

Written questions to the Ministry of Home and Cultural Affairs

Issue 1: Harmonisation of names and spellings of gewogs, chiwogs and villages

The Election Commission of Bhutan has authored changes in the names of *gewogs*, *chiwogs* and villages in the country. This has been creating some degree of confusion that needs immediate attention. Some continue to use old names and spellings while some use the new names. In some cases, both the old and new names are used interchangeably. Despite the change in names or spellings, government institutions and official correspondences use old names and spellings. The names in official records and computer systems do not match with new names and spellings authored by ECB. Besides, many names and spellings of places in both Dzongkha and English along national highways, feeder and farm roads are not only inconsistent but grammatically erroneous. The National Council would like to ask the Royal Government to address the following concerns.

- a) Identify appropriate government authority or agency who will be responsible for effecting changes in names and spellings (in both Dzongkha and English).
- b) Effect such changes in official publications, letter heads, signboards, highways and in computer systems.
- c) Reconcile differences in names used by ECB and other government agencies?
- d) Issue an official publication with standard names and spellings for usages throughout the country.

Issue 2: Gewog boundary of Sertena and Fentena village under Gakiling Gewog

Sertena and Fentena village, which was under Samar Gewog have been placed under Gakiling Gewog since 2008 without proper consultation with the people of the two villages. There have been several inconveniences faced by the public of Sertena and Fentena villages under the current position. The issue has been brought up several times in GT, DT and many public gathering.

National Council in the last tenure passed a resolution calling upon the Government to initiate the process to merge Sertena and Fentena village with Samar Gewog as per the Election Act. In the follow up, I was informed by the Home Minister vide letter no. KA/NCB-15/2012/ 1509, dated December 21st, 2012 (as attached) that a committee

has been constituted and started its study to address similar such problems in other Dzongkhags as well. The letter further states that its findings will be submitted to the next government during the first year of its term.

Couple of years back, the issue was taken up with the current Prime Minister, who assured that he will look into the matter. Since there was no further development on the matter, the issue was once again raised in the last session. The Minister for Homes and Cultural affairs responded by saying that their request to ECB to consider relocation of Sertena and Fentena Chiwogs to same Gewogs instead of maintaining under different Gewog during the delimitation exercise for the second Local Government election could not be considered. The ECB also informed that until Parliament decides the issue of two villages, the Delimitation Commission (DC) is helpless.

Since repositioning of these villages entails alteration of Gewog boundary and the Election Commission in general and Delimitation Commission in particular has little to do with it.

The DC can make changes in the Demkhongs only after the Gewog boundaries are resolved by Parliament of Bhutan. The onus is now upon the government to table the issue in the Parliament for alteration of Gewog boundary.

I have explained this position to the people and they are fully aware that unless Government decides to table the issue for boundary change in the Parliament, their issue will not be resolved. So the National Council would like to know if the Royal Government is going consider tabling the *gewog* boundary issue to the parliament.

Issue 3: Local content generation and culture

After a hugely popular Ap Bokto animation was publicly released, children as far and remote as Laya and Lunana, hum, sing and mimic the characters. The love for a Bhutanese cartoon character is evident in how almost any parent knows Ap Bokto. There is no dearth of Bhutanese stories. Bhutanese have decent technological ability and enough creativity to make good, local and meaningful films for children. There is a critical need to encourage and support such and other categories of film makers for young Bhutanese.

In promoting our national language, we have expressed difficulty in terms of reading and writing by blaming school system, teachers, curriculum and the experts. In most cases, this is possibly happening because of the inadequacy of our own content generation in multimedia. Dominance by foreign content and its effects on society has been discussed several times. Culture is the fabric of our national identity, and language is the loudest and most active part of our culture.

Therefore, the National Council would like to know the policies, plans and programs of the Royal Government in supporting greater local content generation especially for young Bhutanese.

Issue 4: Law and Order

The National Council would like to appreciate and acknowledge the commitment and dedication of Royal Bhutan Police (RBP) for maintaining law and order and preventing crimes. It will continue to support RBP to ensure that it fulfils this important mandate in the service of the nation and its people.

However, it is worrying to note recent media reports on RBP personnel being involved in following unfortunate incidences like;

1. Supplying of drugs for the prisoners,
2. Preparing of fake prisoner's release documents,
3. Involvement in deporting of illegal labourers through checkpoints,
4. Reports on torture and harassment for convicts in detention centers, and,
5. Reports on rampant domestic violence in the camps and colonies.

The above incidences are a reflection of possible failure and flaws in the organization. This is worrying for us as it will not only impede RBP to deliver its service effectively but could cause loss of public trust and confidence in our own law enforcement agency.

Therefore, the National Council would like to ask the Royal Government following questions;

1. What immediate actions have it taken to respond to such incidences where police personnel themselves are involved in illegal acts?
2. What plans are in place to prevent such issues in the police system and enhance their professionalism to avoid similar practices in our law enforcement agency like RBP?

Issue 4: Local Government's Feedback on Geydrung

The local government office has been using the services of *geydrungs* for a long time. It started with their writing skills that were critical to local government functionaries at a time when many *gups* could not read or write. However, as more and more *gups* were able to read and write (as required by law), the role of *geydrungs* have now evolved from simply writing for the *gup* to writing for the public. Our experiences at the villages have shown us that the convenience of having *geydrungs* at the office allows members of the public to use them for a wide array of services ranging from writing letters, agreements, tax collection, office record keeping.

While Parliament has discussed and also tabled both the pay hike proposal and the Local Government Amendment Act (primary revolved around *thromde*), it left out issues concerning *geydrungs*. It was then thought that their issue was best taken up during pay revision deliberations (when discussions for local governments arise) and later under the civil service category when the Local Government Amendment Bill was discussed. While members shared concerns on the matter, there was no conclusive debate when discussions took place both times.

On March 7, 2016, a group of them representing other *geydrungs* had come to Thimphu to seek clarification and also put up an appeal on their allowances (difficulty, altitude and gratuity) and met the Chairman of the Royal Civil Service Commission. During the meeting, they learnt that the OD exercises had in fact recommended doing away with the post. They then met the Hon'ble Home Minister the next day on March 8, 2016. He had explained that there was nothing he could do if the OD exercises recommended doing away with the *geydrung* post. But he was kind enough to extend help by way of finding employment opportunities and trainings for them at the

Ministry of Labour and Human Resources for those whose contracts would end soon. Six days after the meeting on March 14, 2016, a letter with the reference DLG-02/2015-16/695 was sent out to all 205 *gewogs* from the Department of Local Governance, signed by the Director General. It intended to seek feedback from the *gewog thrizins (gups)* on whether the service of the *geydrungs* was required or not. It has been over 3 months now.

Today, as the contracts of some of these *geydrungs* come to an end, there are reports of OD exercise by the RCSC concerning them as well as engagement by the Home Ministry with local governments by way of seeking feedback on the need for *geydrungs*.

In this context, the National Council would like to ask the Ministry of Home and Cultural Affairs about the kind of feedback provided by the local governments and how it intends to take the issue forward based on the feedback.

Answers:

Issue 1:

The Ministry of Home and Cultural Affairs is responsible for naming and renaming of Gewogs and villages in the country based on proposals from the local governments and directives and of the Government. Accordingly, the Ministry notifies the concerned Local Governments and all other concerned to effect the changes with endorsement of the Lhengye Zhungtshog.

However, the current changes with the spellings of the names of Gewogs and villages were executed by the Delimitation Commission (DC) under the Election Commission of Bhutan (ECB) exercising their authority with the rationale to make itself explicit, facilitate easy reference and to restore the meaning of original names and the history of places. It was also to standardize the spellings of the names guided by the spelling in Dzongkha/Zhungkha.

The MoHCA fully acknowledge that such changes in names and spellings have created certain degree of confusion and inconveniences with the usage and therefore calls for urgent attention.

While we acknowledge the effort of the DC in coming out with standardized names and spellings of Gewogs, Chiwogs and villages, the Ministry is in support of the recommendation of the NC to delegate such tasks to an appropriate government authority.

Therefore, it is felt that the MoHCA is the most appropriate authority for standardizing names and spellings of places in the country and would like to recommend that the Department of Local Governance, MoHCA may be identified as the agency responsible

for proposing or effecting such changes as may be required in Gewogs, Chiwogs and villages as per their proposal. However, this should be carried out in close consultation with the Department of Civil Registration and Census and National Land Commission, as key custodians of historical records/database of Dzongkhags, Gewogs and villages.

Issue 2:

Response:

The revision of the boundary and the territorial extent of the Chiwogs was done subsequent to the declaration of the 16 Dzongkhag Thromdes and 20 Yenlag Thromdes by the Second Parliament of Bhutan in its 5th Session, 2015. However, Sertena and Fentena villages under Gakiling Gewog, Haa Dzongkhag were not effected since the same was not decided by the Parliament while the Dzongkhag Thromdes and Yenlag Thromdes were declared.

The transfer of Fentena and Sertena villages of erstwhile Mayona Gewog, Samtse Dzongkhag to Gakidling Gewog, Haa Dzongkhag was directed vide Executive Order No. Lhengye/04/06/1246 dated June 15, 2006 of the Hon'ble Prime Minister.

However, the Hon'ble Home Minister vide order No. DLG/27/2007/1330 dated June 8, 2007 directed the civil registries of Sertena and Fentena villages to be included in Samar Gewog, Haa Dzongkhag and accordingly it was effected.

The Delimitation Commission, based on the Technical Team's report submitted to the MoHCA vide its letter No. ECB/DC-02/2008/1040 dated December 29, 2008 that these two villages be transferred back to Gakidling Gewog. Subsequently, the civil registries of these two villages were transferred back to Gakiling Gewog. Thus, the 17th Delimitation Commission meeting held on July 1, 2009 resolved that until Parliament decides the issue of two villages, the Delimitation Commission would abide by the Delimitation Order issued on March 26, 2007 for National Assembly Demkhongs. The Delimitation Order states these two villages as one Chiwog under Gakiling Gewog.

Since the public of these two villages are facing several inconveniences in accessing the services from the Gewog office and also the local government has raised this issue in GT and DT, the government has taken up the issue with the concerned agencies.

However, the Delimitation Order cannot be altered until 10 years from the date of its issuance as per the provision of the Article 12 (Section 2) of the Constitution of the Kingdom of Bhutan and Chapter 5 of the Election Act of the Kingdom of Bhutan, 2008.

Issue 3:

Response:

The Ministry of Home and Cultural Affairs does not have specific programs that support such concerns of improving the reading and writing of national language among the younger generation. However, when it comes to films and film-makers, the Department of Culture facilitates the Bhutan Film Association by providing Nu.1.00 million every year to host the Film Award ceremony. During this ceremony, the film that promotes culture and national language, is provided with cash prize in recognition of their effort in promoting Dzongkha language.

Furthermore, the MoHCA has initiated to propose for additional fund under the Department of Culture to be approved by the Government from next fiscal year onwards to support three best films that promote tradition and culture.

The Government has also recently instituted the Art Endowment Fund to support endeavors among the public working towards promoting culture in diverse areas.

Besides the above programs, the requirement to protect and promote culture is ingrained in almost all the programs carried out by the Ministry of Home and Cultural Affairs.

Over the years, given the concerted efforts of the Royal Government aimed at promoting Bhutanese tradition and culture, the Bhutanese music, cinemas, TV serials and reality shows have rapidly blossomed and significantly contributed towards the promotion and growing popularity of our national language and culture.

Issue 4:

Response:

1. Supplying of drugs for the prisoners:

RBP has come across few cases wherein the personnel has supplied drugs to the prisoners, wherein all the cases have been dealt as per the law, like any other citizens of the country. The personnel are never treated any different from other citizens. In fact, the matter is taken very seriously and dealt very strictly. For the record, any personnel found involved in any criminal activity is suspended immediately and the pay and allowances are withdrawn. The housing facility is also withdrawn and on conviction, the personnel are terminated without any benefit. Such incidences are not at all alarming. Two cases were reported which is reflected below:

1. Pelpon Karma Chopel of Changang Central jail attempted to supply six packets of Baba. The case is under investigation and he is suspended now.
2. Gopa Singye Phub of Div XI, Thimphu police station has helped in supplying drugs. The case has been charge sheeted and he is under trail.
3. Chuma Om Nath Khatiwara of Div XI, Thimphu police station has helped in supplying drugs. The case has been referred back to the police by the Office of the Attorney General and inquiry is ongoing.

2. Preparing of fake prisoner's release documents:

This is a single case that has happened in Thimphu police station.

1. Chuma Tenzin Phuntsho of Div XI, Thimphu police station was involved in making fake document. He has been suspended and the case charge sheeted to the court. He is under trail.
2. Chuma Kinley Dorji of Div XI, Thimphu police station was involved in making fake document. He has been suspended and the case charge sheeted to the court. He is under trail.

With the view to promote exemplary principles and integrity in the discharge of duty, the leadership of the RBP frequently conduct sensitization briefings for the personnel. The RBP will continue to conduct such programmes with the objective of instilling integrity, discipline and dedication among its personnel.

3. Involvement in Deporting of illegal labourers through Checkpoints:

The RBP has not come across any police personnel involving in deporting of illegal labourers through the checkpoints. As of now, RBP personnel on duty at checkpoints have rendered all necessary support to their counterparts (immigrations and customs) in curbing such illegal practices. It may be informed that incidences of illegal labourers entering through the checkpoints happen due to free entry and exit of military, IMTRAT and DANTAK vehicles without checking.

4. Reports of torture and harassment for convicts in detention centers:

As of now, RBP has not come across any complain of torture and harassment by the personnel in the Detentions. This is because of the fact that the personnel are briefed time to time and as per the section 414 (torture) and 462 (harassment) of Penal Code of Bhutan, 2004 and sections 85 (use of force) of RBP ACT 2009 prevents harassment, tortures and mistreatment in the Detention.

For the information, convicts are never kept in the detention but they are kept in prisons whereas under trial and under custody prisoners are kept in the detention until the judgment by the Court.

5. Reports on rampant domestic violence in the camps and colonies.

While RBP acknowledges the presence of domestic violence in the camps and colonies, it is not very rampant. To prevent such incidences, the officers in all the Dzongkhags frequently conduct awareness and sensitization on both the personnel and spouses on the prevention of domestic violence. The cause of the domestic violence is mostly due to abuse of alcohol and taking this into note, a total of 29 personnel were recently compulsorily made to retire.

In order to prevent such issues from coming up in the future, the RBP is involved in capacity building of the personnel, briefing the personnel from time to time, taking appropriate actions as deemed necessary, and looking into the welfare of the personnel.

Issue 5:
Response:

Brief background on Gaydrung

Gaydrung post was created along with the creation of the post for Gup in early 1960s. The role of Gaydrungs then had been to assist the Gup in collection of rural taxes besides drafting official correspondences. Gaydrungs then did not have any structured pay as such but their services were compensated with exemptions from Gungda woola and other privileges extended by the Community which were later replaced with minimal financial incentives.

With enactment of the Local Government Act 2009 (which does not mention Gaydrung), the GYT Chathrim was superseded. However, under the Local Government Rules and Regulations 2012, Gaydrung is recruited and appointed under the authority of the Gewog Tshogde. They are appointed for a fixed term of five years, subject to extension by the Gewog Tshogde based on their performance. They are paid a monthly salary of Nu. 9570 and are eligible for daily allowance equivalent to Nu. 300 per day and Nu.250 porter pony allowance as and when they perform authorized official travels. The following responsibilities, to be undertaken under the supervision of the Gewog Administrative Officer, are spelt out in the Local Government Rules and Regulations, 2012:

1. Collect tax and insurance premium;
2. Process land transaction in accordance with the Land Act of Bhutan, 2007;
3. File and maintain records of all official documents; and
4. Perform other official functions as directed by the Gup, Mangmi and Gewog Administrative Officer.

Educational Profile of existing Gaydrungs (Gewog Administrative Assistant)

Shown below is the qualification of the existing 202 Gaydrungs:

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|------------------|---|
| 1. BA | 04 (<i>shedra</i> graduate monks included) |
| 2. Class XII | 67 |
| 3. Class X | 36 |
| 4. Class IX | 03 |
| 5. Class VIII | 12 |
| 6. Class VII | 02 |
| 7. Class VI | 08 |
| 8. Class V | 04 |
| 9. Class IV | 01 |
| 10. Class I | 01 |
| 11. RTI Graduate | 01 |

| | |
|---------------------------|---------------------|
| 12. Non Formal Education | 02 |
| 13. Unknown qualification | 61 (monks included) |

Total existing Gaydrungs **202**

Series of discussions were done on the issue of Gaydrung post (GAO's symposium, Annual Dzongdag's Conference, OD exercise, RCSC).

The RCSC in the light of maintaining “small, compact and efficient civil service” and also in line with the recommendation of their OD exercise had recommended the following:

1. The position of Gaydrungs in Gewog Administrations should be phased out when the existing Gaydrung completes their ongoing contract.
2. Their responsibilities should be reassigned to GAOs and the Accounts Assistance to ensure smooth transition.
3. Gaydrung who meet the civil service entry eligibility criteria enshrined in the Chapter 4, 5 and 7 of BCSR 2012 can try and join the civil service through normal channel.

In order to understand the role of Gaydrungs with clarity, the DLG under the MoHCA is conducting study by way of seeking views of the 205 Gewogs regarding the requirement of the Post. Of the feedback received so far, majority of them have expressed their view in favour of retaining the post of Gaydrung with justification as under:

1. Carry out tax collection;
2. As per the responsibilities mentioned in LGRR, 2012;
3. Perform the responsibilities of an Adm. Assistant;
4. There will be poor achievement on the activities carried out by LG;
5. Serving as the Tshogdrung for Gewog Tshogde;
6. More miscellaneous roles for all the 10 ministries and agencies give more roles to the LGs;
7. the post generates employment opportunities;
8. Census record keeping;
9. Chadri and logistic arrangements;
10. Focal person for reporting the Gewog annual report.

Therefore, the discussion on retention and abolition of the *gaydrung* post is still under way with the 205 *gewogs* and the RCSC.