

Volume III  
No. 15

Wednesday  
9th August, 1961



# PARLIAMENTARY DEBATES

DEWAN RA'AYAT  
(HOUSE OF REPRESENTATIVES)

OFFICIAL REPORT

## CONTENTS

ORAL ANSWERS TO QUESTIONS [Col. 1503]

BILL:

The Kidnapping Bill [Col. 1507]

MOTION:

Appointment of Officials and Teachers for Adult  
Education [Col. 1538]

ADJOURNMENT *SINE DIE* [Col. 1554]

DI-CETAK DI-JABATAN CETAK KERAJANAN  
OLEH THOR BENG CHONG, PEMANGKU PENCETAK KERAJANAN  
PERSEKUTUAN TANAH MELAYU

1962

Harga: \$1

FEDERATION OF MALAYA  
**DEWAN RA'AYAT**  
**(HOUSE OF REPRESENTATIVES)**

*Official Report*

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Third Session of the First Dewan Ra'ayat

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*Wednesday, 9th August, 1961*

*The House met at Ten o'clock a.m.*

**PRESENT:**

The Honourable Mr. Speaker, DATO' HAJI MOHAMED NOAH BIN OMAR,  
S.P.M.J., D.P.M.B., P.I.S., J.P.

„ the Prime Minister and Minister of External Affairs,  
Y.T.M. TUNKU ABDUL RAHMAN PUTRA AL-HAJ, K.O.M.  
(Kuala Kedah).

„ the Deputy Prime Minister, Minister of Defence and  
Minister of Rural Development, TUN HAJI ABDUL RAZAK  
BIN DATO' HUSSAIN, S.M.N. (Pekan).

„ the Minister of Internal Security and Minister of the Interior,  
DATO' DR. ISMAIL BIN DATO' HAJI ABDUL RAHMAN,  
P.M.N. (Johor Timor).

„ the Minister of Finance, ENCHE' TAN SIEW SIN, J.P.  
(Melaka Tengah).

„ the Minister of Agriculture and Co-operatives, ENCHE'  
ABDUL AZIZ BIN ISHAK (Kuala Langat).

„ the Minister of Transport, DATO' SARDON BIN HAJI JUBIR,  
P.M.N. (Pontian Utara).

„ the Minister of Health and Social Welfare, DATO' ONG  
YOKE LIN, P.M.N. (Ulu Selangor).

„ the Minister of Commerce and Industry, ENCHE' MOHAMED  
KHIR BIN JOHARI (Kedah Tengah).

„ the Minister of Labour, ENCHE' BAHAMAN BIN SAMSUDIN  
(Kuala Pilah).

„ the Minister of Education, ENCHE' ABDUL RAHMAN BIN  
HAJI TALIB (Kuantan).

„ the Assistant Minister of Education, ENCHE' ABDUL HAMID  
KHAN BIN HAJI SAKHAWAT ALI KHAN, J.M.N., J.P. (Batang  
Padang).

„ the Assistant Minister of Rural Development, TUAN HAJI  
ABDUL KHALID BIN AWANG OSMAN (Kota Star Utara).

„ the Assistant Minister of Labour, ENCHE' V. MANICKA-  
VASAGAM, J.M.N., P.J.K. (Klang).

„ the Assistant Minister of the Interior, ENCHE' MOHAMED  
ISMAIL BIN MOHAMED YUSOF (Jerai).

ENCHE' ABDUL RAUF BIN A. RAHMAN (Krian Laut).

The Honourable TUAN HAJI ABDULLAH BIN HAJI ABDUL RAOF (Kuala Kangsar).

- .. TUAN HAJI ABDULLAH BIN HAJI MOHD. SALLEH, A.M.N., P.I.S. (Segamat Utara).
- .. TUAN HAJI AHMAD BIN ABDULLAH (Kota Bharu Hilir).
- .. ENCHE' AHMAD BIN ARSHAD, A.M.N. (Muar Utara):
- .. ENCHE' AHMAD BOESTAMAM (Setapak).
- .. ENCHE' AHMAD BIN HAJI YUSOF, P.J.K. (Krian Darat).
- .. TUAN HAJI AZAHARI BIN HAJI IBRAHIM (Kubang Pasu Barat).
- .. ENCHE' AZIZ BIN ISHAK (Muar Dalam).
- .. DR. BURHANUDDIN BIN MOHD. NOOR (Besut).
- .. ENCHE' CHAN CHONG WEN, A.M.N. (Kluang Selatan).
- .. ENCHE' CHAN SIANG SUN (Bentong).
- .. ENCHE' CHAN SWEE Ho (Ulu Kinta).
- .. ENCHE' CHAN YOON ONN (Kampar).
- .. ENCHE' CHIN SEE YIN (Seremban Timor).
- .. ENCHE' V. DAVID (Bungsar).
- .. DATIN FATIMAH BINTI HAJI HASHIM, P.M.N. (Jitra-Padang Terap).
- .. ENCHE' GEH CHONG KEAT (Penang Utara).
- .. ENCHE' HAMZAH BIN ALANG, A.M.N. (Kapar).
- .. ENCHE' HANAFI BIN MOHD. YUNUS, A.M.N. (Kulim Utara).
- .. ENCHE' HARUN BIN ABDULLAH, A.M.N. (Baling).
- .. ENCHE' HARUN BIN PILUS (Trengganu Tengah).
- .. TUAN HAJI HASAN ADLI BIN HAJI ARSHAD (Kuala Trengganu Utara).
- .. TUAN HAJI HASSAN BIN HAJI AHMAD (Tumpat).
- .. ENCHE' HASSAN BIN MANSOR (Melaka Selatan).
- .. ENCHE' HUSSEIN BIN To' MUDA HASSAN (Raub).
- .. ENCHE' HUSSEIN BIN MOHD. NOORDIN, A.M.N., P.J.K. (Parit).
- .. TUAN HAJI HUSSEIN RAHIMI BIN HAJI SAMAN (Kota Bharu Hulu).
- .. ENCHE' IBRAHIM BIN ABDUL RAHMAN (Seberang Tengah).
- .. ENCHE' ISMAIL BIN IDRIS (Penang Selatan).
- .. ENCHE' KANG KOCK SENG (Batu Pahat).
- .. ENCHE' K. KARAM SINGH (Damansara).
- .. CHE' KHADIJAH BINTI MOHD. SIDEK (Dungun).
- .. ENCHE' KHONG KOK YAT (Batu Gajah).
- .. ENCHE' LEE SAN CHOON (Kluang Utara).
- .. ENCHE' LEE SECK FUN (Tanjong Malim).
- .. ENCHE' LEE SIOK YEW, A.M.N. (Sepang).
- .. ENCHE' LIM JOO KONG (Alor Star).
- .. DR. LIM SWEE AUN, J.P. (Larut Selatan).
- .. ENCHE' LIU YOONG PENG (Rawang).
- .. ENCHE' T. MAHIMA SINGH, J.P. (Port Dickson).
- .. ENCHE' MOHAMED BIN UJANG (Jelebu-Jempol).

The Honourable ENCHE' MOHAMED ABBAS BIN AHMAD (Hilir Perak).

„ ENCHE' MOHAMED ASRI BIN HAJI MUDA (Pasir Puteh).

„ ENCHE' MOHAMED DAHARI BIN HAJI MOHD. ALI (Kuala Selangor).

„ ENCHE' MOHAMED NOR BIN MOHD. DAHAN (Ulu Perak).

„ DATO' MOHAMED HANIFAH BIN HAJI ABDUL GHANI, P.J.K. (Pasir Mas Hulu).

„ ENCHE' MOHAMED SULONG BIN MOHD. ALI, J.M.N. (Lipis).

„ ENCHE' MOHAMED YUSOF BIN MAHMUD, A.M.N. (Temerloh).

„ TUAN HAJI MOKHTAR BIN HAJI ISMAIL (Perlis Selatan).

„ NIK MAN BIN NIK MOHAMED (Pasir Mas Hilir).

„ ENCHE' NG ANN TECK (Batu).

„ ENCHE' OTHMAN BIN ABDULLAH (Tanah Merah).

„ ENCHE' OTHMAN BIN ABDULLAH, A.M.N. (Perlis Utara).

„ TUAN HAJI REDZA BIN HAJI MOHD. SAID (Rembau-Tampin).

„ ENCHE' SEAH TENG NGIAB (Muar Pantai).

„ ENCHE' D. R. SEENIVASAGAM (Ipoh).

„ ENCHE' S. P. SEENIVASAGAM (Menglembu).

„ TUAN SYED ESA BIN ALWEE, J.M.N., S.M.J., P.I.S. (Batu Pahat Dalam).

„ TUAN SYED HASHIM BIN SYED AJAM, A.M.N., P.J.K. (Sabak Bernam).

„ ENCHE' TAN CHENG BEE, J.P. (Bagan).

„ ENCHE' TAN PHOCK KIN (Tanjong).

„ ENCHE' TAN TYE CHEK (Kulim-Bandar Bahru).

„ TENGKU BESAR INDERA RAJA IBNI AL-MARHUM SULTAN IBRAHIM, D.K., P.M.N. (Ulu Kelantan).

„ DATO' TEOH CHZE CHONG, D.P.M.J., J.P. (Segamat Selatan).

„ ENCHE' TOO JOON HING (Telok Anson).

„ ENCHE' V. VEERAPPAN (Seberang Selatan).

„ WAN SULAIMAN BIN WAN TAM, P.J.K. (Kota Star Selatan).

„ WAN YAHYA BIN HAJI WAN MOHAMED (Kemaman).

„ ENCHE' YAHYA BIN HAJI AHMAD (Bagan Datoh).

„ ENCHE' YEOH TAT BENG (Bruas).

„ ENCHE' YONG WOO MING (Sitiawan).

„ PUAN HAJJAH ZAIN BINTI SULAIMAN, J.M.N., P.I.S. (Pontian Selatan).

„ ENCHE' ZULKIFLEE BIN MUHAMMAD (Bachok).

**ABSENT:**

The Honourable the Minister of Works, Posts and Telecommunications,  
DATO' V. T. SAMBANTHAN, P.M.N. (Sungei Siput).

„ DATO' SULEIMAN BIN DATO' HAJI ABDUL RAHMAN, P.M.N.  
(Minister without Portfolio) (Muar Selatan) (*on leave*).

„ the Assistant Minister of Information and Broadcasting,  
TUAN SYED JA'AFAR BIN HASAN ALBAR, J.M.N. (Johore Tenggara).

The Honourable the Assistant Minister of Commerce and Industry, ENCHE' CHEAH THEAM SWEE (Bukit Bintang).

„ ENCHE' ABDUL GHANI BIN ISHAK, A.M.N. (Melaka Utara).  
 „ ENCHE' ABDUL SAMAD BIN OSMAN (Sungei Patani).  
 „ ENCHE' AHMAD BIN MOHAMED SHAH, S.M.J. (Johore Bahru Barat).  
 „ TUAN HAJI AHMAD BIN SAAID (Seberang Utara).  
 „ ENCHE' LIM KEAN SIEW (Dato Kramat).  
 „ DATO' ONN BIN JA'AFAR, D.K., D.P.M.J. (Kuala Trengganu Selatan).  
 „ ENCHE' QUEK KAI DONG, J.P. (Seremban Barat).  
 „ ENCHE' TAJUDIN BIN ALI, P.J.K. (Larut Utara).  
 „ ENCHE' TAN KEE GAK (Bandar Melaka).  
 „ WAN MUSTAPHA BIN HAJI ALI (Kelantan Hilir).  
 „ TUAN HAJI ZAKARIA BIN HAJI MOHD. TAIB (Langat).

IN ATTENDANCE:

The Honourable the Minister of Justice, TUN LEONG YEW KOH, S.M.N.

PRAYERS

(Mr. Speaker *in the Chair*)

ORAL ANSWERS TO  
QUESTIONS

Declaration of assets by Ministers

1. Enche' V. David asks the Prime Minister to state whether he had made provision for Cabinet Ministers to declare their assets prior to their appointment and after, and if the answer is negative, to state the reasons.

**The Prime Minister:** Mr. Speaker, Sir, if the Honourable Member will refer to the answer I gave him on the 9th of August, 1960, he will see the answer to this question. For his benefit, however, I will read again what I said on that occasion—

"All Cabinet Ministers and Assistant Ministers have been asked to declare their assets when they assume duty and from time to time. They are not asked, however, to declare the assets of their families."

**Enche' V. David:** Will the Prime Minister say whether he is willing to publish those assets, or, at least, circulate them to Honourable Members of this House?

**The Prime Minister:** I think it is not the business of the Members of this

House, especially the Opposition, to be informed of every penny that every Minister has.

**Enche' V. David:** I think this House has a responsibility to know the assets possessed by each Cabinet Minister at the time of his appointment and after his appointment.

**The Prime Minister:** If the Honourable Member has any ground for suspecting any of the Minister of being anything but honest, then, if he has any civic consciousness, it is his duty to write and tell me or for that matter any of the officials who he knows have been appointed to deal with matters of this kind.

**Enche' Tan Phock Kin:** May we know the reasons as to why the assets of the families of Ministers were not included. Can the Honourable the Prime Minister give reasons as to why he feels that it is not necessary.

**Mr. Speaker:** That is a different question.

Employees Provident Fund—Withdrawal of Contributions of Female Contributors

2. Enche' V. David asks the Minister of Finance if he will consider amending the Employees Provident Fund Ordinance to enable female

employees to withdraw their contribution at the age of 45, which is considered to be the retiring age for female employees.

**The Minister of Finance (Enche' Tan Siew Sin):** Mr. Speaker, Sir, the purpose of the Employees Provident Fund Ordinance is to provide a contributor with a lump sum benefit when he or she finally ceases to work and thus provide security for his or her old age. The Fund is for the benefit of employees generally and the majority of women do not finally cease work at the age of 45 years and to permit them to withdraw their benefits from the Fund at an age when the majority are able and willing to continue working would defeat the purpose of the Ordinance.

The expectation of life in the Federation is increasing and in recognition of this trend, Government has decided to amend its Pension Schemes by raising the retiring age of men and women to 60 years.

I consider, therefore, that to permit women to withdraw their contributions to the E.P.F. at the age of 45 would be a retrograde step and I am not prepared to consider further the proposal made by the Honourable Member. A similar proposal was considered by the Board in 1958 and it advised against its adoption.

**Enche' V. David:** Is the Minister aware that employees of the Municipalities are asked to retire at the age of 45, especially the female employees? I want an answer—Yes or No!

**Mr. Speaker:** He requires notice of that question.

**Enche' V. David:** Can't he say so, Sir?

**Mr. Speaker:** He requires notice of that.

#### Statistics of Unemployment

**3. Enche' V. David** asks the Prime Minister to state the number of persons unemployed in the Federation as on 30th June, 1961.

**The Prime Minister:** I am afraid I cannot answer that question.

**Enche' V. David:** It seems to me, Sir, that the Government do not have any data.

**The Prime Minister:** Talking of statistics, there is a pilot scheme, but it is not easy to find out how many are employed and how many are unemployed.

**Enche' V. David:** This confirms that Government do not possess any record of figures of unemployed persons in this country.

#### Fragmentation of Estates—Taxation of Profits

**4. Enche' V. Veerappen** asks the Minister of Finance to state whether speculators, who buy and fragment estates are registered under the Businesses Registration Ordinance and whether Income Tax is collected from the profits derived by such speculators.

**Enche' Tan Siew Sin:** Mr. Speaker, Sir, the owner of a rubber estate of more than 50 acres is required to register under the Registration of Businesses Ordinance, 1956, unless the owner is a limited liability company which is required to register under the Companies Ordinance (M.U. No. 13 of 1946). The speculator, who buys a rubber estate of more than 50 acres in extent is, therefore, required to be registered. Profits made on fragmentation of rubber estates are chargeable to income tax and the tax is payable within one month of the date of issue of the notice of assessment.

#### Paragraph 32 of Interim Report of the Sub-Division of Estates Committee

**5. Enche' V. Veerappen** asks the Deputy Prime Minister to state whether Government is taking steps to implement paragraph 32 of the Interim Report of the Sub-Division of Estates Committee, as contained in Command Paper No. 15 of 1961, that is, to set up residential areas on the same lines as "New Villages", to maintain standards of housing, sanitation, water-supply, malarial control and other amenities in sub-divided Estates.

**The Deputy Prime Minister (Tun Haji Abdul Razak):** Mr. Speaker, Sir, the Government is not taking any steps as regards any suggestion in the Interim Report of the Sub-Division of Estates Committee except that Government has accepted the recommendation of the Committee in paragraph 40 of the Report that a detailed survey be done by the Economics Department of the University of Malaya. This survey is now in progress and a report of the survey is expected to be ready in November, 1961. The Government's attitude towards sub-division of estates will have to await this report.

**Enche' V. Veerappen:** In view of the similar recommendations in an earlier Committee in 1956 and the deteriorating conditions in the already fragmented estates, could not the Government consider at least implementing this part of the recommendation?

**Tun Haji Abdul Razak:** As I said, it is not possible to take any action at the moment until the survey is completed because it is difficult for Government to decide on its attitude towards sub-division until it has all the details necessary.

## BILL

### THE KIDNAPPING BILL

#### Second Reading

Order read for resumption of debate on question, "That the Bill be now read a second time." (8th August, 1961)

Question again proposed.

**Enche' Chin See Yin (Seremban Timor):** Mr. Speaker, Sir, I support this Bill except for a few clauses. I think you will agree that kidnapping has not created a state of emergency in this country, which requires us now to pass a Bill, and thus make it to become law that will be far worse than the Emergency law where it concerns the victims and their relatives.

If we look into this Bill—clauses 4 and 5—we will find, Sir, that very soon a situation will be created that we have got to legislate another law to combat

the act of blackmailing. The Emergency period has contributed to or supported the bandits turning informers, and these informers, who were once bandits, would give evidence against those contributors. So in this case, whether or not the victims and their relatives have paid the money or not, the informers can always concoct a story. There is such a thing called circumstantial evidence and this can be brought to bear upon these unfortunate people—the victims and their relatives. Blackmailing, therefore, will become another type of business in this country and, therefore, the Government will have one day to legislate another law to combat blackmailing. Sir, hard-earned money, I am sure, no one would like to part with it; and in kidnapping cases where the Police have failed, can you blame the families of those victims who negotiate to find a way to obtain release of members of their families dear to them—especially in the case where the Police have failed—and they are unable to obtain release through other means? I think this is a matter for consideration. If you agree that the law has a long arm, then you must agree that, unless you have confidence in the Police that they are efficient and capable to get the culprits at a later date, you must not put the burden on to those victims and their relatives such as we have done by the provisions in this Bill, thus making them to suffer if they should obtain release where the Police failed. Therefore, I say it is important that we should relax and not enforce this law. Whether it is practical or not, it is a matter for us now to consider. Sir, where the Police have failed you will always find—unless release is obtained through other means by the family—that the victims are usually killed.

Therefore, Sir, we have got to be very careful in passing this Bill and we should bear in mind these points. One is intimidation and blackmail and we have seen thousands of such cases during the Emergency period in this country. The other, Sir, is the deterrent sentence of capital punishment. In our law, a person is innocent until he is found guilty, and for us to go back now

to the old system whereby we are not going to use the jury system, I think, is something not very correct and very proper because I think we are agreed that more heads are better than one. The two men who are to sit and help the judge will not be able to say that they are always correct, or that they will not give way to the judge—I would not say the judge will make them to do so. But if you have a jury system, there are more men and all these men can put their heads together and you require a majority before you can get a conviction. In such cases, it is not a case of law but mostly a point of fact and circumstantial evidence. Therefore, it is important that the accused person should be tried by a jury, and that is the most proper way.

Sir, this is a matter now that we have got to give very careful consideration. If this Bill becomes law as it is, then I say those informers given Police protection—and who had a hand in this kidnapping business—can always take advantage. Therefore, we have got to be very careful in passing this Bill and must see that the time will not come when we have to legislate another law to combat blackmailing—and this is a very important issue.

**Enche' S. P. Seenivasagam (Meng-lembu):** Mr. Speaker, Sir, those whom the Government trust and who have been employed to draft Bills for presentation to this House bear a very heavy responsibility because, when they present Bills to this House, those Bills are considered by persons the vast majority of whom have no legal training and who do not appreciate the legal definitions given in this Bill. In this House, for instance, there may be a few who understand the implications of certain words which are used in this Bill—the majority of us do not understand the implications. Therefore, I would urge that those responsible for drafting this Bill would themselves advise Government to refer it to a Select Committee, because it is being presented to a House consisting of laymen, who will no doubt pass this Bill without appreciating its implications.

As was pointed out earlier by all Opposition speakers, we do not oppose Government's move to punish kidnappers, to hang them by the neck until they are dead. We do not oppose all those things. We support the Government in its move to stamp out kidnapping and to enhance punishment to be meted out to kidnappers. But what we are objecting to is the denial, the very probable denial, of justice to persons who may be brought up for trial. The Honourable Minister of Justice, in his speech, said that justice would be tempered by the rule of law. If we look at this Bill, we will find that in so far as the trials are concerned, the rule of law has been thrown overboard. None of the safeguards which have been cherished for so long are available to persons who are put on trial on charges of kidnapping and cognate offences.

Let us first take the question of the forum before which those persons are to be tried. It is suggested that they be tried by assessors—a judge and assessors. Now, in fact, according to the Criminal Procedure Code, as it was subsequently amended, the trial was by a judge alone and not a judge and assessors—it was by the judge with the aid of assessors—and I would explain the reasons. Before the last amendment to the Criminal Procedure Code, all capital offences were tried by a judge with two assessors. The assessors, at the end of the trial, were required to say whether an accused person was guilty or not. If both assessors said the accused person was not guilty then the judge could not convict the man. If he disagreed, he could only order a retrial. Following agitation after the Lee Meng case the law was again amended, and what was the position until trial by jury was introduced?

The assessors were not asked to say whether an accused person was guilty or not. The assessors were merely asked to express their opinion on any question which the judge might think fit to put to them—and worst of all, it provided that if the judge disagreed with the unanimous opinion of the assessors he could brush aside that

opinion and find the accused person guilty. Where then is the safeguard of the accused person? It was because of the reason that I have just stated that the Honourable the Prime Minister himself at that time, when he was sitting in the Opposition, said that he would pity a man who had to face trial under that system.

The official reason given by the Government for declining to allow trial by jury for kidnapping is one of the most feeble that we could ever hear—and that is that the Police would find it difficult to protect the families of the seven jurymen. Is there any logic in it? Let us take the case of the two assessors. How many children they may have; how many wives do they have—in this country where the plurality of wives is permitted by law and customs; how many brothers, sisters, how many nephews, how many cousins? Who is going to set the limit to the degree of relationship which requires protection from the Police? A man may be more fond of his third wife than his first wife, and the kidnappers may know it—and is the Police going to provide protection for all these wives and all these children? The real reason is, of course, entirely different. The Government had not the courage to state it, and I do not propose to oblige the Government by stating it on its behalf.

We have had jury trials for some time now. We have had juries sitting in judgment over powerful secret society cases, where secret societies have clashed—as recently happened in Ipoh, where two secret societies clashed; five persons of one secret society were charged for murder of members of the other secret society, and the jury found all five guilty and they were sentenced to death—yet nobody has harmed the relatives of the jury. I ask the Government to state whether throughout the history of this country, it can cite one case where the wife or children or relative of any assessor or juryman has been harmed by any accused person's supporters. It cannot find such a case. Once a man is arrested, he is put on trial, and

people are more concerned with defending him than intimidating relatives of juries and assessors. But I was shocked, and it is a matter of deep regret that the Honourable the Minister of Transport has thought fit to add to the Government's already feeble reason by giving a reason which he should never have given to this House, when he says that one of the reasons is a quick trial. He, himself, being a lawyer, I think that he would be the first to concede that in administering justice, and as the life of a man in the dock may depend on your deliberations, you do not think of speed. All you think of is justice and not about speed. And may I ask the House, how is an assessor trial more speedy than a jury trial? The only difference is that the Clerk of the Court reads seven names instead of two names—and it does not take additional time to read the additional five names.

Sir, we are, it must be borne in mind, not dispensing with preliminary enquiries. Preliminary enquiries will still be there. The question of speed will not come in as it did when it was a consideration during the Emergency where dozens of cases came up and preliminary enquiries could not have been conveniently held. Therefore, it was dispensed with in the interest of the speedy disposal of a case and which in principle was wrong but which could at least be supported by the exigency of the situation. As has been pointed out the Honourable the Prime Minister, when he was in the Opposition, said that in emergency trial cases he would as a temporary measure, as a matter of exigency, concede assessor trial. Now, I come to this question. Is there an emergency in connection with kidnapping in the Federation? If there is, why does not the Government take proper action under the Constitution to declare some sort of emergency? May I ask, how many cases of kidnapping have there been in the Federation of Malaya? Perhaps what we have read in the papers do not indicate that there have been many cases of kidnapping; perhaps Government has got more information. But what we have read in the papers, and

what we know in court, is that there is a large number of cases of extortion and threats to kidnap; of actual kidnapping, I do not know of many cases.

Singapore, it is said, has introduced parallel legislation—but has Singapore dispensed with trial by jury? America was referred to—and capital punishment. We are not opposed to capital punishment for kidnappers. Did America dispense with trial jury? There, were not kidnappings conducted on an organised scale by gangsters—very much better organised than those in the Federation? Did the American Government panic? Did the British Government panic? Why must we in the Federation panic and say that we must destroy the foundation of justice in this country to combat that crime?

However, let us come to the method by which the Government hopes that it can get convictions in cases of kidnapping. It is throwing overboard, destroying, all the cherished rules of evidence. It was laid down by British judges that statements made to a police officer after investigation should not be admitted except under certain conditions, and they are very stringent conditions—the type of questions to be asked and so on. But what do we find here, in Clause 15 of the Bill which was read out by the Honourable Member for Damansara? We find this:

"Where any person is charged with an offence under this Act any statement, whether such statement amounts to a confession or not or is oral or in writing, made at any time, whether before or after such person is charged and whether in the course of a police investigation or not . . ."

I will pause here. The law up to now, the general law in this country up to now, has been that a statement made in the course of a police investigation is not admissible in evidence. The reason for that is that when the police asks for information, it expects full co-operation from a member of the public; at that time the man may or may not be charged and he is required by law, he is compelled by law to state the truth; and it would be unfair to use that statement against him should

he subsequently become an accused person.

Then it goes on:

"and whether or not wholly or partly in answer to questions,"

Now, why is that clause put in? That is put in there because of a ruling by British judges in England: that is, police officers should not ask questions. If a man wants to say something, one presumes he has got a mouth to say it; you do not have to ask him to say it. So when cases came up in courts in Malaya, the judges in Malaya followed the British practice and said that if you asked questions, the statement was not admissible. The Legislature at that time promptly nullified the views of the judges by amending the Emergency Regulations, saying that whether a question was asked or not, still it was admissible.

Then we go on—

"whether or not wholly or partly in answer to questions, by such person to or below the rank of Inspector, whether or not interpreted to him by any police officer or any other person concerned or not in the arrest,"

Why was that put in? Because of a decision of a Malayan judge, Malayan Court of Appeal, that if a person who is recording a statement uses as an interpreter somebody who was concerned in the arrest, or in the investigation, it would be a dangerous practice, because the interpreter knowing what had happened at the raid, or during the arrest, might have said, he might add something to what the accused said because he knew what happened. Again, the Legislature promptly nullified the view of the judges by adding this proviso—that it does not matter even if the police or interpreter was concerned in the arrest, it does not matter what he knows about the case; as he has not got to be impartial, he may be the person who arrested you and he can be the interpreter.

Then there are the provisos which are supposed to be safeguards against abuse. The first one is "inducement, threat . . ." and so on which is well-known to all lawyers—for centuries that has been the rule.

Then you have—

"in the case of a statement made by such person . . . . unless the court is satisfied that a caution was administered to him in the following words or words to the like effect: . . . . Provided that a statement made by any person before there is time to caution him shall not be rendered inadmissible in evidence merely by reason of no such caution having been given if it has been given as soon as possible."

This matter I had commented on in connection with the Prevention of Crime Ordinance. What is the meaning of that I do not understand. You must give a caution, but if you have no time it does not matter but you must give it as soon as possible. What is it understood to mean? Why should I be cautioned after I have told something to a police officer? I say, "I have done it". Then after saying that, you say "You are not obliged to say anything; if you say anything, it will be used as evidence against you".

Now, these provisions making police statements admissible read in conjunction with the power given to detain a person for 15 days without being produced before a magistrate have certain sinister implications. It is well-known not only in Malaya but throughout India, throughout the whole world, that police officers have got a dirty habit of trying to get information from those who are arrested, and probably going to be charged, and it is degrading when by legislation we encourage police officers to sit before a man and try by persuasion or otherwise to induce him to say things by which he is going to be hanged subsequently. Is that the proper atmosphere which we should create around our police stations? When a man is arrested the law says, "All right, lock him up for 15 days". What you do with him for 15 days, nobody knows, because nobody can see him. With very very great difficulty, perhaps after an appeal to a Minister, after an appeal to the Chief Police Officer, a lawyer may manage to get into a police station to see him. But what happens during those 15 days, nobody knows. He has made some sort of statement and the Police Inspector is very happy. He reports to his superior officer, papers are forwarded

to the Public Prosecutor. He is authorised to charge the man who is then brought to court. When in court an accused person attempts to say, "I was forced to make this statement". He is not believed. He has no marks on his body. Question is put, "Who forced you to make the statement?"—"The Inspector did". "Where is the proof?" "There is none". Sir, how are we to prove it? Tortures need not be physical tortures. There are mental tortures of a worse nature which we can never prove, and it is to avoid these mental tortures that provisions are made for the regular production of a person in court, for the granting of bail. All of these things are denied to a person who is going to be charged under this Bill. Let us always remember that the presumption of law is that a man is innocent until proved guilty. Why then say that if an informer gives some information to the police, and they go and grab a man, that man is presumed to be a bad hat and is locked up by the police for 15 days?

I would not impute any evil intention basically to the Government, but in practice it is authorising a very evil procedure, an evil procedure which is likely to encourage the police to resort to torture to extort confessions from people—and that is not unknown in this country. The law reports have got cases where police officers have tortured and the people to get confessions and out of hundreds of such cases, perhaps one is brought to justice. It may be said that this sort of provision exists in the Prevention of Corruption Ordinance and also in the Prevention of Crime Ordinance and, perhaps, in the Customs Ordinance—I am not quite sure, but if it does, that does not justify perpetuation of a law which is contrary to all rules of justice.

The Honourable the Minister of Justice has referred to the Public Prosecutor and yesterday the Honourable Member for Ipoh made some comments on that. I would like at this stage to say that while by and large the Public Prosecutors in this country have performed their duties in a most exemplary manner, we cannot accept

that as a universal statement. We do know of some cases which would bear investigation by Government, and at the appropriate time the data will be furnished to the proper authority. In certain parts of the country—I do not wish to identify the towns—the situation is almost becoming scandalous, and we hope within a very short time to place information at the disposal of the proper authorities. Unfortunately, however, we do not intend to bring this matter to the notice of any Ministry, because of our experience in the past. For example, the other day, to a serious complaint, the Honourable Minister for Internal Security gave a rather frivolous reply, and the House will recollect that when we thought fit to make a complaint in this House in connection with Sungai Lam, an enquiry was promised and we are still awaiting it. So when we get responses like that from official sources, what is the use of jumping up and making complaints?

Lastly, Mr. Speaker, Sir, I want to comment on one clause which has been commented on, and that is the severe penalties provided for those who negotiate for release of the victim, or pay compensation. That I would describe as a heartless provision in this Act. Let us take the case of any Honourable Minister, if he is unfortunate enough to have his wife or child kidnapped. He has got, let us say, \$10,000 in his pocket. Somebody comes and says: "You give me that \$10,000 or I will send you your wife's ear to-morrow morning by post". (*Laughter*). Is he going to say: "I will keep the \$10,000 in my pocket, because I am afraid to go to jail. You better go and cut off my wife's ear?" I do not think anybody would do that. I think anybody would rather go to jail for seven years than see his wife or his child killed. Why then bring in a law which you know is not going to be obeyed by the people of this country? You are dealing with human beings and not stones, and any man would go to jail for seven years to save his wife's or his child's life. I would, therefore, ask the Government to reconsider that clause and to delete it from this Bill. I will conclude with that.

**Enche' Mohamed bin Ujang (Jelebu-Jempol):** Tuan Speaker, sa-telah mendengar beberapa hujah berkenaan dengan perkara ini boleh-lah saya mengambil kesimpulan bahawa Majlis ini ada-lah menerima baik Rang Undang<sup>2</sup> ini untuk menchegah orang mencholek. Dalam perbahatan sa-malam dan juga hari ini, nampak-nya pehak pembangkang dari Telok Anson dan Ipoh serta dari Menglembu berasa keberatan sangat menerima berkenaan dengan beberapa fasal dalam Rang Undang<sup>2</sup> ini, terutama sakali Fasal 4, 5 dan 6. Mereka mengatakan kalau sa-kira-nya kuasa di-beri kapada Penda'awa Raya membukukan wang saudara orang yang di-cholek itu dalam Bank, maka orang yang di-cholek itu ada-lah dalam keadaan merbahaya sangat, kerana saudara mereka tidak ada peluang hendak memberi wang kepada orang yang mencholek itu, dengan chara haram, seperti yang berjalan sekarang ini. Tetapi kita mesti ingat ada-lah tujuan tiap<sup>2</sup> orang yang hendak mencholek itu ia-lah hendak mendapat wang, bukan tujuan-nya sa-mata<sup>2</sup> hendak membunuh. Jadi manakala mereka tahu ia-itu jika orang yang akan di-cholek itu tidak ada peluang untuk mendapat wang-nya kerana wang-nya boleh di-bukukan dalam Bank, maka perbuatan mencholek ini tidak akan di-lakukan. Oleh itu dengan hujah yang saya kemukakan tadi, Fasal 4, 5 dan 6 ini tidak harus-lah di-tinggalkan. Saya menyokong penoh supaya perkara ini tetap juga menjadi satu daripada fasal dalam Rang Undang<sup>2</sup> ini.

Dalam perbahatan sa-malam Ahli Yang Berhormat dari Ipoh telah berkali<sup>2</sup> benar mengulangi perkataan yang di-keluarkan oleh Yang Teramat Mulia Perdana Menteri dan juga Yang Berhormat Tun Leong Yew Koh pada masa tahun 1954 dahulu. Saya hairan kenapa sa-bagai satu parti politik yang mengatakan "party progressive" tidak berperasaan "progressive" pada masa ini? Kerajaan kita membuat Undang<sup>2</sup> itu mengikut keadaan masa itu—masa yang di-chakapkan itu kalau tidak silap ingatan saya ia-lah pada tahun 1954—sekarang tahun 1961—keadaan telah berubah dan pada pendapat saya

Undang<sup>2</sup> yang sa-umpama ini mustahak benar-lah di-buat pada masa ini.

Dalam perbahahan sa-malam juga beberapa tudohan telah di-buat oleh Ahli Yang Berhormat dari Ipoh kapada pehak Kerajaan, pulis dan Penda'awa Raya. Tudohan yang sa-umpama ini memang selalu benar di-buat oleh Ahli Yang Berhormat itu. Tetapi sa-hingga sekarang ini saya tidak nampak tudohan itu telah di-buktikan ia-itu menerangkan perkara itu sa-benar-nya berlaku. Saya harap jika membuat tudohan buat-lah benar<sup>2</sup> dan buktikan tudohan itu betul<sup>2</sup>. Ahli Yang Berhormat itu telah menarek perhatian kapada satu kejadian yang telah berlaku di-Ipoh baharu<sup>2</sup> ini di-mana sa-orang "taukeh" telah dibunoh, dan mengatakan pehak pulis tidak bertindak lekas, dan sa-olah<sup>2</sup>-nya jika pulis bertindak lekas, nyawa orang itu boleh di-selamatkan. Tetapi apa yang saya ketahui, walaupun pulis berkejar dengan sa-berapa lekas-nya, taukeh itu sudah mati di-bunoh. Sunggoh pun demikian, pada pendapat saya pehak pulis telah menjalankan kerja-nya dengan chukup memuaskan. Dan baharu<sup>2</sup> ini kita telah mendapat khabar menurut surat khabar bahawa berhubong dengan pembunuhan di-Ipoh itu beberapa orang telah ditangkap. Ini ada-lah menunjukkan pehak pulis telah menjalankan pekerjaan-nya dengan baik. Tidak-lah patut membuat tudohan liar kapada pegawai Kerajaan, yang ia sendiri tidak dapat mempertahankan diri-nya dalam Majlis ini. Tudohan juga telah di-buat kapada Penda'awa Raya bahawa Penda'awa Raya itu selalu pergi makan besar seperti "dinner" dan sa-bagai-nya dengan orang<sup>2</sup> yang tertentu. Saya hairan kenapa perkara yang sa-umpama ini di-buat tudohan itu dalam Majlis ini? Saya nampak Ahli Yang Berhormat itu sa-mata<sup>2</sup> hendak menggunakan keistimewaan atau perlindungan Majlis ini untuk membuat tudohan yang tidak dapat di-buat di-luar Majlis ini. Saya khuatir . . .

**Mr. Speaker:** Masa Ahli Yang Berhormat itu berchakap sa-malam ia ada mengatakan yang ia berani menge Luarkan tudohan itu hatta di-luar Majlis ini—saya ada mendengar.

**Enche' Mohamed bin Ujang:** Tuan Yang di-Pertua, ia kata boleh buat tetapi ia belum buat lagi, dan jika ia buat di-luar saya suka hendak tahu dan dengar sama ada tudohan itu betul atau tidak.

**Mr. Speaker:** Perkara itu jangan di-sambong lagi.

**Enche' D. R. Seenivasagam (Ipoh):** Mr. Speaker, Sir, if I may explain on a point of explanation . . .

**Mr. Speaker:** I have already explained that.

**Enche' D. R. Seenivasagam:** I am asking him to give way on a point of explanation. If the Honourable Member does not believe that I will make it outside this House, if he just walks outside this door, I will make it. (Laughter).

**Mr. Speaker:** Never mind—tidak payah.

**Enche' Mohamed bin Ujang:** Tuan Yang di-Pertua, tidak payah Ahli Yang Berhormat itu mengatakan kapada saya, ia banyak peluang yang lain kalau hendak buat tudohan itu, bukan khas kapada saya tetapi keluar-kan tudohan itu kapada orang ramai. Saya khuatir tudohan yang di-buat-nya ini, boleh jadi berhabbit dengan perselisihan faham di-antara Ahli Yang Berhormat itu dengan Penda'awa Raya di-dalam perbicharaan yang ia ada mengambil bahagian.

Oleh hal yang demikian, Tuan Yang di-Pertua, pada fikiran saya menurut keadaan sekarang ini, Undang<sup>2</sup> yang sa-umpama ini telah menasabah benar-lah di-adakan dalam negeri ini.

**Enche' Khong Kok Yat (Batu Gajah):** Mr. Speaker, Sir, as has been said by most of the Opposition speakers during the course of this debate on this Bill, we, from this side, are in full accord with the Government in respect of the punishment to be meted out to kidnappers. We feel that such action, though considered rather harsh in a humane and highly advanced society, is necessary in view of the urgency of the matter. We feel that such harsh punishment will, in a way,

deter any to-be kidnappers from perpetrating such evil acts of theirs. What we are complaining about, Sir, in this House, and what has been misinterpreted by the last speaker in respect of the intention of the Opposition in trying to safeguard the constitutional rights of the citizens of this country, is that, as has been said by my learned colleague from Menglembu, a person is presumed to be innocent until he is proven guilty. We have laws of this country which we have followed and which we have inherited from the colonial days. Though we have a lot to say about the colonial powers, criticising them about their greed and their exploitation of the East, we still have this much to say—and we say "Thank you" to them to allow us to inherit from them a system of law whereby a democratic country can exist, and exist in a manner which is befitting such modern days.

Now, for those laws to be inherited by us, and to be enjoyed by us, these have taken them centuries upon centuries to develop, until today we can say that at least for a constitutional and democratic country like ours, the rights of the citizens to a certain extent have been well protected. But today we find before us in this House a Bill whereby all the rudimentary and fundamental system of law has been thrown outside this House. It has resulted in what can be said as reverting back to the primitive age in which our ancestors meted out a certain system of law whereby, to deter certain persons from perpetrating certain acts, certain drastic actions considered to be rather inhuman could be adopted. Now, for a civilised country like ours to revert to that, I feel, will be a great shame. To combat evil, I agree, sometimes drastic actions have to be adopted, but drastic actions are of many types—the types whereby it could be said they could only affect the evil minded ones. But in cases of this type, how can we say a person who is now in custody with the Police is the evil one to be punished? Until he is brought to court and tried in the proper manner,

whereby he is given all chances and all assistance to prove his innocence, then only we could come to the conclusion that the person we have in our hands is the one to be punished. What the Bill intends, in its many sections I find, is purely to deprive the arrested person of the right to defend his freedom. We know how frustrating it is on the part of the Police for them to sometimes apprehend a man whom in the eyes of every one concerned is considered already guilty and yet, in the course of the trial, due to the protection given to him by law, due to some technicalities probably, this man gains his freedom purely by obtaining a well versed lawyer to speak on his behalf and to try and interpret the law in his favour, which is convincing enough to allow the judge to throw out the case. I agree it is frustrating, and I agree it would be an encouraging factor, to a certain extent, to those criminal minded to make use of such loopholes, but I feel that even with those loopholes in existence, we must not try to lock it up to such an extent as to deprive a citizen of this country of his constitutional rights.

As to the different sections quoted by my learned colleague from this side—his criticism that such sections will deprive an individual of his right—I feel these sections are highly exaggerated in the true form in that in the real meaning they do not actually serve the purpose of gaining a conviction on behalf of the authorities of this country. I feel, Sir, that if we want to wipe out this evil of kidnapping from the face of the Federation, there are many other methods which must be considered by the Government and not as those adopted in this Bill. First and foremost, we threaten to pass legislation to want to punish the relatives of a kidnapper person for trying to pay money to obtain the release of a kidnapped person. On the other hand, as have been said by members on this side, there is insufficient protection given to the kidnapped persons' families in respect of the assurance that the lives of the kidnapped persons would be protected. I say this, Sir, because there

have been more than one instances of kidnappers killing their victims, or disposing of all their victims without eventually ever having the victims traced in the outside world. I am sure this House could remember the case of the towkay, who was kidnapped in Kuala Lumpur, not very long ago and whose existence, up till today, has not been traced. Then, there is the case of a kidnapped millionaire—again in Singapore—whose present existence no one knows about. Those are instances, Sir, which we cannot forget; those are glaring examples that have been brought to the notice of the public and are wellknown among the people, who are now quaking on their feet because of the eventuality of their being kidnapped.

Sir, in the event of any other persons being kidnapped in future again, this law, that we are now considering before us and which will be enforced subsequently, will mean that we are compelling the relatives to sign the death warrant of anyone who is kidnapped. Now, what is the remedy in respect of combating kidnapping then if we do not punish the relatives of the kidnapped persons? I say this, Sir: Gain their confidence. How do we gain their confidence? Give them assurance, give them protection, not by way of mouth but by signs, by obvious signs, like what is now being put into effect in Singapore though not very effective so far yet, but, at least, it is a step towards stamping out such evil in this country—I mean the formation of squads, known as anti-kidnapping squads. These squads can go into operation in record time and to put up road-blocks and seal up the area where the offence has been committed. To a certain extent, such squads will be a deterrent factor and in time to come, with their proven results known to the public, they will, therefore, deter kidnappers from freely going into action whenever and wherever they wish. I remember, Sir, during the Emergency, the civilians were conscripted into volunteer forces to man road-blocks and so forth. If the Government feels that a situation has arisen to such an extent as to affect the fundamental rights of the citizens of

this country, and that the Police are incapable, or have insufficient powers in their hands, of combating such evil, then I say we can revert back to the days whereby we could conscript the citizens to help themselves.

The incident which happened at Ipoh lately in respect of the killing of a towkay has been referred to in this House. It is not to be denied that there was a delay for the Police to show up, and in that delay, perhaps, the kidnappers managed to escape, or the robbers managed to escape. Sir, I am not standing here to challenge or to condemn the actions of the Police in Ipoh, but I have this to say: that if they had been on their toes, probably we might have seen more material results today and this in itself would have served as a deterrent factor to future kidnappers or robbers.

In respect of this Bill, Sir, a lot has been said about the rights of an accused person having been tampered with due to the numerous sections affecting the taking of evidence and the production of evidence.

Now, Sir, in the advanced society which we have in Malaya, if we were to revert back to the days whereby we are compelled to rule people by depriving a citizen of his rights, it would be going back to primitive days. We have advanced so far and is it worthwhile to look back and say, "Let us go back to have assessor trial again"? In the event of our doing so, what would be the reputation of Malaya in the eyes of the world? We always look with condemnation, and to a certain extent with repulsion, at countries like, for instance, Cuba where they rule by force. Perhaps, the situation would warrant it, but the fact still remains. Of course, in this particular Bill, we are not reverting to that extreme, but the fact remains that there is this depriving a citizen of his right. The reason for this is that the situation demands it, but the fact still remains that if we permit ourselves to revert back to such an extent without first looking for other means of remedy to solve this problem, then in the eyes of the world we would still be considered as retrogressive instead of progressive.

In conclusion, I would like just to refer to the last Honourable speaker. For his information, in respect of the allegations made by the Honourable Member for Ipoh, he is prepared to make public his allegations that he made in this House under privilege in Port Dickson on the 12th of this month. What he has already said in this House, he shall repeat at Port Dickson on the 12th, and in that way he will prove to the people of Malaya that the Peoples' Progressive Party are not irresponsible for whatever they say or do. What we say here, we are prepared to say it outside, because we are prepared and will be able to substantiate statements made here under privilege without privilege outside this House whereby action could be brought against us should our statements be false.

Lastly, Sir, in spite of all we have said, in spite of all the controversial points we have brought up in respect of this Act, we wish to assure the Government and the people of Malaya that we are in full accord that kidnapping is a scourge that should be stamped out as soon as possible.

**The Minister of Internal Security (Dato' Dr. Ismail):** Mr. Speaker, Sir, if I were to accept, or this House were to accept, the premises put forward by the Honourable the Member for Menglembu that only those Honourable Members, who are learned in the law, can understand the legal phrases, then I must apologise for getting up and making this reply. But nevertheless, we, ordinary mortals in this House, can comprehend the legal phrases embodied in this Bill. We are, however, thankful to the learned Members on the Peoples Progressive Party's bench for their legal views which I appreciate very much, and I am sure the other Honourable Members too. But we must remember that the learned Members, as all lawyers do, fight hard for their own case and so we must bear that assumption in mind if we must accept what they have said. I thank them for airing those views which I find very useful.

Now, Sir, Honourable Members on the Opposition bench, and this time I include also Members of the Socialist

Front, when they rose to speak on the Bill prefaced their opposition by saying that they fully realised the menace of kidnapping in this country. At least on this point both the Government and Opposition benches are at one. However, Sir, Members of the Opposition differ from the Government as to the manner of dealing with this menace. Sir, there is nothing strange in this case, because the Honourable the Minister of Justice has said that this is a controversial Bill. Having given that point of view in regard to this Bill, I feel that it is my bounden duty to give the Government's views in reply.

Sir, the Government in asking the House to pass this Bill admits that the ordinary process of law, or ordinary legislation, that we have is not enough if this grave menace of kidnapping is to be contained, or as we hope eradicated. The Opposition on the other hand holds the view which is to the contrary. But, Sir, I think the Members of the Opposition contradict themselves. The Government requires this legislation, which is a special legislation in the sense that this legislation can be considered as a matter of emergency legislation, and the provisions contained in this Bill are necessary if the objective of suppressing this menace is to succeed. I would suggest, Sir, that Members of the Opposition by criticising those parts of the Bill which are essential show that they unlike the Government—although they share the view that this is a grave menace to this country, this kidnapping—are not prepared to meet this menace on a practical basis. In fact, if the menace of kidnapping can be dealt with with all the legislation that we have passed, than there is no necessity for this Bill to come before this House.

Now, Sir, the Honourable Member for Ipoh can be considered as a specialist on police matters—at least in this House. He has alleged that the Police has been powerless to arrest the kidnappers so far. I submit that, by this very argument, he must admit that the failure of the Police to do so in some respects must be due to the fact that all the existing laws are inadequate to meet this menace.

Sir, the Honourable Member for Ipoh, I am afraid, goes further beyond the scope of this debate in bringing down the good name of the Police. Now, Sir, I cannot accept the slander made by the Honourable Member under the privilege of this House. I think we are all sick and tired with continuous sniping at the Police by the Opposition, particularly by the Members of the Peoples' Progressive Party of Malaya and the Socialist Front. In one breath they say that the Police must protect the public; in the next they try to deprive the Police of all powers to do so. Sir, as regards the Government, if we do not have full confidence in the Public Prosecutors and the Police, we would not seek to arm them with the powers that they are endowed.

The Honourable Member for Ipoh has cited instances, and made allegations, of irregularities committed by some members of the Police and from this he deduces that the Police force is inefficient. Now, I ask you, "Isn't it a strange kind of logic?"

Now, we come to the specific allegation made against the Police in connection with the recent incident that occurred in Ipoh. In this respect, the Honourable Member for Batu Gajah—I must give him credit—is quite generous to the Police, because he says he doesn't want to put the blame where it lies. Now, let me recite the event that took place in Ipoh on that day. The Police HQ was alerted by alarm at 6.40 a.m. Immediately one patrol car went to the *towkay's* house which was three to four minutes' drive from the control room of the Police HQ. At 6.43 a.m. the patrol car was 100 yards from the house when someone said that he had seen two gunmen running away from the house. The crew in the patrol car got down and went in the direction, where the two gunmen were alleged to have gone, to try to catch them. Later they helped to arrest one of the gunmen. At 6.49 a.m. a second radio car arrived at the house, when a watchman informed the crew that the deceased had been taken to hospital or went in the direction of the hospital. An

A.S.P. arrived at the house at approximately 7 a.m. He had been aroused from his sleep. Now, Sir, I think we can see that there is nothing, from what I have said, to show that the Police had been inefficient in this case. Sir, the provisions contained in this Bill, I submit, are the ones which are being severely criticised and which are the ones very essential to meet the kidnapping menace.

The Honourable Member for Telok Anson in his observation, which I think—if I am right—is strongly backed by the Member for Ipoh, lays emphasis on the difficulties placed on the relatives of people who have been kidnapped. Sir, as a Doctor, I admit that relatives of persons who are kidnapped suffer from misery and mental torture. However, Sir, it must also be admitted that the Police are handicapped in cases of kidnapping by sealed lips of all concerned. Hence a bitter necessity to apply sanctions even against relations if they hindered the Police. It is regrettable, perhaps, but absolutely necessary. It is also to be remembered that kidnapping will not succeed if relatives of people who have been kidnapped are prevented—and that is what we try to do in this Bill—from being used by kidnappers. When the kidnappers know that the provisions in the Bill prevent the relatives from negotiation, they will find it unprofitable to carry on the racket of kidnapping. After all, the very essence of kidnapping is ransom.

Now, Sir, we come to the most controversial part of the Bill—at least as judged by the debate in this House—that is the assessor system which is introduced in this Bill. I must admit that the learned members on the P.P.P. Bench argue with great bulk of logic against this system. The Honourable Member for Ipoh quoted the speeches made by the Prime Minister and the Minister of Justice in the former Legislative Council and concluded that my two colleagues had gone back on their words. I submit, Sir, this is far from being the case. In fact, in Malaya today the jury system is working under normal circumstances fairly well. But circumstances

are not normal when one has to deal with cases of kidnapping, because the very essence of kidnapping is intimidation.

It has been stressed by the Minister of Justice that like in the United States we hope this Bill will not be permanent. We hope that once we have contained the kidnapping, we will do away with most of the provisions that have been severely criticised in this House. Kidnapping, Sir, at a cost of repetition, is a form of offence in which intimidation is rife and so similar safeguards are both logical and necessary in the public interest. Public interest must prevail even if from time to time we have to modify our views—it is always in the interest of the public. Sir, we will never try to save face by saying principles which may change with the time. We consider politics is the art of the "possible" and not the art of the "theoretical" and I think to that we owe our success up to now.

There are a number of observations, as there should be, made on the Bill by Honourable Members on the Opposition Bench, but with due respect to them I say that all of them stem from the fact that those Opposition Members view this legislation as a legislation dealing with normal crime whereas the proper thing to do is to regard this Bill, as I have said, as a special emergency measure to cope with the increasing crime of kidnapping.

Now, subject to that general background, Sir, let me reply, that is to give Government justification for including these provisions in this Bill—for example, the question of the admissibility of evidence. After listening to the Members from Ipoh and Damansara I have come to the conclusion that they seem to assume that the Police are in the habit of forging evidence, twisting words and giving false witness. From what they say, Sir, one would believe that all the statements are made by fictitious people, on fictitious paper before fictitious police officers. From what they say the only way the Police ever

get a statement is by beating up both the suspect and the witnesses. I never heard such rot in my life. However, if the kidnappers like to believe it, they may do so (*Laughter*). It may probably stop them from kidnapping. I am not a lawyer, Sir, but I think there is little point in signing a statement which is generally recorded in a different language which would not in 99 out of 100 cases be understood by the accused. In any case, the judge and the assessors need not believe the statement. They can always reject it, and the witness in the witness box can be cross-examined. So, Sir, I can, of course, give the Government justification for putting the provision in the Bill.

We regard this legislation as an essential one, because it is to meet a special case. The Opposition argues it from the other angle, to say that kidnapping can be suppressed by using the existing legislation, much improved upon if necessary. So, although we differ with regard to the methods of dealing with kidnapping, we are at one in trying to suppress kidnapping. So I think the majority of the House is with the Government in this instance.

When I listened to the Member for Ipoh when he spoke about the Public Prosecutors I thought for a moment that he was attacking the personal integrity of unspecified Deputy Public Prosecutors. But I was glad to appreciate after he had spoken for a few moments that that was not so. Indeed, had he attacked the integrity of officers engaged in the administration of justice other than by a substantive motion, you, Sir, certainly would have ruled him out of order.

Now before I conclude, Sir, I would like to stress again that I welcome and respect the views of the Opposition, although I cannot agree with them. In the words of my Honourable colleague the Minister of Justice—and I quote him—"We believe that those who query the proposal will have a battery of excellent, fair and valid arguments in their favour." I would have liked to agree with them, but,

unfortunately, Sir, in the method of suppressing kidnappers, we agree to differ. In conclusion, at the risk of repetition, I would say that I welcome and respect the views of the Honourable Members of the Opposition in this House, but I hope the Opposition also remembers that they argue on the basis that kidnapping is a crime which can be dealt with by existing legislation. Experience has taught us, however, that this is not so, and in the words of the Member for Ipoh, the Police so far have not been able to release the people who have been kidnapped, and I add on my own, because they are not armed with the essential powers. Thank you, Sir. (*Applause*).

Question put, and agreed to.

Bill accordingly read a second time and committed to a Committee of the whole House.

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(*Mr. Speaker in the Chair*)

*Clause 1* ordered to stand part of the Bill.

*Clause 2*—

**Dato' Dr. Ismail:** Sir, I beg to move that *Clause 2* be amended as follows—

Insert the following new definition after the definition of "book":

"ransom" means any money, price or consideration paid or demanded for the release of a person abducted or wrongfully confined or wrongfully restrained;".

Amendment put, and agreed to.

*Clause 2*, as amended, ordered to stand part of the Bill.

*Clause 3*—

**Dato' Dr. Ismail:** Sir, I beg to move that *Clause 3* be amended as follows—

Insert the following words immediately after the words "of this section," appearing in the penultimate line:

"or with abetment of any such offence,".

**Enche' D. R. Seenivasagam:** Sir, I beg to move that sub-clause (2) of *Clause 3* be deleted.

**Mr. Speaker:** I shall deal with the amendment proposed by the Mover of the Bill first. Then you can move your amendment.

Amendment put, and agreed to.

**Enche' D. R. Seenivasagam:** Sir, I beg to move that sub-clause (2) of *Clause 3* be deleted.

**Dato' Dr. Ismail:** Sir, I submit that the amendment is not in order according to S.O. 57 (2).

**Mr. Speaker:** You mean that notice has not been given. But it says here "wherever practicable"—I think I can accept this. The question is whether you accept that amendment or not.

**Dato' Dr. Ismail:** No, Sir, we cannot accept it.

**Enche' D. R. Seenivasagam:** May I say a few words?

**Mr. Speaker:** Yes.

**Enche' D. R. Seenivasagam:** Mr. Speaker, Sir, I was aware of the amendment to Standing Order 57, but I did not want to waste the precious time of this House, because I expect that in the general debate of the second reading we would hear from the Honourable the Minister of Interior and Internal Security, who is usually so good in his reply and I thought he would give us a satisfactory reply. But, unfortunately, today his usual wit and humour was not there—perhaps, because in his own heart he knew that it was something all wrong. Mr. Speaker, Sir, I move this amendment. I had given my reasons in the general debate and I am not going to take up time of this House except to say this—that I felt I had to move it, because the reply given by the Honourable Minister was most unsatisfactory. My grounds for opposing this was the ground which the Prime Minister put forward in 1954. We are told we are living in different times, but I always thought that the Emergency and the communists were as serious, if not more serious than the present time, and the Honourable Prime Minister and the Honourable Minister of Justice then opposed this very same law—during that peculiar, strange and

highly dangerous time—on a principle, and that is why I say times are better and the work may be the same. If they opposed them then, they should oppose them now.

Amendment put, and negatived.

*Clause 3*, as amended, ordered to stand part of the Bill.

*Clauses 4, 5 and 6*—

**Dato' Dr. Ismail:** Sir, I beg to move that Clauses 5 and 6 (1) be amended as follows:

*Clause 5*—

Delete the words “for the release of any person who has been wrongfully confined or wrongfully restrained” appearing in lines 2 to 4 of sub-clause 1 and lines 3 and 4 of sub-clause (2).

*Clause 6*—

Delete the words “for the release of any person” appearing in lines 2 and 3 of sub-clause (1).

Amendment put, and agreed to.

**Enche' Chin See Yin:** Sir, I propose the deletion of Clauses 4, 5 and 6 for the reasons I have already explained.

Amendment put, and negatived.

*Clause 4* ordered to stand part of the Bill.

*Clauses 5 and 6*, as amended, ordered to stand part of the Bill.

*Clause 7* ordered to stand part of the Bill.

*Clauses 8 to 10*—

**Enche' Chin See Yin:** Sir, I propose that Clause 9 be deleted.

Amendment put, and negatived.

*Clauses 8 to 10* inclusive ordered to stand part of the Bill.

*Clauses 11 to 14* inclusive ordered to stand part of the Bill.

*Clause 15*—

**Dato' Dr. Ismail:** Sir, I beg to move the following amendments to Clause 15:

(i) Add the following new sub-clause (4):

“(4) For the purpose of this section ‘offence under this Act’ means

- (i) an offence punishable under sub-section (1) of section 3 or under sections 4, 5 or 9;
- (ii) any of the offences referred to in sub-section (2) of section 3;
- (iii) any conspiracy to commit, or an attempt to commit, or any abetment of any of the offences specified in paragraphs (i) and (ii)."

(ii) Add the words “under this Act” in line 2 of sub-clauses (2) and (3).

**Enche' D. R. Seenivasagam:** Mr. Speaker, Sir, the proposed amendment to Clause 15 will make only certain offences under the Bill wherein the prosecution can tender a statement made to the Police as evidence. It will specifically exclude such offences, again under the Bill, that is evidence under Clauses 6 (3), 7 (2) and 8 (2). Mr. Speaker, Sir, it will become a most curious piece of legislation, because under the same law we will be having two rules of evidence. In some offences under this Bill, you can admit statements made to the Police and in other offences made under this Bill, you specifically say that statements made to the Police in the course of the investigation shall not be taken as evidence—it seems to me most curious. There must be some very strong reasons if we are going to effect two sets of rules of evidence to be applied by the court. Now, the offences which are specifically excluded, to my mind, appear as important and as serious as the other offences—failing to give information, failing to supply information when asked for. I thought the whole intention of this Kidnapping Bill was special legislation to meet offences of kidnapping, and whilst I disagree completely with the rules of evidence to be established by this Bill that Police statements are admissible, but once the House has approved that principle, then I would say let us have that principle for the whole of the Bill. Let us not try to divide it up unless the Honourable Minister can give us some very good reasons for moving this amendment. Why should there be a distinction as to the rules of evidence, when the equally important offences may be committed and yet you say these statements should not be admitted.

**Dato' Dr. Ismail:** Mr. Speaker, Sir, I think the explanation to this amendment has already been circulated to Honourable Members and I have nothing further to add to it.

**Enche' D. R. Seenivasagam:** Mr. Speaker, Sir, if the Honourable Minister is referring to this sheet of paper—maybe I am not that intelligent—cannot discover any reason why except it says this, “excepts offences under the Act which are not in reality ‘kidnapping’ offences”. What are kidnapping offences?—The actual physical taking away?

**Mr. Speaker:** You are now referring to page 3, para. 5—the explanation is given there: “These amendments are consequential to the amendment at 5.”

**Enche' D. R. Seenivasagam:** I say that is no reason. It does not enlighten us as to why the amendment which is proposed makes two sets of rules of evidence in one law. It says, “excepts offences under the Act which are not in reality ‘kidnapping’ offences”—all right, if you mean kidnapping is actual physical taking away: then why do you say that the statement is admissible where ransom is paid? That is not actual physical taking away. Why do you say it should be admissible?—Information is not given to the police, that is not actual physical taking away. What is meant by actual kidnapping? I thought this whole Bill is designed to meet kidnapping offences.

**Dato' Dr. Ismail:** The other offences are exempted offences.

**Enche' D. R. Seenivasagam:** Mr. Speaker, Sir, I disagree. If you look at exempted offences under Clause (3), you will find that, “The Public Prosecutor may, if he is satisfied . . . . A bank which fails to comply with an order of the Public Prosecutor”; then if you look at Clause 7 (2), “Any person who wilfully neglects or fails to produce any such book, account . . . .”;—In each of those offences, it is failure to obey the order of the Public Prosecutor. Then why is that any statement made in the course of an investigation is not admissible? A person might have a good, a perfectly good reason, which

he has given in that statement. What is the reason? It is because that evidence is not necessary for the prosecution? If that is so, then it further reveals the evil intent of this law—that it wants a statement on the other offences and cannot do it without that; in other words to get it at any cost. We should like an explanation why it is specifically excluded. Is it because you do not require it to prove your case, or is there any other reason.

**Dato' Dr. Ismail:** Well, Sir, the only thing is that we do not want to break this principle unnecessarily.

Amendment put, and agreed to.

**Enche' S. P. Seenivasagam:** Mr. Speaker, Sir, I ask your leave to move another amendment of which it has not been practicable to give previous notice. I move for the deletion of the whole of Clause 15 on the ground that the Honourable Minister has failed this morning to give any explanation as to the meaning of the proviso which I read out, that is a warning should be given, but if it is not given it should be given as soon as possible after a statement has been made. We do not understand the meaning at all, and the Honourable Minister has not attempted to explain it. A further ground on which I move for the deletion of the Clause is the absence of any safeguard in respect of forgery and the substitution of statements. Even in communist countries and other places, they appreciate the trouble to get an accused person to sign a statement. But here, in this strange piece of legislation, we find that an accused person is not required even to sign his confession, his death warrant; and often we find that what is produced in court is a typed statement—there is nothing in handwriting; if you ask the Inspector, “Where is the original?” the answer is, “I have put it in the waste-paper basket; I have typed it out.” There is nothing in the law, as it stands now—Clause 15—which will prevent a Police Inspector from just sitting in his office, typing out a sheet of paper, putting it in his investigation file and coming to court and saying, “Here is the statement of the accused”. I fail completely

to see why an accused person, if he is allowed to make a voluntary statement should not be required to sign it and should not be furnished with a copy forthwith, so that we know there can be no funny business in regard to his statement.

**Dato' Dr. Ismail:** The answer is simple—the presiding Judge and the Assessors need not accept that evidence in court.

**Enche' S. P. Seenivasagam:** I beg your pardon.

**Dato' Dr. Ismail:** As I have mentioned in my speech in the general debate, the Judge need not accept it if he thinks that it cannot be believed.

**Enche' S. P. Seenivasagam:** Mr. Speaker, Sir, why should an accused person not be required to sign his statement which is supposed to have been made voluntarily? Why does this Legislature, the Government, not take the necessary precaution to ensure when the statement is made it is signed so that nothing else can be done with it?

**Dato' Dr. Ismail:** Mr. Speaker, Sir, the argument goes round and round. If you give a statement to an accused person and ask him to sign it, he cannot read it as it is written in a different language, so what is the use of his putting his signature down?

**Enche' D. R. Seenivasagam:** Mr. Speaker, Sir, I support the proposed amendment. The point is this: no man in his proper sense will sign a blank sheet of paper. At least he will have the protection of knowing that he has signed something which has been typed or written in his presence; and there should be an interpreter to interpret it to him. At least there is so much protection. But as it is today, a Police Inspector can just sit in his room, as has been said, type a sheet of paper, whether the accused did make a statement or not, and coming to court to say, "This is the statement accused made". How on earth is the Judge going to refuse the statement, unless the man is fortunate enough by the help of God to have some external

circumstantial evidence to support him, when he says, "I did not make the statement"? This has happened in the High Court of this country and several such statements have been thrown out—not because the man says, "I did not make it" but because he had something more—marks on his body or external circumstantial evidence in support. However, in nine out of ten cases the statements will be accepted by the court. There is the big danger which faces us. And I cannot understand this: we are told that our magistrates are trusted officials of this country, yet a magistrate is required to get a man to sign it before him, but our police officers for whom a large section of our community have no respect are trusted more than the magistrates of this country.

**Dato' Dr. Ismail:** I think he answers himself. In some cases they are accepted, and in some cases they are rejected.

Amendment put, and negatived.

*Clause 15, as amended, ordered to stand part of the Bill.*

*Clause 16 ordered to stand part of the Bill.*

Bill reported with amendment: read the third time and passed.

## MOTION

### APPOINTMENT OF OFFICIALS AND TEACHERS FOR ADULT EDUCATION

Order read for resumption of debate on Question, "That this House regrets that, in appointing Officials and Teachers for Adult Education, the Ministry of Rural Development discriminates in favour of those persons who support the Alliance Party some of whom so appointed do not even possess the necessary qualifications; and therefore resolves that such practice should be discontinued." (7th August, 1961).

Question again proposed.

**Enche' Zulkiflee bin Muhammad (Bachok):** Tuan Yang di-Pertua, di-dalam soal ini telah di-terangkan

bahawa yang di-kehendaki daripada usul ini ia-lah supaya amalan pileh kaseh yang berjalan itu di-berhentikan. Dahulu saya sudah menyebutkan di-dalam Dewan yang mulia ini bahawa bukan-lah kita membahathkan dasar yang di-jalankan oleh Kementerian Pembangunan Luar Bandar, tetapi yang kita bahathkan ini ia-lah amalan yang timbul di-dalam perkara ini. Kita, Tuan Yang di-Pertua, daripada Persatuan Islam sa-Tanah Melayu ada-lah sa-benar<sup>2</sup>-nya memandang baik kapada dasar hendak menjalankan kerja tidak-lah berma'ana sa-bagaimana yang di-da'awa oleh Ahli Yang Berhormat daripada Muar Utara yang mengatakan bahawa orang PAS tidak hendak kapada pembasmian buta huruf dan mengeluarkan surat khabar yang di-dalamnya di-bachakan-nya-lah bahawa gerakan pembasmian buta huruf membazir dan yang membazir itu saudara shaitan, dan orang PAS ta' hendak di-jadikan saudara shaitan. Hujong-nya benar, Tuan Yang di-Pertua, tetapi apabila sa-saorang membacha surat khabar molek-lah di-bacha-nya sampai habis, malang-nya Ahli Yang Berhormat itu membacha sa-kerat sahaja. Kalau di-bacha satu paragraph sa-sudahnya neschaya terjumpa-lah hujah orang yang berchakap terang ia-itu dengan chara yang ada sekarang, dengan chara pileh kaseh yang ada sekarang ini maka akan membazir-lah wang ini. Tuan Yang di-Pertua, oleh kerana takut membazir ya'ani hilang-nya wang dengan tidak mendapat faedah penoh maka ini-lah Persatuan Islam sa-Tanah Melayu mengemukakan kapada Dewan ini supaya amalan saperti ini di-berhentikan dengan jalan kembali kapada peratoran<sup>2</sup> biasa yang di-jalankan, yang di-amalkan oleh Kerajaan dalam soal pemberian jawatan dan sa-bagai-nya.

Saya perchaya, Tuan Yang di-Pertua, Yang Berhormat Timbalan Perdana Menteri sa-waktu ia menjawab dengan menerangkan dasar pemilehan kelas membacha dan menulis saperti yang di-nyatakan dalam kertas jawapan-nya itu, tentu-lah telah memandang bahawa itu-lah yang patut sa-kali, tetapi oleh kerana itu tidak berjalan maka ini-lah yang sedang menimbulkan soal pileh kaseh.

Sa-orang Ahli Yang Berhormat, saya ta' ingat mana satu yang telah ber-chakap tadi telah berkata kerja pelajaran dewan ini ada-lah satu kerja yang besar yang hendak di-jalankan oleh Kerajaan Perikatan, maka kalau di-beri kapada orang PAS dan sa-barang orang yang berkenaan yang benar<sup>2</sup> berjiwa dengan Perikatan maka akan gagal. Inilah, Tuan Yang di-Pertua, amat susah kita hendak menimbulkan soal ini. Kalau itu-lah prinsip kita hendak menjalankan mesti dari orang Perikatan maka rosak-lah pentadbiran negeri ini. Kita dapat Inspector orang yang bukan Perikatan, kita dapat guru orang yang tidak berjiwa Perikatan, maka ini akan menyebabkan kesukaran kerja yang hendak di-jalankan oleh Kerajaan. Bukan semua orang, Tuan Yang di-Pertua, dapat menjalankan kerja dengan baik, tetapi bukan semua orang hendak di-tudoh dengan serta-merta bahawa kalau ia berjalan ada-lah rosak. Perlembagaan Persekutuan Tanah Melayu telah memberikan jaminan dalam pekerjaan supaya tidak di-adakan perbezaan dan sa-suai dengan jiwa Perlembagaan Persekutuan Tanah Melayu yang amat di-kasehi ini.

Tuan Yang di-Pertua, boleh jadi orang ada mengatakan hingga had mana dapat di-jalankan kerjasama daripada semua bangsa. Yang sa-benar-nya Persatuan Islam sa-Tanah Melayu tidak memandang bahawa soal membasmikan buta huruf ini soal yang patut di-beri kapada orang PAS. Kita tidak memandang soal ini soal PAS dan soal Perikatan atau Socialist Front atau siapa sa-kali pun, tetapi soal-nya jalan-kan-lah dengan chara yang terator mengikut kaedah. Kalau ini di-jalankan bukan sahaja kita akan merbahaya, tetapi orang<sup>2</sup> yang kita harapkan menjadi orang<sup>2</sup> yang berpengetahuan dalam negeri ini yang akan hidup dengan baik membawa kapada penghidupan-nya. Inilah punch-nya. Tuan Yang di-Pertua, yang menimbulkan soal ini dan ini-lah sebab-nya usul ini di-kemukakan.

Saya perchaya Kerajaan akan dapat menimbulkan dengan halus-nya sa-belum menguji dalam perkara ini, sebab ini ada-lah usul yang menuju

kaerah yang sihat dalam amalan-nya itu.

**Tun Haji Abdul Razak:** Tuan Yang di-Pertua, saya suka menjawab tegoran<sup>2</sup> dan pandangan<sup>2</sup> yang di-datangkan oleh pehak penchadang usul ini, juga wakil pehak Persatuan Islam sa-Malaya terhadap ranchangan pelajaran dewasa yang baharu sahaja di-lancharkan oleh Kerajaan Perikatan. Di-sini saya suka terangkan bagi pehak Kerajaan sentiasa menerima apa juga pandangan<sup>2</sup> dan tegoran<sup>2</sup> yang membawa yang boleh membaiki di-atas sa-suatu perkara atau dasar Kerajaan ini, akan tetapi Kerajaan berasa dukachita ta' dapat menerima usul yang di-datangkan oleh wakil dari pehak Ahli Yang Berhormat dari Tanah Merah. Di-sini saya suka terangkan kapada Dewan ini bagaimana chara-nya satu persatu pegawai<sup>2</sup>, kaki-tangan<sup>2</sup> yang menjalankan ranchangan pelajaran dewasa ini di-lantek oleh Kerajaan. Menurut keputusan yang telah di-ambil dalam perkara ini ia-itu Kerajaan berchadang hendak mengadakan 10 orang Pengelola Negeri tiap<sup>2</sup> satu Negeri satu orang, Negeri Perlis dan Kedah di-jadikan satu, dan Pengelola ini ia-lah kaki-tangan Kerajaan. Orang<sup>2</sup> Kerajaan telah di-beri gaji dengan jelas-nya dan Kerajaan berchadang hendak mengadakan 140 orang Penyelia Pelajaran Dewasa yang di-kehendaki. Penyelia<sup>2</sup> ini bukan orang Kerajaan. Orang<sup>2</sup> ini hanya di-beri gaji daripada satu bulan ka-satu bulan menurut timbangan Kerajaan Persekutuan Tanah Melayu, dan Kerajaan berchadang juga hendak mengadakan beberapa Pusat Latehan Pelajaran Dewasa dan di-chadangkan hendak di-adakan di-tiap<sup>2</sup> Mukim satu Pusat Latehan. Pada tahun ini hendak di-adakan sa-kurang<sup>2</sup>nya satu Mukim 13 kelas dewasa.

Jadi nyata-lah ranchangan yang di-jalankan oleh Kerajaan sekarang ini ranchangan yang besar yang ber-kehendakkan usaha dan tenaga yang penoh, dan oleh itu mustahak-lah pegawai<sup>2</sup> ini di-lantek dengan sa-berapa segera-nya di-beri latehan dengan sa-berapa segera-nya, dan latehan<sup>2</sup> itu telah pun di-jalankan mula daripada Pegawai Pengelola, lepas itu kapada

Penyelia dan ta' berapa lama lagi kepada guru<sup>2</sup>.

Berkenaan dengan Pengelola<sup>2</sup> Negeri, pegawai<sup>2</sup> yang telah di-lantek itu ia-lah daripada Pegawai<sup>2</sup> Kerajaan yang ada sekarang ini yang di-fikirkan layak menjalankan pekerjaan itu, satu sahaja yang tidak dapat Pegawai Kerajaan ia-itu di-Kelantan dan jawatan ini belum dapat di-isi lagi oleh pehak Public Services Commission. Jadi peratoran yang di-buat bagi melantek jawatan ini mengikut peratoran yang biasa di-buat oleh Kerajaan, ia-itu Pegawai<sup>2</sup> Kerajaan yang ada sekarang ini di-ambil dengan persetujuan pehak Establishment Office, ia-itu di-ambil sementara. Jadi saperti yang saya katakan pegawai<sup>2</sup> itu di-pileh daripada orang yang telah berkhidmat kepada Kerajaan yang di-fikirkan boleh menjalankan ini. Kalau hendak di-pakai orang yang berpengalaman yang penoh dalam hal Pelajaran Dewasa ini terpaksa kita mengambil orang luar negeri, orang yang saperti itu dalam negeri kita ini tidak ada. Kerajaan Perikatan tidak berdasar sa-macham itu. Kerajaan Perikatan semenjak merdeka ini perchaya kapada tenaga, kapada kebolehan anak<sup>2</sup> negeri ini, dan saya perchaya anak<sup>2</sup> negeri dan pegawai<sup>2</sup> negeri ini boleh membuat pekerjaan saperti mengelolakan Kelas<sup>2</sup> Dewasa itu kalau di-beri latehan. Jadi itu-lah sebab-nya pegawai<sup>2</sup> itu apabila di-lantek di-beri latehan. Kita tidak boleh hendak mengambil pegawai yang berpengalaman tinggi saperti Education Officer, kerana mereka itu ada mempunyai tanggong jawab yang mustahak, jadi kita tidak dapat hendak tarek mereka itu. Bagitu juga pegawai<sup>2</sup> di-satengah tempat yang lain. Jadi apa jua pegawai yang kita fikirkan boleh ambil bagi sementara itu kita gunakan kerana satu ranchangan kebangsaan yang mustahak di-jalankan dengan segera. Jadi Pegawai<sup>2</sup> itu-lah di-pileh dan di-beri latehan. Dan saya puas hati semenjak mereka ini mula bekerja daripada 1 haribulan June, tahun ini mereka ini ada-lah menjalankan tugas-nya dengan puas hati. Sahingga hari ini kita telah mengadakan 1,280 kelas<sup>2</sup>, ia-itu lebuh 861 daripada kelas<sup>2</sup> yang ada pada masa mula Kementerian ini bertanggong jawab

di atas hal ini. Jadi itu-lah saya harap, pegawai<sup>2</sup> ini mula sahaja menjalankan tugas patut-lah di-beri peluang kapada mereka itu menunjukkan kebolehan-nya. Sa-lepas mereka itu berkhidmat sa-tahun dua di-dapati tidak menjalankan kewajipan dengan sempurna, dan pada masa itu kalau kita hendak tegor pekerjaan-nya boleh-lah kita tegor. Tetapi, saya fikir tentu-lah tidak adil dan tidak patut mengatakan oleh sebab pegawai itu tidak ada peng-alaman Pelajaran Dewasa tidak layak menjadi Pengelola mentadbirkan hal ini. Pekerjaan Pengelola sa-mata<sup>2</sup> mentadbirkan dan menjaga kelas itu. Jadi dengan latehan yang telah di-berikan itu saya puas hati yang mereka itu layak dan boleh menjalankan pekerjaan-nya dengan memberi puas hati kapada kita. Saya ulang sa-kali lagi ia-itu dasar Kerajaan Perikatan ia-lah hendak menumpukan harapan kita kapada pegawai<sup>2</sup> anak negeri, bukan kita hendak mengambil pegawai<sup>2</sup> luar negeri dalam pekerjaan yang sa-macham ini, kerana pegawai<sup>2</sup> anak negeri ada banyak sunggoh pun dalam masa penjajahan dahulu mereka itu tidak mempunyai latehan. Itu bukan salah mereka. Sekarang ini patut-lah kita heri mereka itu latehan supaya pekerjaan yang sa-macham ini dapat di-pegang oleh pegawai<sup>2</sup> anak negeri.

Berkenaan dengan Penyelia<sup>2</sup> Jajahan, seperti yang saya katakan, mereka itu bukan-lah Pegawai Kerajaan. Mereka itu di-ambil daripada orang<sup>2</sup> yang di-fikirkan boleh menjalankan pekerjaan-nya dalam masa lapang (part time). Jadi pegawai<sup>2</sup> ini di-lantek oleh Pengelola<sup>2</sup> dalam tiap<sup>2</sup> negeri, dan orang yang di-ambil itu ia-lah daripada mereka yang di-fikirkan boleh menjalankan pekerjaan dan mempunyai kelayakan menjalankan pekerjaan. Dan dalam Penyelia<sup>2</sup> ini ada juga Pegawai Kerajaan di-ambil seperti Guru Pelawat dan juga guru sekolah yang di-fikirkan boleh melapangkan masa untuk mem-buat pekerjaan. Jadi dalam memileh Penyelia ini, Pengelola<sup>2</sup> Negeri tidak memandang kapada kechenderongan satu<sup>2</sup> parti, bahkan memandang kapada orang yang di-fikirkan layak membuat pekerjaan itu dan boleh menjalankan tugas-nya. Dan Penyelia<sup>2</sup> itu di-beri

latehan dalam teori dan juga prektikal, dan sa-lepas latehan itu di-adakan pepereksaan, dan jika di-dapati tidak layak, tidak lulus dalam pepereksaan mereka itu akan di-berhentikan. Kera-jaan berkehendakkan orang yang boleh membuat pekerjaan, orang yang tidak layak Kerajaan tidak mahu, dan mereka itu akan di-berhentikan. Penyelia<sup>2</sup> sudah di-beritahu atas semua hal itu dan mereka itu di-setengah tempat sedang menerima latehan, dan sa-lepas latehan itu akan di-adakan peperek-saan, dan seperti yang telah saya katakan tadi, kalau tidak lulus dalam pepereksaan itu mereka akan di-berhentikan.

Dan bagitu juga berkenaan dengan guru<sup>2</sup>. Saperti yang saya terangkan dalam jawapan saya yang di-bentang-kan dalam Dewan ini mustahak-lah mempunyai kelayakan yang tersebut. Dan perentah telah di-beri kapada semua Pengelola Negeri bahawa hanyalah orang yang mempunyai kelayakan yang sa-macham itu boleh di-ambil menjadi guru, orang lain yang tidak ada kelayakan yang tersebut itu tidak boleh mengajar di-Kelas<sup>2</sup> Dewasa. Guru<sup>2</sup> itu di-beri latehan saperti Penyelia<sup>2</sup> dalam chara mengajar yang baharu, bukan chara "Laubach". Saya fikir chara "Laubach" yang dahulu tidak sa-suai lagi dengan chara mengajar Kelas Dewasa yang baharu, dan sa-lepas latehan itu di-adakan pepereksaan, jika di-dapati tidak layak, tidak lulus mereka itu akan di-berhentikan juga. Guru<sup>2</sup> ini ada-lah di-bayar (part time) ia-itu \$4.00 sa-jam, dan tidak-lah menjadi kesukaran hendak di-berhenti-kan bila<sup>2</sup> masa kalau di-fikirkan tidak layak. Saya telah di-beritahu sa-hingga hari ini ada lebih kurang 3,745 per-mintaan<sup>2</sup> hendak menjadi guru telah di-terima dan 1,280 daripada itu telah di-ambil. Dan saya telah memberi perentah ia-itu guru<sup>2</sup> yang sekarang ini sedang mengajar dalam Kelas Dewasa itu hendak-lah di-beri keutamaan. Sa-lain daripada itu di-ambil orang<sup>2</sup> yang terkenal di-tempat atau daerah itu, kerana kita berkehendakkan guru<sup>2</sup> yang di-perchaya<sup>2</sup> oleh pendudok<sup>2</sup> tempat itu, dan jika guru<sup>2</sup> itu tidak di-perchaya<sup>2</sup> oleh pendudok<sup>2</sup> tempat itu

tentu-lah tidak boleh mengajar dengan puas hati dan tentu tidak menerima sokongan daripada penduduk<sup>2</sup> yang hendak menerima latehan itu. Dan dalam siasatan yang saya dapat buat dalam hal ini saya puas hati bawanya Pengelola<sup>2</sup> Negeri telah memilih guru<sup>2</sup> itu daripada orang yang di-sikirkan mempunyai kelayakan termasuk juga negeri Kelantan sunggoh pun guru<sup>2</sup> yang di-pileh itu ada orang yang chenderong kapada parti<sup>2</sup> siasah UMNO, PAS, dan juga Parti Negara, tetapi mereka itu telah di-beri tugas mengajar kapada penduduk<sup>2</sup> daripada semua pehak, dan tićak boleh membawa perkara politik dalam hal mengajar Pelajaran Dewasa ini. Oleh itu kita tidak-lah dapat hendak mengetahui yang sa-benar-nya apa kechenderongan sa-saorang itu dalam parti siasah, terutama di-Pantai Timor, sebab penduduk<sup>2</sup> di-sana dari sa-masa ka-sa-masa biasa-nya fikiran-nya ber-tukar. Dahulu, barangkali mereka itu menyokong PAS sekarang ini kebanyakannya telah pun keluar dan masuk UMNO. Jadi dengan keadaan yang sa-macham ini tentu-lah kita tidak dapat tahu apa kechenderongan sa-saorang itu. Jadi saya puas hati bawanya dalam pemilihan Pegawai Penyelia dan guru<sup>2</sup> itu tidak ada "pileh kaseh" di-mana<sup>2</sup> juga tempat. Mereka itu di-pileh ia-lah kerana kebolehan-nya.

Akan tetapi, saya harap Ahli<sup>2</sup> Yang Berhormat, terutama pehak PAS faham bawanya kita baharu sahaja menjalankan Ranchangan Pelajaran Dewasa, bahkan yang sa-benar-nya belum di-lancharkan lagi, hanya-lah pada masa ini jentera<sup>2</sup> baharu di-adakan, dan saya harap dapat di-lancharkan ta' lama lagi apabila tingkatan kedua Ranchangan Pembangunan Luar Bandar di-lancharkan.

Saya yakin dan perchaya, seperti yang saya katakan tadi, jika mereka itu di-beri peluang menunjukkan kebolehan mereka, dan pekerjaan mereka itu di-sokong oleh semua pehak, kita akan dapat kejayaan dalam Ranchangan Pelajaran Dewasa ini seperti kejayaan kita dalam Ranchangan Pembangunan Luar Bandar yang lain.

Akan tetapi, saya khuatir sadikit ia-itu Ketua<sup>2</sup> PAS di-Kelantan dan Trengganu ada mendatangkan di'ayah—sama ada benar atau tidak—ia-itu Pelajaran Dewasa ini ada-lah ber-tentangan dengan ugama dan tidak patut di-sokong. Pada pandangan saya ini ia-lah di'ayah yang nakal, yang merosakkan kedudukan ra'ayat dan merugikan ra'ayat. Jadi saya harap—kalau tidak betul—seperti kata Yang Berhormat dari Bachok tadi—saya harap Ketua Agong PAS membetulkan perkara ini. Dan saya sukachita mendengar yang mereka itu menyokong Ranchangan Pelajaran Dewasa ini, dan saya harap beritahu kepada penyokong<sup>2</sup> mereka di-Kelantan dan Trengganu supaya menyokong Ranchangan Pelajaran Dewasa yang sa-mata<sup>2</sup> akan memberi faedah kapada ra'ayat. Dan harus juga dari sa-masa ka-samasa dalam perjalanan Ranchangan<sup>2</sup> Pembangunan Luar Bandar termasuk Ranchangan Pelajaran Dewasa, barangkali ada perkara yang tidak betul, tetapi kita harap dapat di-betulkan bersama<sup>2</sup>. Saya suka katakan sa-kali lagi ia-itu kita patut-lah beri peluang kapada pegawai<sup>2</sup> itu menunjukkan kebolehan-nya, dan pehak Kerajaan ber'azam hendak menjayakan Ranchangan Pelajaran Dewasa ini dengan sa-berapa boleh dan akan menumpukan sa-penoh tenaga bagi mendapat hasil yang memberi puas hati.

Oleh itu saya harap Ahli<sup>2</sup> Yang Berhormat dalam Dewan ini daripada semua pehak akan memberi kerjasama dengan sa-penoh-nya kapada Kerajaan supaya ranchangan kebangsaan yang sa-mata<sup>2</sup> memberi faedah kapada ra'ayat itu akan dapat berjalan dengan memberi hasil yang sa-penoh (*Tepok*).

**Enche' Othman bin Abdullah (Tanah Merah):** Tuan Yang di-Pertua, waktu saya mengumumkan usul ini telah pun saya nyatakan bawanya kami dari pehak pati Islam Sa-Malaya ada-lah memandang penting dan mustahak-nya pembenterasan buta huruf atau sekolah dewasa di-kampong<sup>2</sup> yang mana saya telah menyebutkan hal ini pada mula-nya ia-itu ini-lah satu daripada kesan<sup>2</sup> penjajah yang

harus kita lenyapkan dari dalam sebuah negara yang merdeka. Jawapan yang di-berikan oleh Yang Berhormat Timbalan Perdana Menteri sa-chara peroperator dan telah menyatakan kepada kita amat-lah rasa-nya memuaskan hati kita sakalian, terutama sa-kali hati saya sendiri chukup puas rasa-nya. Oleh kerana telah terang chara<sup>2</sup> perlantekan, chara orang yang di-kehendaki di-dalam pengelola negeri, penyelia<sup>2</sup> dan guru<sup>2</sup>, dan tentang itu tidak berbangkit sa-barang soal, tetapi yang menjadi soal-nya di-sini di-dalam perlaksanaan-nya, benar-lah 10 orang pengelola negeri itu di-lantek daripada pegawai Kerajaan, tetapi dalam pelaksanaan-nya itu, pegawai<sup>2</sup> Kerajaan itu berpendapat, saya ada lebuh pengalaman dan kelayakan dari-pada sa-orang pegawai Kerajaan yang rasa-nya tidak ada pengalaman tentang hal itu. Daripada kita menchuba<sup>2</sup>, dan beratus<sup>2</sup> ribu ringgit sudah habis, baharu-lah kita hendak baiki, Tuan Yang di-Pertua, alang-kah rugi-nya, sebab kita nampak suatu perkara itu boleh jadi akan merugikan kita. Apalah salah-nya kalau kita lantek sa-orang yang ada kechenderongan dalam soal pelajaran dan pendidekan ra'ayat. Sebab pada pendapat saya, Tuan Yang di-Pertua, guru<sup>2</sup> atau pengelola atau penyelia sekolah dewasa itu bukan sahaja sa-mata<sup>2</sup> kewajipan-nya hendak mengajar A.B.C. tetapi kewajipan-nya untuk memimpin ra'ayat.

Oleh itu hendak-lah sa-orang itu boleh bertanggong-jawab dan boleh di-perchaya<sup>1</sup> dan sa-orang yang ada kechenderongan dan kelayakan yang utama dalam tugas yang di-berikan kapada-nya. Akan tetapi, di-sini-lah letak-nya pileh kaseh. Oleh kerana pegawai itu di-kasehi kerana jasa-nya dan memileh-nya kerana hendak membalas jasa-nya maka dia di-pileh. Ini-lah ma'ana-nya pileh kaseh. Saya sama sa-kali tidak mahu menapikan kebenaran yang di-kemukakan oleh Yang Berhormat Timbalan Perdana Menteri. Di-dalam kita memileh ini tidak-lah mesti memandang dia itu orang PAS, dia itu orang UMNO, dia itu orang Front Socialist, akan tetapi yang mesti di-pandangkan ia-lah tentang kelayakan-nya, biar siapa sa-

kali pun asalkan ada kelayakan-nya dan kechenderongan-nya. Siapa yang ada kelayakan dan kechenderongan maka dia-lah yang patut kita utamakan. Chara macham mana-kah kita hendak tahu orang itu ada kelayakan dan mustahak-lah kita adakan-lah penyelidekan. Walau pun tadi Yang Berhormat Timbalan Perdana Menteri itu menyatakan yang di-dengar-nya di-Pantai Timor konon khabar-nya orang<sup>2</sup> PAS mengatakan pelajaran dewasa ini berlawanan dengan ugama, saya tidak pun pernah mendengar tudoh<sup>2</sup> saperti itu melainkan boleh jadi oleh kerana datang-nya bisekan itu daripada orang<sup>2</sup> Perikatan sendiri yang mengatakan orang PAS itu tidak suka, kerana konon-nya berlawan dengan ugama, supaya dia dapat. Tuan Yang di-Pertua, ugama tidak sa-bodo<sup>2</sup> itu memahamkan tiap<sup>2</sup> perkara itu semua-nya bertentang dengan ugama. Kami di-sini menapikan kalau ada orang PAS yang mengatakan bertentangan dengan ugama bahkan ugama menyuroh belajar, ugama menyuroh belajar dan ini di-wajibkan dalam Islam, dan mustahil-lah pula ugama itu berlawanan dalam perkara ini, jadi ini ada-lah sa-mata<sup>2</sup> fitnah yang tidak dapat kita terima pada fikiran orang yang waras.

Tuan Yang di-Pertua, saya faham akan keterangan Yang Berhormat Timbalan Perdana Menteri itu jika berkehendakkan expert kena-lah membawa dari luar negeri tidak daripada anak negeri kita sendiri. Kita sudah chuba membawa orang luar negeri dahulu ia-itu lobak, teranchai sahaja akhir-nya, Tuan Yang di-Pertua. Kalau hendak mengeja chawan, dia kata "cha", jadi, Tuan Yang di-Pertua, itu-lah expert dari luar negeri, dan kita sudah rugi dengan expert saperti itu, Tuan Yang di-Pertua.

Di-Indonesia, Tuan Yang di-Pertua, waktu mereka itu mendapat kemerdekaan ada lebuh daripada 70 peratus ra'ayat Indonesia itu sendiri yang tidak pandai menulis dan membacanya dan expert di-dalam negeri mereka sendiri-lah yang berusaha kearah ini maka dalam 10 tahun dapat-lah 50 peratus daripada buta huruf itu di-chelekan dan sekarang hanya tinggal 16 peratus

saaja. Ini expert-nya tidak datang dari luar negeri, tetapi mereka itu berusaha menjalankan-nya dengan chara mereka sendiri tidak-lah hanya hendak memberi kerja orang saya, orang dia, anak kemanakan saya, adek ipar saya, tidak. Akan tetapi sa-mata<sup>2</sup> berdasarkan kapada siapa yang boleh menjalankan-nya untuk kepentingan musharakat dan ada kelayakan, patut-lah di-berikan. Jadi pada fahaman PAS dan pada fahaman saya, kami memandang perkara ini penting dan berat, sebab itu-lah kalau sa-kira-nya di-lakukan chara pileh kaseh maka akan merugikan kita pada masa yang akan datang.

Sa-patut-nya, Yang Berhormat Timbalan Perdana Menteri harus bertanggong-jawab terus dengan soal ini dengan menyelidek atau mengadakan satu Jawatan-Kuasa Menyelidek benar atau tidak-nya apa yang kami kemukakan ini. Sa-bagaimana keterangan Yang Berhormat Timbalan Perdana Menteri guru<sup>2</sup> yang hendak mengajar itu akan di-beri latehan. Dan manakala sudah di-berikan latehan akan mengajar. Kalau lulus akan di-terima menjadi guru, kalau tidak lulus tidak dapat jadi guru. Apa yang telah di-amalkan dalam negeri Kelantan ia-itu Si-Pengelola itu melantek si-anu dan si-anu itu menjadi guru, apa-kah chara-nya ia hendak mengajar dan dia tidak tahu bagaimana hendak mengajar kerana tidak di-lateh lebeh dahulu mereka itu mengajar kelas pemberantasan buta huruf. Belum tahu hujong pangkal-nya guru<sup>2</sup> ini telah mulai mengajar ada kala-nya mereka gunakan Pejabat UMNO. Ini pertama, Tuan Yang di-Pertua, menjauhkan orang daripada datang belajar kelas dewasa dan kedua kalau sakira-nya perkara ini tidak benar dan tidak di-amalkan oleh pengelola itu sendiri di-dalam perlantekan terhadap penyelia<sup>2</sup> kapada guru<sup>2</sup> itu maka rasa saya tidak akan ada terbit usul yang seperti ini.

Jadi ini Tuan Yang di-Pertua, menjauhkan orang daripada belajar di-sekolah dewasa itu, satu. Yang kedua, kalau sakira-nya ini benar-lah telah di-amalkan—telah di-jalankan oleh Pengelola Negeri di-dalam perlantekan-

nya terhadap Penyelia<sup>2</sup> Daerah atau Jajahan, dan kapada guru<sup>2</sup>-nya maka saya rasa tidak akan ada terbit usul yang seperti ini. Terbit-nya usul yang seperti ini oleh kerana tidak dilaksanakan apa yang telah di-nyatakan oleh Timbalan Perdana Menteri di-dalam keterangan menjawab usul yang saya kemukakan ini.

Tuan Yang di-Pertua, saya telah menyatakan tadi bahawa kalau di-turut, kalau di-ikut-lah chara yang di-kemukakan oleh Timbalan Perdana Menteri di-dalam pelaksanaan sekolah dewasa ini, ta' dapat-lah terjumpa pileh kaseh. Tetapi kalau kita menengok-lah betul<sup>2</sup>, Tuan Yang di-Pertua, guru<sup>2</sup> yang ada di-sekolah<sup>2</sup> dewasa itu; bukan agak<sup>2</sup> sahaja neschaya terdapat-lah kebenaran-nya. Yang Berhormat Timbalan Perdana Menteri mengatakan bahawa di-pantai timor ini sekejap orang itu jadi PAS, sekejap orang itu jadi Perikatan, ta' tentu arah. Ini bukan ta' tentu arah, Yang di-Pertua, chawangan UMNO, Setia-Usaha ka-pada chawangan Perikatan itu sendiri yang jadi guru dewasa. Macham mana orang itu boleh berpindah ka-sana ka-mari, kalau ahli dan anggota itu boleh jadi. tetapi guru<sup>2</sup> ugama ini ia-lah orang<sup>2</sup> yang memang sudah tebal semangat-nya dengan Perikatan. orang yang sudah tebal semangat-nya dengan UMNO ini-lah orang yang di-beri sagu hati di-dalam mengajar sekolah dewasa, konon-nya ini-lah sagu hatinya untuk menggerakkan UMNO. Jadi saya kata, chara yang macham ini tentu-lah tidak betul kalau hendak chari guru pun ishtiharkan-lah, umpana-nya di-dalam kampong ini kita hendakkan 4 orang guru, siapa yang hendak boleh-lah minta dengan kelayakan-nya bagini, di-pileh-lah, di-adakan-lah pemereksaan, siapa yang berkelayakan masok, masok-lah dia, dan siapa yang tidak lulus keluar-lah dia, tidak-lah mengapa. Tetapi tidak, bagitu hal-nya tiap<sup>2</sup> Yang di-Pertua UMNO, tiap<sup>2</sup> Setia-Usaha UMNO di-ambil dan di-pileh, di-mana-kah benar-nya? Belum lagi di-lantek dengan rasmi belum lagi di-beri latehan mengajar mereka sudah pula mengajar, dan mereka ta' tahu chara bagaimana pula hendak mengajar. Ini-lah, Tuan

Yang di-Pertua, saya minta; barang kali juga oleh kerana kita ini agakkan ini semua fitnah, chuba-lah pereksa betul atau tidak betul, chuba datang sa-kali tengok, betul-kah atau tidak betul tuduhan kami ini. Kami sayangkan benar pelajaran dewasa ini, dan biar-lah berjalan dengan baik tetapi kalau chara bagini tentu-lah nanti timbul yang tidak baik.

Tuan Yang di-Pertua, saudara saya Yang Berhormat dari Perlis Utara samalam telah berkata, terlalu awal usul ini di-kemukakan, nanti-lah dahulu, sudah selesai baharu kita hendak bahathkan. Sudah jadi bubor baharu kita hendak jadikan nasi apa guna-nya, Tuan Yang di-Pertua. Sa-belum jadi bubor-lah kita hendak betulkan sekarang, kita tahu-lah benda ini belum lagi jadi bubor. Jadi, kalau sudah jadi bubor, hanchor lebor-lah semua sa-kali saperti macham Lobach hari itu sudah jadi bubor kita hendak buat balek ini kachau bilau-lah kita. Biar-lah dalam masa sekarang ini chara ikhlas kita menegor sebab pendirian tuan<sup>2</sup> dan pendirian kami dalam soal pembanteras buta huruf ini ada-lah sama, chuma dalam chara dan pelaksanaannya sahaja kita agak berlainan, maka sebab itu-lah kami kemukakan pendapat<sup>2</sup> kami. Jangan-lah kita biarkan sampai<sup>2</sup> dia sudah jadi bubor, jadi tempoyak baharu kita hendak jadikan benda itu baik balek, itu kachau-lah kita.

Tuan Yang di-Pertua, Yang Berhormat Ahli dari Temerloh mengatakan orang PAS ini suka mengechil<sup>2</sup>kan orang. Kami tidak suka mengechil<sup>2</sup>kan orang sebab orang itu memang-lah sudah besar, apa-lah guna-nya kita hendak mengechil<sup>2</sup>kan lagi. Kata-nya, "mana-lah awak tahu Health Inspector itu ta' boleh menjadi itu . . . ". Ia-lah betul, tetapi mana awak pula tahu orang yang lain daripada Inspector itu ta' boleh jadi Organiser ini. Jadi, kalau kita tidak tahu . . . ; oh! mana kita boleh kechil<sup>2</sup>kan orang itu. Sa-bagai Merinyu Kesihatan, "mana awak tahu", dia kata, "orang itu tidak boleh buat kerja." Betul, saya tidak tahu, tetapi di-mana pula dia tahu orang lain tidak boleh buat kerja itu? Jadi sama<sup>2</sup> ta' tahu-lah. Kalau

bagitu lebeh baik-lah kita chari penyelesaian yang lebeh dekat kapada masaalah itu, lantek-lah orang<sup>2</sup> yang benar<sup>2</sup> chenderong dan tentu-lah kita boleh bekerja sama dengan Pejabat Pelajaran siapa-kah orang<sup>2</sup> yang layak betul<sup>2</sup> dalam hal ini, dan baharu-lah kita melantek mereka.

Tuan Yang di-Pertua, soal membazir yang di-kemukakan oleh Yang Berhormat dari Temerloh itu, saya tidak-lah mengatakan benda ini membazir tetapi benda itu mustahak, tetapi kalau sa-kira-nya ta' kena gaya-nya dia akan menjadi membazir. Jadi, yang di-katakan oleh Ahli Yang Berhormat dari Muar Utara, dia kata, "ta' guna-lah kita pileh orang PAS sebab dia sendiri berchakap dalam surat khabar", bagitu . . . . bagini surat khabar itu surat khabar *Utusan Melayu* chelup, Tuan Yang di-Pertua. Kita tahu-lah surat khabar *Utusan Melayu* chelup, Tuan Yang di-Pertua. Kita tahu-lah surat khabar *Utusan Melayu* chelup itu dasar-nya dia mesti menyokong Kerajaan. Dan dengan dasar menyokong Kerajaan dia mesti mene-kan parti pembangkang. Jadi, kita tidak-lah boleh terima dasar *Utusan Melayu* chelup yang ada sekarang yang chuma memburok<sup>2</sup>kan orang PAS sahaja. Tuan Yang di-Pertua, . . .

**Enche' Ahmad bin Arshad (Muar Utara): Rises.**

**Mr. Speaker:** Dia tidak beri jalan.

**Enche' Othman bin Abdullah:** Saya ulang balek. Tuan Yang di-Pertua, oleh kerana saya tahu dia membacha sadikit sahaja, dia hendak membela pula *Utusan Melayu*. saya tidak hen-dak mencheritakan perkara itu. Tetapi, Tuan Yang di-Pertua, kami tidak mengatakan perkara ini membazir tetapi kalau sa-kira-nya tidak kena dengan gaya-nya memang membazir. Mithal-nya kata saya tadi, kalau sudah guru itu semua-nya Yang di-Pertua UMNO, Scilia-Usaha UMNO ba-gitu dan bagini tentu-lah orang yang bukan UMNO ta' hendak belajar di-situ kerana mereka mengajar dasar pati politik-nya, "kenapa saya hendak pergi di-situ," bukan-kah itu membazir. dia dapat menchari 40 orang murid

hari<sup>2</sup> hadzir—datang sekolah dan guru itu akan dapat-lah allowance \$4.00 sa-jam tetapi orang yang belajar tidak ada, bukan-kah membazir macham ini dan ini sudah menjadi saudara shaitan-lah, Tuan Yang di-Pertua. Saya tidak hendak chara macham itu, membazir pun saya tidak hendak. Jadi, kalau kita tidak hendak membazir kita mesti-lah chari jalan yang sa-suai jangan jadi membazir dan saperti mendengar berita *Utusan Melayu* chelup itu pun tidak guna juga, chari-lah kenyataan-nya betul<sup>2</sup>, itu baharu-lah kena.

Tuan Yang di-Pertua, ini kata Yang Berhormat dari Muar Utara, janji Perikatan. Betul janji Perikatan tetapi janji membanteras buta huruf itu bukan-lah janji memberi kerja kepada Setia-Usaha UMNO. Apa-kah ada janji Perikatan memberi kerja kepada Setia-Usaha UMNO, Tuan Yang di-Pertua, ini saya chabar kalau betul. Chuma dalam Manifesto UMNO mengatakan, "kita hendak-lah meng-adakan satu dasar pembanteras buta huruf". Betul, kami pun suka 1,000 persen pun kami sokong, 1,000 persen bukan 100 persen, 10 kali ganda kami sokong. Tetapi, di-dalam pelaksanaan hendak di-beri kapada orang UMNO sahaja, itu tidak adil, biar-lah chara adil dalam perlaksanaan-nya. Dia kata, kalau salah orang di-lantek—orang PAS, hai . . . gagal-lah kita. Ini bukan politik, Tuan Yang di-Pertua. ini mengajar, mengajar A.B.C. ta' kan-lah orang Perikatan sahaja yang pandai membacha, orang PAS ta' pandai membacha itu erti-nya mengechil<sup>2</sup>kan orang pula, terkena-lah pula kapada Yang Berhormat dari Temerloh sebab dia sendiri mengatakan kami suka me-ngechil<sup>2</sup>kan orang, rupa<sup>2</sup>-nya dia pula mengechil<sup>2</sup>kan orang PAS lebuh dari-

pada apa yang di-sangkaī, itu ta' kena-lah, Tuan Yang di-Pertua. Jadi, sebab itu-lah saya mengharapkan walau pun perkara ini akan di-tolak ta' apa-lah alhamdu lillah, tolak, tolak-lah tetapi ingat-lah, Tuan Yang di-Pertua, perkara ini akan berlaku terus menerus dan saya harap supaya kalau kami menghantar surat esok tolong-lah han-tarkan kapada penyelia atau penyelidek benar atau tidak tuduhan itu sebab nampak-nya di-dalam Dewan Ra'ayat ini yang benar pun jadi ta' benar kalau suara orang itu ramai.

Jadi, kami sekarang sa-lain daripada di-Dewan Ra'ayat hendak menulis pula kapada Menteri<sup>2</sup> Yang Berhormat itu dan tolong-lah hantarkan satu Jawatan-Kuasa yang bebas yang ta' masok parti sana, yang ta' masok parti sini, selidek betul<sup>2</sup> sebab kami bekerja untok ra'ayat dan kami bekerja untok kepentingan orang ramai tidak untok kepentingan kami. Jadi, itu-lah sahaja, Tuan Yang di-Pertua, keterangan saya di-dalam masa yang akhir ini walau bagaimana pun saya mengharap supaya Yang Berhormat Timbalan Perdana Menteri ambil-lah satu dua bandingan untok di-jadikan bahan supaya jangan-lah dalam perkara pembasmian buta huruf di-kampong<sup>2</sup> ini menjadi sia<sup>2</sup> sahaja ada-nya.

Question put, and negatived.

## ADJOURNMENT

**Tun Haji Abdul Razak:** Mr. Speaker, Sir, I beg to move that the House do now adjourn *sine die*.

**Dato' Dr. Ismail:** Sir, I beg to second the motion.

Question put, and agreed to.

*Adjourned at 12.30 p.m.*