



PARLIAMENTARY DEBATES

DEWAN RA'AYAT
(HOUSE OF REPRESENTATIVES)

OFFICIAL REPORT

CONTENTS

ORAL ANSWERS TO QUESTIONS [Col. 1699]

ADJOURNMENT OF THE HOUSE (STANDING ORDER 18)
(MOTION) [Col. 1706]

BILLS:

The Kidnapping Bill [Col. 1707]

The Post Office (Amendment) Bill [Col. 1709]

The Advocates and Solicitors (Amendment) Bill [Col. 1716]

The Fisheries Bill [Col. 1717]

The Criminal Procedure Code (Amendment) Bill [Col. 1732]

MOTIONS:

The Income Tax Ordinance, 1947—

(Amendment to First Schedule) (The Penang Tourist Association)
[Col. 1746]

The Customs Duties (Amendment) (No. 4) Order, 1962—

(Statute Paper No. 52 of 1962) [Col. 1748]

The Development Estimates, 1963 [Col. 1753]

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

Official Report

Fourth Session of the First Dewan Ra'ayat

Thursday, 29th November, 1962

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, Minister of External Affairs and Minister
of Information and Broadcasting, 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 Works, Posts and Telecommunications,
DATO' V. T. SAMBANTHAN, P.M.N. (Sungai Siput).
- „ the Minister of Transport, DATO' HAJI SARDON BIN HAJI JUBIR,
P.M.N. (Pontian Utara).
- „ the Minister of Agriculture and Co-operatives,
ENCHE' MOHAMED KHIR BIN JOHARI (Kedah Tengah).
- „ the Minister of Health, ENCHE' ABDUL RAHMAN BIN HAJI TALIB
(Kuantan).
- „ the Minister of Commerce and Industry, DR LIM SWEE AUN,
J.P. (Larut Selatan).
- „ the Minister of Education, TUAN HAJI ABDUL HAMID KHAN
BIN HAJI SAKHAWAT ALI KHAN, J.M.N., J.P. (Batang Padang).
- „ the Minister without Portfolio ENCHE' ABDUL AZIZ BIN ISHAK
(Kuala Langat).
- „ the Assistant Minister of the Interior, ENCHE' CHEAH THEAM
SWEE (Bukit Bintang).
- „ the Assistant Minister of Labour and Social Welfare,
ENCHE' V. MANICKAVASAGAM, J.M.N., P.J.K. (Klang).
- „ the Assistant Minister of Information and Broadcasting,
ENCHE' MOHAMED ISMAIL BIN MOHAMED YUSOF (Jerai).
- „ ENCHE' ABDUL GHANI BIN ISHAK, A.M.N. (Melaka Utara).

- The Honourable ENCHE' ABDUL RAUF BIN A. RAHMAN, P.J.K. (Krian Laut).
- „ ENCHE' ABDUL RAZAK BIN HAJI HUSSIN (Lipis).
- „ ENCHE' ABDUL SAMAD BIN OSMAN (Sungai Patani).
- „ TOH MUDA 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 MOHAMED SHAH, S.M.J. (Johor Bahru Barat).
- „ TUAN HAJI AHMAD BIN SAAID (Seberang Utara).
- „ 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' 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).
- „ TUAN HAJI HUSSAIN RAHIMI BIN HAJI SAMAN (Kota Bharu Hulu).
- „ ENCHE' IBRAHIM BIN ABDUL RAHMAN (Seberang Tengah).
- „ ENCHE' ISMAIL BIN IDRIS (Penang Selatan).
- „ ENCHE' ISMAIL BIN HAJI KASSIM (Kuala Trengganu Selatan).
- „ ENCHE' K. KARAM SINGH (Damansara).
- „ CHE' KHADIJAH BINTI MOHD. SIDEK (Dungun).
- „ ENCHE' KONG KOK YAT (Batu Gajah).
- „ ENCHE' LEE SAN CHOON (Kluang Utara).
- „ ENCHE' LEE SECK FUN (Tanjong Malim).
- „ ENCHE' LIM JOO KONG, J.P. (Alor Star).

- The Honourable ENCHE' LIM KEAN SIEW (Dato Kramat).
- „ ENCHE' LIU YOONG PENG (Rawang).
- „ ENCHE' T. MAHIMA SINGH, J.P. (Port Dickson).
- „ ENCHE' MOHAMED BIN UJANG (Jelebu-Jempol).
- „ ENCHE' MOHAMED ABBAS BIN AHMAD (Hilir Perak).
- „ ENCHE' MOHAMED ASRI BIN HAJI MUDA (Pasir Puteh).
- „ ENCHE' MOHAMED NOR BIN MOHD. DAHAN (Ulu Perak).
- „ DATO' MOHAMED HANIFAH BIN HAJI ABDUL GHANI, P.J.K. (Pasir Mas Hulu).
- „ ENCHE' MOHAMED YUSOF BIN MAHMUD, A.M.N. (Temerloh).
- „ 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).
- „ ENCHE' TAJUDIN BIN ALI, P.J.K. (Larut Utara).
- „ 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. VEERAPPEN (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' YONG WOO MING (Sitiawan).
- „ PUAN HAJJAH ZAIN BINTI SULAIMAN, J.M.N., P.I.S. (Pontian Selatan).
- „ TUAN HAJI ZAKARIA BIN HAJI MOHD. TAIB (Langat).
- „ ENCHE' ZULKIFLEE BIN MUHAMMAD (Bachok).

ABSENT:

- The Honourable the Minister without Portfolio, DATO' SULEIMAN BIN DATO' HAJI ABDUL RAHMAN, P.M.N. (Muar Selatan).
- „ the Minister without Portfolio, DATO' ONG YOKE LIN, P.M.N. (Ulu Selangor).
- „ the Minister of Labour and Social Welfare, ENCHE' BAHAMAN BIN SAMSUDIN (Kuala Pilah).

The Honourable the Assistant Minister of Commerce and Industry,
TUAN HAJI ABDUL KHALID BIN AWANG OSMAN
(Kota Star Utara).

„ ENCHE' GEH CHONG KEAT (Penang Utara).

„ ENCHE' HUSSEIN BIN MOHD. NOORDIN, A.M.N., P.J.K. (Parit).

„ ENCHE' KANG KOCK SENG (Batu Pahat).

„ ENCHE' LEE SIOK YEW, A.M.N. (Sepang).

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

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

„ ENCHE' QUEK KAI DONG, J.P. (Seremban Barat).

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

„ TUAN SYED JA'AFAR BIN HASAN ALBAR, J.M.N.
(Johor Tenggara).

„ ENCHE' TAN KEE GAK (Bandar Melaka).

„ WAN MUSTAPHA BIN HAJI ALI (Kelantan Hilir).

„ ENCHE' YEOH TAT BENG (Bruas).

PRAYERS

(Mr Speaker in the Chair)

ORAL ANSWERS TO QUESTIONS

WHITLEY COUNCILS—AUTHORITY TO NEGOTIATE BY OFFICIAL SIDE

1. Enche' V. David (Bungsar) asks the Prime Minister whether it is a fact that members of the Official Side of the Whitley Councils have no power to negotiate on agreement with the Staff Side, and if so, whether the Government will review the matter.

The Prime Minister: Mr Speaker, Sir, the fact is that the Official Side has got authority to negotiate terms with the Staff Side, but where any decision is a major decision, and it is a decision which is regarded as involving a lot of money, then that decision will have to be referred to the Government. I quote for instance a major decision such as a revision of salaries and other decisions which involve large sums of money. Otherwise the Official Side has, actually, authority to negotiate terms with the Staff Side.

Enche' V. David: Sir, in certain cases in the past, even on small matters the

Official Side had refused to give definite answers, and members of the Official Side had said that they must convey the matters to Government before giving the answers. Would that be reviewed?

The Prime Minister: I will certainly attend to that, Sir, and if the Honourable Member can give a few instances where the Official Side had refused to negotiate or arrive at a decision where it will not involve a lot of money, I will certainly take steps to correct that.

ARBITRATION AWARD TO CLERKS, CUSTOMS DEPARTMENT

2. Enche' V. David asks the Prime Minister, why the Government refused to accept the recommendation as to the date of implementation of the arbitration award made to clerks of the Customs Department, and whether the Government will reconsider the matter.

The Prime Minister: Mr Speaker, Sir, this is in respect of the arbitration award made to clerks of the Customs Department. The question is whether the Government will reconsider the matter. The fact is that the recommendation made by the Tribunal in respect of the date of implementation of the arbitration award to clerks of the

Customs Department was not accepted by the Government, because it was not included in the terms of reference of the Tribunal. Actually the Staff Side had been told or informed that the operation of the public services arbitration agreement must be subject to three conditions, and these three conditions are:

- (a) that the Government is not under any obligation to go to arbitration as a preliminary to altering the conditions of service;
- (b) that the implementation of awards in arbitration is subject to the over-riding authority of the Government; and
- (c) that the Government reserves the right to refuse arbitration on the ground of public policy.

The fact, Sir, is that it was not embodied in the terms of reference—the question of implementation of the rise in pay or increase in pay. They were told about that and it was not decided by the Tribunal—but only a recommendation was made to the Government and which the Government has absolute right to refuse or accept. In fact, the Government had agreed some time back, I feel that it is relevant to point it out here, that the established practice in Whitley Councils is to implement any agreement or decision from the first day of the month following which agreement or decision is reached between the Official Side and the Staff Side.

Enche' V. David: Sir, whilst recognising the Government's power to reject the award, at the same time does the Government realise that it is creating a bad precedent for the employers in the private sector to follow? As the Government being a model employer, to a certain extent it should be able in this case to reconsider the whole matter of giving recognition to the award—and with an open mind it might examine the matter once again.

The Prime Minister: Mr Speaker, Sir, I do not think there is need to review the matter once again. In fact, I have pointed out that, where the sum of money so involved is so large, that

it is impossible for Government to implement the award. I think, as a good employer, the Government has done well to go into the question of the demand of the Customs officers in the Johore State Department for a revision of pay—and Government had gone into it. Whereas if the Government had tried to be hard, it might have ignored the claim of these people. And if the Government had to implement the increases so many years back, I do not think in future the Government would be too willing to go into matter of the claim such as this. The fact is that it will help all Government officers who have any cause for complaint to make it provided, of course, they do not ask too much—as after all it is not our money to do as we like with. It is public money and we have got to be very careful with it, and I think that the implementation of the increases of salary as recommended for the Customs officers in Johore is a fair one.

ALLOCATION OF FUNDS TO THE WHITLEY COUNCILS STAFF SIDE

3. Enche' V. David asks the Prime Minister whether the Government proposes to reduce its allocation of \$6,000 to the Whitley Councils Staff Side to \$4,000, and if so, why.

The Prime Minister: Mr Speaker, Sir, the fact is that there are two sides of the Whitley Councils: one is the Staff Side for Divisions I to IV, and the other one is for the Staff Side (Daily-rated). Each Staff Side has been given \$2,000, totalling \$4,000; and they have been warned time and again that this is just a help to see them through for one year and that they must try to do something to improve their financial position—they have been reminded again and again about it. Now we feel that it is time that we reduce that amount when in fact we can take away this additional subvention of \$2,000.

Enche' V. David: Mr Speaker, Sir, is it the intention of the Government genuinely to foster the growth of trade unions or to curtail the activities of trade unions? Here the amount has been reduced, the action of which indicates that the Government is

making an attempt in a way to curtail the activities of the trade unions.

The Prime Minister: Mr Speaker, Sir, I do not think that is a true statement. Everybody knows that the Government has been trying to encourage the trade unionism in this country, and in respect of this particular matter, the additional subvention approved for last year, beginning from 1st October, 1961, was \$4,000 mainly for the purpose of assisting the Staff Side. This additional subvention has now been reduced to \$2,000, because hitherto payments have been made on the basis of a subsidy—and they understood it. Therefore, there is nothing else the Government can do except to take away this subsidy and ask these people to stand on their own feet.

Enche' V. David: Sir, at least will the Government reconsider this case for the next few years until the trade unions are on their own feet?

The Prime Minister: Sir, as far as I know, they are on their own feet already! (*Laughter*).

COMMISSIONER OF INSURANCE—QUALIFICATIONS

4. Enche' Tan Phock Kin (Tanjong) asks the Minister of Finance to state the qualifications of the present holder of the post of Commissioner of Insurance.

The Minister of Finance (Enche' Tan Siew Sin): Mr Speaker, Sir, the Insurance Commissioner has been continuously employed full-time by the Mutual Life and Citizens Assurance Co. Ltd, of Australia from 1928 until he came to the Federation of Malaya. He has had experience of insurance business in Australia, Canada and New Zealand. I am entirely satisfied that his experience and knowledge are fully adequate for the post of Insurance Commissioner. In order to avoid wearying Honourable Members with detail, I have prepared a curriculum vitae of the Insurance Commissioner which the Honourable Member can inspect, if he so wishes.

Enche' Tan Phock Kin: Mr Speaker, Sir, I am afraid the Honourable Minister of Finance is evading my question. I asked for the qualification of the

Commissioner of Insurance, but the Minister gave us his experience. In other words, can I assume that the Commissioner of Insurance has no academic qualifications whatsoever? Will the Minister kindly confirm that?

Enche' Tan Siew Sin: Mr Speaker, Sir, I took great pains to tell the Honourable Member that I have got with me a curriculum vitae which he can inspect and there he will find out what the academic qualifications of the Insurance Commissioner are. I do not want to read it because it is rather a long document.

Enche' Tan Phock Kin: Then, can I ask the Honourable Minister of Finance one specific question: has the Commissioner of Insurance any actuarial qualifications?

Enche' Tan Siew Sin: Sir, I can provide the Honourable Member with this document in a matter of seconds if he will be patient. I don't think I should waste the time of this House by reading it out.

Enche' Tan Phock Kin: Sir, surely the Minister can answer this very simple question with an "yes" or a "no". It was stated, in the course of investigation on various insurance companies, that they must produce a certificate from an actuary. So, I am asking a specific question: has the Commissioner of Insurance an actuarial qualification, because this is very important? It is no use telling that he has got a list there. Surely from the list he can tell us straightaway whether this particular person possesses actuarial qualification.

Enche' Tan Siew Sin: Mr Speaker, Sir, I do not know what he means by actuarial qualification, but the Insurance Commissioner certainly has got considerable experience in insurance, and from that I presume that it includes actuarial experience.

Enche' Tan Phock Kin: Mr Speaker, Sir, can I ask the Honourable Minister concerned, since he fails to understand what I mean by "actuarial qualifications", whether the Commissioner is a member of any actuary.

Enche' Tan Siew Sin: Sir, I think I have said enough to try to convince the Honourable Member.

Enche' Lim Kean Siew (Dato Kramat): Mr Speaker, Sir, I have heard the Honourable Minister of Finance saying that this Commissioner of Insurance is a man of great experience and that therefore he is obviously qualified. Does that, therefore, mean that if a clerk of a firm has been working for twenty years, he is then fully qualified to hold the post of Commissioner of Insurance? Will the Honourable Minister of Finance inform this House in what way this Commissioner of Insurance has had experience and what positions he has held which required qualifications?

Enche' Tan Siew Sin: Mr Speaker, Sir, I myself and everybody in the Government, who is connected with this matter, are fully satisfied that the Insurance Commissioner is fit to hold this job and we hold that view whatever the Opposition may think.

Enche' Lim Kean Siew: Sir, I am aware that the Ministerial Bench is fully satisfied that the Commissioner is fully qualified but the rest of the country is not satisfied. So, will the Honourable Minister of Finance attempt to convince us and the rest of the country?

Enche' Tan Siew Sin: Mr Speaker, Sir, I entirely disagree that the rest of the country is not satisfied with the qualifications of the Insurance Commissioner.

Enche' Tan Phock Kin: Sir, I must assume that the Commissioner of Insurance has no actuarial qualifications. So I would ask the Honourable Minister concerned, when occasions arise for actuarial advice to be obtained, whether he can tell us from where such actuarial advice has to be obtained, and if it is from a firm of actuaries, whether he can kindly give us the name of the firm of actuaries.

Enche' Tan Siew Sin: Mr Speaker, Sir, that is an entirely different question.

FIVE-YEAR DEVELOPMENT PLAN—INVESTMENTS IN PRIVATE SECTOR

5. **Enche' Tan Phock Kin** asks the Minister of Finance to state what was

the amount of investments in the private sector for the first two years of the 5-year Plan and what was the basis for such figure.

Enche' Tan Siew Sin: Mr Speaker, Sir, private gross capital formation for 1961 and 1962 is estimated at \$400 million and \$490 million respectively. The 1962 figure is based on data for the first six months. The method used was to estimate total construction plus total purchase of machinery and equipment. From this total was subtracted public capital formation to arrive at industrial private capital formation. To this figure was added planting and replanting of permanent crops to get the total private sector investment figure.

It is admitted that these estimates are subject to a considerable degree of error, but it is hoped that more comprehensive data will be available shortly.

ADJOURNMENT OF THE HOUSE

(Standing Order 18) Motion

Enche' Lim Kean Siew: I have this morning handed in a notification in writing asking that the House suspend the Standing Orders under section 18 (2) to discuss a matter which is definite, urgent and of public importance. Mr Speaker, Sir, the Honourable Prime Minister has dealt with this subject yesterday, namely, the Sino/Indian border conflict. Mr Speaker, Sir, I do not know whether or not I should address you on this point at the moment or wait for your ruling.

Mr Speaker: You must wait for my ruling (*Laughter*). This is a notification under S.O. 18 to adjourn the House to discuss a definite, urgent and public important matter. I have considered this notification very carefully and I rule that this matter is no more definite as hostilities have ceased and it is, therefore, not an urgent matter. It is therefore not possible for me to grant the claim of the Honourable Member under S.O. 18 (2). That is my ruling.

BILLS

THE KIDNAPPING BILL

Second Reading

The Minister of the Interior (Dato' Dr Ismail bin Dato' Haji Abdul Rahman): Mr Speaker, Sir, under the Kidnapping Act of 1961 the trial of a person charged with an offence classified under sub-section (2) of section 3 of that Act must be by the court of a judge with the aid of assessors conducted in accordance with the provisions of Chapter XXI of the Criminal Procedure Code. The appointment of assessors for the purpose of the trial is provided for under Chapter XXIII. The amendment to the Code in 1956 enacted that Chapter XXIII is to be construed as if the word assessors were deleted. As a result it would therefore appear that no assessors can be appointed under Chapter XXIII. The amendment to sub-section (i) of section 187 of the Criminal Procedure Code is therefore necessary to enable assessors to be chosen from the list of persons to act as jurors.

Sir, I beg to move.

The Minister of Works, Posts and Telecommunications (Dato' V. T. Sambanthan): Sir, I beg to second the motion.

Enche' S. P. Seenivasagam (Menglembu): Mr Speaker, Sir, there is only one observation I would like to make on this and that is the Court has been given the power to choose assessors from the list of persons who are summoned. Now, there are no rules set out which describe how the Court is to proceed in choosing assessors. That was also the position under the Criminal Procedure Code before, where assessor trials were involved. It would have been much better if a provision were added in to say that the assessors shall be picked by the judge by lot. In other words, from those summoned to Court he picks out by lot any two names from a box. What could happen, and what has happened before, is that it would be open to a judge to pick out assessors of his own choice. I have in mind a case which caused a storm in this

country some years ago where a judge picked out on a second trial, I would say deliberately, a European assessor to try a certain case when the prosecution had failed to obtain a conviction with two Asian assessors. So on the retrial a deliberate attempt was made to pick out a European assessor and the result of this case is wellknown to members of this House and especially to the Honourable Prime Minister who was the moving figure at that time in that controversy.

Perhaps this measure has been introduced now as a matter of urgency, but I would ask the Legal Department to give due consideration to the fact that it would be desirable that assessors should be picked out without any deliberate selection of individuals by a judge.

Enche' D. R. Seenivasagam (Ipoh): I rise to support fully the observation made by the Honourable Member from Menglembu and, in addition, I would like to say one more thing—that is, let no one misunderstand the purpose of this amendment which is put before us. It is only a procedural amendment which is making provision for the procedural part of the trial itself; and here it is regrettable that those responsible for the framing of this Bill did not consider the necessity of taking into consideration other provisions of the Kidnapping Act itself. Let no one live in a fool's paradise because this amendment is not going to change the law of the Kidnapping Act in any way. As the law now stands in the Kidnapping Act—and as I said when it was passed—it is a piece of wastepaper which has been confined to the wastepaper baskets in the Courts of this country, because that Act itself cannot work and will not work until the proper amendments are brought up. It is my hope that if this Government is keen on taking a strong hand against crime it will amend the Kidnapping Act in a sensible way to make it a workable law.

Dato' Dr Ismail: Mr Speaker, Sir, I shall certainly consider and refer the constructive suggestions made by the members of the Opposition in regard to the procedure that they have

suggested; but as regards the amendment of the Kidnapping Bill, I think I will have more to say on that matter when we table amendments in this House.

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)

Clauses 1 and 2 ordered to stand part of the Bill.

Bill reported without amendment: read the third time and passed.

THE POST OFFICE (AMENDMENT) BILL

Second Reading

The Minister of Works, Posts and Telecommunications (Dato' V. T. Sambanthan): Mr Speaker, Sir, I beg to move that a Bill intituled "an Act to amend the Post Office Ordinance, 1947", be read a second time.

The present Section 54 (2) of the Post Office Ordinance, 1947, provides for two factors before the amount of an unpaid money order can be paid into the Consolidated Fund, viz.:

- (a) Neither the payee nor the remitter can be found; and
- (b) No claim is made within the period of one year from the date of issue.

These provisions are causing the Postal Services Department constant and increasing embarrassment in the number of unpaid money orders which lie in its accounting records, because of the inability or unwillingness of the remitters or payees to claim payment. Many of the cases concern disputes between landlord and tenant in the payment of rent. The unwillingness of remitters to claim refundment of unpaid money orders in certain cases is fully appreciated, but from a departmental point of view, there is abuse of the service. In most of the outstanding

cases in the accounting records, it cannot be stated that neither the payee nor the remitter can be found. Either may be traced, but cannot be persuaded or obliged to claim payment.

The present impasse can be overcome by repealing sub-section (2) of Section 54 of the Post Office Ordinance, 1947, and substituting therefor a new sub-section, as detailed in the proposed Bill. This proposed Bill will provide that the amount payable on a money order is to be paid into the Consolidated Fund where no claim is made or where a claim is made after the lapse of one year from the date of issue of the money order, and will also give the Postmaster-General a discretion to pay the amount of any claim, even though made after the period of one year, but not later than three years, if he is satisfied that the delay in making the claim is justified, or if hardship would result.

The Minister of Agriculture and Cooperatives (Enche' Mohamed Khir Johari): Sir, I beg to second the motion.

Enche' Lim Kean Siew: Mr Speaker, Sir, it is with great regret that I have to rise on my feet to oppose this amendment. As I can see it, what the Honourable Minister of Posts and Telecommunications is trying to do is to appropriate for the Department monies paid into the post office for special purposes by remitters at the post office. It would be more appropriate for the Postmaster-General to send the money back to the remitters after a certain period instead of appropriating that money into the account of the post office and paying the money into the Consolidated Fund.

There are many people, Mr Speaker, Sir, who make use of the post office to remit money to and from various parts of Malaya. Very often, the money is sent to relatives who are in need of money and in many cases with regard to the poorer people of this country who have to go round the country looking for jobs the addressees of the Money Orders are often untraceable and cannot be found, and by the time the post office has gone round to look for the person and has sent

back the Money Order to the addressor, the addressor may have gone off to another part of the country for a temporary post and often, in such cases, they may have forgotten that they have to reclaim remitted money which had been undelivered. In such instances, if the monies are forfeited to the Consolidated Fund so perfunctorily there would be great hardships caused.

The Honourable the Minister of Posts and Telecommunications is correct to point out that the post office is used now for the payment of rent to reluctant landlords who have refused to collect the rents. Now, if this service is withdrawn from the public, the tenants of this country—they amount to several hundred thousands—will fall to the mercy of the landlords. At the moment the Control of Rent Ordinance is such that before a landlord can take action in court, the landlord must prove that rent has been owing for a period of more than 14 days. If the landlord can show that rent has been owing and has not been paid for more than 14 days, then it is a ground for the landlord to recover possession of the house from the tenant. I personally know that in Penang nearly 60 per cent of the landlords have refused to accept rent from their tenants, and over 90 per cent of these people have had either to come to the City Council for advice or proceed to the post office and send a Money Order addressed to the landlord in order to show proof that rent has been tendered. Now, landlords in certain areas are often very rich people. They can wait for one year, they can even wait for three or four years so that the tenant will accumulate his rent arrears and then after some years give 14 days' notice demanding for the payment of the full rent owed for that period. In such instances, the rent often comes to \$6,000 or \$7,000 and to demand payment from a tenant of rent to the amount of \$6,000 or \$7,000 can cause great hardship, and in many cases the tenants are unable to pay. As a result of the fears of the tenants and the practice of landlords, the tenants have made use of the post offices to deposit

rents owed. Every time a landlord refuses to collect rent, the tenant buys a Money Order to the amount of the rent and remits it through the post office to the landlord. On the rejection by the landlord, the tenant is advised that the Money Order has been refused, but the tenant does not collect back the Money Order. He holds his payment slip and his Money Order receipt as evidence that on a certain date in a certain year he had bought a Money Order in the name of the landlord and had sent the money through the post office. And he does this every month and leaves the money in the post office. He does it every month in order to give evidence to the court that the money has been paid but has been rejected by the landlord. He leaves the money in the post office, because the Money Orders accumulate. Many tenants feel this—that if they go and withdraw the Money Order, then the court may hold that they have withdrawn payment or offer to pay, but that as long as the money stays in the post office, it means a standing offer to pay to the landlord and, therefore, the tenants have committed no offence under the Control of Rent Ordinance which will allow the landlord to take eviction proceedings against them.

Sir, it is a peculiar aspect of a capitalist structure that individuals have to seek out their own redresses and their own defence. In this capitalist structure, the tenant has sought to protect himself by the post office against the clutches of his landlord. Now, if this protection is withdrawn from the tenant, he falls again into the clutches of the landlord—and the landlord can afford not to take action for two or three years, and then take action by demanding immediate payment for rent owing. The withdrawal of this facility from the public by this amendment may serve the Department but it will certainly be a disservice to the public. Therefore, I ask the Honourable the Minister of Works, Posts and Telecommunications to withdraw this Bill and reconsider it again.

Dr Burhanuddin bin Mohd. Noor (Besut): Tuan Yang di-Pertua, saya

hendak berchakap sedikit tentang Bill ini. Bill ini menerangkan ia-itu kalau wang money order tidak di-tuntut dalam masa sa-tahun wang itu akan dimasukkan kepada Consolidated Fund. Pada dasar-nya, saya sokong Bill ini. Saya ada satu perkara yang saya hendak menarek perhatian tentang perjalanan pejabat pos dalam negeri ini. Ada pejabat pos berjalan dengan baik dan ada pejabat pos berjalan dengan tidak memberi puas hati, kerana di-satengah tempat itu jauh dan tidak ada agent. Saya telah menyaksikan satu kejadian di-kawasan saya, dan bolehlah saya cheritakan sa-bagai contoh, ia-itu berkenaan dengan pembayaran. Perkara itu ia-lah sa-orang guru sekolah hendak mengeluarkan wang simpanan-nya daripada pejabat pos. Sa-telah dia membuat permohonan, dia telah di-benarkan boleh mengeluarkan wang-nya. Surat itu telah di-hantar dengan pos kepada-nya. Oleh kerana di-tempat-nya itu tidak ada pejabat pos yang terator, maka surat itu di-beri kepada agent. Agent itu beri kepada Ketua Kampong dan Ketua Kampong itu beri kepada kawan²-nya atau orang lain untuk di-sampaikan kepada-nya. Jadi surat itu telah terlewat. Apabila dia pergi ka-pejabat pos, dia di-beritahu oleh kerani pos yang wang-nya itu tidak boleh di-terima lagi kerana sudah lewat; kalau hendak juga hendak-lah buat permohonan baharu, kata kerani itu. Jadi guru ini telah banyak mengeluarkan belanja datang ka-pejabat pos tetapi wang tidak dapat. Perkara yang sa-bagini memang sapatut-nya tidak boleh berlaku kalau mengikut undang² ini. Saya harap Kementerian mengambil satu langkah terhadap perkara yang saya cheritakan ini supaya orang kampong tidak teraniaya kerana Money Order yang si-penerima-nya di-kampong² yang jauh².

Enche' D. R. Seenivasagam: Mr Speaker, Sir, I rise to support the Bill because, I think, this Bill will do considerable good to members of the public, particularly tenants who are now under the misapprehension that once a Money Order is sent to the landlord it is necessary to preserve that Money Order for all time until legal action is commenced. I think that is a wrong idea,

because once you posted the Money Order and if it is refused by the landlord, all that is necessary, and it has been held in decisions by courts, is to preserve the envelope and the covering letter, and you can go and cash your Money Order without any prejudice to the fact of proving tender of rent—and, in fact, there is authority again in the well-known case of *M. M. Ally*, where the court had held that if you tendered rent once and there was refusal by the landlord to accept it, then there is no obligation to tender further rent: but even if there is obligation to tender it, you can cover yourself by merely writing a letter to the landlord telling him, "I am always ready and willing to pay you rent if you decide to accept it. Please write to me and I will send it to you." Therefore, the necessity of accumulating Money Orders is certainly not there, and that misapprehension will, I think, be taken away from the tenant to his benefit in this case.

I am not concerned about revenue going into the Consolidated Fund, because there will be nobody who will be foolish enough to allow the money to get into the Consolidated Fund. With regard to the point raised by the Honourable Member for Dato Kramat regarding accumulation and landlords being able to embarrass tenants by saying, "Pay me all my rent at once" again, the law in its wisdom has made provision, where the judicial authority has power in cases where the landlords deliberately allow rent to accumulate to lay down that that accumulation of rent shall be paid under certain terms and conditions, such as instalments, to meet the needs of the tenants. Therefore, I do not think that this will cause embarrassment, and I support the Bill.

Dato' V. T. Sambanthan: Mr Speaker, Sir, I do not think I need reply to the Honourable Member for Dato Kramat. (*Laughter*).

With regard to the Honourable Member for Besut, I will assure him that I will bear in mind the various points he raised; and if he would call at my office and give me further details, I would look into the matter further.

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)

Clauses 1 and 2—

Enche' Lim Kean Siew: Mr Chairman, Sir, with permission I would like, in the proviso of the new sub-section (2) as contained in the Bill, to delete the word "three" and to substitute therefor the word "six", to insert a full-stop after the word "thereof" at the end of the fourth line, and to delete the rest of the proviso. The present proviso which reads as follows:

"Provided that the Postmaster-General may in any case where a claim is made after one year but not later than three years from the date of issue of the money order pay the amount of such order to the payee or remitter thereof if he is satisfied that—

- (a) there is reasonable cause for the delay in making in the claim; or
- (b) hardship would be suffered by such payee or remitter if such amount were not paid."

will now read:

"Provided that the Postmaster-General may in any case where a claim is made after one year but not later than six years from the date of issue of the money order pay the amount of such order to the payee or remitter thereof."

Mr Speaker, Sir, the reason why I ask for six years is this: there are provisions in the law which say that if a debt is not claimed within six years, it cannot be claimed under the Limitation Ordinance, and automatically anything owing after six years, unless fraud can be proved, becomes a matter which cannot be claimed according to the Statute of Limitations. So, if you can make it six years, then we would have no objection.

Mr Speaker: May I be provided with the amendment slip?

Dato' V. T. Sambanthan: Mr Speaker, Sir, under Standing Order 57 (2), is the Honourable Member not supposed to give one day's notice of his amendment?

Enche' Lim Kean Siew: Mr Speaker, Sir, I know that sometimes when we are debating, we are anxious to prove the other side wrong—come hell, come high water. This is perhaps what the Honourable Minister is trying to do. I said I would like to suggest, and I am asking the Honourable Minister to consider this and to make an amendment himself. (Laughter).

Mr Speaker: (To Enche' Lim Kean Siew) If I have heard you correctly, at the beginning you said that you were going to move an amendment. I must point out that under Standing Order 57 (2)—the amended Order which has been approved—you have to give one day's notice if you want to move any amendment. Therefore, I cannot allow your amendment because you have not complied with the new Standing Order 57 (2). But now you are trying to suggest that this amendment be moved by the Minister himself. If so, I must ask the Minister whether he wishes to do so or not.

Dato' V. T. Sambanthan: No, Sir.

Clauses 1 and 2 ordered to stand part of the Bill.

Bill reported without amendment: read a third time and passed.

THE ADVOCATES AND SOLICITORS (AMENDMENT) BILL

Second Reading

The Minister of the Interior (Dato' Dr Ismail): Mr Speaker, Sir, I beg to move that a Bill intituled "An Act to amend the Advocates and Solicitors Ordinance, 1947" be read a second time.

Sir, at present there is no provision for the keeping and auditing of accounts of clients' money in the hands of practitioners. The Honourable Chief Justice has expressed concern over the need of protecting the public against defalcations of clients' money and this amendment is therefore to secure safeguards to the public.

The Bill will empower the Bar Council to make rules as to the keeping of proper accounts by practitioners of

their clients' money and every practitioner has once a year to submit to the Registrar a certificate signed by an accountant to the effect that he has examined the practitioner's books, accounts and documents and he is satisfied that the accounts are properly kept in accordance with the requirements of this Act.

The Minister of Agriculture and Cooperatives (Enche' Mohamed Khir Johari): Sir, I beg to second the motion.

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)

Clauses 1 and 2 ordered to stand part of the Bill.

Bill reported without amendment: read a third time and passed.

THE FISHERIES BILL

Second Reading

The Minister of Agriculture and Cooperatives (Enche' Mohamed Khir Johari): Mr Speaker, Sir, I beg to move that a Bill entitled "an Act to consolidate and amend the law relating to fisheries and to make provisions for matters incidental thereto" be read a second time.

Sir, it is with great pleasure that I move this new Bill. The existing laws relating to fisheries in the Federation are contained in seven separate State Enactments. The existence of separate legislation poses additional problems in the control and regulation of the various aspects of fishing, particularly maritime and estuarine fishing. Each State may have a different set of rules and scale of licence fees. This lack of uniformity in the provisions of the existing enactments makes it difficult to cope with the present day developments and problems in fishing, in particular the control of fishing stakes. The

need for exercising adequate supervision over the erection of fishing stakes both within territorial and outside territorial waters has been made obvious in recent years by the disputes in fishing communities along the West Coast, between fishing stake operators on the one hand and operators of fishing nets on the other. As a step towards consolidating the law and adoption of a single legislation, a draft Bill based on the Fisheries Enactment of the F.M.S. and the Fisheries Ordinance of the Straits Settlements was prepared. The Bill was originally drafted in 1955 after consultation with all the State Governments but was subsequently amended to keep in line with the constitutional changes resulting from Merdeka which, among other things, brings maritime and estuarine fishing under Federal jurisdiction and inland or riverine fishing under State jurisdiction.

Under clause 1 (2) of the Bill, it is provided that the provisions of the Act in so far as they relate to riverine fishing shall not come into operation in any of the States until they have been adopted by a law made by the Legislature of that State. Under clause 2 the Yang di-Pertuan Agong is empowered to make regulations relating to maritime and estuarine fishing and fisheries, while under clause 3 the State authority is empowered to make rules for the control of riverine fishing in the State. For the purpose of administration the Yang di-Pertuan Agong is empowered under clauses 7 and 8 to appoint a Director of Fisheries and Deputy Director of Fisheries and also Maritime Fishery Officers and Deputy Maritime Fishery Officers, while the State authority is empowered under clause 9 to appoint Inland Fishery Officers and Deputy Inland Fishery Officers.

With regard to the interpretation, among other things, "maritime waters" is defined as that part of the seas adjacent to the Federation, both within and outside territorial waters, within which citizens of the Federation have by international law the exclusive right of fishing; and where such part is defined by the terms of any convention, treaty or arrangement for the time

being in force between the Federation and any State, includes the part so defined. "Estuarine waters" is defined as waters extending from the mouth of a river to the uppermost point upstream penetrated by sea water at highest tide of the year.

The Bill as a whole is considered to be adequate to cover the various important aspects of fishing and fisheries and to serve well as the Fisheries Act for the Federation. Therefore, Sir, I beg to move that the Bill be now read a second time.

Dato' V. T. Sambanthan: Sir, I beg to second the motion.

Enche' Zulkiflee bin Muhammad (Bachok): Tuan Yang di-Pertua, saya menyambut baik Rang Undang² yang di-kemukakan ini. Ada-lah menjadi harapan kita bahawa dengan Rang Undang² ini banyak perkara² yang berbangkit berkenaan dengan perusahaan nelayan dapat di-betulkan. Tuan Yang di-Pertua, Rang Undang² ini menyatakan di-dalam bab² bahawa Duli Yang Maha Mulia Seri Paduka Baginda Yang di-Pertuan Agong boleh-lah membuat peratoran² untuk mengator atau pun menegah mana² chara menchari ikan atau pun menggunakan serkap atau pun jala ikan.

Tuan Yang di-Pertua, tadi Yang Berhormat Menteri pada masa mengemukakan Rang Undang² ini telah menyatakan perkara yang menjadi soal yang berbangkit baharu² ini ia-lah pertelagahan dua kepentingan di-Pantai Barat. Saya perchaya Menteri Yang Berhormat itu ada-lah memaksudkan pertelagahan dan pertikaian berkenaan dengan belat pok. Ada-lah satu kemujoran bahawa perkara belat pok itu berlaku di-kawasan Menteri Yang Berhormat itu sendiri maka telah sempat-lah mengadakan satu usaha bagi menyelesaikan. Tuan Yang di-Pertua, menurut apa yang telah di-terangkan kepada saya soal membuat peratoran di-dalam perusahaan perikanan, mula²-nya pertelagahan kepentingan² untuk orang² yang bermodal besar dan bagi orang² yang bermodal kecil itu, sudah pun di-selesaikan, tetapi yang menjadi soal ia-lah pelaksanaan peratoran² itu supaya membolehkan peratoran² yang

di-buat itu benar² berkesan bagi menghasilkan maksud Undang² yang di-buat. Saya perchaya, Tuan Yang di-Pertua, ada-lah ini dapat di-perhatikan oleh pegawai yang akan di-lantek oleh Duli Yang Maha Mulia, ia-itu Pengarah Perikanan saperti yang di-tetapkan di-dalam bab 7 daripada Rang Undang² ini. Di-Pantai Timor, khusus-nya di-Bachok telah ada pada pada masa ini satu chara belat yang di-namakan pukut jerut yang memakan modal belasan ribu ringgit sa-lain daripada mengadakan motor boat bagi menchari ikan sa-chara besar²an. Hasil daripada perbuatan ini memang baik bagi mereka yang mempunyai modal, tetapi saya telah dapat rungutan² bahawa dengan berjalan-nya chara mengambil ikan sa-chara itu kekurangan ikan bagi nelayan² yang bermodal kecil telah dapat di-rasakan, maka, Tuan Yang di-Pertua, saya berharap supaya perimbagan yang adil dapat di-lakukan di-dalam membuat peratoran saperti yang di-luluskan oleh cheraian (b) di-dalam bab 2 Rang Undang² ini. Jika tidak, apa yang akan berlaku ia-lah pehak² yang mempunyai modal besar akan beruntung besar dan yang mempunyai modal kecil akan hidup dengan chara kecil.

Tuan Yang di-Pertua, saya mengingatkan kepada Kerajaan bahawa membiarkan keadaan ini kepada initiative pemodal besar dan pemodal kecil itu di-dalam prinsip *laissez faire* tidak menguntongkan dan akan membawa kepada penganggoran dan akan menyusahkan kepada negeri ini sahaja. Maka peratoran yang sa-imbang dengan perlaksanaan Undang² yang tidak memilih bulu patut-lah di-jalankan. Tuan Yang di-Pertua, masaalah ini boleh saya kaitkan dengan masaalah yang di-sebutkan di-dalam cheraian kecil (m) dalam bab (2) itu. Walau pun Rang Undang² hanya membuat peratoran, tetapi bagi sa-buah Kerajaan apa yang ada di-belakang Undang² itu-lah yang menjadi soal tujuan Undang².

Maka cheraian kecil (m) dalam bab 2 ini memberi kuasa kepada Yang di-Pertuan Agong supaya mengawal pasaran dan pembahagian² ikan. Bukanlah mudah, Tuan Yang di-Pertua,

mengadakan satu kawalan dalam satu masyarakat yang sudah dari dahulu-nya memakai dasar "siapa yang kuat dialah sampai chepat", tetapi nampak pada kita hari ini segala peratoran² yang di-buat bagi menguntongkan nelayan² tidak akan mendapat faedah yang penoh sakira-nya peratoran bahagian (m) ini tidak di-dasarkan atas mengutamakan kepentingan orang² nelayan itu sendiri dalam kawalan pasaran dan pembahagian ikan dalam negeri ini.

Saya perchaya bukan-lah satu kebetulan bahawa Menteri Yang Berhormat ini menjadi Menteri yang menjaga berkenaan dengan ikan dan menjaga pula berkenaan sharikat kerjasama. Kedua² masaalah ini ada-lah berdekatan rapat dan saya berharap supaya dalam peratoran (m) ini dapatlah di-titek-beratkan kepentingan pehak² kecil dari nelayan² itu dengan chara sharikat kerjasama itu sendiri. Walau pun Rang Undang² ini tidak menyebutkan bahawa yang menjadi soal kapada-nya ia-lah dengan memberi bantuan kapada sa-siapa, akan tetapi amat-lah tepat bahawa dalam penyusunan yang akan di-buat oleh Seri Paduka Baginda Yang di-Pertuan Agong ini di-atorkan bantuan² kapada nelayan² bagi membolehkan mereka hidup terutama dalam musim tengkujoh. Saya tahu masaalah ini ada-lah masaalah yang berat dan saya berharap Yang Berhormat Menteri ini dapat memikirkan hal ini, sebab tidak akan dapat di-susun chara perikanan negeri ini dengan baik bagi memberi faedah kapada ra'ayat sakira-nya hal yang besar berlaku di-pantai timur itu yang waktu ini tidak di-beri pertolongan.

Satu daripada perkara dalam penyusunan dalam bab yang kedua ini, sa-lain daripada perkara modal, suka-lah saya menyebutkan tentang perkara kedatangan machinery atau alat² machine ka-dalam perusahaan ikan. Saya berharap supaya kedatangan alat² machine ka-dalam perikanan ini dan chara² yang baharu itu hendaklah di-kawal supaya orang² itu dapat memulehkan orang² nelayan itu sendiri dengan chara sharikat kerjasama, sebab mengizinkan hal ini kapada prinsip *laissez faire* itu ada-lah sa-

mata² merugikan. Saya harap perkara ini dapat di-perhatikan.

Pada akhir-nya, saya ingin bertanya kapada Menteri Yang Berhormat tentang prinsip Perlembagaan dalam undang² ini. Bab 3 dalam undang² ini mengatakan bahawa pehak yang berkuasa Kerajaan Negeri boleh membuat peratoran berkenaan dengan perikanan sungai, tetapi pechahan (2) dalam bab 3 cheraian (h) regulate after consultation with the Minister. Perkataan: "regulate after consultation with the Minister". Ini ada-lah satu perkara yang bersangkutan dengan *jurisdiction* atas Perlembagaan atau kuasa Perlembagaan yang patut di-perkatakan. Saya ingin tahu sama ada dalam penggubalan Perlembagaan ini Kerajaan² Negeri telah di-tanya dan sama ada mereka itu telah memberi persetujuan-nya atau tidak.

Enche' Mohamed Yusof bin Mahmud (Temerloh): Tuan Yang di-Pertua, saya mengalu²kan Bill yang di-bawa di-hadapan kita ini. Dalam Bill ini saya memandang satu peratoran yang tegas yang akan di-buat chara² kita hendak menjaga ikan². Saya di-ma'alumkan dan saya mengambil berat dalam perkara ini ia-lah ikan² sungai. Dalam ucapan Yang Berhormat Menteri tadi, saya ada mendengar ia itu soal ikan² sungai ini akan di-buat undang² oleh Kerajaan² negeri masing², tetapi saya perchaya dengan lulus-nya undang² yang di-binchangkan di-hadapan kita ini, saya perchaya Kerajaan² negeri akan mengambil tindakan sa-bagaimana yang di-ambil keputusan oleh Dewan ini.

Pada masa yang lampau lebeh kurang tiga tahun yang sudah, saya telah memerhatikan ikan² kita di-sungai dengan sebab mereka yang tidak bertanggung jawab menggunakan tuba dan menyebabkan banyak ikan² kita itu mati. Jadi tindakan yang tegas patut di-ambil dengan mengadakan pegawai² yang akan bertanggung jawab bagi menchehag segala perbuatan yang sa-macam itu, dan juga dengan ada-nya chara² yang sa-macam ini, ikan² kita di-sungai dapat di-pelihara dan dapat di-biarkan, dan ini akan di-beri satu peluang yang baik kapada orang² kampung yang

dudok di-tepi² sungai ia-itu satu pencharian kehidupan yang tetap bagi kehidupan-nya hari².

Saya rasa, sunggoh pun kita tidak dapat memaksa Kerajaan² negeri itu mengadakan undang², tetapi dengan nasihat Yang Berhormat Menteri kita tadi dan untuk kebaikan seluroh-nya, saya perchaya Kerajaan² negeri akan dapat menerima-nya undang² ini.

Tuan Haji Azahari bin Haji Ibrahim (Kubang Pasu Barat): Tuan Yang di-Pertua, saya juga bangun menyokong Rang Undang² ini kerana ini-lah satu langkah dari pehak Kerajaan Perikatan membela nasib nelayan² yang bermodal kecil di-dalam pekan² saperti Kuala Kedah, Kuala Perlis dan Kuala Selang, yang mana pada masa ini nelayan yang bermodal kecil ini telah lama menjadi mangsa kapada kaum pemodal besar (capitalist). Tuan Yang di-Pertua, menurut apa yang kita ketahui ia-itu Undang² Menangkap Ikan letak-nya di-bawah jagaan atau pun kuasa Kerajaan Negeri. Maka ada Kerajaan Negeri tidak menggunakan kuat-kuasa yang ada kapada-nya sa-bagaimana yang berlaku baharu² ini. Kementerian Pertanian boleh menentukan nasib nelayan yang telah menimpa kesulitan, yang mana baharu² ini Menteri yang berkenaan telah melawat tempat yang berkenaan itu.

Pada masa sekarang kita dapat banyak lagi masaalah yang akan berbangkit berhubung dengan menangkap ikan, terutama sa-kali dengan chara menggunakan belat pok, yang mana pada masa ini jika kita bandingkan dengan kandungan yang ada dalam Clause 2 (a) yang berbunyi "to regulate or prohibit the erection, maintenance, working, repair and lighting of fishing stakes in maritime and estaurine waters". Perkara ini Kementerian patut mengambil perhatian yang utama. Sunggoh pun kita tahu ia-itu pertelengkaan yang berbangkit di-antara dua puak kaum nelayan ini berhubung dengan belat pok, maka maseh ada lagi pehak yang menangkap ikan menggunakan belat kelong, ia-itu adek kapada belat pok. Ini-lah yang patut kita tentukan. Bagaimana chara-nya kita boleh dapat membezakan di-antara dua chara penangkapan itu. Kalau sa-

kira-nya belat pok atau pun belat kelong ini tidak dapat di-tentukan atau di-bezakan di-antara satu sama lain, maka sudah barang tentu pehak kaum modal yang banyak wang boleh tukar belat pok kapada belat kelong. Ini pun akan membawa akibat atau pun chara yang tidak baik kapada nelayan yang bermodal kecil.

Sunggoh pun saya tahu ia-itu belat pok menggunakan sa-kurang²-nya 2,000 batang pinang dan lebeh kurang 300 kayu besar yang boleh menggendalakan atau merosakkan perayeran yang berdekatan dengan kuala sungai² itu, tetapi belat kelong ini juga boleh menggunakan sa-kurang²-nya tiga suku daripada bilangan kayu dan batang pinang. Saya harap dalam masa melaksanakan Clause (a) ini pehak Kementerian patutlah menentukan dan bezakan di-antara satu sama lain. Yang kedua, Clause 2 (b) yang berbunyi "to regulate or prohibit any method of fishing or the use of traps or fishing nets". Jadi, Tuan Yang di-Pertua, saya nampak pehak kaum modal yang banyak wang itu tidak dapat hendak melaksanakan tujuan mereka dengan menggunakan belat pok sa-bagai satu alat menangkap ikan sa-bagaimana yang berjalan sekarang manakala undang² ini di-jalankan, tetapi mereka itu boleh menggunakan nama pehak kaum nelayan yang bermodal kecil itu dengan memberi modal supaya nama orang Melayu itu dapat di-tukar. Ini satu perkara lagi yang saya harap Kementerian ini patut mengambil perhatian.

Yang ketiga, Clause 2 (o) mengatakan "to control fish landing areas and to appoint such Boards as are required to effect such control". Tuan Yang di-Pertua, kalau saya tidak salah belat pok ini boleh di-gunakan atau pun di-pakai di-dalam perayeran sa-jauh tiga batu ia-itu di-dalam perayeran international atau pun perayeran luar daripada kawasan bagi satu negara. Nampak-nya jika pehak kaum kapitalis menggunakan belat pok untuk menangkap ikan dalam perayeran luar daripada batu, ini akan menjadi anchaman yang besar terhadap kaum nelayan yang bermodal kecil kerana Kerajaan Persekutuan dan Kerajaan Negeri tidak ada kuasa boleh meng-

ambil tindakan. Oleh itu, Kerajaan patut-lah mengawasi tentang penangkapan ikan di-dalam perayeran sepanjang tiga batu tadi supaya jangan di-benarkan sama sa-kali membawa ikan itu kepada pengkalan di-dalam negeri² yang ingin atau pun menyokong kepada menggunakan belat pok seperti negeri² Perlis dan Kedah. Saya harap Kementerian hendak-lah mengambil perhatian yang utama.

Enche' Ismail bin Idris (Penang Selatan): Tuan Yang di-Pertua, perusahaan perikanan ini ia-lah perusahaan yang turun temurun dan menjadi satu mata pencharian kepada ra'ayat, terutama sa-kali ra'ayat di-kampung. Saya hendak menguchapkan terima kasih kepada Kerajaan kerana Rang Undang² ini memberi kesempatan dan menyenangkan orang kampung bagi mengatasi segala penderitaan dan kesusahan bagi menangkap ikan. Saya suka mencheritakan satu kejadian yang berlaku di-kawasan saya ia-itu berkenaan dengan penchurian ikan. Belat atau pun Jeremal telah di-churi oleh orang yang tidak di-kenali. Mereka ini datang dengan motorbot yang laju sehingga tuan punya belat atau Jeremal itu tidak dapat hendak menangkap mereka itu, tetapi dia dapat melihat nombor sampan atau motorbot itu. Perkara ini telah di-beritahu kepada pehak polis dan Pegawai Perikanan, tetapi mereka ini tidak dapat buat apa². PENCHURI² itu semua-nya gagah dan tuan punya motorbot itu tidak dapat hendak menewaskan-nya. Ini-lah satu kesusahan yang berlaku di-dalam kawasan saya. Kementerian ini hendak-lah menolong mereka ini supaya menambahkan azam mereka untuk menchari rezeki.

Yang kedua, saya hendak menguchapkan terima kasih kepada Menteri yang berkenaan kerana telah menolong penduduk² di-kawasan saya bagi menimbulkan kapal rosak yang mana tempat itu ada ikan banyak.

Saya sokong penoh di-atas usul Yang Berhormat yang baharu berchakap tadi ia-itu berkenaan dengan pukut lengkong. Pukat lengkong pada pendapat saya ia-lah merugikan ekonomi negeri kita kerana dalam pukut

lengkong ini saya di-beritahu oleh nelayan² apakala sa-telah di-tarek kadarat segala² khazanah di-dalam laut itu semua-nya di-tarek keluar termasuklah bilangan anak² ikan. Ini sa-mata² membazirkan, kalau tidak harus-lah akan merugikan nelayan² untuk menchari mata pencharian-nya yang lebeh baik. Perkara ini saya telah mendapat rayuan daripada nelayan² di-kampung² supaya perkara ini di-beri perhatian oleh Kementerian bagi menchari jalan bagaimana-kah pukut lengkong ini dapat di-hapuskan.

Enche' Lim Joo Kong (Alor Star): Mr Speaker, Sir, I rise to welcome and support this Bill, which I am sure will bring progress and benefit to the country as a whole.

Now, Sir, before the introduction of this Bill, there were different enactments throughout the country as has been pointed out by the Minister: there were seven separate enactments. It is known that in Kedah the *belat pok* has recently been prohibited whereas in other States the *belat pok* fishing is still in progress, and is still being adopted and used. Actually this *belat pok* is being operated many miles out in the sea and actually in international waters out of our own territorial waters; and there is nothing to stop fishermen from other countries coming into international waters to catch fish with *belat pok* system. This *belat pok* system is actually giving a lot of work, services, to our country because many of our fishermen as well as the people in the jungle can bring their forest produce for fishermen to operate this *belat pok*, and *belat pok* will only catch big fish, which will do no harm to our country. There is also a regulation to the effect that the catch of small fries will be quite harmful to the fish in our territorial waters. With all these provisions and enactments, this *belat pok* will be controlled by our Ministry as to how should be the lighting of the *belat pok* and how these *belat pok* stakes have got to be taken out when they got rotten. With proper control, I am quite sure that it will do no harm to our fishermen who operate near the coastal areas. So, I think there is no such question or problem that it would only

benefit the capitalists whereas the small fishermen would be affected by the operation of the *belat pok*.

Recently, Sir, it has come to my knowledge that a lot of fish has been imported from Thailand into our country. This is as a result of the prohibition of the *belat pok* in Kedah, whereby fish has got to be imported from Thailand into our country, which means a loss of our revenue and also our currency which will flow into foreign hands.

I would even suggest that adequate and more protection should be given to our fishermen who operate in international waters out of our territorial waters, because there are some cases where our fishermen have been taken by the Siamese authorities and have been accused of fishing in their territorial waters. The English proverb says, "Dead man tells no tale", and once these people are taken over the border, they can be accused of fishing within the Siamese territorial waters. So when our fishermen are actually fishing outside our territorial waters, within three miles radius or so, more and adequate protection should be given to these fishermen who are bringing progress to our country. If we do not allow fishing by these fishing stakes, it means that we are retarding the progress of our country.

Enche' Mohamed Khir Johari: Mr Speaker, Sir, I would like to thank the Honourable Member for Alor Star for supporting this Bill. As the Honourable Member may have known, I have already announced the formation, or the setting up, of a Commission of Enquiry to go into the question of *belat pok* for Kedah and Perlis. So I do not wish at this stage to say anything that might prejudice the recommendations that may be made by the Commission. However, I can assure the Honourable Member that I am fully aware of the situation and also the plight of those people who have been carrying on with this *belat pok*. I can tell him, as far as we are concerned, the *belat pok* itself is not objectionable, but it is only the stakes that are objectionable. So if there can be *belat*

poks without the stakes, I do not think there will be any objection from my Ministry (*Laughter*).

Sir, with regard to the fish being imported from Thailand, I am fully aware of this too, but I would like to say that this does not occur every day and it only occurs in times of glut or over-production in the Thai side, when they send something into this country. Under the ASA we try to live and let live and so long as our fishermen are not unduly harmed by this, I do not think it is Government's policy to prohibit the importation of fish from Thailand.

Sa-lain daripada itu saya suka-lah menguchapkan terima kaseh kepada Ahli² Yang Berhormat dari Pinang Selatan, Kubang Pasu Barat, Temerloh dan juga Ahli Yang Berhormat dari Bachok yang telah menyokong dengan penoh-nya Rang Undang² ini. Saya chuba hendak menjawab tiga empat perkara yang telah di-sebutkan oleh Ahli Yang Berhormat dari Pinang Selatan ia-itu berkenaan dengan kechurian jermal yang kata-nya berlaku di-Pulau Pinang itu. Saya sa-benar-nya belum tahu lagi tentang hal ini, insha' Allah saya akan pereksa dan apa² juga tindakan boleh di-ambil oleh Jabatan Perikanan akan di-jalankan. Sa-benar-nya saya baharu sahaja dalam Kementerian ini hendak tahu nama pukut jerut pukut jermal, pukut kelong itu memakan masa 3 atau 4 minggu, satakut ini saya tahu sampai 10 nama sahaja.

Berkenaan dengan belat kelong yang di-kata-nya mengganggu nelayan² yang kechil, perkara ini memang dalam perhatian kita dan pendek-nya macham negeri Perak tentang belat kelong ini telah pun di-haramkan. Dan juga pada am-nya apa juga chara menangkap ikan yang boleh mengganggu kebanyakan daripada nelayan² terutama sa-kali nelayan² kechil, Kerajaan tentu-lah akan menchari jalan bagi menolong pehak yang kechil.

Berkenaan dengan apa yang di-sebutkan oleh Ahli Yang Berhormat dari Kubang Pasu Barat ia-itu berkenaan dengan belat pok, saya sudah jawab tadi.

Ahli Yang Berhormat dari Alor Star, saya tidak mahu menyebutkan sa-kali lagi. Kata-nya kelong itu adek, yang sa-benar-nya bukan adek tetapi sepupu sahaja. Jadi, macham negeri Kedah kita telah haramkan belat pok tetapi untuk sementara ini, kita membenarkan di-gunakan apa yang di-sebutkan belat pandak. Belat pandak itu compromise sahaja, tetapi ia senang di-chabutkan kayu²-nya dan kita telah benarkan untuk sementara sahaja. Tetapi pada jangka panjang, lebeh baik-lah kita chari jalan supaya dapat kita menolong nelayan² kita menggunakan chara² moden bagi menangkap ikan. Itu-lah tujuan Kementerian ini melalui Sharikat Kerjasama bagi memberi bantuan wang untuk mereka itu mampu membeli perkakas² moden bagi penangkap² ikan negeri ini.

Berkenaan dengan Control of Fish Landing Areas, ini juga sangat penting yang akan di-jalankan oleh Kementerian kita. Sa-takat ini boleh-lah dikatakan siapa pun boleh menurun atau mendaratkan ikan² yang di-tangkap dari laut. Tetapi kita harap sudah sampai masa-nya untuk kita menghadkan tempat² yang di-gazette supaya tempat² itu sahaja-lah dapat mereka mendaratkan ikan² itu. Dengan jalan ini dapat-lah kita menjaga keselamatan nelayan² dan juga dapat menggunakan pasaran yang akan di-mulakan dari satu masa ka-satu masa kelak.

Berkenaan dengan batu perayeran jauh daripada 3 batu, Yang Berhormat dari Kubang Pasu jika sa-kira-nya beliau itu membacha di-belakang Bill itu berkenaan dengan definition "maritime".

"maritime waters" means that part of the seas adjacent to the Federation, both within and outside territorial waters.

Jadi, lepas di-luluskan Rang Undang² ini nanti, bukan sahaja kita dapat control di-dalam, tetapi juga outside territorial waters kita dapat menjaga-nya.

Saya menguchapkan berbanyak² terima kaseh kepada Yang Berhormat dari Temerloh yang telah mengalu²kan Bill ini saperti yang telah di-sebutkan oleh-nya, sunggoh pun Kerajaan Negeri akan mengawasi hal² menangkap ikan

di-sungai, tetapi sangat-lah mustahak Kerajaan Negeri akan bekerjasama dengan pehak Kerajaan Pusat. Jadi, untuk menyamakan sa-berapa yang boleh dasar Kerajaan Negeri itu dengan dasar Kerajaan Federal maka sangat-lah mustahak kita mengadakan pakatan bersama antara satu dengan lain.

Menjawab pada penghabisan sa-kali apa yang di-sebutkan oleh Ahli Yang Berhormat dari Bachok, saya juga menguchapkan terima kaseh di-atas tegoran yang sangat constructive dan Kerajaan akan menimbangkan-nya. Berkenaan dengan belat pok, saya tidak-lah mahu hendak mengulang²kan lagi saperti mana yang telah saya terangkan di-dalam ucapan permulaan saya tadi. Dengan ada-nya Rang Undang² ini dapat-lah kita melaksanakan apa juga ranchangan bagi membaikkan keadaan yang berlaku berkurun² lama-nya dalam negeri kita ini. Berkenaan dengan belat jerut atau belat pukut yang di-sebutkan oleh Ahli Yang Berhormat itu harga-nya memang mahal, oleh sebab itu Kerajaan melalui Sharikat Kerjasama memberi bantuan kepada orang² yang hendak membeli belat jerut ini. Kalau kita hendak harapkan nelayan² itu membeli sendiri tentu-lah tidak mampu kerana harga-nya sangat mahal, dan kita tidak boleh pula menahan atau menghalang orang² yang ada mempunyai wang hendak membeli belat jerut itu dan begitu juga membeli jentera², dalam pada itu juga sa-kira-nya melalui Sharikat Kerjasama kita akan dapat membeli jentera² itu. Kerajaan tidak-lah mahu menghalang bagi orang² nelayan yang hendak menchari rezki.

Berkenaan dengan perkara bab 2 (m) pasaran, ini juga satu perkara yang sangat penting yang mesti kita tumpukan fikiran dan tenaga kita bagi memikirkan-nya. Sa-tengah² negeri saperti di-Hong Kong, Kerajaan sendiri dengan mengadakan satu pusat lelong bagi membeli ikan² dan dengan jalan ini dapat-lah pehak yang bertanggungjawab memberikan harga yang berpatutan kepada nelayan² itu. Jadi, Kerajaan kita juga hendak memberikan saperti mana yang di-buat di-Hong Kong itu. Sunggoh pun kita akan

membuat berbagai² pindaan, kita akan memikirkan juga bahawa di-Hong Kong itu tempat-nya kecil, tetapi kita di-sini ada 12 ribu batu pantai dalam pada itu pada prinsip-nya akan di-timbang-kan untuk di-jalankan di-negeri kita ini.

Sa-lain daripada itu untuk menjaga pasaran ikan ini pihak Kerajaan telah menganjurkan bagi memberi bantuan untuk mendirikan bilek² sejok. Bilek² sejok ini tujuan-nya di-gunakan apabila sampai masa-nya ikan turun harga-nya kita boleh simpan ikan² itu dalam bilek ini dan manakala tiba masa harga yang baik baharu-lah boleh di-jualkan. Ini satu jalan yang baik untuk mengawal pasaran ikan itu. Berkenaan dengan prinsip bab 3, Yang Berhormat dari Bachok ia-itu berkenaan to regulate after consultation with the Minister, seperti mana yang saya sebutkan tadi itu tidak-lah melanggar dengan Perlembagaan kita, chuma consultation sahaja, dengan sebab pihak kita bertujuan ada-lah sama² untuk memberi kesenangan kepada ra'ayat, oleh itu lebeh baik-lah sama ada Kerajaan Negeri atau Pusat bermuafakat untuk faedah ra'ayat. Itu-lah tujuan kita yang sa-benar²-nya.

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)

Clauses 1 to 12 inclusive ordered to stand part of the Bill.

Clause 13—

Tuan Haji Azahari bin Haji Ibrahim: Tuan Pengerusi, sa-boleh²-nya pihak Kementerian membuat satu pindaan berhubung dengan hukuman yang bersangkut dalam para 13 (1) ia-itu:

"any person who does or attempts to do an act contrary to, or fails to comply with, the provisions of this Act or any regulations or rules made thereunder shall be guilty of an offence and shall on conviction, if no special penalty is provided, be liable to a fine not exceeding one thousand dollars or to a term of imprisonment not exceeding one year or to both."

Saya harap jika boleh patut-lah hukuman denda itu di-kenakan lebeh daripada \$1,000 kerana, Tuan Pengerusi, mengikut modal² yang mereka itu keluarkan bukan \$1,000 bahkan beribu², boleh jadi beratus ribu, kalau sa-kira-nya di-kenakan dengan hukuman sa-banyak \$1,000 sahaja tidak memadai, ini terlampau kecil sangat. Begitu juga di-dalam para 13 (2) ada menyebutkan:

"the offence or failure to obey is continued, a fine not exceeding fifty dollars..."

Ini juga patut di-lebihkan, terutama sa-kali orang² yang menggunakan belat pok itu satu hari dapat \$500 dan hingga \$1,000, jadi kalau chuma di-hukum \$50 sahaja ini tidak akan menjadi soal langsung kepada tauke² belat pok itu. Oleh itu saya harap-lah kalau boleh pihak Kementerian ini meminda dan di-tambah lebeh sedikit denda itu.

Enche' Mohamed Khir Johari: Tuan Pengerusi, perkara ini akan di-timbang-kan. Jadi, saya shorkan supaya perkara ini berjalan untuk sementara waktu, sa-kira-nya di-dapati bahawa perkara ini patut di-tambah, saya akan bawa pindaan ini pada satu masa nanti di-Dewan ini.

Clause 13 ordered to stand part of the Bill.

Clauses 14 to 23 inclusive ordered to stand part of the Bill.

Schedule ordered to stand part of the Bill.

Bill reported without amendment: read the third time and passed.

Mr Speaker: I think this is a good time to suspend the sitting of the House for 15 minutes.

Sitting suspended at 11.55 a.m.

Sitting resumed at 12.10 p.m.

(Mr Speaker in the Chair)

THE CRIMINAL PROCEDURE CODE (AMENDMENT) BILL

Second Reading

Dato' Dr Ismail: Mr Speaker, Sir, I beg to move that a Bill intituled "An Act to amend the Criminal Procedure Code" be read a second time.

Sir, the Bill seeks to amend the provisions of the Criminal Procedure Codes of the Malay States and of the States of Penang and Malacca with a view to make evidence of identification parades conducted by Police admissible at the trial. This has been found necessary because of the recent decision of the Court of Appeal which held that matters pertaining to the identification of accused persons made to the Police fall within the terms of section 113 of the States Code and section 124 of the Penang and Malacca Code under which statements made to the Police in the course of an investigation are inadmissible subject to limited exceptions.

Identification parades form part of the normal investigation both in England and in Malaya and such practice has not been the subject of adverse criticism prior to 1956.

The amendment proposed will not relieve the prosecution from satisfying the Court that the identification parade was conducted in a fair and impartial manner and host of authorities exist which go to show in what circumstances such evidence will be rejected by the Courts. It is considered that the interests of justice will best be served if such evidence is made admissible. It would mean that inability by complainants or witnesses to identify a person detained will secure immediate release from detention. At the same time, early identification will enable Police investigations to be made channelled towards establishing the guilt of the persons accused. Adequate safeguards, as I mentioned earlier, exist which will ensure that the accused will not be prejudiced, and very strict rules govern the manner in which the Police should conduct an identification parade.

Sir, I beg to move.

Enche' Tan Siew Sin: Sir, I beg to second the motion.

Enche' Lim Kean Siew: Mr Speaker, Sir, the main question about this Bill is this. Will the attempt at remedy create greater evils? The reason for this amendment Bill, according to the

Honourable Minister of the Interior, is because of a recent decision by the Court of Criminal Appeal which has ruled that evidence of identification parades conducted by the Police would not be admissible under the present law.

Mr Speaker, Sir, if I am not wrong, statements can be classified into two categories: a statement can be a gesture; a statement can also be words spoken during identification parades. What the Court of Criminal Appeal has held is that if evidence is produced in Court, by a person or a witness identifying the accused by pointing a finger at the accused, then that act of pointing is a statement and therefore that would not be admissible. The Court of Criminal Appeal, in other words, has interpreted statements to include gestures such as pointing a finger or touching the accused.

Mr Speaker, Sir, now this amendment allows a statement made in the course of identification parades to be admissible. In this instance statement can mean what was spoken and what was said. Therefore anything spoken or anything said in the course of an identification parade would now be admissible under this amendment. In other words what will now happen is this: during an identification parade if a witness comes and points to the accused and says, "This is the man who held the gun which was used in killing or in injuring", then both the act of pointing at the accused and the statement made accompanying the pointing to the effect that the accused was the man who held the gun used in the incident, would be admissible. Under our present law any statements made in the course of Police investigations are not admissible so that any statement which indicates that certain course of events has taken place during a crime under investigation would not be admissible. With this amendment such statements would be admissible and it is quite possible that the Police in or during an identification parade could hold a conversation with a witness and all that was said during the identification parade would immediately become admissible, and in that

way the provisions of our present law, which do not allow evidence in the course of Police investigation to be admissible, would be used. We can envisage a position which may not be likely, to happen but which nevertheless is possible. In such an instance the Police—hoping to get a witness tied down to a statement (a reluctant witness who refuses to say anything) may produce him before an identification parade in order to ask him a series of questions such as, at what time were you in your house”; “at what time did the man come in”; “how was the man looking”; “what was the man wearing”; “how did he move into the house”; “how many people accompanied him”; “did he comb his hair and did he have black trousers on?”, all these questions and answers could be taken down and then be used during a trial. If that were to happen, the evils created by this remedy would be more serious than the evil which it is now attempting to remedy because as much as the Court of Criminal Appeal interprets statements to mean gestures, the Police can interpret the word “statement” in this section to mean everything that was said and done during the course of an identification parade.

The reason why our Criminal Procedure Code has refused to allow statements made in the course of police investigations to be admitted during the trial is because our law-makers were suspicious and aware of the fact that statements can be created for the purposes of the prosecution; that evidence; I do not like to use the word “manufactured”—that evidence can be developed and built in order to give the prosecution a better case, and the Police have had no chance so far to build a case this way because of the fact that statements made in the course of police investigations today are not admissible. Now if this amendment is accepted by this House, one loophole is created for the police, and the police can now bring in any statement that is made during the course of an identification parade. They may then hold identification parades in such a way as to bring in

as much of the statements as possible which would not otherwise be allowed under our present Criminal Procedure Code. So this is danger that we must be aware of. The amendment as it stands means that statements made in the course of identification parades would mean statements of any kind, not merely the gestures of identification. The words “made in the course of an identification parade” means that any statement made during the identification parade, it would cover the beginning of the identification to the end of the identification parade. But if the amendment had been that any statement made to identify or to point out or to indicate an accused person during an identification parade is admissible and no other evidence is admissible, then it would limit the question of evidence to only the question of indication, pointing out, accompanied by such statements as “this is the man” or “this is the woman” which obviously is what the amendment tries to do. But in fact this amendment gives the police far wider powers than may be intended; and because of our awareness that the police, as much as the public (and as much as the advocates and solicitors as we have seen this morning when we discussed the Advocates and Solicitors Act, 1962), require some measure of control so that there would be a balance of power between the rights of the public as opposed to the rights of the police, we must oppose the amendment. Only in that way can we get justice. If we allow this amendment to go through as it stands, then I am afraid that this will, as in many other cases, pervert the ends of justice. So because of this, I have to oppose this amendment Bill.

Enche’ S. P. Seenivasagam: Mr Speaker, Sir, our Criminal Procedure is based on the Criminal Procedure which has existed in India for very, very many years. In India the Courts have interpreted this section in a manner similar to that in which the Chief Justice of the Federation has recently interpreted this section. I am aware that in India there are a multitude of High Courts. Some Courts agree with our Chief Justice, some Courts do

not; but the majority of the more important High Courts in India agree with the interpretation placed on this section by the Chief Justice of the Federation of Malaya. But in spite of those decisions the Legislature in India and the law officers in India have not thought it necessary or advisable that the law in India should be changed and up to this day so far as my information goes the law in India is that if the police hold an identification parade, then the evidence of that parade is not admissible in a court of law. There are many reasons for the existence of that law. Perhaps the most common is to prevent over-zealous police officers in prompting identifying witnesses or in affording an opportunity to identifying witnesses to have a glimpse of the suspect in the lock-up before he gets to the identification parade. The way identification parades are held in India is that they are held in the presence of the headman of the village, or some respected citizens of the locality who would be present and who would ensure that, to use a colloquial phrase, nothing funny goes on in the identification parade. Now, following the decision of the Chief Justice in this country, apparently the Legal Department was, if I may say so with due respect, in somewhat undue haste to amend the law. I agree that identification parades are absolutely necessary in the course of investigation. But we cannot also overlook the possibility of abuse, the possibility that innocent men may be identified as a result of some machination on the part of some unscrupulous police officer.

Coming to the text of this proposed Bill, one finds that the language used is far too wide. It permits, if one were to construe it strictly, the admission of any statement made in the course of an identification parade. It does not restrict the statement to what was necessary to establish the identification. In that sense, I feel constrained to agree with the Honourable Member from Dato Kramat that we may be opening the door to what was not really intended by the law officers, or by this Parliament when passing this Bill. According to my information, this Bill has been drafted in a hurry and it has

not even been referred for the opinion of the Bar Council. I think that it would perhaps have been better if this had been deferred to the next session of Parliament and the views of those most interested or concerned in the administration of justice had first been obtained.

In the practical application of this law I can foresee a number of difficulties arising unless the Legal Department undertakes to circulate a list of rules which must guide the police in holding identification parades and, as a matter of administrative direction, direct police officers how far they are to go when they give evidence in court. If they do that, then perhaps as a temporary measure this Bill could get through on an undertaking by those concerned that it would be reviewed in the light of experience.

Another matter which would arise is that there is no definition of an identification parade. It says "in the course of an identification parade". When, at what precise moment does the parade commence, and at what precise moment does it end? If it commences only after the men had been lined up, then the witness is brought in, he points out, and immediately he points out, the parade is at an end. Then perhaps there could not be very much abuse. But that again depends on the judicial interpretation of the words "identification parade". That would probably be one of the first questions raised in a trial—was the statement made in the course of a parade? And again what is a parade?

Now, I am afraid I must comment on the Explanatory Statement that is attached to this Bill. It says, after reciting the fact of the Chief Justice's judgment, "It is considered that evidence of identification parades should be made admissible as it works equally in favour of the accused, e.g., in cases where uncertainty is expressed by the identifier to the Police." Now, the impression may be created that this Bill is introduced mainly because of a desire to assist the defence. I am afraid that in the light of events which immediately preceded the introduction of

this Bill that statement cannot be accepted, because in almost every case which has come up in the Courts it is the prosecution which has suffered as a result of the judicial decision and not the accused person; therefore, I am not prepared to accept the statement that the primary motive of this Bill is to assist the defence.

If the Government feels that it is urgent to get this Bill through this session of Parliament, then I would ask them to consider very carefully this matter again, refer it to the Bar Council, and at the next meeting of Parliament perhaps introduce further amendments to tighten up the loopholes which are apparent here.

Enche' Liu Yoong Peng (Rawang): Mr Speaker, Sir, I oppose this Bill. I think this Bill has been brought up too hastily—and even the Bar Council has not been consulted. Also, I do not think this Bill is necessary. I am not against identification parades as such but rather the statement to be used as evidence, because I think that if the accused has been identified, he can still be brought up in Court and be identified again by the witness. There is no necessity to use the statement made in an identification parade. This Bill which would allow the statement made in an identification parade to be used would result in more evil, because it would give the Police a way to put something into the statement. We know that Police Officers in this country may, sometimes in their anxiety, try to make people identify a certain person as having been guilty of some offence; and the reliability of this method now is open to doubt. So I think it would be better for the evidence to be confirmed in the Court rather than to be ascertained during the course of an identification parade. Therefore, Sir, I oppose this Bill.

Enche' D. R. Seenivasagam: Mr Speaker, Sir, the question which really is before the House is an important one, that is whether the evidence of an identification parade should be used in a criminal trial. If the answer to it is "No", then there should be no amendment Bill brought up here,

because a judgment of the Court of Appeal says that the evidence of what happens at an identification parade is not admissible under the present law. It is with regret I say that the position cannot be maintained here, because as a result of the judgment of the Chief Justice of the Federation, the Department of Prosecutions has adopted what I would term a most disgusting course, that is evading the law, or circumventing the law, by using persons who are not Police Officers to conduct identification parades; and when that is done, of course, section 113 of the Criminal Procedure Code does not apply, and everything that happens at an identification parade is admissible in court. Now, the fact that that practice is being adopted by the prosecution in the country, therefore, leaves us with no alternative, I think, but to make the necessary amendment to the Criminal Procedure Code to allow evidence of identification parades to be introduced in the courts; I feel that it is wrong to try to circumvent the law as it stands by using dubious methods. If you feel the law is not proper, then amend the law so that things can be done decently and reasonably. That being the case, why bring this amendment in?

Mr Speaker, Sir, I agree with the Honourable Members for Dato Kramat and Menglembu that this amendment in itself will allow room for abuse and misuse of section 113 of the Criminal Procedure Code, unless very strict departmental instructions are given by the Public Prosecutor to the Police that only statements necessary in the practice of identification should be elicited or should be recorded in the course of an identification parade. If that position is guaranteed to the people, then this amendment will work satisfactorily. If that position is not guaranteed, then, of course, this Bill will bring more chaos than order to section 113 of the Criminal Procedure Code. Mr Speaker, Sir, I would certainly have outrightly opposed this Bill, if I could have thought of an alternative proposal to make. It is a difficult matter to think of an alternative proposal; and in absence of that

I do not say that I oppose it, but I do say that it must be worked out with great caution and care.

It is a matter of great regret that this matter has cropped up very many times—that the Bar Council of the Federation of Malaya does not find favour with the Ministry concerned. I cannot understand why, when there is a Bar Council recognised by the law of this country, that the Council should be black-listed from time to time. In fact, this very morning, Members of the Opposition got frantic telephone calls from people connected with the Bar Council saying that this Bill was not referred to them until this very morning. On an important matter such as this, where as a result of judicial authority the law is being amended—this, as a result of at least one or more members of the Bar having taken up a legal point—and a new law brought in in this country, why is it that on such an important matter the Bar Council of the Federation of Malaya was not consulted? Is the Bar Council not trusted by the Government of the day, or is there any other reason why it should not be consulted on this matter? I ask that question because I think the Bar Council would like an answer. However, I do not speak on its behalf, because I have no authority to do so, but I do speak as a member of the Bar of the Federation, and I would like an answer as to why a Bar Council representing at least me to the Government was not given an ample opportunity to consider this most important amendment to the criminal law of this country, which deals with the lives of human beings in this country. In view of that failure—and I say perhaps a deliberate failure on the part of Government—in common decency and respect to the Bar Council of the Federation, which must surely work in co-operation with the Government, and if law and justice is to be maintained in this country, the matter must be referred to the Bar Council, where all members of the Bar through the Council will have an opportunity to comment on and make recommendations and suggestions, if possible, to do away with the dangers foreseen—

and also foreseen by the Honourable Members for Dato Kramat and Menglembu. If it is possible to make those proposals, then the dangers which are so apparent will cease to be there. I feel strongly that this matter can be deferred, as it does not cause embarrassment to anybody. The position will be that identification parades will be useless until the amendment comes into force, unless the prosecution goes on using persons, who are not police officers. In other words, there will be no disadvantage to the prosecution or to the defence; and that being the case, it is not a matter of such great urgency. I appeal strongly that we defer the matter, or withdraw it for this meeting, and introduce it at the next meeting, when it can get through with full confidence that it will serve the interests of justice and not defeat the interests of justice.

The Minister of Justice (Tun Leong Yew Koh): Mr Speaker, Sir, the Honourable Member is being obnoxious in this matter. It has been the practice in England, in English law, for statements made in identification parades to be admissible—even up to now. It has been so in this country up to 1956. It has not led to any abuse by the Police, and I do not see why they should do it now. On the question of reference to the Bar Council, I believe it has been put to the Council

HONOURABLE MEMBERS: No!

Dato' Dr Ismail: Mr Speaker, Sir, I do not want to minimise the fears voiced by the learned Members of the Opposition but, as I said in introducing this amendment, it will not relieve the prosecution from satisfying the courts that the identification was conducted in a fair and impartial manner. A host of authorities exist which go to show in what circumstances such evidence will be rejected by the courts, and I would just like to quote only one such authority, that is "Dickman"—I quote: "We deprecate in the strongest manner any attempt to point out before hand to a person coming for the purpose of seeing if he could identify another, the person to be identified." "The Police ought not,

either directly or indirectly, to do anything which might prevent the identification from being absolutely, independent, and they should be most scrupulous in seeing that it is so." However, I can give an assurance to the Honourable Member for Ipoh that the law will be administered with care and rules will be issued for the proper conduct of identification parades.

As regards the Honourable Member who is not learned I can tell him that this Bill is necessary. (*Laughter*).

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*)

Clauses 1 to 3—

Enche' D. R. Seenivasagam: Mr Chairman, Sir, I rise to maintain what I said under the general debate with regard to Clauses 2 and 3. In fact, I am justified in my comments by the fact that the Honourable Minister of Justice made a most alarming statement to this House just now by saying that in England statements to Police Officers have been admissible for years and they have not been abused—perfectly correct. Then, if that is a logical thing, I ask why not delete section 113 completely from the Criminal Procedure Code, so that we will be in the same position as England, where all statements to Police Officers will be admissible? If you do not do that, it is not logical—it is illogical to put forward. The reason why the law in England and the law here are different is very clear: in the first place, we are not white-skinned, in the second place, the law in its wisdom in India, in Malaya and in Ceylon, dealing with Asians, has provided for the peculiar conditions which exist in countries such as ours—and for that reason section 113 was there. Had the Honourable the Minister of Justice thought back or read back

the commentaries on section 113 in our criminal law, he would certainly not have made that statement.

Enche' Lim Kean Siew: Mr Chairman, Sir, I know that I cannot move an amendment, but I can ask the Honourable Minister of the Interior to consider whether or not the insertion of the phrase "only for the purposes of identifying any person" after the word "made" would not limit it to what we want—the amendment will then read:

"by inserting after the word 'statement' appearing therein the words 'made only for the purposes of identifying a person in the course of an identification parade or'."

This will limit the question of statement to the purposes of identification of any person in the course of an identification parade.

Mr Chairman, Sir, if that can be done, it certainly would satisfy the Honourable Member for Ipoh, if nobody else. But, of course, our view is quite clear that section 113 was introduced not because we are not white-skinned, as he put it, or because we are all black-skinned, yellow-skinned, brown-skinned. But whatever it is, let us not bring in racial arguments which is the argument of those with poor cases. The argument is that in this country it has been the tradition, irrespective of race or colour, that statements made during the course of police investigations are dangerous. We know that Singapore has removed section 113, and that has created a lot of controversy. We know that in England statements made during the course of investigations are admissible, but I do not agree that this law has not been abused in England. It has been abused in England, and it could be abused here: and this is the loophole which may allow for greater abuse. Mr Speaker, Sir, I say that it is better that ten guilty men be acquitted

Mr Chairman: One minute. I think the ushers should be warned not to cross the floor when members are speaking to me. Please proceed.

Enche' Lim Kean Siew: There is a golden thread in justice, at least in our country and in England and in America,

whereby it is held that it is better that ten guilty men be found innocent than one innocent man be found guilty. We cannot hope that by giving more powers to the Police and obtaining more convictions that the ends of justice would be met.

Mr Chairman, Sir, on this question of statements made during the course of Police investigations not being admissible, the reason is clear. It is because the law makers have found that the victim or the person, who is arrested and is brought to police stations, and witnesses who find themselves in strange hands, in strange police stations, must be protected from being committed to statements which they would not have made if the statements had been recorded in their homes. In England statements are often taken in the homes of witnesses. In Malaya under section 118 of the Criminal Procedure Code, every witness is asked to report at a police station, and in an unfamiliar position, in a police station, in front of a police inspector, surrounded by policemen, a statement is recorded from him. Therefore, even the circumstances in which the statements are made during the course of police investigation differ in England and in Malaya. And because of this, I beseech the Government again to reconsider its position. If this has got to go through, then perhaps the Honourable Mover would agree to this suggestion in order to limit the effects of this odious amendment.

Dato' Dr Ismail: Mr Chairman, Sir, as I said before in reply to observations, before we went into Committee, that this Bill is a controversial one and there are arguments for and against it. I have given an assurance to the Honourable Member for Ipoh—the assurance which he asked for, and I think the Government can go no further other than to let this Bill be passed and let us see how it is going to work out in the administration of justice.

Clauses 1 to 3 inclusive ordered to stand part of the Bill.

Bill reported without amendment: read the third time and passed.

MOTIONS

THE INCOME TAX ORDINANCE, 1947

(Amendment to First Schedule)

THE PENANG TOURIST ASSOCIATION

The Minister of Finance (Enche' Tan Siew Sin): Mr Speaker, Sir, I beg to move—

That this House in exercise of the powers conferred by section 102 (1) of the Income Tax Ordinance, 1947, hereby resolves that there be added to the First Schedule to the Income Tax Ordinance, 1947, the following new item:

"THE PENANG TOURIST ASSOCIATION"

Sir, section 13 (1) (e) of the Income Tax Ordinance provides that the income of any institution, authority, person or fund specified in the First Schedule to the Ordinance shall be exempt from tax. There is also provision under section 102 (1) of the Ordinance for changes in this Schedule to be authorised by resolution of this House. The motion now before the House is that the Penang Tourist Association be added to the Schedule and thereby granted exemption from payment of income tax.

The Penang Tourist Association was established with the object of encouraging and developing tourist amenities in Penang and promoting the tourist trade in the Island. It is a non-profit making body and the greater part of its funds are at present provided by the State and Federal Governments. The Association is managed by a Board, a substantial proportion of whose members are appointed by the State Government and local authorities.

It is considered that the Association should be assisted by exempting it from the payment of income tax and that such exemption should be granted with effect from 1st January, 1958, as the Association commenced to receive income on its investments in that year.

Sir, I beg to move.

The Minister of Commerce and Industry (Dr Lim Swee Aun): Sir, I beg to second the motion.

Enche' Zulkiflee bin Muhammad: Tuan Yang di-Pertua, saya tidak-lah berhalangan meluluskan cadangan Yang Berhormat Menteri Kewangan ini. Tetapi saya suka mendapat keterangan tentang pada prinsip yang di-jalankan oleh Kerajaan sekarang ini berkenaan dengan perkecualian daripada Undang² Pendapatan, ada-kah ia-itu tiap² badan yang tidak mendapat untong dan menjalankan kemajuan itu pada asas-nya apabila dia minta perkecualian daripada Chukai Pendapatan maka di-kecualikan. Tuan Yang di-Pertua, sa-kira-nya ini menjadi kaedah saya harap mendapat keterangan itu di-jelaskan dalam Dewan ini. Dan saya suka mendapat penerangan daripada Menteri Kewangan berapa-kah anggaran yang di-agakkan akan di-kecualikan daripada Undang² Chukai Pendapatan ini, ada-kah ia-itu pendapatan yang tidak begitu besar. Dan apa-kah sebab² yang boleh Kerajaan menerima khas-nya bahawa perkecualian itu di-mulakan daripada tahun 1958 tidak daripada tahun ini. Walau bagaimana pun badan ini tidak dapat maju dengan usaha pelanchongan. Saya hendak jawab-nya.

Enche' Tan Siew Sin: Mr Speaker, Sir, I think it should be fairly obvious that there is no point in charging income tax on a body which obtains its funds from the Government, because all you do is to take money out of one pocket and put it into another pocket of the same person. So I think it is not a very profitable exercise. The reason why we propose to exempt the profits of this organisation from income tax with effect from 1st January, 1958, is because, as I have already pointed out in my speech, the organisation commenced to receive income on its investments in that year.

Enche' Zulkiflee: Tuan Yang di-Pertua, bagi penjelasan. Oleh kerana penerangan itu merupakan satu pertanyaan dasar, saya suka-lah mendapat keterangan berkenaan dengan hal ini.

Enche' Tan Siew Sin: Mr Speaker, Sir, As I have tried to explain, the principle is very simple, because if a body gets its money from the Government, there is no point in making it

pay tax, as the tax will come out practically from the same pocket.

Enche' Zulkiflee: Sir, what I want to know is the policy, the circumstances, in which the Government thinks that exemption should be given to any Association under the provisions of this section 102 of the Income Tax Ordinance. Is it just because the body happens to be a non-profitable body that we exempt it from paying tax? Is that the policy of the Government or not? A statement is expected from the Honourable Minister.

Enche' Tan Siew Sin: There are, Mr Speaker, Sir, many factors which go to make up the Government's decision and one of the factors is, of course, whether a body has a charitable or a worthy object. I think, broadly speaking, we can say that each case will have to be examined on its own merits.

Question put, and agreed to.

Resolved,

That this House in exercise of the powers conferred by section 102 (1) of the Income Tax Ordinance, 1947, hereby resolves that there be added to the First Schedule to the Income Tax Ordinance, 1947, the following new item:

"THE PENANG TOURIST ASSOCIATION."

Mr Speaker: Time is up. The sitting is now suspended till half-past four this afternoon.

Sitting suspended at 1.00 p.m.

Sitting resumed at 4.30 p.m.

(Mr Speaker in the Chair)

THE CUSTOMS DUTIES (AMENDMENT) (No. 4) ORDER, 1962 (Statute Paper No. 52 of 1962)

Enche' Tan Siew Sin: Mr Speaker, Sir, I beg to move the motion standing in my name, viz.:

That this House resolves that in accordance with the powers vested in it by virtue of sub-section (2) of section 10 of the Customs Ordinance, 1952, the Customs Duties (Amendment) (No. 4) Order, 1962, which has been laid before the House as Statute Paper No. 52 of 1962 be confirmed.

This Order gives effect to the changes in Customs duties which were related to the House in my Budget speech

yesterday. Since copies of my speech have been distributed to all members I will do no more than refer them to paragraphs 64 to 83 inclusive which deal with the contents of this Order.

Sir, I beg to move.

The Deputy Prime Minister (Tun Haji Abdul Razak): Sir, I beg to second the motion.

Enche' Zulkiflee bin Muhammad: Tuan Yang di-Pertua, bagi menerangkan chadangan ini, Yang Berhormat Menteri Kewangan telah menyatakan sebab²-nya sa-malam maka kedudukan penambahan dan perubahan chukai di-dalam perkara² yang di-sebutkan di-dalam surat perintah bagi di-kemukakan di-dalam Rang Undang² itu. Saya ada mempunyai beberapa pindaan dalam perkara yang saya hendak kemukakan ini, terutama kepada penambahan di-dalam hal² yang bersangkutan dengan chukai. Saya perhatikan, Tuan Yang di-Pertua, Kerajaan bagaimana yang di-nyatakan di-dalam cheraian 64 yang menyatakan bahawa ada beberapa perubahan yang di-buat untuk menolong pengeluaran² hasil dan pembuat hasil negeri di-negeri ini dengan mengurangkan chukai di-dalam lapangan ini. Dalam hal ini dasar bagi mengurangkan chukai seperti itu ada-lah baik, tetapi saya merasa kechiwa dan mengesalkan Kerajaan kerana tidak dapat di-dalam melayan chukai ini perkara yang patut di-dapati oleh satu perusahaan orang Melayu dalam negeri ini patut diperhatikan oleh Kerajaan. Saya sebutkan ia-itu perusahaan batek negeri Kelantan. Tuan Yang di-Pertua, perusahaan itu ada-lah satu perusahaan yang baharu berkembang di-dalam negeri itu dan dari dahulu-nya telah berjalan dengan chara sedikit². Pada pandangan saya patut-lah Kerajaan mengadakan layanan perundangan chukai supaya di-kawal perusahaan itu dengan melebarkan umpama-nya chukai kain² batek yang datang dari negeri luar, sama ada dari negeri Jepun atau pun dari negeri Siam atau pun dari Indonesia. Tuan Yang di-Pertua, saya patut terangkan ia-itu perusahaan batek di-masa ini akan dapat di-chuba memajukan diri-nya untuk melayakkan perusahaan itu sa-

bagai satu perusahaan national. Apabila orang² yang melihat perkembangan perusahaan membatek di-negeri Kelantan tahu-lah dia tidak-lah banyak kekurangan dari-nya dengan kain² yang datang dari negeri² lain. Perkara ini telah tidak di-layan seperti yang di-nyatakan di-dalam amendment itu. Di-dalam Order Paper itu tidak di-nyatakan layanan² yang istimewa bagi perusahaan² ini, oleh itu, Tuan Yang di-Pertua, saya berharap kepada Menteri Yang Berhormat dan kepada Kerajaan supaya di-dalam sedikit masa ka-hadapan ini dapat-lah mengemukakan satu protective measures atau satu chara mengawal hal ini dengan menaikkan chukai kemasokan batek² dari negeri Siam, batek² yang datang dari negeri Jepun atau dari Indonesia.

Tuan Yang di-Pertua, hal ini akan membolehkan perusahaan itu maju dengan baik. Kalau kita mengawal perusahaan pioneer dalam negeri ini dengan banyak dengan mengurangkan chukai² yang tersebut di-dalam alat² asasi seperti yang di-nyatakan dalam kenyataan itu alang-kah patut-nya kita membuat layanan yang mesti-nya kepada perusahaan kecil ini. Tidak-lah dapat, Tuan Yang di-Pertua, di-jadikan hujah oleh Kementerian bahawa oleh kerana sedikit sangat batek Kelantan itu, kalau di-naikkan chukai akan menyusahkan orang² Melayu. Tidak-lah dapat di-jadikan hujah juga bahawa kita tidak mesti melayani dan memelihara kepentingan-nya, sebab, Tuan Yang di-Pertua, apabila di-biarkan perusahaan ini umpama-nya dengan tidak di-layan baik² akan mati-lah perusahaan ini dan manakala mati maka negeri ini tidak mempunyai perusahaan batek-nya sendiri.

Tuan Yang di-Pertua, satu daripada perkara yang Kementerian itu lupa yang telah saya sebutkan dalam Dewan ini ada-lah perkara dasar yang di-buat di-dalam para 69 di-dalam ucapan Menteri Yang Berhormat, dasar-nya ia-lah apabila banyak orang melarikan chukai maka kita akan kurangkan chukai. Saya tidak faham apa-kah benar² dasar itu dapat menghasilkan faedah yang banyak kepada negeri ini seperti yang di-nyatakan dalam para

itu, pen dan ball pen telah di-kurangkan chukai daripada 25% kepada 10%. Hujah yang besar ia-lah kerana membenteras penyeludupan yang ada dalam negeri ini.

Tuan Yang di-Pertua, kalau ini-lah di-jadikan prinsip Kerajaan maka saya fikir akan tiba masa-nya Kerajaan ini menjadi sa-buah Kerajaan yang lemah. Kalau banyak orang² itu menchuri memasukkan barang² ka-Persekutuan ini lebeh baik kita buat satu kuat-kuasa jagaan kastam. Ini ada-lah dasar yang lebeh baik dan di-hormati dan saya perchaya lebeh di-hormati di-dalam dasar perchukaaian. Memang benar, Tuan Yang di-Pertua, apa yang di-sebutkan oleh Menteri Yang Berhormat bahawa 1961 kita dapat 161 ribu daripada hasil itu, dan pada tahun ini 148 ribu, tidak-lah banyak, Tuan Yang di-Pertua, kekurangan itu, tetapi belum-lah dapat kita ma'anakan kekurangan yang di-lakukan dengan kekurangan smuggling. Sebab naik dan bertambah chara² dan chorak² masok barang² tidak dengan sendiri-nya memberi ma'ana.

Tuan Yang di-Pertua, ini-lah pandangan² saya yang saya harap terutama sa-kali dalam protective measures berkenaan dengan perusahaan batek itu dapat di-timbangkan oleh Kerajaan dengan baik-nya.

The Deputy Prime Minister (Tun Haji Abdul Razak): Tuan Yang di-Pertua, saya suka hendak menjawab pandangan yang di-datangkan oleh Ahli Yang Berhormat dari Bachok berkenaan dengan hal protective tariff terhadap perusahaan batek. Ini ada-lah satu perusahaan yang RIDA mengambil perhatian berat dan pehak RIDA ada-lah memberi pertolongan yang banyak atas perkara ini, dan juga perkara ini telah kerap kali di-pertimbangkan oleh Kementerian yang berkenaan, tetapi ada satu soal yang besar yang patut saya terangkan kepada Ahli Yang Berhormat ia-itu kain batek ini ada-lah satu perkara keperluan hidup bagi ra'ayat negeri ini, tegas-nya penduduk² luar bandar ia-itu orang² Melayu khas-nya. Orang² perempuan Melayu ada-lah menggunakan kain batek dengan banyak dan kalau di-adakan protective tariff ini

tentu-lah harga-nya akan naik. Dengan yang demikian patut-lah kita timbangkan sama ada baik di-adakan tariff atau tidak, atau pun yang lebeh elok kita chari jalan bagi mengurangkan harga pengeluaran batek yang di-perbuat di-negeri ini supaya dapat kita keluarkan batek dengan harga yang lebeh murah lagi daripada yang dapat di-jual sekarang ini.

Ini ada-lah satu dasar yang Kerajaan dapat pertimbangkan sa-belum mengambil langkah di-atas perkara ini, kerana kita tidak hendak menyusahkan kepada ra'ayat di-kampong². Langkah yang kita ambil itu tidak akan menyusahkan kepada orang² kampong dengan menaikkan harga tersebut. Jadi ini-lah soal-nya yang Kerajaan terpaksa timbangkan terlebeh dahulu, dan perkara ini akan di-ambil perhatian kelak. Perusahaan kain batek ini ada-lah di-fikirkan sangat mustahak di-galakkan bagi faedah kemajuan anak negeri ini.

The Prime Minister: Tuan Yang di-Pertua, saya suka hendak beri penerangan di-atas keterangan yang di-buat oleh Ahli Yang Berhormat dari Bachok berkenaan dengan kekurangan chukai fountain pen ia-itu daripada 25 per cent kepada 10 per cent; sebab-nya ia-lah apabila sa-suatu fountain pen itu di-adakan hujong-nya yang sama warna dengan pen, hasil-nya ada-lah sa-puloh peratus. Sa-kira-nya pen itu balut dengan emas, sunggoh pun harga-nya tidak sama, tetapi di-taroh hasil-nya 25 per cent maka nampak-nya chukai ini ta' kebetulan. Jadi apa yang di-buat sekarang ini ia-lah hendak di-beri sama dan sa-lari dengan hasil yang di-taroh di-atas pen semua-nya.

Enche' Tan Siew Sin: Mr Speaker, Sir, I do not think the Honourable Member for Bachok has got his facts really straight in regard to the policy of the Government in dealing with smuggling. It is not quite correct, as he has suggested, to say that we take refuge in reducing import duties simply because the Customs Department is unable to prevent smuggling. We must remember, in connection with this matter, that so long as we have free port areas in two large islands, namely

Penang and Singapore, there will always be a certain amount of smuggling, however vigilant and efficient the Department of Customs and Excise may be.

In regard to very small articles like watches and fountain pens, it is only too easy for these articles to get through, but I have no doubt that there are not many articles which get past our Customs Department. However, I agree that these are two of them and the reason is, of course, that they are so small that they can be hidden effectively, and the only way to prevent any smuggling at all is to have a hundred per cent check of passengers and vehicles both at Butterworth and at Johore Bahru which will no doubt hold up traffic considerably. In the circumstances I think it is reasonable for Government to reduce the import duty and thus help to minimise the incidence of smuggling. As I have informed the House yesterday, our experiment in regard to watches has been a success and the Government hopes that a similar experiment in the matter of fountain pens will meet with the same degree of success.

Question put, and agreed to.

Resolved,

That this House resolves that in accordance with the powers vested in it by virtue of sub-section 2 of section 10 of the Customs Ordinance, 1952, the Customs Duties (Amendment) (No. 4) Order, 1962, which has been laid before the House as Statute Paper No. 52 of 1962 be confirmed.

THE DEVELOPMENT ESTIMATES, 1963

Enche' Tan Siew Sin: Mr Speaker, Sir, I beg to move that the following motion standing in my name be referred to a Committee of the whole House:

"That a sum not exceeding \$493,187,765 be expended out of the Development Fund in the year 1963, and that to meet the purposes of the Heads and sub-heads set out in the second column of the Statement laid on the Table as Command Paper No. 43 of 1962, there be appropriated the sums specified against such Heads and sub-heads in the eighth and ninth columns thereof."

The Development Estimates for 1963, represent the third phase of the

Federal Government's capital investment programme under the Second Five-Year Plan, a phase in which the majority of the projects included in the Plan have now been commenced and many of them have already been completed.

In my speeches on the previous phases of the Plan I have tended to stress the fact that the Plan was then in an early stage and that our planning and building capacity both had to be built up in order to enable the level of investment envisaged in the Plan to be achieved. Today the picture I have to present is quite a different one.

As mentioned in my Budget speech yesterday, the target we set ourselves for 1962 was a figure exceeding \$400 million. That figure which compares with an investment of \$264 million in 1961 and a mere \$141 million in 1960 has been duly reached and indeed the latest estimates are that actual development expenditure for the year 1962 will amount to about \$420 million, as I informed the House yesterday.

Including supplementaries the total of the appropriations approved for the Development Estimates by the House for 1962 was approximately \$547 million, the balance of which will be carried over to 1963 for the completion or continuation of the projects concerned. In the same way, the estimates for 1963 envisage total appropriations of \$493 million of which it is expected that approximately \$400 million to \$420 million will be spent and the remainder carried into 1964. These two years, 1962 and 1963, may be considered the key years of the Five-Year Plan. 1961 was largely a year of design work and of work on organisation and capacity building to enable the Plan to go forward with full vigour in the following years. 1962 has been a year of all-out endeavour during which full advantage has been taken of the foundations laid in the previous year. 1963 will see progress maintained at the same level. In 1964 and 1965 it should be possible for the level of expenditure to ease off a little as projects are completed and thought is given to the requirements of what will

be the present Federation's Third Five-Year Plan and, in regard to the new and greater Federation which will come into being next year, the First Malaysia Five-Year Plan.

Honourable Members will notice that the first page of the Development Estimates for 1963 shows not only the estimated statement of account for the coming year but also a revised estimate in respect of the income and expenditure of the Fund for 1962. From the latter it will be seen that, in addition to the money raised by loans, i.e., both repayments from State Governments and public authorities and new borrowings, and to the balance of \$111 million brought forward from 1961, it was necessary to provide \$120 million from the Consolidated Revenue Account, by means of Supply Acts. This figure may seem large but it is small in comparison with the amounts which will be required to be transferred in a similar way in 1963, if the estimated amount is fully spent. In this case there is no balance in the Fund to be brought forward from 1962, since it is expected that the entire present balance will have been spent by the end of the year. The first instalment of \$50 million has already been included in the Ordinary Expenditure Estimates for 1963, but in addition to this a figure of more than \$258 million is needed after all other sources of finance have been taken into account to meet the estimated development expenditure for 1963. If we assume that total expenditure will, in fact, not be greater than the \$420 million estimated this year, the additional appropriation required from revenue will still amount to \$185½ million making a total for the year of \$235½ million, as against the figure of \$120 million appropriated in 1962. Except in so far as any unexpected surplus may arise from the account, the whole of this large sum will have to be provided by drawing on our reserves. While it may be argued that the spending of the reserves in this manner is justified by the benefits which will be obtained through the completion of the Five-Year Plan, it should nevertheless be clear to all that there can be no question of increasing

this very high rate of expenditure. We must in fact aim for some decrease in 1964 and 1965, particularly in view of the additional commitments which will result from Malaysia.

Honourable Members will notice a change in the layout of the Development Estimates on this occasion, in the sense that for the first time estimates are shown for expenditure under the Second Five-Year Plan as a whole. As pointed out in the Treasury Memorandum laid before the House as Command Paper No. 44 of 1962, these figures, with the exception of those in column (6), which show the actual expenditure for 1961, are all estimates and their total therefore exceeds the total of actual expenditure which we hope to carry out in the years 1961 to 1965, which is \$1,790 million. The House is well accustomed to that rule of development mathematics which states that the sum of all the parts is always greater than the whole. During the first two years of the Plan, the fact that the total of the development estimates tends in this way to be larger than the actual expenditure expected has been used to provide a target at which the departments could aim, in order to get their projects well under way. Now that an adequate rate of expenditure has been reached, however, a different policy will be adopted, and care will be taken to ensure that the total level of actual expenditure aimed at is not exceeded. This may mean that from time to time the brake has to be applied, if expenditure on some services appears to be going too fast. I am sure that the machinery of the National Development Planning Committee which has proved so successful in getting the Plan under way will be equally successful in keeping it going at a steady rate and preventing the bus from over-heating or running away with the passengers.

I am tempted at this stage to embark on a description of the projects, which have been already completed, or are nearing completion under the Plan. However, my Honourable friend, the Deputy Prime Minister will second this motion and my Ministerial colleagues are here to describe in detail both

what has been achieved and what they intend to achieve in the remaining years of the Plan. I will, therefore, leave this pleasant task to them.

Mr Speaker, Sir, I referred in my speech yesterday to the very creditable effort which has been made by the Government officers concerned in being able to implement the Development Plan for this year. I think the House would also wish me to record its gratitude to the Deputy Prime Minister, who really spearheaded this enormous effort, and whose superhuman energies are, I think, rather embarrassing to the Treasury. In fact, when we discovered that the Plan was more than being implemented, I appealed to him not to be too active in going round the countryside.

The House may remember that in introducing the first phase of the Plan in 1961, I stated that we had clear evidence that mankind has definitely entered the space age, since the first manned satellite had recently been launched then. On this occasion, I may perhaps liken the Second Five-Year Plan to a space-craft which spent the year 1961 in reaching its prescribed orbit and in 1962 levelled out at exactly the calculated height. It is functioning well, and can be confidently expected to continue on its proper course during the year 1963 without any deviation from its allotted orbit.

Sir, I beg to move.

Tun Haji Abdul Razak: Tuan Yang di-Pertua, sambil menyokong usul yang di-kemukakan oleh rakan saya Yang Berhormat Menteri Kewangan, saya suka menerangkan kepada Ahli² Yang Berhormat bahawa Anggaran Belanjawan Kemajuan tahun 1963 yang di-hadapan kita pada hari ini, hendak-lah di-semak bersama² dengan Ranchangan Kemajuan Lima Tahun Yang Kedua kerana ranchangan anggaran perbelanjaan kemajuan bagi tahun 1963 ini ia-lah satu bahagian daripada Ranchangan Kemajuan Lima Tahun Yang Kedua kita.

Tuan Yang di-Pertua, pada masa saya membentangkan Ranchangan Kemajuan Lima Tahun Yang Kedua di-hadapan Dewan ini, saya telah terang-

kan bahawa ranchangan kita ini ia-lah suatu ranchangan yang tegas dan berani; dalam bahasa Inggeris-nya ambitious bagi negara kita yang muda ini. Akan tetapi pada hari ini seperti kata Yang Berhormat Menteri Kewangan tadi saya sukachita menegaskan bahawa Ranchangan Kemajuan ini telah di-laksanakan dengan sangat memuaskan hati. Di-dalam tahun 1961, kita telah membelanjakan wang ia-itu Kerajaan Persekutuan sa-lain daripada Kerajaan² Negeri dan badan² yang lain sa-banyak \$264 million ringgit, akan tetapi di-dalam tahun 1962 kita akan membelanjakan lebih kurang sa-banyak \$420 million ringgit. Ini bermakna-lah kejayaan kita bertambah lebih kurang 60 peratus daripada tahun 1961.

Di-dalam pekerjaan melancarkan ranchangan kemajuan kita ini, kita telah menggunakan kekuatan dan tenaga yang sa-penoh²-nya, oleh itu bukan-lah sahaja kita berjaya melaksanakan ranchangan² yang telah di-sediakan, tetapi kita berjaya melaksanakan ranchangan² lebih daripada yang kita anggapkan atau fikirkan. Dalam tahun 1962 ini perbelanjaan kita ia-lah lebih daripada yang kita fikirkan.

Baharu² ini pakar² di-dunia yang ada mempunyai pengalaman berkenaan dengan Ranchangan Kemajuan Iktisad di-dalam tidak kurang daripada 70 buah negeri² dalam dunia ini telah datang melawat ka-Tanah Melayu dan telah berkata bahawa hendak menyediakan satu pelan atau ranchangan kemajuan itu ada-lah perkara yang senang. Akan tetapi hendak menjayakan tiap² satu ranchangan itu satu perkara yang susah yang berkehendakkan usaha dan tenaga dan berkehendakkan penyediaan daripada sa-hari ka-sahari dan daripada satu masa ka-satu masa.

Kita di-Tanah Melayu telah berjaya melaksanakan ranchangan kemajuan kita, kita telah berjaya menukarkan ranchangan² yang ada di-atas kertas itu menjadikan ranchangan² berjaya di-seluruh kampung di-Tanah Melayu ini. Jadi, pakar² itu telah berkata bahawa jika kita bandingkan dengan sa-tengah² negeri yang lain, kita Tanah Melayu telah berjaya menyediakan atap dinding dan mengisi rangka ranchangan

kemajuan yang kita telah sedia. Kata dalam bahasa Inggeris, kita telah berjaya—"we have been able to put meat and muscle to the frame of verbose skeleton of our basic plan." Oleh itu, Tuan Yang di-Pertua, kita patut-lah berasa bangga di-atas kejayaan yang kita chapai dalam Rancangan Kemajuan kita pada masa ini.

Tuan Yang di-Pertua, sa-bagai Menteri yang bertanggung-jawab dengan hal kemajuan luar bandar, saya suka menerangkan kepada Ahli² Yang Berhormat bahawa kejayaan kita itu ia-lah di-sebabkan rancangan kita itu diperbuat dengan terator dan sempurna dan lagi dalam masa melaksanakan rancangan kemajuan itu kita sentiasa bekerja dengan keras dan dengan tekun-nya daripada sa-hari ka-sahari dan jentera pentadbiran kita ada-lah di-ator dengan baik dan berjalan dengan lichen-nya.

Tuan Yang di-Pertua, saya boleh-lah memberi satu chontoh ia-itu dalam rancangan membena jalan raya di-luar bandar. Ahli² Yang Berhormat tentu ingat bahawa di-dalam Rancangan Kemajuan Lima Tahun kita yang kedua ada-lah di-untukkan sa-banyak 90 juta ringgit untuk membena jalan raya di-luar bandar dalam Rancangan Kemajuan Lima Tahun Yang Kedua. Akan tetapi, apa yang telah terchapai, kita telah berjaya melaksanakan rancangan ini dan pada hujung tahun 1962 ini rancangan yang memakan belanja sa-banyak 90 juta ringgit untuk membena jalan raya di-luar bandar akan siap. Saya suka memberitahu Dewan ini bahawa perbelanjaan sa-banyak itu ada-lah untuk membena jalan² raya yang telah memberi faedah kepada penduduk di-luar bandar untuk membuka beberapa banyak rancangan tanah yang baharu dan untuk memberi kemudahan² kepada mereka itu berjalan ka-suatu tempat. Satu chontoh lagi yang boleh menunjukkan bahawa kemajuan yang telah di-chapai, sangatlah memuaskan hati ia-itu kita telah berjaya mengadakan 49 rancangan kemajuan tanah yang luas-nya tidak kurang 4,000 ekar pada satu rancangan dan rancangan ini telah di-laksanakan oleh Lembaga Kemajuan Tanah Federal. Sa-hingga hari ini luas

tanah yang telah dapat di-jayakan ia-lah lebeh kurang 85,000 ekar—76,000 getah, 8,000 kelapa sawit dan 2,000 dusun. 4,253 kelamin telah di-beri tanah untuk tempat kediaman baharu dan di-harapkan tidak berapa lama lagi 3,000 kelamin dapat di-beri tempat kediaman di-dalam rancangan² kemajuan ini. Oleh yang demikian lebeh kurang 7,000 kelamin akan dapat di-beri tempat kediaman yang baharu pada hujung tahun 1963.

Saperti yang telah saya nyatakan ini bukan-lah berma'ana rancangan² tanah itu untuk pendudok² bahkan di-sediakan kemudahan² saperti jalan² raya, bekalan ayer, sekolah², tempat perubatan dan di-beri tanah dan sa-bagainya chukup untuk mereka itu mendapat sara hidup yang berpatutan bagi mereka itu.

Tuan Yang di-Pertua, saya boleh menerangkan satu persatu rancangan² yang ada di-dalam anggaran perbelanjaan ini dan boleh menunjukkan bagaimana kejayaan² yang kita telah dapat chapai dalam semua perkara itu. Akan tetapi ini mesti-lah mengambil masa yang lanjut, memadai-lah saya berkata bahawa sungguh pun kita belum sampai pertengahan masa Lima Tahun Yang Kedua kita telah mendapat kejayaan sungguh memberi puas hati. Saya sebutkan tadi bahawa ini-lah sebab²-nya yang membolehkan kita melaksanakan rancangan² yang memberi puas hati ia-lah di-sebabkan jentera pentadbiran berjalan dengan lichen.

Di-sini saya suka mengambil peluang ini menguchapkan tahniah yang sa-tinggi²-nya dan pujian yang sa-tinggi²-nya kepada beratus² pegawai² Kerajaan daripada semua peringkat baik pegawai teknikal, pegawai pentadbiran dan juga pegawai² redah yang telah bersedia menyambut seruan Kerajaan bagi memberikan tenaga mereka itu yang banyak untuk menjayakan Rancangan Kemajuan Lima Tahun Yang Kedua bagi faedah bangsa dan negara kita. Begitu juga saya suka memberi kepujian kepada Kerajaan Negeri yang telah mengambil bahagian yang sangat memuaskan hati di-dalam pembenaan negara ini. Saya harap dengan kejayaan pelaksanaan Rancangan Pembangunan

Negara ini penduduk² di-negeri ini ia-itu ra'ayat di-kampung² akan mengambil bahagian mereka dengan sa-penoh²-nya di-dalam Rancangan Pembangunan ini. Di-dalam tingkatan yang kedua Rancangan Pembangunan Luar Bandar usaha² sedang di-jalankan di-peringkat jajahan bagi memberi didekan, anjoran dan pertolongan kepada penduduk² luar bandar melalui Jawatan-Kuasa Pembangunan Kampong supaya mereka itu dapat menjalankan usaha² kemajuan dengan lebih giat dan lebih sempurna lagi. Kita berkehendakkan ra'ayat di-kampung² menjalankan usaha² disemua lapangan kemajuan dengan semangat dan keazaman yang baharu supaya keadaan hidup mereka itu dapat di-perbaiki. Hanya-lah dengan usaha dan tenaga daripada ra'ayat sendiri bersama² dengan usaha dan tenaga daripada pihak Kerajaan baharu-lah dapat rancangan kemajuan kita memberi faedah yang dikehendaki dan dapat-lah penduduk² di-luar bandar menerima kema'amoran dan kesenangan yang kita chita²kan itu.

Mr Speaker, Sir, I have spoken at some length in Malay on the progress that has been achieved in implementing our Second Five-Year Plan. Although we have not reached half-time in the Five-Year Development Plan, our score is high and, as I have indicated, in 1962 we will be spending more than we have anticipated. This means that we are in fact ahead of schedule in introducing the many hundreds of economic projects included in our national plan. This, therefore, is ample proof that we are not lacking in determination or in boldness in implementing our development plan with speed and efficiency, and I think we can well be proud of the progress we have so far achieved. This progress so far achieved reflects not only the increasing tempo of development of activities in the country but also considerable success achieved by Government Departments in building up the level of administrative and technical capacity required for the successful implementation of the public sector programme of our Five-Year Plan.

As I have said just now, I should like to take this opportunity to pay

the highest tribute to many hundreds of Government servants throughout the whole country, technical, administrative and executive, wherever they may be, for the great part they have played and will continue to play in helping us to build a stable and prosperous nation in the implementation of our national Development Plan. (*Applause*).

Now, as the composition of the Development Estimates will indicate, despite substantial increase in technical capacity of the public sector and the resultant tendency to initiate a larger number of projects than can be supported within the limit of our financial resources either in the present or the future, I would like to assure the House that it will continue to be the policy of the Government to place priority on those projects which will contribute to the economic and social well-being of the country, particularly those in the rural areas. Within the present and future limits of the financial position, the Second Five-Year Plan will continue to be implemented with the strictest regard to the requirements that will provide maximum positive impact on the stable economic and stable social development of the country.

Now, Sir, when I talk of stability, it reminds me to make reference to the private sector of our Second Five-Year Plan. It has been said many times, and quite rightly too, that perhaps the final success of our Second Five-Year Plan depends on what happens in the private sector. I should like to see that the representatives of the private sector apply the same principle which the Government applies in the implementation of our Plan. In the private sector, I should like to see similar action being taken by all the representatives of commerce and industry, getting down together and forgetting for the time being their individual interests, so that they may examine impersonally, and yet forcefully, the problem which faces us and combine together to produce suggestions and solutions which will give more impetus and more force to the private sector of our economy. Sir, it has been said by many great thinkers

in the past that the best form of government is the least form of government. In other words, it should not be necessary for the Government in every case to put forward plans and suggestions and this particularly applies to the private sector. Let me here and now appeal to the various Chambers of Commerce, to the various captains of industries and the leaders of commerce and finance in our country, to set up their own machinery which will harness the best brains and the best thinkers in the private sector and crystallise their efforts into a definite boosting charge of the private sector of our economic plan. This, Sir, is extremely urgent, for if the private sector does not increase its present rate of expansion it is estimated that there will be a shortfall in the target of \$2,090 million of something in the region of \$400 to \$900 million. We in this country, the Alliance Government, have succeeded in creating an atmosphere of stability and reliability. Political stability is the real foundation of economic stability. Therefore, within the context of this political and economic stability I look forward to the private sector of our economy to move forward with the same vigour and tempo as our public sector. If the tempo of the private sector can be so increased, then we have no doubt that our Second Five-Year Development Plan, though bold and ambitious, will be implemented with great success, bringing with it the benefit of prosperity desired by our people. (*Applause*).

Enche' Zulkiflee bin Muhammad: Tuan Yang di-Pertua, di-dalam ucapan Yang Berhormat Menteri Kewangan dan Timbalan Perdana Menteri telah menyatakan kedudukan² yang merunding dan perkembangan rancangan pembangunan di-dalam negeri ini. Saya ingin memperkatakan beberapa soal di-sini, di-dalam membahaskan perkara dasar, saya tanggohkan bahagian di-dalam membahaskan satu persatu. Satu daripada soal yang penting yang saya perhatikan atau dititikberatkan di-dalam ucapan-nya ialah bahawa kita ini ada-lah menurut apa yang kita rancangkan dengan jadual itu. Kita baharu berumur 2½

tahun di-dalam memajukan negeri ini dan kita telah dapat menghasilkan sesuatu lebih daripada jangkaan waktu yang di-tunjokkan itu.

Tuan Yang di-Pertua, saya harap kenyataan yang seperti itu tidak-lah dapat di-jadikan satu kenyataan yang mutlak seperti yang di-sebutkan oleh kedua² Ahli Yang Berhormat. Sebab pada pandangan saya, ada beberapa rancangan yang telah di-betulkan atau di-jadualkan oleh Kerajaan untuk di-jalankan dalam negeri ini pada waktu yang tertentu, tetapi tidak dapat di-jalankan, dan rancangan² ini tidak di-perhatikan dengan halus. Saya dapat menyebutkan di-sini beberapa sekolah kebangsaan di-negeri Kelantan, terutama-nya di-kawasan saya sendiri, beberapa rancangan sekolah telah tidak dapat di-jalankan. Di-kampung Badak, Tuan Yang di-Pertua, Menteri Pelajaran tentu tahu agak-nya, di-adakan kelas dewasa menggantikan sa-buah rumah yang telah roboh oleh angin pada tahun yang lalu dan gambar-nya ada di-siarkan di-dalam surat khabar. Tetapi pada masa ini pun kampung itu tidak mempunyai kelas dewasa untuk sekolah-nya, jadi, ini, Tuan Yang di-Pertua, tidak-lah dapat kita selitkan kenyataan yang mengatakan bahawa semua-nya telah berjalan dengan baik. Hingga pada hari ini, murid² itu terpaksa belajar di-bawah pokok dan perkara itu di-ketahui bukan sahaja oleh saya atau orang² di-kawasan saya, bahkan di-ketahui oleh Pegawai² Pelajaran. Jadi, ini saya harap di-dalam memberi penilaian kepada kemajuan² yang di-dapati rojokkan-lah pandangan² kita kepada kampung² yang kecil yang maseh terdapat beberapa kekurangan di-dalam hal itu.

Saya akui bahawa ada banyak rancangan² dan sa-tengah² rancangan yang besar dapat berjalan dengan chepat, ini tidak-lah saya ingin menapikannya. Saya berharap, Tuan Yang di-Pertua, perkara ini dapat di-timbangkan oleh Kementerian yang bersangkutan, terutama Yang Berhormat Timbalan Perdana Menteri sendiri. Tuan Yang di-Pertua, kita berjalan dengan tetap, kita mempunyai wang yang banyak, kita membelanjakan wang dengan banyak. Di-sini saya

suka menarek perhatian kepada tiga perkara. Dalam berjalan chepat, wang banyak, perkara yang hendak di-jalankan banyak, tidak dapat-lah di-elakkan berlaku-nya beberapa keadaan, walau pun di-chuba mengelakkan-nya. Timbalan Perdana Menteri telah menyebutkan bahawa kita mempunyai Jawatan-Kuasa Pusat untuk merancang kemajuan yang ada di-dalam negeri ini. Saya hormati kerja dan ranchangan² yang besar itu dan saya hormati, tetapi tidak semua-nya dapat di-perhatikan oleh Kerajaan. Pernah kejadian di-dalam ranchangan² itu oleh kerana kita berkehendakkan sangat dengan chepat maka telah chepat membuat lebeh daripada mesti-nya. Saya dapati beberapa keadaan yang saya melihat satu daripada-nya membayar sa-buah rumah, saya hendak sebutkan rumah ayam pun, saya tidak tahu-lah, tetapi oleh kerana hendak membuat jalan, rumah kechil tempat orang meletakkan kayu telah di-bayar oleh Kerajaan sa-banyak \$150 dan bukan-nya saya merasakan bayaran itu lebeh, tetapi yang mempunyai rumah itu pun merasakan demikian, kerana kita hendak chepat kita membuat sa-suatu tidak dengan berpatutan.

Tuan Yang di-Pertua, saya hendak bertanya kepada Yang Berhormat Timbalan Perdana Menteri, sama ada Kerajaan dapat memikirkan satu shor yang saya kemukakan di-sini supaya di-adakan di-dalam susunan pemerintahan negeri ini yang berkait dengan negeri ini sa-buah Jawatan-Kuasa Estimate. Pada biasa-nya, Tuan Yang di-Pertua, di-adakan kerja² itu daripada Ahli² Dewan Perundangan Kerja Negeri di-dalam keadaan² yang khas. Di-England chara ini telah di-jalankan di-dalam masa Peperangan, dan perkara ini, Tuan Yang di-Pertua, tidaklah dapat kita napikan dan satu perkara ta' dapat kita ketepikan.

Jawatan-Kuasa Estimate akan ditugaskan supaya memerhatikan sa-barang jabatan kalau di-dapati kemungkinan di-dalam jabatan itu perbelanjaan lebeh daripada yang sa-mesti-nya itu.

Tuan Yang di-Pertua, kita tidak-lah perang dan kita tidak ingin hendak perang, tetapi chara kita membelanja-

kan wang pada masa ini tidak-lah kurang daripada keadaan membelanjakan wang-nya daripada masa perang dan chara kepentingan kemajuan pada masa ini tidak-lah kurang daripada kepentingan yang ada ini. Tetapi saya suka supaya perkara ini di-timbangkan oleh Kerajaan sa-kira-nya perkara itu dapat di-lakukan supaya tidak ada perbelanjaan yang lebeh daripada yang sa-patut-nya agar dapat-lah kita jaga dan kita kawal sa-hingga tidak terlajak daripada merugikan kita sendiri.

Dalam hal ini saya minta kepada Kerajaan supaya mengingatkan apa yang telah di-sebutkan oleh Yang Berhormat Menteri Kewangan dalam Dewan ini. Kita hendak-lah memandang apa yang kita belanjakan itu dengan sa-penoh harga, dan oleh kerana kita menggunakan wang² yang kita pinjam itu kadang² dan yang kita gunakan daripada wang dari luar, maka patut-lah pengawasan kita lakukan. Hanya sa-bahagian kechil daripada perbelanjaan pembangunan ini kita ambil daripada wang surplus—anggaran belanja biasa, oleh sebab yang demikian memandang kepada keadaan yang demikian, saya berharap supaya perkara ini dapat di-perhatikan.

Enche' K. Karam Singh (Damansara):

Mr Speaker, Sir, listening to the grandiloquent words of the Deputy Prime Minister, we are bound to get an entirely false impression of what is happening in Malaya today. I would say that the Deputy Prime Minister has tried to clothe failure in gay clothes and tried to pass it off as a success.

Mr Speaker, Sir, we do not see the fruits of the so-called development to the people of this country. In the industrial sector, we have firms, foreign firms, getting pioneer status—tax holiday for five years. What is happening is that foreign companies which would be manufacturing goods in their own countries now come and manufacture their goods in Malaya. This industrial policy is as creditable as if I, who do not have a car, build a garage and ask my neighbour: "Please come and put your car here", and then say: "I have put up a garage, I have got this and I have got that"; or that I have no refrigerator and I go to someone

who has got a refrigerator and say: "Please put your refrigerator in my house; there is place for it. I do not charge you", and then go round and say: "Look, what development has taken place in my house!" This clearly indicates that these factories, and all that, do not spring from the indigenous capital and indigenous efforts of our own people—they are only borrowings from foreign countries which do not belong to our country. So, Mr Speaker, Sir, I would ask the Government not to over-credit itself for this sort of a thing.

And, Mr Speaker, Sir, these foreign companies, which have been accorded the extreme hospitality of sites, tax holiday and other facilities, are they in any way honouring the people who are producing their wealth and the profits for them—the workers who work for them? What benefit has this Five-Year Plan given to the workers who are working in these pioneer status companies? Just go to Petaling Jaya and you will find the labourers there suppressed, even worse than the suppression of African labourers that takes place in South Africa. (*Laughter*) The workers in Petaling Jaya are not allowed to organise unions. If they mention the name of a union, then they are thrown out, despite all the noise and propaganda that our Ministry of Labour makes. This clearly shows that neither the Minister of Commerce and Industry nor the Minister of Labour is at all taking an interest in the human resources that go to produce the wealth of these pioneer status companies. I would ask the Government, if it really has the welfare of the people at heart, to make a survey and find out who are the pioneer status employers who are suppressing the workers' rights to organise unions. Get a report from them, and see to it that once it is established that they are preventing the labourers from organising unions, the Government should revoke their pioneer status and give it to people who will be able at least to respect the hospitality that is accorded to them. Mr Speaker, Sir, in this I would say that the only difference between the worker and a slave, a modern worker in a capitalistic

society and a slave, is that the worker has the right to organise and associate with his fellow-being, and the moment that right of a worker to organise and associate with his fellow-workers is suppressed his position is no better than that of a slave.

Mr Speaker, Sir, we have heard from the Honourable the Deputy Prime Minister who has likened the Five-Year Plan to a skeleton which has put on muscle and flesh, but I would like to know whether this muscle and flesh that it has put on are just clothes for parading about.

Mr Speaker, Sir, the Honourable the Deputy Prime Minister said that the score is high, but I think the Government has been doing a lot of bowling without getting any wickets, or if they like to be batsmen, they have been batting too long without scoring any runs. (*Laughter*) Even in the rural development programme we find that *lallang* has grown over the rubber trees. We find that people are not getting enough for their labour; they are just living on loans and not getting paid for their labour and their plight is almost being on the point of flight from those schemes.

Mr Speaker, Sir, I will not trouble you about the future economic prospects of these rural development plans in case when the rubber price is too low, but suffice it for me to say that in this House, far away from the actual rural development settlements, it is very easy to paint a rosy picture: the people in those development settlements themselves are not so enchanted with those settlement schemes.

Mr Speaker, Sir, in what other ways has this Five-Year Development Plan contributed to the happiness and well-being of our people, despite the very great verbal propaganda that has been coming out from the Ministry of Labour telling the people, "Go and register yourself at the Employment Exchange", "Get jobs through the Employment Exchange". But what do we find, what is the result? The result is that these employment exchanges have become pools of unemployed: we find Government itself accepting

officially that there are about 50,000 unemployed. In what way has this Development Plan given food, given flesh, given life, given happiness to these 50,000 people and their dependents and various relatives who live in this land and whom it is the duty of the Government to provide for.

Mr Speaker, Sir, I would lastly touch on the educational aspect, and in this I shall try to demolish another myth that the Government is trying to create, another illusion that it is trying to foster among the people in that it is trying to raise, that it is doing so much for the education of the people. I would say that the Government is deliberately cutting down the education of this country by limiting the number of primary students who can go to secondary schools to thirty per cent. It is a deliberate crime against our young generation, a deliberate stunting and a deliberate deforming of our future generations. Mr Speaker, Sir, I would submit that the Government is trying to paint a false and rosy picture of what has happened, and it would be in the interests of all if Government was objective, rather than quoting how much money has been spent, how much capital development has taken place. If you were to ask the question as to how much was given, how much was obtained, how much people profited by all this expenditure, then we would know the success or failure of this Plan. Thank you.

Enche' Mohamed Asri bin Haji Muda (Pasir Puteh): Tuan Yang di-Pertua, saya bersama² dengan rakan saya menyatakan bahawa kenyataan daripada Yang Berhormat Timbalan Perdana Menteri yang mengatakan bahawa perjalanan Ranchangan Pembangunan Luar Bandar dalam negara ini berjalan dengan lincis. Penambahan Estimates \$400 juta lebih itu ada-lah membayangkan hampir² 60 peratus daripada kemajuan sa-bagaimana yang di-nyatakan oleh Yang Berhormat Timbalan Perdana Menteri itu. Yang sa-benar-nya, Tuan Yang di-Pertua, penambahan Anggaran Perbelanjaan bukan-lah dapat di-jadikan satu asas yang kokoh bahawa ranchangan² itu telah berjalan dengan lancar. Saya

perhatikan sa-bahagian besar daripada ranchangan² yang di-jalankan oleh Kerajaan dalam bahagian pembangunan negara ini, sa-bagaimana yang di-katakan oleh rakan saya Yang Berhormat dari Bachok, dengan chara gopoh, dan sa-tengah daripada sa-tengah-nya apabila sampai akhir tahun ranchangan itu terpaksa di-lakukan dengan chara gopoh supaya Anggaran Perbelanjaan yang di-khaskan bagi satu² ranchangan itu dapat di-selesaikan pada tahun itu juga. Ada satu jalan yang di-bawah Ranchangan Pembangunan Luar Bandar yang terpaksa di-lakukan dengan konterek bagi beberapa minggu yang terakhir dalam tahun 1962 ini. Perbelanjaan konterektor untuk meratakan tanah sahaja sapanjang lebih kurang 2 batu sa-banyak \$170,000. Walhal mengikut taksiran yang sa-benar-nya daripada pehak Jurutera yang mengerti akan hal ini kalau di-jalankan dengan keadaan biasa tidak akan sampai \$80,000 bagi menyudahkan merata jalan itu. Sebab dalam perhitongan tiap² satu ela tanah yang terpaksa di-tarek atau pun di-tambah mana² tempat yang lekuk atau pun yang churam tidak akan lebih belanjanya daripada \$1.00 sa-ela, tetapi dengan perbelanjaan yang di-chadangkan sa-banyak \$170,000 lebih itu boleh menyebabkan taksir bagi tiap² sa-ela menjadi \$7.00 sa-ela. Yang sa-benar-nya, apakala di-siasat dan di-kaji sa-chara dalam kenapa usaha ini dibena dalam masa yang singkat atau nengejar masa, maka nyata-lah di-sini ia-lah ikhtiar supaya wang itu dapat di-habiskan dalam tahun 1962 ini, dan dengan satu niat supaya tidak-lah pada tahun yang akan datang wang itu susah di-minta atau di-untukkan bagi ranchangan tersebut. Ini ada-lah sa-bagai satu contoh yang dapat di-gambarkan tentang gopoh-gapah-nya chara pekerjaan atau pelaksanaan Ranchangan Pembangunan Luar Bandar di-dalam membelanjakan wang yang banyak.

Kalau kaedah yang saperti ini di-amalkan terus-menerus pada masa yang akan datang, saya perchaya kalau 100 peratus sa-kali pun wang peruntukan ini di-tambah, pada hakikat-nya sama sahaja dengan tidak bertambah-nya

wang itu. Sebab-nya, sa-bagaimana yang saya katakan tadi, kalau wang itu di-belanjakan sa-banyak sa-kian ringgit untuk pekerjaan yang sa-demikian rupa yang pada hal kalau di-belanjakan mengikut kaedah biasa harus wang itu satu pertiga atau sa-tengah dapat di-jimatkan.

Yang kedua, Tuan Yang di-Pertua, saya dapat tahu bahawa dalam tahun 1963 yang akan datang ini ada ranchangan² besar yang terpaksa di-tanggohkan oleh kerana hendak menyemak atau pun mengkaji, sama ada ranchangan yang telah berjalan itu berjaya atau memberi faedah bagi maksud pembangunan, ia-itu ranchangan daripada Pejabat Haiwan. Saya telah di-beritahu bahawa dalam tahun 1963 ini pehak Kementerian tidak berchadang lagi mengadakan peruntukan kerana memberi kerbau, kambing biri² dan sa-bagai-nya, kechuali lembu. Pemberian ayam itek kepada orang kampung akan di-berhentikan dalam tahun 1963 ini dengan alasan bahawa pehak Kerajaan hendak menggunakan tahun 1963 ini sa-bagai tahun mengkaji, sama ada ranchangan yang telah berjalan itu berjaya atau tidak, berhasil atau tidak atau pun memberi kesan atau tidak. Ini pun, Tuan Yang di-Pertua, satu perkara yang ganjil kalau di-bandingkan dengan ucapan yang di-keluarkan oleh Yang Berhormat Timbalan Perdana Menteri tadi bahawa semua ranchangan itu berjalan dengan lancar, baik dan berjaya. Maka kita akan bertemu dengan satu kenyataan yang berchanggah. Daripada apa yang saya dapat tahu tentang ranchangan kemajuan dari segi Pejabat Haiwan ini hendak di-berhentikan lebeh daripada $\frac{3}{4}$ daripada ranchangan yang telah berjalan pada tahun² yang sudah kerana hendak di-adakan penyelidikan atau kajian.

Mengadakan satu penyelidikan sama ada ranchangan ini berjaya atau tidak, erti-nya pehak Kerajaan sendiri maseh belum tahu bahawa ranchangan itu telah berjalan dengan berjaya atau pun tidak. Hal ini, Tuan Yang di-Pertua, saya rasa, ucapan yang sedap dengan suatu titik² angka yang baik dan kenyataan² bertulis yang baik belum tentu akan melahirkan kenyataan yang baik

dari segi ranchangan ini. Walau pun pehak Kerajaan menyatakan terang² bahawa apa yang kita telah rangka di-atas kertas itu dapat di-lahirkan dengan kekuatan yang sa-benar²-nya.

Tuan Yang di-Pertua, bagitu-lah Kerajaan kita ini bahawa ketegohan politik ini ada-lah menjamin ekonomi. Tetapi, Tuan Yang di-Pertua, boleh juga kita mengatakan ekonomi itu-lah menjaga dan menjamin politik. Ketegohan ekonomi kita, Tuan Yang di-Pertua, ia-lah satu ketegohan ekonomi yang benar² tetapi menjamin bahawa taraf hidup ra'ayat itu akan dapat di-baiki, akan dapat di-naikkan taraf yang lebeh baik pada masa sekarang sa-kurang²-nya. Megadakan jalan raya sa-mata², mengadakan tali ayer, balai raya; entah apa raya lagi, saya tidak tahu hanya sa-mata² merupakan alat tidak merupakan bentuk pembangunan. Pada pandangan saya tidak-lah akan terjamin-nya satu taraf ekonomi ra'ayat yang benar² tinggi pada masa yang akan datang. Kita perchaya bahawa ranchangan Kerajaan membagi² tanah kepada ra'ayat saperti yang di-nyatakan oleh Yang Berhormat Timbalan Perdana Menteri satu ranchangan yang baik, kita perchaya ra'ayat dapat tanah, perubahan hidup yang baik tetapi itu merupakan segelintir dalam berjuta² ra'ayat yang mengharapkan pengeluaran dan penjagaan yang sudah bertulis—tegas-nya di-perbuat oleh pemerintah supaya kehidupan dan taraf ekonomi yang baik.

Pada pandangan saya terpaksa-lah pehak Kerajaan atau pemerintah ini bagi memikirkan satu² chara pembangunan negara yang lebeh berkesan sa-lain daripada mengadakan saperti jalan raya. Ada orang mengatakan bahawa pehak kami di-sini tidak suka bahawa Kerajaan di-bawah Ranchangan Pembangunan Luar Bandar-nya, ini ada-lah satu da'awaan kosong. Bukan erti-nya kami tidak suka mengadakan jentera² sebab itu satu alat yang amat penting tetapi kami harapkan sa-lain daripada itu ia-lah satu ranchangan bagi pembangunan ekonomi ra'ayat yang baik di-salurkan melalui Sharikat Kerjasama atau sa-bagai-nya yang mana wang pinjaman Kerajaan luar negeri itu sa-bagai mendahulukan kerja

di-jamin oleh Kerajaan sa-hingga terbentuk-lah satu Lembaga bergerak ekonomi dan pengeluaran hasil ekonomi negeri ini dengan benar². Saperti kita saksikan bagaimana-kah penderitaan hidup ra'ayat di-kampung² yang ada pokok² kelapa yang banyak dan mengharapakan kemasokan wang, menjualkan buah² kelapa sama ada kelapa basah atau kering yang bergantong sa-mata² kapada harga pasaran. Kalau pehak Kerajaan dapat memikirkan dengan bantuan penasihat² ekonomi yang tertentu, dapat-lah diadakan suatu industry yang besar dalam negeri ini dalam mana hasil kelapa² yang banyak dalam negeri ini akan dapat melahirkan berbagai² perkara dan benda² yang memberi faedah bukan sahaja faedah ra'ayat negeri ini bahkan mendatangkan faedah kapada negeri ini sendiri apakala barang² itu di-dagangkan keluar negeri.

Pernah di-lakukan oleh Kerajaan² bagi negeri² yang lain saperti negeri India dan sa-bagai-nya membuat sa-suatu ranchangan 5 tahun bagi negeri itu yang sa-bahagian besar-nya lebeh daripada sa-paroh wang pinjaman luar negeri itu telah di-peruntokkan kapada ekonomi saperti ini. Mithalnya di-mana ra'ayat ada mempunyai ternakan lembu kerbau yang banyak dalam kawasan, di-bangunkan kilang membuat susu ia-itu mentega dan sa-bagai-nya di-tempat itu dengan chara co-operative. Walau pun ra'ayat tidak ada mempunyai modal tetapi dengan Kerajaan menghulorkan wang dan Kerajaan mentadbirkan atas nama co-operative dan pehak Kerajaan adalah memegang-nya dengan baik. Dan apakala untong² daripada pengeluaran itu di-bayar balek wang pinjaman itu, maka co-operative itu menjadi hak-nya, terpulang-lah hak itu milek bersama.

Saya rasa bagini sahaja-lah dapat melahirkan ketegohan ekonomi negeri ini. Ketegohan ekonomi dalam negeri ini tidak dapat sa-mata² di-pandang daripada satu jurusan kemasokan wang melalui chukai² pendapatan atau atas chukai barang² masok keluar sahaja. Dalam satu jurusan saperti ini sa-mata² maka menyebabkan kedudukan ketegohan ekonomi bagi ra'ayat negeri

ini tidak akan baik. Saperti yang dinyatakan oleh saudara saya yang berchakap dahulu daripada saya tadi bahawa keadaan pembangunan industry dalam negeri ini boleh di-katakan hampir 100 persen di-pegang oleh pemodal² luar atau pun kaum modal sahaja, tidak menghasilkan kebaikan kapada ra'ayat negeri ini. Pernah pada masa ucapan Yang Berhormat Perdana Menteri di-negeri Trengganu dia mengatakan, satu kilang sabut yang besar akan di-dirikan di-Trengganu dan akan dapat-lah ra'ayat terutama daripada bangsa Melayu menerima faedah bagi faedah kilang yang besar di-Trengganu itu. Faedah² yang diterima itu ia-lah bagi orang² yang menjadi ahli di-dalam-nya. Maka ini bukan-lah satu ranchangan pembangunan yang tertentu yang boleh menjamin kehidupan ra'ayat ada-lah lebeh baik di-berikan ra'ayat pinjaman, merupakan tenaga memberikan bantuan wang itu dengan sa-chukup-nya bagi pembenaan ekonomi di-masa yang akan datang ini akan dapat-lah ra'ayat menikmati di-samping ekonomi.

Enche' Mohamed Yusof bin Mahmud: Tuan Yang di-Pertua, tadi kita telah mendengar keterangan² daripada Yang Berhormat Menteri Kewangan dan Yang Berhormat Timbalan Perdana Menteri atas kemajuan² yang di-ranchangkan oleh Kerajaan pada masa yang sudah dan kejayaan² yang telah kita lihat. Saya fikir ada ahli² yang tidak memahami atas kerja² yang telah di-jayakan oleh Kerajaan. Adakah Ahli² Yang Berhormat memahami ia-itu segala ranchangan yang di-nyatakan oleh Menteri itu saperti mengadakan ranchangan tanah, ranchangan jalan raya, ranchangan persekolahan itu semua-nya tidak memberi faedah kapada ra'ayat, saya pun tidak mengertikan apa maksud mereka. Dalam segala ranchangan itu, Tuan Yang di-Pertua, kita telah mendapat kejayaan yang besar, tetapi sekarang tiba-lah masa-nya pula segala ranchangan itu di-majukan oleh ra'ayat. Dalam hal ini, Tuan Yang di-Pertua, saya berharap Kerajaan mengambil satu langkah yang tegas terhadap mereka² yang menghalang segala ranchangan yang sedang di-

majukan itu, seperti mana menghasut ra'ayat supaya jangan menerima ranchangan Kerajaan itu, dan menghasut mereka supaya jangan membuat kerja dan sa-bagai-nya. Umpama-nya ranchangan FLDA di-kampung², ada anasir² yang menghasut ia-itu supaya mereka itu jangan menerima apa² arahan itu, dengan tujuan politik supaya ranchangan ini jangan dapat di-jayakan. Satu kejadian yang baharu ia-itu di-mana, Tuan Yang di-Pertua, oleh sebab sedikit kesilapan daripada Pengarah itu maka dengan sebab itu mereka² itu menghasut supaya jangan lagi menerima arahan daripada ketua itu, dan sa-kira-nya wakil² tidak champor tangan boleh jadi mereka² yang dudok itu keluar daripada ranchangan itu. Tetapi nasib baik ia-itu wakil² dapat mengawasi perkara itu. Dalam siasatan saya ada-lah perkara itu sa-mata² tujuan politik dan mereka suka supaya ranchangan itu jangan dapat di-majukan.

Berkenaan dengan ranchangan pinggir tanah ra'ayat² telah di-hasut supaya jangan bekerja, maka langkah² yang berat hendak-lah di-ambil terhadap mereka yang suka menghasut ra'ayat supaya Kerajaan dapat menjayakan ranchangan² ini. Yang kedua, Tuan Yang di-Pertua perkara yang saya harap mendapat perhatian Kerajaan ia-lah penghalang² yang membolehkan ranchangan ini tidak dapat di-jalankan dan juga berkenaan dengan kesihatan. Ada satu kampung yang bernama kampung Awah baharu² ini telah beberapa kelamin masuk tetapi oleh sebab entah mana kesilapan-nya menyebabkan banyak orang² yang masuk telah mendapat sakit demam Malaria, ini boleh jadi juga oleh sebab kekurangan perkhidmatan perubatan di-tempat² itu. Jadi, Tuan Yang di-Pertua, sa-telah di-kaji dengan sa-halus²-nya ada dua penghalang yang besar yang patut pehak Kerajaan menimbangkan dengan sa-baik²-nya, pertama ia-lah anasir subversive daripada tujuan politik dan kedua, tentang kesihatan² mereka yang memajukan ranchangan² itu. Saya berharap supaya perkara yang saya sebutkan itu dapat di-ambil perhatian

supaya jangan ada orang yang chuba hendak memomok²kan ranchangan yang baik ini.

The Minister of Transport (Dato' Haji Sardon bin Haji Jubir): Tuan Yang di-Pertua, saya chuma hendak berchakap sedikit sahaja, pertama sekali kepada Yang Berhormat dari Bachok dan juga Yang Berhormat dari Pasir Puteh. Perkara² yang telah diterangkan-nya itu bukan main lagi, saya juga pernah melihat di-tempat² yang hendak di-gunakan jalan itu, beliau berkata Kerajaan membelanjakan dengan terburu² sahaja, hingga rumah ruboh atau rumah burok itu kita membayar hingga \$150. Maka Yang Berhormat itu nampak itu sahaja, beliau tidak melihat negeri² yang diuruskan oleh Kerajaan Perikatan, kata-lah 11 negeri di-tolak satu tinggal 10 buah negeri. Saya suka hendak memberitahu Yang Berhormat² itu ranchangan Pembangunan Luar Bandar itu memang-lah di-siapkan oleh Kementerian itu sendiri, tetapi kerja² itu telah di-serahkan kepada Kerajaan negeri masing². Maka, Yang Berhormat dari pehak negeri Kelantan tidak-lah boleh mengatakan bahawa 9 atau 10 buah negeri yang mendapat kemajuan yang chemerlang itu boleh di-tenggelamkan begitu sahaja, mereka chuma melihat di-tempat mereka sa-buah negeri sahaja. Chuba-lah Ahli² Yang Berhormat dari Pantai Timor, terutama negeri Kelantan itu, apa juga bantuan berkenaan dengan Pembangunan Luar Bandar itu tentu-lah di-serahkan kepada Kerajaan negeri, maka Kerajaan negeri tentu-lah akan memberikan pandangan dan kerjasama yang patut, begitu juga daripada Yang Berhormat² dari Dewan Ra'ayat dan juga daripada Ahli² Majlis Meshuarat Negeri, dengan chara semangat yang membena bukan kita suroh tolong Perikatan, tetapi menolong ra'ayat, maka, itu-lah tujuan kami. Berkenaan dengan ada yang mengatakan kalau ekonomi tidak kuat maka politik pun tidak kuat, chuba-lah Ahli Yang Berhormat itu fikir kita ini baharu merdeka sa-lama 5 tahun, tentu-lah ekonomi itu tidak berapa tegoh. Dengan sebab itu-lah Kerajaan hari ini hendak mencari keperchayaan di-negeri² luar, sa-lepas

itu baharu-lah ahli² perniagaan masok ka-Tanah Melayu ini, apa tidak-kah tengok Petaling Jaya, bukan-kah penuh di-tempat² itu dengan rumah² dan kilang² dan juga di-Tasek di-Ipoh, di-utara Pulau Pinang, di-Seberang Perai dan bagitu juga di-Johor Baharu, ada-kah boleh segala-nya itu boleh kita napikan sahaja. Jangan-lah Yang Berhormat² itu tengok negeri Kelantan sahaja, mari-lah tengok negeri² yang lain yang 10 lagi itu maka itu-lah chita² Kerajaan Perikatan, terutama ranchangan Pembangunan Luar Bandar untuk luar bandar, dan berkenaan dengan jalan saya berani mengatakan bahawa sa-lagi jalan² tidak dapat di-hubungkan maka susah-lah perusahaan hendak di-jalankan, di-bandingkan dengan India, ada fabric susu yang di-bantu oleh Kerajaan, kami juga ada ranchangan 5 million yang mana banyak penanam nenas kerana tidak mendapat harga² yang baik di-sebabkan tidak ada factory nenas, ini Kerajaan hendak menolong sudah kita usahakan. Bagitu juga berkenaan dengan getah susu, chuba-lah Ahli² Yang Berhormat datang ka-negeri Johor tersergam ranchangan factory Gresete Muar, dan ranchangan² lain ini akan di-jalankan di-seluruh Tanah Melayu. Sekarang kami sedang menyusun dan perkara ini akan di-jayakan daripada sa-tahun ka-satahun.

Saya harap kapada Yang Berhormat dari Damansara (*Ketawa*), jangan-lah di-katakan kita pakai bunga ros taroh lawa² di-pakaian, sa-benar-nya beliau sendiri telah pergi merantau ka-Tanah Melayu menjalankan penerangan, tidak sadar-kah ia naik motorcar laju², sebab apa jalan itu di-baiki kerana memberi kemudahan kapada ahli perniagaan, maka, saya harap benda² ini tidak boleh di-napikan-nya dan terpulang-lah kapada orang ramai yang menjadi hakim. Tujuan kami supaya segala ra'ayat dalam negeri ini dudok dengan aman dan ma'amor, ini-lah sebab-nya kami jalankan ranchangan 5 tahun yang pertama dan yang kedua. Saya harap jangan-lah salah faham kerana ranchangan Pembangunan Luar Bandar ini bukan-nya di-jalankan di-sabua² negeri atau di-sabua² daerah, tetapi di-seluruh Persekutuan, maka saya

tidak tahu-lah tuduhan² yang di-datangkan oleh mereka itu betol² hendak membena atau sebak-nya, ra'ayat sahaja-lah yang akan menjadi hakim dalam perkara² ini.

Dr Burhanuddin bin Md. Noor: Tuan Yang di-Pertua, saya suka juga mengambil bahagian berchakap dalam perbahathan ini. Sa-sunggoh-nya ucapan Yang Berhormat Menteri Kewangan dan Yang Berhormat Timbalan Perdana Menteri telah menyatakan bahawa ranchangan kemajuan telah membuat kejayaan yang memuaskan hati, dan memang perkara yang samacham itu-lah yang kita idam²kan untuk ra'ayat. Soal-nya sekarang ini sa-bagaimana yang di-katakan tadi bahawa negeri kita ini baharu merdeka, baharu lepas daripada penjajahan. Perkara itu-lah yang sangat terasa oleh pehak ra'ayat dalam soal pembangunan luar bandar sekarang, dan di-dalam pembangunan negara yang ada sekarang ini bahawa pehak yang dahulu-nya di-katakan pehak penjajah, pehak capitalist yang kemajuan² yang besar itu sekarang sudah di-nampak oleh ra'ayat ia-itu lanjutan chara lama yang tidak di-rasai oleh ra'ayat. Bagi pehak ra'ayat yang tidak tinggal dalam pekan atau dalam bandar, mereka itu tinggal di-kampung semenjak dari penjajah lagi mereka telah menderita, dan dalam masa kita sudah merdeka ini pun maseh lagi mereka itu dalam hal menderita. Dalam hal kemajuan yang sudah di-banggakan itu erti-nya kemajuan yang sudah, tetapi di-kawasan saya tidak-lah dapat hendak menyertai sama bagi pehak ra'ayat negeri ini, terutama dalam kawasan saya sendiri bahawa ranchangan kemajuan, atau ranchangan kemajuan luar bandar sekarang ini boleh di-katakan tidak maju.

Saya mengaku bahawa usaha² sedang di-jalankan, tetapi jika di-bandingkan dengan belanja yang besar yang telah di-keluarkan dengan hasil yang dapat, saya maseh lagi mempunyai pandangan bahawa usaha² yang berjalan sekarang ini dengan belanja yang begitu besar ia-itu perbelanjaan yang boleh di-katakan kurang chermat dan boleh di-katakan boros. Sebab-nya daripada perbelanjaan yang besar itu

boleh di-rasa lebih keuntongan-nya yang dapat di-rasa oleh pehak kontrekter, tetapi hasil yang di-dapati oleh ra'ayat hanya-lah sedikit sahaja dengan sebab besar-nya belanja yang patut dengan belanja itu mendapat faedah kepada ra'ayat. Saya mengatakan di-daerah saya, mithal-nya di-Besut dan saya perchaya juga bukan sahaja di-kawasan saya bahkan saya telah melawat di-tempat² lain di-seluruh Tanah Melayu ini saya telah berjalan, tetapi keadaan²-nya maseh seperti itu juga.

Dalam beberapa perkara mengenai nasib ra'ayat, mithal-nya Ranchangan Chalak ada-lah di-masokkan dalam Ranchangan Lima Tahun Yang Kedua. Di-hadapan kawasan Chalak itu sendiri belum lagi habis ranchangan-nya ia-itu ada orang² buka tanah dekat dengan kampong Chalak itu. Orang² kampong itu mengusahakan dengan tanah sedikit, dan dengan sebab usaha saya sendiri maka telah dapat-lah mereka memecahkan usaha² yang dikerjakan di-atas tanah itu. Berkenaan dengan Ranchangan Chalak itu tidak-lah habis² sampai pada masa sekarang ini. Manakala saya pergi ka-sana saya dapati sentiasa ada rungutan dari orang² sana mengadukan hal kepada saya, ini tidak betul, ini tidak kena dan bermacam² lagi. Ini bukan-lah saya hendak menchari kesulitan, kepayahan, penderitaan bahkan ada-lah perkara² yang tidak puas hati dari orang² yang bekerja di-situ. Pada hal perbelanjaan yang telah di-utokkan itu sangat-lah banyak. Saya suka hendak tahu, berapa-kah belanja yang sudah di-belanjakan dalam Ranchangan Chalak yang sudah di-masokkan dalam Ranchangan Lima Tahun Yang Kedua dan hasil-nya yang boleh merupakan hasil daripada usaha yang sudah berjalan lima tahun yang kedua yang sedang berjalan sekarang. Kalau-lah usaha seperti ini yang boleh di-katakan sudah merupakan kemajuan, maka saya sangat berasa dukachita bagitu juga ra'ayat di-sana. Sudah beberapa kali mereka bekerja, kadang² sampai 6 bulan, kadang² 8 bulan orang² masok bekerja bertukar ganti tetapi akhir-nya mereka ta' tahan lalu keluar dari situ. Manakala kita tanya, mereka menjawab ranchangan yang di-buat itu tidak

sesuai dengan orang yang pergi tinggal di-sana. Maka dengan jalan ini, saya harap kejadian² yang sa-macham ini tidak akan berlaku lagi, sebab kita sa-benar-nya sama² berkehendakkan kapada kemajuan ra'ayat dalam negeri ini. Dengan yang demikian bagaimana-kah hendak di-katakan yang kita telah menchapai satu kejayaan yang memuaskan hati? Kalau itu boleh di-katakan kejayaan di-Chalak, ini ada-lah satu ranchangan yang tua sa-kali di-antara ranchangan² yang telah di-jalankan dalam negeri ini. Mithal-nya dalam ranchangan kita sekarang ini tidak merupakan satu kejayaan, tetapi satu kata perasaan ra'ayat, bagaimana-kah perasaan ra'ayat itu hendak jaya dengan sebab Ranchangan Lima Tahun Yang Kedua ini maseh dalam keadaan yang kusut seperti itu, bukti-nya Ranchangan Chalak itu maseh banyak orang yang tidak puas hati.

Sa-perkara lagi, Tuan Yang di-Pertua, Ranchangan Pinggir termasuk dalam ranchangan belanja yang banyak yang di-keluarkan oleh pehak Kerajaan. Saya memandang, mithal-nya boleh saya katakan pekerjaan yang gopoh dan kurang chermat. Di-Dungun—bukan kawasan saya, di-sana banyak bukit bukau yang telah di-tebang, kemudian sudah di-bakar dan sedang di-usahakan. Ini semua-nya usaha yang sudah terang, tetapi untong-nya pergi kapada kontrekter². Apa yang saya nampak dalam perkara ini—menjadi rungutan² ra'ayat di-sana—ia-itu manakala orang² di-sana hendak bekerja maka di-dapati bahawa tanah² itu bukan tanah yang sesuai untuk di-tanam getah, atau pun di-tanam benda² yang boleh mendatangkan hasil. Saya tidak-lah perchaya apa yang di-katakan oleh ra'ayat itu sahaja, tetapi saya sendiri pergi melihat dan menengok akan hal itu. Saya dapati perkara itu betul, dan saya tidak-lah tahu bahawa ada satu ranchangan bagaimana hendak di-gunakan baja bagi menyuburkan tanah itu, bagaimana hendak di-gunakan oleh Kerajaan, tetapi tanah yang di-bawah bukit² itu yang boleh di-katakan subur, getah sudah di-tanam enam tujuh tahun keadaan-nya maseh lagi besar lengan, berma'ana-lah hampa-nya daripada

hendak mendatangkan hasil sekarang ini. Bagaimana hal-nya nanti tanah bukit² itu?

Jadi apa yang menjadi kata² orang yang di-sampaikan kepada saya ia-lah kalau bagini ranchangan-nya bagaimana. Kita hendak mengerjakan tanah ini sebab chontoh pokok² yang di-bawah itu pun tidak boleh jadi, dan tenaga kita hilang. Ini-lah, Tuan Yang di-Pertua, yang sa-benar-nya. Bukanlah ra'ayat itu tidak mahukan harta, kesenangan dan kema'amoran, tetapi chara yang seperti itu yang mustahak sa-kali di-timbangkan dan di-kaji benar² oleh pehak Kerajaan supaya jangan perkara yang bertentangan dengan kesukaan dan keinginan ra'ayat itu boleh melemahkan rasa kepercayaan bagi mereka untuk mencapai kemajuan dan kejayaan dalam masa mereka menumpahkan tenaga dan masa mengerjakan tanah yang di-beri oleh Kerajaan itu. Dan kerana itu-lah, Tuan Yang di-Pertua, dengan sendiri-nya ra'ayat merasa tidak puas hati dan tidak rasa yakin yang ranchangan ini boleh memberi pertolongan bagi mereka itu. Mereka itu tidak-lah boleh di-tuduh subversive, menentang atau pengachau atau tidak mahukan kemajuan. Perkara ini hendak-lah di-timbangkan benar oleh pehak Kerajaan.

Sa-perkara lagi, Tuan Yang di-Pertua, saya hendak membawa satu chontoh tentang usaha² yang telah di-buat dengan chara gopoh ia-itu mengikut kata konterektor, tambahan pula kita hendak lekas maju. Maka kerja² yang di-buat oleh konterektor itu boleh di-katakan tidak sempurna dan baik sa-bagaimana yang kita harapkan untuk kepentingan ra'ayat dan negara. Mithal-nya, di-kawasan saya itu ada satu jambatan ia-itu jambatan Penarek. Jambatan itu telah siap di-buat, tetapi baharu sahaja beberapa bulan, jambatan itu telah hanyut di-tarek oleh ayer. Pada hal harga jambatan itu bukan \$1,000-\$2,000 bahkan puluhan ribu ringgit. Perkara ini di-saksi oleh ra'ayat. Kata mereka, apa kerja Kerajaan macham ini. Jadi perkara yang seperti itu kita tidak boleh salahkan ra'ayat. Boleh jadi harus perkara itu ada-lah kemalangan alam atau perkara

itu di-sebabkan konterektor chuai atau pun Kerajaan sangat gopoh hendak chepat sahaja. Ini ada-lah jambatan kechil, dan jambatan yang besar, Tuan Yang di-Pertua, ia-lah jambatan Temerloh. Saya membawa chontoh ini untuk di-fikirkan, bukan sahaja oleh ra'ayat yang lalu lintas di-situ tetapi pehak Kerajaan juga di-dalam chara membuat pembenaan ini.

Sa-lain daripada itu, Masjid juga di-dirikan untuk kesenangan ra'ayat. Di-kawasan saya ada di-dirikan sa-buah Masjid, pada hal di-tempat itu sudah ada dua Masjid, tetapi untuk melaksanakan ranchangan luar bandar Masjid itu di-dirikan. Masjid itu telah siap lebih kurang sa-tahun tetapi sampai sekarang maseh belum di-buka lagi. Kambing² sahaja melawat Masjid itu, Tuan Yang di-Pertua. Jadi perkara ini ra'ayat memandang ia-itu Masjid sudah ada, dan Masjid yang baharu itu jauh sedikit. Ini, Tuan Yang di-Pertua, saya fikir tidak-lah salah kalau ra'ayat memikir dan menimbangkan keadaan yang di-buat oleh Kerajaan.

Tuan Yang di-Pertua, saya fikir expert yang dari luar negeri yang memberi pujian itu sudah tentu wang yang kita belanjakan itu ada di-antara-nya wang yang di-pinjam yang mana wang itu akan di-bayar balek. Jadi wang yang hendak di-churahkan untuk pembangunan negeri ini patut di-fikirkan benar² supaya jangan kerja yang berjalan itu orang lain yang dapat faedah-nya. Tuan Yang di-Pertua, negara kita baharu merdeka dan kita kekurangan pakar atau specialist. Pakar atau specialist yang datang dari luar ka-negeri ini ada-lah tabi'i dunia. Ini ada-lah kelebihan satu² negara itu. Perasaan, jiwa dan hati manusia di-satu² tempat itu ada mempunyai kepentingan-nya sendiri. Kita tidak-lah menapiki sa-tengah² negeri yang memuji dan lain² lagi kepada negara ini.

Saya mengaku di-mana juga saya melawat termasuk kawasan saya sendiri bahawa ranchangan ini memang indah dan chantek yang mana saya belum pernah lihat dahulu ia-itu ranchangan ini lengkap dengan pejabat-nya. Tetapi keadaan di-kawasan saya

telah saya cheritakan, Tuan Yang di-Pertua, saya perchaya di-tempat lain pun tidak berapa beza-nya. Jadi perkara yang menjadi jiwa yang patut di-timbangan benar² oleh pehak Kerajaan ia-lah perasaan hati kechil dan jiwa anak negeri atau bumi putera negeri ini supaya ranchangan itu dapat di-sesuaikan dengan jiwa atau psychology negeri ini. Walau pun ranchangan ini indah dan chantek, tetapi benda ini tidak menimbulkan keinginan yang sunggoh kapada ra'ayat untuk membuat-nya. Tuan Yang di-Pertua, kalau kita dapat menarek perasaan ra'ayat supaya lebeh chinta dan yakin bahawa ranchangan ini ada-lah untuk faedah mereka, maka saya perchaya perbelanjaan yang bagini besar dengan sendiri dapat di-kurangkan. Tuan Yang di-Pertua, telah menjadi tabiat manusia ia-itu orang suka mengerjakan satu² perkara asalkan mendapat upah, dan ada orang yang sanggup berkorban dengan tidak mendapat upah kerana keyakinan dan moral-nya yang tinggi.

Jadi, ini-lah yang patut di-timbangan oleh pehak Kerajaan supaya mengkaji keadaan jiwa ra'ayat sekarang supaya dapat sesuai benar² kemajuan yang kita kehendaki ini dengan kemajuan yang di-kehendaki oleh ra'ayat itu sesuai sa-hingga dapat ranchangan² itu berjalan dengan penoh semangat dan keinginan. Tuan Yang di-Pertua, bukan sahaja di-Kelantan, Trengganu mithalannya di-katakan-lah perkara ini walau pun perkara kechil tetapi chontoh itu ada-lah menyokong pada keterangan saya ini. Mithalan-nya siapa tidak hendak senang, siapa tidak hendak kaya, siapa tidak hendak mendapat harta dan sa-bagai-nya. Mithal-nya ranchangan menernak ayam, di-berilah anak ayam, kerbau, kambing dan sa-bagai-nya dengan tidak di-berikan bagaimana chara² yang boleh mengambil hati dengan pengertian yang mendalam kapada ra'ayat, ra'ayat menerima-lah sa-bagai hadiah atau sa-bagai apa sahaja, kemudian manakala perkara itu sudah tidak berjaya, yang di-harapkan perkara itu di-usahakan dengan sebab beberapa keadaan berlawanan dengan beberapa chara yang di-kehendaki, tahu² ayam itu tidak berjaya, kerbau tidak berjaya,

kambing tidak berjaya. Lepas daripada itu satu tuntutan hutang di-kenakan kapada ra'ayat; kesal datang pula dari pehak Kerajaan. Ini-lah, Tuan Yang di-Pertua, perkara yang sudah berlaku, ini semua sa-kali menimbulkan tanda tanya dan pemikiran ra'ayat bagaimana dengan ranchangan berjalan sekarang ini di-jalankan oleh pehak Kerajaan.

Lagi satu, Tuan Yang di-Pertua, kita memang suka sunggoh Ranchangan Pembangunan Luar Bandar yang hendak membawa kemajuan dan kemudahan serta kesenangan kapada ra'ayat itu, ini-lah principle-nya kita bersama² mempersetujui. Mithal-nya, sekarang sudah ada Local Council—Majlis Bandaran dan sa-bagai-nya, pehak Kerajaan sekarang oleh kerana banyak wang perbelanjaan yang hendak di-keluarkan maka adakan-lah ranchangan ayer, ada ranchangan elektrik maka dengan suka-chita-nya ra'ayat terima-lah masok ayer, elektrik tetapi sa-telah sa-bulan dua kerana asas-nya menegakkan ekonomi tidak ada, ta' lama empat lima bulan ra'ayat mengeloh . . . adoh! bagaimana hendak bayar ini? Ah! ini Bill sudah tiba pulak. Lama² ranchangan luar bandar ini nanti menjadi ranchangan keluar bandar, Tuan Yang di-Pertua. Jadi, ini-lah saya mengeluarkan perkataan ini ada-lah dengan maksud supaya kita dapat-lah membuat pembetulan dan penimbangan yang lebeh chermat erti-kata membawakan kemajuan ini supaya dapat pada maksud yang sa-benar-nya. Tetapi tingkatan sekarang ini saya merasa, maseh ka-bawah lagi bahawa ranchangan yang kita katakan kemajuan sekarang ini maseh jauh daripada dapat memberikan nikmat kapada ra'ayat. Dan kalau di-katakan kapada pehak kapitalis saya boleh-lah menyokong bersama tetapi kalau pehak ra'ayat, saya maseh rasa lagi-lah sa-bagai ra'ayat juga masok dalam keadaan kechiwa, jauh daripada memuaskan hati, sekian.

Enche' Tan Phock Kin: Mr Speaker, Sir, when the Honourable the Minister of Finance and the Honourable the Deputy Prime Minister were speaking on this subject of the Second Five-Year Development Plan, we were

listening very patiently to hear to what extent the Plan has succeeded. I am afraid that nothing was mentioned as to what extent the Plan has succeeded as regards the five objectives laid down in this Blue Book. However, Sir, the two Honourable Ministers tried to confuse this House with expenditure as an indication of success, particularly the Deputy Prime Minister, who tried to convince us that because the Plan has gone according to schedule, then it is a great success. We must realise that as far as rural development is concerned, the ability to spend money allocated for any particular scheme is no indication that the scheme is going to succeed. The Government may spend a lot of money, for example, on rural development projects, land settlements, building houses and planting materials, but that does not mean that trees are going to grow up healthily. Sir, what we in this House are more interested to know is, as far as rural development is concerned—it is well over two years now—to what extent the various projects put forward in the Plan have succeeded. Surely, as far as rural development is concerned, it is possible to gauge the success of the various schemes; it is not necessary to wait until five years for the rubber trees to grow, because as far as the scheme is concerned, there are other trees which are expected to yield some income to the developer; and from my

personal knowledge of the various schemes they have not proceeded according to plan.

Sir, we must realise that as far as the Five-Year Development Plan is concerned, there are various factors coming up year after year: for example, we have made certain assumptions in putting forward a plan for a five-year period; we have also assumed the rate of population growth to be at a certain figure at the commencement of the Plan—a figure of a bit over 3 per cent; and we must realise that in the course of the last two years whether the population growth has exceeded the figure put forward by us; further we must also realise that in the light of improved social conditions, social amenities, medical and health services in rural areas, the infantile mortality rate is bound to decrease—and as such the population growth is bound to increase. So, Sir, I would like to know whether the Minister has taken all these factors into consideration and modified the Plan accordingly.

So, for my purpose of discussing this very important subject of rural development, I would like to bring the House back to the objectives of the Plan as laid down in this Blue Book.

Mr Speaker: Time is up. The House is adjourned till 9.30 a.m. tomorrow morning.

Adjourned at 6.30 p.m.