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Jilid II  
Bil. 9



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PT. PUSAT KAKAAN  
PENANG  
Hari Isnin  
19hb Jun, 1972

# LAPORAN PERSIDANGAN OFFICIAL REPORT

DEWAN UNDANGAN NEGERI PULAU PINANG  
YANG KETIGA  
*THIRD LEGISLATIVE ASSEMBLY PENANG*

PENGGAL YANG KEDUA  
*Second Session*

MESHUARAT YANG PERTAMA  
*First Meeting*

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**KANDONGAN-NYA**

**USUL<sup>2</sup> [560]**

PULAU PINANG

DEWAN UNDANGAN NEGERI YANG KETIGA

*Laporan Persidangan*

PENGGAL YANG KEDUA

MESHUARAT YANG PERTAMA

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Hari Isnin, 19hb Jun, 1972

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HADZIR :

Yang Berhormat Tuan Speaker (Dato' Harun bin Sirat, D.M.P.N.)

Yang Amat Berhormat Ketua Menteri (Dr Lim Chong Eu)

Yang Berhormat Penasihat Undang<sup>2</sup> Negeri (Enche' Abu Talib bin Othman)

Yang Berhormat Ahli Kawasan Tanjong Barat (Enche' Teh Ewe Lim)

„ „ Kawasan Tanjong Utara (Enche' Khoo Kay Por)

„ „ Kawasan Tanjong Tengah (Enche' Tan Gim Hwa, J.M.N.)

„ „ Kawasan Tanjong Selatan (Enche' Wong Choong Woh)

„ „ Kawasan Sungei Pinang (Enche' S. P. Chelliah)

„ „ Kawasan Bayan Lepas (Enche' Ismail bin Hashim, J.P.)

„ „ Kawasan Butterworth (Enche' Ooi Ah Bee)

„ „ Kawasan Kepala Batas (Tuan Haji Ahmad bin Haji Abdullah, A.M.N.)

„ „ Kawasan Glugor (Enche' D. C. Stewart)

„ „ Kawasan Permatang Pauh (Tuan Haji Mohamad Nor bin Haji Bakar, J.P.)

„ „ Kawasan Dhoby Ghaut (Enche' Khoo Teng Chye)

„ „ Kawasan Nibong Tebal (Enche' Teoh Chung Hor *alias* Teoh Kooi Sneah)

„ „ Kawasan Muda (Tuan Haji Abdul Kadir bin Haji Hassan, J.P., P.J.K.)

„ „ Kawasan Kelawai (Enche' Yeap Ghim Guan)

„ „ Kawasan Tanjong Bungah (Enche' Khoo Soo Giap)

„ „ Kawasan Jelutong (Enche' Koay Boon Seng)

„ „ Kawasan Sungei Bakap (Enche' Veerappen a/k Veerathan)

„ „ Kawasan Ayer Itam (Enche' Tan Phock Kin)

„ „ Kawasan Balik Pulau (Enche' Abdul Rahman bin Haji Yunus)

„ „ Kawasan Tasek Glugor (Enche' Mustapha bin Hussain)

„ „ Kawasan Bagan Ajam (Enche' Ong Yi How)

TIDAK HADZIR :

Yang Berhormat Ahli Kawasan Bukit Mertajam (Enche' Ooh Chooi Cheng, J.P.)

Dewan bersidang sa-mula pada jam 9.30 pagi.

### DO'A

**(G) Usul oleh Yang Berhormat Enche' Yeap Ghim Guan**—(sambongan).

**Ahli Kawasan Bayan Lepas (Enche' Ismail bin Hashim):** Dato' Speaker, saya bangun ia-itu mengambil bahagian dalam perbahasan Usul yang di-bawa oleh Yang Berhormat Ahli daripada Kawasan Kelawei pada hari Juma'at yang lepas. Saya menyokong rakan saya, ia-itu Ahli daripada Kawasan Tanjong Barat menentang dan mengutok tujuan Usul yang di-bawa oleh Yang Berhormat Ahli daripada Kawasan Kelawei. Dato' Speaker, saya rasa tujuan, kalau kita teliti atau kita kaji Usul yang di-bawa oleh Yang Berhormat Ahli daripada Kawasan Kelawei kepada Dewan ini, ia-itu semenjak Dewan ini bersidang sa-lepas.

Negeri kita berlaku keadaan dharurat kita telah mengalami dua usul yang sa-rupa.

Dalam persidangan Dewan kita yang lepas, Ahli D.A.P. ia-itu Yang Berhormat Ahli daripada Kawasan Kelawei telah pun membawa usul ia-itu tidak perchaya kapada Kerajaan Negeri tempoh hari. Dan pada kali ini pula beliau telah membawa usul yang sa-rupa. Tetapi, dengan sebab beliau sa-orang yang bijak dan chuba menukarkan ayat<sup>2</sup> atau tujuan usul itu untuk menyesuaikan dengan peratoran mesuarat kita ia-itu Peratoran 39 yang membolehkan beliau membawa lagi sekali usul ini dalam Dewan. Tetapi, dengan tujuan yang sa-rupa.

Sa-bagaimana yang saya sebut tadi kalau kita kaji betul<sup>2</sup> usul ini, kita dapati bahawa pehak D.A.P. ia-itu pehak Ahli Yang Berhormat daripada Kawasan Kelawei menudoh Kerajaan Negeri ia-itu Kerajaan Champoran yang ada sekarang ini tidak chekap dalam menguruskan hal<sup>2</sup> pemindahan penduduk<sup>2</sup> yang ada dalam Kawasan Sungei Keluang. Saya suka tambah, sa-hinggalah hari ini, ada-kah penduduk<sup>2</sup> di-Sungei Keluang itu terancham dan mereka itu telah di-pindah dan musnah.

Dan tidak ada tempat langsung sekarang ini untuk bertedoh. Ada-kah perkara ini berlaku?

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Ada.

**Ahli Kawasan Bayan Lepas (Enche' Ismail bin Hashim):** Itu mustahil. Satu perkara yang di-angan<sup>2</sup>kan oleh Ahli Yang Berhormat dari Kawasan Kelawei. Apa yang saya tahu . . . . (gangguan).

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Tuan Speaker, dengan izin. Dia minta saya clarify. Dan dalam Dewan dia boleh bagi jalan atau tidak boleh.

**Tuan Speaker:** Ahli Yang Berhormat, harap jangan ganggu.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Chakap sahaja ini angin<sup>2</sup>.

**Ahli Kawasan Bayan Lepas (Enche' Ismail bin Hashim):** . . . . Dato' Speaker, . . . . (gangguan).

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Bagus, dudok. Awak pun hendak chakap dudok. Jangan dudok chakap dudok.

**Tuan Speaker:** Ahli Yang Berhormat, saya harap jangan ganggu.

**Ahli Kawasan Bayan Lepas (Enche' Ismail bin Hashim):** . . . . Dato' Speaker, saya tidak tahu apa yang berlaku kapada Ahli daripada Kawasan Kelawei. Barangkali tempat dudok dia itu ada jarum. (Ketawa). Satu, hari Juma'at yang lepas pada masa beliau membawa usul ini, beliau telah berchakap lebeh kurang dua jam dan kita di-sabelah sini tunggu dan dengar dengan tabah, dan dengan perasaan sabar atas cherita<sup>2</sup> yang di-bawa kapada tuan<sup>2</sup>. Beliau yang membawa kapada Dewan ini . . . . (gangguan).

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Ahli Yang Berhormat sudah naik tidak apa. Fasal itu bagi allowance.

**Ahli Kawasan Bayan Lepas (Enche' Ismail bin Hashim):** . . . . saya telah pun menyebut tadi. Ada-kah orang<sup>2</sup> atau pun penduduk<sup>2</sup> yang ada dalam

Kawasan Sungai Keluang itu telah diusir keluar oleh Kerajaan? Jawab-nya: tidak. Jadi segala hujjah<sup>2</sup> yang di-bawa oleh beliau kepada Dewan ini pada hari Juma'at yang lepas ada-lah sa-mata<sup>2</sup> palsu dan pembohong. Ini dapat di-timbang dan dapat di-fikir oleh ra'ayat yang ada dalam Negeri ini.

Saya, Dato' Yang Di-Pertua, dalam masa'alah ini juga berasa dukachita dan saya rasa was<sup>2</sup> tentang kedudukan parti<sup>2</sup> atau pun Ahli<sup>2</sup> Pembangkang daripada yang lain<sup>2</sup>, terutama sekali daripada PEKEMAS dan juga Ahli<sup>2</sup> daripada BEBAS. Kerana mereka itu pun sedar bahawa keadaan kedudukan orang<sup>2</sup> yang ada di-Sungai Keluang sekarang ini tidak lagi terancham. Dan sekarang dengan ada-nya usul ini Pihak Pembangkang terutama daripada PEKEMAS tidak tahu bagaimana mereka hendak berchakap dalam Dewan ini, kalau tidak di-sokong usul ini. (*Ketawa*). Jadi, kalau sa-kira-nya tidak mahu berchakap dalam masa'alah ini orang<sup>2</sup> nanti tudoh mereka sa-bagai Pembangkang kita tidak menyokong usul yang bagini. Tetapi kalau berchakap menyokong usul ini, saya rasa usul yang di-bawa oleh Ahli dari Kawasan Kelawei ada-lah satu usul yang dusta.

Dato' Speaker, dalam masa ucapan Ahli Yang Berhormat dari Kawasan Kelawei membawa usul ini, saya dapati tidak ada satu perkara yang di-sebut yang menunjukkan bahawa hari ini orang<sup>2</sup> yang ada dalam Sungai Keluang itu telah pun di-halau atau pun telah pun di-usir keluar oleh Kerajaan Negeri ini. Sa-benar-nya, dalam masa kita berunding dengan penduduk<sup>2</sup> di-Sungai Keluang itu ia-itu pihak<sup>2</sup> Kerajaan, Ahli<sup>2</sup> daripada Kerajaan telah pun berjumpa beberapa kali penduduk<sup>2</sup> itu di-situ, dan menerangkan bagaimana-kah tujuan atau pun hasrat Kerajaan hendak menyelesaikan masa'alah mereka itu. Jadi dalam perundingan<sup>2</sup> ini pihak Kerajaan telah pun memberitahu kepada penduduk<sup>2</sup> di-situ ada beberapa tempat yang di-pilih oleh Kerajaan untuk mereka<sup>2</sup> itu pindah. Dan saya rasa dalam masa'alah ini, dengan sebab Kerajaan bersimpati dan Kerajaan merasa tanggung jawab sa-bagai Kerajaan yang bertanggung jawab, kita telah

pun menchadangkan beberapa tempat untuk mereka itu pilih. Jadi ini bukanlah satu kegagalan yang di-buat oleh Kerajaan. Tetapi, kita menchadangkan kepada mereka itu beberapa tempat supaya dapat mereka itu pilih.

Saya rasa perkara ini telah pun di-ucapkan atau di-terangkan oleh rakan saya Ahli daripada Kawasan Tanjong Barat ia-itu pihak Kerajaan telah pun memilih beberapa tempat seperti Paya Terubong, Relau, Pondok Upeh, Sungai Pinang dan sa-bagai-nya. Apa sebab kita buat macham ini? Apa sebab Kerajaan buat begitu? Kerana kita hendak memberi peluang, macham saya kata tadi—memberi peluang kepada penduduk<sup>2</sup> di-situ memilih di-mana-kah tempat yang sesuai bagi mereka itu membuat tempat kediaman. Sa-bagai sa-orang Ahli bagi kawasan itu, saya telah pun beberapa kali pergi ka-situ dan berchakap sendiri dengan penduduk<sup>2</sup> yang ada di-situ sama ada sa-belum Kerajaan ini berchampur dan sa-lepas Kerajaan ini berchampur. Sa-lepas Kerajaan Champoran ini berlaku.

Dalam perjumpaan<sup>2</sup> saya dengan penduduk<sup>2</sup> di-situ, penduduk<sup>2</sup> di-situ sedar bahawa tanah itu ia-lah tanah Kerajaan yang di-ambil pada tahun 1966 dahulu dan mereka dalam perbualan atau pun dalam perbincangan dengan saya, mereka bersetuju hendak keluar. Apa yang mereka itu berchakap dan meminta ia-lah supaya dapat Kerajaan mengatorkan atau menempatkan mereka itu ka-satu tempat yang sesuai yang dapat mereka melanjut mata pencharian mereka dengan keadaan yang ada sekarang. Itu-lah permintaan mereka. Mereka meminta supaya Kerajaan dapat menempatkan mereka itu ka-suatu tempat yang dapat mereka sambongkan perkhidmatan mereka dan pencharian mereka. Jadi dalam masa'alah di-Sungai Keluang ini Dato' Speaker, penduduk<sup>2</sup> di-situ sa-bagai-mana yang telah di-terangkan oleh Ahli daripada Kawasan Kelawei ia-lah mempunyai bermacam<sup>2</sup> mata pencharian. Bukan sahaja mereka itu memelihara atau menternak babi di-situ tetapi mereka<sup>2</sup> itu ada mempunyai bermacam<sup>2</sup> chara mata pencharian. Jadi dengan sebab itu pihak Kerajaan

sedar atas kedudukan mereka dan kita telah pun menhadangkan beberapa tempat untuk mereka itu supaya menyambungkan mata pencharian mereka, sa-telah mereka itu pindah dari tempat itu.

Jadi, saya rasa dalam masa'alah itu Dato' kalau pehak D.A.P. dan juga pehak Yang Berhormat Ahli daripada Kawasan Kelawei menudoh pehak Kerajaan tidak tegas atau tidak bertimbang rasa terhadap penanggungan<sup>2</sup> dan terhadap penderitaan atau pun pekerjaan<sup>2</sup> yang di-lakukan oleh ahli<sup>2</sup> atau penduduk<sup>2</sup> daripada Sungei Kluang itu, saya rasa ini tidak-lah betul. Yang Amat Berhormat Ketua Menteri telah pun menjawab kepada Yang Berhormat Ahli daripada Kawasan Kelawei bahawa dalam kes perjumpaan dengan penduduk<sup>2</sup> di-situ pehak Yang Amat Berhormat sendiri telah menerangkan kepada mereka. Dan pendek-nya dalam perjumpaan ini mereka sendiri, sabagaimana yang saya terangkan tadi mereka telah bersetuju supaya pindah dan meminta membuat rayuan supaya dapat mereka itu di-pindahkan ka-satu tempat yang sesuai.

Dato' Speaker, saya terutama sekali tiap<sup>2</sup> orang kita yang ada dalam Dewan ini yang di-pilih oleh ra'ayat ia-lah mempunyai tugas masing<sup>2</sup>. Saya rasa tugas kita yang besar ia-lah satu tugas kepada pengundi kita sendiri. Dan yang kedua kepada Parti—kapada Parti dimana kita datang. Tetapi kepada Ahli<sup>2</sup> BEBAS yang ada dalam Dewan ini saya tidak tahu-lah. Tugas itu barangkali tidak ada pada mereka-lah. Dan yang ketiga ia-lah tugas kita kepada negara. Saya rasa dalam ketiga<sup>2</sup> masa'alah ini, tugas sa-saorang Ahli Dewan ini kepada negeri dan kepada negara-lah yang paling besar sekali.

Jadi bila kita berchakap fasal masa'alah tanggung jawab kita kepada negara, saya suka-lah membawa beberapa perkara ia-itu berhubung dengan perkara Parti D.A.P. ini dan juga ucapan<sup>2</sup> yang di-buat oleh Yang Berhormat Ahli daripada Kawasan Kelawei, terutama sekali beberapa hari yang lepas ini. Dato' Speaker, saya nampak dan kita sangat atau tertarek hati dengan perkembangan<sup>2</sup> D.A.P.

Pada masa beberapa hari yang lepas ini kita dapati perkembangan<sup>2</sup> D.A.P. berchakaran di-antara satu sama lain dengan masa'alah prinsipal dan prinsip mereka sendiri. Tetapi walau bagaimana pun Dato' Speaker, saya suka-lah hendak menarekan perhatian Dewan dan juga ra'ayat Negeri ini yang hari ini D.A.P. telah berbangga mengatakan bahawa mereka sahaja-lah orang yang menjadi champion dalam mempertahankan kedudukan ra'ayat yang ada dalam Negeri ini. Lain<sup>2</sup> parti dan Kerajaan sendiri tidak ada simpati, dan tidak ada niat untuk menolong orang ramai yang ada dalam Negeri ini. Chuma yang ada perasaan itu ia-lah D.A.P. sahaja. Jadi itu-lah Dato' Speaker, saya suka membawakan perkara ini kepada Dewan dan ra'ayat Negeri ini supaya dapat ra'ayat memikirkan ada-kah sa-benar-nya D.A.P. ini sa-bagai sa-buah Parti yang jujur untuk mempertahankan dan ikhlas kepada ra'ayat Negeri ini.

Satu, ia-lah masa'alah, saya rasa, ra'ayat dalam Negeri kita hari ini telah pun mengambil keputusan berhubung dengan perkara Selat Melaka. Berhubung dengan perkara Selat Melaka dan Kerajaan kita ini . . . . (gangguan).

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Sungai Keluang sama Selat Melaka ada hubungan baik. Bagus.

**Ahli Kawasan Bayan Lepas (Enche' Ismail bin Hashim):** . . . . jadi dalam masa'alah ini ra'ayat dan juga Kerajaan kita telah menuntut supaya pehak Bangsa<sup>2</sup> Bersatu mengikhtiraf kedudukan Selat Melaka ini ia-lah . . . . . (gangguan).

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Saya harap Speaker pun bagi peluang ini-lah. Keluar dari subject ini.

**Ahli Kawasan Bayan Lepas (Enche' Ismail bin Hashim):** . . . . kepunyaan Malaysia dan pehak Indonesia juga telah pun menyokong atas tuntutan kita itu. Tetapi apa yang saya suka hendak tegas di-sini, Dato', bagaimanakah pendirian D.A.P. dalam masa'alah ini? Masa'alah yang kita binchang . . . . . (gangguan).

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Bawa-lah satu usul.

**Ahli Kawasan Bayan Lepas (Enche' Ismail bin Hashim):** . . . . . atau kita bincang sekarang. Ada-kah D.A.P. ini jujur? Ada-kah D.A.P. ini jujur kepada ra'ayat dan Negara ini? D.A.P. telah menyuarakan berlainan daripada hasrat dan tujuan dan kehendak<sup>2</sup> ra'ayat Negeri ini. Ini yang kita hendak tanya.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Perikatan bukan ra'ayat.

**Ahli Kawasan Bayan Lepas (Enche' Ismail bin Hashim):** Nombor 2, ucapan pemimpin<sup>2</sup> D.A.P. di-luar daripada Negeri ini. Kita dapat tahu pemimpin<sup>2</sup> D.A.P. keluar ka-luar negeri . . . . . (*gangguan*).

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Tuan Speaker, di-atas Peratoran 64, saya tidak mahu bantah apa yang di-chakap oleh Ahli dari Bayan Lepas. Tetapi, kalau Tuan Speaker mahu bagi peluang dia berchakap sampai Selat Melaka, Bangsa<sup>2</sup> Bersatu (United Nations), mahu chakap sampai Indonesia, mahu chakap sampai bulan pun boleh. Tetapi saya harap peluang ini pun bagi sama saya di-dalam jawapan saya. Itu saja. Kalau dia mahu chakap sampai bulan pun boleh chakap tetapi bagi peluang macham ini kepada saya. Kita ada do'a chakap keadilan—segala keadilan.

**Tuan Speaker:** Baik.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Saya harap kita boleh buat perundingan dalam ini.

**Ahli Kawasan Sungei Pinang (Enche' S. P. Chelliah):** Sudah-lah, sudah-lah. Lagi mahu lecture pula.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Kalau awak mahu chakap, naik chakap. Jangan chakap dalam kerusi.

**Tuan Speaker:** Ahli Yang Berhormat, sila duduk.

**Ahli Kawasan Bayan Lepas (Enche' Ismail bin Hashim):** Dato', itu-lah saya tidak faham bagaimana keadaan atau pun sikap keangkohan Ahli daripada D.A.P. ini.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Tuan Speaker, ada mahu buat keputusan atau tidak mahu?

**Tuan Speaker:** Saya buat keputusan.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Tidak mahu buat pun tidak apa. Saya tidak bantah. Saya sudah chakap saya tidak bantah apa dia mahu chakap tetapi saya ingat kalau kita ada peratoran mesti ikut. Kalau kita tidak mahu ikut tidak apa.

**Tuan Speaker:** Ahli Yang Berhormat, sila duduk.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Itu ada keputusan atau tidak ada?

**Tuan Speaker:** Nanti saya berchakap Ahli Yang Berhormat duduk. Saya buat keputusan. Jangan-lah siapa<sup>2</sup> Ahli lagi jalan jauh daripada segala yang di-bahaskan sekarang.

**Ahli Kawasan Bayan Lepas (Enche' Ismail bin Hashim):** Dato', ini tidak da'ayah. Saya berchakap ini saya rasa kejujuran, dari segi kejujuran. Sebab Ahli D.A.P. membawakan usul ini kepada Dewan menudoh Kerajaan Champoran yang ada sekarang tidak jujur dan tidak chekap dalam menyelesaikan masa'alah<sup>2</sup> penduduk<sup>2</sup> yang ada di-Sungai Keluang.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Tuan Speaker, di-atas peratoran 64, saya tidak tahu pindaan apa yang di-chakap oleh Ahli dari Bayan Lepas, tetapi kalau Tuan Speaker mahu bagi dia peluang mahu chakap sampai Selat Melaka, Bangsa<sup>2</sup> Bersatu—United Nation, mahu chakap sampai Indonesia, mahu chakap sampai bulan pun boleh, tetapi saya harap ini peluang pun di-bagi kepada saya di-dalam jawapan saya, itu saja. Kalau dia mahu chakap sampai bulan pun boleh chakap, tetapi bagi sama saya sama, kita ada keadilan.

**Ahli Kawasan Sungai Pinang (Enche' S. P. Chelliah):** Bagi lecture pula.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Kalau awak mahu chakap, naik-lah chakap, jangan chakap

dalam kerusi. Tuan Speaker, mahu buat keputusan atau tidak, ada keputusan atau tidak?

**Tuan Speaker:** Saya buat keputusan jangan-lah siapa<sup>2</sup> ahli lagi pergi jauh dari apa yang di-binchangkan.

**Ahli Kawasan Bayan Lepas (Enche' Ismail bin Hashim):** Tuan Speaker, D.A.P. menudoh Kerajaan Champoran yang ada sekarang tidak jujur dan tidak chekap dalam menyelesaikan masa'alah<sup>2</sup> penduduk<sup>2</sup> yang ada di-Sungai Keluang. Sekarang ada-kah D.A.P. itu jujur? Itu yang saya nak chakap.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Bawa satu usul, kita boleh jawab.

**Ahli Kawasan Bayan Lepas (Enche' Ismail bin Hashim):** Tidak payah bawa usul.

**Tuan Speaker:** Ahli Yang Berhormat, saya minta jangan-lah ganggu. Ahli Yang Berhormat berapa kali sudah saya bagi peluang.

**Ahli Kawasan Bayan Lepas (Enche' Ismail bin Hashim):** Dan Dato' dalam masa'alah ini ada yang menudoh bahawa Negeri ini akan menjadi huru-hara. Peristiwa 13 Mei akan berlaku balek. Itu chakapan yang di-uchap oleh D.A.P. di-luar negeri. Jadi ada-kah D.A.P. mahu, berkehendak supaya Negara kita yang aman ini jadi balek perkara<sup>2</sup> yang kita tidak mahu? Ini-kah kejujuran D.A.P. hendak mempertahankan Negeri ini dan hendak membantu Negeri ini? Saya nampak sikap D.A.P. lain di-luar dan lain di-dalam. Di-luar sahaja bagus, tetapi hasrat dan hati dan tujuan mereka itu hendak melihat supaya Negeri ini menjadi hanchor dan huru-hara. Dalam ucapan<sup>2</sup> yang di-buat oleh Ahli Yang Berhormat daripada Kelawei sa-masa kita bersidang pada akhir<sup>2</sup> ini kita telah dengar beberapa tuduhan kapada Kerajaan Negeri ini, ia-itu sangat baik dan sangat rapat dengan Kerajaan Pusat. Ini satu perkara saya rasa yang patut, terutama sekali ahli<sup>2</sup> dalam Dewan ini mengkaji apa di-sebalek daripada tuduhan<sup>2</sup> itu. Pada pendapat saya, saya dapati ada dua perkara. Ada dua perkara—niat D.A.P.,

ahli D.A.P. dan Ahli dari Kelawei tudoh Kerajaan kita sekarang ini sangat ber-baik<sup>2</sup> dengan Kerajaan Pusat ada-lah tujuan-nya dua perkara. Pertama mereka sendiri sedar bahawa Negeri Pulau Pinang keadaan-nya, pendapatan dan revenue—yang ada dalam Negeri ini tidak menchukupi . . . . . (gangguan).

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Tuan Speaker, atas per-atoran 46, ini ada hubongan apa sama kita punya usul sekarang? Sekarang dia mahu balek dengan lain bahas. Kita sudah habis pun dia mahu balek, mahu chakap apa yang berlaku di-luar negeri, apa pemimpin D.A.P. chakap di-luar negeri pun dia chakap. Tetapi saya tidak bantah, tetapi saya harap Tuan Speaker, chakap jauh dari usul, jauh daripada Dewan ini pun boleh, kita boleh terima, tetapi ini macham serupa bagi kita.

**Tuan Speaker:** Ahli Yang Berhormat, sila dudok. Ahli dari Bayan Lepas sila sambong, tetapi jangan pergi jauh sangat.

**Ahli Kawasan Bayan Lepas (Enche' Ismail bin Hashim):** Saya tidak faham, Ahli Yang Berhormat dari Kelawei boleh ingat balek bagaimana dia chakap hari Juma'at tempoh hari dengan panjang lebar kita tidak ganggu, kita minta sekarang jangan-lah ganggu. Bila dia chakap kita diam, bila kita chakap patut dia pun diam, jangan ganggu.

Dato', dalam masa'alah ini Dato', pada pendapat saya ada dua tujuan, yang tidak baik di-hati dan perasaan D.A.P. dengan masa'alah menudoh Kerajaan Pusat dan Kerajaan Negeri berbaik<sup>2</sup>. Sa-bagaimana yang telah kita ketahui, Kerajaan Negeri pendapatannya limited, kita terpaksa minta bantuan<sup>2</sup>, daripada Kerajaan Pusat. Jadi sa-kira-nya kita buat pergadohan, berseliseh faham di-antara Kerajaan Pusat dan Kerajaan Negeri, jadi Negeri ini tidak dapat mengadakan kemajuan<sup>2</sup>-nya. Pada masa itu ra'ayat yang ada dalam Negeri ini tidak puas hati . . . . . (gangguan).

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Atas Peratoran 66, ada-kah keputusan di-buat?

**Tuan Speaker:** Sila dudok. Ahli Yang Berhormat dari Bayan Lepas sila sambongkan.

**Ahli Kawasan Bayan Lepas (Enche' Ismail bin Hashim):** Jadi saya rasa, dalam masa'alah ini Dato', usaha supaya membawa ra'ayat dalam Negeri ini menjadi satu perasaan tidak tentu dan membangkitkan perasaan tidak puas hati yang akan berlaku dalam Negeri ini dengan tidak ada kemajuan<sup>2</sup> yang di-buat oleh Kerajaan sekarang.

Perkara yang kedua saya rasa itu satu sabotage kepada ra'ayat di-Negeri ini. Ini-lah satu perkara yang saya rasa sa-bagaimana yang saya kata tadi D.A.P. tidak mempunyai kejujoran terhadap Negeri ini. Dan lagi satu adalah masa'alah, saya perchaya, semua ra'ayat dalam Negeri ini dan juga Kerajaan ini sekarang berusaha bersungguh<sup>2</sup> membawa masuk pemodal<sup>2</sup> daripada luar negeri untuk membolehkan mengurangkan keadaan pengangguran yang ada dalam Negara kita. Dalam masa'alah ini Dato', Yang Berhormat Ahli Kawasan Kelawei selalu menudoh dan selalu menyebut beberapa kali dalam ucapan<sup>2</sup> beliau, ia-itu menyuruh supaya pemodal<sup>2</sup> ini balek ka-negeri masing<sup>2</sup>. Jadi ini juga ia-lah, pada pendapat saya, satu perkara yang telah di-tunjukkan oleh Ahli daripada Kawasan Kelawei dan juga oleh D.A.P. bahawa mereka itu hendak tengok keadaan Negara kita yang ada pada hari ini supaya penganggor<sup>2</sup> yang ada dalam Negeri ini tidak dapat diselesaikan. Ini-kah satu daripada kejujoran yang ada kepada D.A.P. sekarang? Dalam masa'alah ini juga Dato' prinsip<sup>2</sup> yang saya berchakap tadi ada 4 perkara. Kita dapati sekarang bahawa D.A.P. telah pun berbalahan di-antara satu sama lain dan kalau kita tengok dalam surat khabar hari ini kita dapati pemimpin<sup>2</sup> D.A.P. sendiri telah keluar satu demi satu, dengan sebab 4 perkara yang saya berchakap tadi. Saya rasa itu terpulang-lah dengan ra'ayat sendiri. Bagaimana-kah D.A.P. yang ada dalam Negara kita pada masa ini. Jadi kalau sekira-nya D.A.P. dan pemimpin<sup>2</sup>-nya tidak dapat mengukuhkan keadaan parti mereka sendiri,

bagaimana-kah mereka hendak memegang pemerintah Kerajaan yang ada pada hari ini. Itu satu perkara yang jelas. D.A.P. berchakap hendakkan kemajuan, tetapi bila Kerajaan membuat kemajuan, D.A.P. bangkang. Berchakap mahukan kemajuan, kita adakan faktori banyak, indastri banyak, tetapi bila Kerajaan membawa perkara<sup>2</sup> ini ka-dalam Negeri ini, D.A.P.-lah yang membangkang.

Tuan Speaker, dalam ucapan beliau pada masa membawa usul ini pada hari Juma'at yang lepas, saya dapati ada beberapa perkara yang telah pun disentuh-nya dan soal itu saya suka-lah membuat pandangan saya terhadap Ahli Yang Berhormat ini sendiri. Saya rasa dalam Dewan ini kalau kita tengok ada 24 Ahli<sup>2</sup> yang ada dalam Dewan, tetapi ahli<sup>2</sup> lain tidak datang membawa buku<sup>2</sup> undang<sup>2</sup> mereka, tetapi Ahli Yang Berhormat itu sahaja yang membawa buku<sup>2</sup> undang<sup>2</sup>. Jadi ini satu perkara yang saya rasa berlainan daripada apa yang ada dalam Dewan ini. Baru Ahli Yang Berhormat dari Sungai Bakap hendak ikut chontoh . . . . . (gangguan).

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Takut itu Undang<sup>2</sup> Negeri?

**Tuan Speaker:** Ahli Yang Berhormat, dari Kelawei, minta-lah jangan ganggu.

**Ahli Kawasan Bayan Lepas (Enche' Ismail bin Hashim):** Jadi ini satu perkara yang kita dapati bahawa beliau ini chuba hendak tunjukkan kepada Dewan ini bahawa beliau-lah sahaja yang pandai dan saya rasa dalam perkara ini banyak juga beliau telah menyebutkan bahawa beliau telah membuat homework yang banyak sekali dan menudoh Pegawai<sup>2</sup> Kerajaan yang tidak membuat homework. Dalam ucapan beliau, beberapa hari yang lepas, beliau telah berchakap berkenaan dengan jambatan, beliau menyebut Hongkong Tunnel dapat di-siapkan dalam dua tahun. Saya berkata 50 tahun, ia kata 50 tahun kamu sendiri tidak ada . . . . . (gangguan).

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Hongkong Tunnel, bukan jambatan.

**Ahli Kawasan Bayan Lepas (Enche' Ismail bin Hashim):** Hongkong Tunnel. Dalam Asian magazine ada di-terangkan di-situ dan saya minta kebenaran hendak membacha dari Asian magazine ini:

"Three years after construction work started; and 57 years after it was first mooted".

67 tahun masa'alah tunnel yang di-kemukan.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Tahu-kah apa erti perkataan "mooted"? Tidak tahu jangan chakap.

**Ahli Kawasan Bayan Lepas (Enche' Ismail bin Hashim):** Jadi dalam masa-'alah ini, saya rasa kalau Ahli Yang Berhormat dari Kelawei membuat kajian, kalau membuat homework banyak saya nasihat supaya beliau jangan membawa angan<sup>2</sup> ka-dalam Dewan ini dan saya rasa kalau beliau chuba dan teruskan juga macham ini, bukan-lah tempat beliau di-sini tetapi di-Tanjong Rambutan tempat-nya .... (gangguan).

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Itu pandai-lah, lain tidak pandai, kita sudah tengok.

**Ahli Kawasan Bayan Lepas (Enche' Ismail bin Hashim):** Dalam ucapan beliau juga Dato', beliau telah pun chuba membahagi<sup>2</sup>kan antara Ahli<sup>2</sup> Kerajaan, ia-itu antara Ketua Menteri dan Ahli<sup>2</sup> yang lain. Gerakan dan Perikatan, di-antara Perikatan pula U.M.N.O., M.C.A. dan M.I.C. Itu-lah perkara<sup>2</sup> yang di-bawa supaya beliau akan berasa seronok melihat kepechahan yang akan berlaku, dengan tujuan kepechahan akan berlaku dalam Kerajaan Champoran yang ada sekarang. Jadi saya rasa beliau telah menudoh beberapa orang ahli<sup>2</sup> daripada Kerajaan tidak tahu berchakap dalam Dewan ini. Kami mengamalkan dasar demokrasi dan kerana bilangan ahli yang ada dalam Kerajaan lebih ramai, dua atau tiga orang ahli berchakap, yang lain ikut menyokong, kerana tidak mahu membuang masa dalam Dewan ini bagaimana yang

di-buat oleh daripada Kelawei. Dan juga beliau telah menyentoh, ia-itu menudoh Pegawai Kerajaan kita sendiri. Saya sungoh dukachita dalam ucapan beliau kelmarin beliau telah menudoh Pegawai Daerah kita yang tidak ada peluang untuk menjawab dalam Dewan ini dan perkara ini telah di-timbulkan beberapa kali oleh Ahli Yang Berhormat itu. Saya rasa dalam masa'alah ini Yang Amat Berhormat Ketua Menteri telah menjawab. Yang Amat Berhormat Ketua Menteri telah pun menjawab kapada Yang Berhormat Ahli dari Kelawei bahawa dalam kes perjumpaan dengan Pegawai Daerah Balik Pulau, Pegawai Daerah tersebut tidak hadir kerana Ahli Yang Berhormat sendiri tidak di-tugaskan dalam perjumpaan itu Ahli Yang Berhormat dari Kelawei boleh-lah chuba memutar-belitkan perkara itu tetapi beliau tidak boleh menchuba memburok<sup>2</sup>kan kerja<sup>2</sup> baik yang di-jalankan oleh mereka dan jangan-lah menyalahkan pegawai<sup>2</sup> Kerajaan atau pun Kerajaan. Dalam kes ini juga Kerajaan telah mendapat tahu bahawa beliau telah menghubungi Setiausaha Kerajaan melalui talipon meminta satu perjumpaan di-adakan. Setiausaha Kerajaan telah menghubungi Pegawai Daerah Balik Pulau dan memberi tahu oleh sebab hari itu hari minggu ada-lah terpulang kapada Tuan Pegawai Daerah untuk menentukan tarikh dan masa. Akan tetapi Ahli Yang Berhormat dari Kelawei tidak pula menyuroh Pegawai Daerah untuk menggantungkan perjumpaan tersebut dan Pegawai Daerah telah setuju memanggil melalui talipon selepas sahaja Setiausaha Kerajaan berchakap dengan-nya. Tetapi tidak ada panggilan talipon seperti Yang Amat Berhormat Ketua Menteri telah nyatakan, oleh kerana hari itu hari Ahad Pegawai Daerah telah membuat kerja lain. Ahli Yang Berhormat dari Kelawei harus sedar bahawa beliau bukan-lah sa-orang anggota Kerajaan tetapi Pegawai Daerah sa-bagai sa-orang pegawai Kerajaan telah pun menganggap Ahli Yang Berhormat dari Kelawei sa-bagai sa-orang awam, lebih daripada berpautan. Sa-kira-nya Ahli Yang Berhormat dari Kelawei menganggap diri-nya

bagitu penting, bahawa dia tidak perlu menghadziri perjumpaan tersebut beliau tidak-lah boleh menyalahkan pegawai<sup>2</sup> dan Kerajaan. Lagi satu Dato' ia-lah dalam ucapan yang di-buat oleh Ahli dari Kawasan Kelawei ada menunjokkan kepada Dewan ini beberapa potongan<sup>2</sup> surat khabar. Berhubung dengan perkara ini, masa'alah pendudok<sup>2</sup> di-Sungei Keluang itu dan beliau juga telah pun membangkit<sup>2</sup>kan perkara<sup>2</sup> atau pun statement<sup>2</sup> yang di-buat oleh ahli<sup>2</sup>, terutama sekali bagi pehak Kerajaan dan menudoh bahawa Kerajaan, dalam memberi satu<sup>2</sup> kenyataan kepada orang ramai telah tidak bersetuju di-antara satu sama lain.

Dato', dalam masa ucapan yang di-buat oleh Ahli Kawasan Kelawei, beliau menunjokkan kepada Dewan ini beberapa potongan<sup>2</sup> surat khabar berhubung dengan perkara masa'alah pendudok<sup>2</sup> di-Sungei Keluang dan beliau juga telah pun membalekkan perkara<sup>2</sup> yang di-buat oleh ahli<sup>2</sup>, terutama sa-kali, bagi pehak Kerajaan yang menuduhkan bahawa Kerajaan dalam memberi satu<sup>2</sup> kenyataan kepada orang ramai telah tidak bersetuju atau pun bertentangan di-antara satu dengan lain. Jadi, saya rasa masa'alah ini, rakan saya Ahli dari Kawasan Tanjong Barat telah pun menerangkan kepada beliau dan saya tidak-lah mahu berchakap dalam masa'alah ini dan saya suka membawa satu perkara ia-itu berkenaan dengan keadaan kedudukan orang<sup>2</sup> yang ada dalam Brown Estate atau Sungei Keluang, di-mana tanah ini, pada masa sa-belum Kerajaan ambil dahulu ia-lah tanah Brown Estate. Dalam masa ucapan beliau, hari Juma'at yang lepas, beliau telah menunjokkan kepada Dewan ini berkenaan dengan lesen tanah sementara yang di-keluarkan oleh pehak Brown Estate kepada pendudok<sup>2</sup> di-situ. Jadi, saya rasa, Ahli Yang Berhormat itu sendiri tidak mengikuti perkara<sup>2</sup> pentadbiran berkenaan dengan Brown Estate dengan sa-benar-nya dari mula hingga ka-akhir, sebab manakala lesen ini di-keluarkan, pehak Brown Estate sendiri dalam tahun 1960, telah pun mengeluarkan satu notis ia-itu memansuhkan lesen<sup>2</sup> yang di-keluarkan kepada ahli<sup>2</sup> atau pun orang<sup>2</sup> yang dudok dalam

estate itu pada tahun 1960 dan saya rasa Dato' di-sini ada saya bawa notis berkenaan dengan tanah yang telah di-keluarkan oleh Brown Estate dalam tahun 1960.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Bacha-lah notis itu.

**Ahli Kawasan Bayan Lepas (Enche' Ismail bin Hashim):** Dan sa-lepas daripada itu, tiap<sup>2</sup> orang penghuni yang hendak tinggal dalam kawasan tanah Brown Estate itu mereka terpaksa mendapatkan lesen yang lain dan apa yang di-keluarkan dahulu. Dalam lesen yang di-keluarkan kepada pendudok, ia-itu lesen sementara, pada tiap<sup>2</sup> tahun, dan kalau sa-kira-nya mereka itu tidak membaharui lesen itu, jadi tanah atau tempat mereka dudok itu tidak menjadi laku atau sah lagi sa-bagai penghuni. Jadi Dato' saya tertarik hati dengan ucapan yang di-buat oleh Yang Berhormat Ahli dari Kawasan Kelawei yang menudoh saya sendiri ia-itu sa-telah Perikatan champor dengan Gerakan, menubuhkan Kerajaan Champoran yang ada sekarang, saya tidak mengambil peduli pendudok<sup>2</sup> yang ada di-Sungei Kluang. Dalam ucapan saya tadi, pada masa mula<sup>2</sup>, saya telah pun menyebut bahawa saya telah membuat beberapa kali perjumpaan dengan pendudok<sup>2</sup> itu, sa-lepas di-adakan Kerajaan Champoran, saya dapati pendudok<sup>2</sup> di-situ telah pun bersetuju dengan chadangan Kerajaan hendak membawa atau memindah mereka itu ka-tempat yang baru sa-bagaimana yang telah di-siarkan dalam akhbar<sup>2</sup> kepada pendudok<sup>2</sup> di-situ. Mereka telah pun bersetuju dan menguchapkan terima kasih kepada pehak Kerajaan yang telah menempatkan mereka itu ka-satu tempat yang kita chadangkan di-akhir<sup>2</sup> ini. Saya telah pun menerima satu surat dan saya rasa saya hendak membawa surat ini dari salah sa-orang anak atau sa-orang anak pendudok di-situ yang sedang belajar di-Sekolah Menengah Sungei Ara. Surat ini ia-lah bertarikh 21hb Mei, 1972. Saya minta, Dato' kebenaran untuk membacha surat ini:

"Kapada Yang Berhormat Enche' Ismail bin Hashim dengan selamat-nya, tuan, saya sebagai pehak pendudok<sup>2</sup> dalam

Kawasan Sungei Keluang yang menghadapi pemindah rumah menguchapkan beribu<sup>2</sup> terima kaseh di-atas bantuan dan kedatangan tuan untuk menyelesaikan masa'alah tentang pemindahan. Kedatangan tuan kelmarin sangat-lah penting bagi kita sebab dapat tuan memberi sa-bidang tanah di-Batu Maung untuk berpindah. Kita tersangat bersetuju di-atas pendapat tuan dan kita berazam untuk bekerjasama dengan Kerajaan supaya rancangan pembangunan akan dapat berjaya. Kita berasa nasib baik juga tanah yang tersebut dapat penempatan. Itu-lah sahaja hasrat kita kalau tuan buktikan tanah tersebut akan berjaya."

Dato' surat ini di-tulis kepada saya menunjukkan terima kaseh kepada saya tetapi di-hantar melalui Peti Surat di-Sekolah Inggeris tersebut, dan Guru Besar telah menghantar kepada saya pada 1hb Jun, 1972. Jadi, saya rasa, dalam masa'alah ini Dato', apa yang telah pun di-ucapkan oleh Yang Berhormat Ahli dari Kawasan Kelawei akan menuduhkan pihak Kerajaan dan saya sendiri sa-bagai wakil bagi kawasan itu tidak mengambil berat dan simpati dengan orang<sup>2</sup> itu, ada-lah menjadi satu perkara yang palsu dan tidak betul. Dengan itu, Dato', saya, sa-kali lagi menegaskan bahawa bagi pihak Kerajaan, kami mengutok Usul yang di-bawa oleh Ahli dari Kawasan Kelawei ia-itu dengan sa-mata<sup>2</sup> bertujuan jahat. Sekian terima kaseh.

**Ahli Kawasan Ayer Itam (Enche' Tan Phock Kin):** Tuan Speaker, dengan izin berchakap dalam Bahasa Inggeris. The Honourable Member for Kelawei in moving his censure Motion has put forward one very crucial act of incompetence on the part of the Government. I must say that this is but one of the many acts of incompetence and ineptitude on the part of the Government in handling the affairs of the State. If we view this particular case in isolation, as the Honourable Member for Bayan Lepas did, he may be justified in saying that a serious Motion like this should be justified by more serious acts of incompetence. What is of more importance is the contradictions on the part of the Government on some of the more fundamental declarations of principles made by the Party as such before elections, and after the Party got

into power as a Government. These are to me matters of very crucial importance—declarations of fundamental principles which the Government today sees fit to depart from. And the handling of affairs in Sungei Kluang is a departure from these declared principles. So, what are the declared principles made subsequent to Elections, and made after the Elections? To start with, the formation of a Coalition Government was never a plat-form in the Gerakan Manifesto. In fact the Gerakan Manifesto made it very clear to the people of Penang that their job is to take over from the Alliance; to eliminate the Alliance. They have absolutely no confidence in the Alliance. They went to no uncertain terms in saying that the Alliance had made promises, but never fulfilled them. And this is what is stated in the Manifesto. For the past 12 years the State of Penang has languished. If this present trend continues unchecked the State may become what many fear—a sleepy fishing village by-passed by modern progress.

The Alliance Party had repeatedly promised that it will uplift Penang, and transform it into a modern State. The continuous swelling of Penang's army of unemployed, and the brain-drain to other States in Malaysia clearly proved that the Alliance has failed. Now on the eve of another Election the Alliance leaders are re-playing their own gramophone records. They are unashamedly repeating those promises made in 1959 and 1964 which they have never kept. The hiring of foreign economists to advise them 12 years after they have ruled Penang is an open advertisement of their failure. And this is the crucial part; On May 10th the Gerakan offers the suffering citizens of Penang a definite opportunity to unseat the Alliance, and thus to block the drift to disaster. 'We have assembled good brains which have pondered over the problems of the State of Penang. We are putting a team of candidates which can solve its problems to the best interest of the people of Penang and Province Wellesley'. Well, this is what is a

declaration which resulted in the people of Penang voting in the Gerakan as a majority Party.

And what are the definite reasons in forming the Coalition? I say the Coalition is being formed without the mandate of the people of Penang. The mandate is definitely against the formation of any Coalition whatsoever. The Government never even attempted to rule as a minority Party. If the Government is being defeated as a minority Party then there may be some justification that in the interests of stability they have to have a coalition. In fact they never had a minority. All the time they were having a majority; and yet they formed the Coalition. To me and to the people of Penang it is purely an opportunist's experience, done solely to advance the position of the political fortunes of the people in power. So this to me is a very fundamental departure from policy—one which justifies a censure Motion of this type. Apart from this, let us look at the performance of the Government, both before the formation of the Coalition and after the formation of the Coalition. And of more importance is this: A declaration of fundamental beliefs and principles was made by the Federal Government in the Rukunegara, which was supported most wholeheartedly by this House and by the Government in part. And I say that the support of the Government to the principles and beliefs of the Rukunegara is purely lip service. And I can give you examples of actions on the part of the Government which run contrary to the whole concept of the Rukunegara, both in principles and in belief.

To start with, let us look at the question of principles which was enunciated in the Rukunegara—upholding the Constitution. This is a very important concept of the Rukunegara. And it is said here that it is the duty of the citizen to respect and appreciate not only the Constitution but, it says here, the letter and the spirit and the historical background of the Constitution. So this is a very serious document. We have here in the State of Penang the State Constitution; and

in the Federation we have the Federal Constitution. So, if we really uphold the Rukunegara we must act strictly in accordance with the provisions of the Constitution. If the Constitution does not provide the State with the power to do certain things then the State should not do it unless and until the Constitution is amended. We know very well that the State has the power to do so; and anybody can challenge the State. But this sort of litigation is an expensive process. We do not expect citizens of this country to go into litigation purely for a declaration that the State has acted *ultra vires*, unless their own interests are being involved, as in the case of quit rent where we find the people getting together to challenge the State on imposing quit rent which to their belief is contrary to the provisions of the law. And here again there is the other aspect of the rule of law. I think these two sections can be taken together. And I say that the State Government, and perhaps with particular emphasis on the Chief Minister, has blatantly contradicted the provisions of the Constitution because he himself in this House said so when we asked him a very important question on the part of the Government in forming the so-called Consultative and Co-ordinating Committee. In answer to my question he admits that it is not part of the machinery of Government. There is no provision in the Constitution of the State of Penang for the establishment of a Co-ordinating Committee; neither is there any provision in the State Constitution for the establishment of a Consultative Committee. And yet the Consultative Committee and the Co-ordinating Committee are holding Meetings in the State buildings and being briefed by State officials as if they form part of the machinery of Government. This I say is a very serious defiance of the provisions of the Constitution. If the Honourable the Chief Minister is of the view that the formation of a Consultative Committee and the formation of a Co-ordinating Committee are of such great importance that life and death depends on it then it is incumbent on him as a law-abiding citizen,

and perhaps the Chief Minister of the State, to have the Constitution amended to provide for the establishment of these two Committees. Then the two Committees can go on as the machinery of Government. And he may even want to provide for the Executive Council to be subservient to these Committees. We do not know. If that is the intention let's have it. But if he is not prepared to do so then he should not call such Meetings, and give recognition to such Meetings as if they were part of the machinery of State.

I am coming now to the question of rule of law. We have in the course of debate here exposed the Government with regard to certain actions on their part which are contrary to the rule of law. And we from the Pekemas do not say things if we are unable to substantiate what we say.

Whenever we make allegations we have facts to support our allegations. And here, in the course of answers to what we described as very searching questions on our part, on the activities of the State Development Corporation, we were given what we described as revealing answers. We have instances of grants being given to a Corporation that never existed. To a Corporation that never existed in the sense that no Meetings of the members were called even at that time. It is doubtful whether the members were actually appointed. So we have a spectacle of breach of the law, in that money was granted to an organisation that in actual fact had not really come into being. And all these things were done by just unilateral decision on the part of the State. And these I submit are very serious matters which, as far as the Government is concerned, can be attributed to the ineptitude and irresponsibility on the part of the Government.

And another matter quite akin to the law is that the law may not be applied to provide very strictly with regard to certain requirements, particularly auditing requirements. But there are some accepted moral laws which as far as they have become rules of practice have been invoked for so long that they have become almost

like rules of law. And this matter pertains to very important expenditure, which was raised in this House by the Honourable Member for Sungei Bakap, pertaining to certain expenditure by the State Development Corporation amounting to the region of \$29,000, being promotional expenditure incurred by members of the Corporation, which the Auditor-General saw fit to clarify.

**Tuan Speaker:** Yang Amat Berhormat, saya ingat tak payah di-sentok di-atas perkara itu kerana kita sudah binchang.

**Ahli Kawasan Ayer Itam (Enche' Tan Phock Kin):** I am asking on the question of the censure Motion. And this pertains to the rule of law—a departure from the rule of law. And this is very important. The Chief Minister should have explained to us the reasons why. And we would be the first to agree with him that if it concerns a few dollars for taxi, or a few dollars for tips it is quite logical. We are not going to be so trivial as to insist on a voucher for all that. But the Chief Minister must realise—and I think he fully realised—that the intention of that particular General Order is to enable whoever it is that goes on trips on behalf of the Government to certify expenditure of this type—\$10, \$5 for taxi fares, and all that. But surely it cannot be used for purposes of certifying an expenditure that amounted to \$29,000. And here we have a case of \$29,000, being spent out of State funds indirectly by the Development Corporation, which has not been accounted for, and which is only accounted for by a certificate from the person concerned. And we have the Chief Minister trying to tell this House—trying to put the blame on the House—that this is strictly in accordance with the General Orders which provides for this sort of thing. We know that it provides for that sort of thing. But the General Orders should not be abused for such purposes. This is a case which I think the Government should be as interested in as we are. And we are merely drawing the attention of the Government to look into the matter. We are not pointing an

accusing finger at anybody. The expenditure may be very justifiable. It may be impossible to get the voucher. And I think it is the duty of the Honourable the Chief Minister to justify this particular expenditure which is being utilised without vouchers. These are the things. And I say that this rule of practice has been going on for so long that it has the force of law. And I say that it comes within this particular category.

And turning now to item 5 which says about good behaviour and morality. Let us analyse the actions of the Government both in this House and outside this House, and see whether it really conforms to the rule of good behaviour and morality as put forward in the Rukunegara. It says here that individuals and groups shall conduct their affairs in such a manner as not to violate any of the accepted tenets of the Rukunegara which include abhorrence and rejection of any conduct or behaviour which is arrogant or offensive to the sensitivity of anybody. Can the Chief Minister honestly say that his activities, his utterances in this House, and the actions of the Government in this House in the course of the last few months or in the course of this particular session, conform to this code of behaviour? And I give instances. To start with, we come to the more recent example, and then go back to the earlier one. On Friday night, very early in the session a Motion was moved by the Government themselves, that the Assembly should not adjourn unless this particular Motion is disposed of. And being very reasonable I accepted that Motion to save time. But there must be a short recess to enable Honourable Members to take their dinner if this particular Motion is going on until late at night, as what the actual Motion says. It is only reasonable that one should request for a short break for dinner. But the Honourable Members of the Government side chose to defeat this particular Motion. So, thinking that they are bound to carry on the debate till the middle of the night, I and my colleague had no alternative but to go and have a quick dinner, and come

back and participate in the debate. But when we arrived we were told that the House had all of a sudden changed this Motion. They no longer wanted to dispose of the Motion on Friday night, but instead wanted it to be adjourned until this morning at 9.30. If that was their intention they should have stated so when I moved my motion to adjourn for a short break for dinner. They could have amended my Motion to say that the House will adjourn at 7.30. Then I would have saved my time. I need not have gone out to have a hurried dinner. I would have stayed back and adjourned at 7.30. But that is not the case. They are not concerned with the sensitivity of the people on this side of the House. They are acting most arrogantly because they feel that they have a majority. And this is an instance of arrogance—a very unreasonable attempt to show their teeth.

And here again I have to refer to the many instances on the part of the Chief Minister in referring to Honourable Members on this side as 'bodoh' until you stopped him. And this is another example which runs contrary to the Rukunegara. And this is not done due to ignorance. If it is due to ignorance I for one will forgive him. But this was done quite deliberately. And this is another one of the examples of disregard for the Rukunegara. And also on the question of loyalty which has been the subject of condemnation here in this House, because I had the misfortune to hear the fact that the Honourable Member for Kelawei was threatened with being reported; that though the Honourable Chief Minister has no power he would see to it that if he continued to act in such a way he may see himself detained. But this is the sort of thing which we do not want to happen in this House. This is not part of the code of behaviour as envisaged in the Rukunegara. We should not doubt the loyalty of any Member in our midst unless we have concrete evidence. We should refer to the relevant authorities. We must not sit here as judge and prosecutor. These are very serious allegations to be made against anybody. And we should not do such

things quite leisurely. And these are very important matters. To be done by a back-bencher is one matter; but to be done by the people in the front bench is entirely a different matter again.

And coming to my last point which, I think, is the most fundamental point of my whole argument. The rest are important, but not so fundamental as this one. And this particular point is the question of building a just society. And building a just society is not merely a statement of belief in the Rukunegara. It has been put forward very much earlier. Perhaps the first Political Party to put it up was none other than the now-defunct Labour Party, where the terms were quite identical with what has been stated here—where it says that we are dedicated to the creation of a just society in which members have an equal opportunity to enjoy the material well-being offered by the nation; an equitable distribution of the nation's wealth to ensure that this is necessary; the weak and the under-privileged be assisted to enable them to compete on equal terms. A just society is free from the exploitation of one by another, or of one group by another group. So this is a requote from the often-repeated phrase of exploitation of man by his fellow-man as put forward in the Labour Party Constitution, which is repeated here. And, as usual, to make it different, instead of saying "exploitation of man by his fellow-man" we just put in "exploitation of one by another", which means exactly the same thing. And here you see the ideas being borrowed from a Political Party which doesn't see fit to deregister.

And here we have these activities of the Gerakan, and now the Coalition. And I like to relate this particularly to Sungei Kluang, which is the subject of a censure Motion. And I submit, Mr Speaker, Sir, that up to date the Government has failed to take into consideration this particular question. If it comes up it comes as an indirect result of what is being done. The preoccupation of the Government is to develop as quickly as possible. But in the course of

planning, I am sorry to say, no consideration is given, or no conscious plan is being put forward, to improve the economic position of the under-privileged section of our community. I agree with the Honourable the Chief Minister when he says that with the constraints the State Government cannot do much. But I say that even within the framework of the Constitution, if the Government has the intention it can do quite a lot. And I have pointed out that even on the question of land sales the Government does not believe that the sale of State land and the sale of City Council land can be utilised as a means of alleviating the position of the under-privileged. And I have put forward—and I do not intend to repeat it here—that the proposal on the establishment of a State Housing Board can utilise the profits derived from the State embarking on building projects to help the under-privileged in subsidising low-cost housing so that low-cost housing rental need not equate with what is now described as economic rent. At the present moment the State Government is not able to lower the rental of the flats in Rifle Range or in Noordin Street Ghaut just because they have to equate the rental that has been described as an economic rent. But a Government who is conscious of its responsibility to improve the lot of the under-privileged will have to find other means to help them. They must subsidise this sort of housing. They can't always equate it with economic rent. And this is one of our criticisms on the Government. No attempt is being made to really assist the class of people whom the Rukunegara intended to assist.

And coming now to Sungei Kluang, here we have a positive project. I must say here that I compliment the State Government for putting up the idea of a central hog-rearing scheme which will afford a more progressive method of hog-rearing. It would accord them greater opportunities for marketing, and of producing much more, using more economical process, and being able to utilise the benefits of large-scale production. But that is as far as I can go. The idea is there. They may have

picked up the idea from the Veterinary Officer, or from wherever it is; but it matters not. It is merely an idea—a method of carrying out a certain scheme; a project.

But one must look at it from the point of view of the overall structure of the pig-rearing industry in Penang and Province Wellesley as a whole. Who are the people who are at the moment engaged in this particular industry? How do they carry on this industry? All this must be studied in depth. And if you are going to remove them from their age-old practice of rearing pigs on what is called a family basis, as a part-time basis, we must make a study and evolve a plan whereby the hog-rearers of Penang can be absorbed into this new system of hog-rearing, and thereby enjoy all the advantages that go with it. But I am afraid to say that the State Government made no study whatsoever. It is only an idea taken up; and it has been put to the hog-rearers. And in fact there was a newspaper report in which one of the groups says that they have no confidence in the Chief Minister, and that they did not agree to move, and things like that. This sort of thing should not have happened. And we thought we heard the Government side talking about Government subsidising them to the tune of \$1½ million. In that respect I am very grateful to the Honourable Member for Tanjong Barat for giving us a very detailed explanation of what the Government intended to do. And he says that the Government intended to put in a sum of \$1½ million for joint venture with the hog-rearers. So when I asked him how this financing was going to take place he talked about a Co-operative. How is this Co-operative going to be organised? And he revealed to this House very clearly that the Government hasn't any plan yet. It is still to be sorted out. So I say that this is no good. You have come to this very late stage where you are evicting the squatters from Sungei Kluang; and yet you haven't got any concrete plan as to how you are going to assist them. Mere statement that we are going to have a Co-operative, we are going to spend one and a half million to share in the Co-operative movement, is not

enough. We must know. It must be spelt out exactly how this Co-operative movement is going to be formed.

As I understand it, if this is going to be a Producers' Co-operative, then there is no question of any share on the part, there is no question of any joint venture on the part, of Government; because the Government is not putting in any effort. And the Government, or the State Development Corporation in that respect, should not expect to get a profit for work not done by them. They are merely supplying the capital.

So to me, I submit, that a more logical way of looking at the problem is not to take it from the point of view of Government participation in a joint venture. You cannot participate in a joint venture if you play no active part in it. If you are merely supplying the capital, then let's be clear about it. Surely you do not want to exploit the hog rearers by wanting them to contribute their profits to your capital. What is more reasonable is perhaps for you to ask for a minimum return for your capital. Perhaps you can lend this money to the hog rearers to organise a Co-operative. That to me is more logical. There cannot be a joint participation in the sense of joint participation with private enterprise. Private enterprise is entirely different. It is capital by both sides—both sides putting in capital, then you run a business; then you can demand your share of the cake. But with a Co-operative you cannot ask for joint venture in the same sense as you are asking for private enterprise.

And here I submit that the Government should look into this. If they genuinely or sincerely believe in building a just society, they will see to it that the hog rearers in Sungei Kluang are given an opportunity. They must be resettled somewhere else. There must be a plan to do so.

And if the Co-operative is going to be formed, the terms of the Co-operative must be spelt out. It must be told that they will be given a loan at the minimum interest or perhaps free of interest, to assist them to be on their feet. And this I submit is the sort of thing which the Government should have been

thinking. These are the sort of lines which they should be thinking of and all this must be ready before any project is launched; before the Government put anything on the launching pad all the preliminaries must be fulfilled. They must have completed all their studies.

But here we have instances one after another—the Electronics is one instance where there is no preliminary planning. There is no study of the markets and as a result you have the spectacle of the Penang Electronics Sdn. Bhd. producing radios but unable to sell them; and you have this position. I hope that in your endeavour to start a mushroom factory, you will not have the same situation whereby the whole project has not been studied in depth and as a result you have one problem after another.

But I say here if the Government is sincere about the objectives as enunciated in building a just society, then all its economic projects, all its projects in the State Development Corporation, or even in any endeavour where the State plays a part, even if you have to lease a piece of land to somebody, you should see to it that your objectives of building a just society are not lost sight of.

And I say here that the Motion of the Honourable Member for Kelawei which deals with this question of hog rearing in Sungei Kluang, the resettlement of the Sungei Kluang area, is only one of the many instances of inaptitude and incompetence on the part of the Government.

And to put the records right, I would like to move an Amendment to his Motion by substituting in the first line the following:

“This Assembly condemns the Chief Minister for the formation of a Coalition in Penang as an act of opportunism without the mandate of the electorate of Penang, and censures the State Government for its disregard of the principles and beliefs of the Rukunegara in handling the affairs of the State, and in particular.”

And it follows, the whole of this: “for its incompetent handling of the resettlement of the people of Sungei Kluang, . . . .” And in Malay the translation is given here. (Pindaan di-beri kapada Tuan Speaker).

**Ahli Kawasan Sungei Bakap (Enche' V. Veerappen):** Tuan Yang di-Pertua, saya menyokong pindaan itu.

**Tuan Speaker:** Sa-belum saya membaca, Dewan di-tangguhkan selama 15 minit.

*Dewan di-tangguhkan pada jam 10.56 pagi.*

*Dewan bersidang sa-mula pada jam 11.18 pagi.*

**Tuan Speaker:** Saya telah memutuskan bahawa pindaan ini tidak ada bersangkutan dengan usul asal oleh kerana yang di-bangkitkan satu perkara yang baru ia-itu mengutok Yang Amat Berhormat Ketua Menteri kerana menubuhkan satu Kerajaan Champoran di-Pulau Pinang sebagai satu perbuatan appor-tuniti tanpa mendapat mandat daripada pengundi<sup>2</sup> di-Pulau Pinang dan men-chela Kerajaan Pulau Pinang kerana tidak ambil perhatian berkenaan dengan prinsip<sup>2</sup> Rukunegara atas tindakan yang di-ambil oleh Kerajaan khas-nya. Oleh yang demikian, saya memutuskan bahawa pindaan ini adalah out of order dan tidak dapat diterima.

*Pindaan tidak di-terima.*

**Ahli Kawasan Jelutong (Enche' Koay Boon Seng):** Dato' Speaker, dengan izin berchakap dalam Bahasa Inggeris. I support the Motion which stands in the name of my colleague the Honourable Member for Kelawei. Sir, we should not treat the experience now confronting the people of Sungei Kluang with the degree of lightness and frivolity which the State Government and the Chief Minister and his Executive Council Members are treating it, because it involves not only the people of Sungei Kluang but the landless and dispossessed in Penang. Sungei Kluang will be and can be Tanjong Bungah, Batu Ferringhi and any other small villages tomorrow. The Chief Minister and his ruthless colleagues decided to descend on the innocent villagers, and to acquire and take over their land. The people are being uprooted from their homes by the State Government, and their livelihood destroyed because the Chief Minister

and his Coalition friends insist on evicting the people from their land, and their traditional way of life which they have pursued for years and tens of years.

The people of Penang will not oppose the concept of change and development. But what they will and must oppose is the injustice brought about by an unthinking and unresponsive Government; the injustice perpetrated in their name. The Honourable gentlemen of the Government also commit injustices, both inside this House and outside in other peoples' names. That is their style and upbringing. However, we in the D.A.P., and the people of Penang, will not be deterred by the total insensitivity of the Government. And we must consider at what cost this so-called development is taking place; and why the poorest and least-able have to pay the price for so-called progress.

Dato' Speaker, why must the residents of Sungei Kluang be asked to bear the cost, and be the first to be called upon to sacrifice? Why don't the Honourable Members of the Government also sacrifice? They are incapable of sacrifice, or even hard work, judging from the Water Bill! We in this part of the House have only contempt for people who know how to ask others to sacrifice, but are incapable of appreciating the very meaning of the word 'sacrifice' themselves. What is the greatest sacrifice? Is it not the loss of a house, a roof over their heads, dislocation and disruption of their livelihood? Do the Honourable Members of the Government wish also to suck their blood dry?

The land in Sungei Kluang was originally private land. And had the private owners wished to evict the people adequate compensation would have had to be paid to them. That was the condition of the occupation. But as the State Government acquired the land the State Government has used its powers and underhand tactics to evict them without paying adequate compensation, exploiting their ignorance of the law and country honesty. The Government Members are the ones

fishing in troubled waters. They troubled the waters, and fished from it. The land was obviously acquired cheaply because in the acquisition the existence of these occupants was a factor in the determination of price; in fact a major factor. Therefore it must be said that the acquisition took into consideration that the Government would have had to compensate the people for removing them from the land, like any other owner. Yet now, not only does the Government attempt to escape the common law of responsibility. The responsibility laid down in the National Land Code was also the moral responsibility of a just Government to its suffering poor. Dato' Speaker, is it proper and moral for a Government to exercise its powers in any manner, all in the name of progress and development? Is the progress and development of the people of Sungei Kluang are of no consequence? Why must the poor always be made to suffer and sacrifice for the progress of the State? If sacrifice must be made for progress and development then let the sacrifice be evenly spread.

What the Coalition Government is doing at Sungei Kluang is nothing less than an exhibition of its naked power, and its absolute lack of compassion and feeling for the hardship and suffering that the hundreds of residents—men, women and children—have to undergo. You are even prepared to go to the extent of destroying a school, without proper alternative site or reconstruction of the school. If private developers were to do the same thing, and act in this manner, they would be rightly accused of being heartless. And I am sure that the Government-benchers would go around chest stumping and taking up the cause of the poor evicted people. It is also regrettable that the Government Members and politicians go around the place misleading and bluffing the people one after another; but none understands or feels for the plight of the people.

Dato' Speaker, I call on the Government to show compassion and understanding towards the hardships of the people of Sungei Kluang, and to adequately compensate them for the loss

that they will incur, and guarantee them a new and assured livelihood. Only when the State Government demonstrates that it will not take advantage of the situation, and respect the rights of the people, can it achieve a measure of success in its development policy. We in the D.A.P. strongly censure the Government for its disruptive activities and soul-destroying measures that undermine the very principles of democracy, good behaviour and morality that we over here and any peoples uphold.

**Ahli Kawasan Bagan Ajam (Enche' Ong Yi How):** Tuan Speaker, saya minta izin supaya berchakap dalam Bahasa Inggeris.

Tuan Speaker, I like to take part in this debate on the Motion standing in the name of the Honourable Member for Kelawei. Tuan Speaker, the Motion is a very important one because it involves two very important things in our State. Firstly, it involves the Government's very ambitious programme to push forward industrial development in our State. In such case the Government will require land to accommodate all the programmes that are coming forward. Another thing which is very important, which the Motion involves, is how to clear these squatters and Temporary Occupation Licence occupiers on the land. Tuan Speaker, as we have heard in this House, many of them have stayed there for generations, long before I was born, or long before any of us was born. I understand from the Government that they are very willing to pay the compensation to the T.O.L. occupiers, and perhaps the squatters staying on the land. But due to a great deal of high-handed methods by the Government a lot of inconveniences, a lot of hardships and a lot of other problems crop up in the case of Sungei Kluang. And therefore the Motion on this Sungei Kluang resettlement comes to this House.

Tuan Speaker, I fully appreciate the Government's intention to advance and to sustain this industrial development programme, and its desire to acquire

land for the purpose. I have stated many times before, Tuan Speaker, that when we come to clear squatters from the State land the Government must be extremely careful in tackling the problems.

I cite two examples of what happened in Butterworth when clearing the squatters. (1) The Government just sent in the Land Rover Squad and pulled down the house; and the furniture of the people was buried inside there. And it took a couple of days to clear the furniture and the land. This is reported in the Press; and I am prepared to substantiate if required.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Shame, shame.

**Ahli Kawasan Bagan Ajam (Enche' Ong Yi How):** On another occasion I have seen the Government sending the bulldozers bulldozing down the plants and the vegetables on a piece of land near Kampong Simpah.

**Ahli Kawasan Bayan Lepas (Enche' Ismail bin Hashim):** Like Singapore.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Shame, shame, shame.

**Ahli Kawasan Bagan Ajam (Enche' Ong Yi How):** No, it is in Mak Mandin. (*Ketawa*).

Tuan Speaker, I agree the law . . . . (*gangguan*)

**Ahli Kawasan Bayan Lepas (Enche' Ismail bin Hashim):** Singapore?

**Ahli Kawasan Bagan Ajam (Enche' Ong Yi How):** Mak Mandin. (*Ketawa*). How many times more do I have to say 'Mak Mandin.'?

**Ahli Kawasan Tanjong Barat (Enche' Teh Ewe Lim):** Echo of the D.A.P.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Ada wax dalam-lah.

**Ahli Kawasan Bagan Ajam (Enche' Ong Yi How):** Tuan Speaker, I have stated many, many times before that the Government must try to exercise more

understanding, more tolerance, and more careful methods in tackling the squatters' problems. Not issuing a notice here, issuing a notice there, sending down the bulldozers here, sending down the bulldozers there, and wheeling over all the plants and vegetables and houses. I know the law is on the side of the Government because the law would permit the Government to do it. The Government are also elected by people. And they are people also. So they should have that much understanding, and that much tolerance in tackling this type of people, involving very poor men in our State.

Tuan Speaker, I must urge the Government to understand the squatters' problems; and also the occupiers on Temporary Occupation Licence on the land. Why are there squatters? These people do not want to be squatters themselves. But they have to be squatters for only one reason just now brought out by the Honourable Member for Ayer Itam—the inability of the Government to build more low-cost housing to meet the requirements of the poor people in our State.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Shame.

**Ahli Kawasan Bagan Ajam (Enche' Ong Yi How):** That is the reason for the squatters you see in Bagan Jermal, Mak Mandin, and, I think, somewhere else. I do not know about the island of Penang—hundreds and hundreds of squatters. You think that they wanted to be there, and be cleared out in time by the Government? No. They also want somewhere they can permanently treat as their—I do not say 'resting place—living place.

**Tuan Speaker:** Ahli Yang Berhormat saya minta Ahli Yang Berhormat jangan-lah pergi jauh sangat dengan ini Motion.

**Ahli Kawasan Bagan Ajam (Enche' Ong Yi How):** Tuan Speaker, we are talking about squatters and T.O.L. occupiers: and this concerns the Motion itself.

Tuan Speaker, those people who cannot afford to buy houses from private developers have to reply on the

Government's effort to build more low-cost housing; to allocate lands for the people there. So, Tuan Speaker, before the Government tries to formulate their programmes to evict the squatters they must think where they can stay—at places where they can afford it; not at the private developers' houses. So the immediate problem before the Government is to build more low-cost housing to meet the needs of people. The population is growing everyday, every year. Therefore this task of building more low-cost housing for the people is really very urgent. If the Government had planned three years ago to build more low-cost housing for the people in the Sungei Kluang, and to allocate more land to resettle them, there would not be the Motion now in this House.

**Ahli Kawasan Bayan Lepas (Enche' Ismail bin Hashim):** There will be another motion.

**Ahli Kawasan Bagan Ajam (Enche' Ong Yi How):** Which one? Can you name it, please?

**Ahli Kawasan Bayan Lepas (Enche' Ismail bin Hashim):** The D.A.P. will bring another motion, you do not worry.

**Ahli Kawasan Bagan Ajam (Enche' Ong Yi How):** Tuan Speaker, I must say that the Government would need the land for its industrial development. I agree. But not getting the land out of the squatters, poor people, T.O.L. occupiers, and so on. There are other ways to get more land for the State. For one very simple example, land reclamation. The Government was talking about three years ago about land reclamation. And it was mentioned in last year's gracious speech of His Excellency the Governor, saying that there will be the land reclamation progress in the State. What has happened to that? We never heard of it since then, not even a word of it in this House.

Tuan Speaker, last year I talked about the Tanjong Tokong land reclamation which is the easiest way as I see it from a layman's point of view.

The sea is very shallow; and it is the easiest way to get the land reclaimed over there. But what has happened? For example, we can reclaim the land from the Tanjong Tokong seaside—say 300 acres—sell it say at \$4 per square foot. If we started work three years ago we should have completed by now. 300 acres of land in the Tanjong Tokong. And if we sell it we should make something like \$50,000,000; instead of getting it from the quit rent, poor hawkers and squatters, and so on.

Tuan Speaker, also, if the Government can start a land reclamation at the seaside near Bayan Lepas and the seaside near Glugor for the present use of industrialization, and for the promotion of the electronics industry in our State they should have plenty of land there; instead of getting it from the Sungei Kluang people. They should have enough land for the free trade zone; they should have enough land for the electronics industry; they should have enough land for all the industrial promotion purposes. So, Tuan Speaker, I would like to take this opportunity to urge the Government to look into the land reclamation programme rightaway. As I said just now, the population in this country, and particularly in our State, and particularly in this island, is increasing every hour. And therefore the Government's job . . . . (*ganguan*)

**Ahli Kawasan Bayan Lepas (Enche' Ismail bin Hashim):** We do have family planning.

**Ahli Kawasan Bagan Ajam (Enche' Ong Yi How):** Ask Yang Berhormat Khir Johari. (*Ketawa*) So in another ten years' time we should be having more difficulties; more problems like this Sungei Kluang. So the Government's immediate task is to look into the problems of land reclamation. Now that there is a Coalition Government; and the Coalition Government mentioned so much about care for the people, projects for Penang, free port status, 4%, 5%, schools, and so on, and so forth, (*Ketawa*) this is the time the Coalition Government, with

the approval of the Federal Government should go right at this moment into the land reclamation programme.

Tuan Speaker, you see, all Penang people only agree to one thing as regard the Coalition Government. There are more projects for the people, more care for the people, peace, harmony, and so on. Now, this is the time the Government should think: In 10 years what is going to be the population in this State? Well, now the Coalition Government is very stable, and they have a big majority. They can even out-vote themselves (*Ketawa*). And there is no need to discuss here, and discuss there, like before: you have consulted the Federal Government; you have consulted the Ministry concerned. This is the time you think of the power in our hands to do. If really you care for the people, this is the time you should do something. And the land reclamation is one of the things that is really needed in this State.

Tuan Speaker, I agree that these people are paid compensation when they are being cleared out from the lands. But money cannot buy everything. For example, like the Chief Minister always said, goodwill, harmony, happiness, and so on, which the money cannot buy; which is what we have to see in the kind of the Government. If the Government were to send out people, threaten people; and try to use the same underhand method to clear these problems it is not the way. So, Tuan Speaker, I strongly urge the Government to look into the land reclamation problem in order to solve the problem of growing population of the next 10 years' time. Thank you very much.

**Ahli Kawasan Sungei Bakap (Enche' V. Veerappen):** Dato' Yang Di-Pertua, saya suka ambil bahagian dan berchakap sedikit atas Usul yang dikemukakan oleh Ahli dari Kelawei, dan di-sini saya suka-lah minta izin chakap dalam Bahasa Inggeris.

Mr Speaker, Sir, we are going to have at least one-and-a-half days of debate. And from the time that has

been allotted by the Government it looks as if the Government has given importance and more prominence to the Motion by the Member for Kelawei, rather than the Motion by the Member for Butterworth on the thanking of His Excellency the Governor. Well, this is so. I am sure from the debate that went on on Friday, and is going on today there is prominence being given to pigs in our State, as hog-rearers play a very important economical role in our State. And therefore I think that is why prominence is given. But if that same amount of prominence and time had been given for the Motion of Thanks it would have been better. Perhaps the Government was afraid to give more time because that scope would have been greater for people to bring up their actions in the State.

My support of this Motion, Mr Speaker, is because of the high-handed action of the Government, and the lack of sympathy for the livelihood of people who are evicted by not just clearance schemes and programmes.

Mr Speaker, Sir, we know that in certain special cases sites are required for development or for special purposes. But there are already, as the Honourable Member pointed out, large tracts of land in Prai where out of 2,400 acres hardly 500 acres or so has been used up. And they are well-made-up lands. But, as I said, those are lying idle there, with beautiful roads and trees and drains. And even the Auditor-General has commented that in a certain scheme that was started somewhere now all the drains have filled up, and grass and everything is growing but nothing has been done. But although sites may be for special purposes—like in cases where industries requiring air transport may have to be sited near airport—and it may be necessary for Government to acquire the land, yet the practice of putting farmers who live on the land into flats, or even in transit camps is really to my mind inhuman. Mr Speaker, Sir, these people are denied

their right to earn a living on their own. They are forced to change their way of life, and swell the ranks of the unemployed. Thus they become a burden on society.

Mr Speaker, Sir, we have heard of concentration camps; we have heard of internment camps in war; we have heard of new villages which were also camps during the Emergency. But there was not, I think, if I am right, a single camp in Penang until, I think, the last Government started a transit camp somewhere in Weld Quay. And then the present Government has started another transit camp in Paya Terubong. This camp at Paya Terubong was built at considerable cost. It was intended for cases of immediate need to house evicted families for a short period—as the word “transit” says, for a temporary period. But as Honourable Members would have seen, on the very day that the Honourable Member for Tanjong Barat was replying in this House there was a petition in the Straits Times where the persons who have been sent there have said that they have been forgotten. They were housed there for a short period; but it has been quite long. And they have used up all the compensation money—whatever was given; and they cannot rehabilitate themselves now because there is no means in that or for them to carry on their normal livelihood. And that action was not necessary because the Government ought to have found suitable places for these people. And there is also no necessity to take sudden action to evict squatters or people on the land. By some strange twist legal occupiers of land become squatters suddenly, although if their occupation is properly terminated according to law they may be trespassers. But whether a person's occupation of the land has been properly terminated or not is a matter for the Courts. No doubt you may have to take sudden action if there is a flood to remove the people and put them somewhere; even in transit camps for that matter. But here Government plans well ahead

of time. And if action has been properly taken to find alternative suitable sites for these people then these transit camps would not be necessary. But the removal of the occupiers of land seems to be last step in every action that has been taken by the Government. I remember, Sir, the Government had difficulty even in putting up the filtration plant planned for the Muda scheme; and that was the last step which has delayed matters. The people in Province Wellesley South are still waiting for the Muda water. 1972 is passing half a year has gone, and there in the South in Sungei Udang there is still no water. Despite the written answer given by the Chief Minister "they have not had complaints", there are complaints galore. But what, the Chief Minister wants is each individual to write to him personally? Of course, he has a Member on the Government side who is a Member for this area—Member for Nibong Tebal. But since this is the last action in clearing sites it is stated "it creates a lot of difficulty and causes a great deal of hardship and dislocation for the people". This can easily be avoided if Government plans are properly worked out.

Secondly, as I said, hog rearers today are being persecuted. Mr Speaker, Sir, Government requires that all hog rearers should build modern pigsties. And this has also hit the evicted squatters in particular and the farming population generally—as was stated even in that petition which was reported in the Straits Times where the hog rearers said they cannot afford to build these modern pigsties under these new regulations. Mr Speaker, Sir, I would like to read the answer to my question whether Government has introduced new licensing regulations, whether Government is aware it has caused hardship? The Chief Minister's answer is this. "Yes, I am aware of the new licencing regulations for pigsties. I am not aware of any serious hardship caused to pig rearers"—that is very, very good. I hope the Chief Publicity Officer of the Gerakan will go round and tell them,

most of whom have co-operated well with the State authority. "The licencing regulations were imposed in order to enable the local authorities to exercise closer control over this type of building development", this type of building development. "This is necessary to maintain proper health and sanitation supervision and also to prevent and obviate undue stimulation of sensitivities and tension".

Mr Speaker, Sir, Parliament was reconvened and Parliamentary democracy was restored on one condition that was if that Bill on sensitivity issues was agreed to and Parliament has only defined four sensitive issues. Now the State Government of Penang under the able leadership of our Chief Minister has brought another sensitive issue and this is pigs.

Mr Speaker, Sir, if I may say so, I think pigs are reared even in some States like Kelantan in the east coast and so forth—they have not become sensitive. Let's not try and make it sensitive. It becomes sensitive by the Government's failure to ensure that there is proper drainage provided in the particular areas. Mr Speaker, Sir, in Changkat for example, according to returns, 2,000 odd pigs are reared. You take Changkat and Jawi together which has the same people, you have about 5,000 pig population. They are going on for ages and ages, perhaps long before I was born, and there has not been any trouble. True, Sir, there is what we would call an overflow of dirt, the waste from pigsties, which goes into other areas, but what was this due to? why did it not go before? Why now?—because the Government has failed to maintain the drains. There should be proper maintenance. DID only maintains the main drains. What about these little drains that lead to the main drain? They get blocked up. If we do not want to clear them, they could overflow and become a problem. It does become quite filthy, when it overflows everywhere.

If you pass along Tanjong Tokong Road, you go into a golden mile of the North Coast Road that gets blocked up

next to the grave yard because there has never been any desilting. There it gets blocked up. I think I have never seen that area before ever being flooded, but now it gets flooded because of the earth from top of the hills coming to the bottom and the bridge; and in front of the fire brigade it is flooded with just a short rainfall. And that is not many feet from the sea?—hardly hundred feet or may be say two hundred feet from the sea; and that is all because there is no maintenance of our streams. I heard from the District Officer when he was a little boy in . . . . (*gangguan*).

**Tuan Speaker:** Ahli Yang Berhormat saya nampak Ahli Yang Berhormat terkeluar jauh daripada motion. Itu sudah pergi sampai Tanjong Tokong.

**Ahli Kawasan Sungei Bakap (Enche' V. Veerappen):** Tidak, ini timbul . . . . . (*gangguan*).

**Tuan Speaker:** Ahli Yang Berhormat, bila saya berchakap saya minta Ahli Yang Berhormat sila dudok. Nampak-nya Ahli Yang Berhormat sudah keluar jauh, pergi sampai Tanjong Tokong, sampai bersangkut D.I.D.—water—semua itu. Original Motion ia-lah berkenaan dengan Sungei Keluang. Tetapi saya benar juga sadi- kit tidak terlampau jauh sangat. Nampak-nya nanti pergi sampai Penang Hill.

**Ahli Kawasan Sungei Bakap (Enche' V. Veerappen):** Tidak. Saya rasa, Tuan Yang Di-Pertua, Penang Hill pun ada orang juga. Ada orang bela babi di-sana. Tetapi, saya tidak tahu Ahli dari Tanjong Barat chakap sampai Hong Kong (*ketawa*). Ahli dari Bayan Lepas pergi United Nations, New York (*ketawa*).

**Ahli Kawasan Tanjong Barat (Enche' Teh Ewe Lim):** Tuan Yang Di-Pertua, the shortage in sale of pigs to Hong Kong.

**Ahli Kawasan Sungei Bakap (Enche' V. Veerappen):** Saya belum pergi Hong Kong. Saya maseh di-Tanjong Tokong (*ketawa*). Ada orang, bela babi di-sana, Dato' minta izin, tidak kuat sangat.

**Ahli Kawasan Bayan Lepas (Enche' Ismail bin Hashim):** Sungei Bakap?

**Ahli Kawasan Sungei Bakap (Enche' V. Veerappen):** Sungei Bakap, fasal ini.

Dato' Speaker, dengan izin. I say so, Mr Speaker, because it is quite an important subject in the sense that pig rearing plays a very important economic role in Penang. We are exporting hogs; and we hope to export more.

But Mr Speaker, Sir, this harrassment to build modern sanitary pigsties has affected people a lot. The answer says I must do justice to the Government—the Government has stated in its reply “in order to minimise hardship”—that means it realises there is hardship, good—“all existing licences have been renewed without taking into consideration the new regulations for this year”. That means for this year, no implementation. However, the new regulations will be imposed on all new applications. Well, that I will agree—the application of these regulations is under review by the State authority. Mr Speaker, Sir, now you are asking them to put up these pigsties. You are forcing them to modernise their sanitation, although you are not enforcing it for this year, but next year you would, or perhaps the year after that. But how much does it cost? Perhaps the Chief Minister will reply to the petition and we would know how much it would cost.

Perhaps the Chief Minister or the Public Works Department, or any Department, or Veterinary Department, have worked out a standard plan. Have you worked out a standard pigsty, what it should be, how much would it cost? Can you tell? I will give way if anybody wants to tell, otherwise I will be speaking nonsense. Sir, nobody wants to tell. I have to assume that what was said by the petitioners is correct—the cost is \$7,200 and from the sums of compensation that have been paid one would believe that these estimates are quite correct. If a pigsty was to cost \$7,200 or \$7,000 and your low-cost house cost \$3,200, how do you expect the people to build pigsties tuan?

Mr Speaker, Sir, we see thousands and thousands of people living in shacks, in attap houses and in toilets, unused toilets. We have seen photographs of these. We see people in Penang sleeping on the five-foot ways. Yet we are not so interested in housing them. We are now more bothered about pigs. We want to see they are more hygienically housed, but forget our people.

I do not want to prolong debate on this except to take up one point which the Honourable Member for Tanjong Barat said, that is while he was telling that our people are very conservative, that is why they vote the so-called socialist party or pretended socialist party which has betrayed. Mr Speaker, Sir, he said if we introduce modern hog farm, there is a huge potential market and that with a stable export market there would be stable prices for our hog rearers. Mr Speaker, even in the most primary commodity, basic commodity in Malaysia, the whole Federal Government combined with other rubber producers cannot stabilise the price of rubber. Here the Government wants to stabilise the price of pigs. Bolehkah? How can you control it? Tan Siew Sin, the Minister for Finance, says they have no power to control foreign buyers, can we control foreign buyers? This is how they mislead the people into slumber. Mr Speaker, Sir, let's be more human; let's understand that merely putting up factories, even if you are successful—after all the Member for Tanjong Barat showed the lie to the Chief Minister's off-quoted utterances of 80,000 jobs, 50,000 jobs and so forth. I have heard it. All of us have heard it. It is in the Press, it is in the papers. But he said so far we have produced 1,000 over jobs—that is more realistic—and where are the 80,000 jobs? Ah, 8,000 jobs by last August—August 1971 or 1970? I hope we do not go on fooling, but let us be more human and let us pay some attention to the social aspects, the social needs of our people.

**Ketua Menteri:** Tuan Yang Dipertua, saya mohon izin chakap dalam Bahasa Ingeris di-mana gunakan.

Mr Speaker, Sir, this debate on the Motion of censure of the Government is obviously an important debate. But to say that the Government did not allot enough time for the debate on His Excellency's gracious Speech, is again to try to derogate your position, because how the time was allocated for the debate is dependent upon you. And the manner whereby this debate is taken up by the Honourable Members of the opposition clearly indicates what the Government must anticipate from the Opposition benchers, by way of Motion; because it is inevitable that whenever the Opposition moves a Motion instead of just putting forward the direct motion of a specific subject, they must of course accentuate their point of view by making it into a censure against the Chief Minister or against the Government. To that extent a Motion or a serious Motion becomes more and more trivial. It's just like the old story of the little boy who cries "wolf, wolf, wolf". And so in this House we already have had Motions of no confidence on the Government on three occasions. And therefore it appears this is just the style of the Opposition in moving a Motion of any particular issue. Now this can be brought up because, Mr Speaker, I think we should take up a point brought up by the Honourable Member for Ayer Itam and he again criticized the Government as being arrogant to sensitivity and not fulfilling the 5th Precept of the Rukunegara in saying that we suddenly adjourned meeting of the House on Friday afternoon till Monday morning.

Mr Speaker, I have already indicated that the Honourable Member for Ayer Itam is a long-time expert in Parliamentary procedure and certainly one of the great experts in blowing up trivia, or small little issues, into apparently big issues. But on this particular occasion he has shown more depth in his expose because he has shown to the House a greater insight for the House to see into the workings of the minds of the Opposition Members. Now he said that Government suddenly decided to change this Motion.

Now, Mr Speaker, Sir, you know and Honourable Members from the opposite sides of the House also know that when the Honourable Member for Kelawei moved his Motion on the second half of the debate on last Friday at the break, we discussed whether or not the debate would take some time and it was generally assessed then probably the Motion and all the business of the House could be dispensed off by about 7 o'clock or so. Under the circumstances it came to an agreement and I moved a Motion of adjournment supported by the Honourable Member for Kelawei and supported by both sides of the House that business should be continued, I mean the adjournment should not be made until all the business on the paper had been carried out. However, it did appear that by half past six or so that the debate was going to take a very much longer time and certainly by the acerbity of the manner by which the Honourable Member for Kelawei presented his case, there was a lot of heat and a lot of people wanted to say a lot of things. And this was also indicated because the Honourable Member for Ayer Itam himself then moved the Motion for a slight adjournment.

Now when I discussed this matter with Members of the Opposition I tried very hard to get hold of the Honourable Member for Ayer Itam and the Honourable Member for Sungei Bakap who were apparently away replenishing themselves for a short break—they had a quick makan or something like that, also a quick snort, I suppose. But the Honourable Members of the Opposition agreed that it might be a good thing if we postponed the debate and adjourned until Monday. Now this was not something done by the Government in an arrogant spirit. Now the debate today has already taken up from 9.30 to past 12.00, which is very nearly three hours. If we had gone on from 8.00 until whatever time after the adjournment, we would have gone on very, very late into the night last Friday. So Honourable Members of the Opposition have said Government is inconsiderate, insensitive, arrogant, to the sensitivities of others.

Mr Speaker, Sir, even on this issue they take umbrage, they quote the Rukunegara and in so doing the Honourable Member for Ayer Itam sought first to try and label the Government as being arrogant, as not following the Rukunegara—but at the same time claiming some dubious merit for himself having been associated with the defunct Labour Party that the terms of the 5th Precept of the Rukunegara on the question of being against the exploitation of man against man, first of it in Malaysia, first defunct labour party—Well, I am not very certain—some of the Labour Party are still striving very hard to reorganise the party, they haven't lost faith. They haven't lost hope for they haven't betrayed the party and they are struggling on and the Honourable Member for Ayer Itam can understand this. But he tried to claim this terrific merit, dubiously giving examples. But after all everyone knows—those anyway who have studied socialism would know—that the concept of exploitation of man by man, and the evil concept of such exploitation and the concept of an equitable and just society goes much further back than the establishment of the defunct Labour Party; much, much further back. Ever since man broke away from the shackles of the black ages, and ever since man actually broke away from pure animal instincts and moved towards what we call human civilization, and the build-up of human society, mankind has been moving steadily towards that which is fair, just and equitable. There was a time in some countries—no longer practised now—when it was thought a fair and just and equitable, and even a reasonable way of solving economic social problems and problems of population explosion; not by reclamation, as suggested by the Member for Bagan Ajam, but by drowning undesirable people, and drowning women and children. But by the progress of human society man has reached down to this sense of justice. Now we do not claim on this side of the House that we have achieved fully this absolute Utopian concept of what is fair and

what is just; but we do believe that we are moving in the same spirit of all men and of mankind in his march from animal instincts to that of a modern civilized society.

**Ahli Kawasan Ayer Itam (Enche' Tan Phock Kin):** You only came to accept it in 1969. Admit that. Only in 1969. You admit it. Before that you said nothing about it. Only in 1969 this little literature came into being.

**Ketua Menteri:** We do what we can to arrive . . . . . (*gangguan*).

**Ahli Kawasan Ayer Itam (Enche' Tan Phock Kin):** I give credit where credit is due.

**Ketua Menteri:** . . . . . at that which is kind, that which is human, and that which is good.

**Ahli Kawasan Ayer Itam (Enche' Tan Phock Kin):** It takes a long time to learn.

**Ketua Menteri:** Mr Speaker, Sir, the Honourable Member for Ayer Itam does not worry me by his interjections. The more he interjects the more he belies what he himself purports to be.

**Ahli Kawasan Ayer Itam (Enche' Tan Phock Kin):** The more you bring out your lies.

**Ketua Menteri:** I didn't say 'lie'. I said 'belie'. But if the Honourable Member from Ayer Itam chooses to lie . . . . . (*laughs*).

Mr Speaker, Sir, this debate, as I said, is an important one. The Honourable Member for Ayer Itam spoke about the Government's arrogance, and said the Government lacks sensitivity. And another point he brought up was this question of the use of the word 'bodoh'. Mr Speaker, Sir, you will understand—And the House remembers. It is recorded in the House—that I maintain that all the amendments and interjections in the course of the Committee stage of the debate were frivolous; and the translation of the word 'frivolous' was 'bodoh'.

**Ahli Kawasan Ayer Itam (Enche' Tan Phock Kin):** We have heard that. He's repeating.

**Ketua Menteri:** I even stated that if the Honourable Member chooses to be frivolous then we have to take him to be bodoh, until he persuaded you to rule that this word should not be used. And when that was so ruled we never used it. But in spite of this he says that we on this side of the House are not concerned with the sensitivities of the people on the other side of the House. But after you ruled that that is not proper translation he didn't use it in the sense of "frivolous"; but when it was frivolous he said it was frivolous.

**Ahli Kawasan Ayer Itam (Enche' Tan Phock Kin):** You take a long time to learn the Malay Language, don't you?

**Ketua Menteri:** Mr Speaker, Sir, I admit I did take a long time to learn. But some people who pretend that they take a short time to learn don't really learn very much. They hold the distinction of learning very rapidly—almost record time in learning professions, and so on; but that doesn't necessarily mean that they have learnt very much. I really have not learnt very much.

Mr Speaker, Sir, so we see that the mood of this House varies enormously. Touch on that which is trivial matters, and tempers can be raised; people can feel upset. But there are much more serious matters in this House. You have, Mr Speaker Sir, ruled that the Chief amendment to the Motion is not acceptable to the House, and not in order. So there is not much point for me to go back on other points raised by the Honourable Member for Ayer Itam. I think I have said enough.

**Ahli Kawasan Ayer Itam (Enche' Tan Phock Kin):** You are unable to answer, that's all. You have answered part of it; but the relevant one you did not answer. You are unable to do so.

**Ketua Menteri:** Mr Speaker, Sir, it is not a question of being unable. But the Honourable Member from Ayer Itam said I take a long time to learn. I save him a full statement of what is proper Treasury practice in accepting accounts which cannot be substantiated

by vouchers. The Treasury practice by the rule of law also accepts this kind of Accounts as proper Accounts. Now, if I have said this but the Honourable Member refused either to hear, far less to learn, there is nothing I can do about it, Mr Speaker, Sir. But to suggest that that which is proper Treasury procedure on how Accounts should be audited, and how accounts should be presented is against the rule of law, I think, is going a bit too far.

**Ahli Kawasan Ayer Itam (Enche' Tan Phock Kin):** If it is so proper, why the qualification by the Auditor General? Explain.

**Tuan Speaker:** Ahli Yang Berhormat jangan mengganggu.

**Ketua Menteri:** The Honourable Member for Ayer Itam has to accept the fact that it is the job of the Auditor-General to state exactly how those Accounts were presented. Out of approximately a hundred over thousand dollars, most of it were accounted for by normal vouchers; but a fraction of it amounting to over \$28,000 was accounted for by certificates of authority. And this is an acceptable practice. There is nothing contraventional; there is nothing criminal. So, Mr Speaker Sir, we see this House dealing with the Motion in a lackadaisical, uneventful manner. The Honourable Member from Bagan Ajam is very much like the . . . . (*gangguan*).

**Ahli Kawasan Ayer Itam (Enche' Tan Phock Kin):** Joint venture with the Board.

**Ketua Menteri:** The Honourable Member from Bagan Ajam . . . . . (*gangguan*).

**Ahli Kawasan Ayer Itam (Enche' Tan Phock Kin):** Unable to give an answer.

**Ketua Menteri:** . . . . . I think, in the words of the famous old song "Little Sir Echo", has in a very short time since he did his tumbling act acquitted himself as being a little Sir Echo to the

Honourable Member from Kelawei. I don't know whether he was talking about echo-mania. I think it will be fine and fair to refer to him as Little Sir Echo in this House in the same light-hearted manner in which that song is presented.

Mr Speaker, Sir, the Honourable Member from Bagan Ajam asked what we had done about reclamation. He can mention nothing about reclamation in trying to solve the problem of the landless squatters. Mr Speaker, Sir, the area in Kuala Sungei Pinang in Penang Island, and the area in Bukit Minyak, Juru, in Province Wellesley are two areas that have just recently been reclaimed. The fact that we did not go about the process of reclaiming Tanjong Tokong as yet does not detract from the fact that the two areas that I have mentioned, Kuala Sungei Pinang and Bukit Minyak, are two claimed areas.

Mr Speaker, Sir, the reclamation having been completed we have to consider issuing utilisation. Certainly the Honourable Member from Bagan Ajam is not going to suggest that we should reclaim an area in Tanjong Tokong, probably at the cost of, as he said, about \$4 per square foot, and then convert this into an area for centralised hog-rearing. Now, the concept of reclamation will be fulfilled; but the concept of utilisation of the land cannot be fulfilled. But I think the Honourable Member from Bagan Ajam did touch upon a point when he said that the population in Penang ten years from now will be much higher than what it is today. That is understood, unless 1980 catches up on us very much as the future predicts it to be. But under the estimated population increase of 3% per annum the population increase by ten years will take Penang well over the million mark. And it is precisely because of the projections of the future that have to be taken into account that we have to be very much more careful of our utilisation of land, and the planning for how such utilisation can be increased.

Everybody knows by now that the State of Penang is a State with very little State land left. Under the calculations of the Master Plan Consultants in 1969 the State had slightly more than 27,000 acres of land in the name of the State. And of this 27,000 acres very nearly 40%, or about 12,500 acres are utilized for water catchment. That leaves about 15,000 acres of land in the State under the control of the State. So when Honourable Members said there is plenty of land in Penang it means that land in the State of Penang under private control, and private property do exist. And this is one of the inequalities in the State—that a few people do own large areas of land, and have not fully utilised this land to the best of its potential. So we can see pieces of land undeveloped. But this is not State land. Now, this is the statement on the exact situation of what State land remains under the State. And that is why we have to consider the problem of acquisition as a means of solving our problems for immediate utilisation of land, although I do not disagree with the Member from Bagan Ajam. And I don't think he will disagree with me because the concept of reclamation, I think, is not a new one. I do not claim priority for being the one to put up these ideas. But I think the Honourable Member from Bagan Ajam before he started to stand on his own head and started tumbling, will agree that we did discuss the question of reclamation; and we are not unaware that reclamation is a much more difficult task when we give consideration to the long-term projections of development in the State.

Now, what is State land? What is the State Government's responsibility for land which comes under the State. Why are we now having this problem? The Government is responsible for the proper utilisation of land belonging to the State, namely, land belonging to all the people in the State. That is what it means. Now, if the Government were to allow anyone to just move onto State land at their own desire, whenever they like, and do what they like with the State land,

Government will not be fulfilling its function as a Government. And Government will not be fulfilling its responsibilities to the people for managing and taking care of this land to the best interest of the State, namely, to the best interest of the people as a whole. That, Mr Speaker, Sir, is the crux of the problem that we are faced with, and the crux of the issue which this Motion seeks. Accept it in that light. And because I think we should deal with pertinent matters I do not think it necessary for me to be side-tracked by the Honourable Member for Ayer Itam and the Honourable Member for Sungei Bakap. They are just like birds flying from one end to the other end. And they have no roost of their own; no place to stay on their own. And now, just because the Honourable Member from Kelawei has brought up a Motion they suddenly thought they will start roosting on that Motion. But not enough sitting on top of that particular branch of the Motion of the Honourable Member for Kelawei; they even claim it to be their own by moving an amendment to that Motion. These are political birds in flight. I don't think we should let them lead as away from the main theme of the debate which the Honourable Member from Kelawei introduced. And he said that the people have a right to the land; and asked the Government to state whether all these people living in Sungei Kluang are squatters or not. That I think is a straightforward question; and that I think is the hub of the argument put forward by the Opposition.

Mr Speaker, Sir, in the course of this Sitting of the House we have in the cut and thrust of this House been told that laymen are not quite up to the same standard of legislative ability as members of the learned profession. And the laymen, naturally taking objection, say that the members of the learned profession perhaps are not quite as good as legislators. Be it as it may, I suggest and I put forward that the basic, fundamental issue that we have to face is this question of land and the right to land.

**Tuan Speaker:** Yang Amat Berhormat, saya ingat Yang Amat Berhormat ada panjang lagi.

*Dewan di-tanggohkan pada jam 12.31 tengah-hari.*

*Dewan bersidang sa-mula pada jam 2.30 petang.*

**Ketua Menteri:** Tuan Yang Di-Perua, saya minta izin berbahas dalam Bahasa Inggeris.

Mr Speaker, Sir, when this House adjourned we had come to the point where I stated that the crux of the arguments raised by the Honourable Member for Kelawei in proposing his Motion was on the question of land, and the right of people to the land. In so doing I had indicated that the State of Penang is a small State with very little land. Not only is the State only a State of 324 square miles, but in actual fact the amount of State land that is at present held by the State does not exceed around 27,000 acres. I had indicated also that the responsibility and duty of Government with regard to land is that Government must protect, safeguard, maintain, manage and develop the land belonging to the State, namely belonging to the people of the State as a whole, to the best interests of the people of the State.

Mr Speaker, Sir, nobody doubts this principle that all land in the State belongs to all the people of the State. It is true that in the course of years, and through the continuity of the power of different Governments some of the land has been given away by alienation on freehold; others on 999-year lease; yet others on 99-year lease; some on shorter leases—60 years, 30 years; and others on temporary occupation licence, which means that whoever is occupying the land at the time occupies it only for a tenure of one year. Mr Speaker, Sir, now, it is important for us to grasp this point; and in the light of this point to examine the issue as it has been presented by the Honourable Member for Kelawei. In his argument he stated that the Government have been destroying happy families in Sungei Kluang, and he challenged me to tell

him how many squatters there are on the land in Sungei Kluang. Mr Speaker, Sir, he well knows that all the people at the present moment living in the area which we are referring to—in and around the area of Sungei Kluang which is under debate—are squatters, with the exception of two persons who hold temporary occupation licences in so far as shops in the Sungei Kluang area are concerned.

Now, he says that I am unfair, and Government is unfair to deal with these people as squatters, and that Government persists in talking in terms of *ex-gratia* payment, whereas Government should be talking in terms of compensation. Mr Speaker, Sir, in Government's exercise of Government's responsibility and Government's duties Government does not wilfully do whatever it likes with this land. Government has to manage, protect, safeguard and develop the land in accordance with the provisions of the law of the land, and in particular with the provisions of the National Land Code. Government cannot take any action that is so light without going through the normal process of law. But on this question whether or not the people involved in the clearance exercise in the Sungei Kluang area are squatters or not, Government maintains that they are squatters. Now, the Honourable Member from Kelawei says that I have no specific definition for squatters. No legal definition for the term squatters. Mr Speaker, Sir, the term "squatters" as interpreted by the Oxford dictionary briefly and succinctly refers to those people who have no legal right to the land which they are occupying. To be precise, a squatter is a settler having no normal or legal title to land occupied by him—an authorised occupant of the land.

Mr Speaker, Sir, Government first of all took into consideration the wide overall perspective of the problem of squatters in Penang as a whole. This is a long standing problem. And because the numbers of squatters on State land which have accrued in the course of years go into thousands, in 1969 when this Government came into office it looked into this matter of the

illegal occupation of State land. And in July, 1969, the State Government took a decision that in so far as all those persons who were illegally occupying State land would apply for Temporary Occupation Licences the State would take into cognizance the particular circumstances involved, because the State may have for example immediate use of the land, and obviously could not give out Temporary Occupation Licences in those circumstances. But Wherever possible Temporary Occupation Licences would be given to those people in order to enable them to have a proper lawful possession with regard to the land which they are occupying, and thus enable them to qualify legitimately to have the facilities of livelihood—water and electricity—brought to them or to their houses standing on land which does not rightfully belong to them. And in July, 1969, the State Government made this public statement, and made this further statement to supplement its control of the land by saying that anyone who then trespasses on State land without written authority of the State Government would be considered to be trespassing on State land, and squatters; and as such would be dealt with promptly under the provisions of the National Land Code.

Mr Speaker, Sir, the State Government brought in various authorities; and with the help of the Royal Australian Air Force did a complete aerial survey of the State, so that photographs were taken of all the properties in the State; and the State had a clear-cut picture on record of the buildings that were standing on State land on photographs that were taken at the time.

In 1971 the State went further; and in January, 1971, the State established a Special Committee under the Chairmanship of the State Secretary, and an Official Committee comprising of senior heads of Departments to look into the various ways of overcoming the problem of squatter resettlement and squatter clearance.

Mr Speaker, Sir, this particular Committee was established particularly in view of the fact that the squatter clearance in the Mak Mandin industrial

estate had met with certain problems. The problems that were met there were problems whereby squatters were given notices to quit; and after successive notices they still refused to quit. The question therefore was: what would the State Government do in the light? If the notices to enforce the law given to the people cannot be enforced then there will be no meaning to law; there will be no meaning to Government; there will be no meaning to administration. Under the circumstances the State, having taken into due consideration all the difficulties and the hardship involved, had to take action. And part of the action involved the cases that were brought up by the Honourable Member from Bagan Ajam. I do not say that the Government relishes or likes to do this kind of thing. To paint the picture that the Government is unsympathetic, and wilfully does this kind of thing is wrong. But when the squatter has already been there for years, and had been told that he is a squatter, and had been asked to move aside, and had been given notice after notice to quit, at what point must Government enforce the law? At what point must sympathy end? At what point must administrative effectiveness be employed? Mr Speaker, Sir, in order to meet the immediate hardships even of these people who have to be moved after repeated notices this Special Committee was established, because even at that time Government had to look into the particular case and try wherever possible to eliminate the hardship that must necessarily be borne by these people. Mr Speaker, Sir, this is the role of Government.

Now, what in actual fact are the administrative lines of action that are open to the Government? The problem of squatters and the problem of land are normally handled by the land officers. In this House we had indicated in previous debates the urgency to have land reforms; the urgency to have a revision of the administration of land. We had indicated the restructuring of the land offices, and the provision of land officers to be attached to the various Districts. This was not

an easy reform to establish. This was a reform that had to be carried out after due examination of the problems of the State, and after consultation with other States in Malaysia through the offices of the National Land Council. Even so, in this short period of time the difficulties that have been met in the years were resolved by the establishment of more land officers in the State.

Now, to meet the problems of the squatters a Special Committee was established, as I said. The Land Committee which was established looked into the question of the issue of titles to make it certain that these people who are occupying State land, and who had legitimately applied for alienation of land be given proper title, and be given Temporary Occupation Licences. In its final analysis, when it comes down to actual implementation, Government still has this leeway of discussion between the people concerned and the Chief Minister, between the people concerned and their elected representatives; and therefore their elected representatives with Government. In all these instances the Government gives careful sympathetic consideration to individual cases because Government realises that in the decisions to be made it will involve a whole lot of human aspects which may not sometimes be able to fit in strictly in accordance to the law. That is what, in short, we refer to as sympathetic consideration. This is not lip service. This is careful and intelligent survey of the situation. And wherever possible Government will alleviate the hardships. Government tries to alleviate the hardships. And if the problem were left as such, Mr Speaker, Sir, the problem even then is a very difficult problem. However, if political elements come into the picture and try to make political capital out of this then the problem becomes even more difficult. Becomes more difficult because then we do not know whether the issues brought up were real; whether the issues brought up are pertinent to the specific instance; or whether the issues carry with them ulterior political motives.

But even so Government as a whole has set aside political consideration, and accepted the difficulties presented by the squatters themselves as human problems. And we deal with it sympathetically because the Government's policy is to tackle the problem of resettlement in a dynamic and vital manner, with every human sympathy for the people who are going to be dislocated. Government understands that the people who will suffer most at the time of resettlement are not those who make notes of them, publish it in papers, or make statements on them, but the very people themselves who are involved in the resettlement. we understand this problem of *ex-gratia* payment or compensation where necessary and due. And we have this beautiful term in Bahasa Kebangsaan—"sagu hati". That is to say, the *ex-gratia* payment or the compensation as the case may be is paid, not so much in the hard-headed calculations, but as a human, sympathetic reaction; a decision from the heart.

Mr Speaker, Sir, with this as a background let us examine the problem of the people living in Sungei Kluang. Are these squatters? The Honourable Member from Kelawei says that they have lived there many generations; that the State is destroying what is a happy family. We understand that there is a happy stable community. But we understand also that some of the husbands beat their wives; and the wives beat the husbands. So we don't bring up the question of family. It is a happy stable community. But I presume that is what he means. The Honourable Member says one squatter said she used to own a large farm. Mr Speaker, Sir, for a statement like that made in the course of a speech in the House, carried away by his eloquence, one can understand the Honourable Member for Kelawei trying to pull a fast one, because here is a person who is squatting on State land. Now, she says that she owns the land. The question of ownership; I think there is no question that the problem of ownership doesn't apply.

Mr Speaker, Sir, what is the actual history of Sungei Kluang? Lot 641 (1), Mk. 12, South-west District—140 acres.

This is the precise area that we mean by Sungei Kluang. Now, on the 4th of July, 1963 a *Gazette* Notification under Section 8 for land acquisition under the Land Acquisition Act of 1960 was published—*Gazette* Notification 236. So you see, the history of this particular piece of land goes back nine years. Form “E” calling the owners of the land to attend an inquiry was carried out on the 14th of October, 1964. The date of the inquiry that was held on the land was from 30th of November to the 19th of December, 1964—a period lasting slightly more than half a month. This was a careful inquiry conducted in 1964. And probably the Honourable Member from Kelawei was still not involved in politics.

**Ahli Kawasan Kelawei (Enche’ Yeap Ghim Guan):** Ha, ha.

**Ketua Menteri:** He may have been; I don’t know. But after the inquiry the Collector awarded \$5,500 per acre; and the payment was made to the land-owners on the 18th of February, 1966. And the issue of Form “K”, which means that the State took possession of this land, was effected on the 14th of May in 1966—more than six years ago. Mr Speaker, Sir, I have copies of the documents made by the Land Office to one of the settlers on this land telling him—this was dated 25th of February, 1967—that all squatters affected by the above acquisition were not granted any *ex-gratia* payments as it has been felt that they can be allowed to remain on the land pending the implementation of the university project itself. Arrangements are being made meanwhile to issue them with T.O.Ls. Under the circumstances it is regarded that no payments can be made to you. For information, squatters are also not entitled to any compensation from Government in accordance with the provisions of the Land Acquisition Act.

Mr Speaker, Sir, so even as long ago as 1967 the Government had made it clear that any payment made by Government would be in the form of *ex-gratia* payment, and not in the form of compensation.

Now, what evidence did the Honourable Member for Kelawei bring up to this House to show that the decision at that time was not proper or correct? He brought up copies of licences that were issued by the Glugor Estate. And he said, “These pieces of papers gave the people full right to the land. They were living there generations. They were the pioneers—the people who filled up the swamps, and so on”. Does this receipt give them the right? Mr Speaker, Sir, at the back of this receipt, under Conditions it reads: “That this licence entitles the licensee, subject to payment on or before the 31st of March of the calendar year of the licence, and subject to the conditions endorsed hereon, to come on to the land to be pointed out to him, hereinafter called the State land, from the date hereof until the 31st day of December next after the date hereof, and during that period to have thereon for his own personal use only, and of a construction approved by the local authority and by the proprietor’s Manager, the temporary building or buildings mentioned on the front hereof. Such buildings may be removed by the licensee at the expiration of this licence”. Mr Speaker, Sir, this licence is even less valued than a T.O.L. It has been sustained in the Court of law. Honourable Members on the Opposition by virtue of their association with the learned profession, accuse the Government of not following the rules of law. But I am advised by the Honourable Legal Advisor that in actual fact this particular licence had been taken up to Court, and in 1960 in a case of Kuppu vs. Brown, it has been clearly indicated . . . . (*gangguan*).

**Ahli Kawasan Kelawei (Enche’ Yeap Ghim Guan):** Let me have the reference in the case.

**Ketua Menteri:** Well, Mr Speaker, Sir, the Honourable Member should go home and do his own legal homework (*Ketawa*).

**Ahli Kawasan Kelawei (Enche’ Yeap Ghim Guan):** Well, we don’t have to know every case. If you want to cite a case please cite it properly. Don’t just draw a red herring.

**Ketua Menteri:** This is not a red herring. This is a specific case; and it has been brought up in a Court of law, right up to Appeal, and upheld that the rightful owner of this piece of land is Glugor Estate, and not the holder of the licence.

The Honourable Member does not know his own law.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Red herring.

**Ketua Menteri:** He comes up to this House and waves these conditions around.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Read Condition 6 of the receipt.

**Ketua Menteri:** This is not a Court of law. I am citing a case which has already gone through a Court of law. (*Ketawa*). Now he has got to spend some time to become a better lawyer. But I am trying to tell him not to come and wave little receipts here, and hood-wink both the Members of this House and the public that he knows everything about the law, which he does not. He himself doesn't know this piece. So you see on what delicate grounds we are treading on when we have politicians going to the people on the basis that they are members of the legal profession, trying to bluff the people on what are their rights. This is the danger—wearing two hats.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Two stethoscopes.

**Ketua Menteri:** Mr Speaker, Sir, on the question of T.O.L.: In 1969 one of the questions that required decision by the Government was whether to proceed with the establishment of the University of Penang on this site which is now being referred to as Sungei Kluang, or whether the University should not go to the Minden Barracks area. The Government was involved in this question; and the Government considered that it would be to the better interests if the Army would also agree if there were an exchange of land. And the land in Sungei Kluang was

given to the Army for its Army Camp site, and the Army would give Minden Barracks to the University to become now the University of Science, Malaysia. This decision took some time to finalise. However, because this decision was pending, and Government did not want the squatters to be under any misapprehension about the future, because whether it was that the Army would be moving in, or whether the University would be moving into this area the squatters too will have to move. Under the circumstances the Government instructed the Land Office not to renew the T.O.L. licences. It is not because Government failed to renew. In this case the Government did not renew. And it is within the right of Government under the National Land Code, on T.O.L.s., that Government can terminate the T.O.L.s. Under the National Land Code this is covered under Sections 66 and 67. I presume Honourable Members of this House are quite conversant with the National Land Code; or should be conversant. And must be conversant if they are trying to take this case up. However, because so much misrepresentation has been made I would beg your indulgence, Mr Speaker, if I take a little time of the House to point out that in Section 66 a temporary occupation licence may, subject to any contrary direction of the State Authority, and to the provisions of any of the rules under Section 14 be issued on behalf of the State Authority; and it goes on. And Section 67: Except in so far as it is otherwise prescribed every temporary occupation licence other than one to which Section 69 applies—that is to say, a temporary occupation licence combined with a permit to extract and remove rock material—shall be issued for a term expiring not later than the end of the calendar year in which it commences. In the Courts of law the question of the rights of the settlers and the rights of the Government have also been determined. And in 1965 on a case of Pappu vs. Veera the issue of the rights of Government in relation to those holding temporary occupation licences have been determined. So to what extent has Government broken the rule of law? I

maintain that any Government faithful to the responsibility which the people have entrusted upon them, must be brave enough to abide by the laws of our country to effect that which is to the better interests and to the best interests of the people as a whole. That is the function of Government. Not a niggardly selfish method of trying to gain political capital, based on little knowledge and a lot of bluff to undermine the purposes of law, and to subvert the meaning of Government.

Mr Speaker, Sir, if this case is as simple as this—a case where without any doubt the Government has full title to the land, and a case where without any doubt there are squatters on the land—how is it that so much problem has arisen? Later on, after I have answered this question we will ask yet another question. As I said, even with the best intentions, even with the best of motives, in carrying out the law the Government has got to carry out the law in a sympathetic humane manner. However, the problem of squatter clearance is not a problem which can be carried out in rigid lines, like a blueprint made on the table by armchair critics like the Honourable Members from Ayer Itam and Sungei Bakap who probably have never been to Sungei Kluang, and on this kind of rigid grip try and force patterns of living aside, and establish new patterns.

Mr Speaker, Sir, we understand that the Honourable Member for Kelawei has some points in bringing this matter up because the process of the squatter clearance in Sungei Kluang is not completed. It is still in the process of implementation. The Honourable Member for Kelawei likes to generalise. When it suits him he says “They. They own the land. They have been there so many years”. Then he brings up one specific case: “She says she owns the land”. Mr Speaker, Sir, dealing with the problem of squatter clearance requires enormous patience to understand it; but at the same time a very firm application of the law. One cannot generalise. There are 93 squatter families in the Sungei Kluang area; and they have problems differing from a person who grows flowers to a person with a very

large pigsty—probably the largest single producer of hogs in the Island of Penang. This is the range of their problems. The range of *ex-gratia* payments that have to be given to these people vary from the thousand or hundreds to the tens of thousands. The total amount of money that may be involved goes into the region of something like half a million dollars. And they have to be applied not as a general principle, but on careful examination of every single case. Government’s policy under the circumstances is to deal with the occupants of these houses in the Sungei Kluang area one by one, and to treat their case as a specific individual case. And Government, in making this large survey which has been completed now, has an overall picture of the problem of Sungei Kluang. This overall picture includes the question of the Wen Khai School, the Chinese school there. The Government is also determined to phase out this provision of alternative sites to these people in accordance to their own merits, and as far as possible in accordance to the satisfaction of the persons concerned. Now, this is an exercise which is still proceeding. It is very easy for the Honourable Member for Kelawei to go to the area, and attempt to make rich political out of this, and stir up trouble. He says he did not stir up the water. He says the water is already troubled by the State.

Mr Speaker, Sir, the State has kept a watchful eye on the security side of all that is happening in this particular area. We know that the D.A.P. leaders have gone to the Paya Terubong area; and they brought the statements prepared for the people to sign in order that there will be a signed statement to the Press on the 14th of this month, three or four days ago—timed in such a way as to coincide with the Honourable Member for Kelawei’s speech in this House. We know that. We can bring evidence of that.

**Ahli Kawasan Tanjong Barat (Enche’ Teh Ewe Lim):** Dirty. Shame.

**Ahli Kawasan Kelawei (Enche’ Yeap Ghim Guan):** They are afraid. Shame.

**Ketua Menteri:** We know that there are people in the Sungei Kluang area who are still not happy, even although we have given them so many different alternatives. The Member for Kelawei states that we are acting as a pied piper, taking them to Rifle Range; then to Genting; then to Kuala Sungei Pinang; then Paya Terubong; and then to Batu Maung. And he asked, "Where will they rest eventually?" Mr Speaker, Sir, this is another deliberate distortion of a statement made by the Government. What we said was that there are so many different families with different problems that in order to meet the different requirements the State made different alternatives. But the State cannot make alternatives to the extent that if a person wants specifically to live in a house owned by the Member for Kelawei the State can acquire the house for him. That cannot be done. I mean that to a reasonable extent the State can meet the requirements of these people. And in actual fact, in discussing the problem with the squatters themselves, a few of them asked for places in the Rifle Range flats; and that is why Rifle Range flats were given to them. Now don't take a statement like this, and a fact like this, and distort it like the Honourable Member for Ayer Itam and the Honourable Member for Sungei Bakap have done; in the manner of the Honourable Member for Kelawei; "How can you rear pigs in Rifle Range flats"? Mr Speaker, Sir, even though we are accustomed to the level of debate by the Honourable Members from the Opposition, don't descend to such a stupid syllogism in order to substantiate your point.

Mr Speaker, Sir, Government's policy to the problem of squatters in Sungei Kluang is to try and resettle them, where necessary, to the best ability that Government can do so to meet their requirements; and to assist them where possible to find new livelihood. What in effect will the State Government have done? Whereas these people have been living on land which did not belong to them; whereas these people have been living—not under the "egg under the boulder"

attitude of the Honourable Member for Kelawei—under the uncertainty of what they should do, it is true that with the T.O.L. an industrious person can take in some chickens, and bring in some piglets and grow it in time for the market, let us say, within one year. One can do it. But when you haven't got a T.O.L., and you don't know when the next day is going to come, I think it will be foolhardy for a person to try and build permanent buildings on the place, and to plan an agricultural industry taking several years. Even on the T.O.L. alone I do not think that a person can properly plan for more than one year. Under the circumstances, although these persons have no right to the land, although these persons in actual fact are displaced persons on the land, in spite of the fact that as long ago as 1966 compensation had been given under the Land Acquisition Act to the owners of the land, Form "K" having been filled, Government, considering the hardship that will evolve on these people, decided that Government will give *ex-gratia* payment to these squatters.

Mr Speaker, Sir, I am happy that this debate has been brought up, although the manner in which it was brought up and the terms of the Motion are unnecessarily vicious. I am happy that this debate is brought up because we will have, in the words of the Honourable Member for Kelawei, similar problems of squatter clearance, some of which will involve hog-rearing. They will not necessarily be all whereby the State will always have to consider *ex-gratia* payment. And it does appear as though Members of both sides of this House feel that Government can afford to, and should where possible, be more sympathetic than what is provided by the written words itself. Mr Speaker, Sir, this has posed the Government with a problem; that is to say: To what extent should Government be lenient? I think it is generally accepted that Government should cause the least hardship to these people. When this point is taken in this House, Government has an easier way of handling the problem of squatter

clearance. But we are not doing so just to win their hearts or to win their votes. We are doing so because the exercise of squatter clearance is a difficult one, and one involving emotional issues. Beyond that the valuation of property itself cannot be compensated.

Mr Speaker, Sir, the Government's action and the Government's strategy and the Government's planning and the Government's implementation of its plan on the problem of the squatters of Sungei Kluang are carried out carefully on a definite plan and on a definite policy that will cause the minimum hardship to the people concerned; and where possible to meet them in their attempts to seek a new livelihood, because at the end of this exercise, particularly if they take up the offer of Government's intention to establish even Co-operative Societies to enable them to go into centralised hog-rearing, these people will eventually have a chance to own the land, and be settled, and be able to live in accordance to their own industrial pattern of life. And they will have a proper stake in our State.

Now coming to the next question. If this is a straightforward case, and the Government is working towards its objective in a careful planned and careful implemented manner, why has the Honourable Member from Kelawei and his colleagues brought up this Motion in this vigorous, aggressive, vicious manner of moving a Motion of censure on the Government? Why? Mr Speaker, Sir, herein we come to the seriousness of this debate. I suggest that the Honourable Member for Kelawei, and the Honourable Members from the D.A.P. have seriously considered this case. They have really jumped into this issue, and taken up this issue because they have the malicious intent of disturbing the peace in this State. They thought they had a good case. They thought they had a case, politically, to put the Coalition Government, and to put myself on what they would think is a cross. But they are hoisted by their own craft. It is very clear what they are trying to drive at. And I see clearly what they are

driving at. We understand what they are driving at. They are trying really to subvert the Government.

Mr Speaker, Sir, let us examine my contention. The State Government fully appreciates that this problem of the clearance of squatters is already delicate in itself. It becomes an almost sensitive issue, particularly where hog-rearing is concerned. Now, we know that hog-rearing can be an industry which can split the polarisation, and polarise our population. The Honourable Member from Kelawei in the course of his speech has also indicated he understands this. He has said—and I like to quote him—“We must take a stand now, especially those who represent particularly communities where there is this hog-breeding issue”. Mr Speaker, Sir, the State Government has been aware for a very long time that whereas in the past—prior to May, 1969, in particular—hog-rearing had been an issue every now and then, but never a really serious, sensitive issue in a manner that would qualify under the Sedition Act, we have known that in the course of years in the development of the City, as George Town grew to include Jelutong and so on, many of us of the age group could remember that you could drive around Jelutong and see pigs running along the streets. And there were no problems then. Even today if you were to go to Batu Kawan you can see pigs running around the Kampong; and there is no such problem. However, in other places this problem of health has been raised. And, much more important, the problem of how it will affect the pattern of goodwill and harmony in a mixed community involving Muslims and non-Muslims. And because this question has been taken up it has been taken up in Changkat, as the Honourable Member for Sungei Bakap is faced with it. And I would like the Honourable Member for Sungei Bakap to return to Changkat and tell the people in Changkat that this is just a matter of drains, and see what he gets from the people of Changkat. Because of this issue which was identified as

long ago as 1969, the State Government steadily developed a concept whereby in the State of Penang, in accordance with our determination that people should live in the way of their cultural patterns, we would like to see hog-rearing proceeding in the State. However, there has got to be much more intelligent—in the words of the Honourable Member for Kelawei, much more sensitive—method of handling this problem. And of these different solutions the concept of centralised hog-rearing was drawn up.

We are not concerned with the fact that Singapore does not have a centralised hog-rearing scheme. That is Singapore's problem. And I do not think that Singapore is worried or not whether the Penang Government is going to have a centralised hog-rearing scheme, because they have the good sense to leave this problem to the people of Penang, and to the Government of Penang who can best reflect the interests of the people of Penang. I would like to take this occasion publicly to thank the Singapore Government for having given us the permission to acquire sixty special-breed hogs into the State of Penang to improve the stock of pigs in the State of Penang, and to lay the framework of a centralised hog-rearing scheme.

Mr Speaker, Sir, now many people are involved in hog-rearing? The Honourable Members from Ayer Itam, Sungei Bakap and Kelawei like to talk in terms of study in depth as though they are the only people who can study in depth. But once they take out their glasses everything will look troubled.

Mr Speaker, Sir, Government initiated a study on the population distribution of the pig farmers in this State—on the island, and in Province Wellesley—way back in 1969; and Government has a clear picture of this distribution of the pig farmers. We understand clearly that one of the factors that has accentuated the sensitivity of people living close to one another, and have to content with the problem of hog-rearing have been due to the fact that the pigsties have been built willy-nilly as they like because there was no

building control at the time on certain areas of land. Now, under the circumstances Government took the action last year of introducing building control to the land.

Now, the Honourable Member for Sungei Bakap has tried to say that this demonstrated Government's unsympathetic, inhumane attitude to the issue because hog-rearers are being persecuted—he said—and that all must become modern hog-rearers. Mr Speaker, that is not so, because we realize that the concept of centralized hog-rearing is probably the most advanced aspect of dealing with the problem of hog-rearing in the State. But it is not the only method whereby everyone can go on breeding pigs. But it is certainly malicious to suggest that we are forcing people—persecuting them—to go into centralized hog-rearing; and even—what he says—to take up a licence in order to erect a pig shed or a pigsty.

Mr Speaker, Sir, in this State, on Penang island alone we have 1,356 farms involving 1,974 workers and over 50,000 pigs. In Province Wellesley we have a total of 1,642 farms. So, Mr Speaker, Sir, you will see that if in effect the State Government were able to convince the people—and we are not trying to force it down their throats—to adopt these new method of centralized hog-rearing we can continue with this industry in the State in a manner whereby the industry can develop and grow for the benefit of those who are involved in the industry itself, and for the benefit of better revenue for the State as a whole; and at the same time without the dangers of such an industry developing into a sensitive issue. Under the circumstances the Government undertook a survey of land that was available for these centralized hog-rearing schemes. And taking into consideration sensitivities, particularly of the Muslim members of the citizenship, we found that we had enough land in the State to develop this industry without creating any trouble to anyone. Mr Speaker, that was how the State proceed with tackling this delicate and sometimes sensitive issue.

The Honourable Member for Kelawei in the course of his speech clearly indicates his intent. And I would like to take up my argument from the point where his colleague, the Honourable Member for Jelutong who, as I say, usually confines himself to a straightforward succinct speech, for once comes here and asks us not to treat matters that he says with lightness or frivolity. And he says, "We of the D.A.P." I think today is an occasion where ta' lalu-lah. The term "We of the D.A.P." virtually reflects a point which was brought up by the Honourable Member for Kelawei a term which must have occupied his mind: "A crisis on confidence that is established", which has now come out from the higher echelons of the D.A.P. Now what is the crisis of confidence? The crisis of confidence is that sensible members of the D.A.P. who have taken note of the events of 1969, and who have realized that politics in this country have changed, and that the pattern for political activity in this country must change to show unequivocally exactly where one stands with regard to the nation, have left the D.A.P. because they have no more confidence in—words of Goh Hock Guan—extreme chauvinistic elements staying back in the D.A.P. And I say that the speech by the Honourable Member for Kelawei is tinged not only with this extreme chauvinistic element but sails very close to the point of sedition.

Mr Speaker, Sir, it will never be my habit in the course of somebody else's speech to stand up and refer to Standing Orders. But certainly, Mr Speaker, Sir, on many occasions I could have stood up; and under Standing Order 46 (XII) and 46 (XVII) I could have directed your attention to the words that were used by the Honourable Members of the D.A.P.

Mr Speaker, the Honourable Member for Kelawei thought he had us on the hip over the question of the Wen Khai School—Chinese school at Sungei Kluang. And he went on to say, "They would live to see the day when the Chief Minister destroys a Chinese school". He knows my record, and the struggle for a proper place over

Chinese—medium education in relation to national development. And I am proud of my record. When the matter of the Sungei Kluang squatters was brought up I had a long discussion with the members of the Board of the Wen Khai School; and they took up the matter further with the Chief Education Officer. The problem of re-citing the school or continuing the school is seriously being considered by the Education Department, and has been taken up with the Ministry of Education. Mr Speaker, for the Honourable Member to try and wax rich on this, and play on communal feelings, and to say that I destroy a Chinese school is his attempt to sail very close to trying to play with communal fire. And he was carried away by this Motion. And that is what I say because he went on in the course of his speech to say that "we might just as well go to Sungei Kluang and start a fire and finish them off". Those were the words used by the Member for Kelawei. These are highly inflammatory incitative words. And I would suggest to you, Mr Speaker, that the Standing Committee of this House on Privileges should look into this method of debate . . . . . (*gangguan*).

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Do so. And also call for a Commission of Inquiry into the allegations at the earlier part of this session.

**Tuan Speaker:** Yang Berhormat Ahli dari Kelawei, jangan-lah ganggu.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** We are ready at any time.

**Ketua Menteri:** Mr Speaker, the Honourable Member for Kelawei was taken away by his speech. I took it that he was taken away by his debate when he said "pigs like the type we see in front of us". I ask him immediately to withdraw. Now, for me, as I said, who normally do not stand up to interrupt somebody's speech, to stand up would have at least indicated that this is something serious, because I would not like this House to descend to a situation

whereby we loose ourselves, and get ourselves into trouble. But no. He was not prepared to take the hint.

Mr Speaker, Sir, the Honourable Member for Kelawei likes often to say, "We are here to represent the people. As an individual we can take it. But think of our constituents". So we must understand that what we say in this House can be taken out to the constituents. And if it were misinterpreted such a statement can create trouble in our State. And I cannot, as a Chief Minister responsible for the peace and security of this State, be content to allow this to go on. How, since the Honourable Member for Kelawei did withdraw that save the situation somewhat. But what did the Honourable Member for Kelawei say? Is he trying to revive issues of 1965 when Singapore was in Malaysia prior to partition, and statements on pork-eaters and non pork-eaters created such increased sensitivity in the whole country that it threatened even to disrupt the peace in our country, when he starts saying that we must take a stand now—those who represent particularly communities where there is hog-breeding? Is he trying in his devious way to incite communal feeling on this kind of thing? Mr Speaker, Sir, let us restrain ourselves in this House. But I suggest that the motivation of coming to this House was not to argue a case. It was not a case of someone wanting to present legal points; and knowing fully well what the Courts of law had already decided, to take up the issue of the squatter clearance of Sungei Kluang. It was to use the privilege of this House to make statements which are incitative.

Mr Speaker, Sir, the Honourable Member for Sungei Bakap said, "Oh, the Honourable the Chief Minister does not realize what he is talking about. Parliament has only made four which are sensitive, but the Honourable Chief Minister has made it five. This is how we have to deal with Members of the learned professions; Members of Parliament. Under article 3 of the Sedition Act there are five items—(a), (b), (c), (d) and (e); and an additional one on prerogative which is not so important.

(*Ketawa*) Now, if the Honourable Member cannot give details do not impute things on the Chief Minister. However, the way whereby the Opposition Parties—the birds and the trees on which they roost—combine to play on these issues; as I said to the Honourable Member for Sungei Bakap who is absent, "Go to Changkat and tell the people of Changkat this is just a question of bad challenge".

**Ahli Kawasan Sungei Bakap (Enche' V. Veerappen):** Come, we go together. (*Ketawa*).

**Ketua Menteri:** You may need me to go with you.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** You won't come back.

**Ahli Kawasan Sungei Bakap (Enche' V. Veerappen):** Are you quite sure?

**Ketua Menteri:** Yes.

This is precisely the thing. You see, the Honourable Member knows what he is talking about. The Honourable Member for Kelawei said I won't come back. What does he mean? He knows that this is the situation, of course.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** You will like it there.

**Ketua Menteri:** And in this House, under the protection of this House I say that the Honourable Members of the Opposition are trying to create sedition in our country.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Ha, ha, ha.

**Ketua Menteri:** You laugh. But we on this side, the Government, are fully responsible. And we are determined to maintain the peace of the State. This is why, knowing the full facts of the Sungei Kluang squatter situation, the Honourable Member for Kelawei has thought it a clever political stunt to stir up trouble, and fish in the troubled waters. More than that, Sir, as I said many times, I have respect for the Honourable Member for Kelawei because of his fluency. But I certainly have no respect for this blood lust of the mink in his speeches. And he must

restrain himself. And if he cannot, you, Mr Speaker, and the members of the Standing Committee must look into the issue.

I suggest that the points raised by the Honourable Member for Kelawei with regard to the Motion are not valid, not substantiated, and in actual fact not befitting persons who should know the law better than the others.

**Ahli Kawasan Tanjong Tengah (Enche' Tan Gim Hwa):**

Tuan Speaker, dengan izin berchakap dalam Bahasa Inggeris. I regret that a Motion like this should be brought up by the Honourable Member from Kelawei who is a member of the learned profession, and is supposed to be the guardian of truth and justice. I was against what has been said by the Honourable Member for Kelawei in moving the Motion because it has no truth in it. The squatter problem in Sungei Kluang has been settled to the satisfaction of most of the parties concerned. A Motion like this is not only misleading but also mischievous. This Motion once again, exposes the hypocrisy of the D.A.P. On the one hand he accused the State Government of not doing enough for the development in the State economy; but on the other hand they were trying all crooked tricks to mar the projects launched by the State Government. If the Honourable Members of the House can still remember, in the First Sitting of the First Session when the Government introduced the Members Renumeration Bill for the increment of \$250 per month for State Assemblymen they objected strongly; but when the cheques were sent to them they gladly accepted them. At the beginning of this Sitting, when debating the Pensions Bill, although they condemned the Bill in all their speeches they never said that they would not accept the pension should they qualify for it. Mr Speaker, Sir, a political hypocrite is a political hypocrite. No matter how much he said he is still a hypocrite.

Coming back to the Sungei Kluang problem, regarding the feeling of discontent among the people, we all know that shortly after the squatters were served with the notice to quit the

District Officer for Balik Pulau arranged for a meeting with the squatters to hear their grievances and find out ways and means as to how the State Government can assist the squatters. But, sad to say, this act of good faith on the part of the State Government was sabotaged by the Honourable Member for Kelawei who advised the squatters not to attend the meeting. Mr Speaker, Sir, when we were trying to solve the squatter problem and the problems of the people, the Honourable Members from the D.A.P. tried to undermine or sabotage us. This clearly shows that they would rather see great hardships suffered by the people than allow them to have a decent and contented life. They opposed all projects initiated by the State Government, knowing well that these projects once successfully implemented will be for the good of the people. And for the simple reason they have to object. And they always believe and maintain that the people's gain is the D.A.P.'s loss. For the selfish political game they must see that the people of Penang lose in their struggle against poverty and unemployment.

Mr Speaker, Sir, the question of the Chinese school affected by this clearance was rapidly brought up by the Honourable Members of the D.A.P. I would urge the Honourable Members to check their facts before they come to this House to mislead the people. In fact a meeting was held between the representatives of the school, that is the Principal and the Chairman of the Board of Governors of the school, and Government officers which included the State Planning Officer and the Chief Education Officer's representative to find a site suitable to re-site the school. Although a final decision has not been made, I am glad to say that the Chairman and the Principal are quite happy with the arrangement. Now, knowing the correct picture of the D.A.P., the people are now showing their resentment because the D.A.P. has caused a split in the D.A.P. leadership.

Mr Speaker, Sir, the squatters in Sungei Kluang have already been given a place in Batu Maung; and their representative Mr Choong Teck Seng, has

given a statement in the Press thanking the Chief Minister and the State Government for setting their problems amicably. In view of this I don't see the necessity of putting up this Motion, as it is not only wasting the time of this House but also wasting public funds unnecessarily. Therefore I call upon all responsible Honourable Members of this House, both on this side of the House and on the other side of the House, to vote against this Motion. Thank you.

**Ahli Kawasan Glugor (Enche' D. C. Stewart):** Tuan Yang di-Pertua, dengan izin saya minta berchakap dalam Bahasa Inggeris. Mr Speaker, Sir, I rise to participate in the debate on the censure Motion moved by the Honourable Member from Kelawei.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Tuan Speaker di-atas Peratoran 46(v), saya rasa Ahli dari Glugor sekarang bacha dari kertas. Tak usah buat ini macham. Satu perkataan, satu perkataan, bukan takut.

**Ahli Kawasan Glugor (Enche' D. C. Stewart):** The Honourable Member for Kelawei during his speech referred to my statement in the Star in which I criticised the District Officer of Balik Pulau for his remarks 'Take it or leave it' when dealing with the squatters of Sungei Kluang at his office. I assure the Honourable Member for Kelawei that my comments were not made against the policy of the Government, but rather that I felt that officers representing the Government should refrain from making provocative statements that may inflame the situation, or even evoke despair among the people. However, the Honourable Member for Kelawei distorted what I said into accusing we Members on this side of the House of making Press statements without knowing what we are saying. Mr Speaker, Sir, by the way in which the Honourable Member for Kelawei was speaking at length on this squatter problem it would appear that he was acting as a legal adviser for them. If my guess is correct then I say that the squatters are bound to be played out, just as I have been played out by being his client. On

Thursday morning when I took him to task for saying that the Water Authority Enactment was presented in the most contemptible manner, I observed him waving two envelopes to distract me, knowing I have . . . . . (gangguan)

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Shame, shame. Where is the fee if you are a client? Show the receipts.

**Tuan Speaker:** Ahli Yang Berhormat dari Kelawei, jangan-lah ganggu.

**Ahli Kawasan Glugor (Enche' D. C. Stewart):** Mr Speaker, Sir, the Honourable Members of this House, are I am sure, eager to know the hidden truth behind this show of the Honourable Member for Kelawei. Well, the envelopes contain a perverted Statutory Declaration made by me. This action on the part of the Member for Kelawei was made to intimidate and blackmail me.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Call a Commission of Inquiry.

**Tuan Speaker:** Ahli Yang Berhormat dari Kelawei, beberapa kali saya sudah beri amaran nanti saya ambil langkah tidak baik.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Ada lain Ahli yang chakap pun.

**Ahli Kawasan Glugor (Enche' D. C. Stewart):** Tuan Speaker, Sir, this is definitely a gross injustice. He who commits injustice is made ever more wretched than he who suffers it. And the one who suffers is not weighed in the same scales. Do not disturb a sleeping dog. Every dog is entitled to only one bite.

Mr Speaker, Sir, I hereby warn the Member for Kelawei that I shall not be cowed by his threats. I have to remind him that in the course of signing this perverted Statutory Declaration he was advising me as an Advocate & Solicitor. I am sure the Honourable Member for Kelawei is aware of the Advocate & Solicitors Ordinance regarding the client's communications and privileges. What is

worst, Mr Speaker, Sir, he was fully aware of the situation in which the Statutory Declaration was obtained from me, and the manner by which it was attested by the Commissioner of Oaths. He was trying to double-cross me. And this is exactly the same double-crossing game I am playing with him now. Tuan Speaker, during lunch break on Friday afternoon he asked me whether I was trying to commit suicide. In this House he again waved that envelope to the Honourable Speaker. Mr Speaker, Sir, the action of the Honourable Member for Kelawei has gone a little too far; so now I call him to stop his blackmailing, and read the same Statutory Declaration without my permission.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Yes, I will read it. Dengan kebenaran.

**Tuan Speaker:** Saya tidak beri kebenaran. Ahli yang Berhormat, sila duduk.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** I read it now: "I was forced to write and sign the letter of resignation under threat."

**Tuan Speaker:** Ahli Yang Berhormat, sila duduk. Saya tidak beri kebenaran.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Dia sudah beri kebenaran.

**Tuan Speaker:** Sila duduk; saya tidak beri kebenaran.

**Ahli Kawasan Glugor (Enche' D. C. Stewart):** I shall continue again; so listen properly. So now I shall call upon him to stop his blackmail tactics, and come into the open and read the Statutory Declaration without my consent.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Go jump into the lake.

**Ahli Kawasan Glugor (Enche' D. C. Stewart):** What sort of a gag is he trying to force on me? Is he trying to cause dissension between the Chief Minister and me? When he tried to smear the reputation of the Chief

Minister, or spread dissent among the people of Penang, I told him openly in this House that we Members on this House will support the Chief Minister to the last of our bullets. And this time I say with emphasis that as far as my relationship is concerned I would be loyal to the Chief Minister to the last drop of my blood.

Tuan Speaker, I condemn the move of the Honourable Member for Kelawei, and the manner by which he is trying to bluff the people of Penang.

*Dewan di-tangguhkan pada jam 4.04 petang.*

*Dewan bersidang sa-mula pada jam 4.33 petang.*

**Ahli Kawasan Sungei Pinang (Enche' S. P. Chelliah):** Tuan Yang Di-Pertua, saya minta kebenaran berucap dalam Bahasa Inggeris sadikit.

Mr Speaker, Sir, I rise to oppose the Motion of censure brought by the Honourable Member for Kelawei. The censure Motion against the Government is a mischievous attempt by the D.A.P. to prevent the industrial development and progress of the State. Mr Speaker, Sir, I submit that the reasons circulated by the Honourable Member for Kelawei when he moved the Motion are intended to reap some votes for his Party in the elections.

The Government, Mr Speaker, Sir, is fully conscious of the fact that every citizen in the State must have a roof, and have offered alternative sites to these squatters. Mr Speaker, Sir, the Sungei Kluang site is State land; and therefore the statement made by the Honourable Member for Kelawei that these squatters have a legal right to the land is nonsense. If he persists that there is at least a legal claim by these squatters over the land then I humbly submit he is badly mistaken. Mr Speaker, Sir, I would therefore urge the Honourable Member for Kelawei not to instigate these innocent squatters to fight against the Government if he has a sense of having a higher responsibility as an elected Member than an ordinary critic.

Mr Speaker, Sir, squatters' problem as put forward by the Honourable the Chief Minister is a very delicate

one. And therefore the Government has taken all measures to cause minimum hardship to those affected. Discussions and consultations have taken place between the squatters and the Government; and the squatters had agreed to move out to a site of their choice. As such it is most unfair and unjust for the Honourable Member to state that the Government evicted the squatters at gun point. The attitude of the Honourable Member, Mr Speaker, Sir, is highly dangerous; and I wish to warn him not to indulge in this sort of a game.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Another warning.

**Ahli Kawasan Sungei Pinang (Enche' S. P. Chelliah):** Because you deserve it.

Mr Speaker, Sir, is it wrong for the Government to give land to those dwellers who were squatting on State land? Is it wrong for the Government to pay the squatters an *ex-gratia* form of payment based on humanitarian grounds? Is it wrong for the Government to change a conservative society to a progressive one? Is it wrong for the Government to instill a sense of social responsibility in every citizen in the State to play a role in restructuring society? Or is it wrong for the people to adapt themselves to the need of changes which are vital for a progressive society?

Mr Speaker, Sir, it is not the Government, as put forward by the Honourable Member for Kelawei, that is standing in the way of the livelihood of the people; nor are the people standing in the way of progress of the State. Mr Speaker, Sir, I say without any fear of contradiction that it is the Honourable Member for Kelawei and his Party who are standing in the way of the livelihood of the people, and the progress of the State. The Government, Mr Speaker, Sir, will not and cannot be disturbed by any move of the Opposition to hinder progress. We will, with determination and dedication, go ahead in implementing its programmes and projects. And I am sure that the people will get the best. Therefore, Mr Speaker, Sir, it is a nefarious scheme of

the Honourable Member for Kelawei that in order to fulfil his political ambition he had resorted to moving this censure Motion. And this is contemptible.

In conclusion, Mr Speaker, Sir, I oppose the Motion moved by a man within his own imagination and pretensions. Thank you.

**Ahli Kawasan Tanjong Bungah (Enche' Khoo Soo Giap):** Dato' Speaker, dengan izin: Sir, in this very important debate the Government Members have shown themselves totally unable to reply intelligently to the questions and issues raised by us on this side of the House. In fact it is correct to say that the more the Honourable Members of the Government open their mouths the more they get caught in their own tide of unjustifiable action. The only reply the Government is capable of is to repeat continuously condemnation that our Motion is motivated by politics, and that we are distorting the facts. Well, they are totally incapable of objective reply. As far as the Government's inability to rise above politics is concerned there is ample demonstration of this fashion today, notably the appointments to the Select Committees, and their arrogance over the Water Authority Bill.

**Tuan Speaker:** Ahli Yang Berhormat, itu tidak ada sangkut. Itu tidak ada bersangkut. Ahli Yang Berhormat, kita berbahas di atas Usul ini. Sila teruskan atas Usul ini.

**Ahli Kawasan Tanjong Bungah (Enche' Khoo Soo Giap):** This, Dato' Speaker, has demonstrated more than all the fact that the Coalition Government has little or no choice to accept static and elementary students, and has no courage to face up to them.

This session, Sir, has also shown the duplicity of the Coalition Government, both inside and outside this House. To the people of Sungei Kluang the Government, through the Member for Bayan Lepas, has said to the people that they need not bother about Kuala Sungei Pinang and that their new site would be at Batu Maung. But in this

House, Sir, the Member for Tanjong Barat still holds Kuala Sungei Pinang as the site chosen for the people of Sungei Kluang.

**Ahli Kawasan Tanjong Barat (Enche' Teh Ewe Lim):** Tuan Yang Di-Pertua, can I ask the Honourable Member . . . . .(gangguan).

**Ahli Kawasan Tanjong Bungah (Enche' Khoo Soo Giap):** I am not giving way.

**Ahli Kawasan Tanjong Barat (Enche' Teh Ewe Lim):** Very fine. Check your facts. Don't talk tommy rot.

**Ahli Kawasan Tanjong Bungah (Enche' Khoo Soo Giap):** He has already spoken. Everybody has been given a chance to speak.

**Ahli Kawasan Tanjong Barat (Enche' Teh Ewe Lim):** Check your facts.

**Ahli Kawasan Tanjong Bungah (Enche' Khoo Soo Giap):** I reckon that I should be given a chance to speak without interruptions.

Sir, they told us that the only alternative site for these Sungei Kluang people would be at Kuala Sungei Pinang. In fact this is true. There have been about 60 or more families in Sungei Kluang today who have been served with notices to quit and go to Kuala Sungei Pinang. And it is a fact. I would be very happy if a Member of the Government will stand up to deny that there are still about 15 more families who have been served with notices to quit to Kuala Sungei Pinang, and no where else. Kuala Sungei Pinang—the very area which the people objected to most strongly.

Sir, on the other hand the Honourable the Chief Minister has in this House denied that the Government has ever held up Kuala Sungei Pinang at the start for the pig-rearers of Sungei Kluang, and pointedly claimed that the people themselves chose Kuala Sungei Pinang. Yet the Member for Tanjong Barat admitted . . . . .(gangguan).

**Ahli Kawasan Tanjong Barat (Enche' Teh Ewe Lim):** Verify your facts. Don't talk rot.

**Ahli Kawasan Tanjong Bungah (Enche' Khoo Soo Giap):** . . . . . that the people of Sungei Kluang were reluctant about Kuala Sungei Pinang; and that this was a Government proposal. And a high-level Government group had gone there to see the site. In so doing, Sir, he took a swipe at the Press, especially the staff, for misreporting him. And he has here made a very serious allegation. And we hope he will check the facts and, at a proper time, consider an apology to the Press and the reporter concerned.

Sir, in this case the Honourable Member for Tanjong Barat in trying to justify the Government's action; and he could even stoop so low as to go to the extent of blaming the Press for coming out with statements which are not true, just to justify the Government's irresponsible action. You prefer to stoop so low as to go to the extent of blaming the Press, telling the public that the Press has been very irresponsible in reporting statements which are not true, and getting the Government into trouble. There are people in the Government benches who are willing to go to that extent. Sir, in fact we hope the Government-benchers will amend their attitude towards the Press which leaves much to be desired, in spite of the fact that the Press, . . . . .(gangguan).

**Ahli Kawasan Butterworth (Enche' Ooi Ah Bee):** Who said so?

**Ahli Kawasan Tanjong Bungah (Enche' Khoo Soo Giap):** . . . . . especially the English Press, has bent over backwards to the present Government on any issue. All along the Government, especially the Chief Minister, has insinuated that the Press is misreporting him, and been downright irresponsible. We wonder whether the Chief Minister is aware that he has responsibility to the Press. And the people should correct misquotations of this type.

In his attempt, Sir, to justify the Kuala Sungei Pinang site the Member for Tanjong Barat has contradicted the

Honourable the Chief Minister to claim that Kuala Sungei Pinang was chosen by the people themselves. The Member for Tanjong Barat admits that in the high-level inspection, Sir, there was a D.I.D. engineer, a P.W.D. engineer, the Chief Police Officer, and everybody including the Member for Tanjong Barat. Every Head of Department comprised the high-level inspection to Kuala Sungei Pinang. And he called it a high-level inspection organized by Head of Departments. But where is the representative of Kuala Sungei Pinang? Every Head of Department. I would say. But where is the representative of Sungei Kluang? I would ask: Where is Mr Sungei Kluang, apart from the Member for Tanjong Barat, and apart from the Heads of all the Government Departments? And you call it "high-level". I would submit, Dato' Speaker, that because of the fact that the representative of Sungei Kluang wasn't there I am saying in this House that this site has been chosen without the approval of the people of Sungei Kluang; and that after choosing the site of Kuala Sungei Pinang the people of Sungei Kluang were forced to the site, whether they liked it or not. And I don't know why even the Chief Police Officer was in the high-level group. Why? To protect the interests of the Member for Tanjong Barat against the people of Sungei Kluang?

**Ahli Kawasan Tanjong Barat (Enche' Teh Ewe Lim):** You talk rot.

**Ahli Kawasan Tanjong Bungah (Enche' Khoo Soo Giap):** If the Chief Police Officer could protect his interests against the people of Sungei Kluang . . . . . (gangguan).

**Ahli Kawasan Tanjong Barat (Enche' Teh Ewe Lim):** You better protect yourself.

**Ahli Kawasan Tanjong Bungah (Enche' Khoo Soo Giap):** . . . . . I would say that that could be done. But he still has not been able to make the Chief Police Officer protect him against all the leeches that went after him.

The Member for Tanjong Barat also read in Friday's debate a newspaper article in the *Sing Pin Jih Pao* purportedly condemning the D.A.P., and particularly the Member for Kelawei for his—and I quote—interference in Sungei Kluang. "Interference", he called it. Well, Dato' Speaker, we know that this so-called Co-operative Society which has not been registered is being promoted by the Gerakan, and infiltrated by the Gerakan members of one other Co-operative Society—Ayer Itam. And it has been used as a mouthpiece and tool to hit the D.A.P., and timed for this censure debate. We challenge the Chief Minister and the Member for Tanjong Barat to show and to tell us how many of the members in this Co-operative Society which bears the name of Sungei Kluang are actually the people of Sungei Kluang. We know the members of the Gerakan who form companies under various names. For example, Dato' Speaker, Intan Utara—Secretary General of the Gerakan, Ong Boon Seong, and another Kedah Assemblyman of the Gerakan as Director, and who is involved in Penang Electronics.

Sir, what is really important is that on the same Friday the people of Sepuloh Kongsi denied the Chief Minister's allegation that they had moved to Paya Terubong; and they have since then united together with the people of Sungei Kluang. And I wish to read out a part of the report.

**Ketua Menteri:** Take your own copy.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** How about yours?

**Ahli Kawasan Tanjong Bungah (Enche' Khoo Soo Giap):** They said, "If we follow this plan it will cost us between \$6,000 to \$7,000 to build each shed. We assure the Government that if it will allow us to rebuild that ourselves we will build new ones when we are better-off after two or three years." They said that they were making the statements to clarify statements made by Doctor Lim in the State Assembly. Doctor Lim had said that Sepuloh Kongsi villagers have voluntarily gone

to stay in Paya Terubong when evicted by the Government for development purposes. This statement, Dato' Speaker, gives us proof that members of the Sepuluh Kongs, by virtue of the fact that they had gone to Paya Terubong, had not gone of their own free will. They had been forced to go there, whereas the Honourable the Chief Minister has tried to tell this House and the people of the State of Penang that they voluntarily went over to Paya Terubong. They did not volunteer. They were forced to go.

And, Dato' Speaker, I can't see the logic why a pigsty should cost \$6,000 or \$7,000? Seeing that low-cost houses cost only \$3,000 to \$4,000, while a pigsty cost \$6,000 to \$7,000, how do we want the pigsty to be? Wall-to-wall carpeting for the pigs? Central heating or central air-conditioning? This is asking too much, Sir. Human beings living in \$3,000 to \$4,000 houses, while pigs are going to live in \$6,000 to \$7,000 pigstys. One would imagine that the Government is trying to let the pigs live high-wall-to-wall carpeting, and all that. Is that what the Government is asking for? Is that what the Government is fighting for the pigs? They should be fighting for the people of Penang, more than to fight for the pigs. They should be fighting for the people-of-Penang's economic position which the Member for Tanjong Barat himself described as the declined economic position of the State of Penang. (*Ketawa*). He himself said it on Friday in his speech against this Motion—that the State of Penang has faced an economic decline; and for that reason he has to look forwards industry and try to help the people of Sungei Kluang. But in fact, Dato' Speaker, he has not been helping. He has been breaking the cracked rice bowl of the people of Sungei Kluang. And if we on this side of the House allow the Government to carry on at the rate they are going then the cracked rice bowl of the people of Sungei Kluang will be broken to bits. And that is why we are here today to move this Motion of censure against the Coalition Government of the State of Penang. And we tell you this is the reason why it is not motivated by

political reasons; we are trying to patch up the already-cracked rice bowls of the people of Sungei Kluang.

**Ahli Kawasan Tanjong Barat (Enche' Teh Ewe Lim):** Cheap politics.

**Ahli Kawasan Tanjong Bungah (Enche' Khoo Soo Giap):** It is not for any political vanity. There is no political end to this Motion today. We make it very clear to every Member of the Government benches . . . . . (*gangguan*).

**Ahli Kawasan Tanjong Barat (Enche' Teh Ewe Lim):** We are ready for you.

**Ahli Kawasan Tanjong Bungah (Enche' Khoo Soo Giap):** . . . . . that we here in this House today, through this censure Motion are trying very hard to patch up the cracked rice bowls of the people of Sungei Kluang. It is not for any political reason, I repeat.

**Ahli Kawasan Butterworth (Enche' Ooi Ah Bee):** Patch up your crisis first.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Oh, jump into the lake.

**Ahli Kawasan Tanjong Bungah (Enche' Khoo Soo Giap):** Sir, I would invite the Member for Butterworth to stand up and speak.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** He can't mentally crippled.

**Ahli Kawasan Tanjong Bungah (Enche' Khoo Soo Giap):** He only prompts from the back. I think he has got no talents. I prefer him to keep his mouth shut until he has got the chance to speak.

Sir, the debate has shown the utter irresponsible, heartless and inhuman attitude of the Government—a Government that cannot be trusted with power and not to exploit and take undue advantage of the people, especially the poor. The issue, Dato' Speaker, of Sungei Kluang is not an issue of compensation; not an issue of industrialisation, not an issue of resettlement alone. It is an issue affecting good administration and just government. It demonstrates more than any other issue the

total incompetence and bankruptcy of the Government. We have condemned the Government for unjust and unconscionable acts. And the Gerakan split with the manifestation of its contradictions. We moved a non-confidence Motion in 1971 in demanding the resignation of an obviously unstable Government under the Gerakan.

In 1972 a Coalition against the wishes of the people of Penang had to be formed to shore-up the dying Government of the Gerakan. Today, we censure the Coalition Government. And it will be only a matter of time before it collapses due to its unjust oppression of the people, and opposition to it by the people.

**Ahli Kawasan Glugor (Enche' D. C. Stewart):** The D.A.P. rocket has never been launched yet.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Member for Glugor, you had better join the lepers you talk about because you will be a political leper very soon.

**Speaker:** Saya minta Ahli Yang Berhormat jangan-lah mengganggu bila sa-saorang Ahli berchakap.

**Ahli Kawasan Tanjong Bungah (Enche' Khoo Soo Giap):** It is alright Dato' Speaker, I am quite used to all these interruptions. It is coming from people who do not have sufficient guts to stand up to speak, but rather to prompt from far behind. We can all expect this to come from corrupt Members of the Gerakan. Time will again prove that this side of the House is correct at every instance. Sir, we warn the Government to take heed of our words, and not to go against the people's wishes. We strongly condemn and censure the Alliance-Gerakan Coalition Government in the terms of the Motion. If you are unable to handle the issues confronting the people without hardship and suffering, please bow out gracefully. Resign.

Thank you.

**Ahli Kawasan Tasek Glugor (Enche' Mustapha bin Hussain):** Dato' Yang Di-Pertua, saya pun rasa tidak mahu terlepas keluar daripada perbahathan

usul ini. Dato' Yang Di-Pertua saya minta terlebih dahulu keizinan berchakap dalam Bahasa Inggeris bila sempat-nya untuk pengetahuan ahli<sup>2</sup> yang bukan faham dalam Bahasa Melayu.

Dato' Yang Di-Pertua, bila masa'alah Sungai Keluang ini bangkit dua tiga bulan sudah, saya pun sa-bagai Ahli Politik juga walaupun bebas, saya pun ingat sungai itu pun ada ikan<sup>2</sup> yang saya boleh panchin. Jadi bila saya pergi di-sana Dato' Yang Di-Pertua, saya jumpa banyak Ahli<sup>2</sup> Politik sudah pergi dahulu daripada saya, termasuk dengan tokoh<sup>2</sup> dan Ahli<sup>2</sup> Politik, Ma'alaikat Jibra'il pun ada sama, hantu raya pun ada di-sana daripada Parti<sup>2</sup> Politik, jadi saya patah balek, saya takut.

Dato' Yang Di-pertua, usul ini ialah satu usul penting dan daripada hemat saya, yang penting ialah saya fikir kelalaian Kerajaan sendiri, di-mana tidak ada satu dasar tanah yang tetap dan yang tegak, 'real dynamic land policy.' Saya fikir Kerajaan tidak ada satu dasar untuk tanah dan khusus-nya untuk setinggan<sup>2</sup>, apabila Kerajaan mengambil tanah. Saya fikir dan saya tahu Kerajaan ada melancarkan pembangunan kemajuan dan pembinaan kilang<sup>2</sup> dan perindustrian dan pembangunan lain<sup>2</sup> tetapi masa'alah seperti Sungai Keluang ini akan di-hadapi di-masa<sup>2</sup> hadapan dan saya harap Kerajaan mesti mengambil berat dan membentok atau mengubal satu dasar, satu dasar yang dynamic supaya setinggan<sup>2</sup> atau 'squatters' bila terlibat, akan di-beri tanah di-beri suguhati yang menchukopi dan yang memadai supaya ra'ayat tidak menderita.

Lagi satu perkara juga yang saya ingin mengambil peluang mengulas di-dalam Dewan ini juga Dato' Yang Di-Pertua ialah banyak ra'ayat yang saya tahu ada-lah merasa atau sedar dengan perkembangan dan progress. Mereka pun ada bertanggung-jawab juga, 'the people are also aware that they have a role to play in the progress of the State'. Jadi apa yang Kerajaan lalai pula dalam segi ini ialah tidak ada

kempen<sup>2</sup> yang memberitahu kepada ra'ayat supaya ra'ayat juga bersama bertanggung-jawab. Ra'ayat pun patut memainkan peranan mereka di-atas kema-juan negeri dan bersama<sup>2</sup> dengan Kerajaan boleh maju kepada bukan saja 'into the 80's but into the 21st Century'. Dato' Yang Di-Pertua, saya harap Kerajaan dengan sechra sha-raham atau risalah<sup>2</sup> memberitahu kepada ra'ayat, ra'ayat pun ada peran- nan untuk memainkan juga.

Dato' Yang Di-Pertua, saya terlebih dahulu meminta kebenaran berchakap dalam Bahasa Inggeris dan ini-lah masa-nya.

Mr Speaker, Sir, it is very interesting to hear many members taking part in this resolution or motion of censure against the Government, but most of the speakers, Mr Speaker, have spoken about matters which do not relate to the motion itself. Some have gone far away to Hong Kong; some have talked about accounting system; some have spoken about how to rear pigs. These are actually irrelevant to the motion which faces the House. However, I don't think the House, Mr Speaker, is interested in personal affairs, about clients and solicitors business. And in future resolutions I think we should keep to relevant matters.

Ahli Yang Berhormat daripada Ka- wasan Bayan Lepas pagi tadi ada sentoh apa-kah pendirian atau dasar Ahli<sup>2</sup> Bebas? Saya pun rasa sedikit sedih kerana kalau Ahli Kawasan Bayan Lepas ada membacha atau belajar Ilmu Tawarikh, mereka pun boleh sedar dalam sejarah dunia bukan parti, tetapi orang<sup>2</sup> sendirian yang boleh menggoyang alam. In English, it is not the Party, but sometimes a man that can shape and change the course of history.

Dan lagi satu perkara Dato' Yang Di-Pertua, saya ingin menyebut di-sini ia-lah tentang sa-tengah<sup>2</sup> ahli menyebut perkataan babi. Some Honourable Members have spoken about pigs and have said that there are pigs around the House. That matter, pigs, is very sensitive to Malays, Mr Speaker. And I hope in future Members will refrain

from using pigs, and implicating Muslims and Malay Members of the House in that category. Terima kasih.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Tuan Speaker, sa-belum saya menjawab kepada semua ahli sudah bagi atau bawa champor dalam perbahathan ini dan saya perlu apa yang sudah di-chakap dan saya harap kalau ada lain<sup>2</sup> ahli dalam Dewan ini yang belum berchakap dan mahu ber- chakap yang ingin peluang ini—kita dari pihak pembangkang D.A.P. bukan sa-bagai lain<sup>2</sup> pehak yang suka berhen- tikan orang yang suka dan mahu ambil bahagian dalam usul<sup>2</sup> itu. Kalau tidak ada lain orang yang mahu berchakap dalam usul ini . . . . . (*gangguan*).

**Tuan Speaker:** Ahli Yang Berhor- mat, Ahli Yang Berhormat tidak boleh berchakap perkara itu kerana itu ia-lah prerogative saya. Itu-lah saya . . . . . (*gangguan*).

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Ya ia-itu . . . . .

**Tuan Speaker:** Nanti bila saya ber- chakap Ahli Yang Berhormat sila dudok. Ahli Yang Berhormat tidak boleh buat tudohan sa-macham itu. Itu ia-lah prerogative saya, habis. Perkara itu jangan di-sebut<sup>2</sup> lagi.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Ya, saya tahu prero- gative Tuan Speaker, tetapi saya ingat sa-bagai sa-orang yang bawa . . . . . (*gangguan*).

**Tuan Speaker:** Ahli Yang Berhor- mat, saya sudah bagi ruling, jangan lagi di-sebut perkara itu. Sambongkan saja apa yang Ahli Yang Berhormat hendak kata.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Ya, sa-bagai sa-orang yang bawa usul, saya boleh bagi peluang kepada siapa pun yang hen- dak bawa atau ambil bahagian dalam usul ini, kalau tiada saya boleh sam- bong.

**Ahli Kawasan Sungei Pinang (Enche' S. P. Chelliah):** Sambong, sambong-lah.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Baik<sup>2</sup>, tidak mengapa. Perlahan-lahan, kawan perlahan-lahan. Tetapi, kamu, kalau tidak boleh lari, kamu punya fasal.

**Ahli Kawasan Sungei Pinang (Enche' S. P. Chelliah):** Saya sudah lari.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Dengan izin berchakap dalam Bahasa Inggeris. Mr Speaker, Sir, this debate which we had raised in this House is a matter of grave importance. And, of course, I thank Members of the Assembly who have partaken in this debate because those who do at least are capable of expressing themselves. And to that degree, whatever their opinions may be they are entitled to them. But at least this House will know that there are Members who are willing to participate and express their views on a very important question. To use the words of the Honourable Chief Minister, he concedes that this is a very important debate. Of course, he has other opinions about other aspects. But what confuses most Members on this side of the House, and I am sure the country at large, is the utter contradiction between Members of the Government, if at all they express their views. The Member for Tanjong Barat seems to think that this debate has no merits at all. And this is the manner in which some of them participate in this debate without any fruitfulness. What are the words that the Honourable Member for Tanjong—he does not like it to be Tanjong Rambutan. But it is Tanjong Barat, I understand. But it might not remain like that for long. What are the words he uses? And this is the pattern of his delivery. I like to go through the whole of it because this is my reply. 'Political Stunt' he says, 'championing the cause of the Sungei Kluang people'; 'hope to exploit the situation'; 'discredit the Government'; 'temporary political gain'; 'mask of deceit'; 'mislead the picture'; 'shrewd and calculating'; he says. Then he says, 'immature'. "No wise and sensible politician would raise this", he says. And then he goes on—"No substance to the Motion".

Then he goes back to 'discredit' and 'mislead'; and then back to 'confuse the people'. And then he says 'the intention has been misunderstood by such irresponsible people'; and he goes on—"to seek unscrupulous political advantage"; then 'cheap politics', 'cheap capital', 'DAP stunt' and 'we have condemned'. Now, that is the pattern of the argument of the Member for Tanjong Barat. If you put it together it is a collection of phrases which we in this House have become immune towards. We are not concerned, Sir, with your agitation. We are concerned with the points and your arguments, if at all you have any. But, Sir, the Honourable Members of the Government don't have any arguments because basically they are divided on this issue; because basically they make contradicting statements in this House and outside. I have cited the Member for Glugor who would, of course, take a turtle turn, and perhaps die in the hot sun. And he plainly condemned the Government servants. That is what I said. I did not say he condemned Government policy. I said he condemned Government servants. He said that the plight of the people of Sungei Kluang transcends considerations of Party and politics; and justice must be done to these people. He urged the people carrying out Government policies to display more consideration and humanity. That is what I quoted him. If you say this is wrong again, sue the 'Star'. Perhaps that would be fruitful. Perhaps you may then find money to engage a counsel and obtain a retainer.

**Ahli Kawasan Glugor (Enche' D. C. Stewart):** To launch your rocket.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Mr Stewart said Government officers must not utter provocative statements that would only inflame the situation and evoke despair among the people. I quoted these words. Now he chooses to deny them. He has the privilege. For a man who has had his credit impeached in Court in the case of P.P. vs. Teh Ewe Lim I don't wonder very much, Sir. I don't wonder very much. And if I need to quote

statements from Members of the Coalition Government I need not use the statement of the Member for Glugor. Sir, I need only repeat the statement here, Sir, from the Member, the ex-Gerakan Member, M.P. Gabriel. What does he say? "The State Government is trying to solve the problem of Sungei Kluang squatters by creating another problem at Sungei Dua." These are Coalition words, Sir. Words from the Coalition—Mr Gabriel who had defected, we know, from the Gerakan. And he said further that many Sungei Kluang squatters who must move out of their homes to make way for industrial development have been asked to settle in Sungei Dua.

**Tuan Speaker:** Ahli Yang Berhormat, saya harap Ahli Yang Berhormat confine dalam perkara yang di-chakap. Itu point baru Ahli Yang Berhormat keluar. Saya tidak benarkan itu sama sekali. Ahli Yang Berhormat boleh bahathkan apa yang di-sebut oleh Government members.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Tuan Speaker . . . . . (gangguan).

**Tuan Speaker:** Benarkan saya habis berchakap. Sila dudok dahulu. Itu Ahli Yang Berhormat bawa keluar point baru. Saya tidak benarkan sama sekali. Ahli Yang Berhormat boleh bahathkan apa point yang di-beri oleh pihak Kerajaan.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Tuan Speaker, sebelum kita jalan kerja . . . . . (gangguan).

**Tuan Speaker,** Saya tidak benarkan Ahli Yang Berhormat. Sila bahathkan apa yang di-beri oleh pihak Kerajaan.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Apa yang di-beri oleh pihak Kerajaan? Sudah pergi dari Pulau Pinang ke-New York.

**Tuan Speaker:** Ahli Yang Berhormat, saya tidak benarkan di-bawa keluar point baru. Itu ruling saya.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Saya harap dalam rekod<sup>2</sup> kita di-dalam Dewan ini orang boleh

tengok apa yang di-jawab oleh Ketua Menteri yang pergi jauh dari apa yang di-kata oleh Ahli<sup>2</sup> lain dalam Usul; Ketua Menteri pun.

Sir, it is very clear that Members of the Government do not understand that the laws of this country are to be applied to them equally as well as to anybody else. They wish to have one law for themselves, and one law for the people. I say that so long as the Members of the D.A.P. represent a single constituency in this State we will stand by our duty to assure this State that none of this underhand perpetration will go without highlighting and answer from us, in spite of, Sir, whatever sort of interference and obstruction that may arise in any form. It is very clear, Sir, from the statements made by Coalition partners within the State Government and outside the State Government that the State Coalition hasn't got a consistent policy. And to that extent, Sir, that they are afraid of having words from their own colleagues quoted to them. That is the type of fear Sir, that has generated in this House. That is why the debate is tense. As the Honourable Chief Minister says, we believe that politics is a dirty game because it has been made dirty . . . . . (gangguan).

**Ahli Kawasan Sungei Pinang (Enche' S. P. Chelliah):** By you.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** . . . . . by people who indulge in methods that better suit the underworld. But I would say, Sir, that we of the D.A.P. are here to raise any matter that we deem fit, and any matter that is within the Standing Orders without fear or favour or intimidation. Let me acquaint this House that no less than one Member in this House, the Member for Bagan Ajam, as a result of what has been raised in this House, has been intimidated by none other than a Member of the Gerakan. Let me warn this Member and the Ketua Menteri that whatever transpired in this House should be kept within this House. And if any action is taken to harm any Member of this House I personally, and this

House will hold the Chief Minister responsible. We recall, Sir, that . . . . . (gangguan).

**Ketua Menteri:** On a point of clarification Mr Speaker . . . . (gangguan).

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** I do not yield for clarification.

**Ketua Menteri:** Under clause 46 . . . (gangguan).

**Tuan Speaker:** Ahli Yang Berhormat . . . . . (gangguan).

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Sir, in the last debate when the D.A.P. raised the matter of . . . . . (gangguan).

**Ketua Menteri:** Sir, do I have . . . . (gangguan).

**Tuan Speaker:** Ahli Yang Berhormat, sila dudok.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Sir, I do not yield for clarification. The Chief Minister said he asked for clarification. I do not yield.

**Tuan Speaker:** Ahli Yang Berhormat kata clarification atau point of order?

**Ketua Menteri:** Sir, I . . . . . (gangguan).

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Sir, the last time the D.A.P. raised in this House unhappy practices pertaining to the Pesta Pulau Pinang . . . . . (gangguan).

**Tuan Speaker:** Ahli Yang Berhormat, sila dudok.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Sir, I do not yield to clarification. I cannot sit down when there is clarification. I do not yield to clarification. I am not out of order at the present moment. When the D.A.P. raised the matter . . . . . (gangguan).

**Tuan Speaker:** Ahli Yang Berhormat, sila dudok.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Sir, I can only yield . . . . (gangguan).

**Ahli Kawasan Tanjong Bungah (Enche' Khoo Soo Giap):** Is it on a point of order, or a point of clarification?

**Tuan Speaker:** Point of order.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Tuan Speaker, in clarification saya tidak bagi peluang.

**Ahli Kawasan Tanjong Bungah (Enche' Khoo Soo Giap):** If it is on a point of order cite the Standing Order.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Tuan Speaker, kita Peratoran sama semua orang di-sini. Bukan sa-orang special—istimewa-nya.

**Tuan Speaker:** Ahli Yang Berhormat, sila dudok. Dia minta clarification. Kalau Ahli Yang Berhormat tak benar . . . . . (gangguan).

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Saya tak bagi peluang. Ini hak saya.

**Ketua Menteri:** Tuan Speaker, mengikut Peratoran 46 (x) . . . . . (gangguan).

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Apa fasal chakap clarification?

**Tuan Speaker:** Dengan dia chakap Standing Order 46.

**Ketua Menteri:**

"The Member who originated a substantive proposition may reply after all the other Members present have had an opportunity of making their observations and before the question is put. Such reply must refer solely to observations which have been made during the course of the debate and shall not contain any new argument in favour of the motion".

Mr Speaker, I conceive that the Honourable Member for Kelawei in trying to threaten the Chief Minister in this issue is probably trying to presume to take the enforcement of law into his own hands. So I suggest that the Honourable Member for Kelawei be much more restrained in his statements.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Tuan Speaker, apa yang di-chakap?

**Tuan Speaker:** Ahli Yang Berhormat, chakap-lah winding up di-atas apa yang di-keluarkan oleh pihak Kerajaan dan jangan-lah keluar daripada itu. Saya tidak benarkan sama sekali.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Dari obstruksi yang kita boleh tengok dalam Dewan ini, kita di-sini dan semua orang di-Pulau Pinang pun boleh tengok apa yang Ketua Menteri dan Kerajaan Negeri Pulau Pinang takut. Tuan Speaker, Sir, we are aware of the threat raised by the Chief Minister in reply to one of the other debates earlier; in fact in reply to a debate and an issue raised by the Member for Bagan Ajam. But I hope the Chief Minister will recall that these threats of underworld methods do indicate that . . . . . (*gangguan*).

**Tuan Speaker:** Ahli Yang Berhormat, itu lain fasal dan tidak bersangkut. Saya tidak benarkan apa yang Ahli Yang Berhormat terek. Perkara itu sudah lepas. Saya tidak benarkan terek perkara yang sudah lepas. Itu yang lepas sudah habis. Sekarang kita wind up.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Kalau orang berchakap berkenaan perkara yang lepas, saya tidak tengok dan tiap<sup>2</sup> orang di-sini tidak tengok apa yang di-buat yang di-patohi; mesti di-buat di-dalam Dewan ini. Kita boleh tengok bahawa peratoran untuk satu pihak satu peratoran. Untuk satu pihak lain peratoran lain.

Tuan Speaker, Sir, from all that has been said in this House and in this debate itself it confirms all the allegations that we have raised, in that this Government is an incompetent Government. The Members of the Government have attempted to twist and turn, and to twist the words we have used. Even to twist to the extent of threatening us with the Sedition Act. I challenge the Chief Minister if he wishes to report me to the Privileges Committee to do

so. I will similarly report him to the Privileges Committee on other matters. Yes, you may have a majority, Sir. But you will have to suffer the consequences of exercising that majority.

Our censure Motion, Sir, is that the Coalition Government has been incompetent. This is the word we use; and that is the word we retain because the incompetence of the Coalition Government has been clearly seen in this House—incompetent in its inability to reply to us objectively without emotion; incompetent in its handling of the whole affair of Sungei Kluang. The Chief Minister in the course of his reply started, Sir, quite well. And that I thought was a development that we on this side of the House would encourage. He started in a very subdued tone of mind, trying to explain Government's policy towards land, and so on, and so forth; and even credited us by saying that it was an important debate, contrary to the other Members who have said otherwise. But then, Sir, I would say here again that he derelicted in his trend of argument. He spoils everything by beginning to show his temper; by attempting to show his points when really, Sir, he has no points, when really he has nothing to show anger about because whatever anger he has, whatever fears he has, are those which are vested in his own head, and nowhere else—a figment of his imagination. But we would excuse the Chief Minister because, as someone has said, it may be pep-pill talk. That is about it. But other than that I don't think that we need take it seriously. But, as I said, if he seriously believes in what he hears, or what he does not hear, then I would say that the Members of the Government are those who are suffering from schizophrenia, because they obviously do not recall what we said. One aspect which I can merely go over: I did mention that I do not believe that we in Penang will live to see the day when the Chief Minister will destroy a school. I said that. But the Chief Minister in his obsession, Sir, in his fixation, grabbed on to the words "Chinese school". And he exploded, I won't say like an atomic bomb, but perhaps like an empty gas tank.

Sir, we would have expected that the Government would come up with most of its replies to what has been raised on this side of the House, instead of indulging in recrimination and unfair observations like "birds of flight", and so on, in reference to the Member for Sungei Bakap and his colleagues. Sir, we want to keep the level of discussion in this House to a reasonable standard. But sad to say no matter what we make it in this House the Honourable Chief Minister and his Members do not seem to appreciate that debate should be kept on a high degree. The Member for Bayan Lepas who is unfortunately not here said that I said he did not know anything about Sungei Kluang. No, I never said that. I said that as a Member of the Opposition he showed great interest in Sungei Kluang but the moment he took—and I would like to use the words of the Chief Minister—a somersault into the Government benches he was disinterested in the issue. What purpose does it serve him to read a letter without even divulging the name of the person who wrote to him? At the very most it is one person. At the very least I would say it is a fictional letter, just as the Chief Minister would like to quote cases, and fail to give references. Why? If you want to quote a case, and it is revelant, give the references. Are you afraid that we could look it up and then pursue the points? That is the kind of half-truth, Sir, that the Honourable Chief Minister and his colleagues are fond of. They are not prepared to come out with the whole picture and have the issue thrashed out. The Chief Minister says it is an important debate. Another Member said it is stupid; "it is a waste of our time". "Politically motivated, misconceived", and so on, and so forth, you can say—what we say is politically motivated. But the Chief Minister himself has conceded that the Motion is important. You are entitled to your opinion as to what we said, but you are certainly not entitled to contradict your own Chief Minister as to the merits of the Motion.

There are Members here who suffer from sufficient illusion to raise matters concerning the straits of Malacca when they talked about Sungei Kluang. They

raised matters concerning relations between the Federal Government and the State Government when they talked about the issue of Sungei Kluang. They raised issue of the United Nations when they talked about this issue. They even go to Indonesia. I know that the Member for Bayan Lepas had the good fortune to go to Indonesia on State money. But then he need not parade that abuse of State funds in front of us. We are not interested in what he can tell us about Indonesia. We are interested if Members of the Government will stay on the Island and take care of the Island instead of wasting public funds. And we have here the right to a reply. And that is where the latitude, Sir, of this House has been given to Members of the Government.

**Ketua Menteri:** Tuan Yang Dipertua, berikut Peratoran 46 (xiii) I think it is not proper for the Honourable Member for Kelawei to impute improper motives—that the Honourable Member for Bayan Lepas had abused State funds, and had used State funds on his tour to Indonesia.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** It is a matter, Sir, of policy that he has abused State funds. We do not retract that. Travelling on State money to Indonesia is abuse of State funds.

**Tuan Speaker:** Ahli Yang Berhormat, sila jangan sebut perkara itu lagi.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** The people, Sir, of Penang will know what is going on. And there are Members, Sir, who wish to raise points which are irrelevant to this proceeding. They say this is in connection with another debate, Sir; and the latitude again has been given. They say that I refer to the Hong Kong tunnel, and that I distorted the whole thing. It took 50 years from the time it was mooted. And I am glad, Sir, that the Member who quoted from the Asia Magazine read it out—mooted. But he appreciates the word 'mooted'. 'Mooted' means the idea has been raised; and that is the meaning of the

word 'mooted'. And the idea of a bridge, Sir, has also been mooted in the last 60 years. In Penang a lot of people have been asking about the bridge in Penang. And at least the Hong Kong tunnel is now ready for use in July this year. I don't say the same for the Penang bridge. But I hope, Sir, that at the time it is actually built we will give it the name of the Ketua Menteri at least.

Sir, when they raised the issue about splits they tried to bring in champions, you know—totally irrelevant. They bring in a newspaper, and say 'split'. Sir, this House knows what has happened as far as the split is concerned. The Members of the Gerakan have, shall we say, jettisoned, if I want to use the word in their favour, none other than three Executive Council Members, and have taken on other passengers. And they talked about birds of a feather and birds of flight. These are birds of flight, Sir. If they justify formation of the Coalition Government, well, let us see results. We see no results. And they dare to come here and tell us, "Oh, there are splits". And, as I say, the latitude that is given in this debate. Provided I am given the same latitude we are prepared to allow Members to go and bring in anything they like. The Chief Minister and Members of the Coalition have the cheek to talk about matters of this nature when quite clearly they have gone against the mandate of this State and the people in the formation of the Coalition Government. And they abuse every single power and every opportunity that they have had. That is the audacity of the Members of the Government in front of us.

Sir, the Member for Tanjong Barat would like to say that they have provided all the amenities available in Kuala Sungei Pinang. And here we obviously see the contradiction. He insisted that he did not say so. But here we see the contradiction. The Chief Minister in answer to my question said that it was the people who asked for Kuala Sungei Pinang. The Member for Tanjong Barat said it was the Government who say Kuala Sungei Kluang.

That is how we do not know whether the Executive Council Members on the right know what the Executive Council Members on the left are thinking. That is why the people are confused. That is why we called that incompetence. And you yourself do not know what you are doing. How do you expect to translate your policy to the people? There is one important factor he forgot to raise. He said he can bring the water; he can bring electricity. What about roads, Sir? Can you bring the roads? Can you pledge the people roads? Are you prepared to build nearly two miles of road into this area? You have told the people you are not prepared to build the road. Therefore where is your infrastructure? You cannot answer this question. You go about telling us about rearing pigs and chickens and eggs, and a lot of it. We are not interested in it. Let's have an answer here. The people and the Veterinary Department will know how to rear pigs and chickens. Not for you. If you are an expert, we know you talk hog, and you go on talking hog. You are an expert; but we do not need your expertise. Sir, it is none other than the Member for Tanjong Barat who dares to claim in this House—and I quoted him—that "the State Government has not given up hope of Kuala Sungei Pinang as the hog-breeding centre". And that is why I say it is incompetent and deceitful of the State Government to behave in this manner. They should be more responsible. It is harmless relatively to come to this House and twist what we say; to raise issues which you claim to be seditious; and to threaten us with the Sedition Act through the threats of the Chief Minister which we have gone through before. In the last Session the Chief Minister threatened to have me arrested and detained through his good offices. That is the kind of threat we have been used to.

But the point is this, Sir: At least you threaten us. We are going to accept it, not as part of the cut and thrust. It is monumental, Sir, in the record of any parliamentary proceedings that the Chief Minister stands up and

threatens the Members of the Opposition. But we of the D.A.P. are accustomed to threats. We thrive on threats. But, Sir, do not threaten the people. They are not accustomed to it. And don't attempt to frighten them every time you go and see them. And why do I say that? Here is the Member for Tanjong Barat who says the Government has not given up hope for Kuala Sungei Pinang for the people of Sungei Kluang. The Member for Bayan Lepas is on record to have gone and told them, "You will be moved to Batu Maung." Sir, Kuala Sungei Pinang and Batu Maung are nearly 28 miles apart. Have you made up your mind which one you want to send these people to? When I say all these things the Chief Minister says, "Oh, the Member for Kelawei implies that we are the pied pipers piping the people here, there and everywhere." And I use the words 'Where is their final resting place?' That is precisely what you want them to do. The Chief Minister says, "No, we are slowly acquiring whatever we require. We give them time to move out." Those are his words. Sir, I say that you do not give them time to move out. You are hoping, Sir, that by the process of wearing these people out the problem will solve itself. And I used the word 'attrition'. And that is the word that suits this case. You are hoping, Sir, to eliminate the farmers and the peasants step by step. If you cannot eliminate all of them you start with those who don't have pigs and poultry, and you move them to Sungei Dua. And if you don't have those left you start by eliminating one, and then two farmers. You tell them, "We are going to come in to expand to this far. So you don't mind moving out?" And the Member for Tanjong Barat has got the cheek to stand up and say, "Oh, we have never moved anybody out without giving them a place to stay". Well, I can put it to you that at the present site where you have already started work you have asked a farmer to move out; tear down his house. And you told him to send his pigs for somebody else to take care of. That is what you have done. And how dare you say that you haven't done such a thing?

Have you given this man a site at Batu Maung? You haven't. That is the answer that you can never give. But you choose, Sir, to tell the untruth and the half-truth.

**Ketua Menteri:** You are lying.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Sir, the Member for Tanjong Barat says, "It does not mean that if we don't spell out our plan it is a failure to present a coherent scheme". I agree with him that it does not mean that. But it means, Sir, that yours is an incompetent Government, and an irresponsible Government if you don't take on the responsibility of telling the people your plan. As a responsible Government you should tell the people through the mass media that you do control; through your radio and the television, that you do control—through your Coalition partners. What are your plans? When challenged for an answer what do you say? 'The mechanics now are being worked out. We will tell them later'. The mechanics, Sir, should have been worked out already; not "to be worked out". When you have already moved these people out you say you are working out the mechanics.

Sir, this debate has been very elucidating because it has revealed the utter bankruptcy and the utter negligence of Members of the Government, especially Executive Council Members. For Members of the back-benches we are aware of the unresponsive and irresponsible conduct. For Members of the Government—the Executive Council—who are paid more than the Members of the back-benches it is highly irresponsible for them to come to this House and say, "we are working out the mechanics now; and we are unable to tell them what we are proposing to do". Then I say that by their own words they condemn themselves; and not by our Motion of censure.

The Chief Minister also is unable to answer our points. In his speech he never touched on any programme of central hog-rearing. The most one can say, if one wants to be kind with what

has been said in respect of central hog-rearing, is that it is at the most a 'central red-herring' scheme that the Chief Minister wishes to pull in front of us. For a Government that stood up in this House and said, "We are stable", and yet the next day had the marriage of convenience with the very people they have been condemning for the last 13 years, that is some somersault. That, Sir, "is some" mandate! At least in the case of the Chief Minister we must give him the credit. With his vast political experience, notwithstanding mistakes he made in this Session. With his vast political experience he knows how to roll this far and not further. He makes understatements so that it gives him loopholes to run like a rat when the time comes. But the Member for Tanjong Barat boldly jumped into the argument and said, "Oh, it is *ex-gratia*". He said '*ex-gratia*'. I am tempted to say, "My foot, *ex-gratia*".

The Chief Minister said that I read things half way, and would not like to read the rest. Well, I don't like to read the rest because I do not wish to waste the time of this House. And I do not wish to embarrass the Chief Minister on that point. I would like to give him a retreating road if he chooses to take it. But we know the Chief Minister is so arrogant that he never takes it. He wants to knock his head even against the stone if need be. He has got a stone head. And this is where the Chief Minister demonstrates his art of distortion. All these years in politics he has acquired only one art, Sir. I agree that we take time, we have to gain experience, Sir. But let us acquire more than one art; not merely the art of distortion. Let us acquire the art of maturity—the art to accept facts when we consult others. That is the kind of way they should acquire. What does the Chief Minister try to do? He says, "All these people have no rights. They are squatters. The Member for Kelawei, a member of the legal profession, should know better". And he goes on to quote the Oxford Dictionary; I do not know which edition!

**Ketua Menteri:** No, I think you do not know.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Sir, the definition of a squatter that he has given us is "Those people who have no legal right to the land which they occupy". Another definition is given—I do not know whether it is Oxford or "Lim Chong Eu" definition; "Unauthorized occupant". I think it is Oxford—he did not say—but I am not very sure about it. The Chief Minister is very difficult to follow. If it is Oxford then let it be Oxford. But the point is this—and in his own words, Sir; that is the beauty of the argument of the Honourable Members of the Government: the very words they utter contradict the very own point that they try to make. He says "unauthorized occupant"; that is a squatter. I challenge, Sir, the Chief Minister and the Members of the Government to say here now—and I'll sit down for clarification—that the people of Sungei Kluang are unauthorized occupants of the land. They are not unauthorized occupants for the simple reason that they have this licence, Sir. They are authorized occupants; authorized by this very licence itself. And the Chief Minister need not look up the Case Law. He says, "I know what I am talking about"; but he does not know. He said: "Unauthorized occupant". We on this part of the House are not trying to say that an occupant of land has acquired adverse possession, if that is what he wants to say. But the debate over the Water Enactment has shown that the Chief Minister does not know anything about legislation. And to further consolidate my point that these people are authorized occupants of this land, aside from showing how this very receipt or licence itself, I would go further to show you that they have right of possession. And possession not in the narrow sense. Possession in a very wide legal terminology. And I will read it. And I kept this, knowing the Chief Minister kept this point aside because I knew he would run in where angels fear to tread. (*Ketawa*).

**Ahli Kawasan Tanjong Barat (Enche' Teh Ewe Lim):** That is what you always do.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** And I kept this point because I knew the Chief Minister would try. He in his inimitable style, as he always says. And what does this Clause say? "Failure to pay the licence fee punctually, or any breach of any of the conditions of this licence shall render this licence liable to immediate cancellation without compensation." Now I would challenge the Chief Minister, if he is ignorant of the law, to ask his Legal Adviser who is busily occupied at the present moment (*Ketawa*) to interpret this Clause if he doubts my interpretation. My interpretation of this Clause is that only on failure to pay the licence fee punctually or on breach of any of the conditions will the licence be liable to immediate cancellation. These are the only grounds. And so when he has paid the licence fee and has abided by the rules of this licence, the owners cannot evict him without compensation. In other words, eviction on any other grounds except those in Clause 6 must be by way of compensation. And I think the Honourable the Legal Adviser will not, even in his, shall we say loyal and duty-bound attempt to help the Chief Minister, stake his legal reputation of any other than this interpretation. And if the Chief Minister wishes to have clarification. I give it to him now. (*Ketawa*).

**Ketua Menteri:** Mr Speaker, Sir, I give the Honourable Member the clarification he seeks. But the most important point, as I said, was that the term of the licence expires on 31st December of the year. And that, I think, is an important thing because the issue of the licence can be terminated if any of the rules are contravened.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Only "if".

**Ketua Menteri:** But the licence is only for that period up to 31st of December. That is the most important point.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Is that all the clarification you want to make?

**Ketua Menteri:** But that's enough.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Sir, that is precisely what I was waiting for, (*Ketawa*) because the Chief Minister would like to twist and turn I would like to read Clause I also to the Chief Minister: This licence entitles the licensee, subject to payment on or before the 31st March of the current year of the licensing, and subject to the conditions endorsed hereon, to come on to the land to be pointed out to him on the day hereof until the 31st December next after the date hereof. That is the point, Sir. And I would like to acquaint the Chief Minister with a further fact of law if he would direct his attention this way instead of trying to gain—rather belated in the day—some knowledge about the law of licensee. And that point, Sir, is that any licensee of a land, once he has been invited to the land by any landowner to construct a building, the landowner, if and when having failed to stipulate that he reserves the absolute right to evict him, must compensate him for the house and all the expenditure in building. Do not shake your head. You don't have a licence to shake your head. (*Ketawa*) Sir, to compensate if and when the landowner requires the land back, Sir, is equity. And I can cite umpteen cases in England and in Malaysia to the Honourable the Chief Minister. That, Sir, is equity. It is not in the National Land Code, but it is equity. And if you know what is equity then you will keep quiet. And if you do not know you will stand up and object. That is the point. I appreciate, Sir, one cannot be absolutely learned in the law. And that is where the Honourable Members of the Government show themselves to be incapable of maturity and understanding, because I do not for a moment say that the layman knows nothing. What I say is that if one does not know do not stake a claim on a point. You have a Legal Adviser. Take his advice for heaven's sake. We do not have Legal Advisers

for Christmas decorations in June. It shall be July very soon. That is the point we are trying to make.

**Ketua Menteri:** Mr Speaker, on a point of clarification.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Fair enough.

**Ketua Menteri:** This is a very important point because the Honourable Member has obviously read out one statement I made, and carefully tried to forget another statement I made, namely that in so far as the land is concerned, and so far as the relationship of Sungei Glugor and the licensees are concerned . . . . . (*gangguan*)

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Sungei Kluang. I think it is Sungei Kluang, and not Sungei Glugor.

**Ketua Menteri:** Well, Glugor Estate; and the squatters in Sungei Kluang who were related to the Glugor Estate. The award made by the Collector was made on 18th of February, 1966. And on that compensation through the owner the equity and the equitable interests that the licensee was supposed to have was already taken into consideration.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Tuan Speaker, I yield to a clarification provided the people do not abuse that privilege I give them by distorting facts. I say here, Sir, that whatever dealings you may have had with the owner of the land—and I presume the Chief Minister is not attempting to claim that he did compensate the so-called squatters as well in that acquisition proceeding—do not discharge your duties to the tenants of land. So let us not draw red herrings, and come and use my kindheartedness in allowing clarification to distort. Instead of clarification you are trying to blur the issues. Therefore, Sir, these people have a right, by virtue of this licence, to be on this land. And that is what the Constitution says—article 13: "Right of Property." Now the Constitution does not say, "No person shall be deprived of land." I said that in accordance with the law

there is difference. Does the Chief Minister know his Constitution? It says "Right of Property." And what is 'Property Right'? I want the Chief Minister to know. Property Right ranges from the right to a motor-car to the right to enter a piece of land. And easement is a Property Right. Does the Chief Minister know that? The right of way is a Property Right. Does he know that? He only interpreted the right of property as right to a piece of land. It's not right to the land, Sir. And it is rather late in the day to learn the law of property as of now.

Sir, that is why I say Members of the Government should—having had due notice of our Censure Motion—do some research. Do get some briefings from the Legal Adviser, and come here and debate intelligibly; and we will be quite happy to exchange points. But not to come here and use words like 'abuse', 'discredit', 'political stunt', and so on, *ad nauseam*. And this is the kind of thing in which we think the Chief Minister, if it is a matter of ignorance, must correct the ignorance. If it is a matter of attitude, he must change the attitude. You are, Sir, administrating the affairs of this State; and you are creating in the minds of the public a gulf of credibility as to your sincerity, and as to your intention. If you do not understand the law then acquaint yourself with the law. I know that as a result of the break-up of the Gerakan you lost three lawyers. And I do sympathize with you. But then that does not give you the right to insist that what is patently wrong is right. Two 'wrongs' do not make one 'right', Sir.

**Ketua Menteri:** Take the case to Court and see whether you win or not.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** And that is the attitude. The Chief Minister said, "Go to Court and see whether you win or not." Sir, I am not fighting the State Government, I fight the State Government here. I don't have to spend one cent in Court. But the poor people of Sungei Kluang cannot afford, Sir, to go and fight the Chief Minister in Court. They

cannot. And they must not, Sir, because that is not good Government. You don't need to tell the people of Sungei Kluang that they can go to Court. You need not tell them that. The purpose of this debate is not to fight the Government, but to raise their level of intelligence. Shall we say, to raise their level of consciousness about the issue that face this country. The fact that the Chief Minister is so engrossed in consultation with the Legal Adviser obviously proves our point that he has not gone into this issue thoroughly. And to get this last-minute briefing is all the more rather regrettable.

Sir, I have not used the word 'persecution' of the hog breeders; but that has been used by the Member for Sungei Bakap. And if you cause unnecessary hardship then I think this is persecution of the worst form. Those are the words I use, because Members have taken the liberty to say it is persecution. And I would stress that if you consciously or unconsciously cause hardship to people, indifferent to your own responsibility, then I say that you are persecuting the people. This question of *ex-gratia* payment is not the only one. And therefore I say that Members of the Government treat this whole issue as a joke. Although the Chief Minister says that it is an important Motion, the rest of the Members do not seem to appreciate what the Chief Minister is trying to do. I agree with the Chief Minister that it is an important issue; and it is raised in a constitutional manner according to Parliamentary procedure; and there is no malice. And the Chief Minister tries to draw in malice, and tries to say that we are trying to undermine the State, and subvert the Nation, and all that 'hog'. I know the Member for Tanjong Barat talked hog, but I didn't know that the Chief Minister had got on with the disease.

Sir, it is very obvious that the Members of the Government have taken all this as a joke. There was no proper study into this, although the Chief Minister tell us today, "I have made a study into this problem." When I asked him a question at question time,

as to the exact statistics for Sungei Kluang, the number of pigs, and the production annually, he doesn't know. He is trying to chase the people of Sungei Kluang out, and he doesn't know the statistics. How many pigs are there? What is the production annually? He doesn't know. He says generally that pigs are being reared in the country, and he can't give me figures. That is the kind of study he does in this matter. You are moving these people out. At least know what the position is in that area. And take the issue of Paya Terubong where he wants to move all these people to. The people of Sepuloh Kongsu have been squatting there for nearly a year. And there is your central pig-rearing scheme? You say you are looking into the matter. And the people are supposed to sit there and wait for you in this promised land? And you say that I distort, and quote a woman who says that she owns a farm. Sir, I wish the Chief Minister would understand when he quotes me, and that is the reason: The Chief Minister half the time doesn't listen to anybody. He tries to do two things at a time, and always late. And as they say, for instance, . . . . . (*gangguan*).

**Penasihat Undang<sup>2</sup>:** Can I get a clarification, please?

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** I think, Sir, afterwards I may give you some time.

Sir, the point is this—and it has been said colloquially: Let us not look for the jamban when you want to do it. And that is the attitude of the Government. The Chief Minister wants to quote me: and he quotes me without comprehension. That is what infuriates me. I don't mind if the Chief Minister wants to quote me; and quote me in the right context, and with comprehension, which he cannot. He says, "Whereas the Member for Kelawei says, 'There is a woman he spoke to, 'and says she owns a large farm . . .'" He says that I have spoken to a woman who owns a large farm now, Sir. I have done nothing more wrong than to quote the Press. And I think the

Members of the Press have done a wonderful job with regard to Sungei Kluang. And that is the duty of the Press—to expose whatever injustices of the Government—because the Press is one of the pillars of democracy; and they will retain the right, and continue with that privilege of theirs. And what was the offending question of mine? He can lend one ear to me. She used to own a pig farm for vegetables and livestock. That is all I said. And this is in connection with the people of Sepuloh Kongsu. Now, Sir, have you any quarrel with this statement of mine? She used to own a pig farm for vegetables and livestock. There is nothing wrong with that statement, Sir. I said 'She used to own a farm.' A farm means she keeps pig, chickens, ducks; and she grows other things. That is a farm. I did not say she owns the land. That is where you are mistaken. I never say she owns the land. I said she owns a farm. That is English. She may be MacDonald with a farm. And the MacDonald nursery rhyme did not say 'She owns the land'—"owns a farm"—although he has all the facts over there.

Sir, the Chief Minister quotes us out of context, and fails to appreciate what we are trying to tell him. And the Chief Minister said, "We have given the people such a long time." And then he contradicted himself and said, "Well, we changed our minds half way through. We don't want to site the University there." Then, "We want to site a military camp there." That is precisely it. And this, Sir, is why the Sungei Kluang problem poses such a big issue—because this is a problem of Penang. This is the problem of the Gerakan Government; the problem of the Alliance Government; the problem of the Coalition Government. What is the central issue of problem? It is relevant because, Sir, Penang's economic position is what it is today, not for lack of trying on the part of the people. It is what it is today because those that are in power cannot make up their minds. The Federal Government cannot make up its mind with regard to the free port status; and therefore they

leave the people in a difficult position—whether to expand their business, or to wait for the final decision on free port status. That is the problem. The people don't know what the Federal Government intends to do with the free port status. Slow erosion. I say we must make a decision. Similarly in Sungei Kluang you must make a decision. And you have failed to make the decision. And you have admitted since 1964. And he says, "I don't know whether the Member for Kelawei was in politics in 1964." Well, whether I was in politics or not is not very relevant. But I assure the Chief Minister that although I was not in active politics I was actively concerned with politics. But the point we are trying to submit here is that they attempted it on their own way back in 1964. They have failed to set out a policy before, Sir, till today, nearly 8 years, to correlate the issue; to shape a policy. And it is because of this new policy that they have aggravated the problem of Sungei Kluang. And now they have precipitated sudden action against the people. And in fact the Chief Minister cannot deny, Sir, that his Land Office issued quit notices to the people to remove within 45 days. That is what they did. They cannot deny all this nonsense. And the worst part: they issue a notice and withdraw it, and contradict it, and so on, and so forth.

I give another example of the type of things they do, and they don't appreciate it. We are trying to raise this matter to the Government so that they will not perpetrate this kind of things any more. Look, here is a notice to the people of Sungei Kluang; To one person, the Government gave this particular person a piece of land as compensation. They send a notice subsequently, signed by the District Officer who never saw me or never heard of me. What does it say? "Saya ada-lah di-arrah untuk menarek balek lot yang tersebut di-atas." And what does it show above? "Tuan telah pun di-beri sa-keping tanah lot—di-Sungei Kluang melalui surat Pejabat so and so." You have given somebody a piece

of land; and you take it back again. Now, how much confidence does that give that person when a thing like that happens?

That is why we say, to the extent that we have already stated our stand, that we don't oppose industrialisation. And the Member for Sungei Pinang, for lack of political capital, turns round and says, "Oh, the D.A.P. obstructs everything that is done in this State—every effort at industrialisation." We don't obstruct; but we object to your methods; we object to your implementation; and we object to your lack of respect for the law. We don't propose to quote the Rukunegara because obviously the Chief Minister doesn't believe in it. It is very clear. The Member for Tanjong Barat cannot even take it he has disappeared. He goes on and says that we made irresponsible allegations against foreign Governments. Sir, in respect of foreign Governments and foreign Companies what did we say? We say that if we are going to get the type of investors like Ross International from America we can tell the Yankees to go home. That is all I said; and I repeat it. If that is the type of investment they are giving the Yankees can go home, because we have lost \$800,000 over this project; and therefore we must be careful with these Yankees. They are supposed to give us aid; not to give with one hand and take with the other. And if that is the kind of foreign investment they can go home. But don't try and come and distort what we say—"Oh they try to drive foreign investors away." No. Foreign investors should come and give us the capital investment and the know-how. We will take. I have said earlier in my opening on this debate that there are a lot of foreign capitalists who apparently came to give know-how, and then take over-drafts with local guarantee by their own foreign bank. And then they used local funds, and then exploit the country, and then exploit our labour—pay them \$50. That I take objection to. That is what I mean. And then Honourable Members of the Government,

for lack of political argument, twist and turn. There, you have the Member for Tanjong Barat who is not here, who truly demonstrates his lack of responsibility. We, on this side of the House say it is our tradition and our discipline to sit and listen to whatever has been said; but not Members of the Government. It is not a particularly pleasant duty to sit and take whatever is given to us. But let us adopt some ethics of conduct. Let us listen to what people have to say in reply. At least that credit I give the Ketua Menteri.

And there is the irresponsible allegation from the Member of Tanjong Barat. Irresponsible and also, Sir, lacking in courage. And I can give an illustration. And the Chief Minister wants to make a big issue out of it. Be my guest. If you adopt this attitude . . . . (*gangguan*).

**Tuan Speaker:** Ahli Yang Berhormat, tak payah di-ulang<sup>2</sup>. Tidak payah di-ulang<sup>2</sup> sepuluh kali dua patah point oleh Yang Amat Berhormat Ketua Menteri. Tak usah panjang. Tak payah-lah buang masa.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Tuan Speaker, I have the right to reply to whatever points have been raised. You have ruled me out.

**Tuan Speaker:** Bila saya chakap, saya minta Ahli Yang Berhormat sila dudok. Saya dengar juga Ahli Yang Berhormat pusing<sup>2</sup>, ulang<sup>2</sup> apa Yang Amat Berhormat Ketua Menteri kata, apa yang Ahli Kawasan Tanjong Barat kata itu sahaja, jangan pusing<sup>2</sup>. Kalau Ahli Yang Berhormat tidak point lagi hendak chakap, Ahli Yang Berhormat sila dudok.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Saya ada banyak point. Tak usah takut.

Tuan Speaker, that is a form of irresponsibility. I merely said that if you adopt this attitude, if what we say is correct, then you might as well wonder how to burn their houses down, because you are giving them no chance. That is what my illustration was. I give illustrations within the

Law and within the House. I don't use words like "hog" and the rest of it, like by Honourable Member. But the point is this: when I use that word they try and twist it.

Oh, burning—Singapore burns squatters huts. I say that is a highly irresponsible statement. Go and make an allegation there; but don't come to this House and try and make cheap political points, and do things like that. It is an abuse of your position; and irresponsible for an Executive Council member to make such a statement. And aren't we ashamed that this Statement comes from none other than an Executive Council member representing the Ketua Menteri? If you make allegations that a foreign country burns its squatter huts, wonderful. I really wonder—making unfounded allegations; and serious ones at that. Sir, that is seditious, for your information.

Sir, the Members of the Government obviously are unable to reply. And it is clearly shown that they have obviously failed to provide employment. And therefore we have said, "What we cannot do, don't destroy." And I have already indicated that a livelihood and one that creates a job-multiplier doesn't mean that it must be personified by a factory. And this matter of joint venture we have heard about, I think has already been replied to by the Member from Ayer Itam. It is very clear. This joint venture is a red herring used by the Government to bluff the people. Similarly this central hog-rearing scheme is also a red herring. And it is just the kind of red herrings which is a favourite escape of the Government. They pull a red herring. And on a point raised by the Chief Minister—he has raised a lot of points—that this is a Motion of no confidence. Well, take it as you like it. If you wish to think this is a Motion of no confidence against you, do so.

We know what happened the last time we moved a Motion of no confidence. You really have no confidence in yourself. And when you embraced

the U.M.N.O. that is what you proved. And you said it yourself. That is why you are keeping still. You can't run. What the people want is a better and more effective Government. Sir, we should not try and distort things, and justify with adjectives—triviata. You know, this is one of his new words. But I hope he doesn't use it at the next Session if I am here, and I am not suspended by the time he has finished with me. And he says "ignorance and sensitivities". Is the Honourable the Chief Minister so sensitive as all that? But there is a difference, Sir, in being sensitive and being sensible. We ask the Government to be sensible. We are aware of your sensitivity. But at least be sensible. On the application of what to do with the issue of Sungei Kluang we ask you to be sensible; not merely sensitive. You are very sensitive, we know. You said so on the matter so many times.

And I do not want to reply on behalf of the Member for Bagan Ajam because he calls the Member for Bagan Ajam a Little Sir Echo. I think that all this kind of remarks should be done away with. We thought we had left that behind at the last Session. And the Chief Minister takes a pot-shot at a man who is basically defenceless, and who can only kick up in blind rage under severe provocation. And we have seen this provocation in this Assembly. And to take this pot-shot belittles the office of the Chief Minister. It is so obvious in this House that the Member for Bagan Ajam did not support us on the Enactments and the amendment. He did not support us. The Chief Minister himself said it—"Does the D.A.P. support in principle the Member for Bagan Ajam opposing it?" And then he says, "Little Sir Echo". The Chief Minister is used to having echos, so he thinks everything is an echo. We do not need to have echos Sir. We speak by our right and on our behalf. We do not need puppets to speak on our behalf, pulling strings and saying things that we are afraid to say in this House. We say what we think, and we say what we dare to say, without using puppets. We don't. That is not one of our characteristics.

Sir, the Chief Minister was right when he said this issue is a question of land. He is right. It is not an issue of malice. And the Member for Tanjong Barat tries to say this issue involves land. That is what we said. When I introduced this debate I said this is not merely an issue of Sungei Kluang. And the Member for Glugor in his moments of clarity—perhaps I do not know the proximity of the moon at the moment—did say this issue transcends political consideration. And I say those words are very good words. Those words he should be proud of. And let's be proud of what we say in this House also. It is not like a Court of law, to be impeached. You will impeach yourself here only. Nobody will impeach you. And the Chief Minister has said this is a matter concerning land; and is a big issue in Penang because Penang is short of land. Quite rightly. And let us look into this on that basis without animosity, without banging of tables, without threats. But what has the Chief Minister said? At one point he said the D.A.P. doesn't understand. He says, "At what point must Government be sentimental?", and so on, and so forth, "We must enforce the law at what point?" Sir I will tell you. At what point I wouldn't know. I would concede you are the Government. You ought to know at what point. I personally do not know. I leave the discretion to you—to the Chief Minister—at what point? But I say, Sir: Not at the point of a gun. And you have come to that stage.

The Member for Tanjong Barat says, quite proudly, "I went, you know, I went with the C.P.O. to Kuala Sungei Pinang". I am tempted to say, "Was the C.P.O. there to look at Kuala Sungei Pinang or to look after you?" And they go on Sir—"political elements involved in the issue; political elements in writing a letter telling the Chief Minister we would not like to take this as a political issue. I did not even receive a reply. The Chief Minister has kept quiet. It is true he did not even give me a reply. I wrote to him a lengthy letter of two pages. He just ignored it. It was addressed to the Chief Minister's waste paper basket, I think. That is the attitude. At least show

some consideration. Give a reply. He refused to give a reply. And now he says the D.A.P. has taken it as a political issue. Well, you started it, if at all. You deserve it. We have approached you on a private basis. You have decided to ignore our letter. Well, this matter has been raised openly. But if you want to talk about politics and politicians going in, what about your Publicity Chief attending a meeting with your Member for Tanjong Tengah?

**Tuan Speaker:** Ahli Yang Berhormat, saya tidak benarkan mengeluarkan point baru.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Semua point dalam sini, Tuan Speaker, Dia chakap D.A.P. buat political modal, sekarang saya mesti bantah apa yang timbul.

And the M.C.A. was there, for that matter. So what are you talking about? It is our right, Sir, and privilege to go there. It is our right and privilege and duty to raise this point if you will not raise it yourself; if your back-benchers are so quiet and intense, and bent on being just mere echos. We are not echos. And he reads to us all this triviata about 4th July "where we acquired", and all that. I am satisfied that he doesn't understand Common Law. He doesn't understand the law of equity in relation to this issue, and he says "triviata". That is the only way they can deal with an argument. Let us deal with it on a more concrete basis. And he says, "people wearing two hats". I have already told him that perhaps he is wearing two stethoscopes. We are fortunate to have some knowledge of the law; and we will apply it to the best of our interests and the best interests of the people. But certainly, Sir, we do not attempt to give a wrong diagnosis. That is one thing. We do not know the privilege of having our own patients. And that is not the basis of trying to go on a personal level. And we are trying as best as we can with our knowledge of the law. If we raise a matter which is wrong the Chief Minister will say, "Well, you know the law, yet look at

them". And when we try to apply the law he says we are trying to wear two hats. We may try to wear two hats. We certainly do not try to sit on two boats. And, Sir, we agree that no Government can afford to be too soft. If it is in the interests of the State, as the Chief Minister said, then we must enforce the law. I agree with that. And let us enforce the law where it applies, like the failure of your administrative staff, and the failure of your Members to account for large sums of money spent. Then you enforce the law. Find out why that \$100,000 has disappeared without proper accounting, under the Auditor-General's Report. Then I will respect your statement. Yes, I agree with you. I think, Sir, we cannot afford to be soft-headed, but we can afford to be soft-hearted. There lies the distinction. The Members of the Government do not understand. They are hard-headed and hard-hearted.

The Chief Minister has himself conceded that hog-rearing is not a small issue on this Island. He himself conceded that this place, Sungei Kluang, has got one of the largest hog-breeding farms; and Penang has got half a million; and this place is one of the largest on the Island. He has conceded this point. And there you are. By your own words you condemn yourself. You are literally destroying the livelihood of these hog-breeders; and you are going to deprive Penang of cheap hog meat, let us say. I don't like to use some words here. We understand your sensitivities. You may be sensitive to it now yourself. And the Chief Minister goes on to say that these displaced persons—And that is why I say this is lack of good faith, you keep on referring to these persons as displaced persons—they are not displaced person, Sir. They have been displaced by you. They were not displaced before you came on to this land. You have displaced them. And he says that these displaced persons were foolhardy to build permanent buildings. You mean to say that they should have waited from 1964, and continued with their temporary buildings for eight years, so that they don't have

a livelihood; they have no future; don't have children; don't have daughters and sons to send to school? Are they not entitled to as much as you or your family are entitled to? Honourable Members, are they not entitled too? Must they always look over their backs to see where you are coming in with your bulldozer? Can't they plan ahead? Is that the attitude you adopt? It is not foolhardy on their part. Yes, it is ambitious on their part. But they thought, Sir, they have a kind Government. They thought they have the assurances of Tan Sri Wong Pow Nee. They thought they have the assurances of, maybe later, Tan Sri Ketua Menteri, Dr Lim Chong Eu. Yes they thought they have your assurances. You have not denied that you have given assurances to them. The petition they sent to you, you have not denied. You have given assurances to them; and you have turned on your assurances, and you call them foolhardy today. Are you so kind as to use the word "foolhardy" today? They may be ignorant, but they are certainly, Sir, not foolhardy. This House certainly feels that the Government can be more sympathetic, and can afford to be more sympathetic. In the words of the Chief Minister, sympathetic to the extent that you must realise the amount of damage and loss you are inflicting on these people.

And the example of Sepuloh Kongsu is a superb example of incompetent Government action. The Chief Minister says 'We are not doing this to win their hearts.' Well, then I say *bravo* to you if you are not doing this to win their hearts. But, I think, Sir, it is better to win the hearts and minds of people than to chain them to you. That will be better. The British Empire, as it was, abolished slavery a long time ago. Let us not start a system of slavery of our own in this State, and in this Dewan itself. And he goes on to allege that we are malicious, intent on disturbing the peace, trying to subvert the Government. Well, Sir, you have the remedies in your hands. I would put it this way. We are in your hands. You have now got the Coalition Government. That gives you greater strength. Well, if you so choose, in

your long deliberations with the partners of the Coalition you can always drop a good word or two to the Minister of Home Affairs to act under the Internal Security Act. You can do so. We are at your mercy. Do so. But we do not tremble for a moment. We know that we have to sacrifice for the principles that we stand for. And if need be we will sacrifice for those principles, unlike those who do not have any principles at all to sacrifice.

The Chief Minister has himself conceded that there are 1,356 farms on this Island, and with 1,974 workers. On the Province Wellesley side there are 1,642 farms. He doesn't give statistics along those lines. But the point obviously raised is that there are a lot of people involved in this occupation. And yet you deal with their affairs with such a contemptuous attitude. That is what you are doing, gentlemen of the Government. And you contradict yourself. You tried and deceive these people, and go by process of attrition to get rid of them one by one. That is persecution. You hope that by such time they will not be able to oppose you because you have dwindled down their numbers. Divide and rule. Simple. You talk of us dividing and ruling you. No. We don't intend to do that. We like to heighten your conscience. And then he goes on and says, 'The Member for Kelawei went very close to the Sedition Act'. Again here, Sir, is another threat. That is what the Members of the Government are capable of. The people of Penang did not vote you in on a mandate that you shall threaten the Opposition. We voted you so that we shall have a bridge. That bridge did not come about. We voted you so that you shall not increase the quit rent; but you increased the quit rent. So you are capable of doing only what you had not promised, but incapable of doing what you have promised. You did not promise to threaten the Opposition. Well, you choose to do so. I take my hat off to you—both my hats. But the point is that a school is involved. I have said it. I did not even mention the name of the school. If you chose to mention the name of the school that is your privilege, Sir.

**Tuan Speaker:** Ahli Yang Berhormat jangan-lah sebut atas sekolah itu.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Sebut sedikit sahaja. Sekarang saya hendak chakap nama sekolah itu. Ini point dahulu Ahli Tanjong Barat chakap. Sekarang Ketua Menteri chakap-nya.

Sir, I did not wish to name the school. Why? For obvious reasons which the Chief Minister should know. That is the reason why he is trying to threaten me today—because he can. It can be twisted by a person of his experience to be a sensitive issue, which I did not wish to make it. I said I did not. The people of Penang did not think they would live to see such a day. And I did not even wish to mention the name of the school. And the Chief Minister chose to try and exploit the issue—play politics. Be my guest, I say again. Be my guest. See the Minister of Home Affairs again. We await whatever action you may take. We do not run. We do not creep.

And he goes on to talk about pork eaters. I never said anything about pork eaters. And then he says I said 'Oh, all those who have pig rearing in their constituencies make a stand'. Yes, I said that. Make a stand because this involves your constituencies. And also do not forget poultry. Although hog is the main issue, because our Member for Tanjong Barat talks hog, poultry also is an issue. There are Malay farmers who also breed poultry. But the Chief Minister likes to twist. Of course, today we do the A-go-go. We do not do the Twist anymore. But he lives in that era, so he has to go on twisting. But the point is this: I said that those of you who have constituencies where your people or constituents rear pigs, poultry, and so on, and so forth, and will be affected by resettlement must take a stand. That is what I meant. But the Chief Minister chose to twist my words like Chubby Checker. And then he thinks he has made a political point—'Oh, I may think of reporting you'. Don't think, Sir. Don't ever think. You don't often do that. It is very tiring. Just do it!

Just report! You know your Order 51 very well. You have been hinting all this Session that you want to suspend me. Go ahead! That is the only remedy you have actually, you know. But you will pay your political price! We are not easily silenced by this kind of method. And he goes back and lapses into it. And that is why I said the Chief Minister always likes to raise this issue. He talks about Malay/Chinese. I never said anything about Malays/Chinese. I said everybody is affected. He tries to bring it in. He is a master of this art. He knows that. And he knows that the Sedition Act was made for people like him. Actually he knows. But then he says I used the privilege of the House, and cites a political stunt, and goes back and reiterates his argument and fishes in troubled waters.

The Chief Minister started very nicely with a good argument to reply to us. That is what we like. And then he goes and spoils things too, Sir. He goes and spoils it by raising irrelevant issues—'triviata', to use his own words, and other irrelevant things to justify what is basically unjustifiable. And then he pulls up another card in his hands, he thinks, and gets a Member to stand up and go through the whole series of criticism based on criticism alone, and nothing else. Hypocrite. His Member says the problem has been settled now. That is why I said that Government Members do not know what they are talking about. Suddenly they say, "We are looking into it. We are studying the mechanics". Here is the Chief Minister who is doing the survey into the problem; but there is the Member for Tanjong Tengah—I think he must be 'Tengah Masak'—that is the expression. The Member for Tanjong Tengah says the problem has been settled. Come, Come. Has he been following the debate? I am afraid, Sir, he hasn't. Somebody has written a nice little speech for him, and he stands up; and none of us has objected under 46 (v) about reading. And then he says, 'Oh, we have settled the problem'. Sir, you have not settled the problem. Face it. Although the Chief

Minister emptily boasted in one of his briefings to his own Members 'We will settle this issue before the D.A.P. raise this censure Motion', you have not settled it but make things better. You have made things worse. Now we do not even know whether it is Batu Maung. We do not know, Sir. Is it Batu Maung? I will ask the question. The answer is not coming; and the process of attrition will go on. He goes on and says the squatters were given Batu Maung. That is the whole trouble. The Chief Minister says that it is Kuala Sungei Pinang; but the Member for Tanjong Barat says the people are given; they have to take it; no alternative. And we had a high-level delegation. And now and then the Member for Tanjong Tengah talks about Batu Maung again. And I do not know about the Member for Bayan Lepas. He says he knows everything about it. He doesn't say much really. He tried to be a big hero this morning and brought up the latest paper; but this is irrelevant.

And then there is another Member—who is also not here—who talked about "mischievously instigating the people". What are all these? Try and reply to us. But, as I have already said, when the Chief Minister, the big crow, has gone over it there is nothing much for the sparrows to peck. The big crow has gone over it; there is not much for the little sparrows.

And finally we come to the greatest of the greatest. I would only say he must be a clown who talked about fighting to the last drop of blood for the Chief Minister. 'I will stick by the Chief Minister to the last drop of blood.' That was all he could say. He wasn't interested in the debate. He was only interested in saying—of course, all eyes are on me now—"I will fight to the last drop of blood for the Chief Minister. I will stand by the Chief Minister to the last drop of blood." Good! So long as you do not stand to the last dollar and cent by the Chief Minister, I say 'good'. Stand by to the last drop of blood. That we admire. Do not stand by to the last dollar and cent. That we do not admire.

And, Sir, they challenge us about statutory declarations; and they claim that they are clients of mine whom I never charged a cent. As I said, a lawyer does not do any work unless he charges for it.

*Dewan di-tanggohkan pada jam 6.32 petang.*

*Dewan bersidang sa-mula pada jam 6.37 petang.*

**Tuan Speaker:** Ahli Yang Berhormat ada panjang lagi-kah?

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Ta'ada. Ta' berapa panjang. Sadikit<sup>2</sup> sahaja. Jikalau ta'ada kekachauan tentu boleh tutup.

**Tuan Speaker:** Boleh-kah saya bagi 10 minit?

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** 10 minit saya sangat chukup. Kalau ta'ada kekachauan.

**Tuan Speaker:** Saya bagi 10 minit.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Ya, baik, baik.

So, Sir, we come to this stage of the debate. As I said, I would like also to deal with some matters that were raised—that is by the Member for Glugor. He said a very stupid and a very serious thing.

**Tuan Speaker:** Ahli Yang Berhormat, saya tidak benarkan gunakan word 'stupid.'

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Quite alright. It is not very intelligent. Saya tarek balek 'stupid', baik.

That is an unintelligent manner of presenting things, because there are some things we cannot hide from. If one has made a statutory declaration that is it; don't blame others. We know the circumstances upon which the statutory declaration was made. The Member for Bagan Ajam was there; and the Member for Glugor pressed the Member for Bagan Ajam to help him make a statutory declaration, which is similar to the one made by the Member for Bagan Ajam. It is as

simple as that. And the Member for Glugor, on top of that, himself took the statutory declaration to the Stamp Office and stamped it himself. That is on his own acts. Don't look at it with incredibility. And you were never a client of mine. I would say I repudiate clients like that. I do not have clients who do not pay my fees. So that is as simple as that. And as to his challenge to me to read the statutory declaration, do I have your permission, Sir, to read? Do I have your permission?

**Tuan Speaker:** Saya ta' benarkan.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Ta' benarkan.

There you are; ta' benarkan. But if the Speaker would benarkan I will read it. And if a Commission of Inquiry is held into the serious allegation by the Member for Bagan Ajam I will read it. That is as simple as that. If one has done something don't blame it on others. We did help in good faith. Don't allege all sorts of rubbish. You had your chance. Long after you had your own fears and trepidations you decided to approach the Member for Bagan Ajam whom you knew had made a statutory declaration. And you asked him to help you to make a similar declaration. And that is as simple as that. And I would like to put the record straight. But unless the Government is prepared to call for a Commission of Inquiry, and unless the Tuan Speaker allows me to read it, I will read it on those two occasions. None of these things have been forthcoming. And we are men, Sir. We are men. If you have done it don't hide it for whatever it is—"last drop of blood, or last drop of the coin". Let us not be beggars for ourselves, but for the people. We fight for the people; we stand for the people; and if need be we die for the people. And that is as simple as that. Let it not be said that since May 10th we have been elected; as a result of which there have been events in this country—a change of the course of history somewhat. And we have lost all perspective, and do not respect the mandate of the electorate.

The electorate elected us. We stood on the election platform to stand by them; not to run when the crisis is there. Not to run because we have a change of mind. If we run, let us resign our seats and run. But let us not pocket the monthly remuneration, and pretend that we are doing our work. And that's why, Sir, we bring such a serious Censure Motion . . . . . (*gangguan*).

**Tuan Speaker:** Ahli Yang Berhormat, jangan-lah panjang sangat.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Yes.

. . . . . to this House. Not for the love of it, as they think, and not for the hate of it as the Chief Minister thinks, but because it is a duty that we have to do. It is an unpleasant duty—a duty which opens us to threats of intimidation from the Chief Minister himself; threats that he would take action against me under the Sedition Act, and God knows what else. That is the sort of things level upon us today. Members who believe that there should be a greater peace of mind—less troublesome—will not be here sitting today. They would prefer to make their peace and walk out, and not suffer the insults they receive from the Government-benchers. Mr Speaker does not like the word 'stupidity'. But the inclination is such; the tendency is such, by their lack of intelligent behaviour that we see in this House. But we have a duty, Sir, to the people and to this House to raise whatever issues confront this State. And we are prepared to sit here, notwithstanding the others who have decided to depart. But that is the crux of our duty, unpleasant as it may be. For a peace of mind we would like to merely say to the Chief Minister, "Hullo, well met. How are you?"; and that's it. But that is not our duty, Sir. We would be negating our responsibility to the electorate.

**Tuan Speaker:** Ahli Yang Berhormat bersetuju saya bagi 10 minit, ada lagi 4 minit.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Saya ingat bukan adjournment speech, Tuan Speaker.

**Tuan Speaker:** Lagi 4 minit saya beri.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Saya ingat bukan adjournment speech. Saya chakap keadilan-nya—understanding—kalau mahu guna Peratoran itu pun boleh.

So we are very sad, Sir, on this side of the House that the Chief Minister, in spite of his acknowledgment that this is an important debate, has failed to deal with the real issues that we have raised; and rather has decided to deal with the *triviata*—his own word—and to distort the issues.

Members of the Government have a responsibility to this State to really deal with matters that concern the people. I would like to impress on the Members that if they fail to do good for the people please do not do bad. The very worst one can say about Wong Pow Nee is that he was incompetent in his lack of action. The present Government is incompetent in all its actions. And that, Sir, is a more severe failing than anything else. And we on this side of the House do not feel guilty having to judge the Members of the Government. We do not intend to do so. But we intend to raise matters that are of concern to the State. Whether by way of Censure Motion or by way of no-confidence Motion, these matters have to be raised. If the Honourable Members of the Government do not relish this debate, or do not like this kind of confrontation—to use the word—do your jobs. Do not utter statements that are unintelligent and contrary to normal behaviour. Do not threaten the public. Do not threaten the villagers. Do not threaten the farmers. Pay them attention; not merely cash. Do not do it. Conduct yourself in a humane manner. Try and see the point of view of these poor people because they do not know better. Do not just push them aside and say they are ignorant people. The Chief Minister said—pity he was a bad author—"We are trying to do a job." We have extended our hand of co-operation, but you have rejected it. This is the only solution for the people in this State, let me warn Members of

the Government. And if need be, if issues arise as to your personal motive, we will raise these matters in this Assembly itself by way of an original Motion. We will not just partake in the Governor's speech or the Budget speech so that we can be heard. We will not do that. We will bring it out as a substantive issue. That is our right. But I would hope that Members, and particularly the Chief Minister who has got experience in this line of work, will appreciate that it is a duty we have to discharge; not out of bravado. What we dislike is the behaviour of Members of the Government who do not choose to stand up and speak, but make their noises behind chairs, and so on, and so forth. That is bad.

**Tuan Speaker:** Ahli Yang Berhormat chukup-lah 10 minit, saya sudah bagi kapada Ahli Yang Berhormat.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Saya mahu gulongkan apa yang di-chakap.

So, Mr Speaker, Sir, we have a responsibility to the people of this State to conduct our affairs above board. The dignity of this House must be retained, whatever may be said. This has nothing to do with whether I am friendly with the Member for Glugor or the Member for Bayan Lepas. This is to do with our duties. And so long as we do not cast aspersions and doubt the credibility of the motives of Members who stand up and speak here then we can carry on our work. This has been a long session. Nobody relishes a long session. There are Members of the Government who suffer no loss; but we who are here do suffer. We have to show some degree of sacrifice. But that is part and parcel of the duty we have. And we would do it better if Members of the Government were more responsible, and more responsive in their replies. Therefore, Sir, it is a matter of regret that the State Coalition Government has been incompetent in the handling of their replies in this debate; that they are incompetent in their handling of the people of Sungei Kluang in particular; that they have failed to present a coherent central hog-breeding scheme,

which they have claimed all along in the last session, and which is not a scheme at all. And even now I would say the scheme does not exist, by their own admission; nor any scheme which does not jeopardize the livelihood of the farmers. And I say that this act and this neglect on the part of the Government require the censure of this House. The strongest censure of this House has to be taken on an issue which the Chief Minister by his own admission conceived. That is an important fundamental point of development in this State. Therefore to those Members who have constructively engaged in this deliberation I give them thanks. For those who have destructively engaged in this deliberation, or who have been incapable of engaging in any form of constructive or objective deliberations, I say it is your loss; not ours. We have given Members of the Government an opportunity to rebut our points. And their failure to rebut these points, and their suicide tactics will not help the Government.

**Tuan Speaker:** Sudah chukup-lah. Ahli Yang Berhormat, sudah chukup dengan ini.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** And we hope that at a subsequent date Members of the Government will adopt a more sensible and more constructive attitude towards the deliberations of this House, whether it is a Motion on our part, or a Motion on their part.

**Penasihat Undang<sup>2</sup>:** Yang Berhormat Ahli dari Kelawei, boleh-kah saya sekarang memberi penerangan saperti mana Yang Berhormat minta saya berbuat demikian sa-masa berdebate just now.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Saya ingat kalau mahu beri keterangan pun boleh tetapi saya harap di-dalam memberi keterangan bukan mahu guna peluang untuk mendapat point, mata<sup>2</sup> politik untuk Kerajaan. Kalau sahaja untuk undang<sup>2</sup> saya terima tetapi tak usah sa-bagai kalau boleh chakap last minute, minit terakhir mahu rescuekan Kerajaan tetapi saya tidak mahu.

**Tuan Speaker:** Nampak-nya Ahli Yang Berhormat ini bijak berchakap. (*Ketawa*).

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Tuan Speaker, kita mesti . . . . . (*gangguan*).

**Tuan Speaker:** Benarkan saya habis. Nampak-nya Ahli Yang Berhormat chukup bijak. Lain<sup>2</sup> kali patut saya minta semua Ahli<sup>2</sup> Yang Berhormat berchakap Bahasa Kebangsaan. Bila tidak dapat hendak express satu point, patut boleh minta. Tetapi nampak-nya Ahli Yang Berhormat chukup bijak.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Tuan Speaker, saya, sebagai semua orang, sedikit<sup>2</sup> sahaja.

**Tuan Speaker:** Yang Berhormat bacha sekolah mana?

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Sekolah rendah sahaja. Tetapi saya ingat saya sama lain<sup>2</sup> orang ada belajar Bahasa tetapi bukan saya boleh chakap saya tahu beberapa banyak pun saya tidak boleh chakap lain orang tahu. Tetapi bukan ikut satu prinsip saya tahu semua orang mesti ikut. Saya ingat ini tidak patut. Kita tahu sedikit sahaja. Itu mesti difaham sedikit sahaja.

**Tuan Speaker:** Terima kaseh.

**Penasihat Undang<sup>2</sup>:** Tuan Speaker, saya minta kebenaran berchakap dalam Bahasa Inggeris.

Well, Ahli Yang Berhormat dari Kelawei, I assure you I shall not be indulging on any political matter. I don't think I am competent to dwell on it.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** I accept your assurance.

**Penasihat Undang<sup>2</sup>:** Sir, earlier in your debate you have referred to the licence issued by Glugor Estate: and also the T.O.L. You are right, I must say, when you refer to clause 2 in that the landowner shall not revoke the licence without giving three months prior notice of her intention so to do, that is, condition 2 on the . . . . . (*gangguan*).

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Well, I would like to—dengan izin—clarify your attempt to clarify by putting it this way. I am afraid you may not be reading from the same condition, because you are referring to “2”; and then your condition 2 is not the same as my condition 2.

**Penasihat Undang<sup>2</sup>:** What is your condition 2, please?

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Condition 2 only refers to “The rights hereby given are personal to the licensee, and are not capable of assignment to any other person, and do not create a tenancy or passes the licensee any interest in the said land.” That clause, you would agree with me, refers only to adverse possession. There can be no adverse possession of the land; isn't it? I am saying that the rights are embraced in clause 6. I don't think you have a clause 6, or you have a similar clause 6.

**Penasihat Undang<sup>2</sup>:** Can you read to me for my understanding?

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Clause 6 says, “Failure to pay the licence fee punctually, or any breach of any of the conditions of this licence shall render the licence liable—“liable” only; that is the word—to immediate cancellation without compensation.” That is the qualification. In other words, what I had contended earlier was that if the licensee were to comply by punctually paying the licence fee every year—And that would be the only means, because you pay licence fees every year. It is not on monthly or biannual payment. Now, if you pay monthly every year, in other words, and if you comply and do not breach any of the conditions of this licence then the licence cannot be rendered immediately cancelled. And if, in other words, on any other pretext the owner wishes to get rid of you he must compensate. If under these two conditions you don't acquire a right to compensation. That was my point. And I don't think your receipt holds good.

**Penasihat Undang<sup>2</sup>:** Alright, I'll accept the conditions as you have referred to in your licence. Well, I am sure that is a licence for a period of one year.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Right.

**Penasihat Undang<sup>2</sup>:** Therefore at the end of one year the licence expires. There is no question of payment of compensation upon expiration of the licence. Well, you may be right, and I agree with you, that so far as the condition you refer to is concerned it only comes into operation during the life or the currency of the licence. So at the end of the one-year period the licence expires, and those conditions are not operative any more. The question of paying compensation does not arise upon the licence expiring. In any case that is the position. As you said, the licence is only a licence for a period of one year. It is not a yearly tenancy, because a licence is a licence. It is given to the person as a privilege of occupation, and not as having any interest in the land. Therefore the position is: that condition is only operative during the currency of the licence; not upon expiration of the licence. The landowner is not under a legal obligation to renew that licence upon termination of the period of one year. I hope you agree with me on that point.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Well, let me put it this way to you then. Would you agree with me that the owner is obligated, either in terms of the wording of clause 6 itself, or as implied by the conditions of this licence, to renew the licence unless the happening of either of these two categories of events takes place—No. 1. No. 2: That by the law of equity, the owner having given the licensee the right to enter upon this land—having given that right to enter—and having implied by virtue of that entry, and by virtue of allowing that person to build a house thereon, has also in equity implied that that person, so long as he complies with the payment of all licence fees annually, and does

not breach any of the conditions, the owner will also renew in equity. And this man against the owner—the private individual. I am not saying “the State Government” yet, against the private individual—can go to Court and enforce his right in equity. That is what I am saying. And further, as a result of this policy, if and when the owner wishes to get him out on any other basis, save and except the contravention of the licence fee or the conditions, the owner will also have to compensate him for the loss sustained by him having to tear down his building and whatever improvements he has made on the land. I am referring now to the law of equity. Now, would you agree with me in the light of the cases that are cited in the *Malayan Law Journals*? Would you agree with me?

**Penasihat Undang<sup>2</sup>:** Mr Speaker, Sir, on this question of law of equity or any point of law I think the intention of the parties prevail. In this case the intention of the party was to give him one year to occupy the land. During that one year, the landowner chooses to terminate, say, for reasons not contemplated by the conditions on the reverse side of the licence then, of course he has to pay compensation, but not upon termination of the licence at the end of one year. He need not have to pay any compensation.

Now, on the question of the second licence—that is the Temporary Occupation Licence—Mr Speaker, Sir, it has been made clear that any licence is only valid for a period of one year, or as Yang Amat Berhormat has referred to section 67 (2) of the National Land Code which “shall be issued for a term expiring not later than the end of the calendar year which it commenced.” And the form of the T.O.L. licence is found in Form 4A of the National Land Code and it provides conditions—1, 2, 3, 4, 5. In this respect I shall only be content to refer to Condition 5 of the licence which provides almost the same thing as the licence condition: “The licence may be cancelled immediately and without

payment of compensation upon breach of any provision by the subject." That, of course, does not arise.

Now, the second one: "Upon payment of compensation to be agreed or determined in accordance with the provisions of section 434 of the National Land Code at any time before the date of expiry" But the position here, Mr Speaker, Sir, is the position at the end or "upon termination of the T.O.L." Now, in law nobody has a right to be issued with T.O.L. I agree with the contention of my learned friend and the Honourable Member that if the Government chooses to cancel the licence before the expiration of the licence obviously the Government is duty-bound to pay compensation. The compensation will have to be assessed in accordance with section 434 of the National Land Code. But there is no question of payment of compensation upon the T.O.L. coming to an end, that is, on the 31st of December of the year in which it was issued. Now, as I said, the licensee is only given as a personal privilege of occupation; and he has no interest in the land. Therefore the question of payment of compensation and the question that the Government has to renew upon the expiration of the licence is not so on the law as it stands today.

**Ahli Kawasan Tasek Glugor (Enche' Mustapha bin Hussain):** Dato' Yang di-Pertua, boleh saya minta sedikit penjelasan daripada Yang Berhormat Penasihat Undang<sup>2</sup>. Bolehkah beri penjelasan tentang prinsip "High Trees" Case?

**Penasihat Undang<sup>2</sup>:** 'High Tree' apa?

**Ahli Kawasan Tasek Glugor (Enche' Mustapha bin Hussain):** Principles of High Trees Case.

**Penasihat Undang<sup>2</sup>:** Tuan Speaker, saya tidak fikir kita sa-patut-nya pergi kepada Principles of Law because ini ada-lah Dewan Undangan dan di sini bukan-lah kita hendak debate atau hendak argue prinsip<sup>2</sup> undang<sup>2</sup> yang mana telah di-tentukan oleh Mahkamah<sup>2</sup> yang tertentu.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Now, I just want to ask the Legal Adviser a few points.

I agree with you on the T.O.L. It gives a lot of leeway for the Government. It is unfair in many aspects but that is the unfortunate position. But you will agree with me that the Government and all Government have a legal and moral obligation to renew this T.O.L. unless there has been—don't shake your head, Member for Tanjong Barat, please (*ketawa*)—any breach of those conditions—No. 1. No. 2 is that surely you say the intention of the parties is a primary factor. I agree with you there. Now, would you seriously contend—I don't think you are contending, but is it your contention then—that the landlord and the licensee did not have in mind that if the licensee went upon the land and, having constructed and expended money upon it, there is no limitation about the amount of money he could have expended on it? He could have expended half a million building a factory or whatever it is. And having done so the landlord can say at the end of the year, "Sorry", I don't want to renew. Goodnight." And under the National Land Code everything that is on the land belongs to the land. Now, that is not the way equity would act. Surely equity would make sure that the landlord, having allowed the licensee to go upon the land, and having allowed him to expend all that money, seeing him expend all that money would require the landlord to tell the licensee, "Look, next year I am moving you out. You better not spend this money." Or having failed to tell him then the landlord is obligated in equity to compensate the licensee if and when he gets the licensee out. More so, I would say, when there is a proper written licence. But even if there is no proper written licence—I will go to this extent—if a landlord allows a licensee to go upon the land without charging him even one cent, and knowing that the licensee has gone on to the land and has constructed on the land, and has kept quiet about

it—knowing it; even in that case—in equity the landlord must compensate if and when he takes possession. And that is the law of the land. Happily I say that is the law of the land. Do you agree with me there?

(Penasihat Undang<sup>2</sup> menghanggokkan kepala-nya).

“Ya”; precisely.

**Penasihat Undang<sup>2</sup>:** Tuan Speaker, saya hendak menjawab yang first point. Ma’afkan saya.

The first point—the question of whether or not the Government is under legal or moral obligation to renew T.O.Ls. if the licensee were to comply with all the conditions of the T.O.L.: I shall not deal with the moral aspect of it because if I were to deal with it then the Honourable Member will say that I am indulging in political matters. As I have said I shall not do it from the start. I shall only deal on the question of legal obligations. My view is that the Government is under no legal obligation to renew any T.O.L. T.O.L. means “temporary occupation licence”. So the licence suggests what it says—temporary occupation, which means it cannot be permanent. It could be revoked at any time. If terminated before expiration of the licence, you are paid compensation. If at the end of 12 months the Government chooses not to renew for compelling reasons, then the question of payment of compensation and the question of legal obligation of the Government to renew it does not arise.

Now, Tuan Speaker, Sir, with regard to the second point—in equity whether the Government must compensate, Tuan Speaker, in this connection there could be too much legal argument. And I don’t think this is the right place and the right time to argue on principles of law which are enunciated by Court. I shall be content by saying that all those things do not concern us here because in this particular case we are governed by the conditions of this licence.

**Ahli Kawasan Kelawei (Enche’ Yeap Ghim Guan):** But can one point be at least clarified? Did the Government at

any time duly terminate this licence? I think the answer is obvious—No.

**Penasihat Undang<sup>2</sup>:** I say that my answer will be based on section 66 of the Land Acquisition Act which reads as follows: I am not going to deal with payment of compensation and what not. That is moral. If I do so you will say I am playing politic and I refrain from doing so. Now, section 66 of the Land Acquisition Act says this: “Upon making of a memorial under section 23 in respect of any scheduled land—that is, acquired land—the land shall vest in the State Authority free from encumbrances”. Mr Speaker, Sir, encumbrances include tenancy, assignment right, licence. By virtue of the acquisition proceeding and thus by operation of law the licence comes to an end.

**Ahli Kawasan Kelawei (Enche’ Yeap Ghim Guan):** I agree with you there.

**Ahli Kawasan Bayan Lepas (Enche’ Ismail bin Hashim):** Tuan Speaker, saya rasa Dewan ini bukan-lah Dewan Undangan<sup>2</sup> . . . . . (gangguan).

**Ahli Kawasan Kelawei (Enche’ Yeap Ghim Guan):** Tuan Speaker, ini bukan-lah Undang<sup>2</sup>—semua orang punya faedah kita mesti tahu itu. Bukan Penasihat Undang<sup>2</sup> buang masa. Ini kita mesti tahu. Apa yang tak tahu mesti ajar—sekarang sahaja sedikit.

**Ahli Kawasan Bayan Lepas (Enche’ Ismail bin Hashim):** Kita pergi belajar di-lain.

**Ahli Kawasan Kelawei (Enche’ Yeap Ghim Guan):** Now, will the Legal Adviser—just one point, Sir—agree with me or clarify on this point: But in the case of a private owner then he will have to compensate? Would you agree with me?

**Penasihat Undang<sup>2</sup>:** In the case of a licensee or in the case of tenancy?

**Ahli Kawasan Kelawei (Enche’ Yeap Ghim Guan):** In the case of a licensee the private owner would still have to compensate him. Would you agree with me?

**Penasihat Undang<sup>2</sup>:** Now, in the case of a licensee the question . . . . (*gangguan*).

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** No. I put this proposition to you: If a private owner buys over this land, instead of the Government, he would still have to compensate. You agree with me?

**Penasihat Undang<sup>2</sup>:** Tuan Speaker, saya tidak hendak champor tangan berkenaan dengan private land. (*ketawa*).

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** No. I am asking you: Will you agree there?

**Penasihat Undang<sup>2</sup>:** I am not prepared to express my view with regard to private owner because it does not arise in this question. But if it is a case of the Government being a landowner . . . . . (*gangguan*).

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** It arises, Sir, because the Member for Tanjong Tengah says that the people were fortunate it is the Government. If it were a private owner they would be worse-off. My point is that if it were a private owner they would be better-off. And because it is the Government they are worse-off. That is the point I am trying to raise. That is all.

**Ahli Kawasan Tanjong Tengah (Enche' Tan Gim Hwa):** I never said that.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Yes. It is the newspaper, boy.

**Tuan Speaker:** Ahli<sup>2</sup> Yang Berhormat, the matter is closed.

*Soalan di-kemukakan dan Usul tidak di-persetujui.*

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Tuan Speaker, saya minta division.

YA

Enche' Yeap Ghim Guan  
Enche' Khoo Soo Giap  
Enche' Koay Boon Seng  
Enche' Ong Yi How

TIDAK

Ketua Menteri

Enche' Teh Ewe Lim

Enche' Khoo Kay Por

Enche' Tan Gim Hwa

Enche' Wong Choong Woh

Enche' S. P. Chelliah

Enche' Ismail bin Hashim

Enche' Ooi Ah Bee

Tuan Haji Ahmad bin Haji Abdul-lah

Enche' D. C. Stewart

Tuan Haji Mohamad Nor bin Haji Bakar

Enche' Khoo Teng Chye

Enche' Teoh Kooi Sneah

Tuan Haji Abdul Kadir bin Haji Hassan

TIDAK MENGUNDI

Enche' Abdul Rahman bin Haji Yunus

Enche' Mustapha bin Hussain

TIDAK HADZIR

Enche' V. Veerappen

Enche' Tan Phock Kin

Enche' Ooh Chooi Cheng.

**Tuan Speaker:** Mengikut keputusan di-atas Usul daripada Enche' Yeap Ghim Guan ia-lah: "Ya"—4; "Tidak"—14; Tidak mengundi—2; Tidak hadzir—3. "Tidak" lebih banyak. Usul tidak bersetujui.

Saya jemput Yang Amat Berhormat Ketua Menteri untuk menandatangani Dewan di-tangguhkan.

## 8. PENANGGOHAN.

**Ketua Menteri:** Tuan Speaker, saya menandatangani Dewan ini di-tangguhkan sekarang.

**Ahli Kawasan Bayan Lepas (Enche' Ismail bin Hashim):** Saya menyokong.

**Ahli Kawasan Dhoby Ghaut (Enche' Khoo Teng Chye):** Saya minta izin berchakap dalam Bahasa Inggeris. Tuan Speaker, Sir, Low-cost housing, which is the provision of shelter particularly for the lower income section of the population, is closely related to

social progress. Social and economic progress constitute the primary aim of every development policy. Although the social economic programmes which were implemented by the State Government have been spelt out in detail by the Government, the housing problems have not been mentioned and I do not know in detail what housing programmes the Government has in mind. Tuan Speaker, Sir, I will try to give in figures my observation in regard to low-cost housing needs for the State of Penang. Tuan Speaker, Sir, since 1969 when the major housing schemes at Rifle Range and Kampong Melayu had been implemented, the Government has not launched new schemes with the construction of more low-cost flats. Penang has a population of about 780,000. The amount of construction needed to meet the requirement of the average population increase of 3 alone, assuming each household to consist of 5 persons, would be 6 units per thousand persons per year. It is estimated that over the last 2 years since 1969, the amount of recorded housing construction in the State of Penang by the private sector barely exceeded 3 units per thousand persons per year—an amount which failed to meet even half the requirements which resulted from the mounting population increase. In other words, for every new building unit constructed by the private sector, there is a natural increase of 10 persons. This means that 10 out of 20 Penang residents per thousand persons per annum are not provided with one of the basic human needs. Thus the population growth is constantly adding to the already huge housing backlog.

Tuan Speaker, Sir, in addition to the national increase of 3% in population, further requirements for the replacement of dilapidated housing and decantation arising out of the housing development has to be provided. To cope with all requirements, it is estimated that 10 housing units per thousand persons per year are required for future years. In a population of about 780,000 per year, the State of Penang requires 7,800 units per year for future years. As mentioned earlier, the private

sector builds about 3 units per thousand persons per year. Therefore, the Government must provide 7 units per thousand persons annually in order not to drive thousands of persons annually to join the ranks of squatters or live in over-populated slum areas. Therefore, the Government must build 5,460 units per year to meet the deteriorating housing situation in the State. But what are the plans for low-cost housing in the State of Penang? I do not know. I do know that no new large housing scheme has been launched since the completion of the Rifle Range and other big schemes in the City.

I would urge that the Government take immediate steps and action to plan for the acute shortage of housing within the City of Penang. The Government should also concentrate on building high-rise flats as these types of buildings are not built by the private sector. The private sector finds that it is impossible to sell these type of flats because of certain provision in the National Land Code as far as Penang is concerned. Therefore, Government actually enjoys the sole monopoly to develop and sell multi-storey flats in the State of Penang.

Sir, before I conclude, I would urge the Government to plan immediately and implement as soon as possible the construction of low-cost housing in the State of Penang. Assuming that the private sectors continue to build houses at the rate of 3 units per thousand persons annually, the State Government must aim for a target of 5,000 units per year. Not taking into account the huge housing backlog, the Government must build 5,000 units of low-cost houses per year for many years to come in order to lead to social progress in the State of Penang.

**Ahli Kawasan Balik Pulau (Enche' Abdul Rahman bin Haji Yunus):** Dato' Speaker, dalam ucapan penanggihan di-sidang Dewan ini kali ini, suka-lah saya memberi tahniah kepada pehak Kerajaan Negeri Pulau Pinang, yang mana telah berjaya menyediakan sebuah bangunan ia-itu Dewan Sri Pinang, yang mana Dewan ini ia-lah

untuk kegunaan ra'ayat di-Pulau Pinang, untuk kemudahan<sup>2</sup> badan<sup>2</sup> drama, dan badan<sup>2</sup> kesenian dan pementasan<sup>2</sup>. Apa yang di-maksudkan badan<sup>2</sup> pementasan<sup>2</sup> ini pula harus-lah memberi pementasan<sup>2</sup> dan kebudayaan<sup>2</sup> yang boleh menguntungkan dan mencherminakan keadaan masharakat hari ini dan hindarkan-lah kebudayaan<sup>2</sup> yang boleh merugikan ra'ayat di-masa yang akan datang.

Tuan Speaker, banyak juga saya dapati sungutan<sup>2</sup> daripada pemborong<sup>2</sup> kecil yang mana masa'alah<sup>2</sup> yang mereka hadapi. Umpama-nya tiap<sup>2</sup> satu pekerjaan yang di-beri kepada mereka untuk menyiapkan-nya manakala telah selesai mereka kerjakan terlalu lama memakan untuk di-pereksa oleh yang berkenaan. Di-atas sikap Engineer J.K.R. ini, saya memuji kerana ia sendiri akan menyaksi segala kerja<sup>2</sup> itu. Memandang keadaan harga kerja itu tak-lah berapa sangat mungkin tak lebih daripada \$300/-. Memandang keadaan kesibokan Engineer ini-lah menjadi masa'alah<sup>2</sup> pembayaran kepada pemborong<sup>2</sup> kecil lambat boleh di-selesaikan yang mana di-hadapi oleh pemborong<sup>2</sup> kecil ini masa'alah ke-wangan.

Tuan Speaker, pada 11hb Mei, 1972, telah saya melawat ka-Rumah Sakit Besar, Pulau Pinang, kerana melawat salah sa-orang pesakit di-situ. Dato' Speaker, apa yang saya dapati di-sakeliling katil pesakit yang tinggal itu penoh dengan ayer<sup>2</sup> menakong. Ayer<sup>2</sup> ini tak dapat mengalir melalui paip<sup>2</sup> yang di-sediakan kerana paip<sup>2</sup> ini rosak. Dato' Speaker, ayer<sup>2</sup> ini ter-sangat busok bau-nya. Dato' Speaker, masa'alah ini telah saya bertanya kepada salah so-orang yang bertugas di-situ. Saya di-beritahu telah beberapa kali di-beritahu kepada pekah yang berkenaan, tetapi tidak ada perubahan<sup>2</sup> apa yang berlaku. Dengan perantaraan ini, saya rasa tidak akan berlaku di-masa<sup>2</sup> akan datang.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Tuan Speaker, dalam kebenaran berchakap dalam Bahasa Inggeris. The topic of my adjourned speech is in the 'Local Governments'. Mr Speaker, Sir, you will recall that

in the last Sitting, the last Session, we in this House passed a resolution—as amended—as moved by the Members from Pekemas and as amended by the Honourable the Chief Minister in the late hours of the morning. We passed a resolution stating that this House viewed with regret the fact that Local Government Authorities are not as yet on a freely elected basis. That was the crux of our resolution in this House. In other words, this House urged the Federal Government as soon as possible to return the Local Governments to the people and—in accordance with the manifesto of the senior partner or, maybe now, the junior partner of the Coalition Government—that free elections to these Local Governments be made available, but unfortunately—and this came as a shock to most of us in this House—after that resolution was passed by the House and that resolution, having been passed by this House, has to a certain degree some persuasive force, let us say, on Government policies that will indicate to Government also the wishes of the State of Penang. And yet, as I say, it came as a shock that we were to read, and hear over the radio and T.V. and from a report from Parliament that the Alliance Government—the Federal Government—has claimed that all the States of Malaysia, including Penang, had agreed that the Local Governments should be taken over by the States. Full stop.

Now, that comes as a shock to us on this side of the House because we, in this House, had already made it clear and passed a motion to the effect that free elections should be held as soon as possible—and we have expressed regret that free elections had not been implemented—as a result of the release of the Athi Nahappan report. And yet, the State Government has chosen to go against, Sir, the policy of this State, as expressed by a motion and the resolution of this House, and furthermore, to go against a resolution that had been amended and proposed by the Honourable the Chief Minister himself. Now, that I consider a very serious matter and the People of Penang are left in great doubt as to

what is to become to our Local Governments, on what basis is representation on our Local Governments to be had.

There have been rumours—and we hope that the Members of Government will at the right time dispel these rumours and fears—that the Local Governments are to be reconstituted as nominated councils, in other words, to bring back discredited or rejected politicians. Particularly more so, I would emphasise the fear that these Local Governments will be a dumping ground for the members of a particular political party which has absolutely—two political parties—which have absolutely no representation. Those two parties are members of the Alliance Government but have absolutely no representation in this State, and the people of Penang are afraid and are worried and will oppose, Sir, any attempts to hoist nominated members from political parties which very clearly do not have a mandate in this House even, and if, if I say, if at all we have a Nominated Council—and I hope we do not come to that day because Penang has been and always will be, I hope, in the forefront of democratic development in this Nation—we hope that we will not have the reverse procedure of going back from elected government to non-elected nominated government.

**Tuan Speaker:** Ada lagi dua minit, Yang Berhormat.

**Ahli Kawasan Kelawei (Enche' Yeap Ghim Guan):** Tuan Speaker, kalau dua minit itu tuan tidak kata—satu minit pun tidak sampai, tidak dua minit.

So we hope, Sir, that free elections will, as soon as possible, be pressed for by the State Government, in keeping with the views expressed by the Honourable the Chief Minister in that motion, and we hope that this will come about early because, as we had already pointed out in the course of this debate, there are a lot of maladministration and malfunctions in this State as a result of this takeover, even at this present stage by the 3 wise men of the Ex. Co. Because there are things like, as an example—I have to draw a quick

example—some Local Councils are demanding now that owners of properties adjoining some roads contribute towards construction of roads because they claim these are private roads, but these are now considered as mandatory contributions. And I have had a complaint from one rate-payer at least who has now been asked by the Local Authorities, particularly the R.D.C. in Penang Island, to contribute a figure of about \$1,500 to the construction of a road somewhere in Ayer Itam. Now these people only own the house, not the land, and they are now required by the Local Council to contribute \$1,500. It is wondered, Sir, even if the house is worth \$1,500 and I think it is not fair for the owner of the house to have to contribute \$1,500—satu minit lagi—for this purpose, Sir—a very short and simple example. And this is the kind of maladministration I feel that can be perpetrated where you don't have represented government, where you have people who are merely nominated even at present.

Therefore, I hope that the Government will pursue the policy that has been laid down by this House—that we press for an elected Government—elected Government for the Local Councils. Under no circumstances, Sir, shall we have a nominated Government for the Local Councils.

**Tuan Speaker:** Yang Amat Berhormat, ada-kah Yang Amat Berhormat hendak jawab?

**Ahli Kawasan Tanjong Utara (Enche' Khoo Kay Por):** Dato' Speaker, saya minta kebenaran berchakap dalam Bahasa Inggeris. I entirely agree with the Honourable Member for Dhoby Ghaut that we have need to play quickly to build houses for the class of persons who are not catered for by the private developers. The expected pace of industrial development which I have already emphasised, brings along with it a demand for houses for the working class, particularly those in the lower income group. We have anticipated this demand for the proposed Bagan Serai Housing Complex about which the Honourable Members may have read. A social survey has just been

completed for this scheme to provide us with definite guidelines for proper planning. Some 800 to 900 units of housing will be built in this scheme. Several other schemes are also being planned which we expect will provide some 1,800 units of housing by 1975. There are also 416 units of flats in the Kampong Melayu scheme which we hope will be completed by the end of 1973.

Tuan Speaker, it will be too optimistic to say at this juncture that we can in the near future catch up with the anticipated demand suggested by the Honourable Member for Dhoby Ghaut; but we can certainly do our best within the limits of our financial ability and the availability of loan funds. We can't expect a more vigorous plan for new housing schemes when the Housing Board is constituted as we will have great flexibility and capacity for quicker decisions which are not possible in the present context. The building of multi-storey, high-rise flats is certainly the solution for housing, particularly where land is so scarce and costly a commodity, and high density is desirable when proximity to industrial areas is required.

Tuan Speaker, I can assure the House that the State Government is moving ahead in public housing. And if some delay is experienced it will not be for want of enthusiasm, or neglect. This is a spirit of governmental activity that is most desirable and gratifying in a democratic State because it will create happy and contented families, and raise the general standard of living. Thank you, Tuan Speaker.

**Ahli Kawasan Bayan Lepas (Enche' Ismail bin Hashim):** Dato' Speaker, saya suka-lah bagi pehak Kerajaan untuk menjawab perkara<sup>2</sup> yang telah pun di-bangkitkan oleh Ahli Yang Berhormat daipada Kawasan Balik Pulau ia-itu perkara yang pertama ia-lah perkara Dewan Sri Pinang. Itulah tujuan Kerajaan ia-itu manakala Dewan ini siap hendak di-gunakan dengan sa-penoh<sup>2</sup>-nya untuk memajukan kebudayaan yang ada dalam Negeri kita.

Perkara yang kedua ia-lah perkara berkenaan dengan J.K.R. yang lambat pemborong<sup>2</sup> mendapat duit manakala siap kerja<sup>2</sup> mereka itu, dan perkara ini kita akan panjangkan kepada pengetahuan J.K.R. dan kita harap pada masa<sup>2</sup> yang akan datang perkara ini akan dapat di-baiki lagi.

Dan, perkara yang ketiga ia-lah berkenaan dengan Hospital—busok ayer di-tepi katil mengikut apa yang di-uchapkan oleh Ahli daripada Balik Pulau tadi, saya rasa perkara ini ia-lah perkara Federal. Walau bagaimanapun sa-kali pun pehak State atau pehak Kerajaan akan chuba membawa pandangan<sup>2</sup> yang di-uchapkan oleh Ahli daripada ini ka-pengetahuan pehak yang berkenaan.

**Ahli Kawasan Tanjong Barat Teh Ewe Lim):** Tuan Yang Di-Pertua, saya minta kebenaran berchapak dalam Bahasa Inggeris.

Dato' Speaker, Sir, on behalf of the State Government I would like to reply to points raised by the Honourable Member for Kelawei. He has mentioned about the return of the Local Councils to the electorate in his Adjournment speech; and he has urged the Government to do so, so that the people could elect their own representatives to the Councils. In this respect I would like to mention that, in fact, the process of restructuring the Councils is being undertaken by the State Government because, especially in Province Wellesley South, we have Councils which are always financially embarrassed on account of limited finance in the district—the smallness of the population. And this Council has all the time got to depend on loans from the State Government. This state of affairs is very unsatisfactory. And as a result, what the Government has in mind is restructuring of the Councils by implication.

On the question of the announcement by the Federal Government regarding taking over of Local Councils by the State Government, we have, in fact, yet to hear from the Federal Government to this effect. At the most I would say it was an

announcement made by the Honourable Minister for Local Government and Technology.

On another point raised by the Honourable Member for Kelawei—the rumour that the Local Councils are to be filled by nominated Councillors: This is another matter on which we have not had anything official from the Federal Government.

And on another point, regarding the alleged malpractices and maladministration of Local Councils,

which the Honourable Member for Kelawei has in mind, and with regard to the contributions for the construction of a road in Ayer Itam which is within the Rural District Council, I think it is a normal practice that in the construction of roads frontagers have got to make contributions. And as such I do not think that is a malpractice.

*Dewan di-tangguhkan pada jam 7.36 petang.*