu perkara lagi yang menarek hati saya hari ucapan Yang Berhormat Ahli dari kawasan Kota tadi ia-lah kata-nya kita ahli Perikatan di-sini ada-lah kali akhir untuk dudok dalam Dewan ini dan saya fikir perkara ini satu perkara yang sangat mustahil. Kita per-chaya Kerajaan Perikatan akan di-beri sokongan dan kepercayaan oleh orang ramai lagi bukan sahaja dalam pilihan raya bagi tahun 1969 ini tetapi beberapa pilihan-raya2 akan datang dan kita Perikatan bukan-lah takut dan gentar menghadapi pengundi2 tetapi bagi ahli Kota yang selalu melompat dari satu party ka-lain akan tidak mendapat sokongan pengundi2 dan orang ramai. Tuan Speaker, dalam menyokong usul yang di-bawa oleh Ahli Yang Berhormat ahli kawasan Permatang Pauh tadi saya suka membawa perhatian kapada Kerajaan, ia-itu berkenaan dengan Kepala 107 Pe-chahan kepala 31 — menambah dan memperbaiki rumah2 buroh. Ini saya merayu kalau boleh dapat perhatian sebab rumah2 buroh yang ada dalam kawasan saya ada-lah tidak begitu baik dan ka-lau boleh peruntukan itu dapat di-timbang untuk di-perbaiki rumah2 tersebut dari peruntukan ini. Sekian, terima kaseh.

Member for Sungei Pinang (Mr. D. S. Ramanathan): Tuan Speaker, saya mohon berucap dalam Bahasa Inggeris.

Mr. Speaker, Sir, the Hon'ble Member for Kota began singing the same old song again, using the Auditor-General's Report as a

song-book! That, of course, is to be expected — and in a way I compliment him on his determination to be critical even over a point on which there is little to be critical about. But I am surprised to note that he has made a somewhat serious error in suggesting to this House that the Government need not come to the House with requests for supplementary budgets or supplementary votes and that the matter could be more simply arranged by a transfer of vote. This, I am sorry to say, is not possible. I have just checked up and from what I am told, the Development Act of 1966 — I am sure the Hon'ble Member for Kota had a hand in passing that in another place — made it incumbent upon State Governments not to have vote transfers, but bring the matter before the Assembly for a supplementary vote. This is in line with the Alliance policy, with the Government's policy, of bringing before the public all expenditure of a Government nature. That is why we have come here again and again even for small amounts, which even the Member for Kota accepted as small, as a supplemental vote; and it is an indication of the highly democratic way in which this Government does things. We do not believe in steam-rolling things. We believe in bringing before the Assembly the whole matter and have a thorough discussion about it, whether the amount is \$3,000 or \$300,000.

He also made a big song-and-dance about the surplus being down to one-third. May I ask the Hon'ble Member what surpluses are for? They are for the purpose of spending in such a way as to develop the State. That is precisely what we are trying to do. He says, "No, you ask for too much". That is a matter of opinion because, as I have said before, estimates can-

not be 100% correct. In most big projects, a contingency of 10% is normal. A contingency allowance of 10% is normal and, therefore, even if an estimate is about 90% correct, then I think we are doing well; and that is why I believe that it has not been the practice of this Government, it is not now the practice, to ask for much more than what we require. In many of these projects and so on, we have to take the estimates provided by our technical officers as being accurate. But, things being what they are, it sometimes happens that the vote provided for is not sufficient and therefore a supplementary vote is required. That is why we have come to the House this time for this supplementary vote which has been proposed by my honourable colleague from Permatang Pauh.

Chief Minister : Tuan Speaker, saya minta kebenaran berchakap dalam Bahasa Inggeris.

Sir, first of all, I would like to clarify this point of coming to this House for this supplementary vote, which is actually a revote. Here, Sir, I would like to inform Hon'ble Members that, before the passing of the Development Fund Act, 1966, revotes were allowed. Under the Development Fund Ordinance, 1958, it was directed by the Chief Minister. The practice then was that, if the financial provision for the particular project was not fully spent by the end of the year, the unspent balance may be revoted in the ensuing year by direction of the Chief Minister without further legislative authority. Now this provision has been deleted from the Development Fund Act, 1966 as it was not considered to be in conformity with the concept of annuity on which Government expenditure has been based. Another reason for the de-

letion was that the revote procedure could also lead to loss of financial control by the Legislature as large sums of money could be revoted without the Legislature being made aware of it, and the current year's estimate can become unreliable as a result. Now, as a result of the Development Fund Act, 1966, money not fully spent in respect of any development project lapses; and, if any portion of the unspent balance is required in the ensuing year, it is to be provided by way of a supplementary provision. When the requirement arises, the Government would have to increase its contribution to Statutory Funds under the Ordinary Estimates. This increase in the contribution would also have to be a supplementary provision and would form part of a Supplementary Supply Bill for the year.

This, Mr. Speaker, Sir, will show very clearly the sincerity of the Alliance Government. We have no easy way to go and we do not seek an easy way, too. What we seek and what we do is the proper and correct way. We feel this is correct; we come to the House—and it was most regrettable to hear the Opposition rejecting the Bill yesterday. I expected, as usual, criticism of the manner in which the Government conducts its work; but to reject it is tantamount to not paying the outstanding bill. The original provision was made and approved by this House, but we are all aware that development projects are continuous projects and progress payment had to be made. I repeat — progress payment had to be made. Now, if we stop this supplementary vote, what does it mean? We stop payment. Can we call that criticism by the Opposition responsible? There is no wonder why Opposition parties always change their brand! But I would like to warn the voters that the changing

of brand is not the solution of meeting the problem. The solution is to improve the manufacturing power. The manufactures have got to be improved, not the brand — the brand remains the same.

Now, Mr. Speaker, Sir, to think the Opposition can say that in three months' time the Government is coming to this House to knock down the Budget which was approved recently — that is a matter of opinion. Indirectly it is not so because this will show. The Auditor's Report for the ensuing year — unspent balance because we could not spend it that year. That unspent balance will show something of a saving for that particular year, and that saving will be credited to the ensuing year invariably. So it goes on like that. I do not think that this revote will ultimately change drastically the Budget which was approved recently in this Assembly because I do not think there are any new votes — most of them are revotes.

Now, for the Member for Kota to enquire why suddenly Government should change the projection of housing for labourers — I think the Member for Kota is again confused. This is again a revote. If we were to see in the Development Estimates, annually the Government has been making provision of about four hundred to five hundred thousand for the improvement of labour lines. This has nothing to do with housing for other officers. These are labour lines, and it is the policy of the Alliance Government to improve the standard of living of the labourers. This money could not be spent fully last year and that is why we are coming back here for a revote to complete the project; and there is nothing new in that matter. The Government is not caught in any way in this

housing project. So, Mr. Speaker, Sir, I would like to assure the Hon'ourable Members of the Opposition that this provision of coming back to this House was made by the Alliance Government because the Alliance Government wants to be sincere, honest in its dealings, to give a chance to the Opposition and to the House and to the people to know why we are asking for a revote. And for this, Mr. Speaker, Sir, I would like to remind Hon'ble Members of the Opposition that Government always welcomes Opposition but we do hope that the Opposition should be constructive. It was more of a destruction to turn down the payment of a project or bill which was outstanding. In other words, the Government will be dishonest in its dealings with the people.

Member for Kota (Dr. Lim Chong Eu): Tuan Speaker, saya minta izin berchakap dalam Bahasa Inggeris.

Sir, can I have your permission to ask for further clarification from the Hon'ble the Chief Minister?

Mr. Speaker: You want the Chief Minister to clarify certain things? That I can allow — but not another speech.

Member for Kota (Dr. Lim Chong Eu): I am not making a speech, Sir. The Hon'ble the Chief Minister has indicated that a large amount of the provision is for revotes. I mean, it would have saved a lot of trouble if, in moving the motion, it had been so stated. We can understand, Sir, that the item for Public Works is possibly a revote. For example — as I said, at the end of 1967 there was a million over dollars left and now you are asking for \$61,000 whereas the provision for last year was \$169,000. But then, Sir, in the Veterinary provision last year there was only \$286 left over the

amount of vote that was not spent. Therefore, Sir, the \$14,000 now asked for must be, to our mind, a new vote — an additional vote, and not just a revote.

Chief Minister: Tuan Speaker, saya minta kebenaran, berchakap dalam Bahasa Inggeris.

On a point of clarification, Sir — I did not say all are revotes. Most of them are revotes and even then, if there is an increase in the provision, that is due to many factors beyond the Government's control. But we must complete the project and we must pay the bill.

Member for Permatang Pauh (Enche Ariffin bin Shariff): Tuan Speaker, semua orang tahu, boleh jadi Yang Berhormat Ahli daripada kawasan Kota juga tahu bahawa yang di-katakan anggaran, termasuk anggaran perbelanjaan, sudah hendak di-chari manusia yang boleh membuat sesuatu anggaran dengan tepat. Kerana Kerajaan Perikatan juga manusia, maka kita membuat anggaran perbelanjaan juga ada-lah demikian rupa, yaani tidak dapat di-buat begitu tepat seperti mana yang di-kehendaki oleh Ahli Kawasan Kota. Mengikut atoran dan kebiasaan manakala hendak membelanjakan wang, termasuk-lah perbelanjaan tambahan atau pun peruntukan semula, terpaksa-lah di-bawa ka-Dewan ini. Begitu-lah kedudukan Rang Undang2 yang telah saya kemukakan tadi, saya rasa di-mana2 juga Dewan, perkara membawa usul perbelanjaan tambahan ada-lah menjadi satu kebiasaan. Saya perchaya usul yang demikian ini juga boleh jadi jika sekira-nya sesuatu perkara yang mustahak, maka akan di-bawa lagi ka-dalam Dewan ini. Sebagai mana yang di-terangkan oleh Yang Amat Berhormat Ketua Menteri jika tidak di-bawa ka-dalam Dewan ini bagaimana-kah

kedudukan perbelanjaan dalam Negeri ini? Perkara membelanjakan wang yang di-katakan tidak mustahak, saya rasa tidak-lah pernah berlaku kerana kami juga mewakili raayat Negeri ini, jika hendak memberi atau pun menggunakan wang raayat Negeri ini, kami juga membuat dengan seberapa teliti yang dapat. Walau bagaimana baik pada perasaan kami dalam membuat tugas itu boleh jadi juga-lah tidak dapat memuaskan hati ahli Kawasan Kota. Perkara seperti yang di-bangkitkan oleh ahli kawasan Sungei Pinang, saya rasa tadi mengatakan penyata Juru Odit Negara itu menjadi satu tempat mengambil ilham menyanyi daripada ahli kawasan Kota itu. Saya rasa itu tidak payah-lah di-bahas kerana boleh jadi-lah nyanyian itu gembira atau pun nyanyian nasib atau pun bangsawan kerana bila sampai satu babak yang agak gelisah, nasib terlalu hiba, maka nyanyian ada-lah pilu. Oleh kerana pilihan raya yang akan datang, sebagai mana yang saya nyatakan kelmarin bahawa ahli kawasan Kota juga hendak memberi Selamat Tinggal kepada Party-nya yang lama dan akan mengubah bentuk dan tanda pilihan raya yang akan datang, jadi orang mendapat perhatian yang lebih dengan menyatakan bingkisan-nya berkelelu dalam Dewan ini sebelum ia meninggalkan Dewan ini.

Selain daripada itu semua perkara2 yang di-bangkitkan oleh ahli kawasan Kota telah pun dijawab oleh ahli2 Kawasan Bayan Lepas, Sungei Pinang dan Yang Amat Berhormat Ketua Menteri sendiri, jadi saya rasa usul yang di-ambil ketetapan pada hari ini ada-lah usul yang saya percaya Ahli kawasan Kota juga tentu-lah bukan kesemua-nya beliau merasa tidak puas hati, terkadang2 sahaja-lah beliau hanya berchakap untuk sesuatu tujuan yang lain,

tetapi rasa hati juga menyokong usul ini dan saya percaya dalam masa mengundi nanti Ahli kawasan Kota juga akan mengundi. Terima kasih.

Question put and agreed to.

(B) Motion by the Hon'ble Enche Kee Yong Chin.

Member for Sungei Bakap (Enche Kee Yong Chin): Tuan Speaker, saya mohon menhadang berchakap dalam Bahasa Inggeris.

I rise to move the motion which stands in my name.

Section 13(m) of the Constitution of the University of Malaya as prescribed by Section 1(xiii) (e) of Statute II of the University provides that the Court of the University shall include one representative of each State Assembly as appointed by such Legislative Assembly.

Hon'ble Member may be aware that the Hon'ble Enche D. S. Ramanathan, J.P. was appointed to represent this Assembly at the Court of the University in August, 1964. His term of office expired on 31st December, 1967.

I am sure Hon'ble Members will agree that the Hon'ble Enche D. S. Ramanathan has served this Assembly with distinction since his appointment in 1964. His continued interest in education and the experience he has gained at the Court prompts me to move the Motion for his re-appointment.

Mr. Speaker, Sir, I beg to move:—

"That this Assembly resolves that the Hon'ble Enche D. S. Ramanathan, J.P., be re-appointed as the Representative of this Assembly to the Court

of the University of Malaya under Section 13(m) of the Constitution of the University of Malaya as set out in the Schedule of the University of Malaya Act, 1961, for a term of 3 years with effect from 1st January, 1968, as provided for under Section 23(1) of the same Constitution."

Member for Kepala Batas (Tuan Haji Ahmad bin Haji Abdullah): Tuan Speaker, saya mohon menyokong. Usul yang saya sokong ini ada-lah menasabah dan tidak ragu lagi ada kelayakan untuk menjadi Ahli Court of the University.

Question put and agreed to.

7. ADJOURNMENT.

Chief Minister : Tuan Speaker, saya mohon menhadangkan supaya Dewan ini di-tangguhkan sekarang.

Member for Kepala Batas (Tuan Haji Ahmad bin Haji Abdullah): Tuan Speaker, saya menyokong.

Member for Bayan Lepas (Enche Ismail bin Hashim) : Tuan Speaker, saya menguchapkan setinggi2 tahniah kepada Kerajaan Negeri, ia-itu atas usaha yang telah pun di-buat, ia-itu kerana memberi pekerjaan kepada raayat Negeri ini dengan mengadakan tapak2 perusahaan sebagaimana kita semua tahu, ia-itu di-Mak Mandin dan saya percaya dengan kejayaan kilang2 yang akan didirikan di-tapak tersebut, boleh jadi lebih kurang 3,000 hingga 5,000 orang pekerja2 yang akan di-ambil bekerja untuk untuk kawasan tersebut, dan juga kita tahu ada lagi satu tapak yang baru telah di-beri oleh Kerajaan kita, ia-itu di-Perai dan tapak ini juga saya percaya lebih luas daripada tapak yang ada di-Mak Mandin itu.

Jadi tentu-lah pekerjaan2 pun pekerja2 akan dapat peluang kerja yang lebih banyak lagi di-tapak Perusahaan di-Perai itu, ini semua ia-lah sa-lain daripada beberapa rancangan lain yang telah pun di-buat oleh Kerajaan kita kerana hendak mengurangkan pengangguran dan juga hendak menyelesaikan masalah perburuhan dalam Negeri ini.

Masalah perburuhan ini ada-lah satu masalah yang sangat rumit yang di-hadapi oleh bukan sahaja Negeri kita, tetapi juga oleh mana2 Negeri di-dunia ini dan ada Negeri2 yang lebih buruk keadaannya daripada Negeri kita pada hari ini. Saya berchakap ada-lah berkenaan dengan keadaan di-Pulau Pinang ini yang mana jumlah penduduk-nya bertambah tiap2 tahun sebanyak 3%. penuntut2 yang keluar daripada sekolah2 juga makin bertambah dan saya percaya di-dalam tahun yang lepas, tahun 1967, hampir 10,000 orang penuntut2 telah keluar dari sekolah2. Ini ada-lah menjadi satu masalah yang besar sebagaimana yang saya kata tadi untuk Kerajaan kita hendak menyelesaikan masalah ini. Bukan-lah hanya kepada Kerajaan Perikatan, tetapi saya percaya kalau Kerajaan2 lain juga seperti yang Amat Berhormat Ketua Menteri telah mengatakan jikalau ada Kerajaan2 lain yang choba mengubah2kan 'brand' Party-nya pun tidak akan dapat mengatasi masalah perburuhan yang ada pada hari ini. Saya ada beberapa perkara yang saya suka memberi pandangan kepada Kerajaan kita, Kerajaan Negeri Pulau Pinang supaya dapat mengatasi masalah ini selain daripada usaha2 yang telah pun di-buat oleh Kerajaan sa-hingga hari ini.

Tuan Speaker, yang pertama saya suka menhadangkan supaya Kerajaan kita membeli estate2

yang sekarang ini hendak di-jual berhubung dengan jatuh-nya harga getah. Jadi dengan berbuat demikian, Kerajaan boleh memberi kemudahan2 kepada pemuda2 kita untuk bekerja di-kawasan2 tersebut dan saya rasa dengan chara ini ada-lah satu daripada usaha2 kita untuk mengurangkan perburohan di-Pulau Pinang.

Yang kedua saya suka-lah hendak mengeshorkan supaya Kerajaan menjalankan lebih lagi usaha dalam masaalah memperoses atau pun memajukan lagi perusahaan pelanchongan di-Negeri kita. Sebagai mana yang Yang Amat Berhormat Ketua Menteri memberi tahu kita kelmarin, di-Pulau Pinang ini beberapa masa yang akan datang akan di-diri beberapa lagi hotel2 dalam mana 1,000 orang pekerja akan dapat bekerja di-Hotel2 tersebut. Saya berharap dengan ada-nya usaha2 yang lebih bersungguh2 oleh Kerajaan kita hari ini dapat menggalakan lagi pelanchong2 untuk masuk ka-Negeri kita ini dan dapat memberi banyak lagi pekerjaan2 kepada rakyat Negeri ini dan juga saya suka berchakap berkenaan dengan priority yang patut di-beri kepada penduduk2 dalam sesuatu kawasan. Kalau sekira-nya ada ranchangan2 yang hendak di-buat oleh Kerajaan patut-lah di-beri keutamaan kepada anak2 tempatan itu bekerja dalam satu2 projek Kerajaan. Misal-nya dalam kawasan saya, saya perchaya dalam beberapa masa yang akan datang kita akan menjalankan projek Universiti, oleh itu saya minta-lah supaya kerja2 saperti menebang pokok2 dansebagai-nya itu patut-lah di-beri priority kepada penduduk2 di-kawasan itu dengan chara apa sa-kali pun.

Satu lagi perkara, walau pun bukan-lah urusan Kerajaan Negeri, saya suka-lah minta, kalau boleh, Kerajaan kita atau pun

Kerajaan Pusat menetapkan chara kita memberi kerja kepada penduduk2 yang bukan rakyat Negeri ini yang mana mempunyai card2 merah. Jika ada peluang2 pekerjaan, jangan-lah di-untukkan kepada orang2 yang memegang card2 merah tetapi sebaliknya hendak-lah di-beri keutamaan kepada rakyat Negeri ini yang chinta dan sayang kepada Negeri ini.

Satu perkara lagi, berkenaan dengan saya rasa had umur pension Pegawai2 Kerajaan. Saya rasa umur 55 hingga 60 tahun terlampau tua, saya minta had bersara di-ubah kepada umur 50 hingga 55 tahun sebagaimana dahulu dengan chara ini tentu-lah kita dapat memenohi peluang2 pekerjaan kepada belia2 yang baharu lepas sekolah mengisikan kekosongan tersebut ini akan menolong usaha Kerajaan untuk mengurangkan dan membasmi pengangguran di-kalangan belia2 kita hari ini.

Member for Bagan Ajam (Mr. Phee Joo Teik): Tuan Speaker, saya minta kebenaran berchakap dalam Bahasa Inggeris.

Mr. Speaker, Sir, Butterworth, is a fast-developing town and it goes without saying that, as the town develops, squatters will have to be evicted and resettled. In recent years, we have seen the establishment of the Mak Mandin Industrial Estate, the Railway Station, and now we have the deep-sea berths. Not accounting for the dozens of housing estates in Butterworth, hundreds of squatters have been evicted and not properly resettled. Mr. Speaker, Sir, it would not be long when residents along Chair Ferry Road and in the kampongs of Bagan Dalam will also have to be provided with alternative accommodation when their houses have to be demolished to make way for the widening of the New Ferry Road, Chain Ferry Road and a

proposed new road through the Bagan Dalam Kampong. Furthermore, Mr. Speaker, Sir, alternative accommodation has also got to be provided for the squatters at the moment residing at the Mak Mandin industrial area as I understand most of the Mak Mandin Industrial Estate has been allocated to industrialists.

Mr. Speaker, Sir, we have been informed by the Hon'ble the Chief Minister that the Central Government, with the assistance of the State Government, is building hundreds of flats at Chain Ferry Road and Mak Mandin to provide such alternative accommodation; and, as a representative of the people in Butterworth, I wish to take this opportunity to convey my thanks to both the Central and State Governments for having the welfare of the people at heart.

But to go a step further, Mr. Speaker, Sir, let us consider whether or not flats are suitable to all these squatters. I contend that these flats are suitable to only a section of the squatters of the working class who solely depend on their wages to support their families. But there are other squatters who rear poultry to supplement their income to make both ends meet. To this section of people — are flats suitable for them? Mr. Speaker, Sir, in my opinion the answer is very simple and I can predict that, if this section of people, who have got to depend on the rearing of livestock, are allocated flats and forced to reside in flats, it won't be long that these people will themselves be indebted and they will also fall into arrears of their rentals or their instalments for the flats. This will cause another social problem in our State. This can be avoided. I therefore propose, Mr. Speaker, Sir, that the State Government must find a suitable site which is not too far from the town of Butterworth and establish a model resettlement village to accommodate

this section of the squatters who are to live in it, and where flats are not suitable for these people.

Furthermore, Mr. Speaker, Sir, as regards the eviction of squatters — I would like to request our State Government to give them adequate compensation for demolishing their houses for the various State development projects and, at the same time, that they be given sufficient notice before the demolition of their houses.

Coming to the next subject, Mr. Speaker, Sir, as regards the withdrawal of the authorised landing-points along the Prai River and the labourers involved — Mr. Speaker, Sir, we have been given assurances by the Hon'ble the Chief Minister in the last sitting of this Assembly that the authorised landing-point licences along the Prai River will be renewed from time to time on a temporary basis. Now, Mr. Speaker, Sir, if a licence is given on a temporary basis, it is most necessary that we have to find out the target date when these licences will be totally withdrawn. I wish to say this because we have got to appreciate that the business people, who have spent millions of dollars to construct these godowns along the Prai River, must be adequately informed of their position so that they can make alternative use of their godowns.

Besides the question of godowns, Mr. Speaker, Sir, I wish to know whether any consideration has been given to the thousands of workers working in these godowns? And, if these licences are withdrawn, naturally these people would be thrown out of employment. The unemployment problem in the State is very acute, as we all know, and if these labourers now working at the godowns on the Prai River are being thrown out of employment, it will only make the situation worse. In view of this fact, Mr. Speaker, Sir, I therefore wish to request the State

Government to get the assurance from the authorities concerned that they will first of all make a survey and register the workers or the labourers working at the various godowns along the Prai River. I would also like to request the State Government that these labourers should be provided with alternative employment before any attempt is being made to stop the issue of authorised landing-point licences along the Prai River.

Thank you, Mr. Speaker, Sir.

Member for Kota (Dr. Lim Chong Eu): Tuan Speaker, saya minta izin berchakap dalam Bahasa Inggeris.

Mr. Speaker, Sir, first, of all under Standing Rule and Order 29(4), I would like to ask your permission to be given a chance to speak for a little bit than the 7½ minutes provided for an Adjournment Speech.

Mr. Speaker: How long?

Member for Kota (Dr. Lim Chong Eu): I noticed that the last Speaker took a little bit more. It won't be that much longer.

Mr. Speaker: You do it up to 7½ minutes — then I will see.

Member for Kota (Dr. Lim Chong Eu): Mr. Speaker, Sir, I had translated my originally proposed motion to you into an Adjournment Speech, on matters pertaining to the administration of the City Council. (Interrupted.)

Mr. Speaker: Again I must clarify the point that the motion has been ruled out of order, and I do not think any subject matter with regard to the motion should be raised again in this Assembly. I have got the ground of ruling and a letter has been given to you by

the Setia Usaha Dewan on that ground. That is why I ruled the motion out of order and I do not think that the subject should be raised under the pretext of an Adjournment Speech.

Member for Kota (Dr. Lim Chong Eu): Sir, on your ruling I had accepted that the motion be set aside. However, Sir, I think even in your letter to me and your advice to me, it was indicated that, though one section of my motion was not acceptable, there was a second part of the motion which could be relevant; and in this Adjournment Speech, I would particularly touch on the second part of the motion although I do not feel, Sir, that I can possibly do real credit to the second part without touching on the first part.

Sir, I refer to the fact that the Hon'ble the Chief Minister — I mean, it could have been any other person which the State Authority provided for — was appointed as the authority in charge of the City Council by a series of amendments to laws affecting the Local Authorities Elections Ordinance, to amendments to the Enactment on the Constitution of the City Council and also to amendments to the Municipal Ordinance. Sir, I particularly refer to the Enactment making alterations to the Municipal Ordinance, No. 1 of 1966; and refer, Sir, to the fact that first, when the State Government, through the Hon'ble the Chief Minister, proposed to this House that it was necessary for the State Government to suspend the City Council and for it to appoint an authority in charge, the authority in charge happened in this particular case to be the Chief Minister. The reason that was given at the time was that it was necessary for the City Council affairs to be investigated by a Commission of Enquiry. Sir, that being so, the entire

principle was laid down in this Enactment — and, if I may read, Sir, the amendment to the Municipal Ordinance as contained by Enactment 1/66, that is, 398B of the Ordinance:—

“(1) If it appears to the State Authority to be necessary or desirable in the public interest that all or any of the functions of a Council or of an employee of a Council should be forthwith transferred from such Council or such employee the State Authority may, notwithstanding any other provisions of this Ordinance and subject to sub-section (3) of this section, by order in the Gazette transfer such functions to the Chief Minister or to such officer or authority as the State Authority may by such order prescribe, and if the State Authority is of the opinion that an investigation should be held may thereafter cause an inquiry to be held into the matter and make such further order as the State Authority may think fit.”

Sir, subsequent to that, the Commission of Enquiry has completed its report, and the Commission of Enquiry's report has been tabled. However, the State Government felt that it was necessary to extend the period of suspension because of the impending report of the Royal Commission of Enquiry which is properly called the Athi Nahappan Commission of Enquiry. Sir, I strongly suggest that it would have been much better for the State Government to have again come to this House to ask for a further extension of the period of suspension, instead of just taking action by a decision of the State Authority, namely, the State Executive Council. Sir, whilst it is true that under the provisions (interrupted.)

Legal Adviser: Tuan Speaker, benarkan saya berchakap dalam Bahasa Inggeris.

May I know in what manner you propose the matter to be brought up again, in view of the fact that the State Executive Council has been empowered to make an order for the suspension, if necessary?

Member for Kota (Dr. Lim Chong Eu): Sir, whilst I appreciate the State Authority under the Ordinance has the power to further extend the period, it would have been salutary to the purposes of the State, in order to preserve the State's rights and the State's powers of control over matters pertaining to local government and the control of Town Councils and the City Council of George Town particularly, if the Government had thought it fit at least to come back to this House with the full knowledge that it has the power to act arbitrarily within the State — Sir, I apologise: I withdraw the word “arbitrarily” — has the full power to act within the provisions of the Enactment by virtue of the fact that the State Assembly gave its assent to the amendment on the understanding that the main reason why the City Council should be suspended and be taken over by the Chief Minister or such other persons in authority was because of the inquiry into the affairs of the City Council. Therefore, Sir, it would have been, I think, a matter of courtesy to the Legislative Assembly of this State if the Government had deemed it fit to come back and explain its reasons why it wished to carry on. However, Sir, I do not contend that it was irregular from the legal point of view. I contend that it diminished to some extent the stature and importance and the real standing of the State Legislative Assembly.

Sir, that is one aspect of it. In so touching on it, I would wish to refer to another aspect of this problem and I would begin, Sir, by referring to a little repartee which occurred yesterday in which I used the word "dictatorial" and the Hon'ble the Chief Minister, in his righteousness of democracy, rejected it. I acceded and withdrew my remark. Sir, the Hon'ble the Chief Minister went on to say during the course of the repartee that, as the authority responsible for the administration of the City Council, he is in actual fact responsible to State Ex. Co. and, because State Ex. Co. is answerable to the State Legislative Assembly, therefore in actual fact there is a line of continuity in the checks and balances of the powers of the person in authority. That, Sir, is a matter which I seriously contend is not proper because all that the amendment has done is to suspend the Municipal Council and to put a certain person, who happens to be the Chief Minister in this particular case, in authority. The Municipal Ordinance, the body of which has not been amended, really provides.... (interrupted.)

Legal Adviser : Tuan Speaker, benarkan saya berchakap dalam bahasa Inggeris.

It would appear to me that the honourable speaker is dwelling a matter of debate not here, but somewhere else. If it is contended that the transfer of power by the State Authority to the Chief Minister is illegal and invalid then it is for him to contest it. Whether he says it is valid or not, it is not for this House to decide from the legal point of view. If he feels strongly about it then it is a matter for the Court to decide. Pursuing the matter, saying that it is invalid, would be utterly futile.

Member for Kota (Dr. Lim

Chong Eu) : Mr. Speaker, Sir, if the Honourable the Legal Adviser would give me a little chance to indicate what I am trying to drive at. I am not challenging the validity or invalidity of the position of the Chief Minister as the person in authority by virtue of the amendments. All that I am challenging, Sir, is that in actual fact the provisions of the Municipal Ordinance provide for the fact that whoever is in charge of the Municipal Council, whether it was an elected Council or the State Authority, only reports certain matters as laid down within the Municipal Ordinance to the State Executive Council. Apart from these matters, which are really determined within the Municipal Ordinance, the person in charge— or, in fact, an elected Council or the Municipal President — has no condition whereby he is to report, and must report, to the State Executive Council. Sir, it is a misconception to interpret that every single aspect of the functions of the City Council must automatically go through the State Executive Council for approval. It is only those sections which are referred to particularly by the Municipal Ordinance which can be referred to the State Executive Council. Apart from that, Sir, there is no one to whom the authority in charge of the City Council need be answerable to at any time. Sir, it is because of this fact that I do strongly suggest that for the proper administration of the City Council it is necessary that whoever is in charge of the affairs of the City Council must be made answerable to some authority. Sir, it has been contended that in actual fact..... (interrupted.)

Legal Adviser : Are you saying that administratively he should be answerable, or legally he should be answerable?

Member for Kota (Dr. Lim Chong Eu) : Sir, he must be answerable for his actions legally and administratively.

Legal Adviser : Legally he is answerable; but whether administratively he is answerable or not that I do not know.

Member for Kota (Dr. Lim Chong Eu) : Legally answerable to whom?

Legal Adviser : To the State Ex.-Co. And conversely State Executive Council is answerable to the Assembly.

Member for Kota (Dr. Lim Chong Eu) : Sir, that is not true.

Legal Adviser : It is true, legally.

Member for Kota (Dr. Lim Chong Eu) : I contend it is not true.

Legal Adviser : Well, that is a matter of opinion then. That is why I said it is not for this House to decide whether it is legal or not.

Member for Kota (Dr. Lim Chong Eu) : Sir, I would ask the advice of the Honourable the Legal Adviser.

Legal Adviser : That is my advice.

Member for Kota (Dr. Lim Chong Eu) : Sir, which particular relevant section of the Municipal Ordinance says that there is autonomous authority..... (interrupted.)

Legal Adviser : Under the law it is sometimes expressed, and sometimes it is implied. Now what does the law in the Constitution say? You go back to the Constitution. What does the Constitution say about the acts of the Chief Minister? The Chief Minister is responsible to the Ex. Co.; and Ex. Co.

is responsible to the Assembly. We go back to the first principle.

Member for Kota (Dr. Lim Chong Eu) : I think, Sir, we have had discussions on this on many occasions. The appointment of the Chief Minister as the authority has been quite definitely stated in this House. It is a separate appointment. It is not an appointment as the head of Ex. Co. |

Legal Adviser : He is under delegation from Ex.-Co.

Member for Kota (Dr. Lim Chong Eu) : Sir, even under those conditions it becomes even more clear that when a person who is already the head of the State Executive Government is appointed to be the person in authority of the suspended City Council it is in actual fact questionable whether he is answerable to Ex. Co. of which he is in command. After all, he is the person in charge of the Ex. Co. And, Sir, at the same time we are making provision that he should be responsible to himself; in which case, Sir, there is nobody to whom he is answerable because he is answerable to himself. It is because of this, Sir, that we are suggesting that it might be worthwhile for all intents and purposes, because I accept in good faith the Honourable the Chief Minister's view that he doesn't wish to be a dictator, and he wishes, therefore, to preserve some of the spirit of democracy and the democratic institutions that we possess. I suggest, Sir, that it is worthwhile for us to look into the question of whether in actual fact it would not be better if we make provision for the Chief Minister, or the person or persons appointed to be in authority of the suspended City Council, to be answerable nor indirectly to the State Legislative Assembly by virtue of his being responsible to the State Ex. Co., but to make the provisions whereby such persons, whether it be the

Chief Minister or some other person, should be directly responsible to the State Legislative Assembly. Sir, I maintain that there has been precedence and practice because in the last few meetings within the Sessions of this State Assembly (interrupted.)

Mr. Speaker : Regarding the suggestion of the Honourable Member for Kota to have the provision of a clause which provides for the Chief Minister to be the sole administrator of the City Council under the Municipal Ordinance, I am going to seek the Legal Adviser's opinion whether such a provision can be brought into the Municipal Ordinance, to be passed by this Assembly.

Member for Kota (Dr. Lim Chong Eu) : It was passed, Sir, by the Enactment.

Mr. Speaker : I am asking for the Legal Adviser's point of view.

Legal Adviser : Well, I do not know what the honourable speaker is talking about. At one stage, in one breath, he is saying that there is nothing irregular about the functions of the Chief Minister ; and at the same time challenging and objecting to the manner in which the Chief Minister is carrying out the functions of the City Council. Now where are we?

Mr. Speaker : This is my point. The suggestion has been made by the Honourable Member for Kota that provision should be made in the present clause — the clause to which you referred (to Member for Kota) — to allow the Chief Minister to act and be the sole administrator of the Council. We want provision for that to say that the Chief Minister will be responsible for the administration to the State Assembly. Is that the provision you are asking for? Is that correct?

Member for Kota (Dr. Lim Chong Eu) : Yes, Sir.

Mr. Speaker : Whether such a provision can be amended and put into the Municipal Ordinance by the State Legislative Assembly.

Legal Adviser : Mr. Speaker, Sir, on a point of clarification: As far as I see there is nothing irregular about the functions of the Chief Minister. He is not considered to be a dictator; he is not considered to be running a one-man show, so to speak. He is responsible to Ex. Co.; and Ex. Co. is responsible to the Assembly. In law he is answerable for that matter to the Ex. Co. Whether administratively Ex. Co. itself is acting in such a manner as to ensure that the Chief Minister would report, as to amount to being answerable to Ex. Co. for his acts and conduct in the City Council, is a different matter. That is for the Ex. Co. to ensure. That is a matter of administration for the Ex. Co. to ensure, in such manner and by such procedure, that whatever the Chief Minister does in the City Council he will inform the Executive Council of his conduct in the City Council. But in law my legal opinion is that there is nothing irregular about the functions of the Chief Minister now. He is answerable to the Ex. Co., and Ex. Co. is answerable to the State Assembly.

Member for Kota (Dr. Lim Chong Eu) : Mr. Speaker, Sir, my time is all mixed up.

Mr. Speaker : I will give you a few minutes.

Member for Kota (Dr. Lim Chong Eu) : Sir, I would like, with great deference to the Honourable the Legal Adviser, to try to answer your question, because what actually happened was that on the

28th April, 1966, this House—the State Legislative Assembly—made an amendment, and this amendment is called the Penang Enactment No. 1/66; and it is this Enactment which gives the power to the Chief Minister to conduct the affairs of the City Council. So I contend, Sir, that this House has the power to either change or amend the powers that are given to the Chief Minister. It has nothing to do with the question of validity. It is only a question of to whom the Honourable the Chief Minister should be answerable. Sir, it has been contended that the Honourable the Chief Minister is answerable to Ex. Co. I maintain, Sir, that it would be preferable, for the dignity of the State Legislative Assembly, and for the necessity of the State, to preserve what little State rights it has — State rights as contained within the State List of the Federal Constitution — if the Honourable the Chief Minister were made answerable to the State Legislative Assembly directly.

Legal Adviser : That would be absurd! It is going against the Constitution itself, isn't it? That is why I said in the first place we should go back to the first principle and study what the Constitution says.

Member for Kota (Dr. Lim Chong Eu) : Sir, I will defer to the views of the Legal Adviser in Court, but as far as the Legislative Assembly is concerned I believe that we are a body responsible for legislation. My opinion may not carry the weight of the Honourable the Legal Adviser, but I am here perfectly at full liberty and within constitutional rights to express my opinion about the legislation in this State. So I wish, Sir, that without further interruption I be allowed to carry my point to its logical conclusion.

Sir, if we look at the Municipal Ordinance of the City Council, there are references within; for example, under section 57, Statistics — the Governor-in-Council must be informed. Estimates of revenue of the City Council should be submitted to the Governor-in-Council, which means the State Ex. Co. — changed now to State Ex. Co. But, Sir, there are large sections of the Municipal Ordinance under which the authority in charge of the Municipality or the City Council has no need to refer to the Ex. Co. It is because of this, Sir, that I contend that it is invidious for a matter which is under the authority of the Chief Minister; and, Sir, our own Assembly had considered this possibility because it doesn't say that the Chief Minister should automatically be the authority of the City Council. It provides for the fact that other persons — such person or persons apart from the Chief Minister — may also be appointed to be the authority of the City Council. It is invidious, I say, Sir, for the Chief Minister, who is the head of the State Ex. Co., to come to us and say that he is directly answerable to the State Ex. Co. of which he is in command. Sir, I maintain that it is desirable for us to look into the possibilities whereby amendments could be made to enable the Chief Minister or the persons answerable for the running of the City Council during its suspended state to be responsible directly to the State Legislative Assembly. Sir, I notice the Honourable the Legal Adviser shaking his head; but that is our view.

Sir, I stress that there is a certain degree of cogency in this matter because, for example, Sir, we can take two instances; and with that I would finish. Can I have the time?

Mr. Speaker: Four minutes more.

Member for Kota (Dr. Lim Chong Eu): Right, Sir. Two instances.

Sir, under Part IV of the Municipal Ordinance it is necessary for whoever is administering the affairs of the City Council to do so under the provisions of the Municipal Ordinance, and to conduct its affairs according to the business of the City Council. Sir, I had referred previously in this House to the decision of the City Council, under suspension and under the authority of the Chief Minister, to re-alienate the piece of land in Rifle Range which had been alienated and given by the State Government to the City Council for the specific purpose of providing open space. Sir, this re-alienation on lease to the State Government of a piece of land which had been specifically assigned for the purpose of open space, to be given on lease for the erection of a factory, Sir, I maintain is a subject which brings into question "To whom would the authority in control of the suspended City Council be answerable?" Is he answerable to State Ex. Co. alone, or is he answerable to the State Legislative Assembly? What actually happens is that the Chief Minister, as the person in authority in the City Council, amends a situation, and it goes up to him as the Chief Minister in State Ex. Co., and he approves the amendment. Sir, under those circumstances it is a merry circle. And if we cannot possibly use the word 'dictator' under those circumstances the charge of bureaucracy or autocracy becomes quite clear.

Sir, there is another instance. Unfortunately for us, a certain question which I raised yesterday was adjudged by you under Standing Order 25 as not in the public

interest to be answered. I am surprised why a matter which is of great public interest should be adjudged to be against the public interest to be answered.

Mr. Speaker: This is another subject again, I think.

Member for Kota (Dr. Lim Chong Eu): No, Sir. I am referring to (interrupted.)

Mr. Speaker: Why must you refer to that? It is not in the subject matter on which you asked me permission to speak.

Member for Kota (Dr. Lim Chong Eu): It is, Sir, because in my.... (interrupted.)

Mr. Speaker: I have got it very clear here. You asked me permission to speak on the administration of the City Council.

Member for Kota (Dr. Lim Chong Eu): Sir, normally when plans are being put up in the State certain bodies or certain Departments within the City Council are approached for their views; and the views of the Heads of the Departments are transmitted to the Chief Minister in authority in the City Council to process, and to accept or reject. Fortunately or unfortunately, Sir, there is a suspicion in the minds of the people in the State of Penang that the opinion of the Heads of Departments with regard to the desirability of erecting the school in the Polo Ground was that it should not be so; that is, the Heads of Departments advised strongly against the desirability of putting the school there. But the advice was put aside rough-shod, and the matter was taken up by the State Ex. Co. and approved. Sir, it is this type of situation whereby the general public is kept unaware of disagreements in views and opinions

that, I think, leads to the suspicion that maybe the authority in charge of the City Council may be exercising his powers much more dictatorially than otherwise. Sir, it is only a suspicion. I agree with the Honourable the Legal Adviser that the legal validity is all provided for. It is an attempt, therefore, Sir, to try to bring up matters to the open rather than to hide matters of differences of opinion. Sir, if the public feels that the State Government has decided to put up, for example, the site of the school against all the advice of the Heads of Departments..... (interrupted).

Legal Adviser: Tuan Speaker, ada-kah Ahli ini di-benarkan membahath atas perkara yang pada satu2 masa Tuan Speaker telah memutuskan perkara itu perkara rahsia? Nampak-nya ia-nya membahathkan satu perkara pada pendapat Tuan Speaker ada-lah perkara rahsia. Jadi, pada rasa saya tidak-lah patut dia di-benarkan membuat bahathan beralas kapada itu.

Member for Kota (Dr. Lim Chong Eu): Tuan Speaker, if I may continue?

Mr. Speaker: I give only two minutes. I have set a precedent. This is the first time that for an Adjournment speech more than half an hour has been given to a Member, when the Standing Order says it is only 7½ minutes. I am sorry I cannot allow you more than 2 minutes.

Member for Kota (Dr. Lim Chong Eu): Such a situation could have been better brought up to the public if the State Legislative Assembly were the body to which the Chief Minister were directly responsible because it could then be debated in this Legislative Assembly without the Honourable the

Legal Adviser standing up and interrupting us every few minutes. (Interrupted).

Legal Adviser: Are you saying that I am interrupting or obstructing your submission?

Member for Kota (Dr. Lim Chong Eu): I do, Sir, because all that I am indicating.... (Interrupted).

Legal Adviser: I object to that because whenever I stand up the Speaker has not objected to my submission. You are entitled to say that I have been interrupting and obstructing you if the Speaker has ruled me out.

Mr. Speaker: What I thought was that the Legal Adviser is only trying to point out the validity of the subject matter which is before the House. That is why I didn't rule you out of order.

Member for Kota (Dr. Lim Chong Eu): Sir, you have not also ruled that my statement is incorrect. (Laughter). However, Sir, if the matter were only confined, as it is — that the Chief Minister is responsible to Ex. Co. — then the matter would rest in a situation whereby the public would have no opportunity of getting at the facts. It is under those circumstances that I maintain very strongly that it would be more desirable if the person — in this particular case the Chief Minister — who is appointed as the authority in charge of the suspended City Council be made directly answerable to the State Legislative Assembly. That is all that I am trying to say.

Chief Minister: Tuan Speaker, saya menguchapkan berbanyak2 terima kaseh kapada Ahli Yang Berhormat dari Kawasan Bayan Lepas atas keberatan yang diambil terhadap penganggoran yang

di-alami oleh penduduk2 Negeri Pulau Pinang, terutama sekali penuntut2 muda yang keluar sekolah pada pertama kali memasuki pasaran Kerajaan.

Atas shor Yang Berhormat itu saya memberi jaminan Kerajaan akan mengambil perhatian. Tetapi mengenai chadangan2 lain, supaya umur bersara yang baru dalam perkhidmatan Kerajaan sepatutnya di-kurangkan sekarang daripada umur 60 ka-55 atau 50 ka-45, saya harus menyatakan ia-itu perkara ini maseh lagi di-timbangkan oleh Kerajaan; tetapi bagaimana pun, perkara mengurangkan umur bersara akan hanya melibatkan perkhidmatan Kerajaan dan tidak akan menambahkan bilangan peluang2 pekerjaan dalam Negeri di-sebalek-nya.

Tuan Speaker, dengan kebenaran Tuan Speaker, saya mohon memberi jawapan dalam Bahasa Inggeris.

Sir, the State Government is aware of the Port Commission's proposal to withdraw jetty licences along the Prai River, and of the reasons for such proposal; the main reason being to ensure that the facilities at the Deep Water Wharves at Butterworth are fully utilized. The Deep Water Wharves project, as we all know, will only be fully completed sometime in 1970. However, the first phase would be completed this year.

The Penang Port Commission estimates that about two million tons of cargo would pass through the Port, and it only expects to handle this amount — that is, about two million tons — when the Deep Water Wharves project is fully completed — that is, 1970. This means that in the ensuing period operators of private jetties and lighters will still have to continue to provide the services in

the handling of cargo. Sir, this being the position, there is therefore no real fear for the time being of private jetties being closed down through withdrawal of their licences.

Now, on the question of the livelihood of the labourers, it is thought that there would not be any marked effect on the livelihood of the labourers if and when private jetties are asked to close down. It is envisaged that most of the labourers affected would readily find employment in the Deep Water Wharves area — employment, Mr. Speaker, Sir, on a more permanent basis than when engaged with the private jetties.

Sir, the Honourable Member for Bagan Ajam has also brought up the question of resettlement of squatters in Butterworth District. The problem has been discussed on many occasions, and I can say categorically that the squatters displaced by Government schemes will be cared for as far as possible. Where private development results in displacement of squatters the Government is not in a position to grant similar privilege to them. However, favourable consideration will be given to these unfortunate people if they apply for low-cost housing.

Mr. Speaker, Sir, I have listened with great interest to the Honourable Member for Kota's speech. The Honourable Member has expressed his dissatisfaction with the present system of administering the City Council by the Chief Minister. The Chief Minister has been administering the City Council from 1st July, 1966; and the Honourable Member apparently feels that it is time for him to hand over the power to another body or elected body. Sir, Honourable Members are aware that the Chief Minister originally took over

the administration of the City Council in order to facilitate the working of the Justice Abdul Aziz Commission of Enquiry. Now, if the City Council had not been suspended it would have been quite difficult for members of the public as well as employees of the City Council to come forward without fear to give evidence before the Commission. It is true that the Commission of Enquiry has now completed its Report, and that its finding has been made public.

Now, the Honourable Member for Kota has indicated that the time has already passed when the Chief Minister should have handed over the power to another authority. The State Government does not consider it prudent to have a change-over of the administration of the City Council in view of a number of issues which are to be settled in the matter of local government administration. Honourable Members should be aware that the present system has been introduced after a dismal failure of the previous system of supervision by a number of elected Councillors. The State Government has in mind, for one thing, that the Royal Commission into the workings of local authorities has not yet submitted its Report. And the State Government expects a lot of the recommendations in this Report to be relevant to the question of the administration of the City Council. The Report is expected shortly.

I wish to assure this House that the administration of the City Council has and will be carried on effectively. And there is every reason to expect improvements.

The Honourable Member for Kota has expressed his dissatisfaction with the present machinery of administration of the City

Council. It may appear that the Chief Minister is the sole executive in the City Council. In practice, however, he is constantly being assisted by senior officers of the City Council, and also the State Government, in making his decisions. I am confident that with the advice of these officers the Chief Minister would be able to administer the City Council in such a manner as to meet the wishes and requirements of the people of George Town. It is, I think, quite clear that most of the people of George Town are in fact quite satisfied with the present administration of the City Council. Of course, not the Opposition. That would be rather strange; I would say, a miracle. During the period that the Chief Minister has been in charge there have been few complaints by the ratepayers. Most of the people of George Town realise that their requests are complied with by the Council most efficiently, and more speedily than before. They are now receive better service, and are therefore quite content.

Now, the Honourable Member for Kota has implied that the Chief Minister has a free hand in the administration of the City Council without being subject to any check whatsoever. This is in fact not true; and I am grateful to the Honourable the Legal Adviser for having explained and clarified the situation. Of course, the Member for Kota shakes his head. He has now assumed a new position — Legal Adviser in his Party. The Chief Minister is appointed by the State Executive Council, and is responsible to the Executive Council. The Executive Council is in turn responsible and answerable to this Legislative Assembly. In practice, therefore, there is a sort of dual check on the Chief Minister.

While the Honourable Member for Kota raised a point which has been, I think, fully explained sometime in this House, that is, with regard to the approval of the Council for the use of the vacant ground in Rifle Range Road for the factory which is now erecting the flats, I can repeat again here that that has got the approval and the support of the officers concerned. And not only that; the Government has a final say to that approval. And to say that this sort of arrangement appears to be a sort of merry-go-round from the Chief Minister running the City Council to the Chief Minister running the Executive Council, I think this is a matter of opinion. Although the Executive Council is chaired by the Chief Minister, I think and fully believe that the Member for Kota is fully aware of the Constitution of the State of Penang, and the role and duties of the Chief Minister and the Executive Council.

Suspicion in the minds of the people with regard to the approval for a Polo Ground, or even the Rifle Range area: I think that is only a point of opinion. It is impossible in this world to satisfy every individual. However, the Alliance Government works on this principle: We decide for the benefit of the greater majority of our people.

I am not going into detail about the Polo Ground, but I would like to go more into the approval for the Rifle Range ground which has been taken up by quite a number of politicians, trying to make capital out of it. Now, that land was acquired by the Council for housing, and a portion of it for open space. The Council had not got the funds to proceed with the housing. Moreover, the Minister of Local Government has fully informed the Council that unless and until the completion of the housing in Rifle Range area the application of the City Council for funds to erect a City Council housing scheme could not possibly be approved. As such the Government considered it is improper to waste the land there when the the City Council could get a certain amount of revenue. And moreover it is the responsibility of the City Council and the State Government to make this project of the low-cost housing in Rifle Range area a success — a success in the sense that it will help to bring down the cost of erecting this project, and also cut down inconvenience to the public and to the State as a whole. And I would like to repeat again that the approval not only had the support of the Chief Minister, but was also with the recommendation of the officers concerned.

The Assembly adjourns
at 11.58 a.m.



