

TRANSLATION OF THE RESOLUTIONS OF THE 87TH SESSION OF THE NATIONAL ASSEMBLY OF BHUTAN

I. INAUGURAL CEREMONY

The 87th session of the National Assembly began on the 22nd day of the 4th month of the Fire Female Pig Year corresponding to June 7, 2007. His Majesty the King was escorted to the Assembly Hall with the elaborate *Chipdrel* and *Serdrang* ceremony. The session commenced with the traditional *Zhugdrel Phuensum Tshogpai Tendrel* ceremony. Addressing the inaugural ceremony, His Majesty the King said that 55 years has passed since the National Assembly of Bhutan was established by His late Majesty King Jigme Dorji Wangchuck in 1953. To further strengthen the sovereignty and security of the country and realizing the welfare and happiness of the Bhutanese people, a democratic form of Government has emanated from the Golden Throne under the benevolent reign of His Majesty the King Jigme Singye Wangchuck that will be adopted next year.

His Majesty the King commanded that the current session of the National Assembly would be the last session to be conducted under the present system. The Assembly would meet again only after the general election in 2008. Keeping in view the important events for the democratic transition in the country, His Majesty the King urged all the people with skills, experience and desire to serve the country should actively take part in this democratic transition.

His Majesty reminded the people that this generation in Bhutan's history should carry the sacred duty of ensuring the success of the democratic transition. For the success of this transition, it is very important for all the people above 18 years of age to participate in the coming elections.

His Majesty said that every noble deed of His Majesty the Fourth Druk Gyalpo Jigme Singye Wangchuck has not only been recorded in the history of the country but also in the world at large. Since the time of His enthronement, the sun of peace and happiness has been shining ever more than before while ensuring and strengthening the sovereignty and security of the country. Besides achieving unprecedented socio-economic development in the country and realizing the overarching philosophy of Gross National Happiness and the system of Good Governance, His Majesty the Fourth Druk Gyalpo has brought about remarkable accomplishments beyond the aspirations of the Bhutanese people towards the attainment of the National Goals.

His Majesty added that the remarkable progress achieved was also due to the dedication and commitment of the entire Bhutanese people who have collectively carried out their duties to the nation to the best of their abilities. His Majesty commended and conveyed His gratitude to the clergy, ministers, government officials, people's representatives and the people of all the twenty Dzongkhags.

His Majesty reminded that the people are all aware of the kinds of benefits that the country and the people are going to reap in the event

the new political system is successful. Likewise, the people were also aware of the magnitude of the problems that would ensue upon the failure of the new democratic transition. However, strong foundations have been laid to ensure an ideal introduction of the new parliamentary form of Government. Therefore, this new political changes in the country will not bring any harm or misfortune.

His Majesty the King reiterated that His Majesty King Jigme Singye Wangchuck has sown the seeds of democratization and after its successful introduction, it was His solemn duty to work with the people and ensure that the roots of democracy is further strengthened each passing year in the country, thus, benefiting the Bhutanese people for generations to come.

His Majesty reminded that we have 20 Dzongkhags and 205 Geogs. Soon, after the start of the political process, we will have 47 constituencies and many political parties and candidates. In such times, the entire Bhutanese people should lay emphasis on the democratic system and put in extra efforts and dedication while carrying out their services to the nation. We must always be one nation with one shared national goal. “One nation – one goal” and always stand united in spirit and purpose so that the sun of peace and happiness continue to shine perpetually in our country.

His Majesty the King also said that He is aware of the preparations for a grand Coronation in 2008 and appreciates the very thought of

the Government and the people for an elaborate celebration. However, His Majesty reminded the members that one of His deepest concerns was the effective utilization of the limited resources of the Government and commanded that it was adequate that the Coronation Ceremony be carried out in keeping with our traditional system rather than a grand formal coronation like in other parts of the world. His Majesty said that the blessings of the Guardian Deities and of His Majesty the Fourth Druk Gyalpo and the faith and confidence of the people of Bhutan is most important to Him as King and expressed His satisfaction on the successful inauguration of the 87th Session of the National Assembly.

In his opening speech, the Speaker welcomed His Majesty the King, Members of the Royal Family, Prime Minister, National Assembly Members, senior government officials, representatives of the international community, representatives of the international donor agencies, and other distinguished guests to the inaugural ceremony of the 87th Session of the National Assembly.

The Speaker highlighted the unprecedented socio-economic achievements brought about under the benevolent leadership of the Hereditary Monarchs. The Speaker added that the remarkable progress achieved in the religious and cultural spheres under the leadership of His Majesty the Fourth Gyalpo was a true testimony of His service to the people which has left an undeletable impression on the Bhutanese people.

With regard to further strengthening the Bhutan-India relationship, the 1949 India-Bhutan Friendship Treaty was reviewed and updated. His Majesty the Fifth Druk Gyalpo signed the updated treaty during His visit to New Delhi on February 8, 2007. The Speaker expressed gratitude and appreciation to His Majesty the Fourth King, His Majesty the Fifth Druk Gyalpo and the Government of India. A copy of the inaugural speech is annexed at the end of this resolution booklet.

II. REPORT BY THE PRIME MINISTER ON THE PERFORMANCE OF THE GOVERNMENT IN THE PAST YEAR

Presenting the annual report on the performance of the government for the fiscal year 2006-2007, the Prime Minister reminded the House that during the year, under the visionary leadership of His Majesty the Fourth Druk Gyalpo and His Majesty the Fifth Druk Gyalpo, the Royal Government continued to strive for all round socio-economic development in the country for the wellbeing of our people. He added that several significant and historic events have taken place during the year. The most important being the assumption of responsibilities of Monarch by His Majesty the Fifth King. He said that this profound transition is indeed an unparalleled event in the history of the world. The report was divided into five sections highlighting this special event as well as other significant events, socio-economic performance, sectoral performances, national concerns and challenges and plans and priorities for the coming year. A copy of the Annual Report containing 115 pages was distributed to the members.

While deliberating on the report, the members on behalf of the people expressed their satisfaction and appreciation on the performance of the government in the past year. Members requested that though it may incur additional expenditure on the Government, training on the use of voting machine may be carried out in the Chiwogs since such understanding will immensely benefit the people. The numerous concerns raised by the members related to issues on elections and constituencies were clarified by the Prime Minister. In addition, the Speaker reminded that problems are likely to occur during the initial stage of the first parliamentary elections in the country and that it was appropriate to mitigate the problems related to elections through joint discussion between the Prime Minister's office and the Chief Election Commissioner's office.

The members also requested for the distribution of copies of the updated 1949 Treaty for proper understanding of the provisions in the treaty by the people. Issues pertaining to the decline in the share of percentage of the agriculture sector contributing to the national GDP and the imbalance between the export and import pricing index; the sub-standard quality of road between Samtse and Tendu; improper handling of the Joint Certification of Contract works were also raised by the members.

Members submitted that the sale and consumption of alcohol as reported through the radio broadcast was relatively high despite continued efforts and measures taken by the Ministry of Trade and

Industry, the Ministry of Finance and the Ministry of Health to contain the problem. The members also submitted that issues regarding the Agreement on Double Taxation between Bhutan and India should be resolved at the earliest possible and elaborate preparations be carried out for the grand Coronation in 2008.

In response, the Agriculture Minister reported on the successful outcome of the policies and targets initiated under the agriculture Sector. He explained that the decline in the percentage share of agriculture sector contributing to the national GDP should not come as a concern since this is a natural trend brought about by the process of rapid industrialisation and urbanisation in the country. He added that the decreasing dependency of the total population on agriculture from the previous 80-89 percent to the present 69 percent has been chiefly due to the booming commerce and industries that has led to the growth of several new towns, which in turn has triggered rural-urban migration of youth seeking employment opportunities. This situation has resulted in the decrease of the population living in rural areas. Since the agriculture sector contributed only 2 percent to the GDP in the developed countries, the present 23 percent share of GDP by our agriculture sector indicated the rapid pace of economic development taking place in the country.

The Minister also explained that the Ministry's primary policy was pursued through the triple gem concept of enhancing production, improving access and efficient and effective marketing. He reported

on the successful campaign and outcome of the land management programme initiated by the Ministry. Regarding the imbalance between the export and import pricing index, the Ministry has assisted in the establishment of co-operatives at the time when farmers of Panbang faced acute loss due to marginal prices for the export of citrus mandarin. This has enabled immediate export to Bangladesh fetching good price benefiting the farmers immensely. Further, a Master Plan for the commercialization of cash crops has been developed and is under implementation. It is hoped that the project would be successful and pledged that the Ministry would continue to strive towards realizing the plans that are developed in setting up business co-operatives.

In addition, the Minister for Trade and Industry said that due to increased efforts in the development of industries, hydro-power and tourism, it is assumed that the agricultural sector was under-performing. However, this trend was prevalent in almost all the countries in the world. On the issue of control of sale and consumption of alcohol, the Minister said that rather than increasing the bar license fees, it was more important to provide education and disseminate information on health hazards due to alcohol consumption. To this effect, the Ministry of Trade and Industry has revised the bar licence fees from Nu. 5,000.00 to 15,000.00 under town category A; Nu. 3,500.00 to 10,000.00 under town category B and; Nu. 2,000.00 to 5,000.00 under town category C respectively. The previous licence fees of Nu. 1,000.00 for mini bars have also been increased to Nu. 3,000.00. He added that other existing stringent rules and regulations have been

maintained as before and expressed the hope that the revision would control the sale and consumption of alcohol. Concerning the introduction of joint certification of contract works, he said that in the event the present rules and regulations on permits for foreign workers especially in commerce and industries were not strengthened, it would be difficult to eradicate fronting in the country.

The Minister for Works and Human Settlement informed that upon receipt of the report by the Ministry on the sub standard quality of black-topping of the road between Samtse and Tendu, an investigation team consisting of a member each from Construction Development Board (CDB), Standard and Quality Control Authority (SQCA), Policy and Planning Division (PPD) was dispatched immediately. A system has also been developed for explicit reporting of secretive information on cases involving fronting cases in contract works.

The Finance Minister said that although the agreement on waiving off double taxation, which was drafted two years ago, has been submitted to the Government of India through the Indian Embassy in Bhutan, the response is yet to be received. The matter was still being discussed with the Indian Embassy in Bhutan. He added that it has been pursued particularly because 90 % of our trade transactions were with India and in the event the outcome of the agreement proved successful, efforts would be made towards establishing similar agreements with other South Asian countries.

The National Assembly resolved that:

1. As per the report on the revision of bar license fees based on the category of towns to control the sale and consumption of alcohol, the Ministry of Trade and Industry should formulate adequate measures to reduce the consumption of alcohol and related problems.
2. In order to reduce substance abuse, the Ministry of Health should develop appropriate procedures in enhancing education, communication and dissemination of information at the earliest possible.
3. Since the licences in industrial, contract and trade have been practised illegally, the Ministry of Trade and Industry and the Ministry of Works and Human Settlement should jointly work towards the eradication of fronting practices and resolve the issue as soon as possible.

The National Assembly expressed its sincere appreciation to the Prime Minister and the Cabinet Ministers for the remarkable achievements made in the sphere of socio-economic and Good Governance, further-strengthening relations with the international donor countries in general and laying strong foundations of friendship and cooperation with neighboring countries.

The deliberation on the Annual Report concluded on June 7, 2007 corresponding to 22nd Day of the 4th Month of Fire Female Pig Year.

III. PRESENTATION OF THE NATIONAL BUDGET FOR THE FINANCIAL YEAR 2007-2008 AND THE REPORT ON THE 2006-2007 BUDGET

The Finance Minister presented the National Budget for the FY 2007-2008 and the Review Report of the FY 2006-07. He mentioned that in a world where global imbalances have been set off by political unrest, natural calamities, price instabilities, and financial crisis, Bhutan has enjoyed continued peace and unparalleled economic growth. These have been possible due to the farsighted leadership of His Majesty the Fourth Druk Gyalpo. As we stand today on the threshold of another historic era, the prospects for greater progress await the Bhutanese people under a new and dynamic leadership of His Majesty the Fifth Druk Gyalpo.

The total revised budget outlay for the fiscal year 2006-07 was Nu.18,316.206 million showing an increase of Nu.414.623 million or 2% up against the original estimate of Nu. 17,901.583 million. The current expenditure is estimated at Nu.8,185.66 million, 3% higher from the original estimate of Nu.7,961.974 million. The capital expenditure budget has increased by Nu.288.049 million or 3%. The increase is accounted against the activities not foreseen at the time of the original budget preparation.

The Finance Minister submitted the budget estimate for the FY 2007-08. He said that being the final year of the Ninth Plan, the expenditure budget estimates for the new fiscal year has been drawn up mainly

with the view to complete most of the activities of the Ninth Plan. The total expenditure budget outlay is estimated at Nu.22,239.317 million representing 39% of the estimated GDP of Nu.52,846 million. On the whole the total outlay has increased by a margin of 22% from that of the revised estimates of FY 2006-07.

The current expenditure is estimated at Nu.11,620.883 million or 42% increase over the revised FY 2006-07 budget estimates. The increase is mainly accounted for by the estimated increase in interest payments. The capital expenditure for the fiscal year 2007-08 is estimated at Nu. 10,618.434 million indicating 20% of the GDP or 52% of the total budget outlay. The lending is expected to be around Nu.40 million only in the coming fiscal year. Recoveries of loans from corporations are estimated at Nu.1,693.717 million.

The total revenue for the FY 2007-08 is estimated at Nu.13,130.209 million, 37% higher than the revised estimates for FY 2006-07. The external grants are estimated at Nu.6,382.937 million for the coming fiscal year constituting the programme grant of Nu.1,262 million and the estimated project grant of Nu.5,120.937 million.

The Finance Minister, on behalf of the Royal Government and the people of Bhutan, expressed deep appreciation and gratitude for the assistance provided by the Government and the people of India and other development partners.

The overall budget deficit is projected at Nu.1,050.168 million. On the estimated GDP it constitutes around 2%. This deficit will be financed

by net domestic borrowing, and is expected to cover 10% of the capital expenditures. With regard to the debt service, an amount of Nu.1,832.900 million has been budgeted for principal repayment of external loans. Of the estimated GDP, debt service constitutes 9%. The debt principal repayment on the RGOB's internal loans is budgeted at Nu.175.303 million.

At the end of FY, the total external debt outstanding is expected to be Nu.43,331 million or 82 % of the estimated GDP. The internal debt outstanding is estimated to be Nu.2,367 million or 4.5% of the estimated GDP. From the total expenditure budget, a budget of Nu.4,358 million which is around 20% of the total outlay is projected for implementation by the Dzongkhags and Geogs. Since most of the Ninth Plan activities executed by the Dzongkhags and Geogs have been completed, the outlay in the FY 2007-08 is less by about 7% from the revised outlay of FY 2006-07.

The total sector-wise budget allocation for FY 2007-08 is estimated at Nu.24,287.520 million with economic and public sector being provided the highest allocation of Nu.8,037.177 million(33%). The public debt outstanding as of December 2006 stood at US\$ 679.375 million which is around 75.67% of estimated GDP. The Finance Minister submitted that Bhutan's GDP is estimated to have grown by 16.6% in FY 2006-07, and for FY 2007-08, it is estimated to grow by 9.1%. He said that Bhutan has made tremendous achievement within a short period of time under the dynamic leadership of our farsighted Kings,

and the system suited our country very well. With such a move emanating from the Golden Throne, he expressed his confidence on the success of current national budget for FY 2007-08.

The National Assembly expressed deep appreciation to the Prime Minister, Cabinet Ministers including the Finance Minister for the successful implementation of the National Budget Plans. The Budget for the FY 2007-08 was approved and the deliberation on the budget concluded on June 8, 2007 corresponding to 23rd Day of the 4th Month of Fire Female Pig Year. (*The National Budget for the FY 2007-2008 booklet was distributed to the National Assembly Members*).

IV. REPORT ON THE IMPLEMENTATION STATUS OF THE RESOLUTIONS OF THE 86TH SESSION OF THE NATIONAL ASSEMBLY BY ZHUNG KALYON

The Zhung Kalyon presented a brief report consisting of 13 points on the implementation status of the resolutions of the 86th Session of the National Assembly. Copies of the report were also distributed to the members.

Besides the points included in the report, the Minister for Home and Cultural Affairs clarified that with respect to the activities to be carried out under Zhabtog Lemi, with particular reference to construction and maintenance of farm and power tiller roads, it was being executed as per the Memorandum of Understanding drawn between the Ministry of Agriculture and the Dzongkhag Administration. He said that although

the repair and maintenance of community and private owned Lhakhangs have to be carried out by the people themselves, keeping in view of the request submitted by the people, major renovation works that are beyond the capability of the people shall be properly assessed by the government and the viability of awarding the work on contract basis shall be studied.

The members submitted that minimum national wage rate may be provided for the works carried out by the people for the maintenance of water supply schemes, mule tracks and farm roads that were within the length of 10 km, otherwise, the length of 10 km be reduced to 5 km. There was also the need to clearly spell out who was responsible for the construction of new irrigation channels including the payment for transportation of construction materials. Further, members also sought clarification on the non-implementation of the increased portorage rate by the government as resolved in the 86th Session of the National Assembly. It was imperative to maintain the system of Zhabtog Lemi which is practiced in line with the decentralisation policy initiated under the benevolent leadership of His Majesty the Fourth Druk Gyalpo. It was also important to separately differentiate the remuneration benefits provided under the Zhabtog Lemi system as there was imbalance in the granting of uniform *Kidu* since the rural areas were required to contribute Zhabtog Lemi while the urban towns and geogs were exempted.

Further, the members submitted that minor works in the rural areas be carried out under the Zhabtog Lemi and that the government should undertake the planned and other developmental activities where budgets have been allocated. Although it was reflected that a sum of Nu. 5 lakhs will be allocated for the construction of a community school, upon actual implementation, the total amount has not been made available to the people. Therefore, in order to mitigate the problem, the full amount may be provided to the people. Members also requested to address the problems that have ensued due to absentee households in the rural areas. In order to solve these issues, adequate funds may be provided in carrying out the numerous community based developmental activities through the institution of *Tshogpas*.

Responding to the submissions, the Finance Minister explained that although it was resolved in the 86th Session of the National Assembly to increase the existing portorage rate, it was imperative to carry out a detailed study on the subject of traveling allowances prior to increasing the portorage rate. He informed that the increased portorage rate has been finalised and will be implemented with effect from 1st July, 2008. Explaining on Point 1 of activities to be carried out under the Zhabtog Lemi System, the Minister for Home and Cultural Affairs said that community and institutionally owned *lhakhangs* requiring total reconstruction or major repair should be submitted to the Ministry after discussing the issue in the GYT and DYT respectively. Following this, the Government shall assess its feasibility and accordingly execute

the work. Minor repair and regular maintenance works should be carried out by the people themselves. With regard to the *lhakhangs* of historical importance, he informed that the Ministry has delegated the authority to the people in all twenty dzongkhags for undertaking renovation of *lhakhangs* within the limit of 3 *lhakhangs* if it required major renovations or 5 *lhakhangs* if it required minor renovations annually. The Ministry accordingly sought budgetary assistance from the Ministry of Finance and facilitated skilled workers and materials and added that the Government will continue to do so in the future.

The Minister further said that since rural water supply scheme was only associated with the placing of water-pipes and other minor works and do not require major undertakings, such works within the length of 10 km is required to be carried out by the people through the Zhabtog Lemi. Minor repair and regular maintenance of irrigation channels, regardless of 5 km, 10 km or 15 km in length, have to be carried out by the people under Zhabtog Lemi contribution. However, major repair and maintenance of irrigation channels beyond the length of 5 km shall be awarded on contract basis by the Government. The Government will provide construction materials on major repair and maintenance of irrigation channels within the length of 5 km while labour shall be contributed by the people through Zhabtog Lemi. He added that such shared efforts by the government and the people would prove beneficial to the long-term sustainability of the System. Regarding the submission for the payment of minimum national wage for the works carried out under Zhabtog Lemi, he said that it was acceptable to abide the decision passed by the current National Assembly.

The Minister for Home and Cultural Affairs informed that as in the past, the government shall continue to supply equipment and explosives for the maintenance of mule tracks while labour shall be contributed by the people through Zhabtog Lemi. It was essential that erecting and suspending of iron rods and ropes in the construction of suspension bridges were carried out by skilled labour and experts. He said that construction materials were also supplied by the Government and that such types of assistance to the people would be continuously provided. He also said that the people do not face difficulties since it does not require major repair and maintenance. However, in the event the bridge undergoes major damage and requires reconstruction and re-suspension of the walls and the iron-ropes, the Government shall undertake such works. He said that the Government has plans to replace the flooring of the suspension bridges with iron slabs. Similarly, he informed that the Government shall provide CGI sheets and skilled workers for re-roofing of community schools in the event the roofing is being blown away by the wind.

Subsequent to the extensive deliberations on Section 4 of the report presented by the Royal Advisory Council, the National Assembly resolved that:

1. As submitted by the Minister for Home and Cultural Affairs on the activities to be carried out under the Zhabtog Lemi, major renovation works of community and institutionally owned Lhakhangs should be carried out by the Government while minor repair and regular

maintenance should be carried out by the people themselves under the Zhabtog Lemi System.

2. The Government should provide construction materials and masonries for the major repair and maintenance of rural water supply schemes, water reservoirs and irrigation channels while minor repair and regular maintenance should be carried out by the people themselves under the Zhabtog Lemi System.

3. The repair and maintenance of rural water supply schemes within the length of 10 km to be carried out by the people under the Zhabtog Lemi system shall stand as before. On the submission made by the people that the repair and maintenance of irrigation channels within the length of 10 kms needed to be carried out by the people under Zhabto Lemi System be reduced, the concerned Ministry had acknowledged and has been reduced to the length of 5 kms. Minor repair and regular maintenance shall be carried out by the people under the Zhabto Lemi System.

4. The government should provide materials for maintenance of mule tracks and suspension bridges while the minor repair and maintenance should be carried out by the people through Zhabtog Lemi System.

5. Regarding the maintenance of farm roads, the Resolution of the 85th Session of the National Assembly states that the maintenance of farm roads shall be emphasized on the triple gem concept. Since it was not required to amend the previous Resolution, maintenance of

farm roads should be carried out as per the policy of the Ministry of Agriculture based on the triple gem concept.

6. The Government should provide CGI sheets and skilled labour for the community schools while other activities will be maintained as before.

7. In the event that important structures like Lhakhangs and Choetens happen to fall within the road right-of-way, such structures should not be dismantled. Instead, the Ministry of Works and Human Settlement and the Department of Roads should make a study to divert the routes to save the structures.

8. With regard to the plots below the minimum required size owned by an individuals which are not permissible for construction purposes, such individuals should be allowed to purchase the Government land adjacent to their land or the Government should acquire the adjacent private plot at the standing market rate through joint discussion between the Ministry of Works and Human Settlement and the Thromde Tshogde.

The National Assembly commended the Royal Advisory Council for the comprehensive report on the implementation status of the resolutions of the 86th Session. The National Assembly also expressed appreciation to the Prime Minister and the Ministries for the valuable responses and support rendered towards arriving at substantive resolutions.

The deliberation on the Report by the Royal Advisory Council concluded on 8th June, 2007 corresponding to 23rd Day of the 4th Month of the Fire Female Pig Year.

V. REPORT BY THE CHAIRMAN OF THE PUBLIC ACCOUNTS COMMITTEE

1. The Chairman of the Public Accounts Committee presented the Status Report on the financial irregularities that were settled and the remaining financial irregularities of 2004 and 2005. He informed that the Annual Audit Report (AAR) 2004 reported irregularities amounting to Nu. 369.597 million, out of which Nu.359.457 million or 91.19 percent had been recovered as on 25.5.2007. The remaining unresolved irregularities amounted to Nu. 10.140 million or 8.81 percent. The Chairman said that the main reasons for the failure in the immediate resolving of the irregularities have been due to transfer, resignation and on leave of the responsible persons, constructions and procurements were inconsistent to the code of conduct and the prevailing norms, non-maintenance of books of accounts and payment on income taxes were not incorporated, double payment and pending court cases.

Likewise, the Chairman also submitted that the AAR 2005 reflected financial irregularities amounting to Nu.264.280 million in respect of ministries, departments, dzongkhags, geogs, autonomous agencies, NGOs, judiciary and the armed forces. Out of which Nu.170.055

million had been recovered as on 25.5.2007 and added that the current outstanding irregularities stood at Nu.93.225 million.

2. The Chairman informed that the AAR 2006 reflected that as per the Resolution of the 86th Session of the National Assembly, M/s Ray and Ray, Chartered Accountants were appointed to conduct the audit of accounts and operations of the RAA covering the period 1st July 2005 to 30th June 2006. The findings of the independent auditors reported that there was no misappropriation or irregularity in the accounts and operations of the RAA. He added that the report of M/s Ray and Ray, Chartered Accountants has reflected that a total budget of Nu.49.799 million was approved to the RAA for the fiscal year 2005-06, out of which the actual expenditure incurred was Nu.47.668 million.

The Chairman presented the overall summary of Audit observations as reflected in the AAR 2006. He said that the audit findings and recommendations constituted the single most significant source of input to the Annual Audit Report. As in the past, attempts were made to incorporate only unsolved issues of significance. He added that the overall unsolved irregularities of the Government and the departments, corporations, financial institutions and NGOs incorporated in the AAR 2006 amounted to Nu.186.775 million. This indicated a reduction of Nu.65.343 million, representing 25.92 percent as compared to aggregate amount of Nu.264.280 million reflected in the AAR 2005. He submitted that the House should give appropriate directives to

resolve the remaining unsettled financial irregularities of 2004 and 2005 as was reported.

While deliberating on the issue, members expressed concerns over the increasing cases involved in corruption as reflected in the AAR 2005 and 2006. On the reported financial irregularities amounting to Nu.3 million in the previous AAR 2005 and an upward increase of irregularities to Nu.13 million in the AAR 2006, members made queries whether it was indicative of the outcome with the establishment of the Royal Audit Authority, Public Accounts Committee and Anti Corruption Commission. Further, members submitted that in the event the ministries, departments and corporations do not render collective efforts to curb corruption at present, it would entail immense difficulties after the adoption of parliamentary democracy and would also adversely affect the Bhutanese society.

The Chairman explained that the Audit Report has been tabled before the National Assembly through the Public Accounts Committee. He made detailed presentation of the experiences and findings by the Committee in matters concerning financial irregularities, factors causing irregularities and its remedial measures, while carrying out its functions as per the directives of the National Assembly. He said that the increased irregularities amounting to Nu.13 million in the present report as compared to the previous year's report of 3 million was primarily due to the comprehensive and continuous investigations executed by the RAA by means of just conduct without fear or favour. He explained

that the financial deficit and corruption reflected for the Dzongkhags and Geogs has been due to delay in the release of Budget by 4-5 months although it was required for the timely release of Budget prior to the implementation of planned activities in the Dzongkhags and Geogs. He said that some irregularities which referred to fraud, corruption and embezzlement cases during the 1990s have formed the main basis of inconveniences and problems. With regard to the pending cases related to financial irregularities, he submitted that the Courts need to render adequate support in the speedy clearing of such cases. In view of preventing the occurrence of problems associated with financial irregularities in future, he added that it would not entail problems of irregularities in the event the Annual Audit Report is accorded due compliance and accordingly implemented. Likewise, he requested the Government to brief on the implementation status of the prioritised list of irregularities of 2004 and 2005 involving fraud, corruption and embezzlement, which has been submitted to the Government as per the Resolution of the 86th National Assembly.

The Prime Minister said that in keeping with the concerns of the Monarchs, the Royal Government and the people on the increasing corruption cases in the country, the Government has prepared a sound policy and accorded utmost priority and heightened efforts towards curbing corruption. He said that as per the directive of the 86th National Assembly Resolution, the Royal Government has received, through the Speaker, the prioritised list on fraud and embezzlement cases

prepared by the PAC. Immediately upon receipt of the list, it was followed up with the RAA and 7 cases out of a total of 11 cases of irregularities for 2004 have been cleared and letter of no objection from the Audit has also been received. He added that the Government shall continue to work towards settling the remaining 4 cases of irregularities. Likewise, he said that out of the total 15 cases of irregularities for 2005, 1 case has been cleared through discussion with the RAA and that the Government take all steps to settle the remaining 14 cases of irregularities at the earliest possible.

The Prime Minister further said that the Government shall resolve all the past cases of irregularities immediately after discussion with the RAA and strive towards handing over the responsibilities to the new Government without any financial irregularities. He added that as per the existing System, the government would write-off cases of irregularities which are impossible to resolve.

The Prime Minister also said that the PAC with dedication and detailed investigation has resolved the earlier inconveniences and problems of financial irregularities that existed in the ministries and corporations. Besides the immense benefits accrued from the establishment of the PAC, it has helped the National Assembly members and the public in understanding the status of the Audit Report. Therefore, on behalf of the Royal Government, the Prime Minister expressed gratitude and appreciation to the members of the PAC.

Some members submitted that as indicated in the AAR 2006, it was imperative for the National Assembly to render necessary support on its prerequisites of promoting human resource development and the proposal for the establishment of a Regional Training Centre in Tsirang on auditing and related fields. Members pointed out that in the event approaches to provide in-house trainings to staffs of the RAA are not initiated from now, it would result in a state of not being able to present detailed and honest audit reports with the institution of the democratic system in the country. Since the absence of a Training Centre has marred the effectiveness of the Internal Audit System, members opined that it was imperative for the National Assembly to acknowledge the proposal of the RAA and direct the establishment of a Training Centre on Auditing at the earliest possible.

With regard to the financial irregularities due to delay in the timely release of the Budget, the Finance Minister said that the earlier process of releasing the budget on monthly basis was revised and the present practice of releasing the budget after every 3 months period is being followed. He added that the Budget Division subsequently released the budget upon receipt of the statements of accounts within 45 days. He said that expenditures were booked towards close of the year without actually carrying out the activities against bank drafts and cash warrants, which was illegal and in violation of budgetary and accounting norms.

Members said that since submitting of cases on financial irregularities of 2004 and 2005 to the Office of the Attorney General would only

prolong the process, it would be beneficial to resolve cases within December of this year if such cases are forwarded to the Dzongkhag Courts. Pertaining to financial irregularities of 2004 and 2005, some members said that corruption and related cases over the past 3 years may be forwarded to the Anti Corruption Commission and other such cases may also be referred to the Office of the Attorney General if necessary. Members submitted that the National Assembly should pass a directive that cases on irregularities which could be resolved by the concerned ministries and departments should be completed during the tenure of the present Government.

Some members said that the resolving of cases on financial irregularities by the Court would not only require the filing of cases but would also necessitate a complainant. However, it would not be feasible for the PAC to file the cases and engage in court proceedings since the Committee would be automatically dissolved with the concluding of the current session of the National Assembly. Hence, members submitted that the financial irregularities be resolved by the Secretaries and Dzongdags of the respective ministries and dzongkhags over a given period of time, instead of being referred to the Courts. Members added that pending cases on financial irregularities in the courts need to be resolved at the earliest possible since the settling of all financial irregularities and related inconveniences with the concluding of the 87th Session of the National Assembly would immensely benefit our society.

The National Assembly expressed deep appreciation to the Chairman and members of the PAC for the presentation of the comprehensive Status Report on the settled financial irregularities and the remaining financial irregularities 2004 and 2005 and the overall summary of Audit Observations AAR 2006. The National Assembly noted that although the PAC was required to carry out the directives of the National Assembly in resolving the cases on financial irregularities after the conclusion of the current Session, it will not be possible for the PAC to complete the task as it will stand dissolved since His Majesty the King has commanded that the 87th National Assembly would be the last Session under the present government. The Prime Minister also submitted that the cases on financial irregularities would be settled within 2007 in the event such responsibilities were entrusted to the respective ministries. The National Assembly resolved that the Prime Minister, the Council of Ministers, Dzongdags, DYT Chairmen, Gups and the community leaders should collectively settle all the pending cases on financial irregularities within December 31, 2007.

The National Assembly concluded that the ongoing financial irregularities and related cases should be completed at the earliest possible by the respective Dzongkhag Courts, High Court and the Office of the Attorney General since it was imperative to resolve such irregularities prior to the institution of the new Government.

The National Assembly reminded that the listed 15 cases involved under major corruption as reflected in the AAR 2006 should be

followed up by the Anti Corruption Commission with the concerned ministries and such cases found involved in major corruption should be dealt with as per the Act. With regard to the proposal of the RAA for the establishment of a Regional Training Centre on auditing and related fields, the National Assembly resolved that the RAA and the Royal Civil Service Commission should jointly discuss the establishment of a Training Centre with the relevant ministries and assess its requirement and the availability of funds.

The deliberation on the Report by the Chairman of the Public Accounts Committee concluded on 11th June, 2007 corresponding to 26th Day of the 4th Month of the Fire Female Pig Year.

VI. ANNUAL REPORT BY THE CHAIRMAN OF THE ANTI CORRUPTION COMMISSION

Presenting the first annual report of the Anti- Corruption Commission, the Chairperson said that for the success of the Anti-Corruption Commission, the most important factor, as in Lord Buddha's teachings "*Commit not a single unwholesome action, Cultivate a wealth of virtue, To tame this mind of Ours completely*" was the mindset and attitude of the people. The Chairperson informed the House that national and public interests have been the driving force, and clear conscience, firm, indiscriminate, fair and fearless action, the modus operandi of the Anti-Corruption Commission which was established on 4th January, 2006. In addition, valuable support of the agencies and goodwill of many people have been a source of encouragement.

Our successive kings envisioned Bhutan as a nation of peace, prosperity and happiness. Gross National Happiness is the conscience, the beacon for the Royal Government's development policies and programme. Fighting corruption is an important strategy of achieving Gross National Happiness.

During the deliberations on the Report, the members of the National Assembly availed themselves of the opportunity, one after the other, to express their appreciation and to seek clarifications on various issues such as the mandate and basis of Anti-Corruption Commission's investigation of corruption offences which were committed prior to the enactment of the Anti-Corruption Act. The members also asked the Chairperson to clarify whether the Audit Authority has forwarded the case of the five individuals who were found to have committed corruption offences by the Public Accounts Committee to the Commission, and the kind of action which the Anti-Corruption has taken if the case has been forwarded.

The members also sought clarification on the recent corruption case pertaining to the City Corporation under the Ministry of Works and Human Settlement and the fraudulent land transfer case of Phobjikha under Wangdue Phodrang Dzongkhag. The members also questioned the practice of reporting of corruption cases in the media such as Kuensel before the final decision is rendered by the Court. The members said it was important to consider the negative effect that such press releases might have on the society.

With the enactment of the Anti-Corruption Act, the Commission was granted full independence and authority. The members asked the Chairperson if the authority as accorded to the Commission by the Act was inadequate, or whether the Commission has failed to fully utilize the authority, or whether the authority as embodied in the Act has been seized from the Commission by others. The members also sought clarifications on the meaning and understanding of the term “corruption” and the degree of crime that would amount to corruption. In addition, the members asked the Chairperson to elucidate on the measures and actions that the Commission has taken with regard to the issue of post perpetuation.

Although the Anti-Corruption Commission had called for the suspension of around 77 individuals, the same has not been executed uniformly by different agencies. The members enquired if this was a failure on the part of the Commission to operationalise and implement the ACC Act or whether it was due to lack of support from the Government. The members requested for a thorough deliberation and decision on the issue. The Anti-Corruption Commission has taken strong action against those low grade civil servants who had made fraudulent TA/DA claims and against community leaders who had committed mistakes due to their ignorance. They had been prosecuted in the Courts and terminated from their services, which is indeed indicative of the fact that the Anti-Corruption Commission was taking to task only those who are poor and underprivileged. The members said that before

they offered their support to the ACC, it was important that the House be informed about those affluent and powerful individuals who have been found to have committed the crime of corruption. The members also enquired if the mandate of the Anti-Corruption Commission was not applicable to civil servants who hold the position of Joint Director and above.

The members submitted that only those who are underprivileged and who do not have the authority, such as community leaders are prosecuted for corruption. The media also reported corruption cases pertaining to these individuals. The corruption cases pertaining to the affluent and individuals of authority are never reported in the media. The members opined that if the relevant ministries continue to give such discriminatory support to these individuals, it would only increase corruption in the country.

The rationality behind the establishment of the Anti-Corruption Commission and the enactment of the Anti-Corruption Act were to curb corruption in the country, and thereby attain the vision of Gross National Happiness but not to annihilate people. Therefore, it was important to reflect and consider whether the ministries and organizations are allowed to negotiate and settle cases of corruption internally in defiance of the orders given by the Anti-Corruption Commission. During investigation of corruption cases, it was also important for the Commission to coordinate with the Heads of the concerned ministries and organizations, instead of direct arrest and prosecution.

The members also submitted that instead of treating all the corruption offences uniformly, that there was a need for making a distinction of corruption offences based on severity and degree of the offence. In addition, the members submitted that before the establishment of the new Government, there was an urgent need to clearly define the time limit even if it entailed amendment of the Act.

In lieu of the fact that the Chairperson of the Anti-Corruption Commission is a Constitutional Office holder, some of the members questioned the appropriateness of the necessity of making a presentation in the National Assembly by the Chairperson. The members also said that since the work and *modus operandi* of Anti-Corruption Commission was different from other occupation, it was critical for all the members to render full support and assistance to the Commission. In addition it was very pertinent to make adequate financial provision to the Commission. The Anti-Corruption Commission should bury the past and after giving due considerations to the present and future circumstances, embark on its mandate by showing good example.

Responding to the submissions made by the members, the Chairperson and Legal Officer of the Anti-Corruption Commission said that the Commission's investigative authority has been granted by the Royal *Kasho* of the Fourth Druk Gyalpo. The Chairperson said that since all the criminal offences have been clearly defined in the Penal Code of Bhutan, the Commission did not see any difficulties or problems.

The Chairperson submitted that the Commission faced difficulties in the recruitment of good professionals to join the office. Through the Royal Civil Service Commission, the ACC had unsuccessfully announced job vacancy in the office for two times. The Commission has submitted a report to the Government regarding these recruitment difficulties faced by the Commission. The Chairperson also said that the Commission conducted the investigations without fear and favour and that the Commission is carrying out its mandates impartially and without discrimination.

The Chairperson added that the investigations of the past cases by the Commission has not affected or impinged the authority or functioning of the relevant organizations. The Commission carried out the investigations in accordance with the Penal Code of Bhutan which clearly defined the past offences as amounting to crime. The Anti-Corruption Commission's investigative authority granted by the Royal Decree and the Anti-Corruption Act should be interpreted as the authority to conduct investigation on corruption cases irrespective of time of the commission of the crime. For that matter if not the Anti-Corruption Commission, the Royal Audit Authority and other law enforcement agencies can investigate old cases irrespective of time limit. The Anti-Corruption Commission's investigative authority of the old cases has been granted and embodied in Sections 68 and 69 of the Anti-Corruption Act. If the Commission is said to have no authority to investigate the old cases in accordance with the provisions of the Anti-Corruption Act, there is the need to frame a specific limitation law.

Although the Anti-Corruption Commission could not visit every Dzongkhag to conduct public education and advocacy programme, the Commission conducted the public education programme with the public, schools and the community leaders of the Dzongkhags. In addition, the Commission has been informing and educating the public through Kuensel and radio.

Although the Anti-Corruption Commission assessed and reviewed the audit reports, the Commission did not investigate the audit reports on which follow up and corrective action had been taken by the relevant ministries and organizations. However, the Commission has started investigation of the audit reports on which follow up action had not been taken.

With respect to the Phobjikha land case, the Commission conducted the investigation in accordance with the Anti-Corruption Act and the Civil and Criminal Procedure Code of Bhutan. As regards the suspension of accused public servants, the Commission is working in close understanding and coordination with the heads of the relevant ministries and organizations. However, the Anti-Corruption Commission, being a new institution, there might have been lapses in the past.

As regard to the transfer of civil servants, the Chairperson opined that although the Bhutan Civil Service Rules was very clear, there was weak enforcement of the Rules. The Commission has taken note of the problems of post perpetuation and letters have been sent to the

Heads of different ministries. Although the Commission has filed 13 corruption cases in the courts, due to sheer load of cases in the courts, only one case has been completely adjudicated.

Responding to the questions of legality raised by the members with regard to the termination of one of the National Assembly members, the Speaker informed the House that the member was terminated because of his involvement in the Phobjikha corruption case. The Speaker said that the member was terminated in accordance with the relevant laws of the country. For the purpose of clarification, the Speaker read out the relevant provisions of the laws.

The National Assembly noted that it would not be possible for the House to deliberate and come to a consensus with regard to the issue of investigation of old cases (retrospective application of Anti-Corruption Act) as raised by the members. However, the National Assembly resolved that the Anti-Corruption Commission should function in accordance with the Royal Decree of His Majesty the Druk Gyalpo, and if the issue was not clearly embodied in the Royal Decree, the Chairperson of the Commission should make submissions to His Majesty the Druk Gyalpo. The Anti-Corruption Commission should function in strict compliance to the Royal Command as may be received from His Majesty after making the submissions. The National Assembly reminded the House that it would not be possible for the Anti-Corruption Commission alone to individually prevent corruption in the country. The prevention of corruption calls for a concerted effort and support from the Council of Ministers led by the Prime Minister,

the Secretaries and Directors of the ministries, the Dzongdags and the elected members. With regard to the Royal Decree, the National Assembly resolved that it would not be fitting for the House to pass a resolution. The main reason for seeking clarification by the members was the indiscriminate reporting and prosecution of corruption cases. The corruption cases of civil servants placed in lower positions were immediately reported in the Kuensel and prosecuted promptly but corruption cases involving those in higher positions and of authority were not reported in the media. The members had opined that such impartiality would create difficulties. The National Assembly resolved that the the Anti-Corruption Commission should give due consideration and regard to the concerns raised by the members. The National Assembly reminded the Commission that excepting His Majesty the Druk Gyalpo, everyone, irrespective of status was equal before the law. Therefore, it is very important that the Commission carry out its mandates and functions in accordance with the Anti-Corruption Act. With regard to the issue of operational inconveniences and difficulties faced by the Commission during implementation of the Act, the National Assembly reminded the members to raise the issue during the deliberation of the Civil Service Bill. With regard to transfer of civil servants, the Assembly noted that the past sessions had also deliberated and passed resolutions on the issue. The Assembly further resolved that if any cases or difficulties relating to post perpetuation came about in future, the Anti-Corruption Commission should take action in close coordination with the Royal Civil Service Commission.

The deliberation on the Annual Report presented by the Chairman of the Anti Corruption Commission concluded on 11th June, 2007 corresponding to 26th Day of the 4th Month of the Fire Female Pig Year.

VII. ISSUES RELATED TO DEVELOPMENT ACTIVITIES

1. Finalization of the New Town Plan at Rinchenthang (Alabari), Nanglam

The people of Nanglam Dungkhag under Pemagatsel Dzongkhag submitted that as per the resolutions of the 86th Session of the National Assembly, the Minister for Works and Human Settlement and some concerned officials visited the town plan site at Rinchenthang under Nanglam Dungkhag to conduct the feasibility study of the town site. It was found that the site was appropriate and the people were instructed to submit the point to the National Assembly for necessary approval and endorsement.

Responding to the submission, the Minister for Works and Human Settlement submitted that as per the resolutions of the 86th Session of the National Assembly, the Department of Urban Development and Engineering Services conducted the feasibility study of the establishment of the town at the proposed site and a topographic map of the whole area has been drawn up. During the investigation of the feasibility of the establishment of new town at Rinchenthang under Nanglam Dungkhag in April, it was found that the present township had no scope for future expansion. If the town was established at Rinchenthang,

there would be no problem of security, water supply and other necessities with good scope for future expansion. If the 87th Session approves the establishment of the new Nanglam town at Rinchenthang, the proposed developmental plan that has been prepared by the Ministry for Works and Human Settlement for the new township would be implemented by the beginning of the Tenth Plan. A proposal for the improvement of the road access to the new town from Assam which is in a poor condition has also been made to the Government of India by our Foreign Ministry.

The National Assembly approved the location of the new township at Rinchenthang and the plans formulated for the township by the Ministry should be implemented by the beginning of the Tenth Plan.

The deliberation on finalization of the new town plan at Rinchenthang under Nanglam Dungkhang concluded on 12th June, 2007 corresponding to 27th Day of the 4th Month of the Fire Female Pig Year.

2. Road connection from Nimtola to Lhamoizingkha

The people of fourteen geogs under Dagana Dzongkhag submitted that when Lhamoizingkha Dungkhang was under Sarpang Dzongkhag, it was convenient for the people to connect with the Dzongkhag. With the transfer of the Dungkhang under Dagana Dzongkhag, it is making it difficult for the people to connect with the Dzongkhag. However, if a road connection between Dagapela to Gaserling, and Nimtola to Samarchu, till Lhamoizingkha Dungkhang is constructed

within the Ninth Plan, it would immensely benefit the people of Dagana Dzongkhag and provide road access to six other Dzongkhags. In the event this is not possible, then the 10 km road connection between Karmaling to Samarchu should be constructed within this Ninth Plan and the people would contribute labour requirement at Nu. 50 per day.

The Minister for Works and Human Settlement submitted that the road from Nimtola to Samarchu, till Lhamoizingkha Dungkhag was included in the Road Master Plan which is to be implemented over a period of twenty years. However, since it falls under priority ranking D, it would be difficult to construct the road even during the Eleventh and the Twelfth Plan. As per the request from the Ministry of Home and Cultural Affairs, the Ministry for Works and Human Settlement conducted a feasibility study of the 10 km road from Karmaling to Samarchu which requires the construction of two bridges that would cost Nu. 95.625million. Due to budget constraints, the road construction could not be implemented in the Ninth Plan so it was submitted that it shall be constructed in the Tenth Plan. It was further submitted that road which does not incur heavy expenditure shall be constructed at the end of the Ninth Plan and till the road access is not provided, the government in consultation with the Ministry of Home and Cultural Affairs would work out measures to decentralise the authority to the Dungkhag to enable the successful completion of the decentralised activities.

The National Assembly resolved that the submissions made by the people regarding the construction of the roads from Dagapela to Gaserling, and Nimtola to Samarchu, till Lhamoizingkha Dungkhag would not be considered within the Ninth Plan due to budgetary constraints. It was resolved that the road would be constructed in the Tenth Plan and since there is no possibility for the construction of the two bridges at the moment, temporary arrangements for plying vehicles on the 10 km road from Karmaling to Samarchu should be made during the Ninth Plan with necessary machinery aid from the government.

The deliberation on the road connection concluded on 12th June, 2007 corresponding to 27th Day of the 4th Month of the Fire Female Pig Year.

3. Continuation of power transmission line from Gasarling to Laya

The people of Laya Geog under Gasarling Dzongkhag submitted that although the government has the proposal to establish a mini-hydro-power plant at Laya, they are concerned that the power generation will be compromised when the volume of water decreases drastically during winter months. Therefore, the people of 200 households of Laya requested that the present power transmission line be extended from Gasarling to Laya, in lieu of the proposed Mini hydro-power plant.

Responding to the submission, the Trade and Industry Minister said that the increase and decrease in water volume happened not only in Laya but in many parts of the country during summer and winter which

also brought a difference in power generation. It was informed that the Chukha hydro power plant generated 360 MW of power during summer while during the winter months it dropped to 70 MW and the Tala hydro power plant generated 1020 MW of power during summer while during the winter months it dropped to 170 MW. Further, in view of the location of Laya Geog in high altitude, the implementation of electrification projects would be difficult. However, it was informed that since it is the Government's Policy to provide electricity to as many households as possible, the priorities for electrification have already been set out. In view of this, the Government of Japan has provided aid to build a 150 KW power plant at Laya which will immensely benefit the people of Laya, schools, hospital and the armed forces. The Minister informed the House that the Government is conducting a study to find out which mode of power supply will best work for Laya and there is no reason for the Laya people to be worried for not being provided with electricity.

The National Assembly resolved that regarding the continuation of power transmission line from Gasa to Laya, the Power Corporation should assess both the establishment of mini hydro- power plant and the continuation of power transmission line and the decision so made in this regard should satisfy the people.

The deliberation on the continuation of power transmission line from Gasa to Laya concluded on 12th June, 2007 corresponding to 27th Day of the 4th Month of the Fire Female Pig Year.

4. Basic Urban Amenities

The people of Kawang Throm under Thimphu Municipality submitted that they are not granted basic amenities and the right to utilize their own land due to which they are facing a lot of difficulties and sought clarification on this issue. While supporting the submission, several Members said that Thimphu city has been facing shortage of water supply since two or three years ago. Therefore, the Ministry was asked to explain on what types of measures it has adopted since then to address the ever increasing water shortages. Further, it was submitted that the construction of workshop next to the historic Semtokha Dzong was not appropriate and that the developmental activities carried out in the year have to be refurbished the following year, resulting in huge government losses. So, it was reminded that proper policies and implementation strategies and practices have to be put in place for such activities. It was also submitted that the areas around Tashichhodzong must be acquired by the Government and thereby declaring it as a green area would be a good move for the future.

The Minister for Works and Human Settlement responded that the Town Structure Plan was developed long ago but the actual implementation was delayed by the non cooperation of the town residents who contested the land pooling and the difficulties faced by the City Corporation due to the budget constraints. As per the Town Structure Plan, the Government was able to acquire funds from the Asian Development Bank only for the 4 out of 11 Local Areas Plans

in the South of the City and the works are already underway. Similarly, it was informed that the World Bank has been requested to fund the basic infrastructure development of the Northern City and it is hoped that the agencies shall be able to carry out the activities soon.

The Minister explained that the number of people and houses in Thimphu are increasing annually and the acute shortage of water supply faced by the people are genuine. The House was informed that the Ministry has set up a Master Plan for the supply of water which is already implemented and it is hoped to solve the difficulties faced till date. The automobile workshop near the Semtokha Dzong was constructed in accordance with the Thimphu Structure Plan following the discussion with the interested parties not on the discretion of the Government. Further, it was informed that the workshop is located at quite a reasonable distance from the Dzong and is not intended to harm the Dzong in any manner. With the assistance from the Denmark Government, there are plans to institute machineries to reprocess the waste emitted by the workshop to make it environment friendly.

The National Assembly acknowledged the difficulties faced by the town people due to the unavailability of the basic amenities and as submitted by the Minister for Works and Human Settlement, works were under progress in the four areas of South of the City under the assistance from the donor agencies, it is expected to address these problems very soon. As per the submission that the Government is seeking aid for the North of the City, the problems faced by the people

should be addressed at the earliest. Further, the National Assembly noted that prior to undertaking works on roads and water supply in the urban areas, it was imperative to carry out proper planning keeping in view its future prospects and to avoid problems at present and in future. Since the automobile workshop had to be shifted to the area identified by the Government before 2008, the City Corporation and the Environment Commission should put in efforts to reprocess the waste emitted from the workshops to make it environment friendly. The quality and durability should be stressed while carrying out the planned activities in order to avoid repeated maintenance.

The deliberation on the basic urban amenities concluded on 12th June, 2007 corresponding to 27th Day of the 4th Month of the Fire Female Pig Year.

5. Construction of River Embankment along the Puna Tsangchu

The people of nine Gewogs under Punakha Dzongkhag submitted that the historic Pungthang Dechen Phodrang Dzong where the *Machey* of Lam Zhabdrung Rinpoche is preserved was damaged by a flash flood in the past. Likewise, there is a possible risk of glacial-lake outburst at the source of the Phochhu and Mochhu due to Global Warming as confirmed by the geological experts. As such, there is a need to construct a 2 km river-bank protection to safeguard this historic Dzong. Since, there is no separate provision of fund from the Government, the people proposed to levy monetary contribution of

Nu. 500 per trip/truck from the contractors extracting sand and stones along the Puna Tshangchu and thereby fix a minimum rate for the extraction of sand and stone as well.

While deliberating on the issue, the Members said that the Pungthang Dechen Phodrang Dzong was renovated by the Government in spite of the budget constraints with assistance from the donor agencies. The Dzong must be protected since it holds the *Machey* of both Lam Zhabdrung Rinpoche and his son Jamphel Dorji, the *Rangjung Karsa Pani* and is the winter residence of *ZhungDratshang* headed by His Holiness the Je-Khenpo.

Further, members submitted that as confirmed by the geological experts that there is possible risk of glacial-lake outburst in the near future at the source of Phochhu and Mochhu due to global warming, there is a need to construct a 2 km river-bank protection to safeguard this historic Dzong. If no separate provision of fund from the Government is made, the Dzongkhag Administration or the Dzongkhag Tshogdu should come up with the measure to fix a minimum rate for the extraction of sand and stone and levy monetary contribution of Nu. 500 per trip/truck from the contractors extracting sand and stones along the Puna Tsangchu to be paid to the Dzongkhag for the construction of the river-bank protection. It was suggested that if such measures can be adopted, the Dzong can be protected for many generations to come.

Further, members sought clarification on whether the person purchasing the sand and stone should be liable to pay the monetary contribution or the contractor supplying it while extracting sand and stone along the Puna Tsangchu. Besides, it was submitted that as shown on Television, the Lunana lakes are so huge that in the event of flood, not only the Dzong even some of the villages nearby are likely to be endangered and therefore, the construction of the 2 km river-bank protection does not seem safe enough. So, it is imperative that the Government come up with timely measures such as to burst the lakes or stop the flow of the glacial lake water in order to prevent such calamities. In future, if Punakha Dzong is damaged, not only the people of Punakha but the entire people of Bhutan are likely to be harmed and hence, the construction of the river-bank protection was a priority. It was suggested that it would be wise if the Government provides the fund rather than levying monetary contributions and was further asserted that even if this does not fall with the developmental activities, it should be included under the natural calamity program and construct the river-bank protection at the earliest.

The concerned Ministers responded that though the 1999 flash flood due to the outburst of the Lunana Lake was not able to cause much harm to the Dzong and the Dzongchung, the Government was really apprehensive of the future hazards and constructed river-bank protection along the Phochhu. The Ministry conducted series of investigations and revealed that the construction of the 2 km river-

bank protection was a must at the confluence of the Phochhu and Mochhu and there arose the need for construction of such protections in other areas using different types of river draining works. It was submitted that levying monetary contributions while extracting sand and stone should not be enforced from the beginning and the Government should find appropriate measures to address this issue.

The National Assembly resolved that the Council of Ministers should thoroughly discuss the issue and seek financial assistance and look into the possibility of starting the construction of river embankments as soon as the Tenth Plan begins.

The deliberation on the construction of river embankment along the Puna Tshangchu concluded on 12th June, 2007 corresponding to 27th Day of the 4th Month of the Fire Female Pig Year.

VIII. AMENDMENT OF THE ROAD ACT

The people of Talo, Kabjisa and Guma Geogs under Punakha Dzongkhag, Chumney Geog under Bumthang Dzongkhag and Wangchang Geog under Paro Dzongkhag submitted that the existing 50 feet right of way on both sides of the National Highways, Dzongkhag Roads, Feeder Roads needs to be reduced to 40 feet for the National Highways, 35 feet for the Dzongkhag Roads and 30 feet for the Feeder Roads respectively. It was further submitted that as provided under the Road Act 2004, from the three categories of roads, the people are fine with the requirements of the two categories but the people are facing difficulties with the Feeder Roads. Thus, the people requested

that keeping in view the problems of the people, the existing 50 feet right of way on both sides of the Feeder Roads be reduced to 20 feet.

The existing 50 feet right of way on both sides of the roads has caused a lot of inconveniences to the people and it was requested to be reduced to 30 feet. It was also submitted that like the requirement of 50 feet right of way from both sides of the roads, similar provisions for the Farm Road, Power-Tiller, Private Roads and the Government Institution Roads have to be set out to avoid future losses to both the Government and the people.

Deliberating on the issue, the Members submitted that if a Right of Way is set out for Farm Road and Power-Tiller Roads, it would be beneficial for the future expansion of the Farm Road and Power-Tiller Roads and avoid future inconveniences. In case the Road Act is to be strictly followed, a lot of inconveniences would ensue thereof. If the National Highways are reduced to 40 feet, Dzongkhag Roads to 35 feet and Feeder Roads to 30 feet, it will not only exempt the poor people from bringing down their houses but it will greatly reduce the amount of compensation to be paid by the Government for the damages done to the properties of the people. Thus, the Members submitted that it was the main reason why the people insisted for the amendment of the Road Act. Further, it was reminded that during the deliberation on the enactment of the Road Act in the past Session, it was mentioned that Farm Roads, Power-Tiller Roads, Education Roads and the Forest Roads will not be covered by the Act and thus no requirement of right

of way was set out for them. The people feel that the flexibility provided to them seems to be made stringent and therefore, requested that the people would be grateful if the roads not covered under the three categories are excluded from the set requirements.

On this, the Minister for Works and Human Settlement said that the Road Act was enacted during the 82nd Session in 2004. During the deliberation, it was decided to keep 50 feet as the Right of Way from the edge of the road. The Minister reminded the House that following the enactment of the Act, realizing the inconvenience caused to the people and as submitted by the people of Trashigang, Trongsa and Haa Dzongkhags to the 83rd Session, it was thus amended that 50 feet Road Right of Way on both sides of the road be kept from the centerline of the road and not from the edge of the road. The benefits of keeping 50 feet from the right and left side of the road were also explained and since roads are the only means of transportation in our country, the roads are of utmost importance. Regarding the concern raised by the representative of Bumthang regarding roads other than Feeder Roads, it does not fall under the Feeder Roads and it would be beneficial if the maintenance of roads other than Feeder Roads is handed over to the Department of Roads. In future, there are possibilities of connecting the Dzongkhag roads to the Geog roads and therefore, it would be appropriate to maintain 100 feet right of way. The requirement of 50 feet right of way may not be enough for the future expansion and development of the roads.

The National Assembly resolved that as decided in the 82nd Session, the 50 feet Right of Way will be considered from the centre of the road on both sides. Regarding the Feeder Roads and Farm Roads, the concerned Ministry should look into the feasibility of setting the road Right of Way.

The deliberation on the amendment of the Road Act concluded on 12th June, 2007 corresponding to 27th Day of the 4th Month of the Fire Female Pig Year.

IX. ELECTION RELATED ISSUES

1. Qualification Criteria for the Members of the Parliament (MP)

The people of Thimphu Dzongkhag submitted that as reflected in the draft Election Act, they strongly support that a candidate for MP must possess a minimum qualification equivalent to a formal university degree. However, they also submitted that there is a need to include in the draft Election Act that a candidate should have at least 8 to 10 years of working experience so that he/she is aware of the working procedures in the Government and understanding of the situation and aspirations of the people in the remote and rural areas. They said that this was to ensure further check and balance on the capability of an MP.

On this issue, the Members reminded all the other members of the House that the submission made by the people of Thimphu Dzongkhag should not be decided upon instantly. Members further submitted that

the experience of 8 or 10 years should apply both to the Government and Private people equally and that the number of years of working experience needs to be reduced in order to create ample job opportunities to the youth.

This issue was both well received and debated because though the qualification criteria was accepted, it was difficult to find qualified people in the rural areas. The Members also recommended that the capable candidates from the Civil Service interested in joining politics must be encouraged by doing away with the limitations and age barriers so that the new Government can have an efficient team of people to run the Government. It was further reminded that 13 Bills related to Elections were drafted but were not discussed in the House for enactment as yet and therefore it would be inappropriate to discuss few issues related to the Elections.

Members also said that for the sake of the educated youth in the country, the criteria for the requirement of working experience should not be considered as long as it was carried out in keeping with the Command passed by the Fifth Druk Gyalpo last year and the need for discussion on the Election related issues does not arise. However, if need be, the consideration should not be for National Assembly members alone but should apply to the National Council as well as the members of the Local Governments. Hence, the members suggested that it would be inappropriate to deliberate on the strength of the members and their term in this Session.

Members said that although it was imperative to retain the civil servants, the participation of the civil servants in the political parties has to be considered. As the members of the National Assembly and the Royal Advisory Council are allowed participation from the civil servants currently, likewise, they should also be permitted to participate in politics. Members also said that it was imperative to give civil servants the opportunity to join back in the service in the event the candidate is unable to stand for election.

Responding on the issue, the Chief Election Commissioner said that as enshrined in the draft Constitution, the minimum age limit for contesting in the election was stipulated at 25 years. He said that the electoral laws state that the minimum eligibility age for a Member of Parliament is fixed at 25 years as practised in many other countries under the democratic system of government.

With regard to raising the minimum age level beyond 25 years of age, he explained that taking into account the present education policy, the minimum average age of a fresh graduate would be 22 years after which he spends another year on the orientation program and an additional year was considered as the probation period. If 10 years of working experience was added, the minimum age of an eligible candidate for parliamentary elections would be around 34 years. He also said that the rural and urban-divide in Bhutan was not as pronounced as in other countries. Besides, he said that most Bhutanese students are now educated within the country and most of the Bhutanese maintain their rural roots and links with their native homes. He said

that they were familiar with social and cultural life in their villages and were therefore, well aware of the *kidu* of rural life.

He concluded that it would prove immensely beneficial in choosing capable candidates in the political parties. He expressed hope that in the end, the general voters would undertake extra responsibility in carrying out the final decision of electing capable leaders. The raise in the minimum age requirement to 34 years would necessitate amendment in the draft Constitution as well. He also informed that qualified candidates would gradually encompass the political parties in the near future.

The National Assembly thanked the Chief Election Commissioner for the presentation on the election related issues and concluded the deliberation on qualification criteria for the Members of the Parliament on 12th June, 2007 corresponding to 27th Day of the 4th Month of the Fire Female Pig Year.

2. Voting through Postal Ballot

The people of Charghary Gewog under Samtse Dzongkhag requested that besides the civil servants and the students eligible for voting through postal ballot, the Election Commission of Bhutan also explore the possibility of permitting other sections of genuine Bhutanese citizens to cast their vote through postal ballot.

Deliberating on the issue, members said that as voting was considered a must under the parliamentary system, the people equally acknowledge the importance of every individual vote towards electing

a capable Government. Hence, members requested that voters located far away from their constituency, families of civil servants and private employees be allowed to cast their votes through postal ballot. Members also said that in the event measures are adopted to cast votes through internet, it would immensely benefit in fully exercising their voting rights.

The members expressed their opinion on the difficulties faced during the mock elections and of those that were likely to be encountered during the actual elections. Members sought clarifications on the manner of casting votes from their place of residence without requiring to go to their constituency based on their citizenship identity card, registration and voting card. Further, members also enquired on the merits and demerits of the postal ballot system.

The Chief Election Commissioner said that the postal ballot facility is extended as a privilege under the electoral laws to certain categories of public servants who are rendering public services and without which the functioning of the state machinery, the general society and the election administration will be greatly affected and the cost on the nation would increase by many folds. It was informed that the persons eligible to exercise this facility are the diplomats and other personnels working in the Embassies of the Kingdom of Bhutan , persons temporarily residing outside Bhutan for the performance of a special government duty, members of the Armed Forces as defined in the Constitution of Kingdom of Bhutan, civil servants, students and trainees, spouses or dependants of a person referred to in subsection (a) (b) or (c), if the

spouse or dependant is residing with him and voters group specified by the Election Commission in consultation with the Government.

The provision (h) mentioned above, provides that additional groups could be considered. Accordingly, Election Commission of Bhutan has already advised the corporations, organizations and individuals who have approached the Election Commission on this matter with the suggestion they could submit names of the employees in those positions that have to be manned by any means on the polling day in the larger interest of the public.

The National Assembly expressed appreciation to the Chief Election Commissioner for the elaborate presentation on the postal ballot system and the deliberation concluded on 12th June, 2007 corresponding to 27th Day of the 4th Month of the Fire Female Pig Year.

3. Increase in the number of Constituencies

The people of Mongar Dzongkhag submitted that the Dzongkhag is considered as one of the largest Dzongkhags in the country and is also among the Dzongkhags having the highest number of Gewogs. However, the Election Commission of Bhutan has allocated only three constituencies based solely on its eligible voter's population of 32,000. As the people aspire for more than three constituencies, the Royal Government is requested to look into the viability of increasing the number of constituencies for Mongar Dzongkhag.

On this, the members submitted that though Mongar Dzongkhag is one of the largest Dzongkhags with the largest number of Geogs but it

has been allotted only three constituencies. Members expressed doubts that there may have been some mistakes in the figures at the time of demarcating the constituencies and as voter's registration forms were collected from the people and submitted to the Election Commission. With the resumption of the voter's registration at present, the voter's population is more than 32,000. Therefore, there is the need to increase the number of constituencies from three to four.

The Chief Election Commissioner said that on the issue of allocation and determination of the territorial extent of the National Assembly seats of the 20 Dzongkhags, it has to be clarified that the entire delimitation exercise is conducted by the Delimitation Commission of Bhutan, which is established in pursuant to Article 24, sub-clause (4) of the draft Constitution of the Kingdom of Bhutan on 1st April, 2006. The Commission constituting of the six concerned members undertook the first ever delimitation exercise, culminating in the final delimitation order for the National Assembly Constituencies dated 26th May, 2007, which was carried out in accordance with the provisions of the draft Constitution of the Kingdom of Bhutan, Election Bill and Delimitation Rules and Regulations.

Since Voter Registration is still going on and given the urgency for the issue of the Delimitation Order, it was decided that the Delimitation Plan would be based on the total eligible voter population of 400,626. As provided under the electoral laws, rules and regulations, the draft Delimitation Plan was widely circulated as Commanded by the King for public feedback.

He said that as per the aspirations of the people of Mongar Dzongkhag, the Election Commission re-visited the facts on which the decisions were made and reconfirmed that since Mongar Dzongkhag has 32,695 eligible voters and taking 10,000 as the average size of the Constituency, it had simply not been possible to allocate more than three seats .The Delimitation Commission , after a thorough review of each of the Dzongkhags , concluded that unless a change in the criteria is effected, under the existing laws, the allocation of any additional National Assembly seats is not possible.

He also pointed out that the criteria that was set is not only in consonance with the universal practices but also the Population Per Representative (PPR) against 10,000 to a representative is also exceptionally low compared to the PPR of many other established democracies. Further ,the Commission noted that maximum of 75 seats originally prescribed in the draft Constitution was used as a working figure since the information on the number of eligible voters was not available at that time. He informed that with the recent census confirming the country's population at 5,52,996, the total number of constituencies was 55. The total number of the National Assembly seats allocated in the first Delimitation exercise was 47 leaving 8 more seats for future allocations. This is considered to be beneficial as it leaves room to accommodate future changes in population without effecting seats already allocated and also not requiring the provisions of the Constitution to be amended.

The National Assembly expressed appreciation to the Chief Election Commissioner for the presentation on the Constituency related issues and the deliberation on the increase in number of Constituencies concluded on 12th June, 2007 corresponding to 27th Day of the 4th Month of the Fire Female Pig Year.

X. ISSUES RELATED TO NATIONAL SECURITY

1. The Recruitment and Training of Militias (Pazaps)

The people of Samdrup Jongkhar and Khengrig Namsum of Zhemgang Dzongkhags expressed their deepest gratitude to the Monarchs for the continued peace, prosperity and happiness in the country. Moreover, the people offered profound gratitude to the dynamic and farsighted leadership of His Majesty King Jigme Singye Wangchuck under whose initiative the draft Constitution of the Kingdom of Bhutan was introduced and the parliamentary democracy will also be soon introduced. The people also submitted that Article (27) sub-clause (4) of the draft Constitution has provision for compulsory militia service for all citizens and youth of the country and that the due importance be given to the training of militias. Also, the Members stated that due to the presence of the Indian insurgent groups in the neighboring states of India, there was a potential threat to the security and sovereignty of the country. Therefore, in order to strengthen the security and sovereignty of the country, the people recommended that the Pazap Force training may be conducted at the earliest possible. Members said that the people are aware that many military personnel are retiring from the service on voluntary resignations. They said that the people

are deeply concerned and worried about the present peace and future security of the Kingdom, and therefore, the people earnestly submit that the Government plan the recruitment and training of the Militias (Pazaps) in line with the draft Constitution of the Kingdom of Bhutan.

Deliberating on the issue, members said that the security and sovereignty of the country was more important than development and the political changes and suggested that a system be adopted whereby the future Parliamentarians and job seekers would have to produce Militia Training Certificates. Members reminded that with the political transition taking place in the country, it was imperative to bear in mind the security and sovereignty of the nation at all times. Members said that the security and sovereignty of the nation was taken care of by His Majesty the Druk Gyalpo and that it was imperative for the people to readily serve with full dedication and unwavering loyalty as and when His Majesty the Druk Gyalpo commands during the time of security threats to the nation.

Further, members submitted that there should not be any discrimination between males and females when militia trainings were provided. Subsequent to the training, they should be allowed to return to their own places and be called back when required to immediately serve the nation without having to undergo training. It was submitted that it would be appropriate to follow Article (27) sub-clause (1) to (4) of the draft Constitution of the Kingdom of Bhutan which provides for the enactment of a Rules of Procedure of Training of Militias (Pazaps) before providing military trainings.

Responding to the submission, the Gonglon Woogma presented the total strength of the Royal Body Guards and the Royal Bhutan Army and informed the House that they were ready to provide militia trainings as per the directives of the National Assembly of Bhutan. The Armed Forces pledged their full dedication and loyalty to safeguard the security and sovereignty of the nation under the command of His Majesty the Druk Gyalpo and in accordance with the provisions of the draft Constitution of the Kingdom of Bhutan.

Further, the Home Minister submitted that the initiative on militia training in the country would help strengthen national security, realize national policies and promote social harmony. He added that the Armed Forces formulate plans for the recruitment and training of the militias and suggested that the training may be carried out after being tabled before the new Parliament.

The National Assembly resolved that in pursuant to His Majesty's address to the nation, the provisions of the draft Constitution of the Kingdom of Bhutan and in line with the aspirations of the Bhutanese people, the Finance Minister should discuss the financial aspects of the proposal within the Ministry. The Armed Forces should carefully study the venue, duration and age limit for the militia training and submit the proposal to the Government and that the training of militias should commence by the beginning of 2008.

The deliberation on the recruitment and training of militias (Pazaps) concluded on 13th June, 2007 corresponding to 28th Day of the 4th Month of the Fire Female Pig Year.

XI. MISCELLANEOUS ISSUES

1. Geog Boundary

The people of Lingmukha Geog under Punakha Dzongkhag submitted that due to the lack of proper Geog boundaries among the nine Geogs of the Dzongkhag, the people of the Dzongkhag are facing immense difficulties during the implementation of the planned development activities, administrative tasks, Sathram, Gung and Census. In order to mitigate these difficulties, the change in the Geog boundaries as proposed and endorsed by the GYT and DYT and submitted to the Ministry of Home and Cultural Affairs be approved by the National Assembly.

Deliberating on this issue, members submitted that out of the nine Geogs under Punakha Dzongkhag, eight Geogs have boundary issues causing a lot of difficulties to the people. In order to address these difficulties, a copy of the GYT and DYT resolution along with applications by every household were put up to the Ministry of Home and Cultural Affairs. Since it would entail numerous inconveniences due to the location of the voting places with the introduction of the parliamentary form of government, the matter was being submitted before the National Assembly. Further, the nation-wide survey conducted in 2000 has resulted in some people having their census in one Geog and Gung in another and some of them had their Thram being transferred to another Geog. This has not only caused difficulties to the Geogs and the Dzongkhag in carrying out planned development

activities but has also caused immense inconveniences to the people including the obtaining of timber permits.

With regard to the households facing genuine difficulties and needs to be relocated, the detailed list of affected households including the names of the villages and the household numbers has been submitted. Though this issue was brought to the notice of the Ministry of Home and Cultural Affairs, no executive order was passed to this effect. Therefore, it was requested that the House look into the matter and resolve the issue in a favourable manner so that it would benefit in the proper implementation of the planned development activities in the Dzongkhag and the Geogs and also in addressing the problems faced by the people.

Responding to this, the Home Minister said that if the submissions made by the people of Punakha Dzongkhag are to be respected, all the Geog boundaries under the Dzongkhag and civil registry of most of the people have to be realigned. Although the people were facing immense difficulties, it would not be possible for the National Assembly to instantly resolve the issue.

Further, the Home Minister reminded that the National Assembly only approve the demarcation of Dzongkhag and Geog boundaries following a long procedure after it has been routed through the Lhengye Zhungtshog and the Council of Ministers respectively. He said that minor discrepancies in the alignment of the boundaries of constituencies are being resolved by the Election Commission and the Local Governments. However, in the event realignment of the Geog

boundaries are to be considered as submitted by the people of Punakha Dzongkhag, similar proposals from Paro and Chukha Dzongkhags may also have to be considered. Therefore, he said that it would be most suitable to retain the finalized Geog boundaries for the 2008 elections for the time being and that the community leaders would undertake efforts to resolve the difficulties faced in the Geogs.

The National Assembly noted that it was not possible to resolve the submission made by the people of Punakha Dzongkhag instantly. The National Assembly resolved that until the new Government was formed, the Geog boundaries as demarcated by the Election Commission should be maintained for the time being. The issue should be tabled before the new Parliament for necessary deliberations after the new Government was formed.

The deliberation on Geog boundaries concluded on 13th June, 2007 corresponding to 28th Day of the 4th Month of the Fire Female Pig Year.

2. Bifurcation of Geog

The people of Dorokha Geog under Samtse Dzongkhag submitted that the Geog comprised of 621 households with a population of 5,947 people and an area of 4,087.92 acres. Since the Geog have been facing immense difficulties in carrying out its developmental and administrative tasks efficiently due to its large population of households and under a single Gup, the people requested the Government to consider bifurcating the Geog into Dorokha and Sengdhen Geogs.

Although the boundaries have been demarcated, the people requested for the bifurcation of the Geog in order to enable the smooth implementation of developmental activities in the Geog and in view of the upcoming elections.

Likewise, similar to the submission made by the representative of Punakha Dzongkhag, members reported that Samkhar Geog under Trashigang Dzongkhag was also facing difficulties in carrying out its planned developmental activities due to the absence of clear boundary demarcations. Besides presenting the detailed Geog boundary demarcations, members requested for the re-transfer of Thram to where the Census was in the event it was not possible to transfer the Gung and Census to where the Thram has been registered.

Responding to the submissions, the Home Minister said that Bhutan was considered as a poor country economically as compared to the developed countries and until a favourable living standard of the people was achieved, it would be most appropriate to retain the maximum number of Dzongkhags and Geogs. He explained that based on this, a separate Dungkhag was established at Dorokha and several Geog Management offices were set up by the Government in order to address the problems faced by the people. In the event the Geog was to be bifurcated, Sengdhen Geog would have only 242 households which was small as compared to the Geogs of other Dzongkhags. He said that since it was not feasible to bifurcate the Geog, it would be appropriate to maintain the same for the time being.

The National Assembly noted that the submissions made by the people of Samtse, Punakha and Trashigang Dzongkhags on the inconveniences faced by the people due to the huge number of households and population in the Geogs and minor problems in the census and Thram resulting from boundary demarcations was not possible to be resolved immediately. The National Assembly resolved that the Ministry of Home and Cultural Affairs and the Election Commission should jointly discuss the issues and resolve the election related issues after having carried out a thorough feasibility study.

The deliberation on the bifurcation of Geog concluded on 13th June, 2007 corresponding to 28th Day of the 4th Month of the Fire Female Pig Year.

3. Concern on Quality of Education and Transfer of Teachers

The people of Chhubu, Shenga Bjime and Toewang Geogs under Punakha Dzongkhag submitted that despite the deliberation on the deteriorating quality of education in the 85th Session of the National Assembly and acute shortage of teachers in the schools, teachers were leaving the teaching profession to join various ministries and departments lately. Moreover, the young graduates were reluctant to join the teaching profession in spite of the youth unemployment problem in the country. The people sought clarification on the above mentioned issues and requested the Ministry to develop strategies to encourage capable, skilled and efficient candidates to take up the teaching profession.

Likewise, the people of Chumey Geog under Bumthang Dzongkhag submitted that in order to improve the deteriorating educational standards, it was imperative to put in place such measures to increase the capabilities of the teachers and uniform placement of qualified teachers with pay incentives. It was further submitted that teachers leaving the profession and joining various other ministries and departments be discouraged and the concerned authority should exercise strict discipline in schools and increase the pay allowance of teachers. The people of Chukha Dzongkhag submitted that the quality of education would improve if the number of teachers in the community and primary schools are placed as per the subject requirements rather than the number of students. It was felt that interests in pursuing teaching career was declining since many teachers are changing professions and since increasing number of teachers were joining other professions due to the withdrawal of the teaching allowance. Members said that this has resulted in deteriorating the quality of education in the country. Therefore, members submitted that in order to improve the quality of education, the number of teachers in the country need to be increased and proper benefits should be provided as before.

Some members expressed their doubts that despite the shortage of teachers in schools, the existing teachers seeking transfers could be due to the minimal salary allowances. Although their salary allowances were at par with the civil servants, they have to look into the management of the students during holidays and various other school related activities. Members also pointed out that the schools in towns

and accessible to road-heads have around 20 teachers for 200 students but the rural areas have only 4 to 5 teachers for 200 students. This could be due to the minimal hardship allowances and therefore, submitted that teachers posted in remote schools be provided 50% hardship allowances. Although Nu. 5,00,000.00 allotted by the Government for the construction of community schools was adequate for constructions located nearby the roads, there was the need to differentiate far flung remote areas which are inaccessible by road and accordingly provide additional transportation charges. Moreover, with the introduction of Parliamentary Democracy in 2008, the elected members and the civil servants were required to possess university degree certificates. However, the quality of education of university degree certificate holders at present was lower than the earlier 6th and 8th Standards. The rural people have observed that the deteriorating quality of education could be due to the shortage of teachers in Community and Primary schools in the rural areas.

The Education Minister presented a detailed report on the shortage of teachers and the quality of education. The placement of teachers as per the subject requirements would necessitate the increase in the number of teachers and would entail immense difficulties when there was acute shortage of teachers at present. Regarding the teachers joining various Ministries and Departments, only 30 teachers left on transfers in the past 12 months of which 19 teachers were transferred to the Election Commission since it was an important agency in the country which needed experienced and qualified people. The Ministry

of Education has been most prudent in issuing NOC keeping in view of the shortage of teachers. In the past, a teacher could only be upgraded up to grade 6 or 5 but now the government in the interest of the teachers has provided the opportunity for the teachers to upgrade themselves up to grade 3.

Further, the Minister said that the shortages of science and mathematics teachers are not only prevalent in our country but elsewhere in the world too. The science and mathematics teachers from India do not prefer to remain in our country for long period of time because they get highly paid teaching jobs in other countries. Earlier the teachers were provided allowance of 30% to 45% which was merged with the basic salary to make it at par with all other civil servants in 2005 which is the main cause for their disenchantment. Further, there were four plans that were submitted to the government to raise the teachers allowance and the measures adopted to maintain and repair the community schools. The Ministry has plans and policies in place to improve the quality of education and to address the problem of teacher shortages.

The National Assembly resolved that to fulfill the aspiration of His Majesty the King and to address the shortage of teachers in the rural areas, the imbalance in the number of teachers in the Dzongkhags should be properly assessed keeping in view the concerns of the people. In order to improve the quality of education and address the problem of shortage of teachers, the National Assembly resolved that Ministry

of Education should come up with appropriate incentive packages to increase the pay of the teachers after discussion with the council of ministers at the earliest.

The deliberation on quality of education and transfer of teachers concluded on 13th June, 2007 corresponding to 28th Day of the 4th Month of the Fire Female Pig Year.

4. Publication of Private Newspapers in National language

The people of Chhubu and Lingmukha geogs under Punakha Dzongkhag submitted that in other countries, the national language was considered to be of utmost importance. The people sought explanation as to why the private newspapers are published in English and not in our national language. The people of Chumey Geog under Bumthang Dzongkhag also submitted that of the three newspapers in the country, only the national newspaper, *Kuensel*, was published in both Dzongkha and English. It was submitted that henceforth, the two private newspapers, *Bhutan Times* and *Bhutan Observer* should also publish their papers in both the languages for wider coverage in the country. Furthermore, since the newspapers are not for permanent possession, the quality of the paper and the prints can be compromised for better news and content both in English and Dzongkha language and the newspapers must be published simultaneously and should carry same news quality.

Deliberating on the issue, the members also submitted that in other countries, all the other aspects even the newspapers and the speeches are written in their national language because they attach so much importance to their national language. But in our country, the newspapers are published in English and not in Dzongkha which presents a sad picture of our national language. Therefore, it was emphasized that to realize the vision of Gross National Happiness, national language is an important tool. Since the newspapers are one of the effective mediums to improve the national language, newspapers must be widely published in Dzongkha. Further, the government should distribute the notifications and tenders evenly to the media houses to recover the loss.

In response, the Minister for Information and Communication said that in the light of the political changes taking place in the country, it was important to develop and professionalize the Information and Communication Technology. In keeping with the command of His Majesty the Fourth King, two private newspapers were started as per the agreement drawn up with the Ministry. They are to publish the newspapers both in English and Dzongkha languages. Moreover, as ordered by the council of ministers, public notifications and advertisement are mostly published in Dzongkha. In acknowledging the commercial loss of the two media agencies, the government has granted tax holiday of five years and that sales tax and import duty exemptions on the imports of plants and machineries would continue. Further, it was submitted that with the view to promote the national

language and to bring it at par with English language, the Ministry has developed a Dzongkha computing program called Linux. Besides, the plans for promoting the usage of Dzongkha language through computer is already implemented and clarified that the promotion of Dzongkha language was never ignored by the government.

The Speaker reminded of His Majesty the King's Kasho regarding the promotion of our national language and the resolutions of the past sessions. The Speaker said that in order to promote our national language, all correspondences between the ministries, department, dzongkhags and geogs be carried out in Dzongkha language. It is apparent from the number of official correspondences in English language that due impetus was not accorded to the national language.

The National Assembly resolved that based on the contents of His Majesty the King's Kasho and the resolutions of the past National Assembly sessions, all the correspondences within the country should be carried out in our national language. The government should provide the media outlets with equal opportunities to publish advertisements and notifications in Dzongkha language. Furthermore, efforts should be made to publish notifications in our national language and the contents and quality of both the Dzongkha and English language newspapers should be same.

The deliberation on publication of private newspapers in the national language concluded on 13th June, 2007 corresponding to 28th Day of the 4th Month of the Fire Female Pig Year.

5. Up-gradation of Department of Culture to a Commission

The people of Kazhi and Nyisho Geog under Wangdue Phodrang Dzongkhag and the people of Trashiyangtse Dzongkhag submitted that in view of the upcoming Parliamentary Democracy, it would be appropriate to upgrade the Department of Culture which has been looking after the preservation and promotion of our culture and tradition to a Commission and be separated from the Ministry of Home and Cultural Affairs. The members expressed the importance of the preservation and promotion of our culture and tradition with the impending political changes in the country. The preservation of our tradition and culture would attract a lot of tourists thereby substantially increasing the revenue. Therefore, the Department of Culture be upgraded to a Commission.

Responding to the submission, the Home Minister briefed the House that in 1985, the *Soelzin Lhentshog* was instituted pursuant to the command of His Majesty the Fourth Druk Gyalpo which constituted of 39 members from all sects of religious groups in the country chaired by the Home Minister. However, in 1995, the number of members was dropped to 15. Further, in 1998, the Cabinet renamed the *Soelzin Lhentshog* as National Commission for Cultural Affairs during the Good Governance exercise. It was restructured and placed under the Ministry of Home and Cultural Affairs as a Department for regular administration and management,. The Minister assured that even with the impending political change in the country, the importance of the culture and heritage would not be undermined whatsoever. The Minister

expressed that His Majesty the Fourth King's wise policy of Gross National Happiness would not be affected by any other policies and that there is no need to upgrade the Department to a Commission.

The National Assembly resolved that although the submission of the people for the up-gradation of the Department of Culture to a Commission was genuine, there is no problem in retaining its status as a Department as it can not be ascertained as to the kind of changes that may take place with the impending political changes in the country.

The deliberation on up-gradation of Department of Culture to a Commission concluded on 13th June, 2007 corresponding to 28th Day of the 4th Month of the Fire Female Pig Year.

6. Request for Training of the Tshogpas

The people of Trashiyangtse Dzongkhag expressed their profound gratitude to the Royal Government for sanctioning Nu.1000.00, as monthly allowance to the Tshogpas from 1st January, 2007. The remuneration has greatly enhanced the motivation of the Tshogpas to serve the people and the country with added dedication and vigour. Further, they requested that the Tshogpas be provided with necessary trainings in the areas of planning and budgeting so that they can provide better services to the people aligned with the decentralization policy.

Responding to the submission, the Home Minister said that the Department of Local Governance under the Ministry of Home and Cultural Affairs is aiming for the capacity development of the people working in the local government like Mang-aps, Tshogpas, accountants

and the administrators. The Ministry with the assistance from the UN and some other donor countries is working out measures to fulfill the capacity development obligation. Recognizing the importance of providing training to over thousand Tshogpas in 205 geogs, diverse measures are adopted to provide training at the earliest possible despite having to incur heavy expenditure.

The National Assembly commended the Ministry of Home and Cultural Affairs for formulating diverse programmes for the training of over thousand Tshogpas in 205 geogs in-spite of the increasing number of Tshogpas annually, and implementing it without delay. The House resolved that the training be provided to the Tshogpas at the earliest possible as it was going to benefit the new parliamentary democracy.

The deliberation on training of the Tshogpas concluded on 13th June, 2007 corresponding to 28th Day of the 4th Month of the Fire Female Pig Year.

7. Procurement of Sand for Rural Construction on Kidu basis

The people of Trong and Nangkor geogs under Zhemgang Dzongkhag submitted that in the past they have been procuring sand for rural construction from Gelephu on payment of royalty. Now, with the sand quarry given on contract, even the rural people are required to buy sand on payment of Nu.500 to the contractor besides the cost of transportation. As the rural people cannot afford to pay such charges, the people would like to request the government to grant *Kidu* to procure sand for the rural constructions as in the past.

8. Awarding contract of sand and stone

The people of Kawang Throm under Thimphu Municipality submitted that though it was stated that the contract to supply sand and stone would be awarded to the lowest bidders or contractors who will offer to supply the local materials at the minimum price, there has not been any changes so far and the public are experiencing heavy losses during the constructions. Therefore, the people of Kawang Throm appealed that the contract be awarded to the lowest bidders or contractors for the supply of sand and stone.

Deliberating on the above two points, the members submitted that increasing number of the people were constructing houses with the development of the country. Sand and stone were the most essential construction materials and every Bhutanese citizen in the country was entitled to it. However, the people have been facing difficulties while purchasing it from within the country. Therefore, in order to solve the problem, the contract to supply sand and stones be awarded to the lowest bidders so that people will have easy access to it.

The Prime Minister read out His Majesty the King's *Kasho* dated 12th June, 2007 on sand and stone. As per the Royal Command, the Prime Minister submitted that the Council of Ministers would discuss the issue to provide sand and stone to the people at a standard rate and at the earliest possible after the issue has been routed through the Ministry of Trade and Industry and the Ministry of Agriculture respectively.

On this, the National Assembly reminded that based on His Majesty the King's *Kasho* and as submitted by the Prime Minister, the Ministry of Trade and Industry and the Ministry of Agriculture should discuss the issue at the earliest possible and accordingly, the Council of Ministers should also meticulously discuss the issue and the decision made thereof, should be informed to the public through the media. The Assembly noted that no further discussion was needed on this issue. Following this, the Prime Minister sought for further opportunity to discuss some issues in detail since it was important that the members express their opinions on the important provisions of His Majesty the King's *Kasho*. The opinions of the members was necessary to come to a decision regarding the sand and stone quarries, fair and equitable allocation, ownership or any other measures was required to be adopted or whether the revenue from sand and stone should be handled by the government.

Availing this opportunity, members pointed out that the awarding of permit to lift sand and stone to a person or two has resulted in escalating prices of the sand and stone resources each year. Members said that no individual(s) should be permitted to have authority over these resources and that the people be allowed to procure sand and stone on payment of royalty to the government as in the past. This would help keep prices affordable and solve the problem of inequitable allocation of these resources. Further, members submitted that the stone should be permitted to be collected from the stone quarries identified by the government and the price fixed like the sand. The

people would be grateful if the quarries were allotted through open tenders by the concerned ministries to the lowest bidders.

The people were facing immense difficulties since natural resources like sand and stone has to be procured at high prices due to the awarding of permit to few individuals. Members requested that these resources be availed to the people on the payment of royalty and that the authority be handed over to the Department of Geology and Mines. The Department of Geology and Mines should continue to conduct the feasibility studies of the quarries and that the Department of Geology and Mines be entrusted with the authority to approve the collection of sand and stone instead of the Department of Forests since there has been instances in the past where the Department of Forests was unaware of the existence of the holy sites and has accorded approval in these holy sites, thereby disturbing the local deities and spirits which resulted in calamities in these places. Therefore, while the Department of Geology and Mines should be entrusted with the ownership of the quarries, the people should have easy access to sand and stone on payment of royalty.

Some members said that the people may have requested for full access to procure sand and stone as in the past since they were facing immense difficulties at present. However, with the changing times, full access in procuring sand and stone upon the payment of Nu.50 only as royalty may pose problems as it is possible that prosperous and influential people may influence the general public and obtain thousands of trips

of sand and stones with the help of advanced machineries in a single day.

Members submitted that the interest of the people in the Dzongkhags and Geogs that do not have sand and stone reserves must be considered and that the aim should not be to make few people rich but to avail access to affordable sand and stone with minimum loss to the government. Therefore, it was felt that the mining and allocation of sand and stone may be entrusted to the Department of Geology and Mines. Members also said that whether the Department of Geology and Mines or the Department of Forests is entrusted with the authority, it was imperative to put in place proper rules and regulations on what can be done or not. Majority of the members submitted that the people be allowed to procure sand and stone on payment of royalty to the government as per their convenience from the specified quarries.

The National Assembly resolved that in accordance with the *Kasho* of His Majesty the King, the Council of Ministers while discussing the issue after it was routed through the Ministry of Trade and Industry and the Ministry of Agriculture respectively, should bear in mind the submissions made by the majority of members that the people be allowed to procure sand and stone on payment of royalty. The Council of Ministers should arrive at a concrete and lasting solution and that the decision should be made prior to the season and time for lifting of the sand.

The deliberation on awarding contract of sand and stone concluded on 14th June, 2007 corresponding to 29th Day of the 4th Month of the Fire Female Pig Year.

9. Additional Forest Personnel at Divisional Forest Office

The people of Samtse Dzongkhag apprised that the Divisional Forest Office has been facing immense difficulties in protecting the forest resources from being illegally stolen across the border despite strict vigilance and continuous efforts put in by the 60 forestry personnel in the Dzongkhag. It was requested that a forestry outpost at Kalapani and Durapani should be established to curb the high prevalence of illegal stealing of forestry products in these areas. Since there were plans to establish forestry branch outposts during the Tenth Plan, it would necessitate the deployment of additional forestry personnel in all parts of the country. The Department of Forest should increase the number of forestry personnel to mitigate the problems faced by the people and to address the shortage of forestry personnel in the future. Further, it was submitted that 60 forestry personnel not only protected the forest but has also proved useful for the security of the country. Since the Bara and Thading geogs under Samtse Dzongkhag were closely aligned with the Indian border, these were sensitive areas and required additional forestry personnel.

In response, the Agriculture Minister said that if additional forestry personnel were to be recruited, the recruits have to be trained first. This issue need to be discussed with the Royal Civil Service Commission and financial assistance arranged from the Ministry of Finance. Though the Ministry of Agriculture was not in a position to immediately recruit additional forestry personnel, it would be included in the Tenth Plan of the Ministry's Human Resource Development Master Plan. In addition, the Minister said that as per the Good

Governance Recommendation, the Ministry has initiated Organisational Developmental exercise which shall assess the need for additional field offices and forestry personnel under Samtse Dzongkhag and as such he was not in a position to provide any specific response on the issue. The Minister informed that such requirements would be covered under the future plans. He said that although the government was not in a position to provide with additional forestry personnel, it would adequately address the problem in the event more forestry personnel from the less sensitive areas were transferred to the more sensitive areas.

The National Assembly resolved that the Ministry of Agriculture and Ministry of Finance should thoroughly discuss the issue on the recruitment of additional forestry personnel in the sensitive areas of Kalapani and Durapani under Samtse Dzongkhag and deploy additional forestry personnel.

The deliberation on additional forest personnel at Divisional Forest Office concluded on 14th June, 2007 corresponding to 29th Day of the 4th Month of the Fire Female Pig Year.

10. Protection of Unique Culture and Tradition of Northern Herders

The people of Chhokor Geog under Bumthang Dzongkhag submitted that the unique culture and tradition of the people who are dependent on livestock and *Tsamdro* in the northern borders was threatened due to rapid spread of modern education and socio-economic prosperity in the country. Since the younger generation does not return to their homeland after completing their studies to take care of their

homes and herds, the number of inhabitants and herds has been decreasing each year. This trend may lead to the extinction of the nomadic inhabitants in the northern borders together with its unique culture and tradition. Further, the northern inhabitants who were solely dependent on *Tsamdro* were facing immense difficulties since the government discouraged the practice of maintaining *Tsamdro* through the process of burning.

Members said that although His Majesty the Fourth Druk Gyalpo granted permission to the people in the northern borders to collect *cordyceps* in order to improve their living standards, this right has been infringed by others also. The income generated from the collection of the *cordyceps* has dropped drastically and this has de-motivated the northern inhabitants. The Tibetans also encroach before the season to collect *cordyceps*. Members requested the Armed Forces to brief on its policy to prevent the Tibetans from encroaching into our northern borders. Likewise, they sought to be briefed on the appropriate measures to protect the unique culture and tradition of the nomadic inhabitants from extinction. They also requested to be briefed on the plans and programmes of the Department of Livestock to promote nomadic livestock, its commercialization initiatives and its budgetary assistance.

The members concerned also requested for additional personnel to monitor the collection of *cordyceps* since the people are aggrieved by the fact that the *cordyceps* are entirely collected by outsiders depriving them of their income. They also requested to extend the collection-period by a month or two since the time provided for the collection of *cordyceps* was limited.

The Home Minister said that improving the livelihood of the northern and western nomadic inhabitants was more important than preserving their unique culture and tradition from extinction. He added that it would be difficult to effectively preserve and protect the culture and tradition by enforcing laws. The ethnographic research must be conducted and the benefits of continuing with the unique traditions and culture and also the pros and cons of commercialization of such activities must be communicated to the northern nomadic people. Since these can be achieved through initiating trade and commerce, the government has been putting extra efforts in the development of trade and commerce in these regions. The government would conduct ethnographic research and execute the existing policies to prevent the extinction of the unique culture and traditions of the northern nomadic inhabitants. Further, he added that tourism development shall be initiated in these high altitude areas after having fully studied the benefits and harmful effects to its culture and tradition.

The Agriculture Minister said that though it is clearly mentioned in the Forest Act that the collection of *cordyceps* is prohibited, His Majesty the King in the interest of the herders created an exception for them. Regarding the infringement of the privilege to collect *cordyceps*, he said that the Dzongkhag, Department of Forest and the people should thoroughly discuss the problem to find a solution since the people themselves were fully aware of the issue. The areas for the collection have been clearly identified and the people who were entitled have also been identified. Since the period for the collection of *cordyceps* has been identified by experts, it would be wise to keep it unchanged. Though these areas were regularly monitored by the forestry personnel,

there were some difficulties due to the shortage of forestry personnel in monitoring the wide area coverage. It would be highly appreciated if the communities themselves could protect and manage their homelands.

Moreover, the properties of the people of high altitude zones are *Tsamdro*, and it is imperative to take proper care of it. The Ministry of Agriculture giving importance to long practice of *Tsamdro*, has incorporated the rights to *Tsamdro* in the draft Land Bill and after the enactment of the Bill, it would contribute to the promotion of the livelihood of the people in high altitude zones.

The Goongloen Wogma informed about the shortages of armed force due to the fact that many are deployed in the northern and other border areas. The Ministry of Agriculture has marked from 15th May to 16th June to collect *cordyceps*. As commanded by His Majesty the King, the Department of Forest and the Army has been providing security and monitoring the areas jointly. In accordance with the command of His Majesty the King to strengthen the security in order to prevent the Tibetans from entering into Bhutan to collect *cordyceps*, the number of officers and army personnel have been increased and deployed in these northern regions. Therefore, he said that the people inhabiting these high altitude regions need not be worried.

The National Assembly expressed gratitude to the Ministry of Agriculture and the Ministry of Home and Cultural Affairs for responding to the submissions of the people for the well being of the inhabitants of high altitude zones and guaranteeing that plans and programmes would be implemented. The National Assembly noted

that there was no requirement for any resolution on the issue. However, the ministry concerned should conduct a feasibility study to extend the time limit for the collection of *cordyceps* in order to mitigate the inconveniences faced by the people.

The deliberation on protection of unique culture and tradition of northern herders concluded on 14th June, 2007 corresponding to 29th Day of the 4th Month of the Fire Female Pig Year.

11. Allotment of Flag-poles

The people of Paro Dzongkhag submitted that the existing system of allotting 108 numbers of flag poles at subsidized rates by the Department of Forest to the deceased family for conducting religious rites, is not only adversely affecting the forest and the environment but also the government policy to maintain 60% of the land under forest cover. Thus, the government should look at other alternatives to replace flag poles. Several other members also submitted that allotting 108 flag poles for conducting rites of the deceased has resulted into losses running into hundreds of lakhs of Ngultrums to the government and suggested the poles to be substituted by bamboos and synthetic ropes or other measures so as to reduce the use of such flag poles.

However, some of the members also submitted that hoisting of flag poles for the deceased is unique and an age-old tradition of our Buddhist nation and the people use flag poles to ward off negative obstacles in life, performing death rituals and for the peace and happiness of all the sentient beings. Considering its immense benefits, it was not appropriate to restrict the use of such flag poles. The members requested the Zhung Dratshang to explain on the benefits of

the use of synthetic ropes. The Venerable Dorji Lopen stated that when it comes to any activities related to the religion, it is the devotion of an individual that matters the most and did not matter whether one used flag poles or synthetic ropes.

Responding to the submission, the Agriculture Minister said that timber, stone, sand and rivers were the natural wealth of the country and so in order to make them equally available to all the people, it was necessary to protect the forest resources through sustainable and equitable development policy. Further, the land under forest cover was 64%, which compared to last year's percentage was low. In order to maintain 60% of the land under forest cover and to uphold the tradition of hoisting prayer flags, it was not necessary to resort to using flag poles to uphold our devotion and faith in our traditional practices. To maintain the tradition of hoisting flags and at the same time prevent causing excessive harm to the forest, the use of other measures like using bamboos and synthetic ropes must be encouraged.

The National Assembly resolved that though the use of flag poles has proved to be very harmful to our natural environment, it is not possible to prohibit the use of flag poles immediately in view of religious relevance. The Ministry of Agriculture and the Environment Commission should work out other options in order not to endanger the forest and protect our tradition.

The deliberation on allotment of flag-poles concluded on 14th June, 2007 corresponding to the 29th Day of the 4th Month of the Fire Female Pig Year.

12. New Insurance Scheme for Community and Private *Lhakhangs* against natural calamities

The people of Metsho Geog under Lhuentse Dzongkhag submitted that being a Buddhist country, the preceding Monarchs and our forefathers had built many sacred *Lhakhangs* and *Goenkhangs*. However, when they are destroyed by unforeseen natural calamities, the people find it extremely difficult to restore them due to resource constraints. It would be of immense benefit if a new insurance scheme to cover the community and private *Lhakhangs* in all the 205 geogs of the 20 Dzongkhags was launched. There were many charitable *Lhakhangs*, of which some housed more sacred relics than the government owned *Lhakhangs* and requested for new insurance scheme to cover all the government, public and the private *Lhakhangs*.

Responding to the submission, the Home Minister said that though there was a system in the past whereby the Dzongs were insured but since the insurance premium was very high, it had to be subsequently discontinued. While it was important to insure all the public, private and government owned *Lhakhangs* and Goendeys, the Ministry of Home and Cultural Affairs and the Royal Insurance Corporation of Bhutan had held a detailed discussion and arrived at three different options. With regard to the insurance scheme which is considered to be beneficial to both the government and the public, this issue shall be thoroughly discussed with the Ministry of Finance and the Royal Insurance Corporation and institute appropriate scheme within July this year.

The National Assembly expressed appreciation to the Ministry of Home and Cultural Affairs for the efforts made to insure and carry out other

activities for the benefit of the *Lhakhangs*. All the government, public and the private owned *Lhakhangs* were important monuments of the country and as such there was the need to insure all such properties against natural calamities. The National Assembly resolved that as submitted by the Home Minister, this issue should be thoroughly discussed with the Ministry of Finance and the Royal Insurance Corporation and a scheme for insurance should be instituted.

The deliberation on new insurance scheme for Community and Private *Lhakhangs* against natural calamities concluded on 14th June, 2007 corresponding to the 29th Day of the 4th Month of the Fire Female Pig Year.

13. Royal Bhutan Police Outposts in Laya and Lunana geogs

The people of Laya and Lunana geogs under Gasa Dzongkhag submitted that as the two geogs were situated in the northern part of the country, the number of Tibetans entering our border to collect *cordyceps* and other medicinal plants had been increasing over the years. The people requested for the establishment of Royal Bhutan Police outposts in Laya and Lunana geogs to deter the Tibetans from entering into these remote areas.

Responding to the submission, the Goongloen Wogma said that considering the number of households and the population of Laya and Lunana geogs, there has been cases of theft and non-compliance reported but no serious cases have been reported. The Tibetans enter these geogs mainly to collect *cordyceps* so there were army and forestry personnel deployed in these areas to monitor and strengthen the security. The Tibetans were also entering into these areas as they were associated with some of our own people. However, the armed force would

continue to provide security protection not only during the *cordyceps* harvesting season but at all times in these areas. Henceforth, to prevent the Tibetans from entering the border areas, security shall be further strengthened in the northern regions.

The National Assembly resolved that although there has not been any security related problems and inconveniences in Laya and Lunana geogs, the Army should provide security after proper investigation of the sensitive areas.

The deliberation on Royal Bhutan Police outposts in Laya and Lunana Geogs concluded on 15th June, 2007 corresponding to the 30th day of the 4th Month of the Fire Female Pig year.

14. Strict Implementations of the National Assembly resolutions

The people of Chukha Dzongkhag submitted that as per the resolution of the 85th Session of the National Assembly, it was resolved that civil servants should be transferred every five years according to the Bhutan Civil Services Rules and Regulations 2006. However, it was found that this Resolution was not adhered to. As such, the people submitted that the resolutions of the National Assembly must be strictly implemented.

While deliberating on the issue, the members pointed out that though it was resolved in the past sessions that the civil servants in the Dzongkhags should be transferred within five years, it was not followed as yet. They sought their clarification as to whether the transfers were carried out in respect of the position held by each individual. Further explanation was also sought on the non-revocation of trade licences of those who have engaged into illegal practice. The members suggested that if the

government was too busy to implement the resolutions, it could look into the possibility of forming committees from amongst the people to implement the resolutions.

The Speaker reminded the House that it would be sufficient if the transfer of the civil servants and related issues could be deliberated when the Secretary of the Royal Civil Service Commission was invited as a special invitee during the enactment of the Civil Service Bill.

Some of the members requested to allow sufficient time to discuss on issues submitted by people and that the tasks implemented by the ministries concerned be clearly explained. The members also sought for an update on the construction of the residential quarters for patients at the National Referral Hospital in Thimphu. The impression that the past resolutions were not adhered to has occurred to the people mainly because the people of Bumthang and Trongsa were to be provided electricity from Tingtibi but till date the people in these areas still faced difficulties as the electricity was provided just for three days a week contrary to the resolution passed in 2004. The people submitted that they would be immensely grateful if the government could solve the problem.

The members further reminded the House that in spite of the approval to send a gynecologist to Yebilaptsha Hospital at the earliest during the 86th Session, no gynecologist has been deputed till date. Members said that it would be futile to discuss on the outcomes of the construction development when the resolutions of the National Assembly were not even implemented and adhered to. The members sought explanation on non-implementation of the resolution whereon the ministries

concerned were required to publish as many notifications and announcements as possible regarding the *Driglam Namzha*.

Responding to the submission, the Prime Minister said that the National Assembly is the apex body and all issues that were resolved by the Assembly are considered as the laws of the country. The government acknowledged the resolutions passed by the Assembly but since there were two sessions in a year with time duration of few months between the two sessions, some resolutions could not be implemented due to time constraints.

The Prime Minister also submitted that the submissions of the people are implemented through various measures adopted by the government. In response to the submission made by Bumthang representative, arrangements are made to provide electricity to Bumthang and Trongsa from Kurichhu within this year. Regarding the transfer of civil servants, the Civil Service Commission constituting of members from all three branches of the government has started transferring civil servants in pursuant to the National Assembly resolution.

Further, the Health Minister said that there were no sufficient beds for the serious patients at the National Referral Hospital and as the treatment of the serious patients were more important, even though the quarters for patients could not be constructed, acknowledging the resolutions of the Assembly, the quarter for the patient which was donated by Her Royal Highness Ashi Kesang Wangmo Wangchuck was expanded with additional beds. Moreover, bearing in mind the resolution of the National Assembly, efforts has been continuously made in preparing plans and seeking funds for the construction of the quarter for the patient escorts.

During the deliberation, the Home Minister said that under the decentralization policy, the *Driglam Namzha* and the national dress issues could not be emphasized widely through writing and announcement as it could undermine the spirit of cooperation and trust and confidence placed in our development philosophy by other countries. With regard to *Patang*, *Kabneys* with different colours, it has been clearly classified according to the position and responsibility of the civil servants.

The members reminded the House that the resolutions of the National Assembly are not decided upon by the majority and that it was important that the government acknowledged the submissions of the people and provide necessary funds for the planned activities. Members said that any activities executed by the government should be carried out in a fair and equitable manner.

Responding to the submission made by the members on the question of not basing the decision on majority consensus, the Speaker said that previously the *Soelzin Lhentshog* was established with 39 members. Since the outcome of work was not satisfactory, the numbers of the members were reduced to 15. After the establishment of the *Lhentshog*, they were not even able to hold a single meeting and hardly any noteworthy achievement was brought about by the *Lhentshog*. Thus, it was changed into a Department. After changing it to a Department, remarkable progress has been made in the preservation of our culture. The Speaker reminded the House that the submissions were resolved based on such practices.

The Prime Minister submitted that the vision of the government policy was to provide equal development in all the 20 Dzongkhags and 205

geogs and that equal development do not imply development in all the Dzongkhags and 205 geogs in a single day. Along with the development of the people, it is important that the industries must be developed since it can generate income and provide employment opportunities to the youth and that it was important to see that the areas of development were carefully chosen.

Deliberating on the issue, one member reminded the House that at this critical juncture of handing over the current government to the new government, it was important to see that the discussion in the House was not centered on the interest of few individuals but in line with the interest of the King and the People. The Members insisted on the need for providing equal opportunity to speak out and to let decision be made based on the consensus of the majority.

The National Assembly expressed satisfaction to the members for engaging in frank and open discussions and also for the detailed responses made by the government in clearing the doubts of the people's representatives.

The deliberation on non compliance of the resolutions concluded on 15th June, 2007 corresponding to the 30th day of the 4th Month of the Fire Female Pig year.

15. Establishment of Private Logging Companies

The representative of the Bhutan Chamber of Commerce and Industry submitted that Forestry Development Corporation Limited (FDCL) was the only logging company in the country. In the absence of any competition, the prices of the sawn timber have been escalating and even the supply was erratic. The most essential natural resource for both public and the government was the timber and the saw-mills

charged Nu. 424 per cft. Therefore, to enable the people to purchase the timber at a reasonable rate, the BCCI representative appealed that the resolution of the 50th Session be amended and that a private logging company be allowed to be established, keeping in view the interest of both the government and the general public.

Deliberating on the issue, members submitted that according to the policy of private sector development, many private business needs to be established. However, it was imperative to bear in mind the sound policy of maintaining 60% of land under forest cover. This concept has been effectively implemented and the commendable credit goes to the six elected cabinet ministers who prohibited the export of timber products in 1998. The Department of Forest, the Forestry Land Management and the Forestry Development Corporation reported that 2.2 million cft of timbers are auctioned annually till date. Further submissions were also made on the fluctuating timber rates, profits and loss and the number of the timber logs sawn.

As a measure to mitigate the problem, it was submitted that it would be beneficial if branches of the Forestry Development Corporation could be established in all the 20 Dzongkhags. Though the government allowed the private individual to harvest timber in the past, this practice was subsequently discontinued since it was found to be unsustainable and was causing damage to the forest. Based on its experience in the extraction of timber, the Forestry Development Corporation should continue timber extraction as in the past. In order to solve the problem of escalating timber prices, members suggested that the ministries concerned, departments and the representatives from the business

sector should constitute a committee to discuss the issue and report the same to the Council of Ministers and the *Lhengye Zhungtshog*.

Responding to the deliberation, the Agriculture Minister said that until 1979, timber harvesting was carried out by the private contractors but the practice was found to be unsustainable. As a result, the issue came up during the 50th Session of the National Assembly and pursuant to the Royal Command, the practice was discontinued. While supplementing on the responsibilities and duties of Forestry Development Corporation, the Minister reminded the House that the National Forest Policy of 1974 stated that a minimum of 60% of the country's land must be kept under forest cover at all times and the same has been incorporated in the draft Constitution. However, while the high altitude timber resources like fir, hemlock and spruce have been dwindling, the hard wood timber supply in the south has been depleted. In order to meet the requirements of the people, the Forestry Development Corporation has been venturing into the use of cane, bamboo and briquette products. It was also informed that there were 100 private licence holders for timber harvesting and extraction. The Corporation is guided by The Forest and Nature Conservation Act 1996 while carrying out the forestry activities and the marketing and pricing of the timbers were based on the Timber Pricing and Marketing Policy of 1998. Accordingly, timber is marketed through competitive open auctions in all the seven Field Divisions at least once or twice every month.

The Minister submitted that the average reserve price of timber in 2007 remained at Nu.89.46 per cft for conifer and Nu.80.07 for mixed

hardwood species. The average auction price of conifer is Nu.152.86 per cft and for mixed hardwood is Nu.127.14 per cft. The average price of the sawn timber set by the saw mills is Nu.331.50 per cft for conifer and Nu.320.22 per cft for mixed hardwood. The sawn timber price charged by the saw mills is around Nu.425 per cft for blue pine and Nu.410 per cft for mixed conifers in Thimphu.

There is going to be more destruction than benefits from the privatization of the logging and every possibility of further increase in the timber prices. At the moment, Forestry Development Corporation was mandated to supply timber at highly subsidized rates and the loss of revenue by the Corporation was Nu.20 million annually. During the period 1997-2007, the revenue loss by way of subsidy was estimated at Nu.122 million. The programme for reforestation was a priority of the Corporation. Till date, the total forest area brought under plantation was 3037.13 acres and 866 acres of commercial plantation will be taken up in 2007 starting from Samtse Dzongkhag. In light of the above, it was submitted that the operation of the private logging companies was not possible and a resolution to that effect should be made. In order to reduce the escalating timber prices, there would be no objection to establish a committee.

Seconding the submission, the Deputy Minister for the National Environment Commission said that the biggest donor for timber marketing and forestry activities was the World Bank under which the Corporation and Forest Management Units looked after timber extraction and marketing. Since timber harvesting and extraction has to be in accordance with the FMU, it would be appropriate for the Forestry Development Corporation to handle timber marketing as done

in the past. In order to control the escalating timber price, it would be appropriate for the establishment of a committee for the time being.

The Minister for Trade and Industry informed the House that to curtail the escalating timber prices, several discussions were held with the private sector development committee, the Department of Forest and the Ministry of Trade and Industry. The measures adopted thereby were to substitute the wooden planks that were used to hold the cement walls with other materials and import of timber without any restrictions and tax in case of shortage of timbers within the country. The discussion was also held to allow timber extraction to the private individuals, not restricting to the Forestry Development Corporation alone. Till date the private companies have been harvesting and extracting timber under the Forestry Development Corporation and if this practice was continued under proper guidance and monitoring, it would be acceptable. Instead of establishing a committee to look into the escalating timber price, it would be better to adopt the measures resolved after thorough research by the private sector development committee, Ministry of Agriculture and the Ministry of Trade and Industry.

The Speaker informed that the submission of the Bhutan Chamber of Commerce and Industry was not for the establishment of a private logging company but to increase the number of contractors harvesting and extracting timber under the Forestry Development Corporation for quick supply of timber so that it could be auctioned and prices maintained at the minimum level. As per the resolution of the 50th Session of the National Assembly, the Command of His Majesty the King and

the government policy to maintain 60% of the land under forest cover must be abided by all Bhutanese citizens.

The National Assembly resolved that no private logging companies should be established for harvesting and extraction of timbers from the forest and as resolved by the 50th Session of the National Assembly, it should be kept under the Forestry Development Corporation. In order to solve the difficulties of the people due to the escalating timber prices, priority should be accorded to establish government saw mills as decided between the private sector development committee, Agriculture Ministry and the Trade Ministry and other measures must be carried out after proper research to solve the problems faced by the people.

The deliberation on establishment of private logging companies concluded on 15th June, 2007 corresponding to the 30th day of the 4th Month of the Fire Female Pig year.

16. Failure of Parliamentary Democracy should reinstate Monarchy

The people of Yoeseltse Geog under Samtse Dzongkhag submitted that in the event the democratic form of Government failed to uphold the sovereignty of the nation and address the aspirations of the common people, Monarchy system should be reinstated.

While deliberating on the issue, the members reiterated that this submission was made not because the present government did not address the aspiration of the people. However, they were just seeking that a provision could be incorporated in the draft Constitution so that in the event the parliamentary democracy failed to address the

aspirations of the people, the Monarchy should be reinstated. This submission was also made to His Majesty the Fifth King during the draft Constitution consultation meeting in Samtse Dzongkhag.

Further, members said that the National Assembly should arrive at a resolution that in the event the democratic form of government failed to uphold the sovereignty of the nation, address the aspirations of the common people and fulfill the vision of Gross National Happiness, the Monarch should take the reigns of the country. Members reminded that even an article of the Election Bill could not be amended and the question did not arise to amend the draft Constitution. It was indeed a thoughtful proposal and if the members concurred on the incorporation of another clause for the reinstatement of Monarchy, this proposal should be submitted to His Majesty the King by either the Speaker or the Prime Minister or the Council of Ministers for appropriate decision from the Golden Throne. The decision made from the Throne shall be respected by all the people.

The Minister for Works and Human Settlement said that the political changes in the country are brought about under the initiative of His Majesty the Fourth King and not demanded by the people. Since His accession to the Golden Throne, His Majesty the Fourth King has commanded that the people participate in the decision making process at all levels for the welfare of the country and the people. The parliamentary democracy was being introduced in the country based on the decentralization policy and in accordance with the provisions of the draft Constitution. The people should not be apprehensive about the introduction of the parliamentary democracy that has been initiated

under the two Monarchs. The provisions of the Article 1 sub-clause 1 and 2, Article 2 sub-clauses 1 and 18, Article 10 sub-clause 1, Article 32, Article 33 of the draft Constitution was read out. It was expected that the submission of the people would be addressed under these clauses. Therefore, the people should cooperate and provide their full support on the introduction of the new system.

The National Assembly noted and appreciated the thoughtful concerns of the people of Samtse Dzongkhag. The National Assembly resolved that the issue could not be considered by the National Assembly and as highlighted by the Minister for Works and Human Settlement, adequate provisions were properly enshrined in the draft Constitution and as a result there was no further need to deliberate on this issue and all should work according to the provisions of the draft Constitution.

The deliberation on the reinstatement of Monarchy on failure of Parliamentary Democracy concluded on 15th June, 2007 corresponding to the 30th day of the 4th Month of the Fire Female Pig Year.

17. Creation of post for Security Personnel at Geog Offices

The people of Doetong Geog under Paro Dzongkhag submitted that in line with the decentralization policy, the government has provided office equipment including computers in all the geogs in the 20 Dzongkhags making it convenient to carry out office works. However, without any security personnel at the geog offices, there was every possibility that these equipments could be stolen at any time. It was also resolved during the 4th Annual DYT Chairmen Conference that the Geog offices should hoist *Gyal Dhar* in front of their offices. Hence, there was also the need for security personnel to hoist the *Gyal Dhar*. Therefore, the

people requested for the appointment of a trained security personnel with provision of remuneration in all the geogs.

During the deliberation, the Home Minister said that if security personnel were appointed in all the 205 geogs, even at the wage rate of Nu.3000 per month for each security personnel, it would cost the government Nu.7.38 million per year. The payment of salary to the Tshogpas has also been introduced and the appointment of Geog Administrators has been finalized. All these would have huge financial implication on the national exchequer. Although the requirement for security personnel in the Geog Offices were genuine, it was not possible to consider this request at present.

The National Assembly resolved that with the payment to the Tshogpas and Geog Administrators, the government would have to face huge budget constraints and therefore, the creation of security post in the Geog Offices can not be considered.

The deliberation on creation of post of security personnel at Geog Offices concluded on 15th June, 2007 corresponding to the 30th day of the 4th Month of the Fire Female Pig Year.

18. Difficulties in Appointing Koenyers (caretakers) for Community Lhakhangs

The people of Khatoe, Khamae and Laya geogs under Gasa Dzongkhag submitted that people were refusing to take up responsibilities as Koenyers in the community Lhakhangs. Owing to the risk of being imprisoned during theft cases when the culprits were not caught and also due to lack of incentives or remunerations, there were difficulties in appointing Koenyers in the geogs. Therefore, the people requested

that community Lhakhangs be handed over completely including land and animal holdings to the Dratshang.

Responding to the submission, the Dratshang Kutshab said that the Dratshang Choetshog was also facing the shortage of Koenyers in the Lhakhangs built by our forefathers for the peace and prosperity of our people and the country. Several Dratshangs have been established for the maintenance of the Lhakhangs and performance of the annual rituals in several Dzongkhags. With 20 Dratshangs and 10 subsidiary Dratshangs, there were 4800 monks and 2145 teachers and monks were also enrolled in the colleges and primary institution in the country. The remaining has to perform the annual rituals in their respective Dratshangs and special rituals for the wellbeing of the country. Under such circumstances, the Dratshang Choedey is not in a position to send Koenyers in the community Lhakhangs. Further, even if the Dratshang Choedey deputes Koenyers, the people in the communities would not be able to provide remunerations and accommodation.

The Minister for Home and Cultural Affairs reminded that the handing over of the community Lhakhangs including surrounding land and animal holdings to the Dratshang due to their failure to appoint Koenyers would lead to a lot of inconveniences to the community in the near future. In the event the community does not initiate measures to take care of their community Lhakhangs, a lot of consequences may have to be faced in carrying out community related practices. It was the responsibility of each person in the community to take care of the Lhakhangs and the community leaders should explain this to the people so that they were able to provide security and take care of their Lhakhangs.

During the deliberation, members submitted that the failure to appoint Koenyers in the community and age old Lhakhangs and Goendeys resulted in handing over the Lhakhangs to the Dratshangs and Choedeys and several new Lhakhangs were being constructed with donations and other incentives. These days, people were refusing to become Koenyers owing to the risk of imprisonment in cases of theft of the scared relics. It was better for the community leaders and Geog Tshogpas to work out measures to protect the sacred relics in their localities. Some of the members suggested that since these issues are covered in the Choedey Lhentshog Bill, it would be appropriate to discuss the issue during the enactment of the Bill.

The National Assembly noted the consequences that the community would face due to handing over of the community Lhakhangs merely because Koenyers could not be appointed as explained clearly by the Minister for Home and Cultural Affairs. In the event the National Assembly acted on the submissions of the people, it would be the people themselves who could face difficulties. Therefore, it was imperative that we maintain the Lhakhangs built by our forefathers and the other related issues will be discussed during the enactment of the Choedey Lhentshog Bill.

The deliberation on difficulties in appointing Koenyers (caretakers) for community Lhakhangs concluded on 15th June, 2007 corresponding to the 30th day of the 4th Month of the Fire Female Pig Year.

19. Strategy for maintaining Towns and Cities Clean

The Bhutan Chamber of Commerce and Industry submitted that it is important to maintain cleanliness in our towns in the country. In order to do so, there was a need to study and develop a strategy to keep our

towns and cities clean by adopting interim measures in lieu of an Act. This need is also compounded by the ever increasing stray dog population in the towns which makes the towns dirty and also increases the health risks and prove nuisance to the visitors. There should be an immediate intervention on this issue. The people of Chapcha Geog under Chukha Dzongkhag also submitted that they were facing problem of the escalating stray dog population as most of the stray dogs were transported from other Dzongkhags and released in their Geog boundary. This could be due to the lack of proper place to keep these animals and the absence of proper checking at the check posts. To ease the problem, the people requested the government to identify and establish proper place for keeping the stray dogs. It was also proposed that a thorough checking of all vehicles be done to avoid transportation of these animals from one Dzongkhag to the other.

While deliberating on the issue, the Minister for Works and Human Settlement said that firstly issues related to waste management was reported to the 86th Session of the National Assembly. The Council of Ministers acknowledging the difficulties of waste not only in the towns but also in the rural areas, directed to formulate a waste management plan. With assistance from the UNEP in Bangkok, Thailand, a waste management strategy has also been formulated. In spite of all the strategies, if each individual did not take responsibility to implement it despite the City Corporation, Dzongkhags and the Geogs being directed, it would be difficult to manage the waste. The project proposal for implementation of the Action Plan was prepared and submitted to the Ministry of Finance to mobilize funding. Waste management guidelines and the three important measures to reduce waste were

aimed at minimizing the household waste to the barest minimum and recycle the wastes. Secondly, the increasing numbers of stray dogs have become a nuisance to both the public and domestic animals. They also pose a serious problem to the town cleanliness and environment and may also contribute to the reduction in the number of tourists visiting the country. The government issued directives starting from Thimphu to all the Dzongkhags to maintain cleanliness and to undertake measures to control stray dogs. It was further notified that the authority concerned as per their town area must take the responsibility to solve these problems.

The Minister further informed that as per the directives of the government and the submissions of the people to get rid of stray dogs, City Corporation has started the construction of a dog pound at Memelakha and if the residents of Thimphu city feed the dogs out of sympathy and keep them in their own areas, it would minimize the problem to a great degree. During the meeting among the Secretaries of Finance, Agriculture and Works and Human Settlement on 4th June, 2007, it was decided that the Department of Livestock would henceforth be the lead agency responsible for the control and medication of stray dogs and City Corporation would catch and deliver the stray dogs to the dog pound. After the finalization of the construction of the dog pound at Thimphu, similar constructions would be carried out in the other Dzongkhags too. The Ministry and the city corporations would continue in their efforts to maintain the towns clean and get rid off stray dogs by December, 2007.

The Health Minister said that though dogs were our friends but with the changing times, the increasing stray dog population in addition to

the nuisance caused in the towns, have led them to be our enemies. The dogs bite the children and the domestic animals causing a lot of annoyance and thus to control them is of utmost importance. While the Department of Livestock has carried out nation wide sterilization programme, it has not been successful in reducing the number of stray dog population. However, it would be beneficial if the sterilization programme was continued and all the 20 Dzongkhags were given the responsibility to sterilize the dogs. The City Corporation should construct dog pounds and that should include in all the Dzongkhags.

Further, the Health Minister submitted that the first and foremost thing that the WHO stated was that whatever plans were developed and implemented, it must be based on a healthy town plan which would be successful. The people should put in all out efforts to keep their health and environment safe and even the developing towns should be maintained clean and healthy. Secondly, if the mad dog bites people, disease such as rabies would be communicated to the people and could cause deaths like in other parts of the world. The prevention for rabies is only through post exposure vaccination. However, the total recovery of the patient is not guaranteed despite providing complete vaccination.

The rabies is increasing over the years with a number of people and animals bitten by the dogs. The Minister also reported on the number of deaths due to rabies and the funds provided by the government for its treatment. The number of stray dogs must be reduced and rabies must also be eradicated. Since Bhutan was a Buddhist nation with sympathetic people, it was also important to shower such sympathy on man or animals. Amongst the South Asian countries, Buddhist nations

like Sri Lanka and Thailand did initially faced a lot of problem with rabies but now they have eradicated it. Since rabies is a disease that has no cure, it is of most urgency to maximize our efforts to minimize the number of stray dogs.

The National Assembly noted that as per the directives of the government, the Ministry for Works and Human Settlement adopted waste management strategies and after the approval of funds the construction of the planned dog pounds would begin. It was also the responsibility of the respective city corporation and Ministries concerned to maintain cleanliness and reduce the number of stray dog population in the municipalities. The Dzongdas and the community leaders like Gups should initiate efforts to that effect in their Dzongkhags and Geogs. The Department of Livestock should review the sterilization programme to control the number of stray dogs and adopt measures to reduce its numbers. In order to maintain cleanliness, effective procedures should be adopted within December 2007 that would cover not only Thimphu but all the 20 Dzongkhags. It was resolved that the stray dogs should be kept in the dog pounds and that they should not be allowed to appear on the streets.

The deliberation on the strategy for maintaining towns and cities clean concluded on 15th June, 2007 corresponding to 30th Day of the 4th Month of the Fire Female Pig Year.

20. Suspension of building Government Quarters

The people of Chukha Dzongkhag requested for the suspension of government quarter constructions in the Dzongkhags. With the development of many satellite towns in various Dzongkhags, the private owners have been constructing residential buildings after availing huge

bank loans to rent out their flats to house the offices of the government, NGOs, corporations and the Banks. To enable them to repay their loans as well as for the development of the private sector, the construction of the government quarters should be suspended.

In response, the Minister for Works and Human Settlement informed that though due importance was accorded by the government for the construction of quarters since 1960, the constructions were suspended in 1977 to promote private sector development. Since food, water and shelter were the most essential of basic human needs, the government implemented the National Housing Policy in 2002 to construct affordable houses for the middle and lower income stratum of the society. The policy was aimed at fulfilling the vision of Gross National Happiness by providing affordable and safe shelter, promote home ownership and create a transparent and competitive housing market. The policy was based on the primary concept of shelter as the basic human requirement and the development in the housing sector would enhance the increase of our national wealth. Further, housing also has the potential benefits in terms of improved health, higher productivity and better living conditions.

Further, housing was one of the means to reduce urban poverty and the Housing Development Policy would facilitate the availability of land for housing, increase land use density through effective planning on land use, promote effective usage of local construction materials, facilitate accessibility of housing finance, reduce government's participation in commercially viable areas, promote traditional architecture, promote safe and energy efficient building designs, promote

mechanism of construction industry and contribute to a growing and free housing market.

After having identified six strategies to implement the housing objectives, the National Housing Development Corporation (NHDC) was established in 2003 to manage and maintain the government houses. Following the submission of the civil servants from the Dzongkhags on the shortage of houses, the NHDC was currently undertaking housing construction program in 7 Dzongkhags and 2 Dungkhangs for 306 units under the Government of India funding. Moreover, in line with the National Housing Policy, the NHDC assesses the need for residential flats to be constructed, the locations and promote private sector development wherever feasible through technical, financial and infrastructure development support. Further, there was shortage of housing facilities in the urban areas compounded by the growing population and the other related inconveniences.

In the event, construction of government quarters were suspended instantly as submitted by the people of Chukha Dzongkhag, it would give rise to many problems to the people and the government. Therefore, it would be immensely beneficial to continue the construction of the government quarters as per the National Housing Policy.

Members also submitted that the construction of government quarters undertaken either by the government or the private sector has to be in accordance with the Land and the Tenancy Acts. Therefore, it would not be appropriate to immediately suspend the constructions. It was imperative to carry out proper management and provide basic amenities after the completion. Even after the tenants were transferred, the quarters were still leased out in their names which indicated poor

administration. Since there was unequal distribution of government quarter constructions between the Dzongkhags, there was the need to carry out thorough assessment and carry out constructions uniformly in the Dzongkhags. It was imperative to formulate a concrete system on quarter allocation and those who were entitled for such quarters must be allotted accordingly.

Despite the existing policies, there was the absence of interested private entrepreneurs to undertake the construction of government quarters because the policies were not properly disseminated to the people. Members sought clarification on the possibility of reducing the interest rates in the event the private entrepreneurs undertook the constructions as per the existing policies henceforth. While providing equal opportunities to carry out the constructions, the people needed to be properly briefed on the existing policies of the government to successfully complete the constructions. Further, the members reiterated that the construction of housing, stadium and other major projects for 2008 should be implemented as per the earlier approved plans without being subjected to change but maintaining the standard and quality.

The National Assembly concluded that the submissions of the people should be noted by the ministries concerned and resolved that basic amenities should be provided in the government quarters. It was imperative to maintain standardised quality while carrying out housing and the stadium constructions for future durability. The National Assembly resolved that private sector should be given the opportunity to undertake government quarter constructions and in the event the private sector was unable to carry it, the government should takeover the constructions.

The deliberation on suspension of building Government quarter concluded on 18th June, 2007 corresponding to the 4th Day of the 5th Month of the Fire Female Pig Year.

21. Daily Allowance for Gup and the Mangmi

The people of Lhuentse Dzongkhag submitted that the community leaders like the Gup and the Mangmi were required to travel extensively from the Geog center to the far-flung villages to monitor planned development activities in the community. The community leaders have been facing immense difficulties since it incurred a lot of expenses while visiting the villages for official purpose. Therefore, in order to mitigate the problem, daily allowance should be given to Gups and the Mangmis for official travels in their respective places.

While deliberating on the issue, the members said that to achieve the goals of decentralization policy and equal development and poverty alleviation in the country, the responsibility lay in the hands of the Gups and the Mangmis. They are required to travel to the villages to monitor developmental activities most of the time. The community leaders like the Gups were paid a salary of Nu.8000 and no daily food and travel allowance. The government should address the difficulties faced by the community leaders. While undertaking such official tours, they should be treated at par with the other government officials and be provided either food or travel allowance or increase their salary.

Further, it was submitted that the success of parliamentary democracy depends upon the Local Government and if the Gups, Mangmis and the Tshogpas working were adequately paid, even the youth will be attracted to take up such jobs. As such, the community leaders should

be paid the daily food and travel allowance as well. The Gup being the main administrator in the Geog has so many responsibilities to shoulder and the Mangmi and the Gedungs were paid according to their responsibilities. Though the Tshogpas are paid Nu.150 per day for participating in the GYT while at other times they are paid at the national wage rate. All these should be properly scrutinized by the government. While it may not be possible to provide daily food and travel allowance, the salary of the Gup may be revised to a maximum of Nu.15,000 per month.

In response, the Home Minister said that in view of the important responsibilities the community leaders have to shoulder in the Geog Administration, besides providing the monthly salary to the Gups, Mangmis and the Tshogpas, the Gups and Mangmis were paid an allowance of Nu.6000 and Nu.4500 respectively annually. In order to assist them, 70 Geog Administrative Officers and 40 accountants have been appointed. Even if daily allowance for food and travel for the Gups and the Mangmis was to be paid as per the wishes of the people, it was not possible at this juncture as the government was facing financial deficits. The Local Government Bill was being submitted for enactment and if the Bill was enacted, the Dzongkhag Yargye Tshogdu and the Geog Yargay Tshogchung Acts would have to be repealed and drafted again whereby the responsibilities of the Gups and Mangmis are clearly defined leaving no ambiguities whatsoever.

The Finance Minister also submitted that budget for this year's planned activities surpassed by Nu.1,600 millions. If the budget exceeded the ceiling annually, it will have financial implication on the country's foreign reserve and finance. The Gups and Mangmis were paid food and travel

allowance of Nu. 6000 and Nu.4500 respectively annually. The Geogs are allotted Nu.120 million for their planned activities and with the appointment of the Geog Administrative Officers and the accountants, the amount was going to escalate. It would not be appropriate to discuss about the new government now and as submitted during the presentation of the annual budget, the executive expenditure has exceeded by 40% and due to budget constraints the submissions of the people cannot be met.

The National Assembly resolved that though the submissions of the people have to be respected, due to budgetary constraints it is not possible to consider the request. As submitted by the Minister for Home and Cultural Affairs and the Minister for Finance, there would be no revision since all these have to be in line with the Local Government's Act.

The deliberation on daily allowance for Gup and the Mangmi concluded on 18th June, 2007 corresponding to the 4th Day of the 5th Month of the Fire Female Pig Year.

22. BBS Live Telecast of National Assembly Session

The people of Tendu Geog under Samtse Dzongkhag submitted that since parliamentary democracy would be adopted very soon, it was imperative for the general public to be fully informed of the new government. Therefore, in order to disseminate proper understanding of the functioning of an elected body, live telecast and broadcast of the entire session of the National Assembly should be made available. This would be of immense benefit to the country and the people and the representatives of the geogs would be able to carry out their responsibilities more efficiently.

In response, the Minister for Information and Communication said that at present, the BBS provided live telecasts on the inaugural and closing ceremonies of the National Assembly Sessions as well as the major decisions taken by the National Assembly. Even in other countries, all the sessions from the inaugural to the closing ceremonies were not given live-telecast. If the programmes were to telecast, there was a need for adequate resources and at this juncture, we do not have in-house capacity and the resources to provide live telecast of the entire session. The government will study the feasibility of carrying out live telecast according to the rules of procedures which is yet to be drafted. Further, the Samtse Chimi also submitted that when the inaugural and the closing ceremonies could be broadcasted there should not be any problem in broadcasting the whole session. Regarding the rules of procedure, it should be drafted according to the enacted Media Act by the Ministry.

The Speaker reminded that in other countries the parliaments have in-house capacity to undertake live broadcast. The programmes were also censored by the Parliament according to the sensitivity of the topics. With regard to the live telecast of the entire session as requested by the Bhutan Broadcasting Services and the people few years back, the Speaker himself forwarded the proposal to His Majesty the King. Following the Royal Command, it was decided that only the inaugural and closing ceremonies of the National Assembly Sessions would be given live telecast. And until the new government was formed, this practice shall continue and then the necessity of the live telecast would be determined by the new government.

The deliberation on BBS live telecast of National Assembly Session concluded on 18th June, 2007 corresponding to the 4th Day of the 5th Month of the Fire Female Pig Year.

23. Timber Allotment in Urban Areas

The people of Kawang Throm under Thimphu Municipality submitted that like the people in the Dzongkhags who were allotted timber at the subsidized rate, the people residing in the urban areas should also be allotted timber at the subsidized rate, at least to construct one house to maintain uniformity in all the Dzongkhags. The submission for timber for the construction of a house was not to harvest timber from the forest but for allotment of timber at subsidized rate from the saw mills.

While deliberating on the issue, the members submitted that the cost of 10 decimal urban land was more than the cost of 10 acres of rural land leading to vast difference in the urban and the rural areas. The allotment of timber at the subsidized rate for both the rural and urban people was not justified. However, since the people at the urban areas fall under the town, they were indeed facing difficulties as they were not covered by the basic urban amenities.

The Speaker pointed out the unavailability of the timber at subsidized rate to the people in the newly established towns and shortage of basic urban amenities was a common phenomenon in all the 20 Dzongkhags. The Speaker also said that he had witnessed the difficulties of the people when he was on the Eastern Bhutan tour as per the Command of His Majesty the King. Accordingly, the Speaker informed His Majesty the King on these issues. His Majesty the King had commanded the investigation on the issue and therefore, there was no need to separately discuss the issue.

The Agriculture Minister said that while timber allotment in urban areas at subsidized rate was discussed during the 79th Session of the National Assembly and the Council of Ministers has also reviewed it, it was resolved that the existing Forest Rules should be continued without any change. Till date, 4,34,000.95 cubic metre of logs were supplied at the subsidised rural rate during the past four years. Supply of timber from the Forest Management Units was not able to meet the annual requirement of 108,273.95 m³. While the Forest Management Units supplied about 19,702.434 m³ log volume, the remaining demand was met from forest outside the Forest Management Units, posing problem to the forest management and putting tremendous pressure on environment. Bhutan being a mountainous country, 66.05% of the total forest area was unsuitable for commercial forestry considering the ecological sensitivity of our mountain system. The availability of timbers was decreasing while the demand was increasing. To avail timbers at subsidized rate to the urban areas would result in a loss to the poor people in the rural areas. Thus in the interest of the rural people, timbers cannot be allotted at subsidized rate to the urban people.

The National Assembly resolved that as submitted by the Agriculture Minister, the submission for timber allotment at subsidized rate to the people residing in the urban areas similar to the rural areas is not justifiable and the existing Forest Rules should continue to be enforced.

The deliberation on timber allotment in urban areas concluded on 18th June, 2007 corresponding to the 4th Day of the 5th Month of the Fire Female Pig Year.

24. Tourism Development Initiative in Zhemgang Dzongkhag

The people of Shingkhari Geog under Zhemgang Dzongkhag submitted that while the tourism industry has been booming in Bhutan, the remote

Dzongkhags has not been able to benefit from this industry due to lack of initiatives as of now. However, with immense opportunity for nature tourism, mountaineering and trekking in the Dzongkhag and also in line with the policy of balanced development, the people requested the government to initiate the development of tourism for the benefit of the people of Zhemgang and the neighboring Dzongkhags.

Deliberating on the issue, the members suggested that tourism development in Zhemgang Dzongkhag including the neighbouring Dzongkhags would be benefited and cooperation and trade relations between the Dzongkhags could also be expanded. Since 44% of the area under Zhemgang Dzongkhag falls under park area, there was possibility to develop tourism which could also mitigate rural-urban migration. Interacting and fostering relations with the foreign tourists would also be possible to get grants and trainings. The Dzongkhag with an un-spoilt environment, rare golden languor and different species of animals and birds could be identified as a destination for eco-tourism, coupled with beautiful places for mountaineering and trekking. The members requested for an update on the construction of airstrip in the eastern Dzongkhags as discussed in the last Session.

Responding to the submissions, the Minster for Trade and Industry and the Minister for Information and Communication reiterated the resolution adopted in the past Session that tourism should be developed equally in all the regions and accordingly, the government was working towards fulfilling this resolution and that significant progress has been made in this area. The number of tourist has increased from 1700 last year to 2000 this year and the government earned the maximum revenue from tourism. However, our culture and environment could be

threatened if we allow all kinds of people to enter the country just to develop tourism. Thus, it was important to observe policies that were framed before.

While it was the policy of the government to provide equal development in all the twenty Dzongkhags, it has not been possible upon actual implementation of the developmental activities. Though tourism development in the eastern Dzongkhags has been included in the Tenth Plan, the primary problem was that the majority of the tourists visiting our country constituted of senior people and they were unable to travel long distances from Paro to Trashigang. It was also pointed out that if there were proper entry and exit points from Samdrup Jongkhar for tourists visiting our country, it could promote tourism in the eastern Dzongkhags. However, due to security situations, it could not be implemented. With the opening of tourism in Merak and Sakten this year, the eastern Dzongkhags should be able to grab the opportunity towards promoting tourism.

Despite its pristine environment and the presence of different species of animals and handicrafts products in Zhemgang Dzongkhag, it could not be identified as a tourist destination due to the poor road conditions. The government has already planned to improve the road conditions and with its implementation, tourism would be promoted in the Dzongkhag. The Kheng Dudmang hot spring could also promote domestic and international tourism and provide business opportunities to the local people. The Dagala to Shingkhar hydel project which was included in the Tenth Plan should also provide employment to the youth and help promote tourism. On the issue of establishing an air strip in the eastern Dzongkhags, the experts from Sweden conducted the

feasibility study at Getsar in Bumthang Dzongkhag and reported that it was not suitable. Similar studies were conducted in Batpalathang, Bartsham and Yonphula under Trashigang Dzongkhag and these areas were reported to be suitable for the construction of an air strip. However, the final reports have not been submitted to the Ministry and in September, the experts will return to conduct further detailed studies and if the areas were reported to be favorable, the construction of the air strip would commence during the Tenth Plan.

The National Assembly noted that the development of tourism in eastern Dzongkhags have been extensively discussed in the past sessions. The National Assembly resolved that the ministries concerned should promote tourism in the eastern Dzongkhag at par with the western Dzongkhags from the beginning of the Tenth Plan.

The deliberation on tourism development initiative in Zhemgang Dzongkhag concluded on 18th June, 2007 corresponding to the 4th Day of the 5th Month of the Fire Female Pig Year.

25. Issuance of New Identity Card in time

The people of Samtse Dzongkhag submitted that with the adoption of parliamentary democracy in 2008, it was the responsibility of every Bhutanese citizen to participate in the voting process and the election of the new government. Since participation in the voting process will be allowed on production of the new Citizenship ID card, the people requested the government for issuance of the new Citizenship ID card at the earliest possible.

In response, the Home Minister apprised the members that the programme for processing new Citizenship ID card was launched on 16th August, 2006 and completed on 5th May, 2007. The Ministry has

completed the printing of cards for 13 Dzongkhags and the remaining 7 Dzongkhags was scheduled to be completed soon except for Mongar Dzongkhag. It was expected that by September, the Ministry would be able to issue the new citizenship cards to all the Bhutanese people. However, for those who could not travel to their respective Dzongkhags to process their new Citizenship ID cards, separate arrangements are made to process it in Thimphu. This exercise is likely to take till August, and the office shall remain open till December.

The National Assembly noted that the Department of Census and Civil Registration under the Ministry of Home and Cultural Affairs has issued new Citizenship ID cards in the 13 Dzongkhags. The National Assembly resolved that the new Citizenship ID cards in all the remaining Dzongkhags should be issued within September this year before the introduction of parliamentary democracy and that measures should be adopted to prevent difficulties related to the citizenship cards.

The deliberation on issuance of new identity card in time concluded on 18th June, 2007 corresponding to the 4th Day of the 5th Month of the Fire Female Pig Year.

26. Stringent Rules and Regulations to curb rural-urban migration

The people of Tsenkhar Geog under Lhuenste Dzongkhag submitted that although the draft Constitution of the Kingdom of Bhutan permitted a citizen to reside in any part of the country, rural-urban migration was causing immense difficulties in the timely collection of annual rural taxes and in mobilising Zhapto Lemi for the planned developmental activities in the Geogs. Therefore, in order to mitigate the difficulties faced by the people in the geogs, there is the need to incorporate stringent rules and regulations on rural taxes and Zhapto Lemi contribution.

While deliberating on the issue, members submitted that some people left their households empty while some did not take care of their houses and has migrated to the towns. This has caused immense difficulties in the timely collection of annual taxes and the mobilisation of Zhapto Lemi. The planned developmental activities in the geogs have suffered a lot and could not be completed on time. The members further opined that where the people have to perform 40 days of Zhapto Lemi annually, if the absentee people in the geogs were made to pay an amount equivalent to 40 days at the national wage rate of Nu. 100 per day to the Geog revenue, it would be of immense benefit in carrying out the developmental activities in the Geogs. Since the problems related to rural-urban migration was faced in all 20 Dzongkhags, the government must incorporate stringent rules and regulations to minimize rural-urban migration. While some of the members said that the incorporation of stringent rules and regulations would be against human rights and would require the rural people to stay in the rural areas and the urban people in the urban areas. Such policy was not prevalent in other countries and even if rules were incorporated to that effect, compliance can not be guaranteed.

Responding to the submission, the Agriculture Minister said that the rural-urban migration was a problem in all the countries. Recognizing the depth of the issue, the Ministry of Agriculture has implemented programmes like leasing out government land to the people whereby industries could be established to provide employment opportunities to the youth and expand trade to increase revenue. The Ministry had pledged to undertake extra efforts to construct farm roads to the people. As per the pledge and in the Ninth Plan, the Ministry has aimed to

construct 558 kms of farm roads and till date 502 kms have been constructed and handed over to the people while 447 kms was under construction. By the end of the Ninth Plan, the farm roads would be increased by 1100 kms which would be completed within that plan period and that power tiller roads of 73 kms has been constructed. He added that in the Geog centres that have access to farm roads, there were plans to provide facilities related to agriculture, animal husbandry and forestry, and service facilities like Gup's office, schools, hospitals, postal, electricity and tele-centers.

It is hoped that the above mentioned measures will minimize the rural-urban migration and in order to provide basic amenities in the Geog centers, grants have been received from the World Bank and programmes have been implemented in the northern, southern as well as in the eastern regions. Agriculture development programmes were also introduced in the rural areas. In Zhemgang Dzongkhag, central training unit have been established whereby the youths can avail training which will be of immense benefit to them. The support of the various ministries and departments was necessary to implement the policy and programmes prepared by the Ministry of Agriculture to curb rural-urban migration and that it was not the sole responsibility of the Ministry of Agriculture to curb the problem of rural-urban migration.

The National Assembly reminded that as resolved during the 84th Session, the issue was to be looked into by the Ministry of Agriculture, Ministry of Trade and Industry and the Ministry of Works and Human Settlement. The incorporation of stringent rules and regulations to curb rural-urban migration would be contrary to human rights and the decentralization policy. The National Assembly resolved that as

submitted by the Minister for Agriculture, the ministries concerned should commence the developmental activities in improving service facilities in the Geog centers to curb rural-urban migration. Efforts should be continued to curb the problem of rural-urban migration by the concerned ministries as per their pledge during the 84th Session of the National Assembly.

The deliberation on stringent rules and regulations to curb rural-urban migration concluded on 18th June, 2007 corresponding to the 4th Day of the 5th Month of the Fire Female Pig Year.

XII. ENACTMENTS OF ACTS

1. The Religious Organizations Act of Bhutan, 2007

While presenting the background of the Religious Organizations Act of Bhutan, 2007, the Chief Justice of Bhutan said that the Bill is designed to provide for a consolidated legislation, facilitating the administration of religious organizations to protect and preserve the spiritual heritage of Bhutan as mandated in the Draft Constitution. The Bill consisting of 18 Chapters was submitted to the Fourth and Fifth Druk Gyalpo for appraisal following the completion of the draft. Subsequently it was submitted to the Legislative Committee for onward submission to the National Assembly. The Chief Justice expressed his hope that the Members deliberate thoroughly and provide support in the enactment of this indispensable Bill by way of proper addition and amendment. He further submitted that as per the Draft Constitution of Bhutan, a religion shall be considered as the spiritual and cultural heritage of Bhutan if it fulfills the three conditions. Firstly, the religion should be recognized by the Government. Secondly, it must have been flourished for more

than fifty years and thirdly, it must be recognized by the people and the Government. If the three conditions are not fulfilled, a religion will not be considered as the spiritual and cultural heritage of Bhutan. The Hon'ble Chief Justice of Bhutan made a comprehensive presentation on the aims and objectives of the Bill.

While deliberating on the Bill, the Venerable Dorji Lopen submitted that although the Dratahang is a religious organization, the Draft Constitution has differentiated Dratshang as a separate religious entity to be governed by the Dratshang Lhentshog. Correspondingly, the Dratshang Lhentshog, cognizant of the need for law, had drafted an Act and submitted to the Chief Justice for submission to the 87th Session of the National Assembly. The Venerable Dorji Lopen requested the Chief Justice for an explanation for not submitting the said Bill in the current session of the National Assembly. He also commended and expressed his admiration on the Religious Organizations Act. Since it was very important that the Act preserved and promoted religions which have been flourishing in Bhutan for a long time, the members should enact the Act after giving due consideration to its importance and indispensability.

In response, the Honb'le Chief Justice of Bhutan submitted that the Dratshang Lhentshog Bill was submitted to His Majesty the King immediately after he received the Bill. Since there are many Bills submitted in the current Session for enactment, His Majesty the King had commanded that the Dratshang Lhentshog Bill should be submitted in the new Parliament next year through the Prime Minister. In accordance with the Royal Command, all the preparatory works for

submission of the Bill in the new Parliament have been completed, and therefore the representatives of the Dratshang need not have any apprehensions. The Honorable Chief Justice submitted that he is solely responsible for not being able to submit the Dratshang Lhentshog Bill in the current session and, therefore sought apology for his failure.

Deliberating on the Bill, the members raised their doubts without any reservations which were elucidated by the Chairman and members of the Legislative Committee. The National Assembly enacted the Religious Organizations Act of Bhutan with the following amendments:

The Assembly deliberated thoroughly on Section 7 (f) of Chapter IV which provided “One eminent *Pundit* nominated by the *Pundits* of Hindu *Dharmic Samudai*” and resolved that the Assembly members from Southern Bhutan and the Legislative Committee should jointly discuss and find an appropriate word to replace “*Dharmic Samudai*”.

The word “*teru*” in Section 19 of Chapter V of the Dzongkha text on page 8, was amended as “*Ngul Lor*”.

Section 68 of the Chapter IX on page 15 was amended as “**The donated land registered in the name of *Dratshang, Rabdey, private and Government Goendeys, Lhakhangs, etc, irrespective of the classification of the land shall be exchanged or substituted as per the Land Act***”.

In Section 100 on page 20, the word “faith” was deleted.

In Section 106 of Chapter XVII on page 21, the phrase “This offence shall be petty misdemeanor,” was amended as “**The offence shall be in accordance with the Penal Code of Bhutan.**”

2. The Civil Service Bill of the Kingdom of Bhutan, 2007

The deliberation on the Civil Service Bill of the Kingdom of Bhutan on 19th June, 2007 was preceded by a brief presentation on the background, aims and objectives of the Bill by the Secretary of the Royal Civil Service Commission. The Secretary also informed the House on the Command received from His Majesty the King. During the deliberation on the Bill, the members submitted that although it was very essential to enact the Bill before the introduction of Constitutional Government, the Bill had major flaws with respect to its drafting structure and design. The members opined that the drafting flaws were due to the fact that the Bill was not submitted to the Legislative Committee before presentation to the National Assembly. In addition, the Bill repealed many sections of the Judicial Service Act, Anti-Corruption Act and the Audit Act which were enacted by the National Assembly during the previous Session. Such repeal of the Acts even before they are implemented would not only undermine the legitimacy of the National Assembly but would also have an adverse affect on the dignity and prestige of the National Assembly as the highest legislative body.

The Chairman of the Legislative Committee clarified and informed the Assembly on the legislative procedure that was followed with regard to the Civil Service Bill, starting from the introduction of the Bill to the Committee for first reading to the time the Bill was distributed to the members. The Chairman said that because of the conflicting provisions in the Civil Service Bill, it was returned to the Royal Civil Service Commission. Some of the members pointed out that, in the past, many Acts have been passed by the National Assembly without any obstacle

and hindrance. Therefore, instead of deferring the enactment of the Bill to a future Session, the four Constitutional Offices should discuss and work out to solve the contradictions in the Bill. The Bill should again be submitted to the Legislative Committee for review, which should then be presented to the Assembly for enactment.

The National Assembly noted that, firstly, the Civil Service Bill, 2007 had drafting flaws. Secondly, the repeal of the various provisions pertaining to the personnel of the four Constitutional bodies is a major cause of concern. The problematical repeal of the various provisions of the Acts which were enacted in the last Session by the Civil Service Bill would create difficulties in future. Therefore, the Royal Civil Service Commission should discuss the issue with the three concerned agencies and resubmit the Bill to the Legislative Committee, which should then be tabled before the Assembly for enactment. Thirdly, notwithstanding the above contradictions and inconsistencies, Section 230 of the Judicial Service Act very succinctly provides that the amendment to the Act by way of addition, variation, or repeal may be effected only when the Commission or the Council submit motion to the Parliament. The National Assembly resolved that since the National Judicial Commission or the Judicial Council had not submitted a motion for amendment of the Judicial Service Act, the enactment of the Civil Service Bill was beyond the competency and legitimacy of the National Assembly. Therefore, the Civil Service Bill cannot be enacted by the National Assembly. However, if, within one or two days, the Bill is resubmitted to the House through the Legislative Committee after amending the conflicting provisions and rectifying the contradictions, the Bill will be enacted by the National Assembly.

3. The Civil Society Organizations Act of Bhutan, 2007

Preceding the deliberation on the endorsement of the Civil Society Organizations Act of Bhutan, 2007, the Honourable Chief Justice of Bhutan made a brief presentation on the background, aims and objectives of the Bill. The Honourable Chief Justice said that the Royal Government of Bhutan has not only recognized the importance of civil societies, but its importance and significance has also been reflected in the Draft Constitution. In order to provide for a consolidated law and a common legal framework for the present civil societies as well as for the civil societies that would be established in future, the present Bill has been drafted in obedience to the Command of His Majesty the King. The civil societies can assist the three branches of the Government in their common efforts to promote economic development and to promote peace and prosperity of the people.

The Bill consisting of 19 chapters was drafted with the objectives of promoting social welfare, improving the conditions and quality of the life of the people of Bhutan and advancing public interests by facilitating a constructive partnership between the Government and the civil societies. The Honourable Chief Justice added that the Bill would serve to supplement and complement the efforts made by the Government to protect human life and health, prevent and alleviate human suffering and poverty, disseminate knowledge and advance learning, develop the country economically and culturally, protect the natural environment, promote social harmony and Gross National Happiness. The Chief Justice expressed his hope that the members would provide support in the enactment of the Bill.

During the deliberation on each section of the Bill, the opinions and doubts expressed by the members of the National Assembly were elucidated by the Chairman and the Deputy Chairman of the Legislative Committee. The National Assembly enacted the Civil Society Organizations Act of Bhutan, 2007 with the following amendments:

On page 4, a new sub-clause under Section 9 was inserted as 9(e) - **“The term of the office of the members of the Authority shall be three years and no person shall hold office for more than two terms.”**

Section 49 on page 12 which provided that “...A certification of accreditation be reviewed every three years” was amended as “...A certification of accreditation be reviewed and **renewed** every three years”.

The word “*teru*” in the Dzongkha text should be replaced with the phrase “*shog-ngul*”. The Assembly also resolved to incorporate a provision in the Rules of the Act to prohibit single individuals from establishing civil societies. With these amendments and additions, the National Assembly enacted the Civil Society Organizations Act of Bhutan 2007 on 20th June, 2007 corresponding to 5th Day of the 5th Month of the Fire Female Pig Year.

4. The Public Finance Bill of Bhutan, 2007

Before the deliberation on the Public Finance Bill began, the Finance Minister presented the executive summary of the Bill, in which the Finance Minister said that the objectives of the Bill is to promote effective and efficient use of public resources, strengthen accountability and to provide for a statutory authority. For the management of the

public resources, the roles and responsibilities of all the relevant agencies along with the required authority are clearly spelt out in the Bill. In addition to certain practices in the financial management of the Government, the Bill basically puts the current practices into a legislative form. The Finance Minister also informed the Assembly on various issues covered by the Bill including draft and review, budget, state enterprises, accounting policies, borrowings, escrow moneys and trust funds.

During the page by page deliberation on the Bill, the National Assembly effected the following amendments:

The Dzongkha text of Section 5 on page 3 was amended.

The Dzongkha text of Section 7(d) on page 4 was amended.

The word “*Gyenlen tshog-ngul*” in the Dzongkha text of Section 15 (b) was amended and replaced with the Dzongkha word “*Dogtey shog-ngul*”.

The Dzongkha text of Section 23(b) on page 8 was amended.

The Dzongkha text of Section 24(e) on page 8 was amended.

The Dzongkha text of Section 34 (m) was amended.

The Dzongkha text of Section 39 (a) on page 13 was amended.

The Dzongkha text of Section 46 on page 15 was amended.

The Dzongkha text of Section 48 (a) on page 16 was amended.

The Dzongkha text of Section 48 (d) on page 16 was amended.

On page 20, the Dzongkha text of Section 68(a) was amended.

On page 30, the Dzongkha text of Section 109 (m) was amended.

The Dzongkha text of Section 110(a) was amended.

On page 33, the Dzongkha text of Section 128(m) was amended.

On page 34, the Dzongkha text of Section 130(m) was amended.

The Dzongkha text of Section 133(m) on page 34 was amended.

The Dzongkha text of Section 136 (a) on page 35 was amended.

The Dzongkha text of Section 48 (d) on page 16 was amended.

Expressing gratitude and appreciation to the members of the Legislative Committee and the all the other members of the Assembly for endorsing the Bill, the National Assembly enacted the Public Finance Act, 2007 on 20th June, 2007 corresponding to 5th Day of the 5th Month of the Fire Female Pig Year.

5. National Environment Protection Bill of Bhutan, 2007

The background, aims and objectives of the National Environment Bill, 2007 was briefly presented to the House by the Deputy Minister of the National Environment Commission.

The Deputy Minister said that preservation of environment is one of the four pillars of Gross National Happiness and hence the Bhutan 2020 document published in 1999 had identified environment legislation as one of the milestones of environmentally sustainable development. Therefore, the National Environment Commission had considered the drafting of an environmental legislation as one of the most important tasks of the Commission in the Ninth Five Year Plan. The source and basis of the Bill is Article 5 of the Draft Constitution which has necessitated and obligated the drafting of an environmental legislation to ensure sustainable use of natural resources. The need for an environmental legislation is also reflected in the National Environmental Strategy for Bhutan (Middle Path) dated 17th December, 1998.

The Deputy Minister informed the House that the objective of the Bill is to preserve the environment which is one of the pillars of the development philosophy of Gross National Happiness as propounded

by His Majesty, and to maintain a forest cover of 60% as resolved by the National Assembly time and again. The Bill also sought to institutionalize National Environment by defining its roles, powers and functions. Furthermore, the Bill sought to identify and define the responsibilities of the society and agencies, and prevent the degradation of the eco-system. The Bill would also ensure that environment is given due importance in the future plans and policies of the Government.

During the drafting of the National Environment Protection Bill, extensive consultative meetings were held with the professionals and senior officials of the relevant Ministries. The Bill was also reviewed and refined by international environment experts. The Bill consisting of 10 Chapters and 111 sections was deliberated extensively by the National Assembly. The doubts and queries raised by the members were elucidated by the Deputy Minister and the members of the Legislative Committee.

The National Assembly enacted the National Environment Protection Act of Bhutan, 2007, on the 21st June, 2007 corresponding to 6th Day of the 5th Month of the Fire Female Pig Year with the following amendments:

In Section 14 under Chapter II, “The uniformity of the system of environmental protection shall be guaranteed by the Government and the Local Governments through appropriate policies, plans.....”, was amended with the addition of another agency as “The uniformity of the system of environmental protection shall be guaranteed by the Government, Local Governments **and the Private Sector** through appropriate policies, plans.....”.

In Section 70 of the Dzongkha text, the reference stated as Section 72 was amended as Section 78 in the Dzongkha text.

6. The Local Government's Bill, 2007

Presenting the legislative history and background of the Local Government's Bill, the Minister for Home and Cultural Affairs said that His Majesty the Fourth King, for the well being of the people and the country, initiated the policy of decentralization in 1981 and accordingly, the powers were delegated to the Dzongkhags and the Geogs. The Local Government consists of elected community leaders constituting 20 Dzongkhag Tshogdues 205 Geog Tshogdes in all 205 geogs. The Local Governments have been developed and expanded by establishing well equipped offices supported by educated personnel.

The Minister informed the House that although there was DYT and GYT Acts governing the Local Governments, there was a need for an Umbrella Act to govern all the Local Governments under one uniform law. In addition, the need for a consolidated Local Government Act has also been identified and necessitated by various provisions of the Draft Constitution. Therefore, all the 17 Chapters in the Bill were significant. However, Chapter 9 which provides for the transparency and accountability of the Local Governments was the most important Chapter in the Bill.

The Bill identifies the Ministry of Home and Cultural Affairs as the agency responsible for the promotion and attainment of the objectives of devolution of powers. The Minister also said that the Bill is indispensable for equitable development and progress of the various Dzongkhags in the country. The Bill has been submitted and approved by the Lhengye Zhungtshog, Council of Ministers and the Legislative Committee of the National Assembly. The Minister expressed his hope

that the members would render support in the enactment of this important Bill.

During the comprehensive deliberations on each provision of the Bill, the clarifications raised and sought by the members were elucidated by the Minister for Home and Cultural Affairs and the members of the Legislative Committee.

The National Assembly enacted the Local Government's Act on 21st June, 2007 corresponding to 6th Day of the 5th Month of the Fire Female Pig Year with the following amendments:

In Section 5 (c) under Chapter II, "The Gyelong Thromde Tshogdue, supported by the Thromde Administration in each Gyelong Thromde" was amended as , "The **Dzongkhag Thromde Dagchong**, supported by the **Dzongkhag Thromde Tshodey** in each **Dzongkhag Thromde**". The National Assembly resolved that the DYT and GYT *Chathrim* would continue to have effect until the enactment of new DYT and GYT Acts.

The "**Gyelong Thromde Tshogdue**" as mentioned from Section 19 to 25 under Chapter II, shall remain unchanged but in other provisions of the Bill, the phrase **Gyelong Thromde Tshogdue** was amended as "**Gyelyong Thromde Tshogdu**".

The Assembly resolved to incorporate a new sub-heading "**Dzongkhag Thromde Tshogde**" before Section 11. In Section 11, the phrase "Dzongkhag Tshogdu" was replaced by the phrase "**Dzongkhag Thromde Tshogde**".

The National Assembly deliberated on Section 11 and for the purposes of clarifying future interpretation of the Section, it was clarified that the Dzongkhag Thromde Tshogde shall have the authority to make rules and regulations consistent with the national laws.

In Section 33 under Chapter III, "...A candidate must resign if he becomes a member of political party and a copy of his resignation letter" was amended as "**A member must resign...**".

In Section 83 of the Dzongkha text, the word "*gaglen*" was replaced with "*gagcha*".

The House directed the Legislative Committee to amend Section 107 under Chapter VIII, to mandate the Ministries and Departments to act upon the minutes endorsed by the Dzongkhag Tshogdu.

In Section 111 under Chapter IX, "All sessions of the Local Governments shall be open to members of their respective constituencies as" was amended as "**All sessions of the Local Governments shall be open to people of their respective constituencies as**"

In Section 195 under Chapter VI, "All the activities undertaken by the different sectors of the Government within the jurisdiction of a Local Government shall be supervised and monitored by the chief executive of that Local Government" was amended as "**All the activities undertaken by the different sectors of the Government within the jurisdiction of a Local Government shall be supervised and monitored by the chief executive of that Local Government and reports shall be submitted to the Dzongkhag Tshogdu**"

7. The Thromde Bill of Bhutan, 2007

Prior to the deliberation on the Thromde Bill of Bhutan, 2007, the Minister for Works and Human Settlement made a presentation on the aims, objectives and background of the Bill. The Minister submitted that the Thromde Bill was drafted in compliance to His Majesty's command in August 2006 to amend the Bhutan Municipal Act. The Minister informed the House that the urban population was growing and will continue to grow in the years ahead. It is projected that the urban population would reach 50% of the total population by the year 2020. In 1995, His Majesty the King issued a Kasha granting full autonomy and self governing status to the Thimphu City Corporation with a view to promote people's participation in the decision making process. In compliance with His Majesty's Kasha, the Bhutan Municipal Act was framed and enacted by the National Assembly in 1999 in the 77th Session of the National Assembly.

Under the far sighted vision, guidance and leadership of His Majesty the Fourth King, the Draft Constitution was drafted which has necessitated the amendment of the existing Municipal Act. The Minister also informed that with the changing times, the inadequacies of the old Act to address new issues was apparent. Therefore the Thromde Bill has become indispensable. The Minister brought the attention of the House to the Draft Constitution which has enshrined the establishment of Thromdes as a form of Local Government for the purpose of;

- a. Providing a democratic and accountable government for local communities;
- b. Ensuring the provision of services to communities in a sustainable manner;

- c. Encouraging the involvement of communities and community organizations matter of local governance;
- d. Discharging responsibilities as prescribed by law made by the parliament.

For the purposes of balanced socio economic development by 2020 and to face the ever new challenges of urbanization, the vision 2020 document has emphasized on embracing a unique and distinct development philosophy of “Gross National Happiness” as country transcends from a rural economy to urban society. In addition, the document has also emphasized on good governance and reducing the rural urban migration by establishing towns to provide employment and business opportunities.

The objectives of the Bill are;

- a. The establishment of Thromde in keeping with terms and conditions set by this bill;
- b. To promote good urban governance and forge partnership between the other local governments including residents and business communities;
- c. The establishment of democratic and accountable government for local urban communities ; and
- d. The provision of civil and other essential services for the general well being of the residents of the Thromde in a sustainable manner.

The Minister expressed his hope that the members would render support in the enactment of this important Bill.

While deliberating on the Bill page by page, the opinions and doubts expressed and raised by the members were elucidated by the Minister for Works and Human Settlement.

The National Assembly enacted the Thromde Act of Bhutan, 2007, on 26th June, 2007 corresponding to then 11th Day of the 5th Month of the Fire Female Pig Year with the following amendments:

In section 1(b) under Chapter I, “Come into force on the ... Day, of ...Month of ... Year of the Bhutanese calendar corresponding to ... Day of ... 2007” was amended as **“Come into force on the Day notified by the Government.”**

Section 7 (a) under Chapter II was amended as “A resident population of 10,000 or more persons **irrespective of their census**”.

The House resolved to incorporate a new proviso **“Save as provided under Section 7, all Dzongkhag headquarter Throms shall be eligible to be declared as Dzongkha Thromde”** under Section 7 of the Dzongkha text.

After an extensive deliberation on Section 24 (c) under Chapter IV, the Finance Minister, for the purpose of clarity in the interpretation of Section 24 (c), clarified that the said sub-section referred the to the budget already approved by the Government and not to the grant or approval of new or additional budget. The approval of budget stated in sub-section 24 (c) referred to the power to use or operationalize the budget already granted by the Government.

In Section 28 under Chapter IV, “Fresh Election shall be conducted within 30 days from the date of dissolution of the Thromde administration” was amended as “Fresh Election shall be conducted within 30 days from the date of dissolution of the **Thromde Tshogdu or the Thromde Tshogde.**”

In section 36 under Chapter V, “The Thrompon may, be serving a notice to the Minister concerned for the Urban and Municipal Administration , resign from office, provided the resignation has been accepted by the Minister.” was amended as “**The Thrompon may, be serving a notice to the Minister concerned for the Urban and Municipal Administration , resign from office.**”

As provided under the DYT and GYT Acts, the House directed the Legislative Committee to incorporate a section to provide for observance of the traditional inaugural and concluding ceremonies during the opening and concluding of the Thromde Tshogdu and Thromde Tshogde.

In Section 88 under Chapter XI, “The Ministry may, on request.....in consultation with the Dzongkhag Tshogdu and Geog Tshogdu and the Ministry of Home and Cultural Affairs, include or exclude...” was amended as “The Ministry may, on request.....in consultation with the Dzongkhag Tshogdu and Geog Tshogdu, **the land commission and** the Ministry of Home and Cultural Affairs, include or exclude...”

8. The Land Bill of the Kingdom of Bhutan, 2007

Preceding the deliberation on the Bill, the Agriculture Minister made a brief presentation on the aims, objectives, and the background of the Land Bill of the Kingdom of Bhutan, 2007. The Minister informed the House that after His Majesty the Fourth Druk Gyalpo commanded the amendment of the Land Act of 1979, the Ministry for Agriculture initiated the review and amendment of the Land Act of 1979 from 2004.

Although the existing Land Act of 1979 has served its purposes and people have been benefitted, the development of the country and the changing socio economic scenario demands a different legal framework. Some of the problems that have surfaced have been discussed in the past sessions of the National Assembly. In addition to informing the Assembly on the problems faced in the land administration, the Minister expressed his gratitude for all the comments, support and assistance received by him while drafting the Bill. The Minister also informed the House that the Bill had been reviewed by the Committee of Secretaries, the *Lhengye Zhungtshog*, Council of Ministers, the Judiciary and the Legislative Committee.

The Land Act of Bhutan, 2007 consist of 19 chapters and they are arranged in logical sequence. However, the processes of topographic surveying and mapping are outside the purview of the Act. With a request to the House from the Minister to allow the Legal Officer to make clarification on the Bill, if any, the House commenced its deliberations on the Bill enacted the Bill with the following amendments: The House directed the Legislative Committee to review and amend Section 2 (Repeal and saving).

In section 4 (h) under Chapter II, “One representative from Thromde Tshogde” was amended as “One representative from **Gelyong** Thromde Tshogde”.

In section 4 under Chapter II, a new sub-clause (k) “**One representative from the National environment Commission**” was incorporated.

The House resolved to define the phrase “protected agricultural areas” in section 6 (g) under Chapter II.

The gender specific term “**his**” in Section 8 under Chapter II was deleted.

In section 8 (d) under Chapter II, “Decisions may be taken by majority of the quorum”, was amended as “**Decisions may be taken by majority of not less than two thirds of the total number of members present and voting**”.

The House resolved to incorporate a definition clause to define the phrase “**Chhazhag Sathram**” in Chapter III.

The Legislative Committee was directed to find an appropriate Dzongkha word to replace “Unique household number” in Section 17 (b) (2) under Chapter III.

In Section 17 (c) under Chapter III, the Legislative Committee was directed to insert a provision with regard to an individual holding as clause (d).

In Section 39 under Chapter III, the dzongkha word “**dab**” was replaced by “**Kel**”.

In Section 43 under Chapter III, the word “**his**” was deleted from both the texts.

The Dzongkha text of section 50 (a) under Chapter III was amended.

In section 50 (c) under Chapter III, “...in accordance to Sections 50 (a) and 50 (b) of this Act”, was amended as “...in accordance to Sections **50 (a) and (b)** of this Act”.

In Section 53 and 54 (a) under Chapter III, the word “his” was deleted from both the texts.

The House resolved to exclude industrial land from the land ceiling of 25 acres as provided in Section 64.

In Section 92 under Chapter VI, “A landowner without a house and having only inherited Chhuzing in his Thram may apply for one plot of 13 decimals in urban areas or 50 acres in rural area for residential land.....” was amended as **“A landowner without a house and having only inherited Chhuzing in his Thram may apply for 50 acres in rural area for residential land.....”**

During the deliberation on Section 118 under Chapter VI, the House resolved to exempt the Gerab Dratshang from payment of land tax if it was feasible. If it was not feasible, the House resolved that the Dratshang Lhensthog should be made to pay the land tax on behalf of the Gerab Dratshang.

In Section 148 under Chapter VII, the House resolved to retain the existing procedure in the 1979 Act for payment of compensation for land acquired.

In section 156 under Chapter VII, “The landowner shall have no choice over the location of substituted land provided by the Government” was amended as **“The landowner should be substituted with land equivalent to the value of the land acquired by the Government”**.

The clerical error in the Dzongkha text of Sections 165 and 168 was corrected. In Section 167, “A landowner with only inherited Chhuzing in his Thram may apply for 13 decimals of residential land in urban areas and 50 decimals in the rural areas from such Chhuzing to the Local Authority” was amended as, **“A landowner with only**

inherited Chhuzing in his Thram may apply for 50 decimals in the rural areas from such Chhuzing to the Local Authority.....”

After an extensive deliberation on Section 239 under Chapter X, the House resolved that the Ministry of Agriculture, Department of Livestock and the landowners should discuss and initiate the livestock development programmes at the earliest in order to comply with the time limit stipulated in Section 239. However, if inconveniences continued to exist, the time limit of 5 years in Section 239 should be increased to 10 years.

With regard to the lease Tsamdro to the Dratshang, the resolved that the issue should be discussed by the Council of Ministers and come up with appropriate measures.

Regarding the lease of Government land and Government Reserved Forests in Section 306, the Legislative Committee was directed to incorporate an appropriate time limit.

The Assembly resolved that the Land Commission should correct all the errors in the Tharm in the Geogs at the earliest.

During the comprehensive discussion on the Bill, the doubts raised by the members were elucidated by the Agriculture Minister, members of the Legislative Committee and the Legal Officer of the Ministry of Agriculture.

The National Assembly enacted the Land Act on 27th June, 2007 corresponding to 12th Day of the 5th Month of the Fire Female Pig Year.

9. Agreement for Establishment of SAARC Arbitration Council

Presenting the background on the Agreement for Establishment of SAARC Arbitration Council, the Foreign Minister said that the member states comprising of Bangladesh, Bhutan, India, Maldives, Nepal Pakistan and Sri Lanka desirous of creating conditions favourable for fostering greater investments by investors of one Member State in the territory of another Member State and providing a regional forum for settlement of commercial disputes by conciliation and arbitration have signed the Agreement which consisted of 8 Articles. In view of the importance and future benefit of the Agreement to the country, Bhutan had also participated as a member to the Agreement. The Foreign Minister reiterated that Bhutan can acquire many benefits by being a party to the Agreement. Therefore, it was imperative that the House ratified the Agreement.

Deliberating on the Convention page by page, none of the members objected to the ratification of the convention. The National Assembly ratified the Agreement for Establishment of SAARC Arbitration Council on 27th June, 2007 corresponding to 12th Day of the 5th Month of the Fire Female Pig Year.

XIII. EXPRESSION OF APPRECIATION

1. Gratitude for reviewing and updating the 1949 Indo-Bhutan Friendship Treaty

The people of Thimphu, Trashiyangtse and Lhuentse Dzongkhags and the Business Community submitted that His Majesty the Fourth Druk Gyalpo has initiated the reviewing and updating of the 1949 Indo-Bhutan Friendship Treaty for the wellbeing of our country and the

people, which has accordingly received full support and cooperation from the people and the Government of India. Therefore, the people express their wholehearted gratitude to His Majesty the Fourth Druk Gyalpo, His Majesty the Fifth Druk Gyalpo, the people and the Government of India for reviewing and updating the 1949 Treaty. Besides reflecting the new geo-political realities and in meeting the changing needs of the time, the people added that the reviewing and updating of the Treaty was a true testimony of the farsighted vision emanated under the great leadership of His Majesty the Fourth Druk Gyalpo and the unchanging and steadfast nature of friendship and goodwill of the Government of India. Further, the people offered their heartfelt gratitude to His Majesty the King for the signing of the historic Indo-Bhutan Friendship Treaty in the Indian capital of New Delhi on February 8, 2007 for further strengthening the future security and sovereignty of the country and towards meeting the changing needs of the time in the new political scenario.

2. Gratitude to His Majesty the Fourth Druk Gyalpo for unprecedented peace and economic prosperity in the country

The people of Thimphu and Sarpang Dzongkhags expressed their wholehearted gratitude to His Majesty the Fourth Druk Gyalpo for bestowing the country and the people with an era of unprecedented peace and economic prosperity. The people offered prayers for the long life, health and happiness of His Majesty the Fourth Druk Gyalpo. The people submitted that although they were sad on the untimely abdication of the Golden Throne by His Majesty the Fourth Druk Gyalpo, the people sincerely pledge unwavering loyalty and dedication

to His Majesty King Jigme Khesar Namgyel Wangchuck and pray that under His dynamic leadership, our country and the people continue to enjoy unprecedented peace and accelerated economic development. Further, the people unite their hearts and souls in felicitating and offering sincere gratitude to His Majesty the Fourth Druk Gyalpo for His selfless contribution in strengthening national security and bringing unprecedented socio-economic development during His 33 years of glorious reign. Likewise, with full trust and confidence, the people pledge unwavering loyalty and support to His Majesty the King Jigme Khesar Namgyel Wangchuck upon ascending the Golden Throne as the Fifth Druk Gyalpo.

3. Gratitude for the Royal *Kasho* on Land Use

The people of Thimphu Dzongkhag expressed their sincere gratitude to His Majesty the Fourth Druk Gyalpo for the Royal *Kasho* on land use. They submitted that the *Kasho* has enabled the utilization of 10 decimals of cash crop land as residential plot. Excess lands during the cadastral survey were permitted to be registered under the respective *Thram* of the people and they were permitted to retain the parent *Thram* of the land as before. The people submitted that they were also allowed to retain *Tseri* land that has not been cultivated for more than 12 years as their private forest.

4. Gratitude for extension of the Ninth FYP period by one year

The people of Thimphu Dzongkhag submitted their sincere gratitude to His Majesty the Fourth Druk Gyalpo for extending the Ninth FYP by one more year. The people said that the extension has greatly benefited in the successful completion of the remaining planned activities.

5. Expression of Gratitude to the Fifth Druk Gyalpo

The people of Goenshari Geog under Punakha Dzongkhag, Bjena and Rubesa geogs under Wangdue Phodrang Dzongkhag, Trongsa and Trashigang Dzongkhags offered their heartfelt gratitude to our benevolent His Majesty the Fifth Druk Gyalpo for His Royal Command to the nation that henceforth, land related *Kidu* shall be addressed directly between His Majesty the Druk Gyalpo and the public without the involvement of other people in order to ensure that such *Kidu* are granted to those deserving cases and not to those who do not deserve, from the very beginning. Subsequent to His Majesty's Command that He would be personally visiting the Dzongkhags to grant land *Kidu* to those facing genuine difficulties, His Majesty has already visited 6 eastern Dzongkhags and has granted land *Kidu* to the needy people. Therefore, the people of *Shar-da-gay* offered their sincere gratitude and deep appreciation for this kind gesture of our benevolent His Majesty the Druk Gyalpo.

Further, the people of Trashigang Dzongkhag submitted that the people of Bhutan were indeed fortunate for the accession of the Druk Gyalpo Jigme Khesar Namgyel Wangchuck on the Golden Throne as the Fifth King of Bhutan. The people, especially the youth of Trashigang Dzongkhag, sincerely offered their heartfelt prayers and good-wishes to His Majesty the King. The people expressed their immense gratitude and indebtedness to His Majesty for the Royal Visit to Trashigang Dzongkhag during which time His Majesty met with the destitute families and disadvantaged children and looked into their *Kidu*. The people of Trashigang Dzongkhag whole heartedly joined with the rest of the nation

in prayers for His Majesty's long life and a successful era under His leadership. The people prayed for unprecedented peace, stability and prosperity to prevail for all times to come in the country. The people also prayed for the long and prosperous life and health of all the Members of the Royal Family.

XIV. EXPRESSION OF GRATITUDE CARRYING HISTORICAL SIGNIFICANCE

Since the 87th Session of the National Assembly was the last Session under the present system of government, the people submitted and expressed their heartfelt gratitude to His Majesty the Fourth Druk Gyalpo and pledged unwavering loyalty and support to the Druk Gyalpo Jigme Khesar Namgyel Wangchuck as follows:

The Prime Minister, on behalf of the Royal Government

Since the enthronement of His Majesty Jigme Singye Wangchuck as the Fourth Druk Gyalpo, His Majesty has selflessly and with full dedication worked towards the wellbeing of the people and the nation for the last thirty four years. During His Majesty's reign, there has been unprecedented peace and economic progress. Though the developments undertaken are innumerable and the benefits that have accrued to the people and the country immeasurable but to highlight a few are: the country's security and sovereignty has been enhanced and strengthened; socio-economic development has reached and benefited the people of all the 20 Dzongkhags and 205 geogs for example in the fields of education, health and agriculture services, roads, power, environment, religion and tradition and that all the Bhutanese are fully aware of the success of the good governance.

These developments and achievements have led to greater happiness and contentment among the people thereby contributing to the development philosophy of Gross National Happiness which has emanated from the Golden Throne. One of the significant achievement made under the leadership of His Majesty the Fourth Druk Gyalpo is the devolution of power from the Golden Throne to the people which has greatly enhanced people's participation in the decision making process at the Geog and Dzongkhag levels. His Majesty has put in place all institutional arrangements for a vibrant democracy and has initiated the drafting of a unique democratic Constitution. These initiatives of His Majesty have been highly regarded by our people and also in the international community. Such glorious achievements were unprecedented in the history of the world. Having full confidence in the leadership of His Majesty King Jigme Khesar Namgyel Wangchuck to provide unprecedented progress and prosperity to the nation and placing full faith and belief in the people of Bhutan to look after the future of our nation, His Majesty the Fourth Druk Gyalpo retired. On behalf of the people and the Royal Government, I offer our heartfelt and deep gratitude to His Majesty the Fourth Druk Gyalpo.

We would like to submit that as we stand on a threshold of momentous developments, we are blessed and greatly comforted by the fact that we have a young, knowledgeable, kind and compassionate, highly committed and visionary leader in our Fifth Druk Gyalpo, His Majesty Jigme Khesar Namgyel Wangchuck to lead and guide the country at a very significant juncture of its history and into the future. Since assuming the responsibilities of the Monarch, His Majesty has granted vision and inspiration to the people and the Royal Government. The transition

to democracy and the political and economic future of the nation to look even more secure, brighter and prosperous under His Majesty the King's leadership and guidance. The people and the Royal Government pledge our total allegiance to His Majesty the Druk Gyalpo and to serve Him with unflinching loyalty and total dedication.

We offer our prayers to the sacred assembly of the guardian deities of Palden Drukpa to shower our beloved Monarchs blessings for their long and healthy life. As we take leave of this National Assembly, I, the Prime Minister on my own behalf would like to urge all the representatives of the 20 Dzongkhags and the members of the National Assembly who are selected from their community to continue their services to the nation. The members of the National Assembly with their capability, experience and knowledge have high responsibility of continuing their services to the country in their communities.

As we take leave of this National Assembly, it is the responsibility of the members of the National Assembly to work for the wellbeing of the people and the nation. Moreover, His Majesty has repeatedly commanded, including in His address to the Nation and to the students, that ensuring the success of democracy is one of the most important objectives for Him and that the people of Bhutan must also contribute to it. The success of the democratic process was of paramount importance to ensure the success of democracy and good governance in the country. Further, it was also important for the people to fully understand the voting process, elections and party politics. The unknown fears on the changes that make take place post 2008 and the success of democracy in the country shall entirely depend on the foundation laid by us today.

The most important thing that the Bhutanese people should keep in mind during the elections next year is that if all of us put in extra efforts to carry out our responsibilities in the interest of the nation, we will not have any problems. The members of the National Assembly must properly guide all the people of the Dzongkhags and Geogs in order to ensure the success of democracy. We should also remember that the future of Bhutan lies in our hands and that it is of utmost importance that we the people should think as a family and lay strong foundations of democracy and ensure its success for not only ourselves but for generations to come.

At the time of the introduction of democracy, if the foundations are not laid properly, there is every possibility that problems would occur. Therefore, it is the responsibility of every Bhutanese to lay strong foundation for the institution of democracy in the country. On behalf of the Government, we humbly submit our deep gratitude to His Majesty the Fourth King and His Majesty the King for their wise counsel, kind support and guidance without which the government could not have performed the way it has in the last years.

We would like to commend and thank the Dratshangs and Choedeys led by His Holiness the Je-Khenpo, the Judiciary led by the Chief Justice, Members of the National Assembly led by the Speaker, The Royal Advisory Council led by the Zhung Kalyon, the Civil Service and the Armed Forces led by the Goonglen Wogma, the Dzongdas of the 20 Dzongkhags and the people for their dedicated service to the nation and for their total support to the Royal Government. We would also like to commend the constitutional bodies for their dedicated services to the nation.

We look forward to working with all the Bhutanese people to promote the security, sovereignty and well being of the nation and the people. I take this opportunity on behalf of the Royal Government, to wish all, good health and plenty of happiness in the years ahead.

Venerable Dorji Lopen on behalf of the Dratshang and Choedeys

On behalf of the Dratshang and the Choedeys, I would like to take this opportunity to express our deep gratitude on the occasion of the concluding ceremony of the 87th Session of the National Assembly which has concluded successfully under the wise leadership of His Majesty the Fourth King and His Majesty the King and where the submissions of the people has been deliberated to the utmost satisfaction.

After the introduction of the Dual System of Government by Zhabdrung Rinpoche, our country was ruled by the successive *Desis* till the reign of the 57th *Desi*. During that period, the country was divided into regions and was in the state was internal conflicts where the people were unknown to peace and welfare. With the coronation of Gongsar Ugyen Wangchuck as the first hereditary King of Bhutan in 1907, the country has ever since enjoyed continued peace and prosperity. The country has undergone tremendous development and has reached the state of heaven at present as compared to the olden days. His Late Majesty the Third Druk Gyalpo, bearing in mind the welfare of the country and the people for the present and in the future, established the National Assembly of Bhutan in 1953 providing a forum where the people could put up their opinions to the Government without any fear or reservation. This has further enabled accelerated development of the country and its people.

His Majesty King Jigme Singye Wangchuck ascended the Golden Throne at a tender age. During His glorious reign of 34 years, He brought about unprecedented development in the country and welfare to the people within a short span of time. Therefore, we are immensely grateful to His Majesty the Fourth Druk Gyalpo. The Dratshang is aware that at the time His Majesty ascended the Golden Throne, other than the institute at Semtokha which was established by His Late Majesty King Jigme Dorji Wangchuck and the Tango Drubdey which was established under the patronage of Her Late Queen Mother Ashi Phutsho Choden, there were no other institutes for the Language and Cultural Studies in the country.

We are very grateful to His Majesty the Fourth Druk Gyalpo for the establishment of numerous new Dratshangs, Shedras, Drubdeys, Gomdeys and Anim Choedeys which has greatly enabled in the flourishing of Buddhism in the country. When I was a young novice at the Dratshang, there were only few who were Buddhist scholars but now, there are many who have excelled in the Buddhist Art and Literature. As a result, there have been major developments in the field of religion for which we shall always remain indebted to His Majesty the Fourth King.

With the conclusion of the present National Assembly and after the introduction of the constitutional democracy in the country, we are confident that the new political changes initiated by the Successive Monarchs would bring in greater peace, prosperity and development like never before, irrespective of who rules the government. The Dratshang would like to offer their sincere prayers for the success of democracy in the country.

Lastly, with the blessings of the *Kencho-sum*, on behalf of the Drathsang and Choedeys, I would like to offer our sincere prayers for the long life of His Majesty the Fourth Druk Gyalpo and for a successful era under the glorious leadership of His Majesty King Jigme Khesar Namgyel Wangchuck.

The Zhung Kalyon on behalf of the Councillors, Dratshang Kutshab and Rabdey Kutshab

We are very fortunate for being able to serve under His Majesty King Jigme Singye Wangchuck during His glorious reign of 34 years. His Majesty is highly renowned not only in our country but in the world. As submitted earlier by the Prime Minister, the developments undertaken under the reign of His Majesty the Fourth Druk Gyalpo are innumerable and the benefits that have accrued to the people and country immeasurable. Though the list is never ending but to mention a few are that firstly, all the people are fully aware that the powers have been continuously devolved from the Golden Throne.

Following the devolution of power to the Dzongkhag Yargye Tshogdue in 1981, powers were further devolved to the Geog Yargye Tshogchung in 1990. Furthermore, in 1998, the executive powers were devolved from the Golden Throne to the Council of Ministers. His Majesty was deeply concerned on the security of the country during the southern problems in 1990 and insurgents from the neighbouring states of India who had infiltrated in our country's territory. At that stage, when the people were helpless, His Majesty made the selfless sacrifice by personally leading the Armed Forces in these perilous areas to flush out the insurgents. For this, we the people will always remain grateful to His Majesty the Fourth Druk Gyalpo.

We offer our heartfelt gratitude to His Majesty King Jigme Khesar Namgyel Wangchuck for updating and signing the 1949 Indo-Bhutan Friendship Treaty to further strengthen the sovereignty and security of the nation prior to His accession to the Golden Throne.

We would like to express our deep gratitude for establishing diplomatic relations with many countries and establishing several embassies and also for making Bhutan known as a member of the United Nations. While expressing gratitude to His Majesty the Fourth King, we would also like to express our deep gratitude to Their Majesties the Queens for carrying out innumerable contributions for the peace and prosperity of the people and the country.

The Government and the people join hands to offer allegiance to His Majesty the Fifth Druk Gyalpo. Further, the people also pray for the longevity of the Monarchy and in this final 87th Session, the people would like to pledge their unwavering loyalty and full dedication.

After the conclusion of this National Assembly and with the beginning of the democratic government next year, the powers shall be fully devolved to the people. Under the visionary leadership and guidance of Their Majesties the Kings, it solely lies in the hands of the people to live in peace and tranquility.

The Speaker has undertaken his responsibilities for seven years and during his tenure, he has acted as a bridge between the people and the government without being bias and upholding the country's policies and at the same time considering the plight of the people. It is a good omen that he has successfully completed his tenure. On behalf of the Royal Advisory Council, we would also like to offer our sincere gratitude

to the ten elected Ministers for being able to work together with them for the welfare of the country and the people.

Bhutan is blessed as a Buddhist nation and is the sacred hidden place of the great Guru Rinpoche. This is the very reason that we live in peace and tranquility unlike in other countries where they face disasters and calamities. Firstly, we would like to express our deep gratitude to all the Lopens of the Dratshang and Choedeys who have undertaken the responsibility of continuously offering prayers to our protective Guardian Deities. Secondly, we would like to commend the 20 Dzongdas who have been deputed from the central government to look after the welfare of the people and that they have fulfilled their obligations of the government and also the aspirations of the people. From the 205 Geogs we have in the country, 100 representatives of the people are elected and these representatives of the people have carried out their responsibilities with utmost sincerity. I have seen the competence of the representatives during my membership of 20 years in this National Assembly. Therefore, I would like to commend the peoples' representatives of the National Assembly for undertaking their duties to the best of their abilities.

Lastly, in the presence of His Majesty the King, we would like to express that the people shall always remain loyal and trustworthy and that the Dratshang and Choedeys shall continue to offer prayers to our Guardian Deities. We offer our sincere prayers that the people live in peace and prosperity for all times to come.

The Samtse Dzongda, On behalf of the Dzongdas of twenty Dzongkhags

Following the introduction of the system of Hereditary Monarchy in the country in 1907, the Third Druk Gyalpo King Jigme Dorji

Wangchuck, soon after His ascension to the Golden Throne, established the National Assembly of Bhutan as the highest decision making body in the country in order to bring active participation in decision making processes at the national level in the year 1953 corresponding to the Water Snake Year of the Bhutanese calendar. Till present, the successive sessions of the National Assembly of Bhutan was held under the close guidance of the magnanimous and farsighted leadership of their succeeding Hereditary Monarchs over the period of 55 years in order to ensure the sovereignty of the nation and address the welfare of the people. As the 87th Session of the National Assembly is the last Session under the present system of government and since it would not opportune the Dzongdas of twenty Dzongkhags to participate in the highest decision making process with the institution of the democratic system of government next year in 2008, the Dzongdas of the twenty Dzongkhags would like to express our deep gratitude as follows:

Our country has achieved all round development, further strengthened the security and peace and harmony under the continued protection of the Guardian Deities, the dynamic and farsighted leadership of their succeeding Monarchs and the good fortune of the Bhutanese people.

Likewise, our precious jewel the Fourth Druk Gyalpo Jigme Singye Wangchuck from the time of His ascension to the Golden Throne till the present has selflessly dedicated His service to the wellbeing of the country and the people. Under His dynamic and farsighted leadership, our country has achieved unprecedented socio-economic development, strengthened sovereignty and security and enjoy perpetual peace and harmony. On the other hand, tremendous progress has also been made

in the religious and cultural spheres and the entire Bhutanese people are fully aware of it. Further, in order to address the wellbeing and aspirations of the people more effectively, His Majesty the Fourth Druk Gyalpo initiated the decentralization policy. The formulation of the successive FYPs from the grass-root levels has been of immense benefit to the people.

His Majesty the Fourth Druk Gyalpo initiated the introduction of a Democratic Constitutional Monarchy form of government for the stability of the country and wellbeing of the people at present and in the future. Likewise, the entire people in the Dzongkhags are being fully informed and educated on the election process and related matters under the initiative of the Election Commission of Bhutan in order to enable active participation of the entire Bhutanese population in this political transition. We offer our prayers that the wishes of His Majesty the Fourth Druk Gyalpo and His Majesty the Druk Gyalpo were fulfilled.

We would like to convey that in order to reflect new geo political realities and build a stronger foundation to take our exemplary Bhutan-India Friendship to a greater height, the 1949 Treaty was reviewed and updated. His Majesty the Fifth Druk Gyalpo signed the updated India-Bhutan Friendship Treaty during His visit to New Delhi on February 8, 2007. This has further ensured the sovereignty and security of the nation and the wellbeing of the Bhutanese people for all times to come. Therefore, we offer profound gratitude to His Majesty the Fourth Druk Gyalpo, His Majesty the Druk Gyalpo and the Government of India.

The Fourth Druk Gyalpo Jigme Singye Wangchuck during His 33 years of glorious reign selflessly steered the nation from its initial stage of

development to unprecedented socio-economic prosperity. On behalf of the people of Bhutan, we offer our heartfelt gratitude that such selfless deeds will remain in our hearts for all times to come. Further, we pray for the long and prosperous life and health of His Majesty the Fourth Druk Gyalpo, Their Majesties the Queens and the Members of the Royal Family.

On behalf of the people of Bhutan and particularly the Dzongdas of the twenty Dzongkhags, we offer our sincere gratitude to His Majesty the Druk Gyalpo for personally visiting the different Dzongkhags and granted *Kidu* to those genuine deserving people as per His announcement during the 86th Session of the National Assembly. Further, under the wise and dynamic leadership of His Majesty the Druk Gyalpo, we pledge our unwavering loyalty and dedication to serve the government and the people to the best of our abilities.

Lastly, I would like to remind the address of His Majesty the Druk Gyalpo during the inaugural ceremony of the 87th Session of the National Assembly that His Majesty has encouraged all those who had the skills, experience and desire to serve the country as politicians to come forward. We urge the Speaker, the Prime Minister and the Council of Ministers to partake in the political parties to fulfill the wishes of His Majesty the Druk Gyalpo and for the welfare of the people. We offer prayers and hope to congregate again in this august hall of the National Assembly of Bhutan.

The Punakha *Chimi*, on behalf of the representatives of the people

The sandalwood adorned land was blessed with the advent of Guru Rinpoche in the 8th century and later the dual system form of government was introduced after the arrival of Zhabdrung Ngawang Namgyel.

Afterwards, the country was ruled by successive *desis* and during that period, the lay people took over the reins of power. Thus, the rampant struggle of power in the higher echelons of government by the rich and powerful chieftains and lords led to a string of civil wars leaving the country mired down in disease, poverty and famine. At that time, as per the prophecy of Guru Rinpoche and under the protective powers of the Guardian Deities, Gongsar Ugyen Wangchuck emerged as the most powerful leader and laid the foundation of unification and stability in the country. Hence, the clergy, senior government officials and the entire Bhutanese people unanimously submitted a petition requesting Gongsar Ugyen Wangchuck and His descendents to rule the nation. Thus, Gongsar Ugyen Wangchuck was enthroned on the Golden Throne as the first hereditary King of Bhutan on 17 December, 1907. Ever since, under the protective powers of the Guardian Deities and the wise and benevolent leadership of the successive Monarchs, the country and its people have enjoyed serene stability, peace and prosperity.

The establishment of the highest decision making body which was initiated under the farsighted leadership of the Late Third Druk Gyalpo Jigme Dorji Wangchuck was thoroughly discussed with the clergy, ministers and the people. The Late Third Druk Gyalpo formally established the National Assembly of Bhutan in the year 1953 keeping in mind the welfare of the country and the people and to bring active participation by the entire population in the decision making process. The first Session of the National Assembly was held at Namgyeltse Tshokhang at Punakha Dzong. Under the close guidance of Their succeeding Hereditary Monarchs and over the period of 55 years since

its institution, the National Assembly have developed to a reputed institution in the country. Besides the abolishment of compulsory labour contributions, discriminations and addressing the various needs and aspirations of the people, the Late Third Druk Gyalpo initiated planned developmental activities with the introduction of the First Five Year Plan in the country. Bhutan entered into the international arena as a sovereign and independent State and became a member of the United Nations. Hence, the entire people of Bhutan are truly indebted to the selfless and unsurpassed contributions of His Majesty the Late Third Druk Gyalpo.

The Fourth Druk Gyalpo Jigme Singye Wangchuck selflessly dedicated His service to the nation and has ensured strengthened security and sovereignty of the country and fulfilled the aspirations of the Bhutanese people. From the vast achievements made under His glorious reign, the Fourth Druk Gyalpo has been the true guardian of Buddhism; promoted our unique culture and tradition; developed and strengthened the public, military, government and the private sectors; established and strengthened foreign relations; instituted constitutional bodies and other various important sectors and corporations; greatly increased the living standards and brought about unprecedented socio-economic prosperity far beyond the expectations of the Bhutanese people. Further, the decentralisation policies and the major political transitions has emanated from the Golden Throne. Such godly acts and achievements were unparalleled and have been written in the history of the world. These selfless deeds of the Fourth Druk Gyalpo shall remain in the hearts and minds of the Bhutanese people for all times to come.

Further, on behalf of the people, we would like to express deep gratitude to His Holiness the Je Khenpo, Zhung Dratshang and the clergy for performing continued *Kurims* for the wellbeing of the country; to the Prime Minister, Council of Ministers and the civil servants for successfully carrying out implementation of the policies and developmental activities; to the Chief Justice, Drangpons and its staff for upholding justice by means of just conduct without fear or favour; to the Goonglen Wogma and the three Armed Forces for undertaking the security of the nation, personal security of His Majesty the Druk Gyalpo and law and order in the country with utmost loyalty and dedication; to the successive Speaker and staff of the National Assembly Secretariat for facilitating the success of the National Assembly. At the backdrop of the decentralisation policy, the present Speaker granted the opportunity to speak as equals and freely during the sessions which greatly contributed to substantive and thorough deliberations. Further, we would also like to express sincere gratitude to the Royal Advisory Council and the constitutional bodies.

On behalf of the representatives of the people, we would like to convey that it was our good fortune for having received the opportunity to participate in the highest decision making body of the National Assembly of Bhutan under the wise and benevolent leadership of His Majesty the Fourth Druk Gyalpo and His Majesty the Druk Gyalpo. We express our deep gratitude to the entire Bhutanese people for having faith and confidence and electing us to be their representatives. Further, we beseech the Druk Gyalpo, ministers and the people of Bhutan to forgive the mistakes made due to our ignorance and lack of knowledge. Although it was a moment of great sadness that the current National

Assembly was the last Session under the present system of government, we express our hope that capable leaders would be elected into the new parliament and the government, who would serve the needs of the country and aspirations of the people that they represent to the best of their capabilities.

Lastly, we would like to remind that the enthronement of the Fifth Druk Gyalpo, centenary celebrations and the institution of the Democratic Constitutional Monarchy form of government would take place in the country in 2008. Since three historic events coincided in the same year, it was of utmost importance that the entire Bhutanese people carry out their duties with reverence, commitment and dedication. We offer our prayers and good wishes to the Druk Gyalpo, government and the people of Bhutan towards embarking a new era in the Bhutanese history. We would also like to offer sincere prayers that Buddhism flourished in the country and that our unique culture and tradition was preserved under the wise and benevolent leadership of the upholder of the *Choesid-lunyi* the Fifth Druk Gyalpo. We pray that the country experience strengthened security and sovereignty and unprecedented socio-economic prosperity and that the people enjoy peace and happiness for all times to come. Further, we would like to offer prayers for the long and prosperous life and health of the Fourth Druk Gyalpo, the Druk Gyalpo and all the Members of the Royal Family. On behalf of the entire people of Bhutan, we pledge to serve the *Tsa-wa-sum* with our whole mind, body and soul and with utmost loyalty and dedication.

XV. DISTRIBUTION OF DOCUMENTS

1. The Religious Society Organization Bill, 2007.
2. The Civil Service Bill, 2007.

3. The Civil Society Organization Bill, 2007.
4. The Public Finance Bill 2007.
5. The National Environment Protection Bill, 2007.
6. The Local Government Bill, 2007.
7. The Thromde Bill of the Kingdom of Bhutan, 2007.
8. The Revised Land Act of Bhutan, 2007.
9. Ratification of Agreement for Establishment of SAARC Arbitration Council.
10. Annual Report on the Performance of the Government in the Past Year.
11. National Budget for the Financial Year 2007-2008 and the Report on the 2006-2007 Budget.
12. Implementation Status Report on the 86th National Assembly Resolutions.
13. Status Report on the settled financial irregularities and the remaining financial irregularities of 2004 and 2005.
14. Overall summary of Audit observations AAR 2006.
15. Anti Corruption Commission Report.
16. The Election Bill of the Kingdom of Bhutan, 2008 and 11 handouts consisting of rules and regulations.
17. National Strategy and Action Plan- Integrated Solid Waste Management.
18. India-Bhutan Friendship Treaty.

XVI. CONCLUDING CEREMONY

The Speaker said that the 87th Session of the National Assembly which commenced on the 22nd Day of the 4th Month and concluded on the 13th Day of the 5th Month of the Bhutanese calendar year was carried

out in accordance with its set procedures and the code of conduct. He expressed immense gratitude to the members of the National Assembly on the successful conclusion of the 87th Session. Since the new political system has emanated from the Golden Throne, he reminded that people from all sections of the society should accord utmost priority to the new democratic system and bear in mind as one nation one goal, while carrying out their service to the *Tsa-wa-sum*, so that the sun of peace and happiness continued to shine on the country and its people for all times to come. Further, he expressed his confidence that a capable leader would be elected as the Speaker under the new system who would carry out his/her service to the *Tsa-wa-sum* with utmost reverence, commitment and dedication and strengthen the legislative institution towards greater heights. The National Assembly offered *Tashi Lekmoen* and prayed for the long and prosperous life and health of the Fourth Druk Gyalpo, the Druk Gyalpo and Members of the Royal Family. Further, the National Assembly offered their good wishes and prayers that the country experience serene stability and the people enjoy perpetual peace, happiness and prosperity under the dynamic leadership of our precious jewel the Druk Gyalpo. The 87th Session of the National Assembly concluded on the 13th Day of the 5th Month of the Fire Female Pig Year.

Sd/-

(Ugen Dorje)

SPEAKER

June 28, 2007

ANNEXURE I

English Translation of the Inaugural Speech by the Honourable Speaker at the 87th Session of the National Assembly of Bhutan

1. Today, coinciding with the auspicious occasion, we are commencing the 87th Session of the National Assembly of Bhutan with the traditional *Zhugdrel Phuensum Tshogpai* ceremony. Your Majesty, Members of the Royal Family, Prime Minister, the National Assembly Members, senior government officials, representatives of the international community, representatives of the international donor agencies, other distinguished guests, ladies and gentlemen, I, on behalf of the National Assembly of Bhutan and on my own behalf, have the great pleasure to welcome you in this august Hall for the inaugural ceremony.
2. The powerful sandalwood adorned land of the Palden Drukpa was blessed by the embodiment of the Buddha of the past, present and future, Ugyen Guru Rinpoche in the 8th century as a sacred hidden land. Later, a very visionary and renowned Zhabdrung Ngawang Namgyel unified and ruled the country righteously under the dual system of government. On December 17, 1907, the people of Bhutan unanimously elected Gongsu Ugyen Wangchuck as the nation's First Hereditary Monarch. Soon after the year of enthronement of the Third Hereditary Monarch, King Jigme Dorji Wangchuck, in order to bring active participation by the entire population in the decision making processes, initiated the establishment of the highest decision making body the National Assembly of Bhutan in the year 1953 corresponding to the Water Snake Year of the Bhutanese calendar; where the first session of the National Assembly was held at Namgyeltse Tshokhang at Punakha Dzong. Under the close guidance of Their succeeding

Hereditary Monarchs and over the period of 55 years, a total of 13 Speakers have successfully served the National Assembly since its institution. Today, we are at the 87th Session of the National Assembly.

Furthermore, at the time when the sun of peace and happiness continue to shine on our country and the people under the benevolent rule of The Hereditary Monarchs, the enthronement of His Majesty Jigme Singye Wangchuck on the Golden Throne as the Fourth Druk Gyalpo and the protector of this country, has ushered in dedicated service to the country and the people and has brought in unprecedented socio-economic development. Besides, the remarkable progress achieved in the religious and cultural spheres is a true testimony of His service to the people which has left an undeletable impression on the Bhutanese people. From amongst His remarkable achievements, the decentralization policy and change in the system of governance, which has directly emanated from the Golden Throne, has immensely benefited and made convenient to the people in undertaking their yearly developmental activities at the grassroots levels. We are all well aware of these achievements which need no further reminders.

3. Moreover, the 1949 Indo-Bhutan Friendship Treaty has been reviewed and updated to meet the changing needs of the time and also to build a stronger foundation to take our exemplary Bhutan-India friendship to a greater height for all times to come. His Majesty the Fifth Druk Gyalpo signed the updated treaty during His visit to New Delhi on February 8, 2007. I, on behalf of all the Bhutanese people, would like to express our sincere and profound gratitude to His Majesty the Fourth Druk Gyalpo and His Majesty the Fifth Druk Gyalpo for

updating and signing the historic Friendship Treaty which has further ensured continued peace and strengthened the sovereignty and security of our Kingdom. Further, I would like to express deep appreciation for the support and cooperation consolidated by the Government of India which truly reflects the unchanging and steadfast nature of the bonds of friendship and goodwill between the two countries.

4. We are all aware that the main reason for all these miraculous accomplishments under the succeeding Monarchs of Bhutan till date has been attributable to the fact that though the Monarchs of Bhutan externally take human form, they are internally the true incarnates of the Enlightened Buddha. Due to which the guardian deities continue to protect and guide Their Monarchs in their daily service to the country and the people. Hence, we express full trust and confidence that our country shall achieve greater socio-economic development, strengthened sovereignty and security, and remarkable progress in religious and cultural spheres for all times to come.

5. I, on behalf of the National Assembly and on my own behalf, would like to express our sincere gratitude and appreciation to His Majesty the Fifth Druk Gyalpo for personally visiting the Dzongkhags and granting *Kidu* to the needy people as per His command during the 86th Session of the National Assembly.

6. I would like to inform the members that in order to ensure perpetual peace and prosperity in the country and wellbeing of the people at the present and into the future, a written Constitution and a democratic system of government has been initiated under the farsighted leadership of His Majesty the Fourth Druk Gyalpo. Of the many preparatory

foundations laid against the backdrop of this major political transition, the extensive voters education continuously carried out by the Election Commission in various parts of the country have raised political consciousness and awareness of the general public. For this we express our profound appreciation and further pray for the success of parliamentary democracy in the country through active participation from the general public, as envisioned by Their Monarchs.

7. We may recall here that the sons and daughters of Palden Drukpa has defended and strengthened the sovereignty and security of our country for generations and has now been handed over to us. Likewise, it is the sacred duty of every Bhutanese to inculcate dedicated loyalty to uphold the sovereignty and security of our country. It is of paramount importance to build upon this strong foundation and pass on a stronger prosperous Bhutan to our children.

8. In order to safeguard the above vital conditions, it is felt imperative to undertake educative programmes on parliamentary system and its related aspects to the general public as a means of preparatory measure prior to the institution of parliamentary democracy in the Kingdom.

9. In this connection, a 13 member Bhutanese Parliamentary delegation led by the Secretary of National Assembly attended a five day parliamentary study visit programme at the Parliament of Denmark, Copenhagen with effect from 12-16 March, 2007. The Delegation comprised of the members of Public Accounts Committee and the Legislative Committee. The study programme was organized by Folketinget, Danish Parliament in order to familiarize the delegation on the works and functions of various committees under a parliamentary

system. During the visit, the Memorandum of Understanding (MoU) between the National Assembly of Bhutan and the Folketinget, Parliament of Denmark was signed in July 2006 for a 3 year Parliamentary Twinning Programme.

10. In keeping with the introduction of parliamentary democracy in the kingdom, the National Assembly Secretariat have been undertaking a major strengthening of its human resource development programme in order to cater professional support services to the National Assembly members under the new parliamentary system. Under the programme, some officers from the Secretariat are currently undergoing training abroad in the relevant fields. The training programme is funded by the Danish Government.

11. I would like to inform the members that the project proposal to upgrade the present National Assembly Hall to a modern parliament house so as to meet the needs of the changing times has been approved by the Royal Government. As per the approved drawings of the National Assembly Hall, there will be a total of hundred seats arranged in an arc-shape for the members, with visitors' gallery and a separate seating arrangement for the press. The Hall will have digital conference, security and surveillance and video archival system. Simultaneous interpretation machine and individual electronic voting machine will also be put in place. The work on the Hall which is scheduled to be completed by the beginning of 2008 will begin soon.

12. It is my sincere hope that these developments will be helpful towards the institution of the new parliamentary system. It is also my earnest hope that every Bhutanese citizen will render necessary support

and assistance for the success of this system. The up-gradation of the National Assembly Hall is funded by the Danish Government through its good governance and administrative reform programme.

13. Before I conclude, as a reminder to the members and as the maxim goes “as much as subjects are dear to the King and as the subjects’ aspirations from the King is peace and happiness and as the root of peace and happiness lies in the laws of the land”, the series of National Assemblies held so far has passed numerous important Acts and related laws. Similarly, the current session of the National Assembly has received several Bills for endorsement by the House. After being carefully reviewed by the Legislative Committee, these Bills have been distributed to the members since yesterday. Besides enough time given to the members for proper scrutiny and engagement in sincere, objective and substantive deliberations, it is also hoped that the members would render their full support and cooperation in the proper adoption of these Bills.

14. In conclusion, as the members are aware that the National Assembly is the highest legislative body of the country, it is earnestly hoped that the members would engage in constructive debates as per the agenda drawn for the Session and in accordance with its set procedures while bearing in mind the welfare of the country and the people. Lastly, it is sincerely hoped that the 87th Session of the National Assembly would be concluded successfully.

TASHI DELEK!

ANNEXURE II

English Translation of the Concluding Speech by the Honourable Speaker at the 87th Session of the National Assembly of Bhutan

1. The 87th Session of the National Assembly which commenced on the 22nd Day of the 4th Month of the Fire Female Pig Year has successfully ended from yesterday and shall be formally concluded today with the traditional offering of *Tashi Moenlam*. I, on behalf of the National Assembly and on my own behalf, would like to extend a very warm welcome to Your Majesty, Members of the Royal Family, senior government officials, representatives of the international donor agencies, representatives of the international community and distinguished guests for the concluding ceremony.
2. The successful conclusion of the Session which commenced from 22nd Day of the 4th Month of our Bhutanese calendar till yesterday can be attributed to the support of the members who stood by the agenda and engaged in constructive deliberations for the welfare of the country and the people. The resolutions were also read out to the members for information and necessary ratifications.
3. I would like to express my sincere gratitude to the Prime Minister for the detailed presentation on the performance of the government in the past year; to the Finance Minister for the presentation of the National Budget; to the Zhung Kalyon for the report on the implementation status of the resolutions of the 86th National Assembly; to the Chairperson of the ACC for the presentation of its first Annual Report; to the Chairman and members of the PAC for the comprehensive Status Report on the settled financial irregularities and the remaining financial irregularities of the past three years. Likewise, I would like to express

my deep gratitude to the Chairman and members of the Legislative Committee for reviewing the Bills tabled before the National Assembly and for providing clarifications during its endorsements.

4. Since the people were eager to be informed of the resolutions passed by the National Assembly on their submitted points, I would like to urge the ministers to disseminate the resolutions of the National Assembly to their respective departments and divisions and accordingly, implement the activities that would immensely benefit the people. Likewise, it was equally imperative for the representatives of the people to adequately disseminate the resolutions in their respective geogs and submit its report to the National Assembly Secretariat as soon as possible. Although members have been reminded repeatedly in the preceding sessions on the dissemination and implementation of the resolutions, there have been few cases of non-compliance. Therefore, I would like to remind that extra efforts should be made to disseminate and implement the resolutions of the present Session at the earliest possible in order to successfully implement the entire resolutions of the present Session.

5. The 87th Session of the National Assembly which will be the last Session under the present system as commanded by the Druk Gyalpo saw extensive deliberations on significant national issues and the endorsement of seven important Acts. The successful outcome of the Session and the arrival at substantive resolutions has been a source of immense satisfaction to the members and also to the entire public. The wise and farsighted leadership and the guidance of the Druk Gyalpo and the wisdom of the members had led to very candid deliberations. The members have engaged in open and frank discussions on important

issues in the interests of the country and the people. Therefore, I would like to express my profound gratitude to the Druk Gyalpo and to all the members of the National Assembly.

6. On behalf of the National Assembly, I would like to express deep gratitude and appreciation for the selfless hardships and sacrifices made by His Holiness the Je Khenpo in traveling to the remote Dzongkhags for conducting and initiating *Wang, Lung* and *Thri* for the welfare of the people and disseminating the Buddha Dharma. Similarly, I would also like to express sincere gratitude and appreciation to the Dratshang, Rabdey and the entire clergy for continuously performing *Kurims* for the wellbeing of the country and the people.

7. The Late Third Druk Gyalpo Jigme Dorji Wangchuck, in order to bring active participation by the entire population in the decision making process, initiated the establishment of the highest decision making body the National Assembly of Bhutan in the year 1953 corresponding to the Water Snake Year of the Bhutanese calendar. I would like to inform that the present 87th Session of the National Assembly will be the last Session under the present system of government. Beginning next year, the new National Assembly will congregate under the new parliamentary system.

8. Our precious jewel the Fourth Druk Gyalpo Jigme Singye Wangchuck ascended the Golden Throne on June 2, 1974 at the Changlimithang ground. At that time, His Majesty addressed to the nation that above everything else, He will put the interest and wellbeing of the country and the people first. True to His words, His Majesty has entirely dedicated His service to the nation and the people and made

innumerable selfless sacrifices during His glorious reign for 33 years. The country experienced perpetual stability and the people enjoyed sublime peace, happiness and prosperity under His wise and magnanimous leadership. I would like to express that no amount of sacrifice and deed would be able to repay His Majesty the Fourth Druk Gyalpo for bequeathing us a secure and a stable nation for the present and future generations.

9. Likewise, in order to encourage the active participation of the entire Bhutanese population in the policy making and developmental process, the Fourth Druk Gyalpo initiated the decentralisation policy in 1981 whereby the Dzongkhag Yargye Tshogdues were established in all the twenty Dzongkhags. Subsequently in 1991, His Majesty further decentralised it to the Geogs and the Geog Yargye Tshogchungs were constituted. We are all aware that such noble policy has brought unprecedented socio-economic prosperity in the country.

10. Keeping in mind both the present and future interests and wellbeing of our country, the Fourth Druk Gyalpo initiated to restructure the Lhengye Zhungtshog into an elected Council of Ministers that is vested with full executive powers to provide efficient and effective governance of our country. On the 15th Day of the 4th month of the Male Earth Tiger Year corresponding to June 10, 1999 during the time of the 76th Session, His Majesty issued a *Kasho* to the Speaker of the National Assembly empowering the National Assembly members to elect the ministers. Despite repeated pleas by all the members of the National Assembly to retain the powers under the Golden Throne, His Majesty conferred all the powers to the people. Towards the end, we are all

aware that His Majesty is bequeathing the entire nation into the hands of the people themselves.

11. In accordance with the decentralisation policy, His Majesty the King has put in full faith and confidence in the Bhutanese people and conferred the governance of the country to the people. Since there was going to be major political changes in the country, I would like to remind the members to bear in mind to prevent the negative influences and aspects of such new changes as this would jeopardize the stability of our country and wellbeing of the people. In the event we neglect to promote and preserve our unique national identity which constitutes religion, culture and tradition, language, traditional architecture, arts and crafts amidst the new political change, it will have immense impact on the sovereignty and security of the country. Since we were going to usher the new political changes, it is of utmost importance to put in extra efforts to uphold our age-old culture and traditions that has been passed on to us by our noble forefathers and thereby, pass on to our children.

12. I sincerely hope that the members would agree to my opinions since despite my lack of qualification and capability, I was elected as the Speaker of the National Assembly by you all with full trust and confidence. I would like to remind that since it was my responsibility as the Speaker of the National Assembly to guide and administer the proceeding of the sessions, every word said or acted thereof, was carried out bearing in mind the welfare of the country and the people. I carried out my duties with utmost dedication and sincerity devoid of deliberate personal gains; however, there may have been instances of

errors due to sheer ignorance. Further, I would like to inform that I have carried out my responsibility in accordance with the National Assembly Rules of Procedure.

13. It is apparent that today was the last congregation of the National Assembly under the present system of government; therefore, I would like to take the opportunity to beseech the members to consider my mistakes made if any, during my tenure as the Speaker of the National Assembly.

14. With utmost loyalty and dedication, I have served as the Speaker of the National Assembly from the 79th Session till the 87th Session in 2000 till 2007 over a tenure period of seven years. Besides immense support and guidance from the Fourth Druk Gyalpo and the Druk Gyalpo, I received full cooperation and *Lekmoen* from the clergy, the council of ministers, royal advisory council, representatives of the government and the representatives of the people. This has tremendously helped in successfully carrying out my duties as the Speaker of the National Assembly. During my tenure as the Speaker, I have presided over the passing of numerous resolutions at the backdrop of the policies of the government and the welfare of the people. In keeping with the need of the changing times, a total of 37 Acts were enacted with respect to the ministries, departments and other organizations. It also gives me immense satisfaction to add that a total of 24 Conventions and International Agreements have been rectified during my tenure as the Speaker of the National Assembly. It has been an extraordinary experience to serve as the Speaker of the National Assembly and shall remain in my heart for all times to come. Therefore, I would like to

express my profound gratitude to the Fourth Druk Gyalpo, the Druk Gyalpo and the members of the National Assembly for conferring this opportunity.

15. The Fourth Druk Gyalpo and the Druk Gyalpo has put in full faith and confidence in the Bhutanese people and initiated the introduction of a parliamentary system of government in the country. I would like to offer my sincere prayers and good wishes for its successful institution and that the objectives of the new parliamentary government and the aspirations of the people are fulfilled.

16. I would like to remind the members of the address of the Druk Gyalpo during the inaugural ceremony of the 87th Session of the National Assembly. His Majesty the King said that ensuing a period of 55 years since the National Assembly of Bhutan was instituted by His Late Majesty King Jigme Dorji Wangchuck in 1953, a Democratic Constitutional Monarchy form of Government, emanated from the Golden Throne under the benevolent His Majesty King Jigme Singye Wangchuck, will be adopted next year for further strengthening the sovereignty and security of the country and realizing the welfare and happiness of the Bhutanese people. His Majesty also said that since very important events for the democratic transition was approaching near, all those who had the skills, experience and desire to serve the country as politicians to come forward.

Further, His Majesty reminded that during the time of the political process, the entire Bhutanese people should lay emphasis on the democratic system and put in extra efforts and dedication while carrying out their services to the nation. His Majesty said that we must always

be one nation with one shared national goal and that we should always stand united in spirit and purpose so that the sun of peace and happiness continue to shine perpetually in our country. I would like to remind the members that it is of utmost importance to bear these in mind and accordingly fulfill their duties.

17. I would like to offer *Tashi Lekmoen* and express my full confidence that a capable leader would be elected as the Speaker under the new parliamentary system who would carry out his/her service to the *Tsa-wa-sum* with utmost reverence, commitment and dedication and strengthen the legislative institution towards greater heights.

18. Lastly, on the solemn and auspicious occasion of the concluding ceremony, all the members will offer their prayers with body, speech and mind for the long and prosperous life and health of our precious jewel the Fourth Druk Gyalpo, the Druk Gyalpo and all the Members of the Royal Family and that the country and the people enjoy eternal stability, peace, happiness and prosperity for all times to come.

TASHI DELEK!

Disclaimer

The resolutions of the 87th Session of the National Assembly of Bhutan have been translated from Dzongkha text. In the event of inconsistency between the two versions, the Dzongkha text shall prevail.