

**PROCEEDINGS AND RESOLUTIONS ADOPTED DURING THE 62ND SESSION OF  
THE NATIONAL ASSEMBLY OF BHUTAN**

1. MATTERS RELATING TO TRADE WITH SARC COUNTRIES

The Representative of Bhutan Chamber of Commerce and Industry (BCCI) stated that under the farsighted leadership and wisdom of His Majesty the King, Bhutan was making rapid progress in socio-economic development. He informed the Assembly that last year, the Bhutan Chamber of Commerce and Industry had signed an agreement with other organizations from other member countries of the South Asian Regional Cooperation. There was already a well established trade link with India and the Royal Government had signed a trade treaty with Bangladesh, although actual trading had yet to begin. While he appreciated the initiatives taken by the Royal Government, he requested that the trade with SARC member countries, particularly with Nepal and Bangladesh be initiated as soon as possible.

In response, the Secretary, Ministry of Trade, Industries and Power, informed the Assembly that considering its importance in the socio-economic development of the country, trade received greater attention of the Royal Government. With India there was already a well established trade link. He pointed out that trade routes to Bangladesh through India had been negotiated and that a trade treaty had also been signed. Explaining the reasons for the delay in actual trading with third countries, he said that it was first necessary to study the items for export and import and the benefits the country would get from such trading. In this connection, he also informed the Assembly that a few samples of exportable items had already been sent to Nepal and Bangladesh.

The Secretary also stated that efforts were being made to develop close and mutually beneficial relationship with the other SARC member countries. In this connection, he said that the third ministerial level meeting of the Foreign Ministers of SARC held in Thimphu in May had given due importance to the trade. He said that necessary steps to initiate trade would be taken as soon as the Royal Government through the studies was able to determine that trade links with neighbouring countries was beneficial to the country.

2. MATTERS RELATING TO EXPORT OF TIMBER FROM BHUTAN

The BCCI Representative stated that currently both the nationals and non-nationals were allowed to participate on equal basis in the timber auctions for export from Bhutan. He requested that the export of timber be handled only by the Bhutanese businessmen. This could be done on the basis of actual costs which could be worked out based on expenditure involved in extraction and transport upto the timber depots and the rates prevailing in India.

In response, the Director of Forests informed the Assembly that the export of timber was being done by the Logging Corporation of Bhutan of the Department of Forests. The Corporation being a commercial organization had stopped receiving budgetary allocations from the Royal Government since 1984. Therefore, after meeting the requirements of the Royal Government and the timber industries in the country, the Corporation exported the surplus timber through auctions. In the auctions both the nationals and non-nationals were permitted to participate. The auctions were organized with intention to increase the country's revenue to the extent possible.

In this regard, His Majesty the King was pleased to remind the Assembly that timber was one of the main sources of the country's income. Therefore, according to the Government's policy, timber was being sold through auctions in order to get the highest rates possible in markets. His Majesty the King stated that as there are only a few Bhutanese businessmen dealing in timber, restricting non-nationals would greatly affect the timber business and the country's revenues would be affected. In view of this, His Majesty the King stated that the existing practice of auctions and the participation of non-nationals should be continued.

His Majesty the King was pleased to remind the Assembly that for construction of houses and shops in rural areas, timber was given at subsidized rates. Therefore the participation of non-nationals in timber auctions was not causing any problems to businessmen and the public at large. Further, it was not justified to alter government policies aimed at benefiting the country as a whole.

In view of the above, the House resolved that the existing practice of allowing the participation of the non-nationals in the timber auctions be continued.

### 3. MATTERS RELATING TO GEDU PLYWOOD FACTORY

The Chimi of Chirang requested information on the expenditure incurred to establish the Gedu Plywood Factory. He also wanted to know the income that would be generated and the benefits that the plant would accrue to the public at large when it was complete.

In response, the Secretary, Ministry of Trade, Industries and Power informed the Assembly that the statistics and other information on the Gedu Plywood Factory and various factories/ industries in the country were available with his Ministry. He requested that interested members visit his Ministry for details. This would save the time of the Assembly.

#### 4. MATTERS RELATING TO ESTABLISHMENT OF INDUSTRIES

The BCCI Representative stated that with the commissioning of the Chukha Hydrel Project in the near future, it was expected that, besides meeting the power requirement of the country, there would be large surpluses for export to neighbouring countries. In view of this, he requested that the Bhutanese entrepreneurs be guided and assisted to set up as many electrically run industries as possible.

In response, the Secretary, Trade, Industries and Power informed the Assembly that in order to develop the economy of the country, various activities related to trade and industries was being planned by the Royal Government. He stated that shopkeepers and businessmen interested in setting up industries were being provided with necessary guidance and assistance by the Royal Government. However, in order to avail the facilities, they must first submit project reports to the Ministry for consideration. The Ministry through a specially constituted committee would study the proposed projects for economic viability and see if they are in keeping with government policy. Once passed by the committee, the necessary assistance required for setting up the industries would be extended by the Royal Government.

The Secretary stated that after the commissioning of the Chukha Hydrel Project, any private party intending to set up industries in the country, could submit their detailed project reports. The Royal Government would attempt to provide necessary guidance and assistance.

5. MATTERS RELATING TO INSTALLATION OF DIESEL GENERATOR

The Chimi of Kalikhola reported that the civil servants and patients interned in BHU were facing problems due to lack of electricity. Therefore, until such time as regular power would be made available there, he requested that a diesel generator be provided for use particularly during summer.

In response, the Secretary, Trade, Industries and Power clarified that currently only large projects were being undertaken by the Ministry. Due to lack of suitable location, it was not feasible to set up a hydel project in Kalikhola. However, he stated that the installation of small electricity generators could be included in the Dzongkhag annual plan and submitted to the government for approval.

In this regard, His Majesty the King was pleased to command that if the Ministry of Trade, Industries and Power after investigation finds that electricity is absolutely necessary, a micro-hydro project be established in the area.

6. MATTER RELATING TO SHORTAGE OF ELECTRICITY SUPPLY TO INDUSTRIES

The Representative of Bhutan Chamber of Commerce and Industry stated that industries in the country failed to reach a high level of production due to constant irregularities in the supply of electricity. This in turn was causing heavy losses to the proprietors. He, therefore, requested that electricity be supplied to industries without any disruption.

On this issue, the Secretary, Trade, Industries and Power informed the Assembly that the supply of electricity to some of the industries in the South was being made from India. As there was no control over the supply, the irregularities of electricity was being faced. He pointed out that after the commissioning of the Chukha Hydel Project in the beginning of next year, if some of the far-flung Dzongkhags in the south could not be covered by the project, the supply would continue to be made from India. Talks were being held with the government of India to make more power available to those towns after they start receiving Chukha power. Therefore, he hoped that when the project was commissioned, the problems of power supply to the industries in those towns would be solved.

## 7. MATTERS RELATING TO RATES OF ESSENTIAL COMMODITIES

The Chimi of Mewang, Genye and Dagala (Thimphu) reported that the volume of imported goods and their costs were increasing each year. Simultaneously, the prices of essential commodities were also escalating unabatedly and that the purchasing power of money seemed to be waning. He, therefore, requested the government to look into the matter.

In response, the Secretary, Ministry of Trade, Industries and Power, informed that the price hike in essential commodities was the result of increasing costs of such items in other countries and in the world as a whole. He pointed out that the general public as such were not benefited much from the imported goods except for such items like foodgrains, clothing, building materials and agricultural implements. With a view to resolving some of the problems, increased number of trade licenses were being issued for agency dealership who can procure some of the essential items directly from producers and sell them at a comparatively less price. He also informed the Assembly that in accordance with government orders, the Department of Trade and Commerce was taking necessary initiatives in assisting such businessmen financially. The Food Corporation of Bhutan was also trying to supply some of the essential items through its various depots in the country.

The Deputy Minister of Planning Commission attributed the rising costs of essential commodities to supplies being less than the demands of essential commodities could be met from sources within the country. Cost escalations and the decreasing purchasing power of money was due to growing dependence on imported essential commodities while export remained negligible.

On this issue, the Director General of Health Services pointed out that while the production of essential commodities within the country was limited, the population was increasing year by year. In order to check the growth of population, he said that necessary steps were being initiated by the Royal Government. He requested all Members to extend their fullest cooperation in the efforts of the Royal Government.

The Assembly appreciated the initiatives being taken by various organizations of the Royal Government in solving the problems of increasing costs of essential commodities in the country.

## 8. MATTERS RELATING TO SALE OF COUNTRY LIQUOR

The Representative of BCCI stated that in accordance with Resolution No.3 of the 59th Session, the sale of country liquor (Bangchang & Tongpa) had been restricted. It was observed that following the ban on the sale of country liquor, people living in the thickly populated border towns in the South went to the nearby Indian markets where it was readily available. While drinking country liquor, they also made purchases in the Indian markets. This was adversely affecting local business and the country's revenue. He, therefore, requested the Royal Government to see if the ban on the sale of country liquor could be lifted.

On this issue, the Deputy Minister of Finance reminded the Assembly that the country was already facing a deficit in food grains and that the shortages were being made up through imports from outside the country. He also explained that the health of consumers were being affected due to the unhygienic preparation methods adopted by the dealers. In view of this and the government policy to become self-sufficient in foodgrains, the ban on the sale of country liquor had been imposed without considering the revenues it was generating.

Considering the government revenues it generated and for interest of small shopkeepers, some of the members repeated the request that the ban on the sale of country liquor be lifted. The majority of the Assembly however, felt that the restriction should be enforced with even greater force.

The Assembly resolved that the sale of country liquor be restricted as decided in Resolution No. 3 of the 59th Session.

## 9. MATTERS RELATING TO IRRIGATION CHANNELS OF DISTRICT AND CENTRAL MONK BODIES

The Chimi of Gasey, Tshowom and Oum Daga (Wangdiphodrang) stated that in accordance with the Land Act, the construction and maintenance of irrigation channels must be carried out by the beneficiaries themselves. However, such arrangements could not be made for constructing and maintaining of irrigation channels covering lands belonging to the Central and the Dzongkhag Monastic Bodies. As a result, people in the areas were facing difficulties.

During deliberations on the issue, most of the Assembly Members expressed the views that in keeping with the Land Act, the Central and Dzongkhag Monastic Bodies should pay wages to the labourers engaged in the construction and maintenance of irrigation channels covering lands belonging to them.

In this regard, His Majesty the King was pleased to command that the matter be referred to the Dratshang Lhentshog (Central Body of Monastic Affairs) if it was causing problems to the people. In other cases, irrigation works should be carried out in accordance with the Land Act. Considering the religious importance attached to the Central and Dzongkhag Monastic Bodies, His Majesty was pleased to command that the costs incurred to undertake irrigation works in such areas could be borne by the Royal Government.

The House resolved that the matter be referred to the Dratshang Lhentshog for consideration and action.

#### 10. MATTERS RELATING TO NATIONAL HIGHWAYS

The Representative of BCCI stated that the existing alignments of National Highways were long and winding thereby causing, besides the unnecessary loss of time and fuel, wear and tear of vehicles. In order to avoid these problems, he requested that the distance of the National highways be reduced to the extent possible. He pointed out that this was especially necessary to be done as soon as possible on the highway leading from Phuntsholing to the capital.

On this issue, the Director of PWD informed the Assembly that it was the policy of the Royal Government to make the alignments of national highways as short as possible. In this connection, he pointed out that the alignments of the Mongar-Kurtey, Tashigang-Yangtse and Wangdiphodrang-Chirang, roads presently being constructed by the PWD were shorter than mule tracks. As regards the request to reduce distances of the existing highways, the Director said that it would not be possible presently as the available funds, manpower and equipment of the Royal Government had been fully committed for the construction of over 500 Km of roads to be completed during the Vth Plan period.

In view of the above the Assembly resolved that the proposal of the BCCI Representative be considered as an when fund were available with the Royal Government.

11. MATTERS RELATING TO MOTORABLE ROADS IN SHEMGANG AND SAMDRUP JONGKHAR

The Chimi of Shemgang has requested that a motorable road be constructed from Dakphai to Buligonglathang for the welfare and benefit of the public of Bardo, Nangor and Khomshar. The public of Bhangtar/Daifam also requested that the construction of the road from Bhangtar to Okhaldunga be undertaken by the government as it could not be successfully done by the people of the area.

In response, the Director of PWD, admitted that the construction of the above roads was necessary. He informed the Assembly that development activities in the VIth Plan would be undertaken at the Gewog level. The formulation of the next plan in the light of the revised policies of the Royal Government had already started. Therefore, construction of roads leading to Gewog development centres would be undertaken only after the VIth Plan was finalized. He assured the Assembly that once the plan was approved, of all the developmental activities to be taken up, construction of roads would be given the highest priority.

In view of the above explanation, the Assembly resolved that, the construction of roads between Dakphai-Buligonglathang and Bhangtar-Okhaldunga be considered for the VIth Plan.

12. MATTERS RELATING TO DRUK AIR SERVICES

The Representative of Bhutan Chamber of Commerce and Industry requested the Royal Government to establish Druk Air Links with six other member countries of the South Asian Regional Cooperation. In particular he requested that connections with Nepal and Bangladesh be established as soon as possible. Such services would greatly benefit the business community, the Royal Government and the people.

In response, the Deputy Minister for Communications and Tourism agreed that the establishment of Druk Air links with the six other SARC countries and in particular with the neighbouring countries was a good proposal. He informed the Assembly that the two



air-crafts of Druk Air presently being used for the thrice a week services between Paro and Calcutta could also be used for services to Nepal and Bangladesh. However, prior to establishing such links it was necessary to hold talks and arrive at agreements with the concerned countries. The financial and manpower constraints of Druk Air would also be taken into consideration. For these reasons, Druk Air could not introduce flights to other countries immediately.

As regards beginning of domestic services, the Secretary conceded that it would benefit both the Government and the people. However, the construction of airfields would involve large investments and much manpower. Further, the Corporation was a commercial organization and therefore, the economic viability would have to be studied in great detail. He stated that although it was the intention of the Corporation to expand its services wherever possible, expansion would be done on the basis of feasibility studies and availability of funds.

### 13. MATTERS RELATING TO FOOD CORPORATION OF BHUTAN

The Chimi of Haa expressed the deep gratitude of the public of Haa to His Majesty the King for assuming direct control over main public services government organizations. Of these, he said, the Food Corporation of Bhutan was playing a major role in the welfare of the people. He suggested that if Food Corporation of Bhutan could provide more essential commodities in its depots, it would help in controlling the high rates charged by the shopkeepers.

In response, the Managing Director of Food Corporation of Bhutan informed the Assembly that the Corporation had so far established 41 depots in different parts of the country. He stated that the Government did not want to get involved in business and that the responsibilities of the Corporation were limited to importing of essential commodities, exporting of cash crops, supplying essential commodities to Dzongkhags and to famine-stricken people in the country.

The Managing Director informed the Assembly that the Corporation would hereafter procure essential commodities for supply to the public through appointed dealers. In accordance with Government policy, the rates of such commodities would be controlled by the Corporation. He pointed out that some of the shopkeepers in Paro had already started such dealership shop with the assistance of the Corporation. Similarly, such shops could

also be opened in Ha by any interested parties after consultations with the Corporation. In case a general shop with all the essential commodities was opened in Ha, market rates could be controlled. Similar facilities could also be provided to other Dzongkhags.

Highlighting the activities of the Corporation, the Managing Director said that only limited items like rice and sugar were being procured through quotas provided by the Government of India, and all other items were imported at the prevailing market rates. He informed the members that the Department of Trade and Commerce had been entrusted with the responsibility of working out a policy framework for providing necessary assistance to the people dealing in essential commodities. He expressed his hope that the problems faced by the people would be solved once increasing numbers of local businessmen open dealership shops in different places in the country.

#### 14. REGARDING SALE OF POTATOES AND APPLES

The Chimi of Paro requested that necessary arrangements be made for non-nationals buyers to participate in the seasonal potatoes and apple auctions conducted in Phuntsholing. He also requested that the auctions be held twice daily on all the days, including holidays. Further, he asked that the auction rates be raised.

In response, the Managing Director of FCB said that it was also the policy of the Royal Government to arrange participation of non-nationals in cash crop auctions for the benefit of the growers. In order to ensure maximum participation of non-nationals, circulars were being distributed among all the concerned parties in different cities of India, Nepal and Bangladesh. Necessary arrangements were also being made for the interested parties to come and visit the growing regions in Bhutan.

The sale of cash crops, the Managing Director pointed out, depends on the quality and standard of the produce and partly on the relationship between the buyers and sellers. It was, therefore necessary for the growers to do proper grading and packaging, and establish good rapport with the buyers. Further, he pointed out that the FCB facilities remained open on all the days, including the holidays for the convenience of the growers. Auctions however, could not be held on Sundays because hardly any bidders come to the auction on that day. On the question of holding cash crop auctions twice daily, the Managing Director said that it was not possible to conduct more than once a day due to heavy workload involved in weighing and making payments. With regard to raising the auction rate, he said

that although the support rates had not been set so high, they would go up during bidding. Further, prior to selling the cash crops to the highest bidder, the FCB also sought the consent of the concerned owners. Therefore, he felt certain that the existing buying and selling procedures of the Corporation were conducive to helping the growers.

The Assembly observed that the FCB had been established to look after the welfare and interests of the people. In light of the explanations provided by the Managing Director they noted that there was no inconvenience caused to the buyers and sellers.

The Assembly resolved that the existing rules of the Corporation be continued.

15. MATTERS RELATING TO FIREWOOD.

The Chimi of Sibsoo stated that Government policy gave conservation of forests a high priority. However, he noted that throughout the country, different government organizations like the army, hospitals and schools were using firewood to a great extent. He, therefore, suggested that if coal could be used in place of firewood in places where transport facilities were available, it would contribute greatly towards the preservation of forests in the country.

Most of the Chimis voiced their agreement with the suggestion put forth by the Chimi of Sibsoo. The Assembly resolved that the Royal Government carry out investigation on the feasibility of use of coal instead of firewood. Where coal would be economical, it be used as far as possible.

16. MATTERS RELATING TO BHUTAN CITIZENSHIP ACT, 1985

In accordance with Resolution No. 17 of the 61st Session, the draft of the Bhutan Citizenship Act, 1985 was to be presented for approval of the Assembly during the current session. Accordingly, the copies of the Bhutan Citizenship Act, 1985 comprising 6 articles were distributed to the members for their comments, 3 months prior to the commencement of the 62nd Session of the National Assembly of Bhutan. The Bhutan Citizenship Act including the following comments were deliberated at great length during the current session between 11 - 12 June, 1985. After deliberation, the Act was passed for enforcement with the changes noted below.

1).The Chimis of Shemgang and Ha stated that the Bhutan Citizenship Act, 1985 circulated among the members needed no amendments.

2).The Chimi of Mewang, Genye and Dagala, Thimphu referring to the draft of the Bhutan Citizenship Act 2, wherein it is stated that a person whose parents are both citizens of Bhutan will be deemed as a citizen of Bhutan by birth, sought clarification in respect of the children born before the parents were granted Bhutanese Citizenship. Secondly, he suggested that the children who leave the country and reside outside without the knowledge of the Royal Government not be considered as citizens, even if both their parents were citizens of Bhutan.

The Representative of High Court clarified that the children born prior to granting the Bhutanese Citizenship to their parents would not be considered as Bhutanese if their names were not included in the application forms for citizenship submitted by their parents. As regards the second suggestion, it was clarified that even if both the parents were Bhutanese, in case the children left the country at their own accord, without the knowledge of the Royal Government and their names also not being recorded in the census, they would not be considered as citizens of the country.

The Assembly resolved that a clause containing the above clarification be added to the Bhutan Citizenship Act 2.

3). The Chimi of Sibsoo proposed that 1977 be considered as the cut off year for the granting of Bhutanese Citizenship instead of 1958 in the draft of the Bhutan Citizenship Act No. 3.

In this regard, the High Court Representative, explained that firstly, the year 1958 had been determined as the cut off year in the light of Resolution Nos. 3 and 8 of the 11th and 13th Assembly Sessions respectively. At that time people living in Southern Bhutan requested for Bhutanese Citizenship together with oaths of allegiance. It was accordingly approved and Bhutan's first Citizenship Act was brought into force. Secondly, after 1958 till date, many non-nationals had entered and were residing in the country. They had joined in Government service, started businesses and some had even settled in rural areas. Such people had made no requests whatsoever for Bhutanese Citizenship. In the event 1977 was considered as the cut off year, for the granting of Bhutanese Citizenship, there would be many people who would have to be granted Bhutanese Citizenship. This would not be

justified as it would cause problems to the country. Further, he added that since the planned development activities were launched in the country, the Royal Government had been employing many non-nationals for various works. It has been observed that alongwith the employees also came their relatives. Some also came on their own seeking employment in the country. If such people, including those doing business, and those employed in the rural areas, were to be granted Bhutanese Citizenship, it would cause population problems in the country. Bhutan being a small country, land would not be sufficient and there would be employment problems. The presence of non-nationals in large numbers would also endanger the culture and religion of the country. If the inflow of such people continued, the problems facing the country might reach a stage that it would be beyond its control. Therefore, considering the interest of only a few people involved, it would not be wise to change the cut off year determined by the Royal Government. However, it was for the Assembly to come to an appropriate decision on the matter.

On this issue, the Chimi of Sibsoo, while expressing his agreement on the cut off year determined by government, added that there were people who have been working in the civil and military services as permanent employees for the last several years. These people had their names recorded in census and had been paying government taxes and living in Bhutan for the last several years. He requested that such people be considered for granting of citizenship.

In response, the Chairman of the Royal Advisory Council agreed that different categories of people pointed out by the Chimi of Sibsoo could face problems due to the cut off year determined by the government. However, he felt that as any eligible person could apply for Bhutanese Citizenship according to the Bhutan Citizenship Act 1985, it would not cause any inconvenience to any of the above categories of people. Further, he stated that the cut off year had been determined at 1958 for security reasons and also to avoid over population in the country. Calling the attention of the Assembly to the Citizenship Identity Card Rules passed during the 52nd Session, he stated that since then the Department of Registration had been following 1958 as the cut off year for the issue of Bhutanese Citizenship Cards.

Endorsing the views expressed by the Representative of High Court, His Majesty the King was pleased to bring to the knowledge of the Assembly that many countries in the world were facing great problems of unemployment and over population, Bhutan however, has no unemployment problems. On the contrary, with its small population, Bhutan faces an acute

shortage of skilled and technical manpower at all levels to meet the requirements for implementing a vast and extensive development programme. In such a situation, there was a danger of foreigners entering and settling in the country. In view of this, His Majesty the King explained that the Bhutan Citizenship Act should be strict and binding. In this regard, His Majesty was also pleased to mention that during discussions on the draft of the Bhutan Citizenship Act 1985 in the Lhengye Shungtshog, special attention had been given to ensure that the new Citizenship Act would fully safeguard the interests of the country.

His Majesty the King was pleased to command that members having any reservations regarding the cut off year as 1958 for the granting of Citizenship should feel free to express their views for consideration by the Assembly. It was also again pointed out that people could apply for Bhutanese Citizenship after the stipulated period of residence in Bhutan. His Majesty the King therefore, felt that the new Citizenship Act would not create problems for any category of people seeking Bhutanese Citizenship.

The Assembly was convinced that the Bhutan Citizenship Act had been drafted keeping in mind the national interest and with a view to avoiding population problems. Moreover, in Resolution No.57 of the 52nd Session, the cut off year for the grant of Bhutanese Citizenship had been determined at 1958. Therefore, the National Assembly resolved that the cut off year determined by the Government be effected.

4). The Chimi of Sibsoo, referring to the draft of the Citizenship Act 4 (Ga) stated that according to the earlier Act it was not necessary for children, whose father was a citizen of Bhutan to apply for citizenship.

The Chimi of Bhangtar and Daifam requested the Government to look after the interest and wellbeing of children, where one of the parents was a national.

The Chimi of Samchi stated that due to the caste system prevalent in the society, parents were sometimes compelled to arrange marriage of their sons with non-national women. He therefore, requested that such daughters-in-law be granted Bhutanese Citizenship.

In response, the High Court Representative informed the Assembly that as per the Bhutan Citizenship Act 1977, the children of fathers who are nationals would be deemed to be citizens of the country. However, in accordance with Resolution No. 63 of the 52nd Session, the earlier provision was rendered void. He pointed out that in accordance with

Government orders, in the Bhutan Citizenship Act, the cut off year of 1958 had been proposed with the sole objective of restricting the inflow and residence of foreign national as far as possible. The Act however, provided that the children whose father or mother was a national, should attain the age of 15 years prior to seeking the Bhutanese Citizenship. This was being done in order to ensure the country's security and control the immigration of non-nationals in Bhutan.

Regarding the grant of Citizenship to non-national daughters-in-law married to Bhutanese and living in Bhutan, the High Court Representative mentioned that if such daughters-in-law were granted Bhutanese Citizenship, non-national sons-in-law should also be granted the facility in a similar manner. However, during 1980, a Marriage Act covering all aspects related to marriage with foreigners had been passed. He felt that the Marriage Act was complete in all respects and should be adhered to.

After deliberation on the issue in light of the Marriage Act in force and the equality with which the male and female are treated the world over, the National Assembly resolved that the children, either of whose parents was a national, as well as non-nationals married to Bhutanese be granted the Bhutanese Citizenship as per the Bhutan Citizenship Act 1985.

5).The Chimi of Mewang, Genye and Dagala, Thimphu suggested that a clause be added to the draft of the Bhutan Citizenship Act, stating that the non-nationals who receive Bhutanese Citizenship should forgo their original citizenship. Secondly, Act No. 6 (Ga) states that persons disloyal to the King, country and the people of Bhutan would be deprived of citizenship. He felt that the deprivation of citizenship alone was not sufficient. Appropriate penalties should be imposed to the defaulters.

In response, the Representative of High Court informed the Assembly that the Bhutan Citizenship Act 6 (Ka) states that in the event of a person enjoying the benefits of Bhutanese Citizenship took citizenship of another country, he would be automatically deprived of his Bhutanese Citizenship. He further said that foreigners would not be granted Citizenship immediately on entering the country as it was required of them to have stayed in Bhutan for a certain period prescribed in the Act. Hence, during the period of their residence in Bhutan, the Royal Government would get ample time to observe the persons seeking Bhutanese Citizenship. It was also clarified that any person enjoying the Citizenship benefits of another country would not be granted Bhutanese Citizenship.

Finally, the right of granting Citizenship to the foreigners rested with the Royal Government.

As regard the penalties to be imposed to the persons who were disloyal to the King, country and people, the High Court Representative informed the Assembly that it would be dealt with according to the 'Nyechey Thrimshung' currently being revised. The revised 'Thrimshung' would include not only the penalties for breach of Tsawasum but also the matters related to criminal and civil offences. Further, the High Court Representative clarified that all the foreigners after receiving Bhutanese Citizenship would enjoy all facilities extended to natural citizens of the country. Similarly, they would have to face the same punishments. Therefore, he felt that it was not necessary for the separate punishment clause to be added, as the Citizenship Act deals only with matter related to the granting of Citizenship. However, it was up to the Assembly to decide.

Considering the views expressed by the High Court Representative, the National Assembly noted that the persons holding dual Citizenship would pose problems to the security of the nation. Therefore, the House resolved that the Government take necessary precautions against persons holding dual citizenship.

With regard to imposition of penalties, the Assembly resolved that defaulters would be dealt with according to the 'Thrimshung' as it would be done with respect of natural citizens of the country. It was therefore, decided that the Citizenship Act No.6 should remain valid. However, in the event such a provision was not included in the 'Thrimshung', it was resolved a clause would be added to it.

6). A Public Representative in the Royal Advisory Council pointed out that Bhutanese citizens possessing properties like land, house and money abroad, as well as those married to foreigners and non-nationals employed in key sectors of the Royal Government could pose risks to the country's security.

On this issue, the Assembly was reminded that Resolution No.7 of the 46th Session clarified the question of marriage to foreigners. As regards the other details on the subject, it was discussed and recorded in Resolution No.44 of the 52nd Session. In view of this, the Assembly resolved that the issue raised was not necessary for further deliberation in the Assembly.



17. MATTERS RELATING TO NATIONAL ASSEMBLY SESSION.

The Chimi of Sibsoo stated that in keeping with the present times various developmental activities were being undertaken throughout the country. Further, as most of the developmental works were being decided and carried out by the Dzongkhags themselves under the decentralization policy of the Royal Government, he suggested that the National Assembly be called to session only once a year, provided this was not going to cause any inconvenience to the Government.

During the deliberation on the issue, most of the Chimis expressed the view that the Dzongkhag Yargye Tshogchung could only decide on matters concerning a particular Dzongkhag. However, decisions concerning National policies and issues of interests to all the Dzongkhags have to be deliberated and decisions arrived at, at the national level. Therefore, without considering the expenses involved, the Assembly was being called to session twice a year. They also recalled the Rules of the National Assembly of Bhutan that requires the Assembly to meet twice a year on a regular basis and at the command of His Majesty the King, emergency sessions could be called.

The general view that it might be adequate to have only one session of the National Assembly a year, as most problems of national importance were being solved under the wisdom and personal initiatives of His Majesty the King, was expressed. However, as many other urgent matters of importance emerge unexpectedly as a result of various developmental activities in the country, adequate time for deliberations at the national level was required.

Taking into account the above views, it was decided that the National Assembly Session would continue to be held in accordance with existing rules. Any changes could be considered at the time the new Draft Rules and Regulations of the National Assembly is to be finalized.

18. MATTERS RELATING TO APPOINTMENT OF ANOTHER PUBLIC REPRESENTATIVE IN HIGH COURT

The Chimi of Mewang, Genye and Dagala, Thimphu pointed out that the election of only one Public Representative for 14 Dzongkhags in High Court, was causing problem for the people. Therefore, for the benefit and in the interest of the people he proposed that the

above 14 Dzongkhags be divided into two constituencies with two Representatives in High Court during the next election.

On the issue, the House was informed that initially only one Public Representative was being appointed in High Court. This public representative system had been introduced under the initiative of Late His Majesty in order to enable the public to understand the judicial system of the country. Later, considering the language problem being faced by the public residing in Southern Bhutan, another public representative was appointed. Since then two representatives were being elected to High Court for the whole country.

During deliberation on the issue, it was generally felt that it was possible for the Public Representative of the four Dzongkhags to look after the interests and well being of the public under his jurisdiction, whereas the Public Representative of the fourteen (14) Dzongkhags was finding it extremely difficult to do so as his jurisdiction was too large. However, if it would be convenient for the Government to appoint two Public Representatives for 14 Dzongkhags, it was felt that the Dzongkhags be equally distributed between the present two Public Representatives. This could be carried out during the VIth plan period after the identification of gewog development centres and redemarcation of different Dzongkhags would be complete.

In view of the above, the Assembly resolved that present constituencies for the Public Representatives in High Court be kept unchanged till the next election. Starting with the next elections, the Dzongkhags would be distributed equally between the two Representatives in High Court.

#### 19. MATTERS RELATING TO CONSTITUENCIES OF ROYAL ADVISORY COUNCILLORS

The Chimi of Mewang, Genye and Dagala Thimphu pointed out that the constituencies of Royal Advisory Councillors had not been distributed according to the closeness of constituent Dzongkhags to one another. Therefore, he suggested that the adjoining Dzongkhags be brought under one constituency for the convenience of the people.

In response, the Chairman of the Royal Advisory Council while agreeing that the adjoining Dzongkhags should be brought under one constituency for the convenience of the people, reminded the Assembly that the election of Public Representatives to Royal

Advisory Council had been held only recently. Therefore, he felt that it would not be advisable to distribute the constituencies according to closeness of Dzongkhags till such time the terms of Public Representatives in Royal Advisory Council were completed. He suggested that the question of bringing adjoining Dzongkhags under the same constituency could be decided upon when the Draft Royal Advisory Council Rules would be submitted to the Assembly for its consideration.

On the issue, the Assembly resolved that the question of distributing constituencies according to closeness of Dzongkhags be discussed during the VIth Plan period when the proposed plan for establishing Gewog Development Centres would be implemented. Further, it was also resolved that proposal be included in the Draft Rules of the Royal Advisory Council. The Royal Advisory Council must discuss the draft taking into consideration the interests of both the government and the public before submitting it to the Assembly for its consideration.

#### Report on the discovery of coal mines in Bhutan

The Secretary, Ministry of Trade, Industries and Power reported to the Assembly that an estimated 1 million tonnes of coal had been discovered in the areas of Samdrup Jongkhar. When re-investigations were carried out on the total length of 55.25 Km between Medhunga and Lashiri, and Deothang and Dewari, further potential deposits were found. With this finding, the Secretary reported, the total potential of coal deposits in the country was now estimated at 143 million tonnes.

Dated : 15th June, 1985

Sd/-  
( Sangey Dorji )  
Secretary  
National Assembly of Bhutan.