

PARLIAMENT OF BHUTAN



PROCEEDINGS AND RESOLUTIONS (TRANSLATED) OF THE TWENTY-THIRD SESSION OF THE NATIONAL COUNCIL OF BHUTAN

(20th Day of the 3rd Month to 23rd Day of the 4th Month of the
Earth Female Pig Year Corresponding to 23rd May to 26th
June 2019)

Contents

A. Proceedings for the Opening Ceremony	1
B. Opening Address of the Hon’ble Chairperson.....	1
C. Implementation Report on the Resolutions of the 22nd Session of the National Council	5
D. Legislative Issues.....	6
1. Introduction of the Amendment to the Montreal Protocol on substances that deplete the Ozone Layer (Kigali Amendment).....	6
2. Introduction of Air Service Agreement (ASA) between Royal Government of Bhutan and the Government of United Arab Emirates (UAE).....	8
3. Introduction on the Impeachment Procedure Bill of the Kingdom of Bhutan 2019.....	10
4. Minister and Minister Equivalent Post Holder’s Entitlement Bill of Kingdom of Bhutan 2019.....	12
5. Introduction of the Pay Revision Bill of Bhutan 2019	14
6. Introduction of the Budget Appropriation Bill for the Financial Year 2019-2020.....	43
E. Issues related to Review of Policies	51
1. Review Report on Technical and Vocational Education and Training (TVET)	51
2. Review Report on the Harmful Use of Alcohol in the Country.....	63

3. Review on Fronting Issues, Consequences and Recommendations.....	71
F. Annual Report.....	78
1. Report on the Annual Anti-Corruption Commission Report 2018.....	78
G. Proceedings of Question Time	83
1. Hon’ble Prime Minister.....	83
2. Hon’ble Minister for Education.....	84
3. Hon’ble Minister for Information and Communications	86
4. Hon’ble Minister for Health.....	87
5. Hon’ble Minister for Works and Human Settlement.....	89
6. Hon’ble Minister for Home and Cultural Affairs.....	90
7. Hon’ble Minister for Foreign Affairs.....	92
H. Any Other Business	93
1. Issues concerning removal of cut-off point by the government for Class X passed out students.....	93
I. Closing Ceremony.....	95
1. Closing Address of the Chairperson.....	95
 Annexure I.....	 100
Annexure II.....	126
Annexure III.....	144

**PROCEEDINGS AND RESOLUTIONS (TRANSLATED)
OF THE TWENTY-THIRD SESSION OF THE
NATIONAL COUNCIL OF BHUTAN**

*(20th Day of the 3rd Month of Earth Female Pig Year
corresponding to 23rd May 2019)*

A. Proceedings for the Opening Ceremony

The 23rd session of the National Council of Bhutan commenced on 23rd May 2019 corresponding to the 20th Day of the 3rd Month of Earth Female Pig Year of the Bhutanese Calendar with traditional *Marchhang Tendrel*.

B. Opening Address of the Hon'ble Chairperson

The 23rd Session of the National Council commenced on an auspicious day with the opening ceremony of the Joint Sitting of Parliament in the morning was graced by His Majesty the Druk Gyalpo. The opening ceremony of the National Council commenced in the afternoon. The Hon'ble Chairperson welcomed and expressed his appreciation to the Hon'ble Prime Minister, the Hon'ble Speaker of National Assembly and other senior government officials for their presence in the opening ceremony. He also extended greetings to all the Hon'ble Members and Secretariat staff.

The Chairperson, on behalf of the people and the National Council offered deepest gratitude to His Majesty the Druk Gyalpo for the extraordinary services in strengthening the peace, happiness and well-being of the people and the

country. He said that under the visionary leadership of His Majesty the Druk Gyalpo, the National Day Celebrations are held in different dzongkhags every year which has greatly benefitted in promoting balanced regional development in the country. Moreover, this has also greatly benefitted the respective dzongkhags in promoting cleanliness and beautiful surrounding. He submitted gratitude to His Majesty the Druk Gyalpo for such noble initiative.

Similarly, His Majesty the Druk Gyalpo has always graced the convocation ceremony conducted by the Royal University of Bhutan every year to bestow the graduates with the rare Royal advices and noble guidance. Moreover, His Majesty the Druk Gyalpo always grants audience to Class XII scholarship recipients who are going to pursue professional degree courses outside the country with the invaluable advice to continue to work hard, and become capable and productive individuals. Such noble initiatives from His Majesty the Druk Gyalpo has immensely benefitted the youths in guiding them during the course of their studies to be very productive citizens.

The establishment of the De-Suung programme has also immensely benefitted in providing voluntary and timely emergency and other social services. The Chairperson also congratulated the Hon'ble Members of National Council for successfully completing the Leadership Programme for Parliamentarian at Royal Institute for Governance and Strategic Studies from 24th February to 15th March 2019 and the De-Suung programme in April 2019.

The Chairperson expressed his appreciation to His Majesty the Druk Gyalpo for further improving and strengthening the foreign relationship with the foreign countries. He also submitted his gratitude to His Majesty the Druk Gyalpo for the noble deed in granting Land and Citizenship *Kidu*. As a Dharma King, His Majesty has graced the religious ceremonies, *Losar* celebrations and important events, which provide opportunities for the youth and people to interact with His Majesty the Druk Gyalpo.

Further, on behalf of the people of Bhutan he offered heartfelt condolence to our beloved Royal Family Members on the sad demise of *Yab* Dasho Ugyen Dorji, a great promoter of the sacred dharma who left for heavenly abode and expressed deep regret for this great loss.

The Chairperson also expressed his gratitude to His Holiness the Je Khenpo, Zhung Dratshang, and other religious bodies for conducting various rituals. On behalf of National Council, the Chairperson also thanked Punakha and Wangdue Dzongkhag Administration staff, armed force, other relevant agencies and the people of 20 Dzongkhags for their help and support in such an hour of need.

He said that as announced during the 22nd Session of the National Council, the Committees worked hard to achieve various tasks assigned in preparation for the 23rd Session by conducting extensive research and review works which included 3 Plenary Sessions, 64 Committee Meetings, 55 rounds of stakeholder consultation meeting and 5 field visits.

Further, during this Session the House will deliberate on 6 Legislative issues, 3 issues related to Review of Policies, 1 Annual report and 6 Question Hour Sessions.

He reported that under the Legislative issues; Ratification of Amendment to the Montreal Protocol on substance that deplete the Ozone Layer (Kigali Amendment), Ratification of Bilateral Air Service Agreement (ASA) between Royal Government of Bhutan and the Government of United Arab Emirates (UAE), Budget Appropriation Bill of 2019-2020, Impeachment Procedure Bill of Bhutan 2019, Minister and Minister Equivalent Position Holders Entitlement Bill of Bhutan 2019 and Pay Revision Bill of Bhutan 2019 will be deliberated.

Similarly, under the issues related to Review of Policies; issues related to Technical and Vocational Education and Training; issues related to Harmful use of Alcohol; issues related to Fronting and with regard to Annual report; Annual Anti-Corruption Commission report will be deliberated.

He reported that as decided in the previous Session, the Social and Cultural Affairs Committee has drafted Lhengye Zhungtshog Bill for deliberation in the current Session. However, while consulting the Cabinet Secretariat and the Office of the Attorney General on the Bill, it was agreed that it would be appropriate if the Cabinet Secretariat could initiate to table in the Parliament in the later Session as the Bill is directly related to Lhengye Zhungtshog.

Similarly, he said that during the 1st Session of the National Assembly of the Third Parliament, the House expressed its concern on the removal of Class X cut-off point for admission in Class XI for the students who had scored pass marks in their board examination. The Government's response on the National Council's concerns and 4 recommendations will be deliberated on 31st May 2019 during the Question Hour Session.

In conclusion, the Chairperson sought the guidance and prayers for the successful completion of the 23rd session of the National Council with the continued advice and guidance of His Majesty the Druk Gyalpo, blessings of His Holiness the Je Khenpo and Zhung Dratshang.

*(21st Day of the 3rd Month of Earth Female Pig Year
corresponding to 24th May 2019)*

C. Implementation Report on the Resolutions of the 22nd Session of the National Council

The National Council during its 22nd Session had thoroughly deliberated on the 12th Five Year Plan Report under the issues related to review of policies and submitted several recommendations to the government for implementation.

The Deputy Chairperson and few Hon'ble Members of the National Council reported to the House on implementation report received from the Gross National Happiness Commission on behalf of the government.

Similarly, the National Council during its 22nd Session had thoroughly deliberated on the Budget Appropriation Bill 2018-2019 and submitted several recommendations to the National Assembly which was subsequently re-deliberated and passed by the National Assembly. Hon'ble Members of Haa and Chukha Dzongkhag presented to the House as an Implementation Report.

The House thoroughly deliberated on the satisfaction on the recommendation and responses on the Budget Appropriation Bill and resolved that no separate deliberation was necessary. However, on the recommendations of the 12th Five Year Plan Report, it was observed that the responses were unsatisfactory as most of the responses were provided in brief. The House resolved that relevant Hon'ble Members will re-deliberate and decide whether to consider it in any other Business or to conduct Question Hour Session.

*(23rd Day of the 3rd Month of Earth Female Pig Year
corresponding to 27th May 2019)*

D. Legislative Issues

1. Introduction of the Amendment to the Montreal Protocol on substances that deplete the Ozone Layer (Kigali Amendment)

The Hon'ble Minister for Agriculture and Forests in his introduction presented the background on the amendment to the Montreal Protocol on substances that deplete the Ozone Layer (Kigali Amendment).

In his introduction, he said that due to the developmental revolution in countries, it is imperative to maintain the health care of human and preserve the natural environment. After numerous deliberations in World Parliament Conference in 1987 to control the Ozone depleting substances, the Montreal Protocol was signed in Montreal, Canada wherein several amendments were made. The motion was moved in the United Nation General Assembly for ratification on the Kigali Amendment which was adopted in 2017 at Kigali.

The amendment to the Montreal Protocol not only consist of just one ozone depleting substance but also includes the global warming potentials (GWPs) such as Hydrochlorofluorocarbon (HCFCs) which has been identified and listed in regulating the depleting substances. The partial changes in the provisions were made accordingly while consolidating the Protocol.

The Kigali Amendment will be directly beneficial to our country in regulating the imported equipments that contain such substances. There will be no direct financial implications to the government as well.

Although some of the Hon'ble Members supported the amendment of the Protocol, they enquired about the risk involved on the impact on the country's economy and the measures to solve financial implications if any.

Similarly, on the enquiry about how to improve the human resource capacity and strategies, the Hon'ble Minister responded that the amendment of Protocol will not have any

impact on economy of the country as there is possibility of foreign aid to improve the human resource capacity on ratifying such Protocol.

The Chairperson of the Natural Resources and Environment Committee, Hon'ble Member of Trongsa Dzongkhag reported that while the Committee was reviewing the Amendment Protocol, there was no major amendment except for the Hydrofluorocarbon (HFC) as new substances were listed and changes related to them were incorporated in the Amendment. Therefore, the Committee recommended the House to ratify the Amendment Protocol with minor changes related to translation in Dzongkha text.

1.1. Ratification of the Montreal Protocol

The National Council thoroughly deliberated on the Amendment to the Montreal Protocol on substances that deplete Ozone Layer (Kigali Amendment) on 27th May 2019. Although there was no changes in the main context, amendments and changes were made in the Dzongkha text which shall be submitted to the National Assembly for re-deliberation.

2. Introduction of Air Service Agreement (ASA) between Royal Government of Bhutan and the Government of United Arab Emirates (UAE)

The Hon'ble Minister for Information and Communications introduced the Air Service Agreement between the Royal Government of Bhutan and the Government of United Arab

Emirates (UAE) in the National Council for ratification by the parliament. The bilateral relationship between Bhutan and UAE started since 2012 and the air service linkages were approved by the Cabinet on 31st March 2015 upon the request of Druk Air Corporation Limited.

The Agreement has many advantages to the Bhutanese citizens traveling towards central and western regions of the world enabling them to travel faster without having to halt en routes. Further, there is a larger benefit in business and job opportunities. The disadvantage may be in terms of reciprocity for the other planes to fly in our airport at Paro, which is very rare based on the past experience.

On this, the Hon'ble Members asked if the viability of landing in their airports were consulted with the relevant countries while signing the agreement and also the issues related to the double taxation. On the capacity and security, the Hon'ble Minister submitted that after being ratified by the parliament, the concerns regarding capacity and security will be addressed.

The Chairperson of Foreign Relations Committee, Hon'ble Member of Trashigang Dzongkhag supported the motion moved by the Hon'ble Minister. He said that the Committee supports ratification of the Agreement and is aware of the benefits in fostering bilateral relationship between the two countries and further promoting business and employment opportunities. The Committee also accepted the amendments made by the National Assembly with regard to translation.

2.1 Ratification of the Agreement

The National Council thoroughly deliberated on the Air Service Agreement between the Royal Government of Bhutan and the Government of United Arab Emirates (UAE) on 27th May 2019 and accepted all the amendments made by the National Assembly without any additional amendment. The House resolved to submit the same to His Majesty the King for Royal Assent.

*(26th Day of the 3rd Month of Earth Female Pig Year
corresponding to 30th May 2019)*

3. Introduction on the Impeachment Procedure Bill of the Kingdom of Bhutan 2019

The Chairperson of Natural Resources and Environment Committee (NREC), the Hon'ble Member of Trongsa Dzongkhag introduced the Impeachment Procedure Bill of the Kingdom of Bhutan 2019.

In his introduction, he said that during the 19th Session of the National Council, the Good Governance Committee submitted a motion to the House on the need of an Impeachment Bill. Accordingly, the Natural Resources and Environment Committee drafted the Bill with the support of the Secretariat office and presented it for deliberation.

The main reason for the need of the Bill is based on the provision of Article 32.1 and 32.5 of the Constitution of Bhutan which provides that the procedure for impeachment,

incorporating the principles of natural justice, shall be as laid down by the law made by Parliament. While drafting the Bill, relevant international laws and domestic laws were reviewed and stakeholders were consulted.

There are 10 Chapters and 106 Sections in the Bill which mainly provides the detailed procedures of impeachment and the responsibilities of the Parliament are clearly mentioned. For the impeachment procedure, a Committee with clear responsibilities and functions are explicitly mentioned in the Bill. Likewise, the Bill does not require the establishment of new office for carrying out its provisions or its implementations. Further, there are no financial implications on the exchequer.

Some of the Hon'ble Members expressed that as per the practice of the House, the Rules and Regulations has to be submitted along with the Bill for deliberation. Hon'ble Members enquired whether the rules and regulations were drafted for the Bill and also asked which agencies were consulted and what foreign laws were researched while drafting the Bill.

In response, the Deputy Chairperson of the Natural Resources and Environment Committee, the Hon'ble Member of Tashiyangtse Dzongkhag said that the rules and regulations are in the process of preparation. He said that four out of six Holders of the Constitutional Offices were consulted and laws of five countries were referred while drafting the Bill.

3.1 Deliberations on the Bill

The House deliberated on the Impeachment Procedure Bill of Kingdom of Bhutan 2019 on 30th May 2019 and 20th June 2019. It was resolved that the Bill as passed by the House shall be submitted to the National Assembly for deliberation as per **Annexure I**.

(2nd Day of the 4th Month of Earth Female Pig Year corresponding to 5th June 2019)

4. Minister and Minister Equivalent Post Holder's Entitlement Bill of Kingdom of Bhutan 2019

The Chairperson of Legislative Committee, Hon'ble Karma Tshering introduced the Minister and Minister Equivalent Post Holder's Entitlement Bill of the Kingdom of Bhutan 2019.

In his introduction, he said that the National Council submitted the Bill as Private Members Bill. The House identified drafting of the Bill as an important task during the Retreat Workshop held in Paro from 29th -31st July 2018 and directed the Legislative Committee to draft the Bill accordingly. He submitted the motion to introduce the Bill for deliberation along with the views sought from Chief Justice of Bhutan on the Bill.

He said that the rationale to introduce the Bill is based on the recommendations of the National Law Review Taskforce Report to regulate all the public servants' entitlement by

separate laws. He also said that the need of such legislation was necessary since the Minister and Minister Equivalent Post Holders do not have any separate entitlement law.

The Minister and Minister Equivalent Post Holders occupy one of the highest public offices with ultimate decision-making authority on key policies. It is desirable to adequately remunerate a Minister and Minister Equivalent Post Holder to enable him or her to perform his or her functions and discharge his or her responsibilities in an efficient, fair and transparent manner with accountability and integrity.

The House considered the Bill as Private Members Bill mainly because the Government has been established just over half year ago and that they have many important priorities to work on. He reported that the House has initiated the Bill as the entitlement of the members of the Lhengye Zhungtshog is directly affected by this Bill and there are possibilities of perceived conflict of interest.

Similarly, to deliberate on the Bill the Committee has also prepared the draft rules and regulations for the Bill. Regarding the financial memorandum, he said that the Bill does not require separate budget to establish any new office. Although there is no extra financial burden, he said that the cumulative financial burden to the exchequer is estimated to Nu. 8.000 million to provide an I-pad or tablet and a laptop each to the Minister and Minister Equivalent Post Holders.

On this, the Deputy Chairperson of Legislative Committee, Hon'ble Member of Pema Gatsel Dzongkhag said that the

main purpose of the Bill is to set out a legal framework for the entitlements of the subjects of the Bill setting a tone from the top level by leadership and example. The Bill mainly provides for the establishment of a National Committee on the entitlements related issues. The Bill aims to provide adequate remuneration to enable them to perform their functions and discharge their responsibilities in an efficient, fair and transparent manner with accountability and integrity. He reported that the Bill has 8 Chapters classified into 58 Sections.

1. Deliberations on the Bill

The House deliberated the Minister and Minister Equivalent Post Holders Entitlement Bill of Kingdom of Bhutan 2019 on 5th June 2019 and 20th June 2019. It was resolved that the Bill as passed by the House shall be submitted to the National Assembly for deliberation as per **Annexure II**.

(10th Day of the 4th Month of Earth Female Pig corresponding to 12th June 2019)

5. Introduction of the Pay Revision Bill of Bhutan 2019

The Hon'ble Minister for Finance introduced the Pay Revision Bill 2019, in the National Council.

In his introduction, he said that the present government established the Pay Commission through an Executive Order issued on 9th January 2019 to comprehensively review the pay, allowances and benefits of the public servants and submit

a report to the government. The Fourth Pay Commission submitted the report to the government and in order to ensure transparency, the Lhengye Zhungtshog shared the report with the public and collected their views and opinions and made additional changes to the report.

He said that for the approval of the Pay Revision Bill 2019 by the Parliament, the National Assembly had deliberated and passed the Bill. He then submitted a motion to introduce the Pay Revision Bill 2019 in the National Council.

Hon'ble Finance Minister said that the government carried out the revision mainly because the last revision in salary for public servants was 5 years ago and also acknowledging the inflation in the price of commodities in the country to realize the government's commitment in narrowing the income gap. Moreover, the pay revision was carried out in order to prioritize the health and education services in the country.

The current pay revision was aimed at narrowing the income gap by providing higher percentage of revision to lower position levels and keeping the revision for the higher position levels as minimum as possible. However, he said that there are no clear procedures while deliberating the Pay Revision Bill in the Parliament and in order to remove such ambiguities, there is a need for a Pay Revision Act.

On the pay revision, he said that the pay scale for the Prime Minister, Cabinet Ministers and Equivalent Post Holder's shall be revised by 6% while the Members of Parliament, Drangpons of Supreme Court, Drangpons of High Court,

Holder/Member/Commissioner of Constitutional Offices, Cabinet Secretary, Government Secretary, Members of the Privy Council and Attorney General shall be revised by 12%. Likewise, for the general civil servants the pay scale of Executive Level shall be revised by 14%, Professional Level by 18%, Supervisory Level by 22%, Operational Level by 24% and Elementary Service Personnel and General Service Personnel by 35% and 30 % respectively.

Although the pay revision for the Local Government Functionaries were revised separately in 2017, he said that the government further acknowledged the importance of the Local Governments and therefore revised the pay scale for Thrompons, Gups, Mangmis, Thromde Thuemis and Tshogpas between 14% to 24% as per their position levels. Similarly, the revision for Contract Employees and Equivalent Positions were revised between 18% to 24 % and the allowances for Dzongkhag Mask and Folk Dancers were also revised appropriately.

Regarding the allowances and benefits, the existing allowance for the health workers and teachers were maintained and enhanced considering the importance of the health and education services in the country. For instance, in general, the professional allowances for all medical and clinical staff including Sub-specialists were revised ranging from 35% to 60% on the minimum revised basic pay as per their position levels. For teachers, the teaching allowances were revised ranging from 35% to 55% on the minimum revised basic pay on the number of years served. Similarly, radiation allowance,

uniform allowance and night duty allowance in the health sector were also revised.

While there is no additional revision on the professional allowance for the staff of the Aviation, the Royal Audit Authority and the Anti-Corruption Commission, the existing professional allowance were revised on the minimum revised basic pay. However, the professional allowance for prosecutors stationed in the Office of the Attorney General shall be introduced at 20% of the minimum revised basic pay.

Further, while the general civil servants are provided with 20% house rent allowance, the house rent allowance for positions S3 and below shall be revised as lump sum of Nu. 3500 per month and extended to ESP employees. Similarly, the existing communication allowance of Nu.1000 shall be revised to Nu. 2000 per month and the communication allowance of Nu. 1000 shall be introduced to Personal Secretary and Personal Assistant of Cabinet Ministers and Equivalent Post Holders.

With regard to the Members of Parliament, the existing driver allowances shall be revised from Nu. 6,000 to Nu.10,000 per month and the existing fuel and maintenance allowance of Nu. 7,000 per month shall be revised to Nu. 10,000 per month. The discretionary allowance for the Members of Parliament shall be revised from Nu. 1,00,000 to Nu. 1,50,000 per annum. In the same manner, the discretionary allowance for the Dzongdags shall be revised from Nu. 50,000 to Nu. 75,000 per annum.

Along with this, the in-country training daily subsistence allowance has been revised from Nu. 1000 to Nu. 2000 per day and the stipend of the Bhutan Civil Service Examination (BCSE) selected graduates undergoing pre-service training shall be revised from Nu. 1,500 to a trainee allowance of Nu. 5,000 per month. Likewise, the Government thoroughly reviewed the officiating allowance and considering its importance introduced officiating allowance of Nu. 5,000 for managerial position of P1 and above for officiating for a continuous period exceeding minimum of three months and up to a maximum of six months.

The daily allowance for in-country travel for the Prime Minister, Cabinet Ministers and Equivalent Post Holders shall be revised on actual basis; for the Holders, Members and Commissioners of the Constitutional Offices and for Executive position levels it shall be revised to Nu. 2000 per day or actual lodging in one room (maximum ceiling Nu. 3,000) plus Nu. 1,000 per day; for the P level the daily allowance shall be revised at Nu. 1500 per day and for the S level it shall be revised to Nu. 1000 per day. In addition, the mileage for all level of civil servants shall be revised at Nu.16 per km.

With regard to vehicle import quota, he said that the Prime Minister, Cabinet Ministers, Speaker of the National Assembly, Chairperson of National Council, Opposition Leader, Members of Parliament and Chief Justice of Bhutan shall be entitled to a vehicle import quota free of customs duty and sales tax of 3000 cc or an option of monetized amount of Nu. 1.500 million per term. For the general civil servants, a

vehicle import quota of ceiling Nu. 0.800 million; or option of monetized amount of Nu. 0.250 m; or an option of monetized amount of Nu. 0.350 million on purchase of electric vehicles for all public servant shall be entitled.

In addition to this, the Government has studied the post service benefits and revised the Pension and Provident Fund (PF) contribution from the Government from 11% to 15% and the pension payout shall be revised to 40% of the maximum pay scale of the Cabinet Secretary. The minimum pension payout shall be linked to 40% of revised minimum pay scale of the lowest position in the civil service (O4 level) and the existing gratuity ceiling of Nu. 1500 million shall be removed and revised with no ceiling.

He said that of the many revisions carried out in the current pay revision, the Foreign Service Entitlements was also revised. In that regard, the foreign allowance and representational grant; children education allowance, rental ceiling and overtime allowance were revised. Furthermore, the pay scales of the local recruits were also revised by 20% in Bangkok and 10% in other places to compensate for increase in living cost.

The Hon'ble Finance Minister submitted that the government's revision of pay, allowances and benefits shall have an annual financial implication of Nu. 4,530 million which shall be met from the income generated from the commissioning of the new Mangdechhu Hydropower Project and from other sources such as revision of taxes and

exercising control on the Hospitality and Entertainment fund of the Cabinet Ministers.

To this, the Hon'ble Members said that as there are no set procedures for the deliberation of Pay Revision Report in the Parliament, the National Council had consulted the National Assembly regarding the establishment of a clear procedure for tabling the Pay Revision Report. However, there was no response from the National Assembly regarding the issue.

The Hon'ble Members sought clarification on what basis the Pay Revision Report was tabled as a Money Bill. The Hon'ble Members also submitted that Hydro Power Projects are the assets of the nation and when the revenue generated from such Hydro Power Projects benefits only the public servants and not the general public, they questioned how such practices can fulfill the aspirations of His Majesty the Druk Gyalpo.

Similarly, the Hon'ble Members raised concerns on the research carried out by the government in providing the maximum allowances and benefits to the health and education sectors. The Hon'ble Members also asked how the pay revision will prevent the inflation in the price of commodities and the increase in the house rents.

In response, the Hon'ble Finance Minister said that the government acknowledges that there are no clear procedures for deliberation of the Pay Revision Report in the parliament. Henceforth, the government will initiate drafting a Pay Revision Act in order to make it convenient while deliberating the Pay Revision Report in the Parliament.

He stated that the financing of the pay revision is not entirely dependent on the Hydro Power Projects but it will be financed from revenue generated from other sources as well. The revenue generated from the Hydro Power Projects also has benefits to the public in general. With regard to provision of maximum allowances and benefits to the health and education sectors, he said that it is done so in order to improve the health and education services which have larger benefits to the people in the country. He also said that with regard to inflation in the price of commodities and raise in house rents, the government has already started to exercise control and put measures in place as per the government rules.

5.1 Deliberations on the Bill

The National Council deliberated on the Pay Revision Bill of Bhutan 2019 on 12th June 2019 and 13th June 2019 and resolved to submit the following amendments and recommendations to the National Assembly for re-deliberation:

5. Repeal

This Bill repeals ~~any provision of Acts,~~ **the Pay Revision Acts 2014 and 2017, and** Notifications, Circulars, Rules and Regulations on pay revision that are inconsistent with the provisions of this Bill.

(Justification: Repealing provisions of other Acts that are inconsistent with this Bill poses the risk of destroying the

intent and purpose of having entitlement Acts for various Institutions).

6. — Prime Minister, Chief Justice of Supreme Court, Speaker of the National Assembly of Bhutan, Cabinet Ministers and Equivalent Positions

The pay scale of the Prime Minister, Cabinet Ministers and Equivalent Positions shall be revised by 6% ~~and the pay scale of the Speaker of National Assembly and Chief Justice of Supreme Court shall be revised by 13% on the existing basic pay~~ as follows:

Table 1: Revised Pay Scale of Prime Minister, Chief Justice of Supreme Court, Speaker of the National Assembly, Cabinet Ministers and Equivalent Position (Nu.)

Position Level	Existing Pay Scale			Revised Pay Scale			% change
	Min	Incr.	Max.	Min.	Incr.	Max.	
Prime Minister	180,000	3,600	198,000	190,800	3,815	209,875	6%
Speaker of NA	130,000	2,600	143,000	146,900	2,940	161,600	13%
Chief Justice of SC	130,000	2,600	143,000	146,900	2,940	161,600	13%
Cabinet Ministers	130,000	2,600	143,000	137,800	2,755	151,575	6%
Chairperson of NC	130,000	2,600	143,000	137,800	2,755	151,575	6%
Opposition Leader	130,000	2,600	143,000	137,800	2,755	151,575	6%

7. — Members of Parliament

The pay scale of the Deputy Speaker of National Assembly, Deputy Chairperson of National Council and Members of Parliament shall be revised by 12% on the existing basic pay as follows:

Table 2: Revised Pay Scale of Members of Parliament (Nu)

Position Level	Existing Pay Scale			Revised Pay Scale			% change
	Min	Incr.	Max.	Min.	Incr.	Max.	
Dy. Speaker/Chairperson	75,160	1,505	82,685	84,180	1,685	92,605	12%
Members	65,930	1,320	72,530	73,845	1,475	81,220	12%

6. Members of the National Assembly of Bhutan

The pay scale of the National Assembly Members shall be revised as follows:

Table 1: Revised Pay Scale of the National Assembly Members (Nu.)

Position Level	Existing Pay Scale			Revised Pay Scale			% change
	Min	Incr.	Max.	Min.	Incr.	Max.	
Prime Minister	180,000	3,600	198,000	190,800	3,815	209,875	6%
Speaker of NA	130,000	2,600	143,000	137,800	2,755	151,575	6%
Cabinet Ministers	130,000	2,600	143,000	137,800	2,755	151,575	6%
Opposition Leader	130,000	2,600	143,000	137,800	2,755	151,575	6%
Dy. Speaker	75,160	1,505	82,685	84,180	1,685	92,605	12%
Members	65,930	1,320	72,530	73,845	1,475	81,220	12%

7. Members of the National Council of Bhutan

The pay scale of the National Council Members shall be revised as follows:

Table 2: Revised Pay Scale of the National Council Members (Nu.)

Position Level	Existing Pay Scale			Revised Pay Scale			% change
	Min	Incr.	Max.	Min.	Incr.	Max.	
Chairperson	130,000	2,600	143,000	137,800	2,755	151,575	6%
Dy. Chairperson	75,160	1,505	82,685	84,180	1,685	92,605	12%
Members	65,930	1,320	72,530	73,845	1,475	81,220	12%

8. Holders, Members/ and Commissioners of Constitutional Offices

The pay scale of the Holders/, Members/ **and** Commissioners of Constitutional Offices shall be revised by 12% on the existing basic pay as follows:

Table 3: Revised Pay Scale of Holders, Members and Commissioners (Nu.)

Position Level	Existing Pay Scale			Revised Pay Scale			% change
	Min	Incr.	Max.	Min.	Incr.	Max.	
Chief Justice of Bhutan	130,000	2,600	143,000	137,800	2,755	151,575	6%
Heads of ACC/ ECB/RAA/RCSC	75,160	1,505	82,685	84,180	1,685	92,605	12%
Drangpons of Supreme Court	75,160	1,505	90,210	84,180	1,685	101,030	12%
Chief Justice of High Court	69,225	1,385	83,075	77,535	1,555	93,085	12%

Drangpons of High Court	65,930	1,320	79,130	73,845	1,480	88,645	12%
Commissioners/ Members	60,030	1,200	72,030	67,235	1,345	73,960	12%

13. General Service Personnel (GSP)

The pay scale of GSP shall be merged into one single pay scale and shall be revised by 30% of the existing basic pay scale of **GSP I** as follows:

15. Non-Formal Education (NFE) Instructors and ECCD Instructors Facilitator

The pay scale of NFE instructor **and ECCD Facilitator** is mapped with the equivalent positions in the public service and shall be revised by 30% on the existing basic pay as follows:

21. Professional Allowance for Medical & Clinical Staff

- (5) The Ambulance Driver allowance shall be introduced at 20% of the minimum revised basic pay.**

(Justification: Performs emergency duty at any time of day or night, saving lives requires driving at high speed risking their own life. They also have to sacrifice their family time and are exposed to health hazards).

~~29. Overtime Session Allowance (OSA)~~

~~A lump sum Overtime Session Allowance of Nu.15,000 per person during the Session shall be provided to the staff under the Legislative and Procedural Division stationed in the two Secretariats of Parliament and Nu.5,000 per Session shall be provided to the general staff stationed in the two Secretariats of the Parliament. A lump sum Overtime Session Allowance of Nu.15,000 per person shall be provided to the staff stationed in the Department of National Budget during the Budget Session of the National Assembly.~~

29. Overtime Session Allowance (OSA)

A lump sum Overtime Session Allowance shall be paid as follows:

- (1) Nu. 10,000 per person to the staff of the two Secretariats of Parliament during Parliament session; and
- (2) Nu. 5,000 to the officials of:
 - (a) The Department of National Budget who are required to work overtime during Budget Session of National Assembly; and
 - (b) The Royal Audit Authority who are required to work with the Public Accounts Committee during Parliament Session.

(Justification: Staff of the two Secretariats of Parliament are involved throughout the Parliament sessions while the official of DNB and RAA are involved only during the Budget and PAC session in the Parliament respectively)

**30. Bhutan Civil Service Examination (BCSE)
Trainee Allowance and Technical Training
Institutes/Institutes of Zorig Chusum Trainee
Allowance**

- (1) The stipend of the BCSE selected graduates undergoing pre-service training shall be revised from Nu. 1,500 per month to a trainee allowance of Nu. 5,000 per month.
- (2) **The stipend for trainees of the Technical Training Institutes and Institutes of Zorig Chusum shall be revised from Nu. 1,500 per month to trainee allowance of Nu. 3,000 per month.**

(Justification: The trainees of the TTIs and ICZs are required to dedicate 80 percent of their time and energy on practical exercises and only 20 percent on classroom teaching and learning. Undergoing practical and manual work in any weather conditions lead to physical exhaustion. The current stipend of Nu. 1,500 is not adequate to provide nutritious meals. Therefore, introduction of training allowance of Nu. 3,000 instead of stipend is recommended.

Similar to trainees of BCSE selected graduates, students of these Institutes are also undergoing training unlike general college students. However, based on their level of qualification, lesser amount is proposed. Besides, this recommendation is an outcome of a yearlong TVET policy review carried out by the National Council).

32. Communication Allowance

⇒ **(3)** The communication allowance of Nu. 1,000 per month shall be introduced to Personal Secretary & Personal Assistant of the **Chief Justice of Supreme Court, Speaker of the National Assembly, Chairperson of the National Council, Leader of the Opposition**, Cabinet Ministers & Equivalent positions (~~Speaker of NA, Chief Justice of Supreme Court, Chairperson of NC and Opposition Leader~~); and Nu. 1,500 per month to Principal Secretary, Communication Specialist/PS/PA to the Prime Minister.

(5) Communication allowance for Tshogpas shall be revised from Nu. 100 to Nu. 200 per month.

(Justification: The Chipoen system is slowly dying in the communities with people becoming aware of the absence of any legal provisions to continue it. However, as the members of the LG, the Tshogpas have taken the Chipoen's responsibility in most cases. To avoid legal problems of making people work as chipoens, Tshogpas may be encouraged to assume Chipoen's full responsibility by increasing their communication allowance by 100%. Besides, the National Council recommended the government to review

the communication allowance for Tshogpas and increase it appropriately while adopting the Pay Revision Bill 2017 during the 19th Session).

40. Water and Electricity

- a) ~~The entitlement of Prime Minister, Chief Justice of Supreme Court, Speaker of the National Assembly, Chairperson of the National Council, Leader of the Opposition, Cabinet Ministers and Equivalent position's entitlement for~~ to water and electricity expenses on actual basis shall be continued.
- b) ~~The Heads of the Constitutional Offices (ACC, ECB, RAA and RCSC) and Attorney General provided with designated residence at Lhengye Densa shall be entitled for water and electricity expenses up to a maximum ceiling of Nu. 3,000 per month.~~

(Justification: The Attorney General occupies a house at Lhengye Densa through informal arrangement though he is not entitled to. While AG may continue to do so, it risks creating entitlement legally if Section 40(b) is maintained. Only the Minister and Minister Equivalent Post Holders are entitled to such utility expense).

41. Domestic Help

The Prime Minister, Cabinet Ministers and other Equivalent positions, ~~Heads of the Constitutional Offices (ACC, ECB, RAA and RCSC) and Attorney General~~ provided with

designated residence at Lhengye Densa are entitled ~~to for~~ a domestic helper ~~whose~~ The salary and benefits of domestic help shall be revised at par with ESP.

42. Leave Encashment (LE)

The leave encashment at one month's basic pay in one fiscal year subject to leave balance shall be continued and it shall be extended to the Members of Local Government **and Gaydrungs**.

(Justification: Salary for Gaydrungs is included in the Bill. However, entitlement of LE for them has been left out. Gaydrungs are neither regular civil servants nor LG members but they are required to function like any other staff in the Local Government. Therefore, LE is also recommended to them in view of the nature of their jobs).

43. Designated Duty Vehicle

The designated duty vehicle shall be introduced to the Heads of Departments and Autonomous Agencies (*Position level EX3 and above*) in addition to the existing position levels. The type of vehicle and make shall be based on the nature of duty and function of the agencies. The position levels with the specification of designated vehicle shall be as follows:

Resolution of the 23rd Session of National Council

Table 14: List of Public Servants entitled to a Designated Duty Vehicle

Sl. No.	Officials entitled for designated vehicles	No. of Position	Recommended CC
1	Hon'ble Prime Minister	1	SUV with FWD 3000cc and above
2	Cabinet Ministers and Equivalent Position Holders	1415	SUV with FWD up to 3000cc
3	Heads of Constitutional Offices, Chairperson of Privy Council and Attorney General	65	SUV with FWD up to 2800cc
4	Justices of Supreme Court & Chief Justice of High Court	5	SUV with FWD up to 2800cc
5	Cabinet Secretary and Government Secretaries	11	SUV with FWD up to 2800cc
6	Judges of High Court, Members & Commissioners of Constitutional Bodies and Privy Council	19	SUV with FWD up to 2500cc
7	Secretary Generals of NA & NC; Commission Secretaries (GNHC, NEC, DDC, Dratshang Lhentshog & NLC); Secretary International Boundary; President JDWNRH & CBS	10	SUV with FWD up to 2500cc
8	Dzongdags	20	SUV with FWD up to 2500cc
9	Director/Director Generals (Ministries/Depts/Autonomous Agencies/Constitutional Offices); Thrompons	99	SUV with FWD up to 2500cc
10	Registrar General of Supreme Court & High Court; Drangpons (Dzongkhag Court)	29	SUV with FWD up to 2500cc
11	Vice Chancellor, President of KGUMSB and Dean of JSWLS	3	SUV with FWD up to 2500cc
	Total	217	

(Justification: Chairperson of Privy Council is included with Cabinet Minister and Equivalent Position Holders).

45. Daily Allowance (DA) for In-country Travel

The DA rates shall be revised as follows:

- a) **(1) Prime Minister, Chief Justice of Supreme Court, Speaker of the National Assembly, Chairperson of the National Council, Leader of the Opposition, Cabinet Ministers and Equivalent Position on actual,**
- ⇒ **(2) Holders, Members and Commissioners of the Constitutional Offices/Attorney General, EX/ES 3 and above actual lodging (maximum ceiling of Nu. 3000) in one room plus Nu.1,000 per day or lump sum DA of Nu.2,000 per day,**
- ⇒ **(4) P level at lump sum Nu. 1,500 per day, S level at lump sum Nu. 1,250 per day, and O level and below at lump sum Nu. 1,000 per day,**

(Justification: DA for all level employees has been raised by Nu. 500 except for S level thus demotivating them with feelings of discrimination. Therefore, considering the same logic of equal revision, additional amount of Nu. 250 is recommended for all S level employees thereby revising the total DA amount to Nu. 1,250).

- ⇒ **(7) DA rates shall be revised for public servants accompanying the Prime Minister, Chief Justice of Supreme Court, Speaker of the National Assembly, Chairperson of the National Council, Leader of the Opposition, Cabinet Ministers and Equivalent Positions to 100% within the Country,**

h) **(8)** DA rates shall be revised for public servants accompanying the Prime Minister, **Chief Justice of Supreme Court, Speaker of the National Assembly, Chairperson of the National Council, Leader of the Opposition**, Cabinet Ministers and Equivalent Positions to 50% while travelling outside the Country.

Table 16: DA rates

Sl. No.	Position Level	Existing	Revised Rates
1	Prime Minister, Chief Justice of Supreme Court, Speaker of the National Assembly, Chairperson of the National Council, Leader of the Opposition , Cabinet Ministers and Equivalent Position	Actual	Actual
2	Members of Parliament	Actual lodging in one room (maximum ceiling Nu. 3,000) plus Nu. 800 or lump sum DA of Nu. 1,500	Actual lodging in one room plus Nu. 1,000 or lump sum DA of Nu. 2,000 per day
3	Members of Parliament/ Members of the Constitutional Offices, Government Secretaries, Attorney General, Members of Privy Council, Thrompons and EX/ES-1 to EX/ES-3	Actual lodging in one room (maximum ceiling Nu. 3,000) plus Nu. 800 or lump sum DA of Nu. 1,500	Actual lodging in one room (maximum ceiling Nu. 3,000) plus Nu. 1,000 or lump sum DA of Nu.2,000 per day
4	P 1 to P 5	Lump sum Nu. 1,000	Lump sum Nu. 1,500 per day
5	S1 to S5 and below	Lump sum Nu. 750/ Nu. 500	Lump sum Nu. 1,000 1,250 per day
6	O level and below	Lump sum Nu. 500	Lump sum Nu. 1,000 per day

49. TA/DA of Local Government Functionaries

The TA/DA of local government functionaries shall be as follows:

Table 17: Revised TA/DA rate of LG

Positions	Revised TA/DA (Nu)			
	TA on non-motorable route outside the Gewog	TA outside Gewog/ Thromde on motorable route traveling beyond 10km (mileage)	Annual lump sum TA/DA for traveling within Gewog (both non-motorable & motorable road)	DA outside Gewog/ Thromde (Nu. per day)
Thrompon	1,200	Nu. 16/km	NA	Refer to Table 16
Gup	1,200	Nu. 16/km	18,000	1,500
Mangmi	1,200	Nu. 16/km	13,500	1,500
Dzongkhag Thromde Thuemi	1,200	Nu. 16/km	NA	1,500
Thromde Thuemi	1,200	Nu. 16/km	NA	1,000
Tshogpa	1,200	Nu. 16/km	6,000	1,000
Gaydrung	1,200	Nu. 16/km	NA	1,500

(Justification: Salary for Gaydrungs is included in the Bill. However, entitlement of TA/DA for them has been left out. Gaydrungs are neither regular civil servants nor LG members but they are required to function like any other staff in the Local Government. Therefore, TA/DA is also recommended to them in view of the nature of their jobs).

51. The Vehicle import quota shall be provided as follows:

- a) **(1)** A Vehicle Import Quota free of Customs duty & Sales tax of 3000 cc or an option of monetized amount of Nu. 1.500 m per term for the Prime Minister, **Chief Justice of Supreme Court, Speaker, Chairperson of the National Council, Leader of the Opposition, Privy Council Chairperson,** Cabinet Ministers, ~~Speaker, Chairperson of National Council, Opposition Leader,~~ and Members of Parliament ~~and the Chief Justice of Supreme Court;~~

51.1 With the introduction of monetized options in lieu of the vehicle import quota, the following terms and conditions shall be enforced:

- b) **(2)** In case of termination/resignation of **the Prime Minister, Chief Justice of Supreme Court, Speaker of the National Assembly of Bhutan, Chairperson of the National Council, Leader of the Opposition,** Cabinet Ministers and Equivalent Position Holders and Members of the Parliament before the completion of the term, the applicable amount of tax shall be calculated on the original CIF value of the vehicle and shall be recovered on pro-rata basis. However, in case of by-election or transferred in between the term, they shall be entitled for a full one-time vehicle quota free of customs duty & sales tax or Nu. 1.500 million.
- e) **(3)** For civil servants and other public servants eligible for the monetized amount of Nu. 0.250 million and Nu. 1.500

million, upon death shall be paid the full amount to the next of the kin and on pro-rata basis to the **Prime Minister, Chief Justice of Supreme Court, Speaker of the National Assembly of Bhutan, Chairperson of the National Council, Leader of the Opposition, Cabinet Ministers and Equivalent Positions.**

53. Pension Payout

The pension payout shall be revised to 40% of the maximum pay scale of the Cabinet Secretary. Further, the minimum pension payout shall be linked to 40% of revised ~~minimum~~ **maximum** pay scale of the lowest position in civil service (O4 level). However, an individual has to serve minimum of 20 years to claim pienson.

54. Gratuity

The existing gratuity ceiling of Nu. 1,500,000 shall be ~~removed and revised with no ceiling.~~ **maintained unchanged.**

(Justification: The existing gratuity ceiling of Nu. 1,500,000 is recommended to be maintained for the following reasons:

Gratuity in general is defined as a part of salary that is received by an employee from his/her employer in gratitude for the services offered by the employee in the company.

The post service welfare scheme for civil servants existed since the beginning of the first five year development plan

period. The Gratuity scheme was first introduced in Bhutan in 1962 to provide financial security to her citizens followed by introduction of Provident Fund and Pension schemes in 1976 and 2002 respectively.

The Civil Service Rules 1990 had entitled a civil servant, who retired on superannuation, voluntarily resigned from service or was compulsorily retired by the government to receive gratuity provided he/she had put in a minimum one year of continuous and satisfactory service under the Royal Government. The amount payable was based on the last net pay (70% of the basic pay) times the number of completed numbers of service. However, the maximum limit was set at Nu. 100,000/-.

In 2010, the maximum limit for the gratuity pay out was revised from Nu. 600,000/- to Nu. 900,000/- with the minimum of 10 years of service, except, those on contract and death cases while in service. The amount payable is computed based on the last basic pay drawn times the number of completed years of service. The maximum limit was further revised to Nu. 15,00,000/- in 2014 as recommended by the 2nd Pay Commission.

It is not justifiable to suddenly remove the ceiling altogether. It would have been rather seen reasonable had the ceiling been increased based on the past revision trends.

With the removal of the ceiling, only about one percent of the civil servants are likely to benefit as their gratuity amount would cross the current ceiling of Nu. 15,00,000/-. Such

arrangement is not in the interest of larger public servants. These one percent of civil servants are from EX/ES and above position holders who would benefit through increased pension payout (ceiling been raised to 40 percent of Cabinet Secretary's maximum pay scale) and increased government's share of contribution to PF by additional four percent. This may be in direct contradiction with the government's pledge to narrow the income gaps between haves and have-nots.

By maintaining the ceiling of Nu. 15,00,000/-, the government would save millions of Ngultrums which can be used for other priority areas such as enhancement of training allowance for TVET Trainees, introducing allowance for ambulance drivers, increasing the DA for S level civil servants, etc.

The sudden removal of the ceiling should also take into consideration the sentiments of those who have resigned or retired recently and have not benefitted from the increased payout.

The gratuity is not something that is drawn from one's contribution to a pool fund but is an extra amount drawn from limited consolidated fund envelope. Anything of such type should be rationalized or else our debt burden would only be further worsened).

General Recommendations:

The National Council,

Upholding the following Articles of the Constitution of the Kingdom of Bhutan:

- Article 10(1) that states, “*There shall be a **Parliament** for Bhutan in which all legislative powers under this Constitution are vested and which shall consist of **the Druk Gyalpo, the National Council and the National Assembly**”;*
- Article 11(2) that states, “*Besides its legislative functions, the National Council shall act as the **House of review** on matters affecting the security and sovereignty of the country and the interests of the nation and people that need to be brought to the notice of the Druk Gyalpo, the Prime Minister and the National Assembly*”;
- Article 30(3) that states, “*The recommendations of the Commission shall be implemented only on the approval of the Lhengye Zhungtshog and subject to such conditions and modifications as may be made by **Parliament***”;
- Article 9(7) that states, “*The state shall endeavour to develop and execute policies to minimize inequalities of income, concentration of wealth, and promote equitable distribution of public facilities among individuals and equal living in different parts of the Kingdom*”;

- Article 7(11) that states “A *Bhutanese citizen shall have the right to equal pay for work of equal value*”;
- Article 9(9) that states, “*The State shall endeavour to achieve economic self-reliance and promote open and progressive economy*”; and
- Article 14(5) that states, “*The government shall exercise proper management of the monetary system and public finance. It shall ensure that the servicing of public debt will not place an undue burden on future generations*”.

Noting that:

- there is a difference in the interpretation of Article 30(3) of the Constitution on pay commission report between the two houses;
- the net annual financial implication (estimated at Nu. 4.530 billion) of the pay revision is expected to be sourced mainly from the revenue generated from commissioning of the Mangdechu Hydropower Project (MHP); and
- there is already estimated fiscal deficit of Nu. 29.243 billion in the 12th five year plan which will be sourced mainly from external borrowings and through issuance of government bonds and treasury bills.

Concerned that:

- despite the existing fiscal deficit, the additional revenue generated from Mangdechu hydropower project would be netted off by the pay revision depriving other development programs from securing adequate fund from the internal source;
- the direct beneficiaries of pay revision remain limited to civil/public servants representing only a small section of the population;
- certain professions are given drastic increase in the allowances without substantive justifications and objective criteria thereby creating disparity among civil/public servants; and
- the provision of allowances in a disproportionate manner without undertaking a proper assessment has resulted in the distortion of Order of Precedence in the civil/public service system.

Hereby requests the National Assembly to:

1. Consider establishing a common understanding with the National Council on the interpretation of Article 30(3) of the Constitution, Section 46(a) and 46(b) of Public Finance (Amendment) Act 2012 and Section 238 of the National Assembly Act 2008 through a dialogue between the two Houses, in obedience to His Majesty's vision that

all institutions should sort out their differences with informal consultations.

Hereby calls on the government to:

1. Henceforth, exercise financial prudence by avoiding any commitment for pay raise until the revenue from the identified sources are actually realized;
2. Set a concrete time bound target to reduce dependence on Official Development Assistant (ODA) for financing the capital expenditure, especially in view of growing public debt and our graduation from LDC by 2023;
3. Ensure the benefits of the revenue generated from State resources (such as hydropower) are fairly distributed amongst all citizens through investment in prioritized development activities;
4. Review and finalize the Order of Precedence in the civil/public service system to provide a rational basis for fixing and revising salaries and allowances; and
5. Develop proper guidelines for providing allowances by setting objective criteria and conducting proper needs/impact assessment to avoid creation of disparity among the civil/public servants.

*(16th Day of the 4th Month of Earth Female Pig Year
corresponding to 18th June 2019)*

6. Introduction of the Budget Appropriation Bill for the Financial Year 2019-2020

The Hon'ble Minister for Finance presented the Budget Appropriation Bill 2019-2020 in the National Council.

In his introduction, Hon'ble Finance Minister said that the National Budget Report is based on economic overview, fiscal policy, resources, expenditure, public debt and financial position of public sector institutions. He said that according to global economy, it has increased by 3.6 percent in previous year but slightly lower than that of past years. The fiscal policy targets has been set to be achieved mainly based on; fiscal deficit at 3 percent of Gross Domestic Product (GDP); recurrent expenditure to be covered by domestic revenue; tax to GDP ratio at 12 percent; budget variance below 3 percent; and non hydro debt below 35 percent of GDP.

For the Financial Year 2019-2020, the total budget appropriation is estimated at Nu. 64,826.725 million out of which Nu. 34,625.765 million is for current expenditure and Nu. 26,544.542 million for capital expenditure. The total budget appropriation includes Nu. 3,306.333 million for principal loan repayment and Nu. 323.085 million for on-lending. The budget appropriation has been prepared based on the resource envelope determined by the Macro Framework Coordination Committee (MFCC) with capital budget ceiling of 20 percent of the capital outlay of the 12 FYP. He also

said that in keeping with the Government's objective of "Narrowing the Gap", major reforms are being initiated to promote GNH based society.

He reported that for the Financial Year 2019-20, the total budget estimated at Nu. 54,619.197 million will be generated through estimated domestic revenue of Nu. 43,299.071 million; external grants of Nu. 10,934.307 million and internal grants of Nu. 385.819 million. The domestic revenue is expected to be generated mainly after the commissioning of Mangdechu Hydro Power Project, increase in Corporate Income Tax and other direct taxes. Similarly, the estimated external grants consist of Nu. 1,700 million as GoI program grants and Nu. 9,620.126 million as project-tied grants from GoI and other development partners.

For the Financial Year 2019-2020 the agency wise budget allocations are Nu. 5,730.260 million for Health sector; Nu. 10,537.674 million for Education sector; Nu. 6,319.547 million for Renewable Natural Resources (RNR) sector; Nu. 1,776.731 million for Mining and Manufacturing Industry; Nu. 200 million for Tourism; Nu. 1,118.496 million for Vocational Training and Employment; Nu. 2,271.858 million for road sectors; Nu. 3,979.592 million for urban development, housing and public amenities sectors; Nu. 1,869.737 million for communication sectors; Nu. 293.264 million for energy sector; Nu. 2,025.474 million for religious and cultural services; Nu. 2,672.082 million for law and order; Nu. 21,709.856 million for general Public services; and Nu. 1,578.783 million for flagship programs.

In addition, the budget of Nu. 1,288.487 million for human resource development; Nu. 199.830 million for sports; Nu. 178.606 million and Nu. 87.863 million respectively for National Assembly and National Council is being appropriated. Further, the budget of Nu. 385.014 million for Judiciary; Nu. 142.122 million for Anti-Corruption Commission; Nu. 93.549 million for Election Commission of Bhutan; Nu. 220.656 million for Royal Audit Authority and Nu. 358.516 million for Royal Civil Service Commission has been appropriated.

He reported that the public debt as on 31st March 2019 amounts Nu. 182,236.250 million accounting to 94 percent of GDP. Of the total public debt, the external debt was Nu. 174,627.530 million and domestic debt at Nu. 7,608.720 million. The hydropower debt accounted to 77 percent of the total external debt and non-hydro debt accounted to 23 percent. While reporting on the financial position of public sectors, institutions and investments, the Hon'ble Finance Minister explained about the 38 State-owned Enterprises (SoEs) which are under Government portfolio of which 19 Companies are under Ministry of Finance (MoF) and 19 Companies under Druk Holding and Investment (DHI).

Hon'ble Members raised questions and doubts especially on how the external loans would improve the internal income and whether the internal loan would hamper the private loans. They also questioned the status of Indian Rupee Reserves and asked about advantages and disadvantages with regard to the introduction of Goods and Services Tax (GST) in India. In response, the Hon'ble Minister for Finance said that there is

strong guideline for internal loans which will not impede the private development. He also said that currently there is adequate Indian Rupee Reserves and with the introduction of GST in India there will be benefits in imports but a slight disadvantage in exports.

6.1 Budget Appropriation Bill for the Financial Year 2019-2020

The National Council deliberated on the Supplementary Budget Appropriation Bill for the Financial Year 2018-2019 on 18th June 2019 and adopted without any amendments and changes. The Budget Appropriation Bill for the Financial Year 2019-2020 was deliberated on 18th, 19th and 20th June 2019 and passed with few recommendations which are submitted to the National Assembly for re-deliberation.

Appropriation

Section 3. The appropriation shall be as in the **Schedule** to this Act;

1. No. 47 Ministry of Education

The House appreciated the reforms initiated in Education sector to improve the quality of education by aligning the curriculum to the needs of the times. However, it is noted that commensurate resources have not been allocated for training the teachers to impart the curriculum effectively in the classrooms. For example in the fiscal year 2019-20 the budget proposed by REC for conducting orientation workshops for

1110 teachers was Nu.14.20million. However, the budget approved was Nu.8.50 million barely covering expenses for conducting curriculum orientation workshop for 490 teachers. The remaining 620 teachers will not be covered under the current approved budget. Given the importance of providing timely curriculum orientation to the teachers, the House recommends the government to provide adequate budgetary support to the REC.

2. No. 39. Ministry of Home and Cultural Affairs

The House noted the importance attached to the preservation and promotion of culture and heritage. However, the budget allocation mainly pertains to the tangible heritage and cultural assets and does not cover intangible culture and heritage. In view of the importance of intangible culture, the House recommends the government to bifurcate budget allocation for tangible and intangible culture and heritage to provide adequate resources to conduct research and preserve intangible culture across the country.

3. General Recommendations

3.1 Flagship Programs

The government has recognized the need for providing emphasis on the development in the highland areas of Bhutan. While the issue was identified as a Flagship project in the draft Twelfth Plan, it was subsequently dropped from the Plan. However, the government reassured that highland

development issues would be addressed through other sectoral plans.

In view of the above, the House recommends that the government clearly delineate the quantum of funds allocated for highland development in the various sector allocations.

3.2. State Owned Enterprises

The National Council noted through media report that the National Assembly passed the resolution requiring all SOEs to submit their annual budget proposals, through Ministry of Finance (MoF), for review by the Economic and Finance Committee, NA.

The National Council would like to express its concern on the above resolution for the following reasons:

1. The National Council is of the view that existing legislations such as the Companies Act of Bhutan 2016 (Sections 152, 154, and 155), Public Finance (amendment) Act 2012 (sections 82, 83, 84, 87, 88, 92 and 94), Royal Charter for Druk Holding and Investments (Annex II, 4 and 5) and Corporate Governance Guidelines for SOE 2019 clearly state operation and management of SOEs thereby ensuring proper accountability and performance. Therefore, subjecting the annual budget of SOEs under MoF and DHI for budget review by the Economic and Finance Committee of NA will undermine and contravene the Royal Charter and the legal provisions of various laws.

2. In the current context, SOEs under MOF go through three tiers of budgetary scrutiny – first at the Board of the company state enterprise level, then at the Department of Macroeconomic Affairs and finally at the Department of National Budget to get their operational budget/ subsidies approved. This is a clear evidence of existence of adequate budget review and robust checks and balances.
3. Moreover, Annex II of the Royal Charter for DHI clearly elucidates relationship between DHI and the Government. Likewise, for other SOEs, the Board of Directors of the state enterprise and Ministry of Finance have clear delineation of power and responsibilities as provided for in the Public Finance Act and Companies Act.
4. Therefore, requiring SOEs to submit their budget through MoF to the Economic and Finance Committee for its review will:
 - Contravene provisions of existing Royal Charter, Legislations and Guidelines;
 - Undermine the operational autonomy of SOEs and their long-term objectives; and
 - Lead to undue political interferences and influence.

The National Council therefore strongly recommends the National Assembly to adhere to the existing Royal Charter and relevant legislations and Guidelines.

3.3 Financial progress of on-going projects

a. Punatsangchu- I hydro electric project

The House appreciated the efforts of the government and PHPA-I management in finding a lasting solution to the geological problem faced by the Project on the right bank of Punatshangchhu. The Project commenced in November 2008 and has now been projected to complete in 2024-25, rather than the planned completion date of 2015/16. The delays were mainly caused by the time needed to undertake stabilization measures of the right bank. Further, this has led almost three fold cost escalation from the initial projected cost of Nu. 35,148.10 million to Nu 93,756.00 million.

While it is encouraging to note that 85.42% of the work has been completed as of date, there are growing concerns on the completion timeline and cost to completion estimates. This arises from the fact that while piecemeal/ ad-hoc measures are being undertaken there has been no holistic assessment of stability of entire right bank which is very necessary.

In view of the above observations and the impact of hydropower revenues on National Budget and other macroeconomic parameters, the National Council would like to request the Government to direct the Project Authority to undertake a holistic assessment of stability of entire right bank to find a way forward and share the findings with the National Council before next session of Parliament.

3.4. Cultural Heritage Trust Fund

The Cultural Heritage Trust Fund was established in 1999 through a Royal Charter with an allocation of a seed fund of Nu.31.267 million. The House noted that there has been no additional fund raised by the relevant agencies or granted by the government.

In view of the importance of preserving culture, tradition and heritage to strengthen security and sovereignty of the country, the National Council would like to recommend government to allocate certain amount on an annual basis to the Culture and Heritage Trust Fund to enhance growth of the fund to meet future priorities under the sector.

*(24th Day of the 3rd Month of Earth Female Pig Year
corresponding to 28th May 2019)*

E. Issues related to Review of Policies

1. Review Report on Technical and Vocational Education and Training (TVET)

Hon'ble Phuntsho Rapten, the Chairperson of the Special Committee for Technical and Vocational Education and Training (TVET) submitted that the House resolved to conduct a comprehensive diagnostic study on the current TVET system during the National Council's deliberation on employment policies, programs and strategies in the 16th Session of the National Council. Since the Ministry of Labour and Human Resources was in process of developing TVET

Blueprint, the review work could not be carried out immediately.

The issue was further identified as an important issue during the third National Council's retreat held at Paro in July 2018. The House directed to establish a Special Committee to conduct in-depth review of TVET system in the country. While conducting the review work, the Special Committee reviewed numerous relevant literatures like Policies, Reports, Plan documents, TVET sector assessment reports, TVET Blueprint and other publications.

Further, as part of its consultative process, the Committee met with many relevant government and private institutions. The Committee also carried out field visits to industrial estates and sought presentations from potential employing agencies, held discussions with the trainees who are currently undergoing training and met with the graduates to understand the current status of the technical human resources.

The Committee reported that at present situation, there are eight institutes including two Institutes for *Zorig Chusum* (IZC) which caters training to 797 trainees. The minimum entry qualification for the courses offered in Technical Training Institutes and Institute for *Zorig Chusum* is class X. Currently, there are 153 trainers of which, 111 trainers have diploma qualification, 32 trainers have degree qualification and 10 trainers with national certificate. Although there is Bhutan Vocational Qualification Framework for the qualification related matters, it was not implemented properly. The Institutional linkages between the Vocational Training

Institutes and the Industries are found unpalatable. Likewise, the trainee graduates are not provided with good job opportunities.

The Deputy Chairperson of the Special Committee, Hon'ble Tashi Wangmo and a Committee member, Hon'ble Member of Bumthang Dzongkhag presented the Committee's observations and findings derived from the review task. The review has found that although the Bhutan Vocational Quality Framework (BVQF) was initiated as early as 2000, it lacked due implementation and the implementation outcomes were not as expected.

Similarly, it was also presented that though the sector needs TVET professionals in its bureaucrat, the review revealed that the current TVET personnel are from diverse backgrounds. In addition they often got bogged down with the bureaucratic works and were not able to provide focused and timely professional TVET services particularly in the fields of research & development, curriculum review & development and professional development. Moreover, the career progression in TVET sector has left many TVET instructors with less opportunity to progress through their career ladder.

To this, it was reported that despite the increased intake capacity in TVET, the youth opting for TVET courses are under-subscribed. It was observed that there is weak linkage between the TVET Institutes and Industries. It was also observed that there is limited collaboration/affiliation with the institutes overseas and lack of adequate financial resources which is one of the main factors confronting in this area.

Members of the Special Committee, Hon'ble Member of Lhuentse and Gasa Dzongkhag submitted the issues for deliberation and recommendations to the House on the governance and leadership issues of TVET that are derived from the Committee's findings after reviewing and studying for past one year. It recommended establishing a TVET Council with members representing from relevant sectors & TVET experts and a TVET Sector Skills Council. It also recommended developing TVET HR Policy and securing dedicated HRD budget for the professional development of instructors including the provisions for recruiting experts with special expertise in the TVET sector.

Further, it was also recommended that trainings with diversified programs be initiated and the courses to be improved with the incorporation of language subjects to impart soft skills. Likewise, to gain hands-on experience and for better employment opportunities of the trainee graduates, an ideal co-ordination/institutional linkage between TVET Institutes and Industries is recommended. With that, if the TVET is to be developed and aligned with the economic development trend of the country, the government needs to provide adequate budget to the TVET sector.

On this, Hon'ble Members acknowledged the Special Committee for submitting a comprehensive TVET review report after a thorough study and also submitted some additional recommendations. They recommended adopting a harmonized National Qualification Framework for all kind of education at the national level and recommended enhancing the collaboration and co-operation between the Public and the

Private TVET providers. Further, the recommendations also suggested providing adequate financial resources to both trainers and trainees for overseas exchange programs. Apart from that, there was also a recommendation that called for a need of a comprehensive TVET policy and streamlining of a gender balanced participation from the youth in TVET programs.

The House comprehensively deliberated on the Review of TVET on 28th May 2019, 29th May 2019 and 20th June 2019 and resolved to submit the following recommendations to the Government and relevant agencies for necessary actions.

The National Council,

Recognizing that the Technical and Vocational Education and Training (TVET) has a potential role to enhance productivity of the economy and ensure gainful employment;

Noting that despite concerted efforts made in the TVET reform over the years, relevancy and quality of TVET still continue to be a major challenge in the labour market;

Concerned with the increasing youth unemployment in the country on one hand and TVET still not being a preferred choice of our youth on the other;

Hereby, calls on the attention of the Government to the following recommendations grouped under five areas to ensure that the TVET sector is dynamic, innovative and responsive to the changing labour market needs.

1. Governance and leadership

Noting that most of the efforts seem to have undertaken without weaving them into a coherent and holistic strategic approach towards achieving the common goal, which could partly be due to:

- a. Leadership constraint frequently faced for most part of the Ministry's existence particularly in the concerned departments like Department of Technical Education (formerly known as Department of Human Resources) and Department of Occupational Standards;
- b. Placement of officials with non-technical background in some key positions that could have hindered the TVET from getting the right focus; and
- c. Differences in understanding of TVET particularly on the components of Bhutan Vocational Qualification Framework (BVQF) even among the technocrats working within the Ministry.

Concerned that despite 112 registered training providers (government, private and NGOs) offering numerous programs/courses at certificate or diploma level, some of the programs are broadly governed by the policy and related regulations of MoLHR whereas, some programs are implemented independently by the sector specific agencies (health, tourism, agriculture, etc) posing formidable challenges for MoLHR to carry out holistic national planning,

coordination and aligning skills development to the overall economic priorities.

Hereby, draws the urgent attention of the Government to:

- 1.1 Develop a comprehensive national TVET policy to foster unified growth and progress of TVET systems in the country;
- 1.2 establish TVET Council within MoLHR as deemed appropriate by the Government with members from relevant sectors and TVET experts to provide overall policy direction and strategic guidance for the development of TVET sector in the country.
- 1.3 Establish National Institute of Technical Education (NITE) within MoLHR to serve as an apex body for providing professional development services such as ToT, curriculum development, research and innovation, industrial linkages and skills up-gradation courses that are flexible, responsive, and relevant to labour market needs.
- 1.4 Establish Sector Skills Council with the mandate to identify skills needs In the labour market and help develop sector specific strategies to address mismatch of skills.
- 1.5 Set a specific timeline for meeting demand for skilled workforce in various occupations to address human resource needs of the economy.

2. Professional development for instructors and trainees

Recognizing the importance of professional development in enhancing knowledge, values and skills; and

Observing that:

- a. Significant proportion (68 percent) of TVET trainers under MoLHR have diploma qualification and all of them are in Supervisory and Support category in the civil service;
- b. Current practice of professional development of trainers is not adequate. It is often subject to external funding support; and
- c. There is no provision for trainees of Technical Training Institutes (TTIs) and Institute of *Zorig Chusum* (IZC) to advance their qualification once they graduate regardless of their aptitude for higher learning.

Hereby, recommends the Government to prioritize the following:

- 2.1 Develop Human Resource policy for TVET trainers and accord dedicated HRD budget for the development of TVET system;

- 2.2 Recruit experts and trainers from other countries on short-term period to strengthen professionalism in the TVET sector;
- 2.3 Develop a separate career structure for TVET professionals in the civil service that recognizes mastery of skills and long years of experience to foster career progression;
- 2.4 Award scholarships to the top performers of TTIs and IZCs trainees like in the general education system to provide opportunity to pursue higher vocational education and training in some renowned TVET institutes overseas, as well as, the institutes within the country; and
- 2.5 Explore introducing Distance Education courses to enable TVET graduates to upgrade their skills and knowledge.

2. Diversification of courses and enrichment of curriculum

Observing that most of the courses offered in TTIs are mainly in the traditional technical trades;

Noting that the TVET system is not able to respond effectively to the changing labour market needs; and

Concerned of low self-confidence and creativity of TVET graduates.

Hereby, strongly recommends the Government to:

- 3.1 Diversify programs in specialized short-term training in priority occupations such as marble laying, sound effects, lighting, heating, ventilation and air conditioning system including women friendly courses; and
- 3.2 Enrich knowledge in soft skills through existing subjects such as English, Dzongkha and workshop calculations (Mathematics) by aligning it to the equivalent standard and qualification of general education system in close collaboration with the Royal Education Council and Bhutan Council for School Examinations and Assessment.

4. Industrial and institutional linkages and collaboration

Acknowledging that there is some institutional arrangements/collaboration between MoLHR and other TVET agencies outside the country;

Noting that no collaboration exists at the moment between any of the TTI/IZC with similar institutes outside the country; and

Concerned of:

- a. Challenges faced by MoLHR in engaging industries in various TVET process from development of standard to curriculum, assessment, on-the-job training (OJT), etc.

- b. Effectiveness of OJT owing to its duration as well as weak monitoring.

Hereby, strongly recommends the Government to:

- 4.1 Develop a framework to engage industries formally at various levels of TVET programs, viz, curriculum development, pedagogy training, assessments, OJT programs, employment, etc. and not to leave it for individuals to do it informally based on personal relationships;
- 4.2 Assess the effectiveness of current OJT structure and its duration to ensure effective learning during the OJT; and
- 4.3 Initiate collaboration at the institutional level to further facilitate faculty exchange program and enable sharing of learning resources.

5. Financial support

Reiterating that TVET has been allocated a very minimal share of overall national budget outlay - its overall capital share of the total outlay has been less than 1.5 percent in the 9th, 10th and 11th Five Year Plan (FYP) periods and only 1.8 percent in the 12th FYP;

Concerned that due to lack of adequate financial resources, it has constrained:

- a. Institutes in having adequate infrastructure such as classrooms, workshops, hostels, and transport;
- b. Teaching and learning materials, tools and equipment, health and safety gears, working uniform, industrial linkage, industrial tours, and so forth despite technological advancement; and

Noting that the stipend for TTIs and IZCs trainees has been not raised since 2005 and trainees face difficulty in meeting adequate diet.

Hereby, urgently calls upon the Government to:

- 5.1 Accord TVET sector a priority both in national planning and budget allocation;
- 5.2 Explore an alternative funding mechanism to sustain its skills training through Skills Development Fund or PPP by engaging potential private entities to fund programs; and
- 5.3 Raise the monthly stipend of TTIs and IZCs trainees in view of the increase in CPI/inflation over the years and increased cost of living.

*(30th Day of the 3rd Month of Earth Female Pig Year
corresponding to 3rd June 2019)*

2. Review Report on the Harmful Use of Alcohol in the Country

The Chairperson of the Good Governance Committee, Hon'ble Member Tashi Wangmo in her introduction said that the use of alcohol is widely accepted and ingrained in the Bhutanese culture. However, she said that the consequences of excessive use of alcohol have become a growing national concern.

The alcohol related issue was extensively deliberated even in the Session of the erstwhile National Assembly and passed a resolution banning the production of locally brewed alcohol in the villages for commercial purpose during the 53rd Session of the National Assembly. Although the government has developed numerous strategies to control the harmful use of alcohol, it has not benefited largely.

Therefore, the National Council felt it necessary to review the impending issue as a priority area. She submitted that the review task was assigned to the Good Governance Committee to carry out the research and review within a year and present the report.

The Chairperson reported that while carrying out the review tasks, the Committee had consulted with government ministries, seven agencies, nine Local Government agencies, nine schools and colleges. Similarly, the Committee

extensively consulted with the four rehabilitation and drop-in centers and with the management of Army Welfare Project. The Committee had comprehensively reviewed the related documents such as Annual Health Bulletins, “National Policy and Strategic Framework to Reduce Harmful use of alcohol, 2015-2020,” and research reports published by the World Health Organization (WHO).

To this, the Members of the Good Governance Committee said that the per capita consumption of alcohol and the condition of alcohol related illness were reportedly highest per capita drinking prevalence among the South-East Asia region of the World Health Organization member countries. The National Health Survey 2012 revealed that Pemagatshel Dzongkhag has the highest percentage of alcohol users with 53%, followed by Zhemgang Dzongkhag with 49%, and Mongar Dzongkhag with 41%.

Besides causing adverse effects on physical health, alcohol abuse has triggered numerous social problems. The Hon’ble Members said that the harm caused by heavy drinking habits has not just contained at individual health care but also caused negative externalities like social disharmony and economic disadvantages.

Expenses incurred for treating people with alcohol related diseases have resulted in huge economic burden on the government exchequer. In 2014, the economic returns from alcohol is estimated at 1 billion (1% of GDP) while the economic burden was estimated at 5 billion for the treatment of patients with alcohol related diseases including direct or

indirect social cost, loss of productivity, premature death, damaged property and foregone income.

The Hon'ble Members also said that concerted efforts have been made by the Royal Government to reduce the harmful effects of alcohol through awareness and sensitization programmes. Moreover, rules and regulations have also been drafted as control measures on availability and accessibility of alcohol in the country.

The Committee reported that while reviewing the issue, main problems and challenges identified at present are poor compliance with laws, weak coordination among implementing agencies and lack of clarity among Local Governments on their enforcement authority.

The Committee submitted its recommendations concerning the factors contributing to alcohol abuse and the measures to provide rehabilitation services to alcohol consumers. The Committee observed that the alcohol abuse comes from the family the person lives in whereby the child does not receive love and attention to grow and develop. It has been reported that easy accessibility of alcohol at affordable prices has also led to alcohol consumption. The Committee reported that the cultural belief and perception and lack of access to adequate recreational facilities have caused addiction to consumption of alcohol. Thus, it has been submitted that there is a need to control alcohol and also to establish accessible recreational facilities.

With respect to alcohol addicts, it was reported that according to the current situation, as there are only three rehabilitation centers to provide treatment services and medication of alcohol addicts, it benefits not more than limited number of addicts. As a result, a similar additional rehabilitation centers has to be established and further initiate a program to provide necessary aftercare services. Moreover, for the purpose of alcohol control, a dedicated agency has to be established or delegate additional responsibility to one of the current agencies. It was also reported that in order to reduce harmful use of alcohol, there is a requirement of a separate policy for control measures and with the change in time, a feasibility of law has to be viewed.

According to the Committee, due to lack of a comprehensive national study on harmful use of alcohol and periodic impact assessment of the interventions; a reliable and exhaustive data reflecting differential in the pattern of consumptions and harmful effects on various section of society are needed from time to time. It was reported that the inadequate focus on enhancing the life, health care and overall psychological wellbeing of the Bhutanese people has to be acknowledged.

On this, the Hon'ble Members expressed their appreciation to the Committee for the comprehensive review report on the harmful use of alcohol and also proposed to incorporate detailed reference of data and information. Since home-brewed alcohol is controlled, questions on why it was not applied on the industrial alcohol within the country were also raised. Concerns were raised that when most of the alcohol consumers are in the eastern and central region, the rehab

centers are located in western region. Hon'ble Members said that it should be a collective responsibility of all to refrain the youth from consuming alcohol. The Committee was also recommended to make the recommendations more specific rather than being general.

The House after extensively deliberating the review report on the harmful use of alcohol in the country on 3rd, 4th and 20th June 2019, resolved to submit the following recommendations to the government and relevant agencies for necessary actions.

The National Council,

Upholding its mandate enshrined in the Constitution (Article 10.2 and Article 11.2) and in the National Council Act of the Kingdom of Bhutan 2008 (Chapter 2, Section 7 and 10) as a House of Review;

Adhering to Article 9.2 of the Constitution that states: “*The State shall strive to promote those conditions that will enable the pursuit of Gross National Happiness.*”;

Deeply concerned that despite concerted efforts made by the Royal Government to mitigate harmful use of alcohol, there is still a growing incidences of alcohol abuse and its related problems;

Observing that the current interventions are mostly focused on modifying individuals' behavior through the control of supply and demand sides of alcohol, with less emphasis on addressing the following root causes:

- Family environment – lack of family support:
- Availability and Affordability;
- Cultural belief and perception; and
- Lack of access to adequate recreational facilities

Further observing that

- There is a lack of adequate support for rehabilitation and institutionalized social reintegration programmes;
- Absence of a dedicated agency for alcohol control is partly the reason for ineffective implementation of measures reflected in the *National Policy and Strategic Framework to Reduce Harmful use of Alcohol 2015-2020*;
- Lack of a national level indepth study on harmful use of alcohol; and
- The performance indicators set in the Annual Performance Agreement (APA) signed between the government and various agencies are focused only on tangible outputs such as construction of infrastructure facilities, agricultural products, etc. despite the need to also focus on indicators that measure progress on social capital development.

Hereby, calls on the government to:

1. Provide equal focus on addressing the root cause through interventions such as:

- a. affirmative actions to ensure shared responsibility amongst parents, teachers, community, government, etc.
- b. adequate provision for affordable recreational facilities
- c. exploring pricing and taxation policy including direct taxes to address the issue of accessibility and affordability.
- d. Enforce Corporate Social Responsibility (CSR) measures on the alcohol industries;
- e. Apply “GNH of Business” screening tools on business ventures particularly those dealing with alcohol manufacturing and use.
- f. Create adequate provision for rehabilitation and aftercare services including community based counseling services in the areas where incidences of alcohol abuse and related problems are high.
- g. Create public awareness on the existing social stigma and its negative impact on the individuals suffering from problems related to harmful use of alcohol/drugs.

Further calls on the government to:

1. Explore the option of identifying BNCA as the overall agency to spearhead measures to reduce harmful use of alcohol with a broad mandate to:
 - a. Provide national level stewardship in addressing alcohol related problems through innovative, practical, and timely interventions;
 - b. Strengthen and promote effective coordination among implementing agencies;
 - c. Conduct periodic impact assessment of the interventions and develop measures that are more sustainable and holistic; and
 - d. Educate local government authorities on their regulatory powers as prescribed in the Local Government Act, in collaboration with the Department of Local Governance.
2. Conduct a national level in-depth study on alcohol capturing disaggregated data based on residence, sex, age, socio-economic status, etc. followed by periodic impact assessment of the interventions made.
3. Consider including indicators to measure progress on overall psychological and emotional wellbeing of the people in the APA.

(4th Day of the 4th Month of Earth Female Pig Year corresponding to 7th June 2019)

3. Review on Fronting Issues, Consequences and Recommendations

Hon'ble (Dasho) Tashi Wangyal, the Chairperson of the Economic Affairs Committee reported that the Policy review mandate of National Council is carried out based on the provision in the Article 10.2 and 11.2 of the Constitution of Bhutan and the Section 7 and 10 of the National Council Act.

Accordingly, while reviewing the fronting issues by the Committee in keeping with the aforementioned provisions and as per the decision of National Council's retreat held in Paro in July 2018, the review report prepared in consultation with 12 relevant agencies and based on the relevant documents is presented to the House.

The Chairperson reported that although the government had recognized the issue of fronting earlier, no strong action was taken on it and it proliferated in the big business, construction, industries and in new sectors such as hotels and tourism as identified. The fronting activities are seen mostly in these sectors to take advantage of business opportunities, evade taxes, export and repatriate black money profits into legitimate money. Moreover, he also said that the license owners have leased out the license with a motive to earn income and top-level civil servants are also involved in the fronting.

It was reported that in the fronting, the Bhutanese license holders lease out the license to non-Bhutanese to run the business and heavy vehicles are purchased in the name of Bhutanese operated by non-Bhutanese where the incomes are divided and commissions paid. He said that there has been vast difference between Foreign Direct Investment (FDI) and fronting whereby FDI is a legal activity and adheres to all laws of the country, principle of taxation and profit repatriation.

Hon'ble Members of the Economic Affairs Committee pointed out that the government having recognized the negative impacts of fronting, several measures have also been taken to prevent and address the fronting in the country. Despite having the relevant rules, regulations and guidelines, establishment of Local Committee comprising of relevant agencies and interventions of the Royal Monetary Authority, it has failed to curb the issue. Further, the Anti-Corruption Commission (ACC) had acknowledged and investigated the matter and submitted the report accordingly.

The National Law Review Task Force (NLRT) also recommended about the need of law on fronting. Even after having discussed on the matter during 87th session of the erstwhile National Assembly in 2000, the issue remained unresolved as reported by the Hon'ble Members.

According to the Committee Report, it is observed that the weakness of government actions, lack of regulation on issuance of license, use of Indian Rupees as a legal Tender in Bhutan are the main reasons for not being able to curb the

fronting issue. Further, it was reported that there is poor coordination between agencies like Regional Offices of Ministry of Economic Affairs, Ministry of Labour and Human Resources, Regional Immigration and Regional Revenue and Customs Office. Despite such matters being detected by the establishment of Local officials, regulations had failed due to weak laws and ineffective penalties.

Therefore, the fronting causes negative impacts on the nascent lawful licensed entrepreneur of our country and leads to proliferation of illegal activities, deflection of goods, wrongful declaration of goods, tax evasion on export and imports of goods and the risk of rising the corrupt practice in the country. It was also reported that fronting can have significant impacts on the economy of the country as well as social impacts concerning the safety, security and welfare of the country. Further, it was reported that the risk of political impacts and impact on relations with the neighboring countries could emerge.

In view of the importance to address this issue, the Committee recommended inclusion of effective legal provisions on fronting in the Penal Code of Bhutan. It was also recommended that the Ministry of Economic Affairs to propose for amendment of relevant laws and for this, issue a clear policy directives identifying the lead agency to monitor fronting. The Committee recommended ensuring frequent and surprising rotation of public officials in vulnerable positions and establishing Ngultrum as the legal tender in Bhutan.

Most of the Hon'ble Members expressed their appreciation to the Committee for submitting the review report for deliberation on one of the most pertinent issue in the country. They also suggested if the Committee's review work could have covered on how the report concerning the massage parlor has been prepared and also to have a clear understanding of what Fronting means. Similarly, Hon'ble Members call for immediate action against the investigated and identified fronting. Further it was reported that those who are serving under such circumstances has to be provided with risk allowances.

The House comprehensively deliberated on the Review Report on Fronting on 7th June 2019 and 20th June 2019, and resolved to submit the following recommendations to the government and relevant agencies for necessary actions.

The National Council of Bhutan

1. *Upholding* its mandates enshrined in the Constitution (Article 10.2 and Article 11.2) and in the National Council Act of the Kingdom of Bhutan 2008 (Chapter 2, Sections 7 and 10) as a House of Review;
2. *Respecting* the Constitution, and in particular adhering to the following provisions: Article 8.8, Article 8.9, Article 14.15, among others;
3. *Recalling* the wisdom behind the major concerns about Fronting expressed by the National Assembly (NA) in the

78th Session in of the erstwhile NA in 2000; and in some of the subsequent sessions of Parliament since 2008;

4. *Cognizant* that past government efforts as well as existing Rules, Regulations, Guidelines have not been effective to curb fronting as empathically exposed by the Anti-Corruption Commission investigations in 2015;
5. *Conscious* that that the continued proliferation of fronting in scale and scope hampers legitimate private sector development; breeds corruption; undermines laws of the country etc;
6. *Recognizing* that if unaddressed, fronting poses immense social, economic, political and security risks for the nation; and
7. *Aware* that strict legal penalties, though necessary, are not sufficient to deter and detect fronting activities;

Hereby calls on the Royal Government to:

1. Urgently table the Trade and Investment Bill so that in addition to legal penalties, there are comprehensive legal and institutional mechanisms to detect and deter fronting with the aim (among others) to:
 - (a) Legally define what constitutes fronting and explore hefty monetary penalties and value-based sentencing as options beside felony offence for fronting cases.

- (b) Legally identify the lead agency to address fronting and require other relevant agencies to support the lead agency to monitor and control fronting.
- (c) Legally establish institutional mechanisms for collecting, analysis and sharing of information on suspicious business transactions in coordination with the relevant agencies and for cross verification of data among the agencies to follow the money trail and pin down fronting businesses.
- (d) Mandate the use of technologies such as electronic cash registers (for businesses beyond a certain size) that are linked/accessible to the tax and revenue authorities to will enhance transparency and discourage tax evasion, enhance revenue as well as detect and prevent deflection of goods and other economic malpractices thus preventing fronting.

Further calls on the Royal Government to:

- (a) As an interim measure to immediately amend Rule 3 of the Rules and Regulations for the Establishment and Operation of Industrial and Commercial Ventures in Bhutan, 1995 to state that the violation of the above Rules and Regulations shall result in not only the cancellation of license and immediate closure of business but also seizure of goods as per the Civil and Criminal Procedure Code of Bhutan and moratorium on issue of license to defaulters for three years.

- (b) Advise the relevant agencies to strictly implement Section 14.4.10 of the Bhutan Civil Service Rules and Regulations so that people in positions categorized as vulnerable are frequently rotated;
- (c) Build on existing network and cooperation with border control agencies on the Indian side to collect, monitor and share data and information on a regular basis to ensure that that illegal activities associated with fronting in Bhutan do not misuse the trade privileges and also undermine the laws of the two countries.
- (d) Direct the Department of Trade, MOEA and the Department of Revenue and Customs, MOF, to expeditiously implement the ACC's recommendations for strengthening systems to plug existing loopholes and prevent corruption as listed in Table 2.2 under Section 2.2.6 of the ACC Annual Report 2017 and further reiterated in Section 2.2.6 ACC Annual Report 2018.

Hereby calls on the Royal Monetary Authority to:

- (a) Conduct a thorough study to consider the relative merits and risks of allowing the Indian Rupee to circulate alongside the Ngultrum in Bhutan (given its inadvertent role in facilitating fronting) and submit its findings and appropriate recommendations to the National Council and the government.
- (b) Consider re-initiating the proposal to introduce web-based portal for tracking trade flows in coordination with the

banks and the Department of Revenue and Customs to check illegal economic activities and gain accurate data and statistics for macroeconomic planning and management.

(8th Day of the 4th Month of Earth Female Pig Year corresponding to 10th June 2019)

F. Annual Report

1. Report on the Annual Anti-Corruption Commission Report 2018

The Good Governance Committee reported to the House on the Annual Anti-Corruption Commission Report 2018 based on its Commission's policy priorities, Commission's performance, Bhutan's ranking on Transparency, International Corruption Perception Index (TI-CPI), implementation status of the National Council's resolutions of the 21st Session and issues for deliberation and recommendation as practiced in accordance with the provisions of Constitution and Section 169.1 of Anti-Corruption Act of Bhutan.

Under the Policy Priorities which is categorized under immediate priorities and long term priorities, it was reported that immediate priorities for the Commission includes identification of shortage of human resources in the Commission, organizational re-structuring and staffing, operationalization of Complaints and Investigation Management System and professionalize internal operations

of the ACC and enhancing coordination and networking with critical key partners.

Regarding the long term priorities of the Commission, she reported that the ACC has focused on branding ACC as an employer of choice, financial security, professionalize and enhance management of complaints and investigation, enhance prevention and awareness programmes and reducing backlog of complaints.

In addition, it was reported that the key performance of the ACC over the last one year with regard to dissemination of public education, and behavioral change programs were also coordinated. The ACC established Integrity clubs in 6 schools and carried out the activities successfully besides conducting several consultative meetings. Under the corruption preventive measures, Guidelines for users and Central Asset Declaration Administrator and Asset Declaration Administrators (ADA) and Guidelines to determine Disproportionate Assets were developed.

With regard to complaints and referrals, 42.3% of complaints were received through the ACC webmail, followed by 32.7% complaints through post, 21.9% complaints from walk-in and 2.7% through fax and 0.3% through telephone. The compliant received in agencies were from Local Government and among the Ministries, the Ministry of Education had the maximum complaints. It was reported that the complaints qualified for investigation were mostly contractors, who were found guilty for the abuse of functions and embezzlement. The complaints

were frequent from administrative actions, where some were dropped and some qualified for the investigations.

Within last one year, the total caseload for the reporting period was 39 out of which 20 cases were new for the reporting year. Out of 39 cases, 18 cases were referred to the Office of Attorney General for prosecution. It was reported that the Transparency International's Corruption Perception Index (TP-CPI) score for Bhutan has enhanced from 63 in 2013 to 68 in 2018 ranking from 31st in 2013 to 25th in 2018.

The Committee, after reviewing the Annual Anti-Corruption Commission Report, submitted two recommendations. Though the corruption in the country could not be eradicated, in order to reduce, it requires sufficient human resources and adequate human resources development budget. This can help developing the existing human resources into professionals with appropriate skills. Due to the prolonged duration of trial process, there is a social disharmony. Therefore, the Committee proposes to recommend the Government to explore appropriate measures such as establishment of special bench for corruption cases.

Some of the Hon'ble Members submitted that while the government and all agencies have priorities to reduce the corruption in the country, the personnel serving in the ACC has to be provided with adequate risk allowance and a research has to be conducted on why the staff are not interested to work in ACC. Similarly, they also reported that a thorough investigation needs to be conducted as per the report

since most of the corruption has been recorded in the Local Government.

The House deliberated on the Annual Anti-Corruption Report 2018 on 10th June 2019 and 20th June 2019 and resolved to submit the following recommendations to the government and agencies for necessary actions:

The National Council,

Upholding the Articles 27(5) and 8(9) of the Constitution of the Kingdom of Bhutan;

Noting that recruiting professionals with appropriate skills and retaining the existing ones is one of the major challenges faced by the ACC since its inception in 2006.

Considering that equipping the ACC with adequate and competent staff is necessary to ensure sustained momentum of its efforts in combating corruption.

Further Noting that as of December 2018,

- There were 21 cases under review by OAG (out of which 6 were referred to OAG in 2017), and 74 cases under trial in the court;
- Out of 74 cases currently under trial, 62 cases (83.78%) were referred to the court for more than two years ago. In addition, about 27% of the cases are in appellate court; and

- Out of total of 46 judgments were rendered, 34 cases (73.9% of the total) have taken more than 2 years to receive the judgment. In addition, nearly half of these judgments are under appeal in the appellate courts.

Recognizing that timely adjudication by courts is important not only to enforce the rule of law but also to ensure that the prolonged process of trials does not undermine the impacts of prosecution.

Hereby, recommends the judiciary to:

- Explore appropriate measures such as establishment of special bench for corruption cases to expedite the trial process.

Hereby recommends the government to:

- Provide necessary support to facilitate judiciary in its effort to expedite the trial process of corruption related cases.
- Provide adequate support for the human resource development of the ACC, particularly for the long-term studies to attract, motivate and retain professionals.

G. Proceedings of Question Time

*(30th Day of the 3rd Month of Earth Female Pig Year
corresponding to 3rd June 2019)*

1. Hon'ble Prime Minister

The Hon'ble Member of Haa Dzongkhag said that the National Council, during its 22nd Session, deliberated and supported the present government's programs which are included in the 12th Five Year Plan, particularly several flagship programs intended for the benefit of people. The House deliberated and submitted a recommendation to provide details on the flagship programs. The Gross National Happiness Commission has submitted to the House that the details of the flagship programs will be provided upon the approval of the Cabinet. In this regard, he asked about the status of flagship programs including its financial allocations and the modalities that determine identification, resource allocation and implementation of the flagship programs.

In response, the Hon'ble Prime Minister said, from 12th Five Year Plan, the flagship programs were established for the immediate benefit of the people. The flagship programs were discussed several times in the Cabinet and the changes are included in the present budget. The prioritized flagship programs included the issues related to Water, Digital Drukyul, Cottage and Small Industries, National Organic Flagship Program, Health, Education, Tourism and Waste Management. He said that the Cabinet has included an

additional Program of “Footprints of National Day” with an allocated budget.

Some of the Hon’ble Members asked about the exclusion of program related to high-land flagship program, the need to include other Dzongkhags besides the four focused Dzongkhags in tourism, and the need to include Technical and Vocational Education and Training in the flagship programs. To this, Hon’ble Prime Minister responded that the programs related to high-lands are recognized as more important than the flagship programs, and the Dzongkhags where the tourists have not reached are identified for the developments, and technical and vocational education training is included under education.

*(27th Day of the 3rd Month of Earth Female Pig Year
corresponding to 31st May 2019)*

2. Hon’ble Minister for Education

The Hon’ble Member of Chukha Dzongkhag said that the students who appeared the class X examinations in 2018 have been provided with the opportunity for admission to Class XI in both government and private schools without the cut-off point and this decision has benefitted the public at large and in particular, the students.

However, he asked whether the government followed the Protocol for Policy Formulation while taking such major policy reform and how the government could afford to sustain the budget in future to provide the scholarship support. He

enquired on the reasons for holding National Education Conference and not adhering to or respecting to the resolutions of such high level conferences if such major policy change is to be initiated by the government. He also enquired what mechanism has the Ministry of Education put in place to monitor the quality of education provided to those students placed in the private schools.

In response, the Hon'ble Minister of Education said that while the policy couldn't be adhered to the policy screening tool due to time constraint, it was initiated upon approval of the cabinet. With regard to the financial sustainability, he said that the expenditure incurred on youth will be planned and monitored to ensure that it will not be wasted. The Hon'ble Minister said that though the Resolutions of the National Education Conference are respected, the reform had to be enforced as per the Government's order in the interest of time. He also clarified that the quality of education provided to those students admitted in private schools are being monitored.

To this, some of the Hon'ble Members asked about the government's measures on the sustainability of the private schools, progress on drafting of the Education Policy and Act, and the plan to establish additional colleges. In response, the Hon'ble Education Minister said that the responsibility to sustain private schools falls on both the government and private sectors, and the measures will be put in place accordingly. With regard to the establishment of additional colleges, he said that the Ministry of Education is in

consultation with the Royal University of Bhutan for its feasibility.

(2nd Day of the 4th Month of Earth Female Pig Year corresponding to 5th June 2019)

3. Hon'ble Minister for Information and Communications

The Hon'ble Member of Tsirang Dzongkhag said that with increasing number of vehicles in the country there is an increase of vehicle accidents causing misfortune to human life. Hence, he asked what are the preventive measures taken by the Government to prevent vehicle accidents and ensure safety for those plying on the roads. Further, he asked what are the measures taken to prevent accidents of public transport and on what basis the government increased the life span for public transport and taxi. Similarly, he enquired on the measures put in place collaboratively by the Ministry of Information and Communications and the Ministry of Works and Human Settlement to ensure the road signs are properly made.

In response, the Hon'ble Minister said that government has considered road safety as an important issue. The Road Safety and Transport Authority conducts thorough inspections of the public transport buses and the bus drivers are strictly examined for drugs and alcohol use. Similarly, measures to reduce speed, proper training and proper usage of signage are being prioritized. The Hon'ble Minister said that the life span

of the public transport depends on the inspection by the automobile workshops.

With regard to road signage, the committee, which comprises members from the Ministry of Information and Communications (MoIC), Ministry of Works and Human Settlement (MoWHS) and Traffic Division, is focusing towards ensuring proper usage of road signage by conducting thorough investigation.

On this, some of the Hon'ble Members said that some of the public transport buses have to travel more than 16 hours, causing risks to both the buses and the passengers. Therefore, they asked if there are any plans by the government to establish facilities in the public transports and construction of toilets along the roads. In response, the Hon'ble Minister said that the buses travelling long distances shall be provided two drivers and facilities will be established as per requirements.

4. Hon'ble Minister for Health

4.1 Issue related to requirement of Specialists in hospitals

The Hon'ble Member of Mongar Dzongkhag said that as per the findings of the Royal Audit Authority's Performance Audit Report 2017, there was delay in service delivery of the Out-patient Department (OPD) at Jigme Dorji Wangcuck National Referral Hospital (JDWNRH). Long waiting time at general OPD and medical OPD were found as one of the main service delivery issues. It was also observed that similar

timely service could not be provided in the regional referral hospitals due to shortage of medical specialist.

Therefore, she asked what measures the government had taken to meet the urgent need of medical specialist in JDWNRH. She also enquired on the priorities to provide adequate medical specialist in Mongar Regional Hospital which will be more beneficial to the eastern region as it is the first regional referral hospital established in the region.

In response, the Hon'ble Minister for Health said that the government has objectives to improve the medical services by prioritizing to include it in the flagship programs of the 12th Five Year Plan. She also said that they are exploring the possibility to give administrative autonomy and deployment of Specialists to Mongar and Gelephu Regional Hospitals along with JDWNRH. Further, she said that the specialist training within the country is being completed in July this year and moreover, recruitment of specialist from Bangladesh will address the shortage of specialist in the country.

4.2 Issues related to infant mortality due to Hospital Acquired Infection

The Hon'ble Member of Punakha Dzongkhag said that about a year ago, many infants lost their lives due to Hospital Acquired Infection (HAI) and also recent death of infants at JDWNRH was reported. She enquired the kind of follow-up actions the Ministry of Health has taken after the incident and the preventive measures taken by the Government and the

Ministry of Health in particular, to prevent such mishaps in future.

To this, Hon'ble Minister for Health said that as per the directives of Ministry of Health to investigate on the issue immediately, Royal Center for Disease Control found that the cause of the death was due to complications resulting from premature delivery and the death of 2 babies were due to spread of HAI. She also informed that the government is taking measures to maintain the cleanliness of the hospital, installation of water treatment plant. There are also plans to provide various training to the health workers.

(4th Day of the 4th Month of Earth Female Pig Year corresponding to 7th June 2019)

5. Hon'ble Minister for Works and Human Settlement

The Hon'ble Member of Trashigang Dzongkhag expressed appreciation to Project Dantak in general for its benefit to the country. However, he said that the road widening of National High Way between Samdrup Jongkhar and Trashigang which started in 2007 has not yet been completed till date, causing huge inconvenience to the travelers. As the work progress has prolonged, he asked about the measures undertaken by the government to insist Project Dantak to speed up completion of the works. He also asked whether the government has considered sub-contracting some portions of the work to the Construction Development Corporation Limited or to the private contractors to expedite the works.

In response, the Hon'ble Minister for Works and Human Settlement said that the government has discussed on two occasions with the Project Dantak to ensure the Projects will be completed within 2 to 3 years. The main reasons for indefinite delay are mainly due to budget constraints and shortage of manpower.

On this, some of the Hon'ble Members suggested that in order to expedite the completion of works, modern machineries have to be used. They also enquired how the time period is being monitored by the government. In response, the Hon'ble Minister said that measures are taken to deploy modern machineries and once the widening work is complete, blacktopping of the roads given to Bhutanese Contractors will benefit in expediting the completion of works.

*(12th Day of the 4th Month of Earth Female Pig Year
corresponding to 14th June 2019)*

6. Hon'ble Minister for Home and Cultural Affairs

6.1 Issue Related to Cultural Heritage Bill and Trust Fund

The Hon'ble Member Kesang Chuki Dorjee said that the preservation of Cultural Heritage is very important in our country and during the 19th Session of the National Council, a thorough review report on Cultural Heritage of Bhutan along with several recommendations were submitted to the government. Of the several recommendations, the important recommendations were on the finalization of a Cultural

Heritage Bill and Policy and the need to enhance the fund for Cultural Trust Fund. However, the government failed to acknowledge these important recommendations.

She asked about the plans of the Ministry of Home and Cultural Affairs to table the Bill in the Parliament and what are the various sources of revenue the government seeks to explore to enhance the endowment of the Cultural Trust Fund. In response, the Hon'ble Minister for Home and Cultural Affairs said that although the government has prioritized to table the Cultural Heritage Bill, a thorough consultation meeting with the relevant stakeholders needs to be conducted as the issue is very important. He also informed that he is not able to give assurance as to when it will be tabled in the Parliament. He said that the government will come up with various measures to enhance the endowment of the Cultural Trust Fund.

6.2 Issue related to the development of Human Resources in Local Government

The Hon'ble Member of Haa Dzongkhag said that, a major portion of the budget from the 12th Five Year Plan is allocated to the Local Government with an objective of decentralization of power. In this regard, he questioned on the efficiency of local government officials to utilize the budget allocation and the plans to deploy adequate human resources in Local Government to ensure proper implementation. He also asked about the plans to develop the capacity of human resources in the Local Government.

To this, Hon'ble Minister for Home and Cultural Affairs said that while the measures are being taken to provide adequate human resource in Local Government, continued programs are being planned for capacity development.

7. Hon'ble Minister for Foreign Affairs

The Deputy Chairperson of National Council, Hon'ble Member of Samdrup Jongkhar Dzongkhag said that Tourism Sector is the most beneficial in generating revenue for country's economy. However, rapid surge in number of regional tourists as compared to foreign tourists is likely to pose severe adverse social, cultural and ecological impact in the country. Therefore, he asked what plans and policies the government has to regulate the influx of regional tourists. In general he asked about the plans of the government to formulate a Tourism Policy Blueprint and a Tourism Act.

In response, Hon'ble Minister for Foreign Affairs said that among the many measures to regulate the influx of regional tourist, measures such as issuance of e-permits, imposition of Sustainable Development fees, amendment of rules and regulations, mandatory requirement of passports and levying of green tax if they bring their own vehicles will be put in place. Further, he said that the Tourism Policy Blueprint and Tourism Bill will be submitted for deliberation without undue delay.

*(23rd Day of the 4th Month of Earth Female Pig Year
corresponding to 25th June 2019)*

H. Any Other Business

1. Issues concerning removal of cut-off point by the government for Class X passed out students

On the issue concerning removal of cut-off point by the government for Class X passed out students, the House conducted a question time session with the Hon'ble Minister of Education on 31st May 2019. As responses to the questions received by the House were unsatisfactory, it was resolved that the issue needs to be re-deliberated and following recommendations shall be submitted to the government and Ministry of Education in accordance with section 137 of the National Council Act 2008:

The National Council,

1. *Upholding* its mandates enshrined in the Constitution (Article 10.2 and Article 11.2) and in the National Council Act of the Kingdom of Bhutan 2008 (Chapter 2, Sections 7 and 10) as a House of Review;
2. *Respecting* the Constitution, and in particular adhering to the following provisions: Article 9.15, Article 9.16, among others;

Concerned that:

- a. Government removed the cut-off point of the Class X students from academic year 2019 without conducting comprehensive study;
 - b. Government has breached the protocol for Policy Formulation;
 - c. Such ad-hoc decision might lead to un-sustainability of the program in the future resulting in the exhaustion of the limited resources; and
 - d. Frequent interferences in the education sector through such piecemeal efforts without a holistic study may only undermine the national effort of building a desirable human capital.
3. *Acknowledging* that the Government and the Minister of Education has committed to put in corrective measures going forward through written and verbal response to the National Council; and
4. *Recalling* that the National Council recommended to expedite the approval of Draft National Education Policy and to provide strategic direction and effective implementation of education programs in 2017 during the 18th and 19th session of National Council

Hereby calls on the Government to:

1. **Initiate enactment of the National Education Act** in order to provide education for purpose of improving and increasing knowledge, values, and skills of the entire population with education being directed towards the full development of the human personality.
2. **Prioritize and urgently approve the draft National Education Policy** to provide strategic direction to the Ministry of Education and help guide in implementation of its core business.
3. **Reconsider conducting a thorough impact analysis** of the removal of cut-off point for Class X students particularly on the quality of education, financial sustainability of the program, and other associated social problems.

*(23rd Day of the 4th Month of Earth Female Pig Year
corresponding to 25th June 2019)*

I. Closing Ceremony

1. Closing Address of the Chairperson

The Chairperson said that the 23rd Session of the National Council commenced from 23rd May 2019 coinciding with auspicious day corresponding to 20th day of 3rd month of Bhutanese Calendar and expressed his gratitude to the Hon'ble Prime Minister, Hon'ble Speaker of the National Assembly Cabinet Secretary and other senior officials for

participating in the closing ceremony on 25th June 2019 corresponding to 23rd day of Fourth month.

He said that during the 23rd Session, the House had deliberated on 6 Legislative issues, 3 issues related to Review of Policies, 1 Annual Report, 1 issue related to any other business and 7 Question Hour Sessions with Government Ministers including Hon'ble Prime Minister.

Under the Legislative issues, he said that the House deliberated and passed the Impeachment Procedure Bill of Bhutan and Minister and Minister Equivalent Position Holders Entitlement Bill of Bhutan which is submitted to the National Assembly for deliberation.

The Bilateral Air Service Agreement (ASA) between Royal Government of Bhutan and the Government of United Arab Emirates (UAE) has been ratified without any changes and submitted to His Majesty for Royal Assent.

The Amendment to the Montreal Protocol on substance that depletes the Ozone Layer (Kigali Amendment) has been ratified with minor changes in translation and submitted to National Assembly for re-deliberation.

Similarly, the Supplementary Budget and Appropriation Bill for the Financial Year 2018-19 was passed without any changes. However, the Budget Appropriation Bill for the Financial Year 2019-20 has been passed with 6 recommendations and submitted to National Assembly for re-deliberation. With regard to Pay Revision Bill 2019, 19

recommendations have been submitted to National Assembly for re-deliberation.

Under the issues related to review of Policies, the House deliberated on the Technical and Vocational Educational and Training and submitted 19 recommendations. While on the issues related to Harmful use of Alcohol, 13 recommendations were adopted. On issues related to Fronting 10 recommendations were adopted. The Annual Anti-Corruption Commission Report 2018 adopted 3 recommendations. Under Any other Business related to removal of Class X cut-off points, 3 recommendations were adopted. All the recommendations adopted by the House on the above issues will be submitted to the Government and relevant agencies for necessary actions.

The Chairperson said that during the 24th Session in the winter, the Civil and Criminal Procedure Code (Amendment) Bill of Bhutan 2019 and Penal Code (Amendment) Bill of Bhutan 2019, received from National Assembly will be deliberated. The Impeachment Procedure Bill of Bhutan and Minister and Minister Equivalent Position Holders Entitlement Bill of Bhutan will be also re-deliberated. Under the review of policies, issues related to Trafficking In Person and other issues identified during Paro Retreat will be deliberated.

The Chairperson said that the 23rd Session of the National Council has concluded without any misfortune mainly due to the blessing from the Triple Gems and our guardian deities, the benevolent guidance and blessings bestowed by His

Majesty the Druk Gyalpo, His Majesty the Fourth Druk Gyalpo and His Holiness Je Khenpo including the Zhung Dratshang.

The Chairperson expressed gratitude to the Members and Committees for their dedication and hard work. Moreover, the deliberations were not focused on few vested interests but rather in the interest of people and country. The Members were also mindful of national security and sovereignty and the deliberations were held in free and open manner to which the Chairperson expressed his appreciation. For instance, during the deliberation on Pay Revision Bill, while the Members had the desire to substantially increase the pay and allowances for the public servants, the availability of funds in the country's treasury had to be considered. Further, the Members even agreed to decrease the percentage of pay increment from the recommendations proposed by the Pay Commission and the government. He also expressed gratitude to the members for extensively deliberating to rationalize the pay raise for the general public servants.

He also reminded that henceforth, the National Council needs to prioritize to effectively and efficiently carry out the responsibilities in accordance with the provisions of the Constitution of Bhutan and the National Council Act of Bhutan. In particular, he reminded the members not to be bound by voters or interest groups and shall function in a non-partisan manner in their parliamentary works.

The Chairperson thanked the officials of the Secretariat, staff of the Department of National Properties for all logistical

arrangement and support, the Royal Bhutan Police for providing security services, Bhutan Broadcasting Service Corporation for live telecast of the entire proceedings of the session, the reporters and other media houses for covering and disseminating information related to session.

In conclusion, the Chairperson expressed his appreciation for the blessings of the Kenchog Sum and the protection of the guardian deities. The 23rd session of the National Council concluded with Zhabten and Tashi Moenlam for the long lives and prosperity of deeds of His Majesty the Druk Gyalpo, His Majesty the Fourth Druk Gyalpo, Her Majesty the Gyaltsuen, His Royal Highness the Gyalsay, members of Royal Family, His Holiness the Je Khenpo, Lamas and Truelkus.



(Tashi Dorji)
Chairperson
National Council of Bhutan

Annexure I

མཚོན་བརྗོད།

སྐྱ་གསུམ་དབྱེར་མེད་སྟོན་པ་ཤྲུའི་རྒྱལ།
གཞི་ལམ་འབྲས་བུའི་སྐྱེད་རྗོད་གསུང་མ་པའི་ཚོས།
བསྟན་པ་འཛིན་པའི་བྱུང་འཕགས་དགེ་འདུན་ཚོགས།
སྐྱབས་གནས་བསྐྱེད་གསུམ་གྱིས་དགེ་ལེགས་སྦྱོལ།

གཞན་པན་ཐུགས་མངའ་བྱང་སེམས་ཚོས་ཀྱི་རྒྱལ།
རྒྱལ་ཁབ་རང་དབང་བཙན་པའི་སྲོག་བརྟན་ཅིང་།
དམངས་གཙོའི་དབང་ཚད་ཕྱིར་སྤེལ་རབ་བརྩོན་པའི།
བརྒྱད་འཛིན་ལྷ་པའི་བཀའ་དྲིན་དབུ་འཕང་མཐོ།

ཅ་ཁྲིམས་ཆེན་མོའི་དགོངས་དོན་སྦྱི་བོར་བཅིངས།
ཅ་བ་གསུམ་གྱི་ཕྱག་ཕྱིད་ལྷ་ལ་བརྩོན།
འདུས་ཚོགས་རྣམས་ཀྱིས་ཇི་བཞིན་བཀའ་ན་ཡང་།
ཐབས་མེད་གྲོལ་ཕྱིར་ཁྲིམས་དཀར་འདི་གསལ་ལོ།

PREAMBLE

Whereas, Article 31(2) of the Constitution of the Kingdom of Bhutan stipulates that the Chief Justice of Bhutan and the Drangpons of Supreme Court, Chief Justice and Drangpons of High Court, Chief Election Commissioner, Auditor General and Chairpersons of Royal Civil Service Commission and Anti-Corruption Commission shall be Holders of the Constitutional Offices;

Whereas, Article 32 (1) of the Constitution of the Kingdom of Bhutan requires that the Holders of the Constitutional Offices shall be removed only by way of impeachment by Parliament;

Whereas, Article 32 (5) of the Constitution of the Kingdom of Bhutan provides that the procedure for impeachment, incorporating the principles of natural justice shall be as laid down by law made by Parliament;

Whereas, it is expedient to enact a separate legislation on impeachment not only to hold the Constitutional post holders accountable to promote good governance, but also to insulate them from potential arbitrary impeachment;

Parliament of the Kingdom of Bhutan do hereby enacts as follows:

CHAPTER 1 PRELIMINARY

Title

1. This Act is the Impeachment Procedure Act of the kingdom of Bhutan 2019.

Commencement

2. This Act comes into force on the Day of the Month of the Female Earth Pig Year of the Bhutanese Calendar corresponding to the Day of the Month of 2019.

Extent

3. This Act extends to the whole of the Kingdom of Bhutan.

Application

4. This Act shall apply to removal from office of the Holders of the Constitutional Offices in Bhutan by way of impeachment by Parliament.

Repeal

5. Any other laws, in so far as they are inconsistent with this Act, are hereby repealed.

Rules of Construction

6. In this Act, the singular shall include the plural and vice versa.

Principal Objects of the Act

7. The principal objects of this Act are to:
- (1) Set out procedure for impeachment of the Holders of the Constitutional Offices incorporating the principles of natural justice;
 - (2) Establish an Impeachment Investigation Committee to conduct a thorough, fair and impartial investigation into allegations against the Holders of Constitutional Offices; and
 - (3) Provide for any other matter, that is consequential, incidental, or ancillary to impeachment of the Holders of the Constitutional Offices.

CHAPTER 2

HOLDERS OF THE CONSTITUTIONAL OFFICES

8. The Holders of the Constitutional Offices of the Kingdom of Bhutan shall be:
- (1) The Chief Justice of Bhutan and the Drangpons of the Supreme Court;
 - (2) The Chief Justice and the Drangpons of the High Court;
 - (3) The Chief Election Commissioner;
 - (4) The Auditor General;
 - (5) The Chairperson of the Royal Civil Service Commission; and
 - (6) The Chairperson of the Anti-Corruption Commission.

CHAPTER 3

CODE OF CONDUCT AND IMMUNITY

Code of Conduct

9. The Holders of the Constitutional Offices shall function as per the roles and responsibilities mentioned in the Constitution of Kingdom of Bhutan and relevant laws.

Immunity

10. The Holders of the Constitutional Offices shall not be held liable for any act discharged in good faith in the administration of responsibilities and duties under relevant laws. However, the immunities granted shall not cover corrupt acts committed by them in connection with the discharge of their duties or cover other acts of accepting money or any other valuables in consideration to speak or to vote in a particular manner.

CHAPTER 4

IMPEACHMENT PROCEDURE

Grounds for Impeachment

11. In accordance with Article 32(2) of the Constitution of Bhutan, a Holder of a Constitutional Office shall be liable to be impeached only on the ground of;
 - (1) Incapacity;
 - (2) Incompetence; or
 - (3) Serious misconduct

Motion for Impeachment

12. A Member may initiate the motion for impeachment of a Holder of Constitutional Office in either House of Parliament.
13. A Member who has moved a motion for impeachment may move without notice that it be withdrawn within five working days from the day the impeachment motion has been moved.
14. A Member may submit a motion for impeachment of a Holder of Constitutional Office, on the grounds specified under section 11 of this Act, if supported in writing by not less than one-third of the total Members of the either House.
15. A Member, who intends to move a motion for impeachment, shall submit a copy of proposed motion to the Speaker or the Chairperson through the Secretary General of the respective Houses together with the list of the Members who support the motion, in the form prescribed in Schedule I of this Act, five working days before start of the Parliament session
16. The Speaker or the Chairperson shall examine the proposed motion for impeachment submitted under Section 15 of this Act and confirm that the proposed motion;
 - (1) Specifies the grounds and particulars upon which the proposed motion is made;
 - (2) Is signed by the Member;

- (3) Is signed in support by at least one-third of the total Members of either House; and
 - (4) Is supported by credible evidence as far as possible.
17. The Speaker or the Chairperson shall consider the proposed motion within two working days, if it:
 - (1) Complies with Section 16 of this Act, approve the motion and inform the Member concerned; or
 - (2) Does not comply with Section 16 of this Act, reject the motion and inform the Member concern in writing giving reasons.
18. If the Speaker or the Chairperson approves the motion, he/ she may after considering the state of business in the House, allot a day or days or part of day for discussion of such motion for impeachment.

Adoption of Impeachment Motion

19. The motion for impeachment shall not be voted on until ten working days after it has been moved.
20. The motion for impeachment against a Holder of Constitutional Office shall be passed by simple majority of the total number of Members of the respective Houses.
21. Where the motion for impeachment has been introduced and passed by one House, it shall present to the other House of that resolution within five working days from the date of passing of Impeachment motion.

Procedure in the other House

22. The other House shall consider the matter during the same session of the Parliament.
23. Where the other House also passes the motion, the motion shall be considered to be passed for impeachment proceedings.
24. Where the other House neither deliberates nor returns the motion within five working days, the motion shall be deemed to be passed for impeachment proceedings.
25. Where both the Houses pass the impeachment motion, the Parliament shall keep the motion pending before the Joint Sitting of Parliament.

Closing of Impeachment Motion

26. Where the other House does not pass the motion, the matter shall be deemed to be closed and the grounds for such rejection shall be communicated to the originating House with reasons in writing.
27. Subject to fulfillment of Section 101 of this Act, the Holder of the Constitutional Office may voluntarily submit their resignation in line with their respective Acts.

Suspension of the Holder of Constitutional Office

28. When both the Houses pass the impeachment motion, the Holder of Constitutional Office shall be suspended

from his/her office until pending the outcome of the impeachment proceedings.

CHAPTER 5

IMPEACHMENT INVESTIGATION COMMITTEE

Establishment and Members

29. The Speaker shall immediately upon passing of motion by both the Houses, establish a Joint Committee to be known as the Impeachment Investigation Committee for each case, to conduct formal investigation into the issue of Impeachment.

30. The Committee shall consist of:
 - (1) Three Members from the National Assembly with at least one Member from the Opposition Party; and
 - (2) Two Members from the National Council.

Order for Investigation

31. The Speaker shall order the Committee to conclude investigation with the submission of its report within two months with possible extension of thirty days.

Conflict of Interest

32. A Member of Parliament who initiated the impeachment motion and Members who supported the motion shall not be a Member of the Committee.

33. A Member of Parliament appointed to the Committee shall decline the post on the ground of conflict of interest where such is the case.
34. If a conflict of interest arises during the investigation, the Member shall resign from the Committee.
35. If a Member fails to declare conflict of interest under sections 33 and 34 of this Act, the Speaker or the Chairperson shall remove that Member from the Committee.

Filling of Vacant Post

36. If the post of a Committee Member becomes vacant under section 33, 34 or 35 of this Act or for any reason, the Speaker or the Chairperson shall appoint a new Member without undue delay.

Chairperson and Deputy Chairperson of the Committee

37. The Members of the Committee shall elect the Chairperson and Deputy Chairperson from among Committee Members at the first meeting and, as necessary during the course of the proceedings of the Committee.

Office and Employees of the Committee

38. The office of the Committee shall be located in such place as decided by the Speaker.
39. The Committee shall be assisted by staff from the respective Secretariat of the Houses.

40. Notwithstanding anything contained in Section 39 of this Act, the Government of Bhutan shall, on the request of the Committee, provide employees of the Government of Bhutan or its instrumentalities.

Meeting, Venue and Quorum of the Committee

41. In general, the Committee shall hold its meetings prior to the Joint Sitting.
42. Meetings of the Committee shall be *in camera* and shall not be made open to public.
43. The quorum to constitute a meeting of the Committee shall be a minimum of two-third of its total Members.

Tenure of the Committee

44. The tenure of the Committee shall end with the submission of its report or as per the section 31 of this Act.

CHAPTER 6

POWERS AND FUNCTIONS OF THE COMMITTEE

45. The Committee shall, immediately upon the direction of the Speaker, carry out its investigation into the allegations against the Holder of Constitutional Office.
46. The Committee shall inquire only matters related to the allegation in the motion for impeachment.

47. The Committee shall discharge its functions without fear or favour impartially on the basis of fact and in accordance with the rule of law.
48. A person shall provide information, data or answer to any query required by the Committee in the discharge of its responsibilities.
49. The Committee shall have the power during investigation in respect of the following matters:
 - (1) Summoning witnesses or parties and take depositions;
 - (2) Compelling production of any public record or a copy thereof from any office or organization;
 - (3) Furnishing information on matters as in the opinion of the Committee may be useful for, or relevant to the proper conduct of an investigation; and
 - (4) To perform or cause to perform any other necessary acts or activities relevant to the investigation.
50. The Committee shall not detain or arrest any person during the investigation including the Holders of the Constitutional Offices.
51. In case the Committee is required to probe into accusation of corruption against a Holder of Constitutional Office, the Committee may also exercise powers conferred on Anti-Corruption Commission in accordance with the prevailing Anti-Corruption laws.

52. Where it is alleged that a Holder of Constitutional Office is unable to discharge the duties of his or her office efficiently due to any physical or mental incapacity and the allegation is denied, the Committee may arrange for the medical examination of a Holder of Constitutional Office before the Medical Board of Doctors. The Holder of Constitutional Office shall submit himself or herself to such medical examination within the time specified by the Committee.
53. The Medical Board of Doctors shall undertake such medical examination of the physical or mental condition of the concerned Holder of the Constitutional Office and submit a report about the physical or mental condition of such person to the Committee along with the reasons and grounds thereof within such time as may be specified by the Committee.
54. If the concerned Holder of Constitutional Office refuses to undergo medical examination of his or her physical or mental condition before the Board or fails to attend before it within the time frame prescribed by it for medical examination, the Board shall submit a report thereof to the Committee.
55. After receiving the report pursuant to Section 54 of this Act, except otherwise proved, it shall be presumed that a Holder of Constitutional Office who refused to undergo medical examination of his or her physical or mental condition, is unable to discharge his or her official duties because of his or her physical or mental

reason. The Committee shall take a ground to that matter in its report.

56. A person may be subjected to civil or criminal sanction in accordance with the laws of contempt for:
- (1) Interfering with the case, either orally or in writing;
 - (2) Failing to comply appropriately to an order; or
 - (3) Otherwise obstructing the course of investigation.
57. Subject to any rules that may be made in this behalf, the Committee shall have power to regulate its own investigation procedure, including provision to give reasonable opportunity to the Holder of the Constitutional Office of cross-examining witnesses, adducing evidence and of being heard in his or her defence.

CHAPTER 7 COMMITTEE PROCEEDINGS

Conduct of Investigation

58. The Committee shall ascertain the veracity of the allegations submitted in the motion of impeachment on the basis of which the investigation is proposed to be held and frame definite Articles of impeachment against the Holder of Constitutional Office.
59. The Committee may hear representations from the Member who moved the motion for impeachment or and other supporting Members as it may consider

necessary for the proper determination of the alleged facts that warrant the impeachment of a Holder of Constitutional Office.

60. The Committee shall serve the Holder of Constitutional Office with a copy of allegations, with written notice thereof and the Holder of Constitutional Office shall be given a reasonable opportunity of presenting a written statement of defense within such time as may be specified by the Committee.
61. If the Holder of Constitutional Office fails to submit his or her written statement of defense within such prescribed time or if the Committee finds that the said clarification is not justifiable, the Committee shall decide the motion for impeachment is reasonable.
62. During the investigation, the Committee shall give full opportunity to the Holders of Constitutional Offices to present evidence in his or her defense, including right to subpoena relevant witnesses.
63. The Committee shall give adequate time to rebut and cross-examine the witness.
64. If the Committee finds that a sufficient ground for impeachment exists, the Committee shall conduct a hearing. The Committee shall have the power to issue compulsory processes for the attendance of witnesses as well as the production of documents and other related evidence.

65. The proceedings and decisions of the Committee shall be treated as confidential. Committee Members or affiliated persons shall not communicate the proceedings, decisions and documents to the media or any other entities.
66. The Staff of the Secretariat assisting the Committee shall draw up the records of the proceedings of each meeting of the Committee.

Protection to Complainant or Witnesses

67. The Parliament may, upon proper petition, order the concerned agencies to provide adequate protection to a complainant or witness if it is shown that his or her personal safety is in jeopardy because of his or her participation in an impeachment proceeding.

Decision of the Committee

68. Decision of the Committee shall be based on consensus. Where there is no consensus, the Chairperson of the Committee shall require Members to vote by show of hands or secret ballot and the will of simple majority of the total numbers of the Committee Members shall prevail.
69. In the event of a tie, the Chairperson shall cast a deciding vote.

CHAPTER 8

REPORT AND RECOMMENDATIONS

70. The Committee, following its decision pursuant to Section 68 of this Act, shall submit its report to the Speaker stating therein its findings and recommendations.

Recommendation for Dismissal of Impeachment Motion

71. If the Committee finds that sufficient grounds for impeachment do not exist, the Committee shall recommend in writing to the Speaker that the motion be dismissed and no further proceedings shall be taken in respect of that allegation in the Parliament.
72. Within two working days of the receipt of recommendations for dismissal of the motion for Impeachment under Section 71 of this Act, the Speaker shall, announce the decision in the House.

Referral to Office of the Attorney General

73. If the Committee finds that sufficient grounds for impeachment exist, it shall submit its report on impeachment resolution setting forth the Articles of impeachment to the Speaker.
74. The Article of impeachment shall contain *inter alia*, the following matters:
- (1) A summary of particulars of each allegation mentioned in the motion of impeachment.

- (2) The ground for each article of impeachment and the evidence thereof, if any,
 - (3) Other necessary matters.
75. The Speaker shall, within two working days after the receipt of the report from the Committee, direct the Attorney General to prepare a written report on the Articles of Impeachment.
76. The Attorney General shall submit a report on the Articles of impeachment to the Speaker, among others, specifying;
1. The merit or demerit of the case along with the articles by which the holder of the constitutional office may be impeached;
 2. Reasoned opinion on the admissibility of the evidence; and
 3. Any other important information related thereto.
77. The Attorney General shall not reject or dismiss the report of the committee.
78. The Attorney General shall submit Articles of Impeachment to the Speaker within twenty one working days from the receipt of report.

Submission to the Druk Gyalpo

79. Upon receipt of the report on the Articles of Impeachment from the Attorney General, the Speaker shall submit request to the Druk Gyalpo to command a

joint sitting of Parliament for the impeachment proceeding.

80. Upon receipt of the Command from the Druk Gyalpo, the Speaker in consultation with the Chairperson shall convene joint sitting of the Parliament to conduct impeachment proceedings.

Information to the Presiding Officer

81. The Speaker shall inform the Presiding Officer about schedule of the joint sitting for impeachment proceeding.

Notice of Impeachment Proceeding

82. Upon receipt of the schedule for impeachment proceeding, the Presiding Officer shall:
- (1) Provide copies of the report on the Articles of impeachment submitted by the Attorney General to the Holder of the Constitutional Office; and
 - (2) Direct the Attorney General and the Holder of the Constitutional Office to make statements in the joint sitting.

CHAPTER 9 PRESIDING OFFICER

Presiding Officer

83. The Chief Justice of Bhutan shall preside over all impeachment proceedings and, in the case of the impeachment of the Chief Justice of Bhutan, the senior most Drangpon of the Supreme Court shall preside.

Powers and Functions of the Presiding Officer

84. The Presiding Officer:
- (1) Shall conduct impeachment proceeding in a fair and expeditious manner;
 - (2) May extend the impeachment proceeding beyond the fixed date, if deemed necessary; or
 - (3) Shall carry out other duties as may be necessary.
85. The Presiding Officer shall not:
- (1) Express any opinion that would materially influence the merit of the case; and
 - (2) Participate in the vote for or against the removal of the Holder of the Constitutional Office.

**CHAPTER 10
IMPEACHMENT PROCEEDING**

86. After the statement is made by the Attorney General, the Holder of the Constitutional Office shall be granted an opportunity to make a statement. If he or she pleads guilty to any allegations or articles of impeachment or does not contest, the Presiding officer shall pronounce him or her guilty under section 96 of this Act.

Venue

87. Conduct of impeachment proceedings shall be the Hall of the National Assembly.

Conduct of Impeachment Proceeding

88. The impeachment proceeding shall commence with a statement on the Articles of impeachment by the Attorney General.
89. During the impeachment proceeding, no witness or additional evidence shall be produced.
90. After the statement of the Holders of the Constitutional Offices if any, the Presiding Officer may grant opportunity to the members of Parliament to question the Attorney General and the Holders of the Constitutional Offices.

Closing Statements

91. After deliberation by the Parliament, the Presiding Officer shall grant opportunity to the Attorney General and Holder of the Constitutional Office to make their closing statements.

Vote of Removal

92. After the closing statements, the Presiding Officer shall direct the Members of Parliament to cast their vote for or against removal of the Holder of the Constitutional Office on each Articles of Impeachment separately.

Removal from the Office

93. A Holder of the Constitutional Office shall be deemed to be impeached if the motion for impeachment is passed by a vote of not less than two-thirds of the total number of Members of Parliament.

94. If Parliament finds the Holder of the Constitutional Office guilty on any Articles of impeachment, he or she shall be removed from the office.

Retention of Post

95. In the event, the motion for impeachment of a Holder of Constitutional Office is not passed by a vote of not less than two-thirds of the total number of Members of the Parliament, the impeachment shall stand revoked and he or she shall be reinstated with immediate effect.
96. The Presiding Officer shall pronounce the decision of the Parliament under Section 93 of this Act and the decision shall be recorded in writing.
97. The Speaker shall submit decision of the Parliament under Section 93 of this Act to the Druk Gyalpo.

Appeal

98. The decision of Parliament shall not be subject to appeal before any court of law.

Effect of Decision of Parliament

99. The Holders of the Constitutional Offices who have been impeached shall be disqualified from holding any public service position and their post-retirement benefits shall be forfeited, except their own provident fund.

Continuation of the proceeding

100. In case of demise or if the Holder of Constitutional Office goes missing during impeachment proceeding, the proceeding shall be continued and concluded in all respects as if he or she has not expired.
101. If the Holder of the Constitutional Office resign after the Speaker directs the Attorney General to submit the report on the Articles of Impeachment, he or she shall be deemed to be impeached under this Act for all purposes.

Benefits

102. During the Impeachment proceedings, the salary and other benefits of a Holder of Constitutional Office shall be as per the relevant laws of the Kingdom of Bhutan.

**CHAPTER 11
MISCELLANEOUS**

103. The Holder of Constitutional Office may plead or defend himself or herself in person or be represented by a Bhutanese Jabmi or representative of his or her choice.

Rule Making Power

104. Parliament may make rules for effective implementation of the provisions of this Act including procedure for conduct of investigation by the Committee.

Amendment

105. The amendment of this Act by way of addition, variation or repeal may be effected only by the Parliament.

Authoritative Text

106. In any instance of difference in meaning between the Dzongkha and the English texts of this Act, Dzongkha text shall be regarded as the authoritative text.

Definitions

107. In this Act, unless the context otherwise requires:
1. “Articles of Impeachment” means the charge framed against the Holder of Constitutional Office by the Office of the Attorney General based on the report and findings of Impeachment Investigation Committee;
 2. “Chairperson of the Committee” means the Chairperson of the Impeachment Investigation Committee;
 3. “Chairperson” means the Chairperson of the National Council of Bhutan;
 4. “Committee” means the Impeachment Investigation Committee;
 5. “Incapacity” means a severe physical, mental or other incapacity of a permanent nature that materially impedes a Holder of Constitutional Office from discharging his or her official functions.
 6. “Incompetence” refers to a lack of administrative or professional skills or ability that materially impedes a Holder of Constitutional Office from

discharging his or her official functions effectively.

7. “Investigation” refers to all investigation conducted by the Impeachment Investigation Committee.
8. “Serious Misconduct” would include:
 - (a) Gross violation of the Code of Conduct;
 - (b) Violation of constitutional duties;
 - (c) Willful violation of any provision of law, that substantially and adversely affect interest of the office; or
 - (d) Conviction for any criminal offence and sentenced to imprisonment.
- (9) “Speaker” means the Speaker of the National Assembly of Bhutan.

Schedule I

Notice of Impeachment Motion

The Secretary General
National Council/ National Assembly of Bhutan
Thimphu

Sir/Madam,

I intend to move a motion, under Article 32 of the Constitution of the Kingdom of Bhutan or Section 15 of this Act, for the Impeachment of holding the position of on the grounds outlined in the attached motion.

The members listed hereunder, are in support of the motion.

Sl. No.	Name	Signature
.....
.....
.....
.....
.....

Yours Sincerely,

(Name and Signature of the Member)

Annexure II

མཚན་བརྗོད།

ཚོགས་གཉིས་རབ་ཚྗགས་སངས་རྒྱས་མོས་པོ་ཆེ།
སྒྲིགས་དུས་སྐབས་མགོན་མ་རྟུ་གྲུ་ཅུའི་ཞབས།
ཚྗངས་འདིའི་དྲིན་ཅན་མཐུ་ཆེན་ཚོས་ཀྱི་རྒྱལ།
མཚོག་གསུམ་མོས་གསུང་དྲག་པོས་རབ་ཏུ་མཚན།

བྱང་སེམས་དངོས་སྐུལ་ཚོས་རྒྱལ་བཞི་བ་དང་།
ཁམས་གསུམ་དབང་འདུས་མངའ་བདག་ཚོས་ཀྱི་རྗེ།
རྒྱལ་བརྒྱད་དར་ཁྱུན་རྒྱལ་སྐབས་གཞོན་ཅུའི་ཞབས།
སློ་གསུམ་རབ་ཏུ་གྲུས་པས་སྐབས་སུ་བསྟེན།

འབངས་ཀྱི་རེ་འདོད་ཚྗགས་ཕྱིར་བྲིམས་ཀྱི་སྡེ།
འཕྲིན་ལས་བསམ་གྲིས་མི་ཁྱབ་འཛིན་སྐྱོང་སྡེ།
སོམ་གཉིས་དྲུ་བ་གཅོད་པའི་དང་བྲིམས་སྡེ།
སྡེ་གསུམ་འཛོམས་པས་རྒྱལ་ཁབ་གོང་དུ་འཕེལ།

ཚྗངས་འདིའི་ལྷན་རྒྱས་རྣམས་དང་དེ་མཉམ་གྱི།
གོ་གནས་དང་མཚུངས་ཡོངས་ཀྱིས་རྒྱལ་འབངས་ལ།
ཕྱག་ཕྱིད་རབ་ཏུ་བསྐྱང་བའི་ཕོགས་འཐུས་སོགས།
གསལ་བར་བྱད་པའི་བྲིམས་ཀྱི་མེ་ལོང་ཞུགས།

PREAMBLE

WHEREAS a Minister or Minister Equivalent Post Holder occupies a high public office with important functions and responsibilities and is the ultimate decision-maker on many key policy issues.

WHEREAS it is desirable to adequately remunerate a Minister or Minister Equivalent Post Holder to enable him or her to perform his or her functions and discharge responsibilities in an efficient, fair and transparent manner with accountability and integrity.

Parliament of the Kingdom of Bhutan do hereby, enacts as follows:

CHAPTER 1 PRELIMINARY

Short Title

1. This Act is the Minister and Minister Equivalent Post Holder's Entitlement Act of the Kingdom of Bhutan 2019.

Commencement

2. This Act comes into force on the Day of the Month of the Year corresponding to the Day of the Month of 2019.

Extent

3. This Act extends to the whole of the Kingdom of Bhutan.

Application

4. This Act applies to every Minister and Minister Equivalent Post Holder as defined in section 58(6) and (7) of this Act.

Principal Objects

5. The principal objects of this Act are:
 - (1) to provide a legal framework on the Entitlement of a Minister and Minister Equivalent Post Holder;
 - (2) to establish a National Committee on the Entitlement of a Minister and Minister Equivalent Post Holder; and
 - (3) to provide for any matter, which is consequential, ancillary or incidental to subsections (1) and (2) of this section.

Repeal

6. Any act, executive order, circular, rule or notification, in so far as it is inconsistent with the provisions of this Act, is hereby repealed.

Transitional and Saving

7. Anything done or an action taken under the repealed executive order, circular, rule or notification before the commencement of this Act, shall continue as if such

executive order, circular, rule or notification had not been repealed.

CHAPTER 2

NATIONAL COMMITTEE

Establishment

8. The National Committee on the Entitlement of a Minister and Minister Equivalent Post Holder is hereby established.

Members

9. The National Committee consists of seven members nominated by:
 - (1) the Chief Justice of Bhutan;
 - (2) the Speaker of the National Assembly;
 - (3) the Chairperson of the National Council;
 - (4) the Opposition Leader;
 - (5) the Chairperson of Privy Council;
 - (6) the Cabinet and
 - (7) the Minister of Finance as a non-voting Member Secretary

Functions

10. The National Committee shall review and recommend to the Pay Commission on the Entitlement of a Minister and Minister Equivalent Post Holder.

Rules of Procedures

11. The National Committee may make its own rules of procedures, including the election of its chair.

CHAPTER 3

ASSUMPTION OF AND LEAVING OFFICE

Carriage Charge

12. A Minister or Minister Equivalent Post Holder:
 - (1) is entitled to be paid the expenses on carriage of his or her personal effects from his or her ordinary place of residence to the seat of government, subject to such conditions or monetary ceilings to be prescribed by Rules; and
 - (2) shall refund such expenses, if a competent authority subsequently declares his or her elections or appointments ineffective.

Vehicle Quota

13. A Minister or Minister Equivalent Post Holder is, upon his or her Separation, entitled to:
 - (1) a one-time vehicle quota, which exempts the custom duty and sales tax for the purchase of motor vehicle with 3000cc engine or less of any type and make; or
 - (2) monetized amount in lieu of eligible vehicle quota as prescribed in the Rules

Handing of Property

14. After a Minister or Minister Equivalent Post Holder occupies the Official Residence, the officer concerned of the relevant agency shall, according to an inventory to be drawn up and signed, handover the charge of:
- (1) the Official Residence; and
 - (2) all the Property in that Official Residence:
 - (a) to such Minister or Minister Equivalent Post Holder; or
 - (b) to a person authorized in writing in that behalf by him or her.

Return of Property

15. A Minister or Minister Equivalent Post Holder shall, before vacating the Official Residence, hand over to the officer concerned of the relevant agency according to an inventory to be drawn up and signed.

Recovery of Dues

16. An amount due, if any, which is not recoverable otherwise, at the time of a Ministers or Minister Equivalent Post Holder's Separation is recoverable from his or her:
- (1) gratuity; or
 - (2) own provident fund contributions, if such gratuity is insufficient to make full recovery.

CHAPTER 4 SALARIES

Computation of Salary

17. For the purpose of computing Salary payable under this chapter, a Minister or Minister Equivalent Post Holder holds a minister or minister equivalent posts from:
- (1) the day of his or her *dakyen* or his or her appointment; and
 - (2) In the case of the Opposition Leader, from the day of *dakyen* received:
 - (a) by him or her; or
 - (b) by the Speaker of the National Assembly.
18. A Minister or Minister Equivalent Post Holder holds a minister or minister equivalent post until his or her Separation.

Payment of Salary

19. A Minister or Minister Equivalent Post Holder is entitled to be paid a Salary at a rate approved by the *Lhengye Zhungtshog*:
- (1) based on the recommendation of the Pay Commission; and
 - (2) subject to such conditions and modifications as Parliament may make.
20. The Salary payable under this chapter is to be paid:
- (1) monthly in arrear; or
 - (2) on a pro rata basis in respect of periods of less than one month.

Variation of Salary

21. The Salary of a Minister or Minister Equivalent Post Holder is not to be varied to his or her disadvantage during the terms of his or her office except in accordance with the Constitution.

CHAPTER 5 ALLOWANCES

Daily Subsistence Allowance

22. A Minister or Minister Equivalent Post Holder is, when he or she travels for official purposes, whether within or outside Bhutan, entitled:
 - (1) to be paid a daily subsistence allowance at a rate to be prescribed by Rules; and
 - (2) to the use of executive or business class, including the executive lounges when he or she travels.

Incidental Expenses

23. A Minister or Minister Equivalent Post Holder is entitled to be paid an incidental expenses at a rate to be prescribed by Rules.

Communication Allowance

24. A Minister or Minister Equivalent Post Holder is, subject to such conditions or monetary ceilings to be prescribed by Rules, entitled to be paid a fix monthly communication allowance.

Discretionary Allowance

25. A Minister or Minister Equivalent Post Holder is entitled to be paid a discretionary allowance on an annual basis at a rate to be prescribed by Rules.

Hospitality and Entertainment

26. A Minister or Minister Equivalent Post Holder is, subject to production of original bills, invoices or receipts, entitled to be paid actual expenses incurred for hospitality and entertainments directly related to the active conduct of official business.
27. The annual cost to the exchequer incurred by a Minister or Minister Equivalent Post Holder on Hospitality and Entertainment shall be reported to the Parliament.

Leave Travel Concession

28. A Minister or Minister Equivalent Post Holder is entitled to be paid a leave travel concession on an annual basis at a rate and subject to such conditions or monetary ceilings to be prescribed by Rules.

Motor Vehicle

29. A Minister or Minister Equivalent Post Holder is, subject to such conditions or monetary ceilings to be prescribed by Rules, entitled:
- (1) to the use of government motor vehicle of any make and type that does not exceed 3000cc engine; and
 - (2) to be paid by the government such motor vehicle's entire cost of:

- (a) maintenance;
 - (b) propulsion; and
 - (c) the services of chauffeur.
30. Notwithstanding section 29, the conditions or monetary ceilings do not apply to the Prime Minister.

Change of Portfolio

31. A Member of Parliament shall, if he or she is subsequently appointed as a Minister or Minister Equivalent Post Holder, refund the vehicle purchase allowance, if any; fully or on a pro rata basis.

CHAPTER 6 RESIDENCE AND FACILITIES

Official Residence

32. A Minister or Minister Equivalent Post Holder is entitled to the use and maintenance of a furnished Official Residence at government expense.:
- (1) throughout his or her term of office; and
 - (2) for a maximum period of one month immediately thereafter.
33. A demised Minister or Minister Equivalent Post Holder's family is, without payment of rent, entitled to the use of Official Residence occupied by such Minister or Minister Equivalent Post Holder for a:
- (1) period of two months immediately after Minister or Minister Equivalent Post Holder's demise; and

- (2) further period of one month, on payment of rent at rates to be prescribed by Rules.

House Rent Allowance

34. A Minister or Minister Equivalent Post Holder is, if the Official Residence per entitlement is unavailable, entitled to be paid a monthly rent at rates to be prescribed by Rules until the government provides such Official Residence.

Private Residence

35. A Minister or Minister Equivalent Post Holder who chooses to reside in his or her own house even if the Official Residence per entitlement is available, is not entitled to be paid a house rent and maintenance allowance, including the furniture and furnishings or utility allowance.

Residential Telephone

36. Notwithstanding section 35, a Minister or Minister Equivalent Post Holder is, even if he or she chooses to reside in his or her own private house, entitled:
 - (1) to the use of a telephone to be installed at his or her private residence at the government expenses; and
 - (2) to be paid rental and charges of all official calls made therefrom by the government.

Medical Facilities

37. A Minister or Minister Equivalent Post Holder is, in accordance with the National Medical Treatment Rules, as amended, entitled:
- (1) to medical treatment; and
 - (2) to the use of medical facilities.

Office Equipment

38. A Minister or Minister Equivalent Post Holder is, once during his or her term of office, entitled to be provided an ipad or a tablet and a laptop at government expense subject to such specifications or conditions to be prescribed by Rules.

Duty of Care

39. Each Minister or Minister Equivalent Post Holder shall take all reasonable care of the Official Residence and the Properties assigned to him or her.

Other Benefits

40. A Minister or Minister Equivalent Post Holder is, during his or her term of office, entitled to the use of one domestic helper at government expense, who may be:
- (1) an elementary service personnel; or
 - (2) a general service personnel.
- For the purpose of this section, an elementary service or general service personnel has the same meaning as defined in the Civil Service Act, as amended.

41. A Minister or Minister Equivalent Post Holder's family is, subject to such conditions or monetary ceilings to be prescribed by Rules, entitled:
- (1) to the use of government motor vehicle of any make and type that does not exceed 1200cc engine; and
 - (2) to be paid by the government such motor vehicle's entire cost of:
 - (a) maintenance;
 - (b) propulsion; and
 - (c) the services of chauffeur.

CHAPTER 7 SEPARATION

Eligibility for Benefits

42. A Minister or Minister Equivalent Post Holder is not entitled to be paid any retirement and other associated benefits, if he or she:
- (1) is terminated, whether by way of administrative action or otherwise;
 - (2) willfully remains outside the country with knowledge of his or her indictment or charges; or
 - (3) fails to appear, testify or produce any document relating to his or her service, before a lawful authority without a reasonable justification.
43. Notwithstanding Section 40, a Minister or Minister Equivalent Post Holder is entitled to be paid his or her own contribution to the provident fund.

Provident Fund

44. A Minister or Minister Equivalent Post Holder shall pay contributions toward the provident fund in such percentage of his or her basic Salary to be prescribed by Rules.
45. The government shall pay an amount equivalent to a Minister or Minister Equivalent Post Holder's contribution to the provident fund as the government's contribution.
46. A Minister or Minister Equivalent Post Holder is, subject to section 42, entitled to be paid the provident fund, which consists of:
 - (1) his or her own contributions with interests thereon; and
 - (2) the government's contribution with interests thereon.

Gratuity

47. A Minister or Minister Equivalent Post Holder is, subject to production of an audit clearance certificate, entitled to be paid a gratuity equal to his or her last month's Salary for each completed years of service.
48. If a Minister or Minister Equivalent Post Holder serves at least 180 days or more, it shall be counted as one year of service for the purpose of the gratuity payment.

Group Insurance Scheme

49. A Minister or Minister Equivalent Post Holder shall:
- (1) pay contributions toward the group insurance scheme in such percentage of his or her Salary to be prescribed by Rules; and
 - (2) entitled to be paid such contributions upon his or her Separation.

Repatriation Allowance

50. A Minister or Minister Equivalent Post Holder is, subject to such conditions or monetary ceilings to be prescribed by Rules, entitled to be paid actual expenses on:
- (1) travel from the seat of government to his or her ordinary place of residence; and
 - (2) transport of his or her personal effects.

Nominees

51. A Minister or Minister Equivalent Post Holder's retirement benefits shall, upon his or her demise, be:
- (1) paid to his or her nominee subject to such conditions to be prescribed by Rules; or
 - (2) disposed off in accordance with the provisions of relevant laws, if there is no nominee.

CHAPTER 8 MISCELLANEOUS

Exclusion

52. A Minister or Minister Equivalent Post Holder shall be paid only the Entitlement as specified in this Act.

Right to Leave

53. A Minister or Minister Equivalent Post Holder is entitled to the use of leave, which consist of casual, earned, maternity, paternity, bereavement and medical leave to be more fully described by Rules.

Power to Make Rules

54. The National Committee shall make rules for the carrying out of the provisions of this Act.

Rules of Construction

55. In this Act, the singular includes the plural and vice versa.

Amendment of Act

56. Parliament may, by way of addition, variation or repeal, amend this Act.

Authoritative Text

57. In any instance of difference in meaning between the Dzongkha and the English texts of this Act, the Dzongkha text shall be regarded as the authoritative text.

Definitions

58. In this Act, unless the context otherwise requires:
- (1) “Constitution” means the Constitution of the Kingdom of Bhutan;
 - (2) “Entertainment” means an attendance at social, cultural or sporting events with officials or people who have or who may facilitate the active conduct of official business. It excludes an

- entertainment in connection with the regular constituency visits by whatever names called;
- (3) “Entitlement” mean the salaries, allowances, benefits and other emoluments, including leave;
 - (4) “Hospitality” means meals, local beverages, as well as tea and snacks given to, or received from officials or people who have or who may facilitate the active conduct of official business. It excludes donations, rewards and offerings of a personal nature and expenses on regular constituency visits by whatever names called;
 - (5) “Maintenance” in relation to Official Residence includes:
 - (a) the maintenance of furniture and furnishings;
 - (b) the payment of local rates and taxes;
 - (c) free supply of electricity and water; and
 - (d) telephone.
 - (6) “Minister Equivalent Post Holder”, for the purposes of this Act, means:
 - (a) notwithstanding the Entitlement and Service Conditions Act for the Holders, Members and Commissioners of the Constitutional Offices of Bhutan 2010, as amended; the chief justice of Bhutan;
 - (b) the speaker of the national assembly;
 - (c) the chairperson of the national council;
 - (d) the opposition leader; and
 - (e) the Minister Equivalent Post Holders appointed by the *Druk Gyalpo*;

- (7) “Minister” means a minister appointed under Article 17(3) of the Constitution, including the Prime Minister;
- (8) “National Committee” means the committee on the Entitlement of a Minister and Minister Equivalent Post Holder as established under chapter 2 of this Act;
- (9) “Official Residence” means the house reserved from time to time for use by Ministers and Minister Equivalent Post Holders and includes the staff quarters and other buildings appurtenant to;
- (10) “Pay Commission” has the same meaning as defined in Article 30(1) of the Constitution;
- (11) “Property” include the furniture and furnishings, motor vehicle, telephones, and all other facilities provided by government but excluding the ipad or a tablet and a laptop;
- (12) “Rules” mean the rules made under section 53 of this Act;
- (13) “Salary” means the monthly basic salary excluding allowances, benefits and other emoluments; and
- (14) “Separation” means a cessation of a Minister or Minister Equivalent Post Holder’s employment.

Annexure III

List of Members

1. His Excellency, Tashi Dorji, Chairperson,
Wangduephodrang Dzongkhag
2. Hon'ble Jigme Wangchuk, Deputy Chairperson,
Samdrupjongkhar Dzongkhag
3. Hon'ble Dasho Tashi Wangyel, His Majesty's Nominee
4. Hon'ble Phuntsho Rapten, His Majesty's Nominee
5. Hon'ble Tashi Wangmo, His Majesty's Nominee
6. Hon'ble Karma Tshering, His Majesty's Nominee
7. Hon'ble Kesang Chuki Dorjee, His Majesty's Nominee
8. Hon'ble Nima, Bumthang Dzongkhag
9. Hon'ble Sangay Dorji, Chhukha Dzongkhag
10. Hon'ble Surjaman Thapa, Dagana Dzongkhag
11. Hon'ble Dorji Khandu, Gasa Dzongkhag
12. Hon'ble Ugyen Namgay, Haa Dzongkhag
13. Hon'ble Tempa Dorji, Lhuentse Dzongkhag
14. Hon'ble Sonam Pelzom, Mongar Dzongkhag
15. Hon'ble Ugyen Tshering, Paro Dzongkhag
16. Hon'ble Choining Dorji, Pemagatshel Dzongkhag
17. Hon'ble Lhaki Dolma, Punakha Dzongkhag
18. Hon'ble Tirtha Man Rai, Samtse Dzongkhag
19. Hon'ble Anand Rai, Sarpang Dzongkhag
20. Hon'ble Tshewang Rinzin, Thimphu Dzongkhag
21. Hon'ble Karma Gyeltshen, Tashiyangtse Dzongkhag
22. Hon'ble Lhatu, Trashigang Dzongkhag
23. Hon'ble Tashi Samdrup, Trongsa Dzongkhag
24. Hon'ble Dhan Kumar Sunwar, Tsirang Dzongkhag
25. Hon'ble Pema Dakpa, Zhemgang Dzongkhag