



PARLIAMENTARY DEBATES

DEWAN RA'AYAT
(HOUSE OF REPRESENTATIVES)

OFFICIAL REPORT

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

Official Report

Second Session of the First Dewan Ra'ayat

Wednesday, 14th September, 1960

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

PRESENT:

- The Honourable Mr. Speaker, DATO' HAJI MOHAMED NOAH BIN OMAR,
S.P.M.J., P.I.S., J.P.
- „ the Prime Minister, Y.T.M. TUNKU ABDUL RAHMAN PUTRA
AL-HAJ, K.O.M. (Kuala Kedah).
- „ the Deputy Prime Minister and Minister of Defence, TUN
ABDUL RAZAK BIN DATO' HUSSAIN, S.M.N. (Pekan).
- „ the Minister of Works, Posts and Telecommunications,
DATO' V. T. SAMBANTHAN, P.M.N. (Sungei Siput).
- „ the Minister of the Interior, DATO' SULEIMAN BIN DATO'
ABDUL RAHMAN, P.M.N. (Muar Selatan).
- „ the Minister of Agriculture and Co-operatives, ENCHE'
ABDUL AZIZ BIN ISHAK (Kuala Langat).
- „ the Minister of Transport, ENCHE' SARDON BIN HAJI JUBIR
(Pontian Utara).
- „ the Minister of Commerce and Industry, ENCHE' MOHAMED
KHIR BIN JOHARI (Kedah Tengah).
- „ the Minister of Labour, ENCHE' BAHAMAN BIN SAMSUDIN
(Kuala Pilah).
- „ the Minister of Education, ENCHE' ABDUL RAHMAN BIN HAJI
TALIB (Kuantan).
- „ TUAN SYED JA'AFAR BIN HASAN ALBAR, J.M.N., Assistant
Minister (Johore Tenggara).
- „ ENCHE' ABDUL HAMID KHAN BIN HAJI SAKHAWAT ALI KHAN,
J.M.N., J.P., Assistant Minister (Batang Padang).
- „ TUAN HAJI ABDUL KHALID BIN AWANG OSMAN, Assistant
Minister (Kota Star Utara).
- „ ENCHE' CHEAH THEAM SWEE, Assistant Minister (Bukit
Bintang).
- „ ENCHE' V. MANICKAVASAGAM, J.M.N., P.J.K., Assistant
Minister (Klang).
- „ ENCHE' MOHAMED ISMAIL BIN MOHAMED YUSOF, Assistant
Minister (Jerai).

- The Honourable ENCHE' ABDUL GHANI BIN ISHAK, A.M.N. (Malacca Utara).
- „ ENCHE' ABDUL RAUF BIN A. RAHMAN (Krian Laut).
- „ ENCHE' ABDUL SAMAD BIN OSMAN (Sungei Patani).
- „ TUAN HAJI ABDULLAH BIN HAJI ABDUL RAOF (Kuala Kangsar).
- „ TUAN HAJI AHMAD BIN ABDULLAH (Kota Bharu Hilir).
- „ ENCHE' AHMAD BIN ARSHAD, A.M.N. (Muar Utara).
- „ ENCHE' AHMAD BIN MOHAMED SHAH, S.M.J. (Johore Bharu Barat).
- „ TUAN HAJI AHMAD BIN SAAID (Seberang Utara).
- „ ENCHE' AHMAD BIN HAJI YUSOF (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 (Kluang Selatan).
- „ ENCHE' CHAN SIANG SUN (Bentong).
- „ ENCHE' CHAN SWEE HO (Ulu Kinta).
- „ ENCHE' CHAN YOON ONN (Kampar).
- „ ENCHE' CHIN SEE YIN (Seremban Timor).
- „ ENCHE' V. DAVID (Bungsar).
- „ DATIN FATIMAH BINTI HAJI HASHIM, P.M.N. (Jitra-Padang Terap).
- „ ENCHE' GEH CHONG KEAT (Penang Utara).
- „ ENCHE' HAMZAH BIN ALANG, A.M.N. (Kapar).
- „ ENCHE' HANAFI BIN MOHD. YUNUS, A.M.N. (Kulim Utara).
- „ ENCHE' HARUN BIN ABDULLAH, A.M.N. (Baling).
- „ ENCHE' HARUN BIN PILUS (Trengganu Tengah).
- „ TUAN HAJI HASAN ADLI BIN HAJI ARSHAD (Kuala Trengganu Utara).
- „ TUAN HAJI HASSAN BIN HAJI AHMAD (Tumpat).
- „ ENCHE' HASSAN BIN MANSOR (Malacca Selatan).
- „ ENCHE' HUSSEIN BIN To' MUDA HASSAN (Raub).
- „ ENCHE' HUSSEIN BIN MOHD. NOORDIN, A.M.N., P.J.K. (Parit).
- „ TUAN HAJI HUSSAIN RAHIMI BIN HAJI SAMAN (Kota Bharu Hulu).
- „ ENCHE' ISMAIL BIN IDRIS (Penang Selatan).
- „ ENCHE' KANG KOCK SENG (Batu Pahat).
- „ ENCHE' K. KARAM SINGH (Damansara).
- „ CHE' KHADIJAH BINTI MOHD. SIDEK (Dungun).
- „ ENCHE' LEE SAN CHOON (Kluang Utara).
- „ ENCHE' LEE SECK FUN (Tanjong Malim).
- „ ENCHE' LEE SIOK YEW (Sepang).

The Honourable ENCHE' LIM JOO KONG (Alor Star).

- „ DR. LIM SWEE AUN, J.P. (Larut Selatan).
- „ ENCHE' LIU YOONG PENG (Rawang).
- „ ENCHE' MOHAMED BIN UJANG (Jejebu-Jempol).
- „ ENCHE' MOHAMED ABBAS BIN AHMAD (Hilir Perak).
- „ ENCHE' MOHAMED ASRI BIN HAJI MUDA (Pasir Puteh).
- „ ENCHE' MOHAMED DAHARI BIN HAJI MOHD. ALI (Kuala Selangor).
- „ ENCHE' MOHAMED NOR BIN MOHD. DAHAN (Ulu Perak).
- „ DATO' MOHAMED HANIFAH BIN HAJI ABDUL GHANI, P.J.K. (Pasir Mas Hulu).
- „ ENCHE' MOHAMED SULONG BIN MOHD. ALI, J.M.N. (Lipis).
- „ TUAN HAJI MOKHTAR BIN HAJI ISMAIL (Perlis Selatan).
- „ ENCHE' NG ANN TECK (Batu).
- „ DATO' ONN BIN JA'AFAR, D.K., D.P.M.J. (Kuala Trengganu Selatan).
- „ ENCHE' OTHMAN BIN ABDULLAH (Tanah Merah).
- „ ENCHE' OTHMAN BIN ABDULLAH (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, S.M.J., P.I.S. (Batu Pahat Dalam).
- „ TUAN SYED HASHIM BIN SYED AJAM, A.M.N., P.J.K. (Sabak Bernam).
- „ ENCHE' TAJUDIN BIN ALI (Larut Utara).
- „ ENCHE' TAN CHENG BEE, J.P. (Bagan).
- „ ENCHE' TAN PHOCK KIN (Tanjong).
- „ ENCHE' TAN TYE CHEK (Kulim-Bandar Bahru).
- „ TENGKU INDRA PETRA IBNI SULTAN IBRAHIM, J.M.N. (Ulu Kelantan).
- „ DATO' TEOH CHZE CHONG, D.P.M.J., J.P. (Segamat Selatan).
- „ ENCHE' V. VEERAPPEN (Seberang Selatan).
- „ WAN SULAIMAN BIN WAN TAM (Kota Star Selatan).
- „ WAN YAHYA BIN HAJI WAN MOHAMED (Kemaman).
- „ ENCHE' WOO SAIK HONG (Telok Anson).
- „ ENCHE' YAHYA BIN HAJI AHMAD (Bagan Datoh).
- „ ENCHE' YEOH TAT BENG (Bruas).

The Honourable 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 of External Affairs, DATO' DR. ISMAIL BIN DATO' ABDUL RAHMAN, P.M.N. (Johore Timor).

- „ the Minister of Finance, ENCHE' TAN SIEW SIN, J.P. (Malacca Tengah).
- „ the Minister of Health and Social Welfare, DATO' ONG YOKE LIN, P.M.N. (Ulu Selangor).
- „ TUAN HAJI ABDULLAH BIN HAJI MOHD. SALLEH, A.M.N., P.I.S. (Segamat Utara).
- „ ENCHE' AHMAD BOESTAMAM (Setapak).
- „ IBRAHIM BIN ABDUL RAHMAN (Seberang Tengah).
- „ ENCHE' KHONG KOK YAT (Batu Gajah).
- „ ENCHE' LIM KEAN SIEW (Dato Kramat).
- „ ENCHE' T. MAHIMA SINGH (Port Dickson).
- „ ENCHE' MOHAMED YUSOF BIN MAHMUD, A.M.N. (Temerloh).
- „ NIK MAN BIN NIK MOHAMED (Pasir Mas Hilir).
- „ ENCHE' QUEK KAI DONG (Seremban Barat).
- „ ENCHE' TAN KEE GAK (Bandar Malacca).
- „ WAN MUSTAPHA BIN HAJI ALI (Kelantan Hilir).

IN ATTENDANCE:

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

PRAYERS

(Mr. Speaker *in the Chair*)

ORDER OF BUSINESS

(Motion)

Enche' D. R. Seenivasagam (Ipoh):

Mr. Speaker, Sir, may I have your permission to refer to Order 14 of our Standing Rules and Orders, sub-section (2)—

“The House may, upon a motion which may be made without notice and shall take precedence over all other business, decide to proceed to any particular business out of the regular order.”

Mr. Speaker, Sir, I am aware of item (n) “Motions relating to the

Order of Business (to be moved by a Minister)”, which is in Order 14 (1), but, with your permission, I move that item 9 of the Orders of the Day relating to a motion of no confidence in the Minister of Justice be taken immediately after item 1 on the Order Paper has been disposed of, and I move that under sub-section (2) of this order, which, I submit, is not complementary to (n) but is separate and exclusive of (n). I ask for your leave to move that, Mr. Speaker.

Mr. Speaker: Standing Order 15 (4) is quite clear—

“Private Members' Bills shall be taken in the order in which they stand in the Order Book.”

And also motions will be the same—for re-arrangement, only a Minister can move.

Enche' D. R. Seenivasagam: While I am not trying to argue with Mr. Speaker's ruling, I ask for your leave. If I don't get it, I shall, of course, have to be satisfied. But I ask you to consider that this is a matter of national importance—a motion of no confidence in a Minister of this Government—and by its very nature it is of utmost urgency. If there is no confidence in a Minister, the Minister should not be there, and on that ground I ask for your leave, Sir.

Mr. Speaker: I can't give you leave unless it is moved by one of the Ministers. The Standing Order is quite clear on that point.

ORAL ANSWERS TO QUESTIONS

“BEHIND THE GREAT WALL OF CHINA”—BANNING OF

1. **Enche' V. David** asks the Minister of the Interior why the Government has banned the screening of a picture “Behind the Great Wall of China” in the Federation.

The Minister of the Interior (Dato' Suleiman): The Government has not banned the screening of the film “Behind the Great Wall of China”, but it has banned the film “The Chinese Wall” from screening in this country because it is prejudicial to the creation of a Malayan consciousness among the various communities living here.

DIRECTOR OF SOCIAL WELFARE—QUALIFICATIONS

2. **Enche' V. David** asks the Prime Minister to state the qualifications necessary for the post of Director of Social Welfare.

The Prime Minister: Mr. Speaker, Sir, there is no special qualification required for the post of Director of Social Welfare Service beyond the fact that it requires some administrative experience, and the officer

who fills the post is a Superscale “D” M.C.S. officer. On the other hand, the post of Deputy Director is filled by a man who has got the necessary qualifications.

ADJOURNMENT *SINE DIE*

(Motion)

The Prime Minister: Mr. Speaker, Sir, I beg to move,

That this House at its rising this day shall stand adjourned *sine die*.

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

Question put, and agreed to.

MOTIONS

HARI JUMA'AT HARI KELEPASAN 'AM

(OBSERVANCE OF FRIDAY AS A PUBLIC HOLIDAY)

Order read for resumption of debate on Question, “That this House resolves that every Friday be observed as a Public Holiday in the Federation of Malaya” (13th September, 1960).

Question again proposed.

Enche' Mohd. Asri bin Haji Muda (Pasir Puteh): Tuan Yang di-Pertua, bagi merengskaskan keterangan saya dapat-lah saya katakan bahawa kalau ada sa-saorang hendak menentang usul ini hanya-lah menyatakan-nya atas dua alasan sahaja. Yang pertama saperti saya katakan pada hari sa-malam ia-itu-lah menyusahkan bagi orang² yang hendak sembahyang Juma'at oleh kerana kalau sa-kira-nya hari minggu saperti biasa hari Ahad maka pada hari Juma'at boleh juga sembahyang Juma'at dengan jalan mereka di-benarkan keluar daripada pejabat itu lebeh awal daripada biasa, sedangkan kalau hari Juma'at di-jadikan hari minggu maka menyusahkan mereka itu sebab mereka yang bekerja pada hari minggu terpaksa berehat dan bila berehat maka tertinggal-lah sembahyang Juma'at-nya. Yang kedua-nya boleh jadi mereka yang menentang berasaskan kapada soal perhubungan

luar—perhubungan perdagangan dan sa-bagai-nya, oleh kerana sa-bahagian besar negeri luar hari minggu-nya ia-lah hari Ahad, tidak hari Juma'at.

Tuan Yang di-Pertua, mengenai kepada alasan yang pertama ya'ani alasan mengatakan ia-itu menyusahkan bagi orang² yang hendak sembahyang Juma'at saperti-lah saya katakan pada hari sa-malam, alasan itu sangat-lah tipis dan tidak berat. Sebab sa-bagai orang yang sentiasa ta'atkan Tuhan dan menunaikan sembahyang yang wajib bagi-nya walau sa-kali pun ia pergi berkelah, walau di-mana tempat-nya sa-kali pun ia pergi di-Tanah Melayu ini memang ada masjid; pergi Port Dickson pun ada masjid di-sana—lebeh baik, ada masjid Ashkar, kalau pergi ka-pantai mana sa-kali pun ada masjid dapat ia sembahyang. Dan satu lagi, Tuan Yang di-Pertua, bila hari Juma'at di-jadikan hari minggu neschaya pada hari Khamis-nya dapat-lah sa-belah petang keluar makan angin sampai bermalam di-bangelo mana pun boleh, besok pagi pukul 11.00 atau 12.00 boleh balek dapat menunaikan sembahyang Juma'at. Jadi kalau alasan soal sembahyang sahaja saya rasa tidak berat.

Demikian pula alasan menyulitkan perhubungan luar negeri. Saya rasa ini pun tidak-lah terlalu berat. Ada negeri² yang pertama-nya di-sabelah Timor Tengah saperti Negeri Masir, Saudi Arabia, Jordan dan sa-bagai-nya mengikut setahu saya negeri² itu mengamalkan hari Juma'at sa-bagai hari minggu. Ini tidak-lah mengganggu pentadbiran negeri-nya dan tidak mengganggu urusan² perhubungan luar negeri-nya. Di-dalam Tanah Melayu ini pun, Tuan Yang di-Pertua, dapat kita melihat bagaimana keadaan saperti Negeri Kedah, Perlis, Kelantan, Terengganu dan Johor yang menjadikan hari Juma'at sa-bagai hari minggu-nya nampak-nya perhubungan-nya dengan negeri pusat ini tidak-lah juga terganggu dan tidak-lah melemahkan perjalanan dan pentadbiran negeri² itu. Jadi saya perchaya kalau-lah seluroh negeri ini menjadikan hari minggu-nya pada

hari Juma'at tidak-lah akan terganggu urusan² perhubungan luar negeri. Jadi, Tuan Yang di-Pertua, saya rasa chukup-lah alasan saya untuk membuktikan bagaimana penting-nya hari Juma'at menjadi hari minggu di-seluruh Persekutuan Tanah Melayu dengan berasaskan untuk meninggikan shi'ar ugama Islam yang kita jadikan sa-bagai ugama rasmi dan akan menyamakan chuti minggu seluruh Persekutuan Tanah Melayu. Sekian-lah.

Tuan Haji Ahmad bin Saa'id (Seberang Utara): Dato' Yang di-Pertua, ada-lah chadangan yang di-kemukakan oleh Yang Berhormat Wakil Kota Bharu Hilir ia-itu yang berbunyi "Bahawa Majlis ini menetapkan ia-itu tiap² hari Juma'at di-jadikan hari kelepasan di-Persekutuan Tanah Melayu", tiap² hari Juma'at dengan tidak ada mengechualikan kepada pehak² yang bersangkutan atau yang berkenaan. Jadi tentang ini mari-lah kita sama² memikirkan keadaan yang ada sekarang ini di-Persekutuan Tanah Melayu, yang pertama berkenaan dengan persekolahan. Persekolahan di-bagi kepada dua chara. Sekolah Kebangsaan hari kelepasan-nya hari Juma'at dan Sabtu dan Sekolah Jenis Kebangsaan hari Sabtu dan Ahad, dan pejabat² di-bawah urusan Kerajaan pusat ia-itu urusan pentadbiran Persekutuan hari kelepasan-nya ia-lah hari Ahad. Berkenaan dengan hari kelepasan dalam negeri² sa-bagaimana yang telah di-terangkan, 5 buah negeri hari Juma'at dan 6 buah negeri hari Ahad.

Berkenaan dengan perdagangan dan perusahaan pula termasuk-lah perusahaan² bank, hari kelepasan-nya ia-lah hari Ahad dan bagi pekedai² kechil pula di-pulangkan kepada tuan punya kedai itu memileh mana satu hari yang sesuai dalam sa-minggu itu di-jadikan hari kelepasan bagi pekerja²-nya dan famili-nya. Jadi berkenaan dengan pejabat² yang penting bagaimana Pejabat Polis, Perkhidmatan Pengangkutan, Perkhidmatan Hospital dan lain²-nya, pejabat² yang penting ini terus berkhidmat sama ada hari Juma'at atau hari minggu, hari kelepasan atau perchutan

dan lain²-nya. Dari segi ini, Dato' Yang di-Pertua, mari-lah kita fikir dengan sa-halus²-nya ada-kah dengan di-putuskan usul ini dapat di-laksanakan dengan sa-penoh-nya. Pada pendapat saya tetap sa-kali tidak dapat di-laksanakan dengan sa-penoh-nya mengikut chita² dan maksud usul ini. Walau bagaimana di-buat pun, walau bagaimana di-arah atau di-perintah, tidak dapat di-jalankan dengan sa-benar-nya mengikut usul ini dengan tidak ada kechualian dan tidak ada terhad kepada mana² yang berke-naan. Sekarang perkara menentukan hari kelepasan 'am, jikalau-lah Parlimen ini yang mana bertanggung jawab membuat ketetapan memutuskan hari Juma'at hari kelepasan barangkali 6 negeri tidak dapat menerima.

Oleh yang demikian patut perkara ini di-pulangkan kepada negeri² yang 6 itu yang belum sama lagi dengan 5 membuat keputusan dalam negeri² masing² supaya hari Juma'at atau hari Ahad di-persetujukan menjadi hari kelepasan, daripada itu baharu-lah; pada pendapat saya boleh Kerajaan pusat melaksanakan ka-hendak² ini. Kerana Kerajaan pusat tidak boleh memberi perintah kepada negeri² menerima sa-barang keputusan kerana Kerajaan negeri masing² berhak memutuskan atas soal perkhidmatan kaki tangan dan kepada urusan² di-bawah pejabat² Kerajaan negeri.

Yang kedua-nya, berkenaan dengan soalan ugama rasmi bagi Persekutuan Tanah Melayu ini ia-itu ugama Islam dengan itu patut-kah hari kelepasan itu di-jadikan hari Juma'at? Pada pendapat saya negara² Islam sebagaimana Pakistan dan juga Masir hari kelepasan-nya ia-lah hari Ahad. Dan dari segi ibadat pula ia-itu untuk menunaikan fardzu Juma'at. Di-sini, Dato' Yang di-Pertua, mari-lah kita bersama² mengkaji di-atas kebaikan-nya dan di-atas keburokan-nya. Hari Juma'at tidak di-tentukan bahawa tiap² orang itu mesti-lah berhenti kerja. Chuma di-kehendaki tiap² orang Islam itu menunaikan fardzu Juma'at dan orang² yang hendak menunaikan fardzu Juma'at ini ia-lah orang² yang bermustautin di-dalam tempat itu. Barangkali kalau dia keluar daripada tempat

itu dia tidak di-akuī mustautin di-tempat atau di-daerah lain.

Sekarang, saya ingin menunjukkan chontoh dalam perkara yang ta' bagitu elok sa-kira-nya hari kelepasan itu hari Juma'at oleh kerana di-negeri jiran² saya di-Kedah dan di-Perlis, hari kelepasan-nya ia-lah hari Juma'at, di-dapati pada hari Khamis banyak daripada kaki tangan pejabat Kerajaan negeri Kedah dan Perlis keluar ka-Pulau Pinang dan juga menjalankan urusan² berkenaan dengan boleh jadi membeli membelah dan juga melawat², menziarah² dan lain²-nya, dengan ini mereka tinggalkan tempat masing². Dan dengan ka-tinggalan tempat masing² itu ada perkara yang besar yang kita dapati ia-itu perkara chukup bilangan bagi jema'ah yang hendak sembahyang di-mesjid² tempat-nya. Jadi, satu perkara yang rumit yang banyak mesjid² boleh kita dapati orang² tidak menunaikan fardzu Juma'at bahkan keluar daripada tempat kerana tidak dapat di-elakkan. Dalam sa-minggu itu waktu hari kelepasan-nya maka di-ambil peluang dalam hari Juma'at itu keluar menjalankan urusan² yang penting, urusan yang mustahak yang jauh daripada rumah dan terpaksa tinggalkan tempat masing². Dengan ini, Dato' Yang di-Pertua, perkara yang berjalan sekarang ini ia-itu di-negeri² yang mengishtiharkan hari minggu itu hari kelepasan, tiap² pekerja dapat peluang menunaikan fardzu Juma'at oleh kerana di-benarkan keluar pada pukul 12.00 hingga 2.15 dan ta' dapat-lah mereka itu keluar dari daerah-nya. Maka dengan itu mereka itu tetap ta'at setia dan tetap menunaikan apa yang di-kehendaki oleh Tuhan. Jadi daripada sini, pada pendapat saya, hari kelepasan ia-itu hari Ahad sa-bagaimana sekarang ini lebeh baik lagi dan dapat mengelolakan tiap² orang untuk menunaikan fardzu Juma'at-nya. Dan fardzu Juma'at juga bukan-lah boleh di-kadzakkan pula, kalau tidak di-buat maka terlepas-lah dia pada minggu itu, kalau sembahyang yang lain² itu, dapat di-kadzakkan, ini satu perkara yang merugikan kepada orang² yang ta' menunaikan fardzu Juma'at.

Jadi, buat sementara ini, Dato' Yang di-Pertua, pada pendapat saya

biar-lah kita tinggalkan dahulu dan pulangkan kepada negeri² lain untuk membuat keputusan sama ada mereka itu hendak menyamakan dengan negeri² lain. Sa-lepas kita dapati bahawa mereka bersetuju pada dasarnya maka boleh-lah kita menetapkan mana² hari yang patut di-jadikan hari kelepasan 'am. Pada dasar-nya saya bersetuju ia-itu dalam satu minggu itu di-persetujukan satu hari, hari Juma'at-kah atau hari minggu, itu ta' dapat ditentukan. Dan kena-lah kita pandang sa-bagaimana kata saya tadi pejabat² yang penting dan juga pekedai², perusahaan, perdagangan dan boleh merugikan kita atau menguntongkan kita seperti mana perjalanan yang ada sekarang ini.

Tuan Haji Mokhtar bin Haji Ismail (Perlis Selatan): Dato' Yang di-Pertua, saya bangun membangkang kuat di-atas usul yang telah di-kemukakan oleh Yang Berhormat wakil daripada Kota Bharu Hilir. Di-dalam penjelasan-nya yang telah di-kemukakan dalam Dewan ini pada petang semalam, beliau telah berdasarkan bahawa Persekutuan Tanah Melayu ini patut di-adakan berjuma'ah pada hari Juma'at. Di-dasarkan di-atas yang pertama, atas ugama kata-nya dan yang kedua berdasarkan di-atas kebudayaan. Dato' Yang di-Pertua, saya ta' tahu ada-kah benar atau tidak apa yang di-chakapkan bahawa chuti hari Juma'at itu satu Shara'iah Islam atau di-kehendaki bagi tiap² orang Islam supaya pada hari Juma'at itu berehat atau berhenti daripada pekerjaan-nya. Yang saya tahu, Dato' Yang di-Pertua, di-dalam Islam tidak di-tetapkan mana² satu hari menjadi hari kemuliaan seperti ugama² lain. Kerana Islam datang-nya berlainan daripada ugama² lain hanya kita dapati orang beribadat seperti yang di-terangkan dalam kitab orang² Yahudi pada hari Sabtu dan bagi orang Kristian pada hari Ahad. Tetapi bagi orang Islam sama sahaja tidak berbeza. Hanya di-terangkan oleh Tuhan dalam Kitab Suchi-nya menghendaki pada hari Juma'at itu, apabila kamu dengar suara bang maka kamu hendak-lah tinggalkan segala pekerjaan² dan hendak-lah kamu datang ka-mesjid. Sa-lepas daripada

sembahyang, di-terangkan juga, keluar-lah kamu beramai² menchari rezki yang halal di-atas muka bumi ini. Inilah dasar-nya yang di-datangkan oleh ugama kita. Maka dasar ini juga telah di-amalkan pada zaman Nabi dan pada zaman Sahabat dan kemudian-nya. Jadi, tidak-lah timbul bahawa hari Juma'at menjadi satu hari chuti atau hari kebesaran dan lain-nya. Jadi, Dato' Yang di-Pertua, saya membangkang kuat bahawa hari Juma'at itu di-jadikan satu hari kelepasan. Seperti mana kata Yang Berhormat tadi, di-Perlis telah juga di-jalankan ia-itu hari Juma'at sa-bagai hari kelepasan tetapi, Dato' Yang di-Pertua, bagi kami di-Perlis sungguh pun hari Juma'at hari kelepasan tetapi menjadi kesusahan besar juga kerana pada hari minggu Pejabat Pos di-tutup. Maka dengan itu ra'ayat jelata yang datang pada hari minggu hendak membeli stamp² terpaksa mereka membeli dengan chara *black market* (Ketawa).

Jadi dengan hal yang demikian, Dato' Yang di-Pertua, menjadi satu kesusahan yang besar pula bagi ra'ayat di-sini kerana di-adakan chuti 'am pada hari itu. Yang Berhormat itu telah menerangkan juga bahawa hari minggu itu di-bawa oleh penjajah. Ya, benar pada masa yang lampau, tetapi pada masa sekarang hari minggu telah di-sifatkan sa-bagai hari international di-mana segala bangsa telah mengiktirafkan bahawa hari Ahad itu telah menjadi hari kelepasan 'am di-samping tertutup-nya perniagaan² yang ada di-jalankan sekarang ini. Maka dengan sebab itu-lah hidup sa-sabuah negara itu ada-lah bergantung kepada kewangan, bergantung kepada perniagaan. Ini-lah satu dasar yang penting bagi kita negara Persekutuan Tanah Melayu, jika sakira-nya kita adakan hari Juma'at itu satu hari kelepasan 'am, maka tak dapat tidak kita akan menderita banyak kerugian dalam hal menyelenggarakan perniagaan di-Persekutuan Tanah Melayu ini.

Dengan alasan ini, saya membangkang dengan kuat-nya di-atas usul yang di-kemukakan oleh Ahli Yang Berhormat wakil Kota Bharu Hilir.

Enche' Harun bin Pilus (Trengganu Tengah): Tuan Yang di-Pertua, saya

bangun menyokong usul hari Juma'at ini di-jadikan hari kelepasan bagi seluruh Persekutuan Tanah Melayu, kerana negeri ini ia-lah satu negeri yang beraja pada raja Islam, dan memang selama²-nya di-jadikan hari kelepasan 'am pada orang² Islam ia-lah pada hari Juma'at. Kalau pada orang Kristian hari kelepasan-nya hari Ahad, maka pada orang Islam hari kelepasan-nya ia-lah hari Juma'at. Perkara ini telah di-terang dan di-nyatakan di-mana negeri² Islam mengamalkan pada hari Juma'at sa-bagai hari kelepasan 'am—hari kebesaran bagi negeri itu sendiri.

Sa-bagaimana yang telah di-terangkan oleh wakil Perlis Selatan tadi ia-itu menjadikan satu kesusahan bagi orang² Perlis yang hendak membeli stamp hingga membeli *black-market* pada hari Jum'at. Perkara itu saya rasa sudah berlawanan benar dengan keadaan² yang di-amalkan di-negeri Perlis itu sendiri, sebab negeri Perlis 80 peratus daripada penduduk-nya terdiri dari orang² Melayu yang beragama Islam, dan hari Juma'at itu telah di-kanunkan oleh orang² yang berkuasa di-negeri Perlis, barangkali orang² Perikatan. Saya fikir ini menjadi satu perkara yang pelek bagi Majlis ini mendengar keterangan-nya itu, tambahan pula keterangan yang di-berikan itu ia-lah daripada sa-orang Melayu yang beragama Islam, maka saya sangat hairan perkara hari Ahad ia-itu hari chuti bagi orang² Kristian itu di-pertahankan.

Ini saya fikir tentu-lah ada muslihat yang halus dalam perkara ini, dan dengan yang demikian saya berharap semoga hari Juma'at itu di-jadikan juga hari kelepasan 'am bagi seluruh Persekutuan Tanah Melayu.

Dr. Lim Swee Aun (Larut Selatan): Mr. Speaker, Sir, the text of the motion reads "That this House resolves that every Friday be observed as a Public Holiday in the Federation of Malaya". That is all. It seems that the P.M.I.P. is asking this House for an additional public holiday (*Laughter*). It does not say that they want Friday to be substituted for Sunday. By this motion it means that a full holiday will be given on

Friday, a full holiday on Sunday, and a half holiday on Saturday, so we shall have $2\frac{1}{2}$ days rest and $4\frac{1}{2}$ days work in the whole week (*Laughter*). Sir, I submit that the P.M.I.P. has put the Socialist Front to shame (*Laughter*), because they are only fighting for a five-day working week. By declaring Friday an additional holiday, the P.M.I.P. is virtually putting a restriction on men's ability and capacity to work: it is comparable to putting a quota on the tin production of the country. That means that although I can work six days a week, the P.M.I.P. says, "No, you can only work $4\frac{1}{2}$ days". Sir, the nett effect of that would be that the individual daily-paid worker—leave alone the monthly-paid—will get less income. So, on the whole, the country would have less in production, and that production is not one day in a week but one-fifth of the total working days in a year. Therefore, our total production for the country as a national effort would be less by one-fifth.

Sir, this is a luxury. As far as I know, there is no country in the world however rich, however mechanised, however efficient—that is, up till today—that had afforded the luxury of a $4\frac{1}{2}$ day working week. Even the P.M.I.P. themselves in the State of Kelantan, where they are the Government, have been working so hard for six days in a week—and yet they are in financial difficulties. All the more so, if they introduce this $4\frac{1}{2}$ day working week, I venture to suggest that even the Party Negara cannot bolster the P.M.I.P. in their fight for existence (*Laughter*). It is possible that the P.M.I.P. will argue that it is not their intention to make Friday an additional holiday. But I submit, Sir, the P.M.I.P. is a responsible political party—they are the Party in power in two States—therefore they cannot make irresponsible statements. They must know that for every act that they do, they must be responsible, and they must know about it. They also know that we are all judged by our acts and not by our intentions, however good they might be. It may be also possible

that they will say that the error in this motion—the intention being to substitute Friday for Sunday and not to ask for an additional holiday—is because of a slip of the pen. Now, if that is the case, I sincerely hope that they will amend the motion. But, Sir, if they do amend the motion, we can well understand why the two Governments of Kelantan and Trengganu are in such a state of confusion. I would, therefore, commend to that responsible or irresponsible political party that they should look well before they leap.

Mr. Speaker, Sir, the economy of Malaya is centred around rubber and tin. If there is no market for our rubber and tin, we will become bankrupt. It is unfortunate, but every attempt is made by the Alliance Government to diversify our industry but until such time as we achieve this we are very dependent on our rubber and tin, and we must sell our rubber and tin. The world markets for these two commodities only operate on five days in the week—Monday to Friday—Saturdays and Sundays are closed. Therefore, if we declare Friday as a public holiday, we shall lose one trading day in the week. By losing one trading day in the week, we shall lose 52 trading days in the year which makes it 208 trading days probable out of a possible of 260 days. That means to say that we shall not be able to sell our rubber and tin for one-fifth of the possible total available time in the year. The question is, can we afford it? We must not forget that even though we are the largest producers of rubber and tin, we are not that powerful to influence world trade in rubber and tin as to dictate to them that the market shall be from Saturday to Thursday. Sir, even though we have a full working day on Saturday and Sunday, a holiday on Friday and half a day on Thursday would mean that we are going to have only $3\frac{1}{2}$ days to sell our rubber and tin to the rest of the world. Now, this will not affect the capitalists very adversely. Who will suffer most will be the rubber small-holders, particularly the Malay peasant. The P.M.I.P. cannot deny that they do

know that there are many Malay peasants who must sell their two sheets of rubber every day so as to find money to buy the meagre needs of life. Now, introducing this holiday on Friday and bringing down our possible trading days of rubber to $3\frac{1}{2}$ days would mean that on Thursday afternoon, Friday, Saturday and Sunday there will be no market for rubber in this country. Now, these people therefore cannot sell their rubber. But even if they can sell their rubber, the rubber dealers will give a price far below the price that is available in the market—that is, selling at a discount. Will the P.M.I.P. be responsible for the expected hardship of the people? Do they want this type of misery to affect the Malay peasant?

Another very important factor that we must not lose sight of is the international banking system. Even if we close on Fridays and work on Saturdays and Sundays, the international banks throughout the world will close on Sundays. Therefore, we will have one day less in the use of international banks which are so necessary when we sell rubber and tin and also buy our imports.

One reason given by the P.M.I.P. is that the Middle East Muslim countries observe Friday as a holiday. Well, that is quite all right with them, because they do not have to sell rubber and tin; but we have, and we have to depend on rubber and tin to live. Otherwise, we will all be bankrupt. The P.M.I.P. has stated that there is no reason why the remaining six States in the Federation should not follow what the other five have done—i.e. Perlis, Kedah, Trengganu, Kelantan and Johore who have made Friday a public holiday. Sir, may I ask how effective is this practice? How does this tie up with the economy of those States? I come from a State that observes Sunday as public holiday and I do not claim to be an authority on what happens in the other States that have Friday as public holiday, but I am told on good authority that in the larger towns of these States, Friday is a working day for rubber dealers and banks, and in

Johore I am told that the banks open on Friday but close on Sunday. But the reason why these two businesses contravene the law is not because they want to be offenders of the law, but because they realise that Friday is not a practical holiday from the point of view of economics.

The chief reason given why this motion should be adopted is on religious grounds. It has been stated that Sunday is a sacred day for the Christians and now that we are independent and that the official religion is Islam, we must discard Sunday and must take on Friday as a public holiday. Sir, I do not quarrel with that. I think that is a good religious reason, but from an economic angle what the P.M.I.P. is asking the whole country to do is to cut our noses to spite our faces.

Che' Khadijah binti Mohamed Sidek (Dungun): Tuan Yang di-Pertua, saya menyokong kuat kapada usul dan dasar² sa-bagaimana keterangan² yang telah di-beri oleh Yang Berhormat saudara² saya daripada Persatuan Islam sa-Tanah Melayu. Saya berasa sangat muskil sa-kali k a p a d a tentangan² yang telah di-beri oleh saudara² saya ia-itu Yang Berhormat² dari Seberang Utara dan Perlis Selatan. Saya tidak mengambil berat kapada keterangan² wakil dari Larut Selatan, kerana ucapan beliau itu hanya berdasarkan kapada kepentingan kapitalis dalam negeri ini sahaja Tuan Yang di-Pertua, Yang Berhormat dari Seberang Utara mengatakan tadi, pehak penchadang ia-itu daripada Persatuan Islam sa-Tanah Melayu tidak memikirkan kapada sa-tengah² kepentingan yang di-jalankan dalam negeri ini. Mithal-nya, hari minggu kerja² yang penting di-jalankan oleh polis, oleh kaki-tangan Hospital, oleh pehak pedagang dan lain². Tetapi, Tuan Yang di-Pertua, saudara saya Yang Berhormat itu tidak sedar dan insaf bahawa chuba kita balek ka-belakang ia-itu masa penjajah yang menjajah dalam negeri Islam. Indonesia mithal-nya, bangsa Belanda yang menjajah. Mereka itu juga menjadikan hari Ahad sa-bagai hari kelepasan rasmi di-sana ada-lah

berdasar kerana hari Ahad ada-lah hari yang di-muliakan oleh mereka yang beragama Christian; pehak penjajah itu 100 peratus ada-lah memelok ugama Christian.

Dengan dasar itu juga dalam tanah ayer kita ini (Persekutuan Tanah Melayu) penjajah British yang mereka itu 100 peratus terdiri daripada orang² yang memelok ugama Christian, maka itu sebab hari kelepasan di-adakan pada hari Ahad di-negeri kita ini. Tetapi, Duli² Yang Maha Mulia Raja kita di-beberapa buah negeri yang mempunyai jiwa Islam, mereka tetap menjadikan hari Juma'at hari kebesaran ia-itu hari kebesaran bagi umat Islam; ugama Islam ia-lah ugama rasmi dalam tanah ayer kita pada hari ini. Jadi, bukan-lah dengan alasan² yang kechil sa-bagaimana yang di-katakan oleh Yang Berhormat dari Perlis Selatan ia-itu kalau hari Juma'at di-jadikan hari kelepasan saperti di-negeri Perlis, Post Office tutup, orang yang hendak membeli setem susah, setem di-jual dengan chara "black market". Ini soal titek-bengek, ini alasan yang sangat kechil, Tuan Yang di-Pertua. Chuba kita fikir ucapan beliau tadi yang mana saya sangat bersetuju apabila ia mengatakan hari Juma'at bagi orang Islam, tidak ada hari kebesaran. Tetapi kata-nya, pada hari Juma'at apabila umat Islam mendengar bunyi azan di-Masjid, maka hendak-lah seluroh orang meninggalkan segala pekerjaan²-nya dan menuju ka-Masjid menunaikan kewajipan-nya kapada Allah Yang Maha Asa. Kata beliau itu saya bersetuju dengan Yang Berhormat wakil daripada Perlis Selatan. Tetapi dia lupa sa-sudah memberi alasan kalau sa-kira-nya berbunyi azan boleh balek pukul 12.00 untok sembahyang—pada pukul 12 sa-tengah-nya terus bekerja yang sekarang di-lakukan di-tempat² yang hari kelepasan-nya hari Ahad. Tetapi bagaimana guru² sekolah, mereka terus mesti mengajar sampai pukul 1.00. Murid² lelaki di-sekolah² yang umur-nya sudah belasan tahun yang berkewajipan untok sembahyang, bagaimana mereka itu boleh m e n u n a i k a n kewajipan-nya kapada Tuhan. Tetapi

jikalau hari kelepasan hari Juma'at, Tuan Yang di-Pertua, maka dengan segala kesenangan hati dengan fikiran yang tenang maka orang² pehak lelaki yang beragama Islam boleh menunaikan kewajipan ka-masjid dan ada-lah satu latehan kapada anak² kita yang maseh dudok di-bangku sekolah supaya mereka itu membesarkan hari Juma'at itu—hari kebesaran daripada dato' nenek moyang-nya, supaya mereka champor ikut bersama² bapa-nya pergi ka-masjid untuk menunaikan kewajipan-nya kapada Tuhan Yang Maha Kuasa.

Soal mithal-nya kalau sa-kira-nya hari Juma'at itu di-beri kelepasan, dan sa-tengah hari mithal-nya hari Khamis maka banyak-lah sa-bagai kata wakil daripada Seberang Utara saudara² daripada Kedah dan Perlis turut pergi ka-Pulau Pinang membeli macham² benda dan untuk menyenangkan hati. Maka, Tuan Yang di-Pertua, ini ada-lah satu ujian, tuhan berikan kapada mereka ada-kah mereka itu akan mempergunakan hari kelepasan ia-itu hari Kebesaran untuk berjoli untuk kesenangan hati-nya sahaja.

Mr. Speaker: Saya dengar tadi dia tidak ada berchakap mengatakan hari kelepasan orang Perlis atau tempat lain pergi ka-Pulau Pinang kerana berjoli. Saya dengar betul. Dia kata kerana membeli-belah atau ziarah, itu yang saya dengar. Saya chukup dengar tiap² kelimat yang di-keluarkan oleh Ahli Yang Berhormat itu. Tolong-lah jangan tambah (*Ketawa*).

Che' Khadijah: Ia, tetapi saya ada dengar saudara² dari Kedah dan Perlis.

Mr. Speaker: Awak tidak boleh lawan chakap saya. You cannot argue with me. There is a ruling.

Che' Khadijah: Dan sa-bagai alasan daripada wakil Seberang Utara itu kata-nya ada 5 negeri yang hari kelepasan-nya hari Juma'at dan 6 negeri hari Ahad. Jikalau sa-kira-nya 5 negeri ini, kita ada mempunyai Duli Yang Maha Mulia Raja² Melayu dan di-dalam negeri yang 6 itu ada 2 negeri yang kita tahu sekarang

mempunyai Governor—Pulau Pinang dan Melaka, jadi 4 negeri yang maseh di-bawah naongan Duli² Yang Maha Mulia yang maseh hari kelepasan-nya hari Ahad. Tetapi kalau sa-kira-nya dan saya merasa tentu-lah Duli² Yang Maha Mulia di-dalam 4 negeri ini juga tidak akan berasa keberatan, sebab 5 daripada Duli² Yang Maha Mulia hari kelepasan dalam negeri-nya hari Juma'a't. Kalau sa-chara suara demokrasi maka 5 ini mempunyai suara lebeh. Jika sa-kira-nya dan saya merasa Duli² Yang Maha Mulia di-dalam 4 buah negeri yang lain itu akan ikut sama supaya satu atoran yang satu dapat di-jalankan demi kepentingan ugama rasmi yang telah kita rasmi-kan dalam negeri kita ini. Jadi sedikit, Tuan Yang di-Pertua, sa-bagai Yang Berhormat dari Larut Selatan tadi mengatakan sangat rugi sa-kali kalau kita bawa kapada saudagar², pemodal² dari bijeh timah, dari getah dan lain² itu, tetapi beliau barangkali lupa kalau sa-kira-nya hari Juma'at di-jadikan hari kelepasan maka hari Ahad tidak lagi di-jadikan hari kelepasan. Jadi jikalau di-kira jumlah hari-nya tetap juga sama. Barangkali Yang Berhormat itu berfikir kalau sa-kira-nya sekarang kita tuntut hari Juma'at hari kelepasan, hari Sabtu dan hari Ahad hari kelepasan—3 hari, itu terlalu banyak kami juga tidak mahu. Kami mahu di-ambil hari Juma'at menjadi hari kelepasan maka hari Ahad mesti bekerja. Jadi itu kata orang Belanda *prodio*—tidak ada lebeh kurang.

Mr. Speaker: Berchakap Belanda tidak boleh di-sini (*Ketawa*).

Che' Khadijah: Minta ma'af, Tuan Yang di-Pertua. Jadi jika sa-kira-nya di-dasarkan kapada soal perdagangan yang sa-chara itu, Tuan Yang di-Pertua, saya merasa sangat dukachita sa-kali kerana wakil daripada Larut Selatan itu tidak memikirkan dengan sa-chara bersunggo², jadi boleh di-katakan salah sangka. Jadi kalau salah sangka, sa-bagaimana kata Yang Berhormat Menteri Dalam Negeri sa-malam, jikalau langkah terdorong boleh di-tarek balek. Di-dalam soal ini harus barangkali

dari pehak kami yang mengusulkan ini akan kalah sa-kira-nya di-undi, tetapi saya mengatakan di-sini kalau sa-kira-nya ini akan dapat di-luluskan, demi kepentingan keselamatan dan kepentingan seluroh negeri² di-dalam Tanah Melayu ini maka di-mana ada kemahuan di-situ ada jalan. Jikalau tidak mahu sa-bagai menyeret kambing ka-ayer, tidak mahu dia terjun. Sa-takat ini, Tuan Yang di-Pertua.

Dato' Suleiman: Tuan Yang di-Pertua, berkenaan dengan hari kelepasan ini ia-lah di-bawah Kementerian saya, Menteri Dalam Negeri. Susah hati saya, yang sa-benar-nya, tidak-lah dapat Kerajaan Persekutuan hendak menerima usul ini oleh sebab bukanlah berdasarkan oleh kerana alasan-nya hari Ahad itu hari kelepasan di-bawa oleh penjajah atau pun hari Ahad itu hari orang² yang bukan Islam berehat tetapi yang sa-benar-nya sa-kali, alasan Kerajaan Persekutuan ta' dapat menerima-nya ia-lah dengan alasan ikonomi—keadaan kewangan negeri.

Semenjak negeri ini sudah merdeka, tujuan Kerajaan Perikatan—Kerajaan Persekutuan yang ada pada hari ini ia-lah jikalau boleh hendak memberi kapada penduduk² dalam negeri ini ta' kurang daripada yang telah dapat pada masa mereka itu dudok di-bawah penjajahan dan jikalau boleh berlebeh² lagi sama ada taraf kehidupan-nya atau pun di-dalam pencharian-nya sa-hari². Jadi, kalau boleh kita hendak mengadakan kemajuan dalam semua segi. Segi perniagaan, segi pembangunan dan serba serbi-nya dan juga hendak memberi kemajuan, ini yang sentiasa di-minta oleh penduduk² negeri ini, maka terpaksa-lah kita mengadakan wang-nya. Yang besar-nya kewajipan Kerajaan Persekutuan, ia-lah mengambil tanggung jawab mengadakan wang jika sakira-nya hendak mengadakan kemajuan; yang kita harap kemajuan kebajikan ini. Maka dalam negeri ini puncha kewangan ia-lah daripada getah dan bijeh dan juga benda² lain. Getah dan bijeh ini ta' dapat-lah di-jual dengan harga yang tinggi kalau ta' ada pasaran dalam negeri ini. Getah dan bijeh ini pergi ka-negeri² lain yang kebanyakan-nya negeri² yang bukan

Islam. Dan terpaksa-lah juga kita mengambil peluang berkenaan dengan bank² International—Bank Sedunia. Bank Sedunia dan pasaran wang-nya mengambil ketetapan bahawa hari kelepasan itu hari Ahad. Jika, Tanah Melayu ini sa-bagaimana Ahli² Yang Berhormat dalam Rumah ini tahu dengan chukup-nya ada-lah negeri yang kechil tetapi shukur alham—dulillah, chukup kaya kalau di-bandingkan dari segi kesuboran tanah-nya. Dan dengan ada-nya pemberian Allah Subhanahuwata'la peluang-nya banyak yang kita boleh menchari wang bagi kehidupan dalam negeri ini pada hari Khamis dan hari Juma'at; mesti-lah kita mengambil peluang Bank International. Jikalau kita menetapkan hari Juma'at hari kelepasan, hari Khamis sa-tengah hari dan di-buka pula Pejabat² pada hari Sabtu dan Ahad, yang sa-benar-nya tiga hari sa-tengah sahaja yang dapat negeri ini menjual getah dan bijeh-nya. Jadi, terpaksa-lah nanti getah dan bijeh yang dapat di-jual dalam negeri ini walau pun keluaran itu pada hari bekerja tetapi tidak juga dapat di-jual kapada Pasar Dunia.

Sa-balek-nya Kerajaan Perikatan telah menetapkan ugama Islam, ugama resmi dalam Perlembagaan tetapi hendak-lah Ahli² Yang Berhormat yang dalam Rumah ini juga ingat bahawa kuasa ugama dalam tiap² negeri itu ada-lah dalam tangan Sultan². Dengan sebab itu Kerajaan Perikatan tidak sa-kali² hendak menegah atau hendak menyentoh sakira-nya tiap² negeri mengambil rehat hari kelepasan hari Juma'at, tetapi Kerajaan Persekutuan terpaksa-lah, dengan tujuan hendak mengadakan kemajuan, hendak meninggikan taraf hidup ra'ayat dalam negeri ini, hendak-lah mengambil peluang Pasaran Dunia dan menjual getah dan bijeh semua sa-kali. Memandang kapada keadaan yang ada dalam dunia pada hari ini, saya minta ma'af menggunakan huruf orang puteh "We have to face realities. We have to face the music", kita terpaksa-lah memandang kapada sa-tengah² keadaan yang ada pada hari ini, bagaimana kita hendak menjual benda² saperti getah dan

bijeh yang telah di-adakan oleh Allah Subhanahuwata'ala dalam negeri ini dan kita hendak gunakan itu supaya jikalau boleh kita hendak jual menggunakan Pasaran Dunia kerana wangnya banyak. Itu-lah yang sa-benar-nya dasar yang kita tidak dapat menerima usul ini.

Dan bagaimana dalam negeri² Islam yang lain mengadakan hari Juma'at hari kelepasan, kita memang megah dan kita sokong. Tetapi dalam Persekutuan ini terpaksa-lah seperti yang saya katakan tadi, di-jalankan pada hari Juma'at dan hari Sabtu. Sabalek-nya pada hari Juma'at tidak pula di-bagi peluang kepada orang² Islam membuat kebajikan-nya sa-orang Ahli Yang Berhormat yang berchakap tadi daripada pehak PAS, sa-belum pukul 12 tidak di-benarkan pergi sembahyang, yang sa-benar-nya boleh, kadang² pukul 11.00 pun di-benarkan pergi sembahyang sampai pukul 2.00, barangkali pukul 3.00 pun boleh balek asalkan kerja di-jalankan-nya. Ada pula di-katakan banyak negeri daripada Lautan Kalzum—di-Meditaranean seperti di-katakan banyak negeri² Islam yang mengadakan hari kelepasan hari Juma'at, tetapi sabalek-nya pula negeri Indonesia negeri Pakistan hari kelepasan-nya ia-lah hari Ahad. Saya perchaya negeri² ini mengadakan hari Juma'at hari Ahad hari itu di-ambil dengan alasan mengambil peluang menjual getah dan lain² galian di-sana. Dan negeri² di-Meditaranean sana, sebab-nya boleh mengadakan hari kelepasan hari Juma'at sebab dia tidak ada seperti getah, bijeh yang hendak di-jual-nya. Jadi, dengan sebab itu, Tuan Yang di-Pertua, ta' dapat-lah Kerajaan menerima usul ini dengan alasan hari ini kita kekurangan kemajuan dan kita hendak meninggikan taraf hidup penduduk² negeri ini.

Dr. Burhanuddin bin Mohamed Noor (Besut): Tuan Yang di-Pertua, saya suka mengemukakan alasan bagi menyokong dengan kuat-nya chadangan ini. Sekarang sudah nyata-lah bahawa alasan² yang telah di-kemukakan oleh pehak yang menchadangkan dan penyokong²-nya, dan apa yang telah di-terangkan oleh Menteri Dalam

tadi berdasarkan kepada hujah ekonomi. Saya suka juga memberi penerangan berkenaan dengan perkara ini bahawa dengan di-jadikan hari Juma'at hari kelepasan 'am di-negeri ini bagi menggantikan daripada hari Ahad. Bahawa dengan ada-nya kemahuan dan ada-nya persetujuan kita menetapkan hari Juma'at itu di-jadikan hari kelepasan 'am maka dalam lapangan ekonomi akan turut sama di-atorkan chara yang sesuai dengan chara yang dapat di-jalankan bagi keselamatan dan kemajuan ekonomi kita. Kita mempunyai barang dan barang ini ada-lah perkara yang tetap banyak-nya di-negeri kita sa-bagaimana yang telah di-akuī sa-bagai negeri yang terkaya dalam hal ehwal bijeh timah dan getah.

Dalam perniagaan ini ada-lah perkara yang sa-benar-nya ada *competition* tetapi barang² *competition* kita ini sudah tak dapat di-atasi, melainkan mahu tak mahu barang² kita tentu ada dan tentu di-beli. Chuma yang ada dalam *competition* ia-lah gulungan *capitalist*, dan ini ada-lah keuntungan kepada *capitalist* itu sendiri sedangkan kita ada-lah sabuah negeri yang telah merdeka yang kita mesti membentok ekonomi kita itu dengan satu bentok-nya yang lebeh menguntongkan Kerajaan dan ra'ayat, bukan-lah merupakan kepada keuntungan gulungan *capitalist*. Kalau-lah pada hari Juma'at dengan sebab kita mengadakan ketetapan chuti hari kelepasan 'am pada hari Juma'at, maka tergendala-lah perniagaan pada hari itu. Soal perniagaan, ada-lah satu perkara yang boleh di-buat dengan sesuatu ketetapan, manakala dunia tahu bahawa kita berchuti dan mempunyai kelepasan 'am pada hari Juma'at, maka sudah tentu-lah perhubungan² dengan negeri ini sudah mempunyai ketentuan sa-bagaimana pada hari Ahad yang telah berjalan itu.

Maka pada hari Juma'at kita telah mengambil ketetapan menggunakan segala urusan perniagaan pada hari itu dalam soal *bank*, soal *exchange* dan soal *perdagangan* sa-bagaimana yang telah di-buat oleh negara Islam di-Timur Tengah dengan perniagaan kapas dan minyak. Ini bukan sahaja

pada negeri Saudi Arabia atau pun kapas dari negeri Mesir mithal-nya, bahkan di-negeri² lain pun ada juga minyak, di-negeri lain ada juga kapas, tetapi di-sebalek-nya pula dengan adanya kemahuan dengan menghormati semangat mereka negara Islam, maka mereka boleh mengadakan hari Juma'at itu hari kelepasan. Dengan adanya berjalan baik ekonomi di-negara Middle East itu, bagitu juga tidak ada satu halangan pun bagi Persekutuan Tanah Melayu yang telah meresmikan ugama Islam sa-bagai ugama resmi-nya dan tidak-lah tinggal pada perchakapan, maka boleh kita bawa dari semangat kita yang hendak menetapkan ugama resmi negeri ini dimulakan dengan satu amalan yang prektikel dengan beransor² menjalankan daripada chara² saperti mengadakan hari kelepasan 'am yang di-chadangkan ini.

Saya tidak nampak ada-nya tergendala dalam chara negara ini akan mengekalkan kedudukan ekonomi-nya dan perhubungan dengan negeri² lain, baik dalam lapangan banking mahu pun dalam lapangan exchange dengan sebab kelepasan 'am di-tukarkan daripada hari Ahad kepada hari Juma'at. Ini perkara yang boleh di-buat susunan dan boleh di-buat perjanjian disamping boleh membuat persetujuan di-antara pedagang², pembeli² dan penjual²-nya sa-bagaimana yang sedang berjalan di-Middle East pada hari ini dalam lapangan perniagaan itu.

Dengan beberapa hujah yang mengatakan kita akan rugi—tidak ada yang akan menjadi rugi, kerana berbalek kita, Tuan Yang di-Pertua, kapada asas dan dasar kita yang mana kita pada mula-nya ada-lah tahu bagaimana sulit-nya kita menentang penjajahan. Dengan kita menentang penjajahan, kita tanamkan semangat kemerdekaan, maka dengan semangat kemerdekaan semakin hari semakin besar, dalam beberapa orang sahingga merupakan beberapa buah parti dan daripada beberapa buah parti sahingga merupakan beberapa perubahan kehendak ra'ayat hingga-lah kita menchapai kemerdekaan, dan kemerdekaan yang kita chapai itu di-mana telah kita menetapkan bahawa Islam ugama

resmi negeri ini. Ini ada-lah satu ketetapan yang belum lagi kita amalkan, menurut semangat yang penoh dalam erti Islam sa-bagaimana ugama resmi negeri ini.

Sekarang kita ada-lah meneruskan lagi perjuangan kita untuk mengikiskan pusaka saki-baki penjajah itu yang telah tinggal pada kita saperti hari minggu, hari kelepasan. Dan dalam mengisi semangat kemerdekaan dan tujuan kemerdekaan, semangat membentok bangsa dan negara kita yang sesuai dengan erti Islam sa-bagai ugama resmi, maka saya berharap kapada seluroh perwakilan Yang Berhormat dalam Rumah ini memikirkan dengan tenang dan memandang dengan halus kapada nasib bangsa kita dalam semangat kita meneruskan chita² perjuangan bagi meneruskan perjuangan kita hendak mengisikan perjuangan Islam ugama resmi negeri ini.

Kita pandang daripada hukom Islam sendiri terang sekali bahawa dalam ayat Kor'an sa-bagaimana yang telah di-terangkan oleh wakil Perlis Selatan yang telah menyebutkan manakala mendengar *suara azan* hendak-lah semua orang yang beriman itu meninggalkan perniagaan-nya. Ini ada-lah satu 'amalan yang wajib, Tuan Yang di-Pertua, kerana kita sa-bagai orang Islam wajib-lah menghormati perkara itu, tetapi kita tidak boleh mengadakan satu hukoman atau mengadakan satu dagangan yang berluasan² menurut erti susunan ekonomi negeri ini pada hari ini. Maka ayat itu dengan sendirinya kita langgar, di-mana-kah erti semangat yang kita hendak mengadakan—menegakkan Islam sa-bagai ugama rasmi yang kita layakkan kapada kebenaran dan hukoman undang² Islam pada hari Juma'at. Ini ada-lah satu perkara yang berlawanan dengan semangat yang benar² hendak menjadikan negeri ini sa-bagai ugama Islam menjadi ugama rasmi.

Tuan Yang di-Pertua, kita mesti ingat berbalek pada perjuangan kita yang hendak menegakkan Islam sa-bagai ugama rasmi negeri ini, maka tentu-lah kita tahu dan sama² menyedari bahawa tidak-lah semua sekali

dapat kita jalankan dengan sekali gus, kerana perjuangan dan perkembangan Islam yang kita anuti itu yang mana dia tidak berjalan satu hari, tidak berjalan satu bulan, tidak berjalan satu tahun, tetapi junjongan itu mengarongi perjuangan selama 23 tahun. Ini ada-lah satu tenaga atau *assert* yang boleh kita rasa pertama kapada keinsafan kita bersama kalau kita mulakan dengan satu chogan atau *shi'ar* Islam. Kata *shi'ar Islam*: *Shaidil ayyam* yang itu sendiri erti-nya ada-lah *sabda Nabi*—ma'ana-nya *shaidil ayyam*, '*aidul fukara wal masakin* ia-itu-lah hari perayaan bagi orang fakir dan bagi orang miskin. Jadi berma'ana Nabi mengatakan hari raya bagi orang fakir dan hari raya bagi orang miskin yang bererti *holiday*, kerana itu-lah orang miskin dan orang fakir memerahkan tenaga-nya pada hari² yang lain, maka pada hari itu mereka mengambil kelapangan berihat dan tidak-lah ada '*id*—dalam bahasa Arab itu erti-nya *holiday*—kelepasan, atau perayaan dengan erti-nya kita memakai pakaian buruk, menyingsem lengan bekerja terus menerus pada hari itu, dan itu tidak-lah menasabah jikalau di-katakan '*id*.

Jadi dengan sendiri-nya pada 'amalan sa-bagaimana yang di-terangkan dalam ayat Kor'an "*wazarul—bai*" ma'ana-nya tinggalkan segala jual beli, ma'ana 'amalan itu dalam hukum yang wajib, tidak boleh sa-siapa² orang Islam yang beriman menjual, membeli atau apa² jua dalam sa'at yang di-tentukan itu dan dalam sa'at yang memberi significant atau satu tanda yang merupakan chogan bagi perayaan atau hari kelepasan dalam Islam. Oleh itu, Tuan Yang di-Pertua, sangat-lah tepat kalau kita sama² menginsafi bahawa kita akan sama² mengisi semangat dan tujuan² Islam, ugama rasmi itu, kita isikan dengan chara beransor² dan dengan chara beransor² itu senang merupakan *shi'ar* itu kapada bangsa kita sendiri dan merupakan *sha'ar* itu kapada ra'ayat negeri ini yang menjadikan Islam ugama rasmi. Dan dapat-lah daripada sa-hari kelepasan demi sa-hari kelepasan-nya, maka dengan jalan itu dapat-lah kita melepaskan diri dan membersehhkan diri kita . . .

Dr. Lim Swee Aun: On a point of order. Sir, I refer to Standing order 36 (1) which says: "A member shall confine his observations to the subject under discussion and may not introduce matters irrelevant thereto." This motion says that Friday be observed as a public holiday, and not as a substitute for Sunday, which has been his whole argument.

Mr. Speaker: Have you finished?

Dr. Lim Swee Aun: Yes!

Mr. Speaker: I think the Honourable Member is in order. Please proceed.

Dr. Burhanuddin: Ada-lah satu perkara yang sudah ma'alum bahawa kita maksudkan ia-lah hari Juma'at itu menggantikan hari Ahad, ini satu perkara yang sudah tentu tidak ada ma'akul lagi. Satu perkara yang kita hendak ulang itu, dalam fahaman ahli logik dan ahli yang ber'akal tidak perlu—perkara yang "tahasil nuhasil" perkara yang sudah terang hendak di-ulang dua kali. Manakala mata hari terbit, ma'ana-nya hari sudah siang, jadi tidak perlu kita mengatakan mata hari terbit hari siang di-ulang beberapa kali . . .

Mr. Speaker: Itu tidak payah (*Ketawa*).

Dr. Burhanuddin: Jadi, saya rasa dalam bentuk ugama kita sa-bagai ugama rasmi sudah tidak sa-patut-nya lagi kita berlengah², hendak-lah kita beransor daripada masa sekarang juga. Saya minta pehak Kerajaan negeri ini memikirkan dan memberi pertimbangan dengan chara yang halus dan chermat supaya menerima hari Juma'at menjadi hari kelepasan menggantikan hari minggu.

Yang kedua ia-lah perkara yang berat yang sudah pun di-akui oleh Yang Berhormat Perdana Menteri kita bahawa teras kebudayaan negeri ini ia-lah mengikut kebudayaan kebangsaan Melayu. Tuan Yang di-Pertua, kalau kita tengok masa kita di-jajah dahulu bahawa negeri ini terbahagi kapada tiga chorak yang besar. Yang pertama, negeri yang betul² terjajah ia-lah Negeri² Selat (*Straits Settlements*).

Yang kedua, negeri² yang sa-paroh di-jajah ia-lah Federated Malay States dan yang ketiga negeri² yang di-bawah naongan ia-lah Unfederated Malay States. Jadi tiga chorak Kerajaan, manakala yang sudah di-chorakkan 100 peratus berchorak penjajah Straits Settlements nama-nya, maka negeri² ini sudah tentu chara hidup dan chara amalan orang²-nya berbentok penjajah. Manakala Federated Malay States pula, banyak Majlis² U g a m a dan kuasa 'adat isti'adat-nya di-susun dan manakala ugama Islam berkaitan dengan 'adat isti'adat Melayu, negeri² itu ada-lah dengan tetap-nya bahawa kebudayaan, 'adat isti'adat dan ugama itu satu perkara yang tidak dapat di-cherai tanggalkan sama-lah sa-bagai nyawa dengan badan. Manakala kita tengok pula Unfederated Malay States ia-itu (Kelantan, Trengganu, Perlis, Kedah dan Johore) negeri² yang sedikit sahaja masok pengaruh penjajah, negeri² ini walau pun duduk-nya tidak sa-jajar dalam bentok GEO politik atau bentok bumi-nya, mithal-nya, negeri Johor bersendir di-pisahkan oleh Melaka, Pahang, Negeri Sembilan mencherai negeri T r e n g g a n u Unfederated, tetapi ia sendiri, oleh kerana tebal 'adat isti'adat dan kebudayaan Melayu dan tebal ugama Islam-nya, maka Raja dan ra'ayat negeri itu menetapkan hari Juma'at itu hari kelepasan; jadi, ini ada-lah menjadi teras kebudayaan negeri itu sendiri. Dan kalau kita lihat lagi dalam negeri² Perlis, Kelantan, Trengganu dan Kedah, kerana sedikit sahaja masok pengaruh penjajah, maka kuat "balance" tekanan kehendak kebudayaan Melayu dan menegakkan shi'ar Islam dalam negeri² itu, maka dengan sendiri negeri² itu juga menetapkan hari Juma'at menjadi hari kelepasan 'am—bukan menggantikan lagi tetapi ada-lah perkara yang sudah menjadi pusaka turun-termurun negeri itu semenjak mereka menukar ugama asal-nya masok ugama Islam, itu telah menjadi 'adat dan menjadi pusaka serta menjadi teras kebudayaan negeri itu. Maka memandang kapada keadaan itu, kita sa-bagai negeri yang baharu merdeka ini, negara yang akan membentok satu bangsa yang kuat

dan membentok ekonomi yang kita agong'kan itu ia-itu kita kuat dalam lapangan ekonomi dan hendak-lah kuat pula dalam lapangan menegakkan Islam ugama rasmi negeri ini supaya dengan jalan ini kita bersetuju menerima hari Juma'at menjadi hari kelepasan.

Saya rasa dalam lapangan membentok satu kebudayaan juga kita perlu kapada satu perubahan. Hari Ahad sa-bagai hari kelepasan ia-lah merupakan pusaka penjajah. Kita bentok hari kelepasan itu dengan teras kebudayaan bumi negeri ini ia-itu hari kelepasan itu kita gantikan kapada hari Juma'at. Dan di-dalam lapangan Islam pula sa-bagaimana keterangan yang saya katakan tadi ada-lah menasabah dan patut, dan boleh di-katakan hari Juma'at itu sudah menjadi amalan hari kelepasan dalam erti perjalanan Islam. Dan dalam lapangan ekonomi pula saperti yang saya katakan tadi, kalau negeri² Timor Jauh sana sanggup mengubah hari kelepasan-nya pada hari Juma'at dan tidak tergendala dalam menjalankan ekonomi-nya malah "amal" berjalan terus dan perniagaan berjalan terus, tidak tergendala. Maka kita juga akan tidak tergendala manakala kita susun dan ator dengan chara yang sesuai mengubah hari Ahad itu kapada hari Juma'at menjadi hari kelepasan 'am.

The Assistant Minister of Education (Enche' Abdul Hamid Khan bin Haji Shakhawat Ali Khan): Pada awal-nya saya tidak berhajat hendak mengambil bahagian dalam Perbahathan ini, akan tetapi saya bangun hanya untuk membetulkan satu kekeliruan yang telah di-bangkitkan oleh wakil daripada Dungun. Jikalau saya tidak silap wakil daripada Dungun telah mengatakan ia-itu bersama² dengan kaki-tangan Kerajaan yang telah dapat keluar pada pukul 12.00 untuk menunaikan fardzu Juma'at akan tetapi guru² sekolah dan juga murid² sekolah tidak keluar. Ini, Tuan Yang di-Pertua, tidak betul. Murid² sekolah bersama² dengan guru² mereka itu di-benarkan keluar daripada pukul 12.00 untuk ka-masjid dan apa yang saya tahu ada-lah sa-tengah² tempat—boleh d i - k a t a k a n

banyak tempat, di-mana guru² ini membawa murid² mereka itu ka-masjid² pada hari Juma'at. Ini berma'ana-lah guru² yang bukan dalam Sekolah Kebangsaan ia-itu guru² dalam Sekolah Jenis Kebangsaan dan murid² Sekolah Jenis Kebangsaan saperti Sekolah Inggeris di-lepaskan pada hari Juma'at pada pukul 12.00.

The Assistant Minister of Information and Broadcasting (Tuan Syed Ja'afar bin Hasan Albar): Tuan Yang di-Pertua, saya bangun hendak mengambil bahagian dalam perbincangan hendak menjadikan hari Juma'at hari kelepasan 'am. Ada beberapa kenyataan daripada Ahli² Yang Berhormat yang menyokong chadangan ini yang harus menimbulkan kekeliruan dan salah faham. Perkara yang besar yang mula di-sebutkan oleh Ahli² Yang Berhormat yang menyokong chadangan ini ia-lah mengatakan bahawa negeri² Islam di-Timor Tengah semua-nya menjadikan hari Juma'at itu hari kelepasan 'am. Sa-panjang yang saya tahu, Tuan Yang di-Pertua, apa yang berlaku di-negeri² itu ha-nya-lah sa-bagaimana yang berlaku di-dalam negeri kita sendiri nisbah kapada sa-tengah² negeri yang menutup pejabat² Kerajaan-nya, tetapi rumah² perniagaan tetap di-buka saperti bank dan sharikat kapal² yang ada menjalankan perniagaan di-negeri² itu. Tidak berbeza dan tidak berlainan daripada apa yang kita dapati dalam sa-tengah² negeri dalam Tanah Melayu ini. Jadi untuk mengatakan bahawa hari Juma'at hari kelepasan dalam semua negeri² Islam atau banyak negeri² Islam di-Timor Tengah itu saya fikir satu ma'lumat yang boleh mengelirukan orang yang tidak mengetahui hal yang sa-benar.

Lagi satu perkara yang saya ingin hendak sebutkan dalam soal ini ia-lah mengaitkan perkara ini dengan hal ugama. Sa-bagai hendak memuliatkan atau sa-bagai hendak menjadikan shi'ar Islam dan sa-bagai-nya sa-hinggakan telah ada di-antara Ahli² Yang Berhormat di-sini menyebutkan beberapa hadith untuk menguatkan pendapat mereka itu.

Tetapi saya sendiri, Tuan Yang di-Pertua, tidak dapat menetapkan sa-takat mana kuat-nya dan sah-nya hadith² berkenaan dengan hari Juma'at ini yang di-sebutkan dalam perbincangan tadi. Jikalau ada hadith² yang tidak di-bawa, tidak dapat-lah saya hendak berkata tetapi sa-takat yang mengatakan ia-itu "aidul fukara" dan "wal masakin" saya tidak tahu sa-takat mana kuat-nya hadith yang di-bawa itu. Jadi mengaitkan soal hari kelepasan ini dengan kemuliaan ugama saya tidak nampak sama sa-kali, kerana di-dalam satu ayat yang telah di-sebutkan tadi yang mengatakan, "Apabila kamu mendengar panggilan sembahyang Juma'at maka tinggalkan-lah segala perniagaan". Ahli Yang Berhormat yang menyebutkan ayat ini tidak pula menyebutkan sambongan-nya ia-itu "apabila kamu telah selesai sembahyang maka bertaboran-lah kamu untuk menchari kelebihan ia-itu kelebihan yang di-kurniakan oleh Tuhan". Jadi untuk menjadikan ayat² itu sa-bagai alasan untuk membekukan daripada bergerak dan bekerja pada hari Juma'at saya fikir tidak kena pada tempat-nya.

Jadi di-sini, Tuan Yang di-Pertua, saya ingin hendak menyebutkan satu perkara yang telah di-bawa oleh Ahli Yang Berhormat daripada Besut. Kata-nya dalam soal hendak menjadikan hari Juma'at ini hari kelepasan tidak-lah mengganggu perniagaan dan perjalanan perniagaan dalam negeri kita ini. Ahli Yang Berhormat itu menchadangkan kita boleh membuat peratoran. Sa-benarnya, Tuan Yang di-Pertua, kalau ha-nya kelepasan ini mengenai Persekutuan Tanah Melayu sahaja, tidak ada kait mengait dengan negeri luar, barang kali boleh di-buat peratoran tetapi soal ini bersangkutan dengan hal² negeri luar yang kita tidak mempunyai kuasa untuk memaksa mereka untuk menjadikan hari Juma'at itu hari kelepasan. Jadi dalam soal perniagaan ini dan soal perhubungan dengan negeri luar ini, di-sini saya ingin hendak menyebutkan ia-itu memang boleh memberi kesan di-atas perniagaan negeri kita

jika kita tutup pada hari Juma'at, sebab jika sa-kira-nya kita tutup pada hari Juma'at dan lain² negeri buka dan menjalankan perniagaan pada hari itu, maka kita di-sini sudah rugi sa-hari yang mana lain² negeri perniagaan-nya di-buka semua-nya dan pada hari Sabtu sudah sa-paroh hari kita bekerja, jadi hari Juma'at kita rugi sa-hari, Sabtu sa-tengah hari, hari Ahad, orang luar tidak bekerja kita tidak dapat mengadakan perhubungan, jadi di-sini-lah timbul-nya kerumitan soal mengenai ekonomi negeri ini. Jadi di-sini saya harap-lah daripada Ahli² Yang Berhormat yang membawa chadangan ini supaya jangan di-kelirukan pandangan orang ramai dan di-kaitkan perkara ini dengan soal ugama dan shi'ar Islam saperti mengatakan banyak negeri² Islam yang menjadikan hari Juma'at itu satu hari kelepaan, bukan di-tutup pejabat² Kerajaan-nya sahaja tetapi segala kedai² perniagaan dan sharikat² kenderaan yang ada di-dalam negeri itu. Ini-lah sahaja yang saya dapat terangkan dalam perkara ini. Terima kaseh.

Enche' Abdul Ghani bin Ishak (Malacca Utara): Tuan Yang di-Pertua, di-dalam membahathkan usul yang di-bawa oleh Ahli Yang Berhormat dari Kota Bharu Hilir, saya mengikutinya masok-lah pada hujah daripada penyokong² yang menyokong chadangan ini di-terima. Ta' ada langsung perkara yang boleh menarek saya sendiri sa-kurang²-nya untuk menyokong chadangan ini supaya di-jalankan. Jadi, di-dalam hal ini pehak penchadang mengemukakan, itu baik, ini baik kata-nya tetapi tidak ada hubungan langsung dengan perkara² yang di-tujukan kepada kebaikan. Saya rasa, perkara ini ada-lah tidak menda-tangkan fa'edah kepada chadangan ini di-kemukakan. Dengan sebab itu-lah, saya bangun di-sini suka hendak menceritakan serba sedikit perkara² yang saya sendiri nampak. Atas hal chuti pada hari Juma'at atau hari Ahad boleh jadi berkaitan dengan soal² barangkali kebudayaan dan ugama. Saya sendiri sudah-lah melawat pada dua tempat yang berasingan hari kelepaan-nya; ini

perkara kecil sahaja yang saya hendak kemukakan. Kita hendak mulia-kan hari Juma'at sa-bagai sa-orang Islam hendak membacha do'a-kah, hendak kenduri kendara pada malam Juma'at tetapi ada sa-tengah² tempat sengaja di-chari-nya bila malam kelepaan malam itu-lah mereka mengadakan pesta. Jadi, pesta itu tentu-lah tidak dapat bagi kita hendak menahan apa pesta yang di-buat oleh orang itu. Jadi, benda ini, saya rasa tidak-lah mendatangkan munafa'at untuk menukar-kan hari Ahad itu hari kelepaan kepada hari Juma'at. Sa-lain daripada itu, hujah yang di-keluarkan-nya banyak sangat terpesong, sa-tengah² yang ta' pernah pergi sembahyang kerana waktu itu barangkali orang perempuan, mengatakan pula budak² tidak dapat pergi sembahyang Juma'at. Ini sangat-lah mengelirukan sa-bagai mana yang di-terangkan oleh Yang Berhormat Menteri Muda Pelajaran tadi. Ta' patut-lah saya ulang lagi kerana memang di-suroh budak² dan guru² yang berugama Islam meninggal-kan klas masing² keluar pergi sembahyang Juma'at pada masa yang di-wajibkan itu.

Kemudian, perkara untuk berehat yang kita maksudkan sekarang kepada seluroh ra'ayat dalam Tanah Melayu ini, khas-nya kepada orang² yang menganut ugama Islam. Saya rasa, kalau ada ra'ayat yang miskin yang menderita, kita ta' suroh mereka itu berehat kerana kita tahu di-sa-keliling pinggang kita sekarang, kita masing² hendak menaikkan taraf hidup ra'ayat di-kampung² atau pun yang maseh miskin itu kita suroh mereka itu bekerja, kalau dapat 24 jam satu hari satu malam pun boleh, mithal-nya, kalau dia boleh bekerja, tetapi bukan-lah di-perintah. Jadi, hari Juma'at ini pun kita tidak lupa ibu bapa kita di-sa-tengah² kampung itu pergi menoreh getah, kadang² tergesa² dia hendak menanggalkan getah-nya kerana hendak pergi sembahyang Juma'at atau bagitu, bagini. Jadi, perkara yang sa-macham ini saya rasa, tidak-lah ada hujah langsung dengan sa-orang itu dengan keperchayaan ugama dengan keadaan hidup-nya sa-hari².

Berbalek pula saya hendak me-nyebutkan hujah yang di-keluarkan

oleh wakil Kota Bharu Hilir tadi ia-itu ada hubungan-nya dengan kebangsaan kita. Saya rasa, tentang mana yang di-katakan ada itu pun, saya ta' nampak dan saya takut; sakali lagi saya katakan, kalau kita tutup pada hari Juma'at maka hari itu-lah perkara ma'siat yang banyak berlaku. Bukti-nya, kalau hari itu boleh di-tutup semua-nya maka hari ini-lah akan di-buat serba serbi bukan sahaja oleh orang² yang bukan Islam pun akan mengadakan pesta, jamuan semua-nya pada hari Juma'at. Jadi, mungkin-kah perkara ini akan memberi fa'edah kepada ideology yang kita hendak meninggikan shari'at Islam itu. Saya rasa, ta' payah-lah di-tambah lagi kerana memanjangkan masa sahaja kerana banyak sahabat² saya daripada pehak yang menentang chadangan ini mengeluarkan hujah² yang lebeh bagus lagi dalam hal ikonomi-nya, dalam hal negara yang kita hendak bangunkan sekarang. Dan ini-lah dia yang saya sebutkan tadi bahawa chadangan ini di-datangkan dengan alasan yang sangat nipis untuk kita menerima-nya.

The Minister of Commerce and Industry (Enche' Mohamed Khir Johari): Tuan Yang di-Pertua, saya fikir tidak ada banyak perkara yang saya hendak jawab di-atas perkara yang telah di-sebutkan oleh rakan² saya bersangkutan dengan perniagaan dan iktisad negeri ini. Satu perkara yang saya suka menjawab-nya ia-lah alasan yang telah di-bawa oleh salah sa-orang Ahli Yang Berhormat berkenaan hendak mengikiskan saki baki penjajahan di-dalam negeri ini. Jadi, alasan yang di-beri untuk menguatkan motion yang di-bawa oleh Yang Berhormat daripada Kota Bharu Hilir itu ia-lah dengan sebab kita menjadikan hari Juma'at itu hari kelepasan maka kita dapat mengikiskan saki baki penjajah dalam negeri ini. Saya hairan, sa-takat yang saya tahu Ahli Yang Berhormat yang berchakap itu pun telah biasa melawat ka-Indonesia dan sudah tahu apa yang berlaku di-sana. Di-Indonesia mereka telah mengikiskan penjajahan dengan mengurbankan darah ra'ayat tetapi sunggoh pun mereka itu sudah

merdeka beberapa tahun, mereka itu tidak mengambil apa² tindakan bagi mengikis apa yang di-katakan oleh Yang Berhormat mengikis saki baki penjajahan di-negeri mereka. Dan sampai hari ini, hari kelepasan di-Indonesia ia-lah hari Ahad juga. Jadi, saya ta' nampak alasan itu boleh kita pakai langsung dalam perbahathan yang sa-macam ini. Satu alasan lain yang di-bawa oleh Yang Berhormat itu ia-lah supaya kita mengambil chontoh daripada negeri² Islam yang ada di-Middle East di-sana. Tetapi kalau kita bandingkan dengan negara² Islam itu dengan negeri kita sendiri, saya perchaya tidak boleh kita katakan dan tidak boleh siapa pun mengatakan yang negeri kita lebeh mundur daripada negeri mereka itu. Dan bagi kita, tiap² satu chontoh yang kita hendak ambil maka kita ambil-lah chontoh yang boleh menguntungkan kita bukan merugikan kita.

Pada masa ini orang² Melayu kita bekerja kuat tiap² hari untuk mengambil peranan yang sesuai dalam pembangunan negara kita. Dan kita berkehendakkan orang kita bekerja kuat, kalau boleh 8 hari sa-minggu bukan 7 hari sa-minggu. Jadi, tidak ada masa bagi kita berehat chuma macham mana di-kehendaki oleh ugama kita apabila sampai waktu kita sembahyang; tetapi ada juga yang melesir di-kedai kopi pun ada, sunggoh pun kita benarkan mereka itu balek sembahyang. Jadi, itu bukan salah kita, salah mereka itu sendiri. Tetapi memang kesenangan itu di-beri oleh Kerajaan untuk membuat ibadat pergi sembahyang Juma'at. Jadi, saya ta' nampak dengan ada-nya susunan yang kita buat pada hari ini yang boleh merugikan ugama kita, yang boleh menyekat sa-saorang yang berugama Islam untuk membuat ibadat saperti mana di-kehendaki oleh ugama kita.

Satu lagi alasan yang saya agak patut di-jawab juga ia-lah berkenaan dengan capitalist. Tadi, ada orang menjawab tetapi saya rasa hendak menambah sedikit berkenaan dengan hari minggu itu ia-itu hari Ahad sebab hari Ahad hari minggu—hari chuti ia-lah sebab dengan kepentingan

capitalist. Ya, kita berkehendakkan, memang kalau begitu pun ada lebih baik sebab kita berkehendakkan orang Melayu kita lebih banyak lagi menjadi capitalist. Kalau banyak mereka itu menjadi capitalist banyak-lah Kerajaan boleh mendapat chukai dan banyak juga mereka itu menggunakan buroh² daripada bangsa kita sendiri. Sa-balek-nya keuntongan itu semua-nya datang balek kapada kita. Kita tidak boleh pandang daripada satu kacha mata yang sempit dalam soal yang bagini penting. Soal negara ia-lah soal pembangunan bagi negara kita dan juga bangsa kita. Satu chontoh lagi yang Kerajaan kita mengambil berat tentang hal ugama dalam bulan puasa. Dalam bulan puasa tiap² pekerja di-benarkan bekerja chuma sa-kerat hari sahaja. Ini dengan sebab kita pandang berat kapada ugama kita dan kita tahu pada bulan itu patut-lah kita semua mengambil masa yang lebih banyak lagi untuk berehat. Jadi, bukan-lah berma'ana membangkang usul ini, kita tidak pandang berat kapada ugama. Jadi kita bukan dengan jalan sentimen yang kita hendak menyokong ra'ayat jelata, tetapi kita perchaya daripada apa yang kita buat itu akan menguntongkan ra'ayat jelata dan juga untuk menguntongkan ugama kita dan juga siasah ugama Islam dalam negara kita ini.

Enche' Ahmad bin Arshad (Muar Utara): Tuan Yang di-Pertua, saya berdiri ini ada-lah tidak dapat menerima usul yang ada di-hadapan kita ini, dan saya ada-lah menambah beberapa alasan² yang telah di-berikan oleh Yang Berhormat pembawa chadangan ini di-samping alasan² yang telah di-berikan oleh pehak² kita ia-itu pehak Kerajaan. Tuan Yang di-Pertua, sebab-nya saya tidak dapat menerima usul yang ada di-hadapan kita ini ia-lah sa-bagaimana yang di-berikan oleh wakil² PAS itu sangat tipis dan beliau itu tidak meneliti atau mengkaji dengan halus-nya.

Hari Juma'at sa-bagaimana yang kita ketahui bahawa tiap² umat Islam memang mengetahui satu hari yang mulia, tetapi dalam Islam tidak

menyuroh manusia atau umat Islam itu berhenti bekerja melainkan pada waktu Bilal menyeru bang pada hari Juma'at. Dan dengan sebab itu, bagi pehak Kerajaan Persekutuan Tanah Melayu telah memberi peluang kapada kaki-tangan Kerajaan termasuk guru² sekolah dan murid², kerana menunaikan sembahyang Juma'at sa-bagaimana yang telah di-terangkan oleh beberapa orang daripada pehak Kerajaan tadi.

Dalam soal berihat, Islam memang menyuroh manusia itu berihat. Menyuroh apa yang di-berikan oleh Islam bahawa manusia itu boleh berihat, kalau bekerja pada hari siang, rihat-nya ia-lah pada masa malam. Dan kalau manusia itu bekerja pada malam hari, maka mereka itu boleh mengambil rihat pada hari siang. Ini ada-lah menurut pandangan Islam yang menyuroh mereka itu berihat.

Dalam soal hendak menjadikan hari Juma'at itu sa-bagai hari kelepaan sa-bagaimana yang telah di-katakan oleh pembawa usul ini ia-itu ada-lah benda yang di-bawa oleh penjajah. Menurut pendapat saya, Tuan Yang di-Pertua, bahawa bukan semua-nya apa yang telah di-bawa oleh penjajah atau saki baki penjajah itu wajib di-kikis oleh Kerajaan Persekutuan Tanah Melayu, bahkan boleh juga kita menimbangkan sakira-nya perkara itu mendatangkan fa'edah untuk negara kita dengan tidak merosakkan Islam sa-bagai ugama resmi negara kita ini, maka boleh-lah kita terima.

Tuan Yang di-Pertua, walau pun kita sudah merdeka 3 tahun, tetapi tidak harus semua-nya perkara² yang di-bawa oleh penjajah itu kita kikiskan, kita buangkan, malahan mestilah kita timbangkan dengan lebih jauh atau lebih teliti di-negeri kita ini. Dalam alasan-nya tadi walau pun dia telah mengatakan bahawa 5 buah negeri Melayu telah menjadikan hari Juma'at itu sa-bagai hari kelepaan 'am, tetapi hendak-lah kita memikirkan semula bahawa beberapa buah pejabat dalam negeri ini tidak dapat di-tutup saperti pejabat² Post Office dan juga Pejabat Custom. Maka

dengan sebab dua perkara ini beberapa banyak orang ramai dalam Negeri² Melayu itu telah bersetuju sa-kira-nya, kalau dapat di-samakan hari kelepasan 'am itu di-jadikan hari Ahad.

Yang Berhormat itu telah memberikan beberapa alasan bahawa perkara ini ada kaitan-nya dengan kesenian, saya tak tahu-lah apa ada hubungan-nya hari Juma'at dengan kesenian orang² Melayu di-mana dia telah menyebutkan bahawa pada hari atau malam Juma'at itu orang² Melayu telah mengadakan saperti membacha *do'a* dan *kenduri*. Setahu saya *do'a* itu tidak ada satu halangan pun jika hendak di-buat oleh sa-saorang umat Islam itu, melainkan mereka boleh *berdo'a* pada bila² masa juga dan mereka boleh membuat *kenduri* pada bila² masa sahaja. Dengan ini alasan² yang di-kaitkan dengan kesenian itu tidak-lah menasabah pada fikiran saya.

The Assistant Minister of Rural Development (Tuan Haji Abdul Khalid bin Awang Osman): Tuan Speaker, saya suka hendak memberi tahu bahawa sa-nya pada hari ini kita telah pun menubuhkan Kementerian Pembangunan Luar Bandar dengan tugas yang penting ia-itu hendak memperbaiki ekonomi orang² luar bandar yang kebanyakan-nya ada-lah terdiri daripada orang² Melayu yang beragama Islam. Demi kepentingan ekonomi dan taraf hidup orang² luar bandar, saya suka hendak menegaskan bahawa tidak patut-lah kita jadikan hari kelepasan bagi seluruh Persekutuan Tanah Melayu ini pada hari Juma'at, kerana dengan perbualan saya dengan orang ramai khas-nya orang² yang duduk di-luar bandar saya dapati mereka itu memang suka hari kelepasan itu pada hari Ahad. Sebab mengikut biasa kalau sa-kira-nya hari kelepasan bagi seluruh Persekutuan Tanah Melayu ini, atau pun mana² Negeri ia-lah hari Ahad, maka dapat-lah mereka itu mengurangkan peluang pada hari Juma'at menjalankan urusan pejabat sambil pergi ka-pasar dalam bandar untuk membeli barang² keperluan mereka yang dapat di-gunakan pada hari² yang lain, dan di-samping itu

dapat mereka hadir sembahyang fardzu Juma'at di-bandar² yang besar.

Bagi memperbaiki ekonomi orang² di-luar bandar, saya berharap dengan setinggi² harapan daripada pehak yang membawa usul ini supaya jangan menimbangkan perkara ini dengan hawa nafsu atau pun bersentimen yang melulu. Sa-tengah² pehak menyokong usul ini dengan alasan ugama Islam ia-lah ugama resmi negeri ini, maka dengan sebab itu-lah kita patut jadikan hari Juma'at itu hari kelepasan kerana konon-nya kita mesti memberi keistimewaan kepada ugama Islam.

Di-sini chuba kita istilahkan apa ma'ana-nya "*keistimewaan*"? *Keistimewaan* ia-lah satu benda yang kita dapat dan orang² lain tak dapat. Kalau sa-suatu benda yang semua orang boleh dapat, itu bukan *keistimewaan* nama-nya. Jika hari kelepasan terjatoh pada hari Ahad hanya orang² Islam sahaja boleh dapat *keistimewaan* keluar pada pukul 12 tengah hari pergi sembahyang fardzu Juma'at. Ini menunjukkan ugama Islam ia-lah ugama resmi yang sa-benar-nya di-mana orang² yang memelok ugama Islam sahaja yang mendapat keistimewaan untuk menu-naikan fardzu Juma'at pada masa itu.

Ada sa-tengah pehak membawa hujah mengatakan demi persefahaman hari kelepasan patut-lah kita jadikan hari Juma'at itu hari kelepasan bagi seluruh Persekutuan Tanah Melayu. Kalau kita memandang di-atas faktor demi persefahaman sahaja, apa-kah salah-nya hujah yang di-terangkan tadi ia-itu di-jadikan hari kelepasan itu hari Ahad bagi seluruh Persekutuan Tanah Melayu. Pada hakikat-nya, saya suka-lah hendak menasehatkan pehak yang membawa usul ini jangan-lah kita hendak membawa tabi'at tutop buka—tutop buka. Kalau orang buka, kita tutop—orang tutop, kita buka—apa satu pun kita tak boleh dapat.

Di-sini saya suka menasehatkan supaya kita jangan berbuat perkara yang semacam itu kerana akhir²-nya akan *terpalau* sahaja, kata orang Kedah—tak dapat apa². (*Ketawa*).

Tuan Haji Ahmad bin Abdullah (Kota Bharu Hilir): Tuan Yang di-Pertua, daripada sa-malam sampai hari

ini kita sekalian telah dapat mendengar hujah² dan alasan² daripada dua belah pihak berkenaan dengan chadangan saya itu. Untuk menjawab-nya sa-bagai penchadang, saya akan menjawab sedikit sahaja butir² yang belum dijawab lagi oleh rakan² saya. Wakil dari Larut Selatan, barangkali ia kurang faham di-atas chadangan ini. Ia telah memahamkan bahawa chadangan saya ini ia-lah untuk menambah satu hari kelepasan lagi sa-lain daripada hari Ahad. Ini ada-lah satu perkara yang mengelirukan, dan ia menunjukkan kepada kita apa yang di-fahamkannya dengan alasan² yang di-keluarkan tadi. Kalau begitu tidak payah-lah saya menjawab, kerana rakan ia sendiri daripada Kerajaan telah faham atas chadangan kami ia-itu Yang Berhormat Menteri Dalam tadi telah memberi sedikit alasan untuk menolak chadangan saya ia-itu sa-kira-nya di-jadikan hari Juma'at hari kelepasan, maka ekonomi atau iktisad negeri kita akan terganggu dan kita akan susah menjual getah, bijeh (tin) dan lain². Tetapi kita jangan lupa bahawa di-Timor Tengah (Middle East) mereka itu mempunyai minyak yang paling banyak sa-kali dalam dunia ini. Dan kampeni yang mengeluarkan minyak dari tanah 'Arab dan Iraq itu ia-lah kampeni Inggeris dan Amerika. Pendek kata, kampeni yang mengikut ugama Christian. Tetapi Kerajaan Saudi Arabia dan 'Arab ini menjadikan hari Juma'at, hari kelepasan-nya dengan tidak mendatangkan gangguan atau kerumitan di-atas ekonomi mereka untuk menjual minyak mereka di-pasaran dunia (International marketing) yang terus berjalan dengan senang dan lichen. Pasaran dunia terus membeli minyak daripada negeri² ini dengan tidak mengganggu perdagangan negeri yang menjadikan hari Juma'at hari kelepasan 'am bahkan setahu saya keluaran minyak di-Timor Tengah itu tiap² tahun bertambah.

Sa-perkara lagi, saya suka menarek pandangan Ahli² Yang Berhormat ia-itu pandangan yang di-keluarkan oleh Yang Berhormat Menteri Muda Pelajaran. Kata-nya, memang budak² sekolah di-benarkan menghadziri sembahyang Juma'at, tetapi kita mesti tahu, sekolah yang murid² itu menuntut jauh

daripada Masjid, dan murid² itu memakai seluar pendek, tentu-lah tidak dapat menunaikan kewajipan sembahyang mereka itu. Tetapi kalau kita jadikan hari Juma'at hari kelepasan, mereka itu dapat menunaikan satu kewajipan atau pun berlateh menunaikan kewajipan yang di-pandang besar dari segi ugama Islam.

Berkenaan dengan ucapan Yang Berhormat Menteri Perdagangan yang mengatakan bahawa Indonesia yang begitu giat untuk mengikis penjajahan dan segala bekas² penjajah tidak menjadikan hari Juma'at hari kelepasan. Di-sini saya suka menerangkan ia-itu dalam ucapan saya waktu menchadangkan hari Juma'at di-jadikan hari kelepasan, alasan saya ia-lah kerana Perlembagaan negeri ini mengaku ugama Islam, ugama rasmi. Indonesia belum lagi mengaku Islam, ugama rasmi. Dengan pengakuan yang ada dalam Perlembagaan kita sendiri, maka sudah sa-patut-nya-lah bahawa hari Juma'at di-jadikan hari kelepasan untuk menggantikan hari Ahad. Beliau menambah kata bahawa menjadikan hari Ahad, hari kelepasan lebeh baik untuk menambah gulungan kapitalis daripada orang Melayu. Kita maseh ingat lagi bahawa di-dalam bulan April, saya ada bertanya Yang Berhormat itu berapa ramai orang Melayu yang telah di-beri kerja oleh perdagangan perintis yang di-aku² oleh Kerajaan dan jawab-nya tidak ada orang Melayu yang dapat kerja. Maka di-sini dapat-lah kita ketahu² ia-itu apa yang di-katakan-nya sangat berlainan daripada benda yang di-jalankan.

Kita juga telah mendengar ucapan wakil dari Tangkak bahawa

Enche' Ahmad bin Arshad: Di-sini tidak ada wakil Tangkak. Muar Utara!

Tuan Haji Ahmad bin Abdullah: Muar Utara, minta ma'af. Beliau telah berkata bahawa hari Juma'at kita boleh berdo'a. Chadangan saya menjadikan hari Juma'at ini tidak bersangkut-paut dengan do'a. Saya yakin bahawa wakil tersebut tidak mengerti apa yang saya telah katakan. Apa yang saya terangkan dalam chadangan saya ia-lah sa-telah kita

connected with the Employees' Provident Fund Board or the Administration. On this matter a further query was raised by the auditors. The Manager replied that he was satisfied as to the usage of the transport—in this instance please refer to audit query No. A. 7/59 dated the 12th May, 1959. Stationery usually received by this Department are not checked and deliveries have frequently been short.

Since 1st June, 1958, when the Board became autonomous, administrative expenses have increased enormously. Every such addition to the cost of administration, in my opinion, has been due to a degree of inefficiency which can be overcome by competent administration.

Recruitment of staffs and promotion of staffs are not based on academical qualification but on favouritism—promotions are based on friendship and relationship of certain members of the administration. Discontentment could be revealed by the staff themselves if called upon to give evidence in camera.

Sir, I also understand that girls employed in the Employees' Provident Fund Department are at times asked to work night shifts up to 12 midnight. This, I feel, is against the very spirit of the Employment Ordinance.

Since 1952 the employers issued Employees' Provident Fund contributors' local record cards with the monthly contribution to the individual's credit and carried forward for the ensuing year. These show how much money a contributor has in credit, exclusive of interest. However, this system ceased to operate in 1959. The present system keeps the contributors in the dark about the amount of money to their credit. At the end of each year slips of printed forms, called annual statements, are sent to the employers in bulk for distribution to contributors.

Several contributors have observed differences in the amounts to their credit. For example, one Enche' Mohamed Taib bin Salleh was advised in 1960 that his account at 31st December, 1958, was \$45.47, whereas in an

earlier statement it was \$1,474.54—a difference of over \$1,000. Sir, this contributor had to go all the way from Kedah to seek clarification.

When a contributor qualifies to withdraw his contributions under section 13 of the Employees' Provident Fund Ordinance, payment in such cases should be paid in one lump sum—*vide* section 14 of the Employees' Provident Fund Ordinance. Confusion arises now due to the discontinuance of the local record card system. For example, Enche' Bakri was paid \$81.44 in settlement of his E.P.F. contributions. He disputed the amount and after 10 days he was paid \$817.40—on 26th February, 1960. One Mr. A. Velaitham, Railway, Port Swettenham, Lot No. 89737, was settled with \$1,060.62 as a final payment but later, through his refusal to accept the amount, received an extra payment of \$33.42 on 26th October, 1959. In another case, file number 10-11261/59, payment was approved on 5th December, 1959. On 29th December, 1959, the contributor went to the Employees' Provident Fund office and said that he could not remember his last employer. Sir, it is questionable how this payment is to be settled since the contributor did not have the name of the previous employer. I believe that a large sum of money under this category is lying idle in the Board. One Mr. Lai Ah Hock, No. 1143846, wrote on 28th July, 1959, returning a warrant for \$24.00 and complained of short payment. His letter stated that his wage was \$112.00 per month and he and his employer jointly contributed \$12.00 per month, and it should be \$72.00 for six months. Sir, it is a clear and glaring proof that the Administration even failed to know simple mathematics. And Account No. 1038075 relates to Mr. Leong Sum. This account was mixed up with Leong Sum receiving Mr. Doraisamy's money and Doraisamy receiving Leong Sum's money. If I am called upon I can produce many more inaccurate payments for the information of this House.

There had been considerable over-payments and short-payments. A contributor who has no record of his contributions cannot dispute but has to

remain contented. When the Department was under the Government a withdrawal file could be registered and payment was effected correctly within two hours of registration, but now with the new accounting million dollar Power-Samas system it takes considerable time and many inaccuracies are observed. Such gross inefficiency of the Department ought to be remedied at once.

Sir, to remove the furniture and fittings from Brickfields to Petaling Jaya tenders were called and the lowest tenderer was Ganesan & Company, who tendered for \$2,800, to transfer the entire furniture and fittings to the new office. But unfortunately the successful tenderer was the one who tendered for more than \$6,000. Can the Administration answer the reasons for accepting the highest tenderer? Is it prepared to challenge my statement?

Sir, the Manager's yearly visit to England on leave costs the Board \$10,000. By appointing a local man, Sir, we can easily save this \$10,000.

The contributors are not informed where their money is being invested and for what rate of interest. The public have the right to know where is their money and where is it being invested. Is the Government afraid to announce the position of the funds? If not, it should state where they have been invested. Perhaps, Sir, to my belief, foreign banks and other financial interests are reaping the profits of such investments when sufficient local prospects are available in our country.

It is a great pity, Sir, to note that certain contributors who make application for E.P.F. withdrawals on grounds of leaving the country at times receive their money only one day before departure; and sometimes they do not even receive a reply at all, although they are leaving the country tomorrow. At this juncture, when short-payments are observed, they will have to rush from Johore Bahru or Kelantan to seek clarification at the Petaling Jaya E.P.F. office, and by chance they go there, from morning till evening they will be left unattended.

Sir, there is an account known as "Suspense Account". For example, if a contractor contributes \$3,000 from Pahang and later removes to another place where his address is not obtained, the contributors are affected. They lose the interest and the money is kept in suspense. If the employer gives an incorrect spelling of a contributor's name, this also goes into the Suspense Account. If investigated, Mr. Speaker, Sir, I am confident that a large sum of money is lying idle in the Suspense Account.

I am informed, Sir, that the average daily contributions amount to \$200,000. From January 1959 to August 1959—for about eight months—\$48 million were received in the Employees Provident Fund, out of which one-eighth, i.e. \$6 million, has still to be recorded in the individual ledger books. This means that the contributors whose accounts have not been recorded will be losing their interest. The contributors pay for the negligence and incompetency of the Board, and the Government which appointed this Board.

Recently, Sir, I have been informed that the P.W.D. Factory, Kuala Lumpur, received its annual statement where a majority of the workers disputed as incorrect.

Mr. Speaker, Sir, at the present moment the rate of interest is not enough. It is not to the benefit of the contributors and in my contention I feel it should be increased. There must be a committee of Malaysians to study and probe into all these irregularities to remedy and regularise the position. Sir, the relationship between the contributors and the Board who seek clarification and guidance for withdrawal are very, very unsatisfactory. Estate workers—workers employed in mines, etc., do go to the Employees Provident Fund office and at times they will have to go to the office repeatedly and for several days and still at times they are not attended to their satisfaction. I must warn the Government that if this state of affairs is allowed to continue, the public will lose every confidence in the E.P.F. Board. A Commission of Enquiry is urgently necessary to probe into all these irregularities which is

posing a threat to public funds. Many of us here must have been affected by the unsatisfactory state of affairs existing in the Board and we must have come across a great number of complaints. It is a crime to allow this state of affairs to continue without any attempt to remedy same.

Sir, as I have said the Ordinance was enacted in 1951 and with the development of this country, and now that Malaya has attained independent status the Ordinance as in its present form is outmoded. Suitable amendments and revision to the Ordinance is extremely necessary. Section 13 of the Ordinance reads as follows:

"Authority of withdrawal,

- (a) the employee has died;
- (b) the employee has attained the age of fifty-five years;
- (c) on medical evidence that the employee is no longer capable of being, and is not likely to be again, an employee;
- (d) the employee is about to leave Malaya with no intention of returning thereto;
- (e) a person has ceased to be an employee for a period of at least 2 years".

Mr. Speaker: How is that connected with this motion? The motion before the House is,

That this House, being gravely concerned over the irregularities existing in the administration of the Employees Provident Fund".

It has nothing to do with the Ordinance. You are asking for an independent Commission, because of the irregularities existing in the administration of the Employees Provident Fund. But you are talking about the Ordinance now, which has no bearing on this motion.

Enche' V. David: Mr. Speaker, Sir, I just said this for the information of the House. When such a Commission is instituted, the Commission can go into the Ordinance itself which is also a hindrance at the present moment and leads to mismanagement.

Mr. Speaker: That can be done when you have the terms of reference of the Commission; you can have it embodied there. But here we are concerned only with the irregularities existing in the administration.

Enche' V. David: Mr. Speaker, Sir, I feel that this Ordinance also affects the administration of the E.P.F. However, I pointed out this for the very fact that the Ordinance says that an employee can withdraw only when he or she attains the age of 55. The present regulation is such that a female employee is terminated from service when she reaches the age of 45. In other words, this female employee will have to wait for 10 years to withdraw her funds. When the Assistant Minister for Labour spoke in Bentong, he did say, Sir, that no request from the workers have been made on this issue, but here I myself am making a request that this Ordinance be revised also while considering the irregularities existing in the administration of the Employees Provident Fund.

Again, Sir, section 2 explains the composition of the Board. Here I am not prepared to go into the integrity and dignity of the members of the Board, but I feel the Board has not done its job and again the Administration has been given a free hand to handle the funds without constant check by the Board. This is the very reason which has led to the present position of the E.P.F. Lately an article appeared in the local Press wherein the manager of the E.P.F. did admit that there had been irregularities and he shifted the responsibility on to the employers for not submitting proper returns. Sir, in my humble opinion, I beg to submit, the Administration has openly admitted that irregularities do exist within the E.P.F. Department and it needs remedy. And the editorial here in the *Straits Times* of the 12th of September did make an elaborate comment. It had commented to say that the E.P.F. Board should inform each contributor of the amount standing in his credit. All this, Sir, is well-known. The E.P.F. Administration is not doing its job as it should do. In the course of my speech here I have clearly given facts, and I have also given numbers of files and contributors' numbers where the management had failed to comply with the requirements as it should have done. Now, I leave it to this House to consider the necessity of setting up a

Commission of Enquiry. But I would remind the House that if this state of affairs is allowed to continue, one day the contributors will have no funds in the E.P.F. Board.

Sir, I beg to move,

Enche' V. Veerappen (Seberang Selatan): Sir, I beg to second the motion.

Enche' Liu Yoong Peng (Rawang): Mr. Speaker, Sir, I support the motion of my colleague, and I agree with him in what he said. But I just wish to add that in many cases where the beneficiary of the deceased could not find the E.P.F. serial number of the deceased, he or she finds that there is no remedy because apparently the E.P.F. Board quite often cannot trace the deceased contribution from the name and/or of the deceased as provided by the identity card. So, apparently there is something wrong in the index system of the Employees Provident Fund Board. Thus many dependents of the workers are deprived of the benefit which they should quite rightly enjoy and usually it puts them into great difficulties during the early days when their dependents suddenly passed away from life. So, this is actually a serious problem, and I think I need not add more on it.

Tun Abdul Razak: Mr. Speaker, Sir, I rise to oppose this motion. The Honourable Member in proposing this motion has, I hope, the interests of the contributors at heart, but I feel he cannot be aware of the safeguards which already exist to ensure not only that members of the Fund receive what is due to them but also that the monies entrusted to the Board are properly accounted for and invested on the contributors' behalf in the most advantageous manner.

Now, Sir, I also hope that this motion is not inspired by a disgruntled member of the Board's staff who has since been dismissed from its service for a breach of security. We have some reason to believe this because this man actually wrote a letter to the Manager of the Fund, containing the following words, and I quote:

"The Honourable Mr. David, (that is the Honourable Member for Bungsar) living

just within calling distance from my residence, is not only a very good friend of mine but will only be too pleased to have E.P.F. matters on the agenda as a motion."

That is what the letter written by this Gentleman contains.

This man also wrote a series of letters to everybody whom he thought would pay attention to him. He made a number of wild allegations and even went as far as to write to the Auditor-General himself. The Auditor-General, on the receipt of this allegation, made an investigation and found them to be completely without any foundation, and a number of allegations made by the Gentleman, Sir, have been quoted just now by the Honourable Member for Bungsar. So, Honourable Members will, I am sure, agree, in view of the recent events, that the former Auditor-General was a very strict man, who took his duties very seriously, and if the Auditor-General was satisfied, I think this House can rest assured that the affairs of the Board are being properly conducted.

I should like, Sir, to explain to this House that the Employees Provident Fund Board, which is charged with the administration of this Ordinance, is composed of 18 persons appointed by the Minister of Finance. Six of these are serving Government servants in very senior positions, another six are persons who represent the employers who pay these contributions on behalf of their employees. These persons, that is to say, of the latter category, are appointed after consultation with representative employers' organisations. Then there are six further persons who represent the members of the Fund, and they again are appointed after consultation with bodies which represent the employees of this country. The Chairman of the Board is the Secretary to the Treasury. So, we can see, Sir, the Employees Provident Fund is administered by a very responsible and representative Board.

Now, Sir, these 18 persons in whose integrity the Government has the greatest confidence, hold in trust

the monies of the Fund and are responsible for the administration of the Fund which is carried out by a Manager and an efficient and experienced staff with the aid of the most modern mechanised accounting equipment. The Board as a whole meets, on an average, once in every two months and sees the reports of its committees which meet more often. These committees deal with investment, finance, staffing and all the other matters which go for the efficient running of this very large organisation. The Board has before it at every meeting a statement of the financial affairs of the Fund which are examined with the utmost care and it is the duty of the Board to see that the affairs of the Fund are properly managed.

The Board itself authorises from time to time the investment of the Fund and, within the limits imposed by legislation, is concerned that these investments should earn the highest possible rates of interest. So, Sir, I must refute the allegation made by the Honourable Member that these Funds are not properly invested. They are invested in the most advantageous manner and we have a responsible Board which is entrusted with the administration of this Fund, and the Government is fully satisfied that the assets of the Fund are being properly invested. The whole of the monies from this Fund belongs to the members of the Fund.

If the activities of this widely representative and vigorous body were the sole safeguard it would still be in the highest degree unlikely that any irregularities could occur in the Fund's administration. Nevertheless, Sir, this is not the only safeguard, and the Auditor-General is charged with the annual audit of the Fund's accounts and his report is laid annually before this House so that Honourable Members may satisfy themselves that every dollar paid into the Fund is properly accounted for. Also, Sir, it should not be thought, however, that the Auditor-General merely examines the books of the Fund once in every year.

His staff is housed in the Fund's offices and makes a continuous examination throughout the year of the whole of the Fund's transactions.

Therefore, Sir, the Government is fully satisfied that the legislative safeguards already provided are more than adequate to ensure that the monies belonging to members of the Fund are properly dealt with. Of course, in an organisation like this, where there are millions of contributors, there are bound to be a certain number of them who may be dissatisfied—some of them who may not know the law, who may not know the procedure and the working of the Board, are dissatisfied—and it is for those people to obtain explanation from the Manager, from the Members, of the Board. But, Sir, as far as the Government is concerned, the Government is fully satisfied that the Fund has been well administered, and that therefore it is the view of the Government that it is unnecessary to appoint a Commission of Enquiry.

Sir, I am, I must say, sorry to see this motion on the Order Paper, and I do hope that the Honourable Members in this House will remember that this Fund, which started eight years ago, has built up assets amounting to about \$562 million belonging to a million contributors. These enormous assets have played a very great part in the Development Plans of the nation itself, as these Plans have drawn the greater part of their resources from this Fund. The House can well realise the very great work, the splendid work, that the Board has been doing over these years, and I am sure, this great work will be appreciated by all right-thinking persons, both inside and outside this House, and far from condemning it, I suggest that this House and our nation should put on record their grateful thanks to the Board for the magnificent work that it has done (*Applause*).

Mr. Speaker: The sitting is suspended till half-past two this afternoon.

Sitting suspended at 1.00 p.m.

Sitting resumed at 2.30 p.m.

(Mr. Speaker in the Chair)

**ADMINISTRATION OF THE
EMPLOYEES PROVIDENT
FUND—APPOINTMENT OF
COMMISSION OF ENQUIRY**

Debate resumed.

Question again proposed.

Enche' D. R. Seenivasagam: Mr. Speaker, Sir, I rise to give full support to the motion proposed by the Honourable Member for Bungsar. What the Honourable Member has said in this House are facts, with figures and references to file numbers. Therefore, in considering this motion, one must take it that those facts and those figures, standing uncontradicted as they are from the Government Bench, are true facts and true figures with true references given.

Sir, we had one observation made by the Honourable the Deputy Prime Minister, and it is strange coming from the Government Bench, the sum total of which is that the funds in the Provident Fund are safe and not one dollar is missing. The major part of the complaint—and the reason for the asking of the appointment of this Committee—is not that funds are missing or that even one dollar has been lost: the main complaint for bringing this motion is that the administration, the efficiency and the running of the Provident Fund Board, is not as good as it should be, or as efficient as one would expect it to be, and facts have been given to substantiate that.

Sir, wrong accounting, the sending out of wrong statements of account to contributors, is a serious matter. If it was an isolated case—yes; in a large organisation you have to expect errors now and then, but that is not the case here. A number of facts and figures were given and the Honourable Member who moved this motion said that, if he were called upon, he could produce more similar cases with facts and figures—and to that I would like to add that I can also produce a few where wrong statements of balances were given to contributors.

What does all this show? It clearly indicates that it is not an isolated case or two cases, but it clearly shows that it amounts to almost everyday occurrences where contributors get wrong returns for money sent in. We need not be too happy just because the Board is able to say, "We have so many millions of dollars with us." What the Board should try to do is not to get so many millions of dollars but to get all the millions of dollars possible into the Board and to save that money for the best possible use.

Here, again, we were given examples. Tenders were called for the removal of furniture and fittings from one building to another. I am not quoting the exact figures, but there was a tender for \$2,000 odd. The removing of furniture and fittings is not a serious or difficult matter. It can be done by any competent contractor or remover of goods. Why then did this Board choose to pay \$6,000 over for that job when it could be done by the man who tendered for \$2,000? Was there any reason for it? There may well be. But we were told that the auditor queried the matter, but the Board did not answer that query. Why did the Board not choose to answer it? Why was the reply given, "We are not prepared to say why"? Surely, that is a matter of concern not only to this House, but surely of concern to the contributors themselves? Why was \$4,000 in excess paid, when possibly a sum of \$2,000 might have the job done? Is there any reason? The reason was asked for, but accordingly to the Honourable Mover of this motion no reason was given.

Then, you have the very serious allegation which has been substantiated by reference to the file number in regard to the tenders for printing cards—a simple process of printing which any printer with a licence could do competently. Why, again, was a higher tender accepted in preference to the lowest tender? It is true that in respect of tenders, you do not accept the lowest tender; but, surely, when the auditor queried it, any responsible Board, any responsible member

of a Board, should be prepared to tell the auditor why a higher tender was accepted and not the lowest one? Here, again, we have it stated as a fact by the Honourable Mover—and all Honourable Members of this House are responsible for the accuracy of their facts—and as the fact had not been denied, I presume that it is correct. If this is so, it is surprising that the Provident Fund Board was unable, unwilling or not desirous to tell the auditor why that printing job was given to a higher tender than the one mentioned by the Honourable Mover. There could be reasons. We allege nothing, but we say that it is strange that Printcraft should have got that tender, because we all know who is connected with Printcraft. Surely, then, there are suspicious circumstances which necessitate investigation?

Now, Sir, there are other very unsatisfactory features in the Provident Fund Board, and one of the most unsatisfactory features is that when a contributor reaches the retiring time, when he has to take his money out of the Board, time and again I am told that as a rule that contributor is delayed. Correspondence after correspondence the contributor writes, but no reply comes. That is the story of the day: the exception is that you get one or two cases where there is quick payment. The rule is delay, the exception is quick payment. It should be exactly the opposite. I say this out of my own knowledge.

Mr. Speaker, Sir, there are also glaring examples of absolute inefficiency in the Provident Fund Board. Take the example of a contributor, who is dead. He had nominated somebody as his beneficiary, or as the person entitled to receive his contributions. Now, what reply do these people get? They say, "You go to the Court; you take out your Letters of Administration and then you come back for your Provident Fund." Mr. Speaker, Sir, that is not necessary. It is absolutely unnecessary and nonsense to say that to those persons. Finally, what they had to do? They had to go and engage the services of a

lawyer, and the lawyer had to write to tell them: "This is the law; you must pay it to them." Then they say, "Oh, we are sorry. We have made a mistake. Now you can take their money out"—after a delay of several months. This has happened not in one case, not in two cases, but in dozens of cases. Is it not, then, a matter which is very serious, because a contributor has to wait anxiously for his money, his nominees have to wait for that money, and still they cannot get it—not because they should not get it, but because somebody in the Provident Fund Board does not know what to do about it?

Then, again, on the question of people, who are leaving the country for good—they write well in advance, but no reply was sent to them for weeks until, finally, their boat is leaving, and they do not know what to do, then the Provident Fund Board say: "Come to Petaling Jaya, and we will square up the matter for you." It is not easy for workers to spend their money to travel to Petaling Jaya to clear up something which should have been cleared up long, long ago by correspondence.

Now, I was indeed surprised, very surprised, that the Honourable the Deputy Prime Minister should have stood up and said, "I rise to oppose this motion". If something, or a complaint is made, and if it is substantiated by substantial facts and figures—by figures which I think are well known to many Honourable Members in this House in regard to delays, incompetence, and inability to deal with contributors which should have been dealt with—then if it is opposed, substantial reasons should be given for opposing. We were told that, perhaps, the Honourable mover got his information from some disgruntled ex-employees of the Provident Fund Board. Mr. Speaker, Sir, that may be so, that may not be so, but let us remember one thing—when Rome falls apart, perhaps many things come out. It is, I think, the policy of the Government to use disgruntled persons to get information. The Income Tax law in respect of informers, it is

obviously going to be disgruntled persons who will give information; then, again, surrendered terrorists—disgruntled persons—on whose evidence people have been hanged by the neck till they are dead. Therefore, why, then, only when the Opposition uses disgruntled persons, if in fact they are used, does the Government say: “Do not rely on that disgruntled man’s words—it is not even worth investigation”? I do not think that is a proper attitude, or a fair attitude, to adopt when the Opposition brings up a motion substantiated by facts and figures. Therefore, I strongly support this, and I say that if the Government is going to oppose this motion, they should be able to stand up in this House and say that the facts given by the Honourable mover are untrue, that the figures are also untrue, and that they do not need investigation. If they can do that, well and good. If they cannot do that, I say we have made out a case for a committee to be set up to investigate into this matter. That is all, Sir.

Enche’ Chin See Yin (Seremban Timor): Mr. Speaker, Sir, the mover of the motion has no doubt revealed a very shocking state of affairs in the E.P.F. set up. In doing this, he has made allegations, and he has given facts and figures to show the extent of damage that is being done in the accounting system.

The Honourable Member for Ipoh has just touched on the system for tenders. He has said quite a lot and, I think, from the figures and file numbers given by the mover, a case has already been made out. But what I am interested now is with regard to the allegation of shortage in delivery. Surely, Sir, in Government Departments, when there is a shortage in delivery, an investigation is made. But, I understand, in this case no investigation was ever made, and the shortage was covered up somehow.

With regard to the allegation about increase of staff and their promotion, I have spoken to someone this afternoon, and I was told of the bullying attitude adopted in that set up. I

understand that the Manager is a very haughty and arrogant man, and a very difficult fellow to deal with. Well, if he is that type of a man, then it is up to us to look into this. Members of the public have also told me that he is a very rude fellow. When you should telephone him, Sir, he would ask you who you are and when your name is given and you are not somebody, he would just bang the ‘phone. Then I asked, “Who is this man?” The answer was that he was brought in from Singapore. I am again asked, “What qualifications has he?” The answer was that he was in the Employees’ Provident Fund for a short while. And when I asked whether he had any banking experience, the answer was that he might have. I agree that he may have some experience, but not much, otherwise there would not have been these banking mistakes. We have banking systems set up all over the country and thousands of millions of dollars change hands every day and yet we do not find such mistakes as alleged by the Honourable mover. In fact, Sir, the E.P.F. should be reorganised and set up under the banking system, and with properly trained ledger clerks there would not be such mistakes.

Sir, it has been alleged this morning that there was an instance where one Enche’ Mohamed Taib bin Salleh applied for a refund of his contributions in December, 1959, and was given \$440—odd, and as a result of his protest it was found that the amount due to him was \$1,400—a difference of \$1,000. Now, Sir, a thousand dollars to a man like Mohamed Taib means a lot, because he has sweated for it and by the very hard way saved this money. If he had not protested, Sir, he would not have got about \$1,000, and that money would have gone into some reserve fund or suspense account, and later on to be treated as funds belonging to the E.P.F. set up. Sir, this state of affairs, I must say, is very disgraceful; something must be done immediately. In fact, it recalls to my mind what I suggested yesterday regarding the appointment of an officer for the Municipal Council of Kuala Lumpur,

which will soon be a Municipal Board. We can have a Federal citizen who is qualified to do the job, and it would be better if we could have one who is qualified in Economics.

Dato' Suleiman: On a point of order, Sir, he is not speaking on the motion before the House.

Mr. Speaker: He is only referring to what he suggested yesterday.

Enche' Chin See Yin: Thank you, Sir. A little reference is sometimes necessary.

Mr. Speaker: Not very long.

Enche' Chin See Yin: Yes, just a little. I am suggesting in all sincerity that we should have Federal citizens who are qualified—in fact we have so many that we can just pick them with our eyes closed. Why don't we use such officers? Why must we get somebody from outside who has not got the qualifications but who just happened to be in that Department? I in fact did not believe how rude this officer was, but after hearing from many persons I was inclined to believe that he was that kind of man.

Mr. Speaker: You are repeating.

Enche' Chin See Yin: No, Sir. I was saying that this officer was rude—I saw him this morning, and he is still in this House now—and, if you look at him, he is a very *sombong* fellow.

What I am going to suggest is that we must have a banking system organised and put into operation straightaway. Otherwise, millions of dollars will not be properly accounted for. It has been stated from the Government Bench that a sum of \$562 million has already been collected from the people. If a proper banking system will now be introduced I am sure these mistakes that occur every day will be put right, and I hope a Federal citizen with the proper qualifications will be soon appointed to take over from this manager, in order to put things right.

Sir, I am sure that a case has been made out with all facts and figures given, and even file numbers have been brought up for reference. And as

a result of that statement given by the Honourable mover, I think this House should be convinced that a case has been made out and an independent body should be appointed to look into the matter.

Enche' Tajudin bin Ali (Larut Utara): Tuan Yang di-Pertua, yang sa-benar-nya, saya tidak berhajat hendak berchakap, tetapi apabila datang-nya tuduhan yang tidak bertanggung-jawab daripada Ahli Yang Berhormat wakil dari Bungsar, saya minta kebenaran, Tuan Yang di-Pertua, berchakap ia-itu menentang usul yang di-kemukakan oleh-nya. Kita telah mendengar Ahli Yang Berhormat itu menerangkan dalam Dewan ini ia-lah mengeluarkan beberapa fail yang di-punyai oleh orang² 'awam (private) dan fail itu di-punyai oleh pejabat yang tertentu. Jadi, perkara yang di-buat oleh Ahli Yang Berhormat itu sangat²-lah tidak bertanggung-jawab, saya rasa kalau ia tidak mengambil atau men-churi-nya, ada-lah orang yang mengambil-nya dan ia menyokong perbuatan yang sa-demikian itu. Sa-bagai sa-orang wakil ra'ayat yang membuat pekerjaan itu, saya rasa ia tentu-lah tidak bertanggung-jawab, dan perkara yang demikian itu boleh di-da'awa dalam Mahkamah.

Tuan Yang di-Pertua, berkenaan dengan perkara ini saya berpendapat ada-lah satu chara pentadbiran biasa, kerana pejabat yang besar ini mentadbirkan seluroh Persekutuan Tanah Melayu. Dan apa yang di-nyatakan oleh pehak pembangkang dalam rumah ini ia-lah satu dua perkara sahaja yang tersilap dan kesilapan itu mereka tidak boleh tegaskan. Kesilapan pejabat yang berkenaan pada pendapat saya berangkali salah majikan memberi nama pekerja²-nya. Mithal-nya, Ahli Yang Berhormat Seremban Timor, menyebut ada-lah nama yang betul-nya ia-lah Talib, ia kata Taib. Dengan hal yang demikian, bermacam² ke-susahan yang di-tanggung oleh pejabat yang berkenaan, dengan jalan itu kelewatan berlaku.

Tuan Yang di-Pertua, pejabat ini memang mengeluarkan laporan² berkenaan dengan wang simpanan itu dari satu masa ka-satu masa. Saya sendiri

mempunyai 16 orang buroh. Laporan berkenaan dengan wang simpanan itu apabila saya terima tidak ada satu kesilapan pun yang terjadi semenjak beberapa tahun yang lalu. Di-samping itu pula majikan boleh menulis ia-itu meminta laporan yang tertentu daripada pejabat itu, dan saya rasa pejabat itu tidak-lah menjadi keberatan memberi laporan yang penuh. Tuan Yang di-Pertua, di-antara 16 orang yang bekerja dengan saya itu, baharu² ini sa-orang daripada-nya telah berhenti kerja, dan meminta wang simpanan-nya, peminta itu di-layan dalam masa 10 hari. Ahli Yang Berhormat dari Ipoh mengatakan satu perkara sahaja yang ia tidak dapat, tetapi ia tidak menyatakan perkara itu. Saya dapat mengeluarkan wang itu dalam masa 10 hari sahaja. Saya rasa tidak ada apa² kelewatan daripada pejabat yang berkenaan, wang itu telah pun di-gunakan dengan baik-nya ia-itu membeli sa-keping tanah dan sa-buah pondok yang kecil, kalau datang ka-tempat saya, boleh lihat (*Ketawa*)

Mr. Speaker: Under the Standing Orders you must direct your remarks to me, not to any other Member.

Enche' Tajudin bin Ali: Minta ma'af. Satu perkara sahaja yang pehak buroh tidak puas hati berkenaan dengan umor ia-itu sa-telah sampai 55 tahun baharu-lah mereka itu dapat menerima wang simpanan-nya, ini ada-lah desas-desus di-kalangan buroh menyimpan wang di-E.P.F.—perkara lain tidak ada.

Tuan Yang di-Pertua, kita telah pun di-nyatakan oleh Yang Berhormat Timbalan Perdana Menteri tadi ia-itu wang sa-banyak \$562 juta telah tersimpan. Ini satu kejayaan yang besar bagi pehak Kerajaan Perikatan mentadbir, membaiki kedudukan buroh dalam negeri ini, dan chara wang itu di-gunakan telah di-nyatakan ia-itu berfaedah sangat kepada pehak buroh. Tuan Yang di-Pertua, kalau boleh, saya suka menarek perhatian Dewan ini ia-itu kesusahan, ke'azapan pehak buroh dalam masa penajajah, mereka tidak ada tempat menyimpan wang-nya, dan apabila tua, mereka itu

tidak ada jaminan untuk mendudoki atau memileki apa² harta. Tetapi di-bawah pentadbiran pehak Perikatan pehak buroh menyimpan wang berjuta² ringgit, dan mereka akan gunakan wang itu pada satu masa yang tertentu.

Tuan Yang di-Pertua, berkenaan dengan konterekter sa-bagaimana yang di-sebutkan oleh rakan saya dari Ipoh tadi. Itu pun saya rasa pehak pentadbiran juga sa-bagaimana yang di-nyatakan oleh Yang Berhormat Timbalan Perdana Menteri ia-itu kesilapan di-kalangan kita manusia biasa ini tidak boleh di-elakkan, dan kesilapan itu tidak ada pun poin kosong² (.002) per cent, chara ini boleh kita terima di-buat oleh pehak pentadbiran. Tetapi, Tuan Yang di-Pertua, saya nyatakan dalam Dewan ini ia-itu saya umpamakan pehak pembangkang saperti orang Jepun ia-itu kalau buat salah—tangkap—gantong saya akan di-marah, kerana berkata begitu. Jangan begitu, kita pehak orang yang bertanggung-jawab, kita mesti-lah jalankan dengan sabar, kerana tidak ada yang lebeh daripada sabar. Kita ada mempunyai Board yang mengandongi 18 orang, tulis-lah surat kepada Board itu, kalau tidak puas hati, baharu-lah bawa ka-Parlimen. Jangan saperti yang di-nyatakan oleh rakan saya, Tuan Yang di-Pertua, pehak pembangkang chuma menchari "Cheap Publicity"

Enche' Zulkiflee bin Muhammad (Bachok): Tuan Yang di-Pertua, On a point of order, tidak-kah itu improper motives?

Mr. Speaker: Imputing improper motives pada sa-saorang, kalau pada sa-suatu parti itu sudah tidak ada lagi dalam undang² ini. Imputing improper motives to any person, to any member. (*Ketawa*). Please proceed!

Enche' Tajudin bin Ali: Tuan Speaker, ahli yang memajukan soalan dalam Rumah ini telah pun membuat tuduhan yang langsung tidak bertanggung jawab. Saya rasa beliau itu sendiri pun tidak berani berchakap apa² di-masa penjajahan dahulu, dan berkenaan dengan hal ehwal pentadbiran buroh, beliau itu maseh lagi *greenhorn*.

Enche' K. Karam Singh (Daman-sara): Mr. Speaker, Sir, the Honourable the Deputy Prime Minister spoke on behalf of the Government and we regretfully note that he did his best to mislead the House and the nation. What he said was that from this Employees Provident Fund \$562 million were available, that this money was used for the development of the country, and that it had gone to implement the development plans of our country. But, Sir, we do not say we are against the principle of the Employees Provident Fund. Instead of \$562 million, we would be even more delighted if this figure could be doubled. So, for the Deputy Prime Minister to bring in the principle of the Employees Provident Fund is to confuse the issue—to confuse it with the misadministration and the maladministration and irregularities that have been brought to light in this House. It does not mean that if \$562 million have been put at the disposal of this nation through the Employees Provident Fund, any irregularities, misadministration, maladministration or corrupt and irregular practices should be condoned. If such practices have been brought to the notice of this House, it is most unbecoming of the Government to refuse to inquire into them, because, just by closing their eyes, the Government cannot do away with these malpractices.

The Honourable the Deputy Prime Minister referred to a certain, so-called, “disgruntled person” who was an employee of the Board and who was dismissed from the E.P.F. Board. But, Sir, for the Deputy Prime Minister to make that statement is to assume that there is only one disgruntled element in our whole country in connection with this matter of the administration of the Employees Provident Fund. I would like to tell the Government, if it has not already known from the various examples that have been quoted by the Honourable Member for Bungsar, that there are thousands upon thousands of our workers and citizens who have been adversely affected by these evil practices obtaining in the administration of this Fund. To be fair to that,

so-called, “disgruntled element” or “disgruntled person” to whom the Deputy Prime Minister referred, I should say that at least that person has had the honesty to tell the Government, to tell the officers concerned, “If you try to suppress me, I will try and bring this up somehow or other to the attention of our nation”, and probably the officers of the Government thought that, by sacking that man, they could suppress the news of this maladministration leaking out. But they have failed! The honesty of that “disgruntled element”—I do not know whether he supplied the information or not, I cannot say and I do not know—the honesty of that man who tried to bring it to the attention of almost every officer of the Government in the department concerned about the practices obtaining in the E.P.F., and, finally, when he could get no redress, when he saw that the Government deliberately closed its eyes, he informed, probably, the Deputy Prime Minister or some other person that he would bring it up in this House, and by doing that I think this unknown soldier, whom the Deputy Prime Minister has referred to as a “disgruntled element”, has done a yeoman service to the thousands upon thousands of contributors who have suffered at the hands of these maladministrators of this Board. We hope that no Special Branch officers are set off after him.

Mr. Speaker, Sir, we find that the persons who are contributors are poor workers who may not even be able to read or write. To place obstacles in their path—to make them sign forms again and again, to make them send those forms time and again, to return the forms and tell them to fill in additional particulars, is just to harass them for the sake of harassing and not to make their own money available to them when they are entitled to it.

Mr. Speaker, Sir, all the facts that have been mentioned by my Honourable colleague not only point to the fact that there is maladministration—not only irregularities, but they also point out that there is a very strong tendency

to corruption. I can tell this House that on one occasion, I went with a certain friend—and that was some time ago, before I became a Member of Parliament—and that friend went to the house of one of the employees of the Board. He left me outside, about 50 yards away, and then he said he went to make some arrangements about getting some money out of the Board, with a “cut” for the employee concerned and with his own share. Of course, Mr. Speaker, Sir, I had nothing to do with the transaction. (*Laughter*)

Mr. Speaker: If an allegation you make in this House is serious, then you must be prepared to substantiate your allegation. That I must warn you.

Enche' K. Karam Singh: Yes, Sir. So we know, and it was widely known, that there was a racket also operating regarding the withdrawal of the Employees Provident Fund. Another fact from which we can draw a conclusion adverse to the Board is the fact adduced by my colleague the Member for Bungsar about the tenders for the removal of furniture. The tender for \$2,000 was not accepted, but the tender for \$6,000 was accepted; and the acceptance of this tender meant a loss of about \$4,000 of the contributors' money. Now we ask: was there any person who received any commission for the granting of this tender? Because we know that even in Government Departments nowadays, commissions are given to people who are able to influence in the decision on tenders. There, Mr. Speaker, Sir, are very strong inferences which we can draw from this, because no person in the Board would be foolish enough to just throw away \$4,000.

We remember that some time ago the Manager of the Employees' Provident Fund wrote to the papers blaming the employers for certain short-comings in the administration, but making certain people the scape-goats will not shift the blame anywhere. We would like to tell officers concerned that if they just blame employers, they cannot deceive the workers by making the workers believe that the employers are bad. That is a cheap trick which will not succeed.

Mr. Speaker, Sir, I say that if the Government is honest, if it is not closing its eyes in complacency, it will accept this motion and agree to set up an independent commission of enquiry.

Enche' Mohamed bin Ujang (Jelebu-Jempol): Tuan Speaker, kita dapati wakil daripada Socialist Front selalu menimbulkan tuduhan² dan chabaran². Tuduhan² dan chabaran² itu chukup berat. Pada petang ini, saya dapati tuduhan² itu timbul, daripada sa-orang yang di-katakan telah di-buang kerja dalam Badan itu dan dia-lah yang beri khabar itu kepada pihak pembangkang. Jadi, daripada dia-lah datang-nya tuduhan² ini dan nampak-nya pihak pembangkang memakai benar tuduhan² itu. Di-katakan tadi; Ahli Yang Berhormat yang baharu berchakap, mengatakan dia sa-bagai sa-orang hero—hero untuk memperjuangkan kebenaran ra'ayat. Pada fikiran saya, sa-benar-nya orang itu telah di-buang daripada pekerjaan-nya ia-lah sa-telah membuat satu kesalahan dan menchuba pula hendak membaiki diri-nya atau membersehkannya diri-nya. Jadi, untuk membersehkannya diri-nya atau pun untuk kepentingan dia sendiri, dia pergi-lah kepada pihak pembangkang tadi dan membuat tuduhan. Tuduhan lambat-itu-lah yang di-katakan

Enche' V. David: Mr. Speaker, Sir, on a point of order—S.O. 36 (1): The matter on which the Honourable Member is speaking is irrelevant. The matter is not connected with this motion at all.

Mr. Speaker: I rule that it is quite in order. Please proceed.

Enche' Mohamed bin Ujang: Sa-bagai yang saya katakan tadi, tuduhan² itu di-dasarkan kepada sa-orang sahaja. Jadi, kita di-sini tidak boleh menerima tuduhan itu. Saya fikir, sa-bagai yang di-terangkan oleh Timbalan Perdana Menteri tadi, Kerajaan ada-lah bertanggung jawab dan Kerajaan ada-lah puas hati akan pekerjaan yang di-jalankan oleh Badan itu dan kita tidak-lah boleh menerima tuduhan² yang tidak bertanggung jawab itu.

Dato' Mohamed Hanifah bin Haji Abdul Ghani (Pasir Mas Hulu): Tuan Speaker, saya bangun menyokong usul ini. Saya nampak bahawa sa-nya usul ini ada-lah berkaitan dengan kucar kachir Pentadbiran Kumpulan Wang Pekerja ini. Pihak yang membawa usul ini telah menerangkan atas fact² dan angka² maka belum lagi kita mendengar pihak Kerajaan yang telah membuat penafian dalam perkara ini. Saya rasa, perkara ini memang ada berlaku-nya dan saya sendiri telah pun pernah mendengar di-atas sungutan pekerja² yang lambat mendapat wang-nya. Jadi, perkara yang sa-umpama ini ada-lah perkara yang mustahak Wang Kumpulan Pekerja yang menegenai kepada buroh² dan pekerja². Maka patut benar-lah pihak Kerajaan memandang berat di-atas perkara ini dan menubuhkan Surohan Jaya, sa-kurang² menyelideki perkara ini supaya janganlah lagi berlaku perkara yang sademikian ini. Saya rasa, perkara chadangan ini di-mana telah dibawa oleh pihak penchadang dan pihak kita di-sini telah pun memberi penerangan, di-antara-nya ada menunjokkan angka² dan fact² dan tidak ada penafian lansong daripada pihak Kerajaan. Sebab, perkara wang pekerja² maka perlu-lah pihak Kerajaan supaya chadangan ini di-terima supaya dapat kita menyiasat dengan halus supaya jangan-lah lagi berlaku perkara ini di-masa² yang akan datang.

Enche' S. P. Seenivasagam (Menglembu): Mr. Speaker, Sir, whether we be green horns, or red horns, or any other horns, one thing stares us plainly in the face, and that is that the Government finds itself absolutely incapable today of defending itself against the charges which have been levelled. We have heard several speakers, perhaps there are more to come, but not one of the facts alleged by the Honourable Mover of this motion has been refuted. In the face of that, it is not surprising that the entire Opposition is united in expressing its fears at the manner in which the Provident Fund is being administered, and the fact that everybody on this side wants an enquiry should now, at least, lead the Government to think

twice and say, "Well, it is not the Peoples' Progressive Party, it is not the Socialist Front, but also others from the P.M.I.P. who feel the same way."

AN HONOURABLE MEMBER: What about Party Negara?

Enche' S. P. Seenivasagam: I do not know what Party Negara thinks about it; perhaps its views will be expressed, and also those of the Independents, at least one of them. In view of the large number of persons who have supported a Member from another Party in this motion, I feel that although it is late at this stage, the proper course would be for the Government to say, "There is something in it, though we do not admit it; but let us enquire into it."

One Honourable Member has expressed surprise that the Mover of this Motion was able to quote file numbers and he thought that there must be something fishy. He even suggested that this could be a matter which could be taken to Court. I would assure him that the manner in which the file numbers were obtained was perfectly legal—and there is no Public Prosecutor who would sanction a prosecution even if an application were made.

It has been suggested that perhaps, and indeed it is true, that we on this side of the House have made serious allegations which we should not make unless we are prepared to prove them. I agree that if any Member of Parliament makes an allegation, he must be prepared to prove it. We say today that we have made serious allegations, we want to prove them; so, give us a chance and appoint a committee of enquiry and we will prove every charge and will produce evidence in support of the charges made against you today.

Enche' Mohamed Khir Johari: Mr. Speaker, Sir, quite recently our Prime Minister has announced that every morning Radio Malaya will broadcast some sort of "Radio Taisho", with a view to encouraging people to do exercise every morning. I would ask Honourable Members of the Opposition to start doing this *radio taisho*. Up to

date, they have only been indulging themselves in one form of exercise, and that is jumping to conclusions.

Sir, I believe that the Honourable the Deputy Prime Minister has replied to most of the allegations that have been directed against the Employees' Provident Fund Department. I just want to say something on the question of the contract for the removal of furniture. Now, that contract for \$6,000 was not meant only to cover the cost of removing furniture alone but also the cost of removing about \$1,000,000 worth of accounting machinery, so that the Department had to be very careful in choosing the right type of contractor to do this very delicate job.

On the question of the printing of cards, I am advised that the printing of these cards need to be done to within 1/1000th of an inch for the machines, and only one printing firm in Kuala Lumpur was able to do that delicate job.

Now, one Member of the Opposition said that the Government has a biased attitude towards motions brought up by the Opposition. This morning we clearly demonstrated to the people, to the country, that where a motion brought up by the Opposition is considered to be fair, we readily accept such a motion (*Applause*). Sir, even in regard to this particular motion, if we think that such an inquiry is really desirable, we would readily agree that such an inquiry should be held. But if we hear one or two allegations from one or two Members, the Government is not prepared to accept those allegations unless they are fully substantiated.

There was one very serious allegation about corruption. I say that this House is not a forum for making such allegations and if any Honourable Member, be it from the Opposition or the Government Bench, who has got any evidence of corruption in any of the Government departments or quasi-Government departments, it is his duty both as a citizen and much more so as an M.P., to report the matter to the Police, unless he or they want cheap publicity in the papers.

With regard to the other allegations, I need hardly say that we have fully investigated into these disgruntled allegations and we find that they are without foundation.

There was one point brought up by the Honourable Member for Seremban Timor in which he cited the case of a man who was entitled to \$1,400 being paid only \$400. There might have been some mechanical mistake, or something like that, but I believe that if the E.P.F. Department had paid the man more than what he was due, then he would have said that the E.P.F. Department was very efficient.

Sir, I think I have answered most of the allegations that are worth answering, and I hope Members here would accept the facts that I have put forward to them.

Dato' Onn bin Ja'afar (Kuala Trengganu Selatan): Sir, I rise to make the shortest speech I have ever made in this House. I support the motion. (*Laughter*).

Enche' V. David: Mr. Speaker, Sir, it is very interesting to note about the morning exercises but I must tell the Honourable Minister of Commerce that he and his colleagues need exercise because they are frequently being admitted into the hospital. We in the Opposition in very rare circumstances are admitted into the hospital; we are physically and mentally fit.

Mr. Speaker, Sir, I would like to refer to Singapore. Just due to a small issue raised by the Opposition, there came the downfall of the Government after having an inquiry.

Enche' Mohamed bin Ujang: On a point of order, Sir, he is introducing a new subject.

Mr. Speaker: You are not allowed to introduce any new subject. You are entitled to reply to any arguments made in this House.

Enche' V. David: Yes, Sir, thank you very much. I was only making reference to Singapore to show why the present Alliance Government refuses to have an inquiry. The Singapore

Government under the ex-Chief Minister, the Honourable Tun Lim Yew Hock, did have an inquiry into the accounts of a particular man and later as a result of the inquiry it was ascertained that that particular man did obtain money by means which are not supposed to be proper, and deposited them into the bank; and there came the downfall of the Singapore Government. Similarly, Sir, the Alliance Members, who are seated opposite, are fearing that if such an inquiry were to be set up in the Federation their truth will be exposed and it will not be to their interest.

The Minister of Commerce also said that we are jumping to conclusions. I can always safely assure him that we only walk very cautiously towards conclusions.

With regard to the removal of furniture, Sir, in my speech when I moved the motion I did clearly stress that the transporting of furniture and fittings includes everything.

Coming to the printing done by Printcraft, I do not know whether the Minister is aware that there are printing presses in this country who were prepared to print ledger cards and who did submit their tenders but were rejected, because the Board intended to give it to a person who has something to do with the Alliance Party itself.

Sir, much has been said by several speakers about disgruntled employees. I must tell this House that whether an employee is disgruntled or frustrated, it is not my concern, but so long as he is in my constituency, it is my duty to represent him. If complaints, with facts and figures, are forwarded to me and are acceptable, it is my bounden duty to present those views to this House. I do not care whether Members of the Alliance Party like it or not, Sir, but it is my duty, as an elected representative, to present the views of my constituency.

The Minister of Commerce also said that if there had been an overpayment, the Members of the Opposition would have been satisfied. In my speech I quoted that there had been cases of overpayments and later recovered. I

did stress that by mismanagement and misadministration there had been overpayments of public funds. Therefore the Minister's reply is really irrelevant.

Coming to the Honourable Member for Larut Utara—a wellknown person for irrelevancy—he said that the matter can be taken to Court. Sir, we are not trying to prosecute anybody, but since it is a statutory body and public funds have been handled by this Board, when there are grounds to believe that such funds are being mismanaged, it is the duty of every Member of this House to bring it to the attention of this House, and if the House rejects it, we are not to be blamed. He also said that during the colonial period the workers did not have a place to save their money. I did not expect that he would be so ignorant as that. There were also Saving Banks to save money; but this is not saving money. This is security for old age and that is why the Employees Provident Fund was introduced in 1952. He also said it is a small matter. If a matter dealing with millions of dollars is a small matter, I don't know what is a big matter for the Honourable Member.

He also said that the Opposition Members have made irresponsible allegations. I have pointed it out with facts and figures and I have even given the numbers of files and contribution cards. What more do you want? But none of these allegations have been refuted by giving a suitable answer which would satisfy this House; but members of the Government Bench made desperate attempts—similar to a drowning man catching hold of a floating straw. Sir, the main question here, and what we are also concerned with, is, whether irregularities exist or not? In my humble opinion, Sir, I have submitted to the fullest satisfaction of this House and those who are self-conscious,—and I have proved it beyond doubt—that irregularities and mismanagement do exist in the Employees Provident Fund Department. But I am afraid that members of the Government Bench are looking towards this motion with hostility, because it comes from the Opposition. But it is unfortunate that they are

trying to hide the facts from the public and their representatives whom they have elected to this House.

Sir, I have nothing further to add, but I submit I have proved my case to the entire satisfaction, and the Alliance itself is afraid and running away from facing the facts.

Question put, and negatived.

DETENTION OF MEMBERS OF POLITICAL PARTIES

Enche' V. David (Bungsar): Mr. Speaker, Sir, in fact this motion has been standing in the Order Paper for many, many days, but fortunately it has come up for debate today:

That this House views grave concern the detention of members of political parties without trial, and resolves that a special all-party committee be set up to consider the possibilities of their release.

Mr. Speaker, Sir, I would like to make two points very clear at this juncture, (i) we believe that detention without trial is unfair in any democratic country, and (ii) we also feel that in any form of open trial there should not be political interference. But here, Sir, people arrested under the Emergency Regulations and later being detained under the Security Act do not have the chance of being brought to open trial. So, in such a case, the only alternative would be for me to call for an all-party committee. Therefore, it must be clearly understood that we are not supporting political interference in any judicial matter, but where judiciary does not provide a fair and clear-cut trial for any person arrested we are moving this motion for an all-party committee.

Sir, I would like to make certain references from certain books about the right of a citizen for a fair trial. In one of the books written by Lord Justice Jennings he has stated,

"I venture to assert that there is nothing more important in our civilization today than we should insist on this fundamental principle that no one should be condemned without a trial, by which I mean, of course, a fair trial. To all manner of people—rich or poor, Christian or pagan, capitalist or communist, black or white—to all manner of people the just must do right."

Sir, the Emergency Regulations was enacted in 1948 by our colonial

masters to hamper and sabotage the aspirations of the Malayan people for self-government and for this purpose they said there was communist uprising in this country and that only the Emergency Regulations could save Malaya from disaster. These Regulations went on until 31st July, 1960. During the period the Emergency Regulations were in force hundreds of people were banned from this country, many were hanged in the Taiping prison, and many were kept under detention for many years and released later on. Some are still kept under detention. Many of these people—in fact all of them—were not tried in an open court. They were not given the chance and the right to defend themselves as citizens of this country, but were arrested merely through suspicion and merely through hearsay evidence that they were collaborating, or they were trying to subvert the Government through unconstitutional means. Sir, some of these victims who were arrested and later released are today members of this House, but unfortunately I do not see how they are trying to subvert the Government through unconstitutional means. The Colonial Government after independence allowed the internal security in the hands of the Alliance Government. The Alliance Government gave many lame excuses and dragged the Emergency Regulations until 31st July, 1960. By then it prepared another law which was more a tragic to the human rights and replaced the Emergency Regulations by the Internal Security Act, 1960.

During the time of the Emergency Regulations, Sir, people who had been arrested were often told, "You will be given a fair trial"—a trial means a hearing will be given by a Review Commission. Who appoints the Review Commission? In the British Government the High Commissioner appointed the members of this Commission and these members just sat together and signed piles of reports produced by the Special Branch, then headed by Colonial officers. These reports were not scrutinized, and were based on hearsay evidence, based on suspicion and based on the hatred of people

aspiring to claim independence for this country. And later, Sir, even when Malaya attained independence, the Malayan Government followed suit in appointing the members of this Commission. Any detainee arrested under the Emergency Regulations had lost every hope of release by the Review Commission, because the Review Commission used to take dictation and direction from the Minister of Defence and the Cabinet itself. So, they thought it was fruitless to appear before a Review Commission. But it became a routine to the detainees once in every three months or six months, at least to appear before the Commission, as they thought they could breathe some fresh air outside the Camp, to see some new faces, and then walk back to the Camp.

Sir, some will dispute—and the Government and the Deputy Prime Minister himself will dispute—that the Review Commission is independent. I say it is not, and I also give some facts, glaring examples, why I say it is not. Four members of the National Union of Factory and General Workers were arrested on 31st October, 1957. These detainees did appear on several occasions before Review Commissions. I would like to give dates when and where they did appear. On 28th July, 1959, a Review Commission was held in Malacca. A subsequent Review was held on 10th August, 1959. After that the Johore Special Branch recommended that if \$10,000 security were given in the form of a bond by any well-known person, these detainees could be released. But the matter was not informed to their counsel. Their counsel wrote on 28.8.59 to the Commission to which the Commission replied again, "We are not going to release these people now; we will have to hold another inquiry." Again on 27.1.60 the Review Commission wrote back and said, "We are not prepared to release these people. We will have to reconsider again." Sir, similarly, the Review Commission in 1958 did make a decision to release these four persons under certain conditions. I would like to read these conditions, which later

were withdrawn by the Review Commission. The conditions to be imposed when they are released are as follows:

- (a) Excluded from the Police District of Johore Bahru.
- (b) Restricted to reside in an approved Police District.
- (c) Prohibited from participating in any form of trade union activities.
- (d) Prohibited from participating in any form of political activities other than exercising his right to vote.
- (e) To report once a week to the O.C.P.D. of the District in which he is residing.
- (f) Not to move from the Police District to which he is restricted without the permission in writing of the C.P.O. of the State in which he resides.
- (g) Not to change his residence within the District without the permission in writing to the O.C.P.D.
- (h) Bond in the sum of \$10,000 with one to ten sureties, each surety to be for a sum of not less than \$1,000. The detainees may themselves suggest addresses in any Police District or Districts other than Johore Bahru Police District and the proposed addresses will be considered by the Review Commission. This is the significance of the word "approved".

Mr. Speaker, Sir, I would also like to draw attention to the grounds of detention. It says: "Ng Cheng Leong, of Johore Bahru, connected with subversive and un-Malayan activities propagated by the N.U.F.G.W., Johore Branch, of which he was the Secretary. No. (2), Ng Lock Guan, Johore Bahru, connected with subversive and un-Malayan activities propagated by the N.U.F.G.W., Johore Branch." Ng Cheng Leong was connected with subversive and un-Malayan activities propagated by the N.U.F.G.W., which he was a Committee Member. It is

astonishing, Mr. Speaker, Sir, and I wonder what the Defence Minister and his colleagues mean when they say un-Malayan activities. What do they define? What is the definition of Malayan and un-Malayan activities? Anybody opposes, or is diametrically opposed to the views of the Alliance are called un-Malayans?

Mr. Speaker: Is it relevant to the motion before the House?

Enche' V. David: Yes, Sir, I am showing to the House. And when the decision was reached by the Review Commission to release these people on the conditions that I have stated, the Government, I am sure, would have said, "We are not prepared to release these people, give some fresh grounds to justify the stand of the Commission that they would not be released", and the Commission did so, because they are at the mercy of the Cabinet. Sir, when we see such a state of affairs, we cannot say that the Review Commission appointed under the Emergency Regulations was independent in nature and independent in action. No! It received dictation from the Government in power. Now under the Security Act we have an Advisory Board, Advisory Board which would advise the Minister whether they should be released or not. The Advisory Board, the name itself, says clearly that they cannot be released by the Board. The Board can only give advice. They can advise the Minister (who in turn will advise the Cabinet). The Advisory Board will say "Well, this is the position. We do not have sufficient evidence, but what shall we do? If you give us the order, we will justify our stand by framing new evidence." Sir, we are talking at all times of United Nations, and I presume Malaya is a full-fledged Member and that it subscribes to the principles of the United Nations. But I am afraid, I do not see that Malaya is really following or contributing to the aims and objects declared by the United Nations Human Rights Charter. Article 9 of the United Nations Charter reads, "No one shall be subjected to arbitrary arrest, detention or exile", and Article 10 says, "Everyone is entitled in full

equality for fair and public hearing by an independent and impartial tribunal in the determination of his rights and obligations and of any criminal charge against him." In view of these two Articles, we deem it justified in demanding for the release of all detainees. It is for that reason only that we are asking for a Committee to be set up. Sir, the International Commission of Jurists at the last Conference in Delhi have said, "Every Legislature in a free country under the rule of law, if we all believe in the rule of law, should endeavour to give full effect to the principles enunciated of Human Rights." But how far, Sir, do we in Malaya, and the Government and the party in power believe in the rule of law? If we believe, then we contribute to the decision of the Jurists Commission.

Sir, what atrocities are being committed! Why are these people detained in camp? My colleague at a recent meeting asked a question as to how many became insane due to detention. The Honourable the Deputy Prime Minister refuted the question and said that nobody became insane. I will give certain dates and time and why they became insane, and this will refresh the mind of the Honourable the Deputy Prime Minister.

In 1952 in the Ipoh detention camp, a detainee cut his testicles and later he was sent to Tanjong Rambutan. In 1955 five detainees were killed in the camp. A clash took place between the warders and the detainees; eight of them injured and five lost their lives—and these detainees were shot while they were inside their respective huts. No investigation took place and no inquiry was held. Of course, you will say that it was then the British Government—but the fact is that no public enquiry was held. Similarly, Sir, in the same manner it still continues.

Again, at the Batu Gajah detention camp—it is known to be a place of special detention; any detainee in the normal detention camp, if he violates the discipline of the camp, then only he is transferred to Batu Gajah. Now detainees without any breach of discipline are being sent to Batu Gajah.

This state of affairs drives me to the conclusion that we as a Member of the United Nations have no right to say that we are a democratic country.

Sir, I really pity the members, and I really do not understand how the members are coming forward to serve in such Boards and such Review Commissions. It should be below their dignity, their self-respect, to serve in such Commissions because they are not given the freedom to decide on the merit of each case. They are being used as tools by individuals and a group of people to achieve their own ends, and I really doubt whether it will be right for a High Court Judge to be Chairman of this Board. I find that according to a statement in the press that the Advisory Board has now been set up and the Board's chairman is a High Court Judge. It is shocking to see a High Court Judge accepting an appointment where it is below his professional etiquette because he cannot decide matters

Mr. Speaker: You are not allowed to do that under the Standing Orders. You must not say anything against the conduct of a Judge of the Supreme Court of the Federation of Malaya. It is laid down in the Standing Orders.

Enche' V. David: I am sorry, Sir. We will be glad to have a High Court Judge in such Commission, but the Judge must have powers, must be independent, to deal with matters purely on the judicial side—but not dictated as to what he should do. I construe this as political interference in matters which are connected with the Judiciary.

As to the other members of the Commission, I feel pity for them. They are so ignorant; they come to every sitting of the Commission—but now it will be the Advisory Board; and I wonder whether they are paid any allowance, they do not know what is going on; they merely put their rubber stamps on saying "Yes" on behalf of the Special Branch, without realising that their rubber stamping can cause destruction to the life of an individual. They are not going to sit within the four walls of a detention camp. The

detainees are going to be there, losing every right of freedom—the right to think, the right to associate and the right to live freely as citizens of our country. Nobody has so far proved that they are subversive though every time we hear that they are subversive, they are communist inspired, communist sympathisers. The definition of subversion, in this country, has not been clearly stated—to say that people who do this or that are subversive and if they keep away from such things they are not; any word or words, any action, can be construed as subversion.

I heard in a Court case—I am not trying to interfere with the case, I am only trying to quote a member—that the detainees in Muar Camp are considered as subversive for saying that the Malayan workers have been suppressed. I say one hundred and one times that the workers are suppressed. How could I be construed as subversive? If workers are suppressed, it is right for anybody to say that. How can you say that they are trying to subvert the Government? Sir, it is false, it is a misconception, it is trying to hoodwink the people and to mislead the nation to say that everybody who opposes the views of the Alliance are subversive. There is no constructive argument to put forward; the only excuse is subversion and the new Internal Security Act has provided ample power for the Minister, if he does not like the face of an individual to lock him up.

Sir, even in the Alliance Cabinet there are Members who had been advocating in the early stages for the removal of British troops from this country and to the British Administration they were considered as left wing elements in this country—we admire them. Where are they today? I hope they will place their hands on the hearts and ask themselves. I say to them, "Come out openly." I know the party discipline is there, but in their hearts definitely they agree with us; they definitely agree that such acts, such laws are suppressive in nature. There are many brilliant Members in the Alliance Cabinet itself who see eye to eye with our policy and our views

but are afraid to come out openly, because their background career, their long standing career in political life clearly exposes beyond doubt that they were the people who have been leading the left wing progressive elements, to reform society in line with the modern world. I am sure that these people will not contribute to the futile thoughts of certain individuals in the Alliance Cabinet.

Mr. Speaker, Sir, to my humble opinion, the Advisory Board is a farce. The Advisory Board is nothing but a tool of the Minister of Defence and his Cabinet. By the Minister minuting in the file that these men should not be released, which the spokesman of the Board has revealed to the detainees, I can challenge that this Board has no power as an independent body, because I have proved that the decision arrived at by the Commission in the past was later overruled by the Cabinet. Besides, the Special Branch has a big part to play. The Special Branch officers in this country, Sir, . . .

Mr. Speaker: You have been referring to the point over and over again. Do not repeat.

Enche' V. David: I am elaborating. The Special Branch, I feel, should be staffed with men who really know their job. Sir, when they trail somebody, they do not trail that person properly. If a man is going to a place, not likely to be appreciable to the Alliance Cabinet, the trailer does not follow to find out where this man is going actually, but he sits somewhere 20 miles away in a bar and after a few drinks he writes in his diary that on such-and-such a day so-and-so visited such-and-such a place. He just imagines and then puts in a report and on that report the destiny of an individual, a citizen, depends.

In my opinion, Sir, this Committee should be set up to consider the release of detainees who have been arrested under the Emergency Regulations and brought under the new Act. Whether the Government has the right to have these people inside detention camps without a fair trial until such length of time. That is the reason why I call

for an All-Party Committee. If it is an Alliance Committee, Sir, they will justify their stand by writing a report prepared by the Special Branch, and that is the end of it. But if they are members of all Parties they can then sit down and see whether they should detain these people or release them immediately. There are people who went into detention years back, Sir, and they are still there; they have no chance to come out. I ask that at least some of the people who are in the Alliance Cabinet and who agree with us should support this motion, which is in the interest of all those who have the interest of this country at heart. And, again, we do not want a record of this nature to go into the history of Malaya, to say that the Alliance Government were the suppressors of the aspirations of the people of this country.

Sir, I beg to move.

Enche' Liu Yoong Peng: Sir, I beg to second. My reasons are these: First, the Minister of the Interior said that the bugs in the Police cells at High Street, Kuala Lumpur, may still have the chance to meet the company of M.Ps., and the second reason is that the Prime Minister said yesterday that the Communists would be happy to note that there is a man in this House who is prepared to help keep their cause alive, thus giving me the honour to be the first man ever since the formation of the Ministry of Internal Security to receive the red *topi* from him. Under such circumstances the Opposition would naturally view with suspicion when only one political party, i.e., the Alliance Party, has the exclusive power to decide on the release of political detainees. I therefore support this motion that a special All-Party Committee should be set up so as to ensure that those detained are not being unduly discriminated against, simply because they could not agree with the views of the Government.

The Assistant Minister of Labour Enche' V. Manickavasagam: Sir, I rise to oppose this motion moved by the Honourable Member for Bungsar. During the course of his speech he has

been accusing members of the Review Commission, including Judges and others, or being stooges of Government.

Mr. Speaker: I have already said that he is not allowed to do that under the Standing Orders.

Enche' V. Manickavasagam: He has been accusing members of the Review Commission as stooges of the Special Branch.

Enche' D. R. Seenivasagam: On a point of order, Sir. May I ask for clarification whether the word "stooges" is a parliamentary word or not?

Enche' V. Manickavasagam: As tools, Sir. I wish to inform the House that if the members of the Review Commission had been tools of the Special Branch, the Honourable Member for Bungsar could not be here to champion the cause of the detainees. (*Applause*) I myself had the honour of being a member of the Review Commission for a number of years and I can say in this House that there were occasions—many times—when we disagreed with the recommendations of the Special Branch, when we found that the conditions imposed by the Special Branch were in a certain way very restrictive and we independently did decide to reduce those restrictions, and in some cases released the detainees. And here, Sir, the Honourable Member accuses at random, saying this and that.

Sir, the Alliance Government has always looked to the welfare of the workers. The Honourable Member has been talking about victimisation of workers. Sir, we have . . .

Enche' V. David: On a point of order, Sir. I did not say anything about victimisation of workers.

Mr. Speaker: He did not say that. Be careful!

Enche' V. Manickavasagam: Sir, the Honourable Member always quotes irrelevant facts, and here, too, he has quoted many things—charging the

Alliance Government. Again, Sir, I repeat that if it were not for the independent views of the members of the Review Commission, the Honourable Member would not be here today.

Enche' Lee Siok Yew (Sepang): Mr. Speaker, Sir, I rise to oppose this motion. This motion says "That this House views with great concern the detention of members of political parties . . ." I do not know which political parties it refers to; maybe it refers to political parties of the former Communist Party in this country.

Mr. Speaker, Sir, I myself was living in the "hottest" area during the Emergency period—at Ulu Langat, Kajang—and I remember that hundreds of rubber tappers were killed by the Communist terrorists. But when we heard the opening speech by the Honourable Member for Bungsar, we heard only several detainees; and several cases were on trial in open court by government. Mr. Speaker, Sir, I myself had experience because numerous detainees were released under sureties through me.

Sir, some of the detainees themselves after release came and confessed before me, saying that they had been doing something against the public, or some pro-communist activities. That is the reason, Sir, why they were detained by police. From certain information I have obtained, there are subversive elements throughout this country. Let us not forget thousands of lives were taken away during the Emergency period and how the economy of this country had been destroyed by the communist terrorists.

Enche' V. David: On a point of order. I do not say anything about communists in this motion. My motion is only about detainees who are still in detention camps. So, Sir, under Standing Order 36 (1) he is irrelevant.

Mr. Speaker: You must confine your observations to the motion before the House—that is to set up a committee of all parties.

Enche' Lee Siok Yew: I did not know "members of political parties"

mentioned here excluded members of the Communist Party. If the Communist Party is excluded, then I quite agree.

Enche' V. David: On a point of clarification, Sir. My motion does not include the Communist Party; it excludes the Communist Party. That means he accepts the motion. I am very glad, and I thank him very much (*Laughter*).

Enche' Lee Siok Yew: Mr. Speaker, Sir, for the reasons, and facts shown before us, Sir, I strongly believe that the people detained by the Special Branch has committed dreadful crimes against the wishes of the majority of the loyal citizens in this country. Therefore, Sir, I strongly oppose this motion.

Tun Abdul Razak: Mr. Speaker, Sir, I rise to reply on behalf of the Government on the assumption that there are no more Honourable Members other than the Honourable mover who will be speaking on this subject.

Enche' D. R. Seenivasagam: On a point of clarification, if I may be given way—that is a wrong assumption.

Tun Abdul Razak: Well, with your permission, I should like to explain a little bit on a matter of procedure. It is a known practice in parliamentary democracy as we know it that if any Member of Parliament were to criticise or to pass any comment on matters within the portfolio of a Minister, he should endeavour to do it before the Minister rises to reply. He should give a chance to the Minister to reply. Although this matter is not specifically stated in our Standing Rules and Orders, but, nevertheless, I think it is in the spirit of the Standing Rules and Orders, and I think if we do believe in parliamentary democracy, this practice should be followed; otherwise, it would be extremely difficult for the Government, as happened in the case of the previous motion where after I had spoken on behalf of the Government there were so many other speakers, to whom I had no opportunity to reply.

Sir, I must say that the Government strongly opposes this motion, because the Government considers that this motion is absolutely unnecessary. This motion merely brings back the old grounds, brings back matters which have already been debated fully in this House on many occasions. We had a great debate on preventive detention when the Constitution (Amendment) Bill was brought into this House, and again we had a prolonged debate on the principle of preventive detention when the Internal Security Bill was brought into this House; and again today the Honourable mover has brought this principle of preventive detention as part of the permanent law of this country. That is in the law, in the Constitution, and also in the Internal Security Law of this country. I would like to say again, Sir, as I have said on previous occasions, that it gives the Government no pleasure to put any one under detention but the Government feels it necessary to do that in some cases if the Government considers a person a security risk to this country. Now, Sir, the Alliance Government is prepared to stand on its record on this question of detention. In the middle of 1957, the total number of persons under detention was 254; today the number is less than 70, and the cases of these 70 persons will continue to be reviewed and as and when the Government is satisfied that any of these persons is loyal to this country and no longer presents a security risk, then he will be released. As Honourable Members are aware, some of the high ranking members of the Communist Party have been released, and the particular gentleman the Honourable Member referred to in this House on many occasions, Mr. Balan, has been released. As I say, it gives no pleasure to this Government to detain any one any longer than is necessary. But this Government is responsible for the security of this country and for the wellbeing of the people of this country. Although the Emergency came to an end on 31st July this year, we still have the remnants of the Malayan Communist Party on our borders, and there are in this country agents of the

Communist Party who, given the chance, would endeavour by subversive acts to overthrow this Government or any constitutional Government in this country by unconstitutional means. So, therefore, it is because of such people that the Government considers it necessary that there should be this law of preventive detention. Sir, under the Internal Security Law, the Government is responsible for the security and therefore the Government must have the power to decide on this question of detention.

I do not wish to detain this House by going back on matters which have been discussed before. On the question of the Review Commission, my Honourable colleague the Assistant Minister of Labour has replied to that point. I have informed this House that the Review Commission under the Emergency Regulations was independent. The Honourable Member for Bungsar quite clearly is the obvious evidence of that, and he himself should have known that if the Government or anybody else had any influence on the Review Commission he would not be where he is now. Sir, that is why the Government considers that this motion is quite unnecessary, and, therefore, the Government strongly opposes this motion.

Enche' D. R. Seenivasagam: Sir, I assure the Honourable the Deputy Prime Minister that I am not going to take advantage of the fact that perhaps, as he states, I am breaking parliamentary practice, because I do not intend to say anything to which a reply is necessary. It is true in parliamentary procedure the Minister in charge is given an opportunity to reply to all attacks. But I wish to say one thing on that matter: Do unto others as you would wish others to do unto you. There are certain customs not written in the Standing Orders which are not being followed when the Opposition ask for certain concessions.

I support this motion, and I support it on the ground that preventive detention is inhuman, and that the method by which the detainees are being dealt with is not a satisfactory

method. The motion asks only for looking into those who are now detained and, therefore, does not offend the spirit or the intention of the provisions of the Security Act.

There is one comment I wish to make, and that is on the reference made to the fact that the Honourable Mover of this motion is a free man, and, therefore, has nothing to complain of. The Government side gives one reason why he is free, but we must appreciate that there are many reasons why Mr. David, the detainee, is today the Honourable Member for Bungsar, and a free man. One of those reasons could be that the Government though it politically unwise to detain Mr. David at that time any longer in a Detention Camp in Malaya. Public opinion was mounting, and mounting very strongly, against the Government of the day for keeping the Honourable Member for Bungsar in the Detention Camp. It did not do a merciful act, but, I say, an act of fear of losing popularity for an act which was clearly wrong. Therefore, in considering this matter, we should not say because so-and-so was set free, the procedure and the system is good. We should ask ourselves: what about those who are not set free? Is the system working satisfactorily there?

Mr. Speaker, Sir, as I have said, I don't want to break any customs—Do unto others as you would wish others to do unto you. For that reason I stop here.

Mr. Speaker: If no other Member wishes to speak, I shall ask the mover to reply if he likes.

Enche' V. David: Mr. Speaker, Sir, I wonder how many citizens of this country have faced with ill-fate in the hands of the Assistant Minister of Labour when he was a member of the Review Commission. But facts will speak for themselves, and I am not prepared to go into them.

My Honourable friend from Sepang, who I understand became a member of the M.C.A. just a few weeks before the Parliamentary Elections, spoke at great length. Sir, my Honourable friend

himself, who stood for State Elections as an independent, was later persuaded by the Alliance not to oppose the candidate of the Alliance, withdrew and stood during the Parliamentary Elections.

Enche' V. Manickavasagam: On a point of order, Sir.

Enche' V. David: I am sorry.

Enche' V. Manickavasagam: Sir, I refer you to S.O. 36 (1).

Mr. Speaker: (*To Enche' V. David*) You should not refer to that—it is not relevant.

Enche' Lee Siok Yew: Sir, on a point of information.

Enche' V. David: I refuse to give way, Sir. (*Laughter*).

Mr. Speaker: (*To Enche' Lee Siok Yew*) Unless he gives way, you cannot speak on a point of information.

Enche' V. David: Never mind, Sir, I will give way. (*Laughter*).

Enche' Lee Siok Yew: I am a life member of the M.C.A. (*Applause*).

Enche' V. David: But, Sir, unfortunately he withdrew as a candidate from the State Elections for reasons which he himself knows.

Mr. Speaker: That is not relevant!

Enche' V. David: But on one matter on which he contradicted the Deputy Prime Minister, I really welcome that. He said whether this motion intended to invite members of the Communist Party. I can boldly say, "No". My intention was not to invite the members of the Communist Party but members of the other parties represented in this House, and as such he has already given his agreement in support of my motion (*Laughter*), which contradicts the statement of the Honourable the Deputy Prime Minister. The Honourable Member also said that people had confessed to him, but I only know confession in places where somebody becomes a dictator, and people go and confess to him, "I have done this,

please forgive me." But whether he assumes the role of a dictator in his constituency and people went to confess to him saying that they were against the public and that they had committed atrocities. Sir, it should be borne in mind that the Member who says this comes from a place where there are New Villages, and it is the New Villages that are largely affected by the Emergency Regulations and the new Act. A large number of people, in fact, have become the victims from the New Villages, and it is so unfortunate that the Honourable Member is ignorant of these facts that the members of the New Villages have been affected by detention under the Emergency Regulations.

Sir, I now come to the statement by the Deputy Prime Minister who said that there are only less than 70 detainees in the Detention Camps. Whether there are 70 or there are 20, is there any justification on the part of the Government to still detain them in the Detention Camps? My argument is that there is not, because they are not convicted by the Court, because they are held on suspicion—they are held on suspicion because they are not willing to contribute to the ideals and the aims of the Alliance Government. Also, mention was made about Mr. Balan, who was released recently. But the fact that Mr. Balan has been released from Detention Camp does not mean that he is enjoying the freedom as other citizens are enjoying. On him heavy restrictions have been imposed by the Government: firstly that after 12 o'clock every night he cannot leave his house. The second condition is that he will have to obtain permission from the O.C.P.D. if he wants to leave the town of Ipoh. So it does not mean that though Balan has been released, he is free. I feel he is only free by the word, but actually not in spirit as a citizen should be. The Deputy Prime Minister has said that the people who are considered to be loyal to this country would be released. The question of loyalty and disloyalty have been arisen in this House on several occasions. I do not understand what he means by "loyalty"—whether

anybody who does not support him or oppose his views is disloyal to this country or any other form of disloyalty.

However, Sir, there is nothing further to reply, because the argument put by the Government Bench is very vague in nature and it does not satisfy in any respect. Sir, in my humble

opinion this motion is extremely necessary in order to review the cases of those detainees who are undergoing undue hardship.

Sir, I beg to move.

Question put, and negatived.

Adjourned sine die at 4.30 p.m. o'clock.