

**PROCEEDINGS AND RESOLUTIONS OF THE SIXTY SEVENTH SESSION OF THE
NATIONAL ASSEMBLY OF BHUTAN
(21ST NOVEMBER - 29TH NOVEMBER,1988.**

The 67th Session of the National Assembly of Bhutan was opened on the auspicious day of the 21st November, 1988. In accordance with tradition, Shugdrel and other ceremonies were performed. The Speaker of the Assembly welcomed His Majesty the King, Representatives of the Monk Body, of the People, and of the Government to the Session.

1. APPOINTMENT OF THE PEOPLE'S REPRESENTATIVE

As Mr. T.N. Rizal, People's Representative of Chirang and Samchi in the Royal Advisory Council, had been terminated from his post, His Majesty the King was pleased to command that a replacement be selected by the National Assembly to fill his position for the remaining period of the tenure of 11 months and 10 days, i.e. till 31st October, 1989.

In accordance with the command, the 16 Chimis of southern Bhutan and the members of the Royal Advisory Council after detailed consultations recommended the candidature of Mr.Nanda Raj Gurung, Chimi of Sibsoo Dungkhag. They felt that he would best serve the interest of the Royal Government and the people.

His Majesty the King was pleased to approve the recommendation and accordingly Mr. Nanda Raj Gurung was appointed as a Royal Advisory Councillor.

2. BHUTANESE CITIZENSHIP

The representative of Gaylegphug, Phuntsholing, Samdrup Jongkhar and Sibsoo requested the National Assembly to consider maintaining the application of relevant provisions of the 1958 and 1977 Citizenship Acts pertaining to award of citizenship to non-national spouses and children of Bhutanese Citizens upto 1985. They stated that this request was made keeping in mind the wellbeing of spouses and children.

Several Ministers, Royal Advisory Council members and Representatives of the Judiciary and the people referred to details of the provisions of the 1958, 1977 and 1985 Citizenship Acts to ensure proper understanding of the various clauses. The Assembly agreed that the 1985 Act fully safe-guarded the wellbeing of citizens and therefore required no changes. The only

proposal to the National Assembly was whether any consideration could be made for improving the status of non-national spouses of Bhutanese and their children for marriages that took place prior to the 1985 Act.

The Deputy Minister, Ministry of Home Affairs, reported to the National Assembly that all inter-marriages between Bhutanese and foreign nationals prior to coming into force of the 1977 Act would have to be governed by the provisions of the 1958 Act. Similarly, cases prior to coming into force of the 1985 Act would have to be subject to the provisions of the 1977 Act. Inter-marriages after 1985 would come under the purview of the 1985 Citizenship Act.

The Representatives of the people unanimously endorsed the statement of the Deputy Minister, Ministry of Home Affairs with regard to implementation of the various laws. They also agreed that the Acts fully safe-guarded the wellbeing of the people and the interest of the country.

His Majesty the King was pleased to state that during the Royal Tours of Dzongkhags of southern Bhutan it came to his notice that the people's basic concern was with the coming into force of the 1985 Act, the various provisions of the 1958 and 1977 Acts would be superseded, generating difficulties for those citizens married to non-nationals prior to 1985. In this context His Majesty noted that in the application of the 3 Acts promulgated on the subject of citizenship in a span of 27 years, the provisions of all three Acts for the relevant period under which each was in force must be honoured.

3. RESIDENCE PERMIT

His Majesty the King was pleased to state that the Citizenship Act had been formulated and passed by the National Assembly, taking into account the present and future security and stability needs of a small country like Bhutan. Therefore, all the Assembly member must recall this decision and ensure that there are no continuous changes in the important laws and regulations of the country.

His Majesty the King was pleased to note that in accordance with the Citizenship Acts promulgated in 1958, 1977 and 1985, the children of Bhutanese men married to non-nationals prior to 1985 would be automatically eligible for citizenship. In the case of the Bhutanese women married to non-nationals, her husband and children would according to the law not be considered as citizens. His Majesty assured the National Assembly that it was not the intention

of the Royal Government to separate parents and children, husbands and wives from living together. In consideration of their welfare, His Majesty suggested that non-nationals married to Bhutanese and are not eligible to citizenship according to the provisions of the existing laws, could be granted special residence permit. They would also be entitled to health, education and other social benefits extended to citizens of the country.

According to Government's statistics, 11,442 marriages between Bhutanese and non-nationals have taken place during the last 20 years. As the number is not small, but runs into tens of thousands, it is necessary that the Ministry of Home Affairs, Department of Census, and the respective Dzongkhags, Gups and Chimis carry out investigations to ensure that the marriages are genuine and in conformity with the law. Marriages which have take place according to necessary procedures could be given special residence permit.

If the Royal Government does not proceed strictly in accordance to the provisions of its laws, it is likely that non-nationals may come to the conclusion that irrespective of the clear laws of the country the Government would grant citizenship once inter-marriages have taken place. Under such circumstances, landless and unemployed non-nationals may resort to arrangement of marriages with Bhutanese nationals as a means of settling down in the country. If such cases take place in large numbers, as it has happened in many other countries, the peace and stability of the country will be affected. Therefore, even the granting of the special residence permits should be limited to those married prior to coming in force of the 1985 Act and should not be applicable to any individuals married thereafter.

His Majesty the King was pleased to state that marriages between Bhutanese and non-nationals are not prohibited, so long as they are carried out fully in accordance with the Citizenship and Marriage laws of the country.

His Majesty the King was pleased to point out that most of the difficulties have arisen not because the legislation is not clear, but because government officials and people concerned with the implementation of the laws do not follow and apply them strictly. Accordingly, to preserve the sovereignty of Bhutan and safeguard the peace and wellbeing of the people, His Majesty the King was pleased to command that all laws of the country including the Citizenship Act, Land Act, Marriage Act, Inheritance Act passed by the National Assembly must not be subject to changes and amendments each year for minor reasons.

The National Assembly resolved that the new rule with regard to issuing of special residence permit as suggested by His Majesty the King shall be introduced and strictly implemented. The Assembly also recognized that in the interest of the country, all other laws must be strictly adhered to.

4. ADOPTION

The Deputy Minister, Ministry of Home Affairs, reported to the National Assembly that during the census, among others, numerous cases of adoption of non-nationals by Bhutanese had been observed.

In this context, many representatives stated that adoption of children should only be permitted from birth to the age of about 5 to 7 years. Some members noted that older children employed for domestic work were being put forward as adoption cases. They proposed that such adoptions should not be considered for award of Bhutanese Citizenship.

The Deputy Minister, Ministry of Home Affairs, reported that adoption of children whether Bhutanese or non-nationals should be permitted provided the cases are processed through the Thrimkhangs and appropriate agreements stating that the child would be entitled to full benefits under the Inheritance Act as applicable to natural born children are undertaken. Children adopted according to these procedures shall be recognized by the Ministry of Home Affairs and the Thrimkhangs as foster children and shall be permitted to be registered in the census as citizens.

The National Assembly approved the proposal of the Ministry of Home Affairs.

5. BHUTANESE NATIONALS WHO HAVE EMIGRATED FROM THE COUNTRY AND RETURNED TO BHUTAN

The Deputy Minister, Ministry of Home Affairs, reported that in accordance with the 1985 Citizenship Act, Bhutanese nationals who have earlier emigrated from the country are permitted to apply for citizenship, provided they had clearly stated the reasons of their departure and approval of the Government had been accorded. Those who have emigrated without prior approval of the Government shall not be entitled to citizenship on their return.

During the long deliberations on the subject in the National Assembly, the representatives of Haa, Samdrupjongkhar, Lamidara, Punakha, Thimphu, Wangdi, the Foreign Minister, Director General of Agriculture, Representative of the High Court, Representatives of the Royal Advisory Council made several observations. Some stated that those emigrating to other countries show disregard to Bhutan and, therefore, should not be granted citizenship on their return. Some stated whether people emigrate with or without Government permission, they do so to avoid national obligations like Woola and taxes. Such people return not because of their loyalty to Bhutan, but because of economic development and increased public welfare in the country.

Some members stated that those who leave their parents and property in Bhutan and emigrate for matrimonial reasons but return due to circumstances should be granted citizenship. Other members argued that irrespective of the reasons for emigrating from Bhutan, the departure cannot be considered as well-intentioned and, therefore, such persons should not be granted citizenship on their return. Several members pointed out that reporting to the Government prior to departure cannot alone entitle individuals to citizenship. Therefore, irrespective of whether the matter had been reported to the Government or not, emigrants should not be automatically entitled to citizenship on their return.

The National Assembly resolved that any Bhutanese national taking residence in another country for purposes of immigration shall not be considered Bhutanese Citizen from the day of departure.

6. BHUTANESE NATIONALS NOT INCLUDED IN THE CENSUS

The Deputy Minister, Ministry of Home Affairs, reported that genuine Bhutanese nationals not appearing in the census register shall be confirmed citizenship and included in the census after thorough investigations are carried out by the Ministry of Home Affairs, the Department of Census and respective Dzongkhags and Chimis. This must be undertaken within 1989.

His Majesty the King was pleased to state that in reviewing the records of 9 Dzongkhags, it was found that 12,103 Bhutanese nationals have not been registered in the census. Thorough investigation would be carried out on each case. Those who have not been registered due to lack of knowledge or for justifiable reasons shall be permitted to be included in the census in 1989 and shall not be subject to any sanctions. Those deliberately avoiding to appear in the census for reasons of evasion of Woola and taxes, shall be subject to penalties depending on

the seriousness of their actions. Further, appropriate punishment shall also be imposed on government officials, Gups and other defaulters responsible for deliberate exclusion of people from the census.

The National Assembly approved the proposal of the government.

7. FOREIGN NATIONALS WHO HAVE LAND AND PROPERTY IN BHUTAN

The Deputy Minister, Ministry of Home Affairs, reported to the Assembly that foreign nationals who have acquired land and property in accordance with the laws of the country should be permitted to apply for citizenship in accordance with the 1985 Citizenship Act. Those who have acquired immovable properties illegally shall not be admissible for citizenship.

The National Assembly resolved that the matter would be dealt in accordance with the proposal of the Deputy Minister, Ministry of Home Affairs, as and when such cases arise.

8. OTHER MATTERS PERTAINING TO CENSUS AND CITIZENSHIP

The Deputy Minister, Ministry of Home Affairs, reported that uptill the 67th Session of the National Assembly, census of only 9 Dzongkhags had been completed. Work in the remaining Dzongkhags had already been initiated. Although many problems had emerged, the government has taken appropriate steps and necessary initiatives to resolve them. The work now was proceeding smoothly. He stated that it was the duty and responsibility of every citizen to fully support the important task of national census.

The Deputy Minister also reported that other non-nationals living in Bhutan not covered under the various categories outlined in the laws and acts of the country shall in no case be considered for citizenship. With regard to non-nationals working in the country, he stated that regular identity cards were being issued for the duration of their permitted stay.

The National Assembly endorsed the statement of the Deputy Minister, Ministry of Home Affairs.

Note : -

The Speaker of the National Assembly noted that as the Citizenship Act and the Marriage Act were matters of great national importance, the Assembly postponed their agenda items of the 21st and 22nd November, 1988 in order to review the issues in detail. The discussion resulted in clear decisions which will benefit the people and the country. It was observed that if all members knew and understood the laws fully and implemented them accordingly, it would not have been necessary to hold lengthy discussions on laws passed by the National Assembly itself.

The Speaker recalled that His Majesty the King commanded on numerous occasions to the National Assembly and to the Lhengyel Shungtshog that it is imperative that all citizens respect and abide fully by the laws of the country in order to safeguard the sovereignty of Bhutan and the wellbeing of its people. Properly laws and regulations exist in all aspects of national life. Problems which have emerged are due to people not abiding to the laws and rules passed by the National Assembly, Lhengyel Shungtshog, the Government and the people must ensure that all laws of the country are strictly adhered to .

The Speaker concluded the discussion on the Citizenship and Marriage Act reminding all members of the importance of these laws, which were proposed and passed by the National Assembly itself and the need to strictly adhere to the Acts.

9. WELFARE OF LANDLESS PEOPLE

The Representative of Ghasey Tsowom, Wangdiphodrang Dzongkhag, reported to the National Assembly that the Royal Government's programmes for landless people should allow persons who do not possess more than 3 to 4 langdos the acquisition of the government adjoining land.

The Deputy Minister, Ministry of Home Affairs, reported that the Royal Government in consideration of the difficulties of landless and marginal farmers had through the Cabinet, framed new proposals for allocation of land and a new system of mobilization of people for the national workforce. Both measures had been made known to all 18 Dzongkhags by the Ministry of Home Affairs and had been broadcast and published through the national media. However, as such matters were reported to the Assembly, some people must have not clearly understood the policies and their implications. The Secretariat read out in the National Assembly the 2 policies for the benefit of all members.

Several members commented that if people were continuing to request for adjoining government land, the case seemed to be of unproductive plots lying unused, which could not be of any value to the people themselves or their children. These landless and marginal farmers should think carefully and avail of the Government's resettlement programmes where, in addition to land, facilities such as schools, dispensaries, roads and water would be available. This would set a good example for other landless and marginal farmers.

Some members noted that the programme of mobilization of national workforce would provide landless and marginal farmers with a good opportunity of employment and adequate remuneration, housing and other benefits. Therefore, this programme was extremely beneficial for the wellbeing of poor people.

The National Assembly members expressed appreciation of the government policy of resettlement and mobilization of workforce. The Assembly resolved that the related programmes must be carried out in accordance with the new policies.

His Majesty the King was pleased to note that despite the existence of resettlement programmes and the adequate divulgence of information, people continued to approach the government for allotment of land, which was incompatible with the pursuance and application of the law.

For the benefit of the National Assembly members, His Majesty the King recalled that in the last fifteen years more than 5000 households had been granted a total of more than 15,000 acres of land, an area equivalent to cover 60,000 langdos. If the various cases were carefully investigated, many persons would be penalized for irregularities, some recipients had appropriated more land than awarded in the Royal Kasho, some had sold the land given for their wellbeing to wealthy and influential persons. Such cases are being investigated by the Home Ministry.

His Majesty the King noted that in all the Dzongkhags there are good agricultural land which has been left uncultivated due to lack of manpower. At the same time, landless people continue to look for marginal and unproductive land which are of little use to improving their livelihoods. The danger in the long run is that, increasingly, productive agricultural land of the country becomes fallow. On the other hand, of the 30,000 persons required to be mobilized under the national workforce programme, so far 5,000 have come forward from the 18 Dzongkhags, leaving a shortage of 25,000.

Several members requested that large families with no more than 1 to 2 acres of land should be permitted to sell their property so that they can become eligible to join the resettlement programme, although the existing laws do not allow sale of land of less than 5 acres.

His Majesty the King was pleased to command that families wishing to join the resettlement schemes could be considered to be permitted to dispose of their land falling below the 5 acres limit. The Home Ministry would formulate and issue appropriate regulations governing such cases.

The National Assembly resolved that land allotment and mobilization of the national workforce must be implemented in accordance with the approved policies.

10. REQUEST FOR ALLOCATION OF LAND BY PEOPLE OF DAGCHOG GEWOG, CHUKHA DZONGKHAG

The Representative of Dagchog Gewog reported to the National Assembly that the 56 households of his gewog who had been granted land by Government could not bring the land under cultivation due to adverse soil conditions. He requested that the land in Dobji currently under the Chukha Hydel Project be granted to them.

The Deputy Minister, Ministry of Home Affairs, reported that when the above area was acquired for the project, compensation and replacement land was given to the concerned persons by the Government. The area constitutes an important and integral part of the project and, therefore needs to be retained by the Government.

The National Assembly resolved that the landless and marginal farmers in Dagchog Gewog should take advantage of the Government's resettlement programme. It was decided that it was important to retain the land in Dobji under the project.

11. RURAL HOUSE CONSTRUCTION

The Representative of Jakar Dzongkhag reported that while concessional timber is granted for construction of rural houses, the government has recently established that in areas within 30 Km of a sawmill, wood must not be felled and cut from the forest but procured through the sawmill. In such case, if a medium size house was constructed, approximately 1000 cft of

timber would be required for which Nu.12,000 would have to be paid to the sawmill. This would be a large sum for a villager to put together at one time. He proposed that the old system of allowing felling and hewing in the forest be continued.

The Secretary, Department of Forests, reported to the Assembly that minor changes had been made to the system of allotment of concessional timber for the rural house construction. The royalty in urban areas of Nu.9/cft and in rural areas of Nu.0.25 per cft, remained. The supply of sawn timber to rural areas was made only on the basis of actual costs, with no profits, at the rate of Nu.12/cft, whereas the rate for timber for commercial use and urban house construction was established at Nu.40/cft and Nu.34/cft in 1987.

The provision of concessional rates for rural house construction has been made keeping in mind the welfare of rural people. In this context, the Royal Government during 1987 lost revenues for about Nu.3.3 million on concessional timber supply in Thimphu Dzongkhag alone.

It was pointed out that felling and hewing of wood for one house if carried out manually in the forest would involve work of 6 to 7 months. If this is costed, there would be no difference with the cost of procuring ready timber from the sawmill. Further, an average-size tree can provide 100 cft of timber when cut in the sawmill, but only 40 to 50 cft of timber if cut and hewn manually. The waste left in the forest is also a potential fire hazard and a breeding ground for insects which destroys healthy trees. In addition, in most parts of the country the preparation of timber for construction takes place around the same time, and it would be extremely difficult for the Department of Forests with its limited staff to cope with all the necessary investigation work and marking of the trees.

In view of such constraints the matter had been reported in detail to the 65th Session of the National Assembly. The provision for supply of ready timber from sawmills had been formulated at that time taking into account the difficulties faced by the government in this regard. Notwithstanding these provisions, remote areas far from motorable roads and sawmills have been allowed to continue as before.

Several members reported no difficulties as a result of the application of new timber supply regulation.

The National Assembly resolved that due to inconvenience of one Dzongkhag the rules of the country cannot be changed.

12. REDUCTION OF TAXES ON CONSTRUCTION MATERIALS

The Representative of Sarbhang Dungkhag reported to the National Assembly that construction material such as corrugated galvanized iron (c.g.i) sheets should be exempted of the 12% sales tax when purchased from neighbouring Indian towns.

The Deputy Minister, Ministry of Finance, reported to the National Assembly that 23 essential items, with tax of below 5% in India, had been exempted of taxes in Bhutan. Fortythree commodities which in India are charged 8% sales tax, have a 5% tax in Bhutan. Thirtynine items with sales tax of 10 to 12% in India, have been kept at 8% in Bhutan. Items such as c.g.i. sheets have a 15% sales tax in India and 12% only in Bhutan.

He explained that the increase from 5 to 12% sales tax on c.g.i. sheets in January 1988 was decided by both the people and the government to encourage use of local materials such as treated shingles, slate and tiles.

It was reported that in 1987 Bhutan had imported commodities valued at Nu.1,030 million from India. Against this amount, the exports from Bhutan to India were worth Nu.780 million, leaving a trade deficit of Nu.250 million. Such figures should be taken into full consideration when procuring imported goods. In any event, compared with neighbouring countries, taxes in Bhutan are still kept lower for the benefit of the people.

The Deputy Minister, Ministry of Trade & Industries, stated that the government policy of encouraging use of local materials through reduction of taxes and other means, and decrease of unnecessary imports is an important principle that must be fully supported.

The National Assembly recognized the importance of maintaining the current levels of sales tax.

13. PEOPLE'S REPRESENTATIVES IN THE HIGH COURT

The Representatives of Ha, Ghasey Tsowom, and Um-Dagar (Wangdiphodrang) reported to the National Assembly that one of the two People's Representatives in the High Court was

responsible for 14 Dzongkhags creating some difficulties in coverage. They proposed that one additional post of People's Representative be created in the High Court, and the system of election be revised accordingly.

The Chairman of the Royal Advisory Council stated that the two representatives in the High Court were largely entrusted with the task of observing, on behalf of the people, that the proceedings were conducted in accordance with the laws of the country. They did not have any other individual function.

In all cases where people are dissatisfied with the High Court's judgement, it was normal practice to permit appeal to His Majesty the King. The investigation of such cases are usually forwarded to the Royal Advisory Council where there are adequate numbers of representatives of the people. After the investigations are completed, a joint session of the High Court and the Royal Advisory Council is convened in the presence of His Majesty the King and judgement passed based on the results of the investigation. This process was specially followed for controversial cases.

In consideration of this process, the Chairman pointed out that two People's Representatives in the High Court had no responsibility in conducting cases and passing judgement, except to observe the proceedings. In any event all who appealed expressed reservation on reinvestigations conducted by the People's Representatives in the High Court. Therefore, he felt that even the two current posts at senior levels were redundant, let aside the need for creation of an additional post.

The Chairman also called the attention of the National Assembly to the discussions on agenda item 18 of the 62nd Session wherein it was agreed that, for the future, elections of the two People's Representatives in the High Court be held according to a more equitable distribution of their constituencies.

The Speaker of the National Assembly stated that as decided in the 62nd Session, agenda item No.18, there would not be more than 2 People's Representatives in the High Court. The National Assembly should therefore consider whether the 2 positions would be maintained or not.

His Majesty the King was pleased to state the appointment of the People's Representative in the High Court was not essential for the application of justice as the due process of law had

been fully established and cases were tried in strict accordance with the Cha Thrim. The Government, however, would be guided by the Assembly's decision.

After long deliberations, the National Assembly resolved that the two positions of People's Representatives in the High Court shall be maintained.

14. NATIONAL ASSEMBLY MEMBERSHIP OF THE TWO PEOPLE'S REPRESENTATIVES IN THE HIGH COURT

The Representative of Sibsoo Dungkha proposed that consideration be given to grant National Assembly membership to the two People's Representatives in the High Court, to enhance their knowledge and understanding of the policies and laws of the country.

The National Assembly was informed that the number of representatives and membership was governed by the Assembly Act. The number of People's Representatives was already higher than the allotted number of seats, while the number of Government Representatives was fewer than the number of seats allocated. Further, there was already a Representative of the High Court in the Assembly. The Representative was required to be fully knowledgeable in all aspects of the laws of the country to participate meaningfully in the Assembly. The People's Representatives in the High Court may not fulfil this requirement.

The National Assembly resolved that the two People's Representatives in the High Court would not be granted membership of the Assembly.

15. CONSTRUCTION OF A MOTORABLE ROAD BETWEEN PHUNTSHOLING AND GAYLEGPUG

The representative of Gaylegphug reported to the National Assembly that if a motorable road was constructed between Gaylegphug and Phuntsholing within Bhutanese territory in the Sixth Plan, the government and the people would derive enormous benefits. He proposed that if such a project would be taken up the people were willing to provide the necessary labour.

The Director, Public Works Department, reported that it was first necessary to carefully assess the economic feasibility, financial and manpower requirements for the construction. After these studies were carried out and if the road is found meeting the various requirements, the

proposal would have to be included in the plan prior to proceeding with approval of the project and the implementation.

He informed the Assembly that the Government's priority in the road sector in the Sixth Plan was to complete motorable roads currently under construction and to carry out maintenance of all in Bhutan. In this context, the Public Works Department was in the process of taking over Km. 817 from DANTAK. With regard to new proposals they would have to be studied in detail in the light of limited manpower resources available within the country

The representatives expressed appreciation for the clear outline provided and the difficulties associated with the proposal. They requested that the proposal be kept for consideration at appropriate time in the future.

16. CONSTRUCTION OF ALL-WEATHER MOTORABLE ROAD

The representative of Daga Dzongkhag reported to the Assembly that due to unreliable conditions of the Daga-Chirang road the economic activities of the government and people in the area were being affected. He indicated that the people stood ready to provide the necessary labour if a programme for making the road all-weather was taken up.

His Majesty the King was pleased to note that the completion of the Daga-Chirang road was included in the Sixth Plan of the government for which equipment and a balance budget of Nu.12.555 millions was already available. If the people came forward to provide the necessary labour promptly, it would greatly facilitate speedy implementation of the work. His Majesty the King was pleased to command that the Department of Public Works give high priority to the project.

The representatives expressed their gratitude to His Majesty the King. The National Assembly resolved that the programme would be implemented according to His Majesty's command.

17. REQUEST FOR A ROAD BETWEEN SIBSOO AND TENDU-BARA

The Representative of Sibsoo proposed that although there is no provision in the Sixth Plan for the construction of a road between Sibsoo and Tendu-Bara, through Bhutanese territory via Biru, the construction of a road may be approved taking account of the needs of the people of the area.

The Director, Public Works Department, stated that, in the Sixth Plan of Samchi Dzongkhag the Samchi-Sibsoo road would have to be completed and black-topped, and the Samchi-Dorokha road brought upto black topping level. Two major bridges over the Diana and Chamarchi rivers were also planned to be constructed. For these projects, a budgetary provision of Nu.40.802 million had been earmarked in the Plan. If the Sibsoo/Tendu-Bara road was constructed, additional funds of Nu.25 million were required. This would not only add to the already substantial quantity of work underway, but also bring the budgetary requirement to about Nu.70 million for roads alone, equivalent to 18% of total development investment foreseen for the whole country during the Sixth Plan. Further, Samchi Dzongkhag already has a high ratio of roads in terms of accessibility as compared to any other part of the country. In view of the above reasons, it would not be possible to undertake the proposed road within the current plan.

18. CONSTRUCTION OF BRIDGES ON THE BHUR AND DOLKHOLA RIVERS

The Representative of Sarbhang Dungkhag reported to the Assembly that during summer, when the rivers are in spate the road between Gaylegphug and Sarbhang cannot be used and the people have to travel through Indian territory often at risk to their person and belongings. He proposed that bridges be constructed over the Bhur and Dolkhola rivers.

The Director, Public Works Department, stated that this matter was discussed during the Gaylegphug Sixth Plan meetings, although no specific decision was taken. He pointed out that the Sarbhang-Gaylegphug road was currently under DANTAK and would be taken over by the PWD during the VIth Plan period. Keeping in mind the difficulties faced by the people of the area, remedial measures will be considered by the government.

The Representatives expressed their gratitude for the consideration given to the proposal.

19. NUTRITION

The Minister, Ministry of Social Services and the Director General, Department of Health Services, reported to the Assembly of the importance of nutrition in the development of the physical and mental wellbeing of the population. They proposed that special emphasis be given to this important matter by the National Assembly and the Royal Government.

The National Assembly after further discussions on the matter, adopted a resolution expressing concern for the nutritional wellbeing of the citizens and endorsed the statement directing the Government to take immediate remedial steps. The text of the statement is as follows: -

Having listened to the presentation of the Health Hazards of various forms of malnutrition presented by the Director General of Health Services and

Having noted that malnutrition in the forms of anaemia, iodine deficiency disorders, protein calorie malnutrition and other micro nutrient deficiencies is prevalent throughout the country and,

Realising that these are an impediment to the physical growth and mental development of our children, increases both morbidity and mortality among the general population and especially in the high risk groups of infants and mothers, and

Recognizing that these cause unnecessary suffering and impede socio-economic development of the country.

Edorses the urgent need to prevent malnutrition by :

1. Gearing Agricultural (including Animal Husbandry) food production policies and programmes towards ensuring adequate nutrition (in terms of quality and quantity) of the entire population of the country throughout the year. This is to be achieved through enhanced production, availability, consumption of adequate quality and quantity of food and their biological utilization by the individuals, increasing purchasing capacity of those segments of population who cannot produce what they require and dissemination of nutrition knowledge among population.

2. Regular growth monitoring of children from infancy atleast upto five years and to ensure healthy growth in partnership with parents, community and health personnel.

3. Co-operation and Co-ordination of all inter-related sectors like Agriculture, Animal Husbandry, Food Corporation, Health Services, Education, National Women's Association, Public Works, Dzongkhag Administration, Community at the Grass-root level and Nutrition Cell in the Ministry of Social Services, for improving the nutrition status of population with

particular reference to the most vulnerable segments of pregnant, lactating mothers and young children.

20. TRANSFER OF WANGCHUKLO DZONG TO THE PEOPLE OF HAA

The Representatives of Haa reported that as submitted in the 52nd, 61st, and 65th Sessions, unlike other Dzongkhags, the people of Haa were facing great difficulties as they have no Dzong of their own. Their Monastic Body was housed in the middle of the village, while the dzongkhag administration block was situated in the township. Both the facilities were totally inadequate and inappropriate to house the Dratshang and the Dzongkhag Administration. As the two institutions were separated it is difficult to coordinate events and to observe proper decorum and cultural activities that are required by tradition. Therefore, the people of Haa once more requested that the Wangchuklo Dzong be returned to them.

Goongloen, Royal Bhutan Army, reported that as instructed by previous sessions of the Assembly this matter had been discussed between the Army, Ministry of Home Affairs and the people of Haa on numerous occasions. While he recognised the great difficulties that the people of Haa were facing, he pointed out the Dzong is located right in the centre of the training facilities. Vacating the Dzong would seriously disrupt their training programmes at a time when considerable emphasis were being given to strengthening the capabilities of the Royal Bhutan Army.

He further stated that while the Army fully shared the sentiments and the problems faced by the people of Haa, substantial expenditure, planning and efforts have gone into Wangchuklo Dzong Military School for the last 26 years to convert it into a full-fledged Military School for the Royal Bhutan Army. In keeping with the policies of the Royal Government and the aims and objectives of the Royal Bhutan Army, the Military School in Haa has now assumed greater relevance and importance. He said that the handing over of the Haa Dzong at this stage will adversely affect the plans and policies of the Royal Bhutan Army.

The Haa Military School organises and provides important precourse training for officers, instructors and staff at various levels, prior to their departure for full training in India. If this important training centre, established at a considerable cost, was to be transferred elsewhere, the loss to both the Government and the people would be extremely high and would cause the training programmes to be disrupted. In view of these genuine difficulties faced by the RBA it was not possible to return the Wangchuklo Dzong to the people of Haa.

Several Representatives of the people, the Monk Body, members of the Royal Advisory Council, the High Court and all the Representatives of Haa stated that the issue had been raised on several occasions. While the many shortcomings and constraints arising from the existence of separate and inadequate Dzong premises in Haa were fully recognized, it was also understood that the Royal Bhutan Army had difficulties to vacate the Dzong. They pointed out that it was time to decide on the future of the Wangchuklo Dzong, whether the military training centre should be transferred and the Dzong returned, or else, whether a new Dzong should be built for the people of Haa.

His Majesty the King was pleased to note that issue of Wangchuklo Dzong was being raised frequently in the National Assembly. Discussions between the Royal Bhutan Army, the Ministry of Home Affairs and the people of Haa had not resolved the matter. While the genuine difficulties of the Army must be recognised, it was not justified to keep the people of Haa waiting indefinitely for a decision. His Majesty observed that most of the National Assembly members have not seen the Wangchuklo Dzong or the training centre and therefore, would not be in a position to take a correct decision. He suggested that during the forthcoming 68th Session of the National Assembly the members should visit Haa to observe how the military training facilities have been established and the value of the Wangchuklo Dzong to the Army. They should also observe the various difficulties and inconveniences faced by the people as a result of not having the Dzong. It would be prudent for the National Assembly to take a decision after the on-site inspection. The Royal Bhutan Army would be happy to abide by the decision of the Assembly.

The National Assembly resolved that in accordance with His Majesty's command, a visit by the National Assembly members to Haa Dzong will be arranged during the 68th Session to enable them to gain a firm view of the problem. The matter would be put in the Agenda and a decision taken during the 68th Session of the National Assembly.

21. MILITARY TRAINING

The representatives of Haa reported to the National Assembly that it has been 26 years since the Military Training School was started in Haa, and as in the case of other departments of the Royal Government where priority and importance are given to the running of the institutions by nationals, the officers and men of the Royal Bhutan Army should not be in a position to impart all necessary training. Therefore, he requested that the National Assembly be informed as to how many more years it would take for the Army to take over complete responsibility for conducting all military training in the country.

Goongleon in his reply stated that the only outside force involved in providing assistance to the Royal Bhutan Army was IMTRAT which has been made available by Bhutan's friend and neighbour India to back and support the Royal Bhutan Army in respect of specialized training and logistics. In keeping with the excellent relationship that exists between Bhutan and India, the Royal Bhutan Army and the Indian Army enjoyed good understanding and high mutual regard. The IMTRAT, he said, over the years, had made valuable contributions towards the achievement of the aims and objectives of the Royal Bhutan Army.

With regard to the training capabilities of the Royal Bhutan Army, Goongleon reported that the Army was now professionally competent to undertake the responsibility of imparting training in the country. The Tenchongling Military Training Centre which was run with the assistance of IMTRAT was now completely managed by the Royal Bhutan Army. Similarly, the Military School in Haa was increasingly staffed by the Officers and NCOs from the Royal Bhutan Army. He informed the National Assembly that the performance of the officers and other ranks who undergo training in India compares very favourably with their counterparts in the Indian Army. He assured the National Assembly that no efforts will be spared to keep the Royal Bhutan Army highly trained, effective and well motivated, so that they would be able to serve the country and the people with loyalty and dedication.

The Representatives expressed their gratitude for the detailed information provided by Goongleon. While appreciating the various steps taken by the Army to enhance its training capability and capacity, the members highlighted the importance of the need to make concerted efforts to ensure that all the training establishments in the country are fully run by the Royal Bhutan Army.

22. FLOOD PROTECTION

The representative of Gaylegphug reported that cultivable land of seven Gewogs was being eroded by floods and requested that a flood protection programme be considered to improve the situation and the welfare of the people.

The Director General, Department of Agriculture, reported that the consideration of a flood protection programme involves study of the flow of the river and the environment of the flood-hit area, and other in-depth investigations. This work requires expertise and equipment not available in Bhutan and considerable investment. He further stated the previous flood

protection programmes had not been satisfactory and effective as insufficient preparatory work and study had been carried out with consequent waste of resources.

A flood protection programme in the Lalaidap area is envisaged to be undertaken during the plan period under the Area Development Project with the assistance of the Government of India. For this activity alone, to be carried out on a test basis, a budget provision of Nu.2.3 million has been earmarked. It will not be possible for the Government to include other flood protection programmes in the current plan.

The representative expressed his gratitude for the concern of the Government on this area and for the approval of the above pilot scheme.

23. DEVELOPMENT SERVICE CENTRES

The representative of Gaylegphug requested information regarding the implementation of the development service centre programme of the Sixth Plan as it had not been started.

The Deputy Minister, Planning Commission, reported to the National Assembly that by the end of the Vth Plan the Royal Government had established for the welfare of the people 192 education institutions, 147 medical facilities, about 2300 Kms of motorable roads, and numerous service facilities such as agriculture and animal husbandry extension centres and rural water supply schemes in all Dzongkhags.

The facilities that have been built were scattered all over and not conveniently located for meeting all the requirements of the people. They were also difficult and expensive to maintain and staff. The Government had therefore proposed to establish 10 development service centres during the VIth Plan period, with the aim of benefitting a larger portion of the population. About Nu.0.5 million has already been spent for preparing detailed and comprehensive feasibility studies and plans most of which have already been completed.

It has been estimated that each centre will involve an expenditure of approximately Nu.10 million. While the government stood prepared to establish the centres, it has been envisaged that shortage of manpower for construction will severely affect implementation of the programme. As His Majesty the King had observed, out of the total requirement of 30,000 persons for the national workforce, 5,000 have come forward so far. The government will

proceed with speedy implementation of the programmes as soon as the manpower shortage eases and mobilization of the national workforce improves.

The representatives expressed their gratitude for the importance attached by the government for improving the delivery of development services to the people and initiating the rural development services development programme.

Date 29.11.1988

Sd/-
(Lyonpo Sangye Penjor)
Speaker
National Assembly of Bhutan

CIRCULAR

NEW APPROACH TO THE KIDU LAND POLICY

The Royal Government has for the past 15 years been distributing land to the landless and poor as and when such requests were received. The primary consideration of the Royal Government in initiating this programme was to fulfill His Majesty's desire that the less fortunate subjects of the Kingdom should be provided with a source of material security and an opportunity for income generation.

Experience and assessment of the way the current kidu land distribution was being implemented has revealed that the programme, despite its noble objectives, has not improved the security or income opportunities of its beneficiaries. The main constraint was that since practically all productive land and easily accessible areas were already cultivated or privately registered, the new allotment in most cases were either in remote locations or on barren lands. Also poor management practices and difficulties in supplying costly developmental inputs like schools, health units, extension services, energy and motorable roads to isolated households in remote areas acted as further impediments to the socio-economic development of such poor and landless people. The fact that the Kidu land allotment itself was implemented on an adhoc and highly dispersed basis was also not conducive to the formulation provision of development services on a planned and comprehensive basis.

On the other hand, the existing system of granting land to the poor and landless on an adhoc kidu basis has many negative implications at the macro economic level for the nation. Today, the country needs a minimum national workforce of 30,000 to maintain the momentum of the existing development programmes. The large enrolment of children and able bodied persons in schools, the religious institutions and the armed forces has further intensified the already acute labour constraints of rural areas. Given such labour shortage in the countryside, the existing land kidu policy, besides failing to achieve the intended objective of improved livelihood and higher income for the villagers, actually aggravates the rural manpower crisis as more hands are required to cultivate the newly allotted kidu land. Moreover, the limited availability of land and the ever increasing number of households due to fragmentation of the family unit makes it impossible to continue allotting kidu land on a perpetual basis.

In view of the reasons stated herein, the Royal Government will henceforth discontinue the existing practice of adhoc and highly dispersed allotment of kidu land on individual basis. Instead, the Royal Government, as laid down in the current Sixth Five Year Plan objectives and as already initiated, will formulate and implement a comprehensive and planned resettlement programme for landless families applying for land. At the same time, the Ministry of Home Affairs in concert with other organisations will also provide opportunities for landless people to join the national workforce.

This new approach to land allotment and the creation of national workforce are both aimed at improving the income and enhancing the quality of life of the poorest sections of the nation's population. In the resettlement programme, the Royal Government will give full assistance in developing the selected areas of land and also provide irrigation, drinking water, communication facilities, agriculture and livestock extension, schooling and health care, improved rural housing packages and other social and economic services. Steps will also be taken to provide the people joining the national workforce with equally attractive incentives that will include housing, education, health coverage and other inservice as well as post service benefits.

It is hoped that the new resettlement areas will eventually develop into self sustaining communities and emerge as future growth points. This revised approach to rural upliftment is expected to be useful not only to the people but also to the government as it allows for the government to provide developmental services within cost effective limits, while improving the coverage of such services in terms of area and population. This is particularly relevant to

Bhutan in view of our high dependence on external resources and the need to effectively reduce wasteful and costly spending.

It is because of these considerations, that the Royal Government has decided to adopt and strictly follow the revised procedure for allotment of kidu land.