

**RESOLUTION ADOPTED DURING THE 30TH SESSION OF THE NATIONAL
ASSEMBLY OF BHUTAN HELD ON 27TH MAY, 1969 CORRESPONDING TO 11TH DAY,
4TH MONTH OF THE EARTH BIRD YEAR**

1. MATTER RELATING TO EXTENSION OF FIRE LIMIT IN SHIFTING CULTIVATION

According to the decision of a past Assembly Session, no penalty was to be imposed on villagers for starting fires within an area of 120 yards from the boundaries of shifting cultivation land. The people of Kheng (Shemgang) represented to His Majesty the King during his visit to Tongsa and Shemgang that the area permitted was very small, and that if the fire went beyond the permissible area a fine was imposed on the villagers by the civil authorities. It was therefore requested that there should be no penalization for starting a fire within 200 yards of the boundary of the shifting cultivation land. After considerable debate, a further exemption of 30 yards was allowed, extending the total exempted area to 150 yards, within which no penalty would be imposed for making fires.

2. MATTER RELATING TO TAX ON CONVERSION OF SHIFTING CULTIVATION LAND INTO DRY AND WET CULTIVATION LAND

In order to encourage conversion of shifting cultivation lands (tseri) into dry or wet lands, it was decided that all the farmers desirous of carrying out such a conversion would be entitled to pay taxes for 2 or 3 years as per the prevailing rates for Tseri. However, as soon as the first crops were harvested from such converted land, the farmers concerned would have to start paying taxes according to the type of land in their possession, i.e. dry or wet. Inspection would be carried out by the local civil authorities, village headman and assistant headman. This decision applied not only to the farmers of Kheng who were mostly dependent on shifting cultivation, but to all other parts of the country where this practice was in vogue.

3. MATTER RELATING TO PROTECTION OF FOREST FROM FIRES

Large scale outbreaks of forest fires had been occurring all over the country in the recent past, destroying valuable forests. Forest guards appointed as per decision of the previous sessions of the Assembly for forest fire protection had not been effective. As such, it was decided that one man would be employed as a fire watcher in each village and placed under the control of a Chipon. The fire watcher would be on duty for a period of five months commencing from the 11th month to the third month of the Bhutanese year. The fire watcher would be exempted

from both internal compulsory labour and Chunidom. The person found responsible for a forest fire would be given 3 months' imprisonment and not be eligible for bail. In the event of a forest fire, all the villagers of the surrounding areas would have to come forward to extinguish it. If they failed to do so, and to apprehend the culprit, the village community would be penalized in lieu of three months imprisonment. If the fire watcher was found absent from his village or negligent in the discharge of his responsibilities, he would be fined Nu. 70/- and the culprits Nu. 200/- in lieu of three months imprisonment.

As forests in Southern Bhutan were fully under the charge of the Forest Department, the above rules would not apply to the villages of Southern Bhutan. However, they should abide by the rules passed by the Assembly during the 26th day of the 3rd month of the Water Hog Year (19th Session).

4. MATTER RELATING TO FREE DISTRIBUTION OF WHEAT SEEDS

In the past improved varieties of wheat seeds were being loaned on interest to the farmers by the Department of Agriculture. The Assembly decided that in order to promote the welfare of the farmers, wheat seeds should be distributed free of cost in future. In order to reap the maximum benefit from this scheme, farmers were enjoined by the Assembly not to consume the wheat seeds so distributed but to multiply them as much as possible. The Dzongdas and the people's representatives of the Assembly were directed to take personal interest in the programme and to submit a report in this respect to the next National Assembly Session.

5. MATTER RELATING TO THE DISTRIBUTION OF PIGLETS

The Department of Animal Husbandry was given a directive by the Assembly to distribute improved breeds of piglets (six months old) for breeding to villagers free of cost during the 2nd plan period. The Dzongda and the people's representatives were asked to submit a report on the success of this scheme in the next Assembly Session.

6. MATTER RELATING TO EXEMPTION FROM CHUNIDOM

In the last Assembly Session, the exemption of Thencha to the skilled labourers from chunidom was abolished as it was resolved to increase their wages. However, on the advice of Dasho Zori Chichap during the current session, it was decided that the exemptions of one person each from chunidom granted to skilled craftsmen earlier be re-introduced.

7. MATTER RELATING TO THONGDYOEL (RELIGIOUS PAINTINGS) AT KURJI LHAKHANG

Many centuries ago Guru Rimpoche (Padmasambhava) visited Bumthang and left his sacred impression on a rock on which the Kurji Lhakhang was later built. The Assembly decided to make a Thongdyoel in Kurji Lhakhang for the peaceful repose of the soul of the great Indian leader Dr. Zakir Hussain, and also for the souls of those Indians who died in the last October floods. The costs towards making the Thongdyoel would be borne by the Government.

8. MATTER RELATING TO ROOFING OF TONGSA DZONG

During an earlier session of the Assembly, it was decided that the shingle roofing of Tongsa Dzong would be replaced by CGI sheets as soon as a motorable road to Tongsa had been constructed. In view of this decision and the importance attached to the Dzong, the government agreed to meet the expenditure towards the purchase of CGI sheets. The Tongsa Dzongda was directed to procure the necessary timber for the CGI sheets and inform the Government accordingly.

9. MATTER RELATING TO MATERIALS FOR RENOVATION OF IRRIGATION CHANNELS

Following the floods, some of the Irrigation channels and bridges were badly damaged. In order to undertake the flood relief works, the government of Bhutan received flood relief grant from the government of India. It was decided in the previous session of the Assembly that unskilled labourers engaged in flood relief work should be paid Nu.2/- or Nu.1.50 per day according to the availability of funds. However, it was felt that wages need not be paid in view of the fact that the work was of direct benefit to the villagers. The issue was put to the ballot and it was found that 64 members were in favour of paying wages and 63 were against. It was therefore decided that the government would pay the wages after meeting the expenditure of materials like explosives and cement from the relief fund.

10. MATTER RELATING TO BHUTAN'S MEMBERSHIP IN UNO

Since time immemorial Bhutan had remained independent and peace loving. In keeping with its desire, the Government of India agreed to sponsor its membership of the United Nations

Organization. However, the matter was kept pending over a long period of time. As such, the Assembly entrusted HRH Tengyel Lyonpo with the responsibility of again discussing the matter with the Government of India so as to enable Bhutan to become a member of the United Nations Organization during the 25th session of the United Nations General Assembly, scheduled to be held in September, 1970.

11. MATTER RELATING TO FREEDOM OF SPEECH

In the 1968 Autumn Session of the Assembly, His Majesty the King had suggested to the Assembly members that they might consider extending the right of freedom of speech, which they enjoyed within the Assembly, to all citizens of the country. As the debate on this issue during the Autumn Session was inconclusive, it was decided during the Spring Session of 1969 that the members should report back after due consultation with the public. After a long debate in the current session, most of the members felt that granting freedom of speech to the people, although good in principle, was premature in view of the general backwardness of the people and their lack of political consciousness. Therefore, vote on this matter was conducted and 80% of the members were not in favour of granting freedom of speech. The Assembly therefore, resolved that the public would not be granted the freedom of speech at present.

12. MATTER RELATING TO THE SYSTEM OF GOVERNMENT

Though Bhutan had so far achieved stability and prosperity under a system of hereditary monarchy vested with absolute powers, His Majesty the King nevertheless felt that, in keeping with the changing times, a system of constitutional monarchy would now be the most desirable form of Government for the country. As such, His Majesty suggested the development of a system of government in which the King would continue to rule only so long as he enjoyed popular support. His Majesty the King therefore proposed to introduce voting system so as to remove a particular ruler, if he is found unfaithful in the interest of the country and its people by a two third majority vote of the Assembly members. After a considerable deliberation, the Assembly had resolved to introduce the same as per His Majesty's proposal. The Assembly ratified His Majesty's proposal.

13. MATTER RELATING TO VOTE OF CONFIDENCE

In accordance with Resolution No. 12, His Majesty proposed that the Assembly should frame a rule for voting on the confidence enjoyed by the King, explaining that if such a rule were

not framed immediately, it would be difficult in future to approach any unfaithful ruler. After considerable deliberation, the Assembly resolved that the said vote of confidence would be held every three years. As per His Majesty's command, the first vote of confidence on the King was held during the current session 135 members voted in favour of the present King's continuance, while 2 members voted against it.

14. MATTER RELATING TO RELEASE FROM ARMY SERVICE

It was reported in the Assembly that a substantial number of soldiers applied every year to be released from the Royal Bhutan Army on grounds of personal and domestic difficulties. The Assembly resolved that such release would only be granted in bonafide cases after a thorough enquiry had been carried out by the local Dzongda, the village headman and assistant headman. The vacancies in the army so created would be filled by suitable recruits from the villages.

15. MATTER RELATING TO THE APPOINTMENT OF DASHO DAWA TSERING AS DEVELOPMENT MINISTER

In view of the meritorious service rendered by Dasho Dawa Tsering as Director of Education and later as Secretary and Secretary General of the Development wing, His Majesty the King proposed to the Assembly that he should be elevated to the rank of Lhengyel and to be appointed as Minister for Development. The Assembly accepted the proposal by a majority vote.

16. MATTER RELATING TO TREATMENT OF LEPROSY PATIENTS

The Assembly decided that the headman and assistant headman of the villages should detect all cases of leprosy in their jurisdiction and report the matter to the Health Department through the local Dzongda. The Health Department would then check the person concerned and decide whether treatment was to be given at home or at a leprosy hospital. The expenses of those hospitalized would be borne by the Health Department. Cured patients would be allowed to return to their villages only on production of the necessary certificate from the doctor concerned. Certificates should also be granted to those considered fit for treatment at home.

17. MATTER RELATING TO FOOD POISONING

The people's representatives of Kurtey and Mongar reported in the Assembly that persons found to have served contaminated food with harmful intention should be severely punished. The Assembly decided that once the persons indulging in such malicious acts were identified the concerned people should then and there be informed not to take anything from them. In the event that the death of a domestic animal from the above cause had been proved, the culprit should be punished by the district judges as per the law of the country.

18. MATTER RELATING TO AWARDING OF MEDAL TO MR. N.F. SUNTOOK

In view of the outstanding services rendered by Mr.N.F. Suntook, Financial Advisory and Chief Accounts Officer in the Ministry of Development during his three year tenure on deputation in Bhutan (1966-69), His Majesty the King proposed to the Assembly that he be given a medal. The proposal having been accepted by the Assembly, His Majesty the King personally conferred on Mr. N.F. Suntook the award of 'Drukshung Thugsel'.

19. MATTER RELATING TO RE-INCARNATION OF FOREIGN LAMAS IN BHUTAN

As Bhutan being a Buddhist country, it was apprehended that in future many Tibetan Lamas may re-incarnate in Bhutan. In order to avoid embarrassment, the Assembly noted that if any Tibetan Lama re-incarnated in Bhutan, those coming in recognition of the reincarnation should report the matter to the government and be accompanied by representatives of the Monk Bodies, two government officials, and the village headman of the village where the birth took place, to carry out the following tests

- i) The reincarnate Lama (Trulku), between 3 to 5 years of age, should be able to recount details of his previous life.
- ii) He should be able to identify items of his personal possession of the previous life from many similar objects.

If the Trulku was found to be genuine, and decided to leave the country with those recognizing him, he would forfeit his citizenship on the very day he left the country. In the event that his parents desired to visit the Trulku and return thereafter, they were to obtain the necessary permission from the local Dzongda. If the Trulku wished to return to Bhutan, he

would be required to obtain a permit like any other foreigners entering the country. He would be permitted to stay at the place of his birth, but he

would neither be permitted to introduce any new religious system nor to set up any new monastery or monk body. Trulkus desiring to stay in Bhutan

and would wish to join the Monk Body would be governed by the rules and regulations of the country's monk body.

20. MATTER RELATING TO THE LEVYING OF GOVERNMENT TAX

It was decided in the Assembly to introduce the following taxes :-

- i. Sales tax
- ii. Export Import duties
- iii. Fees on trade licence
- iv. Income tax on contractor
- v. Toll tax
- vi. Salary tax

As directed by the Assembly, the Ministry of Finance would work out the proper procedure and other necessary details for introducing the above taxes.

21. MATTER RELATING TO AWARD OF LIQUOR SHOPS AND OUTSTANDING TAXES

With a view to increasing the Government revenue it was decided that with effect from the 8th month of 1969, tenders for liquor shops would be open to both nationals and non-nationals. Except in the case of those producing Kashos from His Majesty the King, the contract would be awarded to the highest bidder. On obtaining the contract, it would be obligatory for the contractor to pay the royalty in the same year, failing which the matter would be forwarded to High Court which would then depute the police to collect the dues. The T.A. of such personnel would have to be borne by the contractor. This practice would apply to all defaulters of Government royalty or tax.

22. MATTER RELATING TO LAND TAX

It was resolved that the annual taxes on land would have to be paid fully to the concerned Dzongdas by the 12th month of each year. Further, it was decided that in case the public failed to pay taxes due to natural calamities like floods, they should report to the Hon'ble Finance Minister through their respective Dzongdas.

23. MATTER RELATING TO BAN ON GAMBLING

Several new types of gambling games were found to have been introduced in towns in the interior of the country. The Assembly resolved that the Thrimpon should enquire into the matter and strictly prohibit such gambling in towns except in the Southern Border.

24. MATTER RELATING TO LANDLESS PEOPLE OF SOUTHERN BHUTAN

The landless people of Southern Bhutan known as 'Sukumbasis' were being settled on forest lands without having to pay for their land. The Assembly decided that henceforth the 'Sukumbasis' would be treated on a par with the landless people of interior Bhutan i.e. they would be allotted land on payment of the prescribed price. They would have to settle in areas where there were no forests.

25. MATTER RELATING TO ANONYMOUS PETITIONS

In view of the difficulties involved in investigating anonymous petitions, it was decided that they should either carry the relevant particulars of the petitioners or be presented in person. Petitions submitted without conforming to the above conditions would not be honoured.

26. MATTER RELATING TO CONTRIBUTION FOR RELIGIOUS PURPOSE

It was observed that donations being collected for various religious purposes by Bhutanese and Non-Bhutanese in the Kingdom were being sent to foreign countries without the written permission of the government. The Assembly debated the issue and decided that, in adherence to chapter 10 of the national law, such collections should be banned in future.

27. MATTER RELATING TO CHUNIDOM LABOUR FOR THE CONSTRUCTION OF BRIDGES

The Nyame bridge in Paro and Lanjo bridge in Thimphu which were washed away last October by floods were rebuilt by the people of Ha, Paro, Thimphu and Chapcha. As such, the Assembly decided that the labour contributed by the people of the above areas would be exempted from chunidom labour this year. The decision of the Assembly was to be communicated to Dasho Zori Chichap.

28. MATTER RELATING TO THE FLOODS

Financial assistance to the tune of Nu.40 lakhs had been received from the Government of India as compensation for the lands damaged by floods during the Earth Monkey Year. The Assembly decided that the Ministry of Development and the concerned members of the public would jointly keep the accounts of the above assistance.

As regards the flood at Paro, it was decided to request DANTAK to detail two bull-dozers resulted from the damages caused by bull-dozers during the construction of the motor road at Paro. It was decided to deploy the DANTAK bull-dozers free of charge for the renovation work.

29. MATTER RELATING TO CHARGES ON TRADITIONAL WATER MILL

The following charges for paddy hulling and wheat grinding had been fixed by the Assembly on the fourth month of the Iron Mouse Year.

i. Paddy hulling charges were as follows:

- a) Paro i.e. for the first process of converting paddy into rice, the charge was one de of paddy per 40 des paddy, and
- b) Masog i.e. for the final process of making the rice fine, the charge was one de for every 20 des of paddy.

ii. Wheat grinding charge was one de of flour for every 20 pathis of flour processed. The Assembly resolved that mill owners not conforming to the rates laid down above would be punished according to the provision of the law after necessary investigation by the local authorities.

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