

PREFACE

The main idea of writing this academic exercise is to fulfill the requirements as a compulsory paper, Practicum on Local Historical Problems of Malaysia, for final year history students. The first part of the exercise deals briefly with the history of the Penang City Council until 1957. The second part deals with the discussion on the objectives of the local government, and the aim is to acquaint the readers with the structure of the local government so that the readers could understand the purpose of local government in Malaysia. The third and the fourth parts deal respectively with the evaluation of the function of the City Council of George Town, Penang and make recommendations for reforms in the Council, which would likely be beneficial to the public. The final part puts the question to the readers whether we should maintain democracy at local level and at the same discussion is briefly given on the position of democracy found in Malaysian Society.

**AN EVALUATION OF THE FUNCTIONS OF
THE CITY COUNCIL OF GEORGE TOWN
PENANG 1957 - 1966**

BY:

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VI. Reference. The readers are to note that the opinion given in this exercise is the writer's and any defects would be the responsibility of the writer.

Mat Lasin Awang.

The History of the City Council of George Town, Penang

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The significance and life of Penang City Council dated back as far as 1800 when a Committee of Assessors was elected from among the citizens of George Town. The task of the Committee was to take charge of the planning and lay out of the town in a manner most suitable to the requirement of the inhabitants. (1) The birth of the Committee of Assessors was important in the light of increasing population as a result of the discovery of tin in the interior of the island. The East India Company founded Penang in 1792 the inhabitants was said to number ten thousand and occupied the ill-drained and swampy area around the harbour where many of the houses were built on stilts.

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As far as the Committee was concerned it had no legal recognition until 1872 when the Municipal Corporation Act No. 1, accorded the Committee its official status. Its jurisdiction embraced the whole of Penang Island. Changes toward this direction had links with the changes in England. The passing of the Reform Bill of 1832 were followed by the Municipal Corporation Act of 1835. Following the Municipal Corporation Act of 1835, Act No. XII was passed on 20th. April 1839 which repealed the Regulation of 1827, applying to George Town, Singapore and Malacca, within its Municipal limits, the assessment of tax, the collection of revenue and the objectives of the expenditure, however this Act did not give way for the establishment of the Municipal Council.

Commission of Enquiry to enquire into the Affairs of the City Council of George Town, Penang, 31st. December, 1955 up to 30th. June, 1966, Part I of the Report of the Commission, Page 8, Penang, Past and Present, 1786 - 1963, Page 1. The Government of Bengal,

There was a concern over the dissatisfaction of the 1839 Act. It was
succeeded by the The history of the City Council of George Town, Penang 25th
1848.

The significance and life of Penang City Council dated back as early as 1800 when a Committee of Assessors was elected from among the citizens of George Town. The task of the Committee was to take charge of the sanitation, cleansing and lay out of the town in a manner most suitable to the requirement of the inhabitants.⁽¹⁾ The birth of the Committee of Assessors was important in the light of increasing population as a result of influx of immigrants after the East India Company founded Penang in 1786. By the year 1792 the inhabitants was said to number ten thousand and crowded the ill-drained and swampy area around the harbour where many died of the fever.⁽²⁾

The year 1857 has been regarded as a landmark in the foundation of Penang. The Committee of Assessors was appointed by the people with the exception of the Chairman who was nominated by the government. As far as the Committee was concerned it had no legal recognition until 1872 when the government[©] by Regulation No. 1, accorded the Committee its official recognition. Its jurisdiction embraced the whole of Penang Island. Changes that took place toward this direction had links with the changes taking place in England. The passing of the Reform Bill of 1832 were followed by other reforms, one of which was the Municipal Corporation Act of 1835. Following the Municipal Corporation Act of 1835, Act No. XII was passed on 29th. April 1839 which repealed the Regulation of 1827, applying to George Town, Singapore and Malacca, within its Municipal limits, the assessment and tax, the collection of revenue and the objectives of the expenditure. However this Act did not give way for the establishment of the Municipal Council.

(1) Commission of Enquiry to Enquire into the Affairs of the City Council of George Town, Penang, 31st. December, 1958 up to 30th. June, 1966, Part 1 of the Report of the Commission, Page 8.

(2) Penang, Past and Present, 1786 - 1963, Page 1.

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There was a concern over the dissatisfaction of the 1839 Act. It was succeeded by the Draft Municipal Act of 1846 which took effect on March 25th 1848. For example, in 1850 the editor of the Penang Gazette made criticism to the administration of the Act.

One obvious feature of the Act of 1846 was its extensive administration embracing the whole of Penang which attributed to its inefficiency. Criticism over this inefficiency was levied against the East India Company. Subsequent Acts were passed as an attempt to improve the administration of Penang. The attempt toward this end, came to forth with the Act No. XXVII of 1856 which provided for the appointment of Municipal Commissioners who had definite duties to perform and power to levy assessments for the purpose of carrying out these functions as the upkeep of roads and buildings. The Municipal Committee was recognized in 1857 by the Indian government. The year 1857 has been regarded as a landmark in the foundation of Penang Local Government. Elements of democracy were introduced with the first elections held in December, 1857. Attempts toward this step met with failure. Few voters troubled to register and fewer had any notion of what they were doing⁽¹⁾. Elections were viewed as a requirement to fulfill the Act and there was nothing in that reform to arouse the public interest⁽²⁾.

However the working of the Municipal Council was not as efficient as desired. This was due to the fact that Penang was under the control of the Indian Government. All the taxes and rules laid down were illegal and had never been sanctioned by the government in Bengal. Before the transfer of office, the Commissioner collected revenue on all Penang, but spent only on George Town. After the transfer of power, situation changed in 1886, when the Committee appointed by Governor Weld was charged with the task of preparing Draft Bill for separating George Town administration from the administration of the countryside. By this Draft Bill it simplified the system of collecting the municipal revenue. The municipality then concentrated on its defined scope of responsibility. Although there was a separate

(1) Op. Cit. Page 19

(2) Ibid Page 19

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administrative function between the town and the countryside, the municipality still lacked its efficient administrative machinery to cope with its work. For example, in 1890 the editor of the Penang Gazette made criticism to the municipal administration which read, "The town is not so healthy as it was. Closely as the commission watch expenditure and devise every means for guarding extravaganza, they are careless of public health."

The municipal then became more sensitive to public pressure when the first election was held in 1957. The responsibility which had been imposed on the shoulders of the Municipal Commissioners was transferred to the new elected council. With its first elections, the municipality of George Town was run more and more on democratic structure until it was taken by the Chief Minister of Penang in 1966.

such an entity is elected or otherwise locally selected (1). Another possible definition of local government was given by John J. Clarke, in The Local Government of the United Kingdom (1955) in which he stated that "Local government is that part of the government of a nation or a state which deals mainly with such matters as concern the inhabitants of a particular district or place together with those matters which parliament has deemed it desirable should be administered by local authorities, subordinate to the central government. The local bodies so charged with these functions are in the main elective." Thus it is very clear that the ideas incorporate in this definition means that the local government is, in short, the authority to determine and execute measures within an area inside and smaller than the whole state.

The study of local government and administration, just like the study of national government in its related aspect, is basically an investigation of the ways in which political power is organized and utilized. In the study of local government and administration one unique characteristic is clear which sets it apart from the national government. That unique feature is

(1) Senator Dato' Athi Mahapuan, Report of the Royal Commission of Enquiry to Investigate into the Workings of Local Authorities in West Malaysia, December 1968, Page 29.