

**TRANSLATION OF THE PROCEEDINGS AND RESOLUTIONS OF THE 74TH
SESSION OF THE NATIONAL ASSEMBLY OF BHUTAN HELD FROM 28TH
JUNE TO 19TH JULY, 1996.**

I. OPENING CEREMONY

The 74th Session of the National Assembly began on the 12th day of the 5th month of the Male Fire Mouse Year corresponding to 28th June, 1996 with the performance of the auspicious ceremony of the Zhugdrel Phuntsun Tsogpai Tendrel.

The Speaker of the National Assembly, Dasho Passang Dorji began his opening address by welcoming His Majesty the King, the representatives of the Central Dratshang and the Rabdeys, ministers and officials representing the government and the representatives of the people. He also welcomed the new people's representatives and extended a special welcome to the three new women Chimis, Leki Pema from Drujaygang gewog under Dagana Dzongkhag, Tshering from Nubi gewog under Trongsa Dzongkhag and Karma Choeki from Nangkor and Zobel gewogs under Pemagatshel Dzongkhag, and congratulated them on being selected as representatives of the people of their respective gewogs. He said that they represented a growing trend where women were playing an increasingly important role in the decision-making process of the country.

The Speaker said that with the blessings of the Guardian Deities, the far-sighted wisdom and leadership of His Majesty the King, and the good fortune of the people, Bhutan had remained an independent and stable nation throughout its history. Yet, even as the country made dramatic progress, there were some negative developments which threatened the security of the nation. He said that the agenda of the 74th session reflected the concerns of the people about the ngolop problem in the south, and urged the members to participate actively and frankly in the deliberations to find an early solution to the problem and to ensure that such a threat did not arise again. The Speaker called upon the clergy, government officials, officers and members of the service forces, and the people to harmonise their thoughts and actions, and work together with total loyalty and dedication to ensure the progress, prosperity and security of the nation. With these words, the Speaker formally opened the 74th Session of the National Assembly.

II. DISTRIBUTION OF DRAFT CHATHRIMS/ACTS

The following Draft Chathrim/Acts were distributed to the members of the National Assembly on 28th June, 1996.

- a) Chathrim for the Speaker of the National Assembly
- b) Amendment to the Marriage Act, 1980
- c) Zhapto-Lemi Chathrim

III. REVIEW OF THE 1995-96 BUDGET AND PRESENTATION OF 1996-97 BUDGET

The Ministry of Finance distributed copies of its report on the 1995-96 Budget and the National Budget for the Financial Year 1996-97 to the members of the National Assembly, following which the Finance Minister made his presentation.

The Finance Minister reported that the fourth year (1995-96) of the Seventh Five-Year Plan had witnessed a marked improvement in the performance of the economy, particularly in the balance of payments position. Inflation rate remained below 10% while growth rate was 7%.

He also reported that despite the substantial increase in the cost of basic social services like health and education which are provided free of cost to the general public, the sound fiscal policy of the Royal Government had kept budgetary deficit below 2% of GDP.

The Finance Minister informed the members that during the visit of His Majesty the King to India in March 1996, the decision on the 1,020 MW Tala Hydro Electric Power Project and the 1,500 tons per day Dungsum Cement Project which were pending for quite sometime, were finalised within a single day and the agreements signed with the Government of India. These two land-mark projects are expected to make a substantial financial contribution to the revenues of Bhutan.

The Finance Minister also reported that in the light of unforeseen requirements and due to implementation of additional development programmes, the budget outlay for 1995-96 increased from Nu. 5,155.248m to Nu. 5,556.524m. The current expenditure increased by 6.6% to Nu. 1,995.025m while capital expenditure increased by 8.6% to Nu. 3,262.364m. Since the new fiscal year starts from July, and it is quite difficult to accurately forecast collection of domestic revenue and external aid disbursements, such changes between projections and actual expenditure is quite normal, he said. The increase in the 1995-96 budget outlay was only 7.8% .

The Finance Minister reported that the increase in the outlay had been almost matched by positive developments on the resource side, and therefore, current expenditure and domestic revenue was balanced to a certain extent. Under external grants, increase had been reflected mainly due to incorporation of more accurate data during the year. External borrowings also increased on account of improved disbursement of existing loans. The increase in the disbursement of both grants and loans was the result of good project implementation and improved aid management by the Royal Government.

The Finance Minister informed the members that the current expenditure outlay increased to Nu. 1,995.02m which exceeded the total domestic revenue receipts by Nu. 96.98m. Domestic revenue was therefore able to cover 95% of current expenditure. The increase in the current expenditure came mainly from employment of additional manpower, increase in the food subsidy to the monastic institutions and granting of Special Government Allowance to police personnel as had already been done in the case of civil servants. While every effort was made to control government expenditure, no additional taxes were levied during the 1995-96 fiscal year.

The Finance Minister reported that the resource gap of Nu. 161.34m was filled by borrowing from the financial institutions. However, almost all of this borrowing was used to finance productive capital costs of projects. The budget deficit was contained at 2% of the GDP. The Finance Minister reported that the primary health and education projects in the six eastern Dzongkhags entered implementation stage during the fiscal year 1995-96. The renovation of Punakha Dzong as well as the flood protection works were also carried on as scheduled. The Thimphu and Phuentsholing Urban Sewerage and Water Supply Projects were completed. The 2.2 megawatt Rangjung Hydro Power Project was also completed and works on expansion of the distribution network in Trashigang and Trashiyangtse Dzongkhags were already in progress. The domestic telecommunication network had also been completed in twelve Dzongkhags, except for the western region where installation works were about to begin.

Concluding the review of the past fiscal year, the Finance Minister requested the members to refer to the booklet distributed to them, for further details of the 1995-96 budget.

On the national budget for the final year of the 7th Plan (1996-97), the Finance Minister reported that the year started on a positive note of sound economic development. The most important feature of the 1996-97 budget was the increase in the pay of civil servants, Gups

and Chimis upon the royal command of His Majesty the King. Since the pay revision in 1988, there had been no increases in the salary till 1994 when the government, as an interim measure, sanctioned Nu. 500 per month to all civil servants. The effect of this increase in the salary of civil servants at the highest level was only 4% whereas it was as much as 56% at the lower levels which went a long way in alleviating the difficulties of the lower level civil servants. However, considering the increased cost of living and the consequent difficulties faced by civil servants in meeting even basic needs, His Majesty the King approved an increase in the salary of civil servants by 25% over the salary level of 1995-96. The actual increase in the salary of civil servants from this

fiscal year compared to the 1988 level came to over 90% at the lowest level and 25% at the level of ministers.

The Finance Minister also said that in view of their important role in promoting people's participation and decentralisation, and acting as an important link between the government and the people, His Majesty the King approved an increase of 50% in the pay of Gups and Chimis. Likewise, the pay and allowances of the Royal Bhutan Police was also revised, resulting in an additional outlay of Nu. 30.27m in the Police Budget. The above mentioned pay increase would result in an additional budgetary outlay of Nu. 185m, representing an increase of 9.2% in the current expenditure budget.

During 1994-95, when the civil servants were granted the Special Government Allowance, the Government also revised the wage rates for the national work force. The Royal Government further approved a 25% increase in the national wage rate during the current fiscal year. In the event the resource position improved, the Royal Government would consider further increase in the salary of civil servants in the near future. The Royal Government remained committed to the policy of having a compact, efficient and dedicated civil service for which it was necessary to pay the civil servants well.

The Finance Minister informed the members that the total outlay for 1996-97 was Nu. 5,927.321, an increase of 6.7% over the revised 1995-96 outlay. Almost the entire increase in the current expenditure budget was on account of the salary increase and no significant increase was envisaged in the level of the normal current expenditure budget. However, it was hoped that the domestic receipt of Nu. 1,980.38m would be able to cover about 90% of the current expenditure.

The Finance Minister reported that although in the beginning of the fiscal year it was difficult to forecast accurately the change projected in the level of external grants, external loan disbursement was, however, expected to rise by 26.75%. The overall resource gap between current expenditure and revenue for the fiscal year 1996-97 was projected at Nu. 360.36m which would be financed through domestic borrowing from financial institutions. There was, however, no cause for concern as this entire amount would be invested in productive projects as local counterpart funds.

The Finance Minister pointed out that even though tax coverage and rates had not been enhanced, there had been an increase of 6.5% in average rate of growth of revenue per annum due to the marked improvement in tax administration. Tax revenue constituted around 42.7% of the total domestic revenue. Rural taxes continued to be a mere 0.3% of the total while business income tax was only 3% of the total revenue, indicating that rural tax was in name only and the private sector paid very low taxes. The main source of revenue continued to be dividends, royalties, excise duty, corporate income, sales tax and receipts from public utilities. Although there had been significant increase in the income levels of the people, the Bhutanese people continued to be amongst the least taxed in the world. In view of the growing budgetary deficits, it was necessary to rationalise the tax policy and streamline tax administration. In the interest of the country's future security and well-being, the people of Bhutan must learn to contribute by way of taxes for the services currently provided free of cost by the government, he said.

The Finance Minister informed the members that taking into account export and import, and both goods and services, the current account deficit was Nu. 1787.94m. However, the overall balance of payments continued to be favourable with a surplus of Nu. 440.88m due to external grants. The foreign exchange reserve of the country had now increased to US\$ 130m which would be adequate to finance import requirements for 18 months.

The Finance Minister informed the members that due to the government's cautious policy regarding external loans, the external debt position had not changed much and hard currency debts remained at US\$ 80m. Rupee loans, on the other hand, were poised to increase several fold as a result of the Kurichhu and Tala Hydro Electric Power Projects. Presently, the rupee loan on account of the Chukha Hydro Power Corporation was Rs. 1,062 m. The annual debt servicing on account of hard currency loan was around US\$7m, while that of rupee loans was around Rs. 141m. The debt service ratio is about 17% which is considered acceptable and sustainable, he said.

The Finance Minister reported that the Royal Government remained firmly committed to the development of a broad based private sector and the policy of privatisation of public sector undertakings. The Royal Government was keen to avoid concentration of wealth in the hands of a few people and would encourage as many entrepreneurs as possible to engage in business. With this objective the government would be increasing opportunities for commercial and contract activities through initiation of more development programmes and projects. Recognizing the crucial role of a strong private sector, the Royal Government will make every effort to initiate measures to promote entrepreneurship development using both internal and external resources, he said.

The Finance Minister reported that most of the financial institutions were suffering from a high level of loan defaults and excess liquidity. However, with improved control, the respective boards had now streamlined the management of the financial institutions. The Unit Trust of Bhutan would become a full-fledged commercial bank and shares of the bank would be floated on the stock market giving the private sector a fair opportunity to enter the banking business. In the interest of sound monetary policy and effective financial management, the Royal Government had commenced issuing of Government Bonds as an alternative to direct borrowing from the Royal Monetary Authority (RMA). Coupled with the normal RMA bills, this might be the beginning of the emergence of a rudimentary financial market in Bhutan. As such, it had now become necessary to accord high priority to the improvement of necessary legislations to regulate and strengthen financial sector development.

The Finance Minister informed the members that the GDP grew by 7% and the balance of payments with India improved significantly. The construction of the Kurichu Power Project, the Tala Hydro Electric Power Project, the Basochhu Power Project and the Dungsum Nganglam Cement Project would pump in large amount of resources and create vast avenues for trading, transport, construction, contracts and employment in general. Once completed, these projects would contribute immensely to the revenues of the country and enable the Royal Government to achieve the national goal of economic self-reliance. Bhutan can look forward to growth rates in excess of 10% per annum, he said.

The Finance Minister also pointed out that the Royal Government had chosen to forego immediate economic gains and had placed a higher priority on the conservation of natural resources. Although a small country, Bhutan with its rich biological diversity and vast forest coverage was contributing significantly to the global environment.

The Finance Minister informed the members that the 7th Five-Year Plan which started in 1992-93, began in a period when the peace, security and development of the country was seriously threatened by anti-national activities in southern Bhutan. In spite of this extremely grave situation, the Royal Government, under the able and magnanimous leadership of His Majesty the King, had spared no efforts to ensure the security of the nation and continuation of the development process for the well-being of the Bhutanese people. In spite of the many problems and difficulties, the development plans were implemented as scheduled with impressive results.

The Finance Minister pointed out that the per capita GDP had reached US\$ 470 which was among the highest in our region. The school enrollment level had reached 72% and primary health care coverage was almost 90%. The Royal Government continued to provide free health and education services and spent 30% of its entire budget on the social sector.

The Finance Minister informed the members that although only a small country, Bhutan continued to progress from year to year mainly due to the blessings of the Guardian Deities of the Palden Drukpa and the sacrifice, hard work and able leadership of His Majesty the King and the good fortune of the people.

On behalf of the Royal Government, the Finance Minister thanked Bhutan's development partners for their goodwill and support without which the Kingdom would not have been able to achieve such rapid progress. In particular, he thanked Bhutan's close friend and neighbour, India for her continued support since the inception of planned development.

The Finance Minister said that at a stage when a lot of basic infrastructure was in place and several large investment projects were already under advanced stage of readiness for implementation, the people of Bhutan must not become complacent but remain ever alert and work hand in hand with the government to ensure peace, prosperity and a secure future for the nation. He expressed full confidence that under the wise and able leadership of His Majesty the King, Bhutan would not only complete the 7th Five-Year Plan successfully, but that greater achievements would be seen during the 8th Plan and beyond, thereby ensuring the prosperity and happiness of the Bhutanese people.

Requesting for the floor, the Planning Minister said that despite the difficulties along the way, the progress achieved between 1961, when the 1st Five-Year Plan began, and 1996 was indeed outstanding. Compared to the budget outlay of Nu. 5,556.52 m for the 1995-96

financial year, the annual outlay for the 1st Five-Year Plan was only Nu. 20.5 m. This is a considerable increase, and investment will continue to grow, he said.

The Planning Minister reported that although the difficult mountainous terrain and scattered population made the provision of roads and communication networks and effective delivery of social services very difficult, under the farsighted leadership of His Majesty the King, Bhutan had taken great strides in development. During the past decade, the per capita GDP grew from US\$ 220 to US\$ 470, 70% of the rural population had access to piped water and sanitary facilities. 90% Primary health care coverage had been achieved and the enrollment rate of students had increased to 72% thus fulfilling the UN Mid-Decade goals.

Almost all Dzongkhag headquarters, major towns and villages were connected by roads measuring more than 3200 km, and the latest state of the art technology in telecommunication had been established in most of the Dzongkhags. About 29,080 gungs had been electrified and 463 RNR facilities had been established. Such progress in socio-economic development had greatly enhanced the people's quality of life. Bhutan may be the only social welfare state where health and education are free and other development services are provided on highly subsidised basis as Kidu while the people paid nominal taxes only, he said. At the same time, because of its sound policies, almost all of Bhutan's natural and cultural resources and its social values still remained intact.

The Planning Minister informed the members that although in the interim period there was a need for external assistance to support our development efforts, such dependence would not be perpetuated. Building the capability to finance development activities continued to remain a priority, particularly self-sufficiency in meeting recurrent costs. As reported by the Finance Minister, in the current fiscal year 1995-96, the Royal Government had met 95% of the current expenditure despite the additional expenditure due to the granting of Special Government Allowance. In the 1996-97 fiscal year also, 90% of the current expenditure would be met from domestic resources despite the 25% salary increase. This is indeed a commendable achievement towards realizing the goal of economic self-reliance, he said. However, he also noted that the main source of revenue continued to be dividends, royalty, excise duty, corporate income tax, sales tax, etc. The annual business income tax was only 3% of the total revenue while rural taxes comprised just 0.3% of it. As such, the Bhutanese people are the least taxed in the world, he said.

The Planning Minister also noted that in view of the increasing cost of providing basic social services, it was now time for the Bhutanese people to contribute more towards the maintenance of these facilities. In order to reduce dependence on external assistance, the Royal Government would have to explore viable ways and means to generate more domestic revenue. The government's self reliance policy can only be sustained and enhanced with active people's participation closely supporting the Royal Government's efforts. He urged the honourable members of the National Assembly to extend their full support to the Royal Government towards achieving the national goal of economic self-reliance.

The Planning Minister informed the members that the socio-economic indicators which were given in the budget report for 1996-97 had been compiled carefully by the Planning Commission and concerned agencies of the Royal Government. The specialized UN agencies had also provided valuable technical assistance while designing the survey methodologies, analysis, and the results had been jointly vetted.

The Planning Minister informed the members that the proper utilization of donor assistance and good governance leading to concrete and visible impact were being appreciated by Bhutan's development partners. On behalf of the Royal Government, the Planning Minister expressed deep gratitude and appreciation to Bhutan's development partners, particularly its close neighbour and friend India, for their invaluable contribution towards Bhutan's socio-economic development. He also expressed his hope and confidence that they would continue to provide similar support during the 8th Five-Year Plan.

The representative of the Bhutan Chamber of Commerce and Industry thanked the Finance Minister for the report on the 1995-96 budget and his clear presentation of the 1996-97 budget, and also for distributing copies of his report. He also expressed his appreciation that domestic revenue was able to cover 95% of current expenditure despite the insignificant contribution from business income tax and rural tax which the government had kept nominal for the benefit of the people.

He expressed his deep gratitude to His Majesty the King for the reduction in the interest rate which had gone a long way towards alleviating the difficulties of business people who had loan defaults with the financial institutions. He also submitted that it would greatly benefit the business community if, in view of their excess liquidity, the financial

institutions could disburse loans at reduced interest rates. The rate of interest could be increased later when commercial activity began to grow and develop.

The Deputy Minister of Agriculture expressed deep appreciation and happiness over the Finance Minister's report on the 1995-96 budget and his presentation of the 1996-97 budget. He pointed out that Bhutan's GDP growth rate of 7% was one of the highest in the region and the total resource gap of Nu. 161m only was much better than in most countries.

He pointed out that besides the Penden Cement Project and the Chukha Hydro Power Project which had been successfully established to promote the goal of economic self reliance, agreements for the establishment of two major projects, the Dungsam Cement Project and the Tala Hydroelectric Project had been signed with the Government of India during His Majesty the King's visit to New Delhi in March, 1996. The Dungsam Cement Project would be completed within three years while the Tala Hydroelectric Project would take about 8 years. The completion of these two major projects along with the Kurichu and Basochhu Power Projects would contribute greatly towards achieving the national goal of economic self-reliance. He thanked His Majesty the King and the Government of India for the finalisation of these important projects.

The Deputy Minister also lauded the Finance Ministry's achievement in meeting 95% of current expenditure in the fiscal year 1995-96 from domestic revenue and its assurance that despite the substantial increase in the salary of civil servants, domestic revenue would be able cover 90% of the current expenditure during the fiscal year 1996-97. Regarding the pay increase, he said that in other countries an increase in salary is progressive, with civil servants in higher grades receiving higher increases. In Bhutan, the total increase in pay since 1988 had ranged from 25% at the level of ministers to 90% at the lowest grades.

The review of the 1995-96 budget and the presentation of the 1996-97 budget concluded with the Deputy Minister of Agriculture moving a vote of thanks to His Majesty the King on behalf of all the civil servants, the Gups and Chimis, the Royal Bhutan Police and the National Work Force, and all their dependents, for approving the pay increase to alleviate their difficulties. He also thanked Bhutan's development partners for the unstinted support and assistance extended by them.

IV. ISSUES RELATED TO DEVELOPMENT PROGRAMMES

1. Establishment of new Rigney School

The people's representative of Trashiyangtse Dzongkhag submitted that given the prime importance of preserving and promoting the art of traditional Bhutanese learning and literature, the establishment of a new Rigney School in eastern Bhutan had been felt necessary. In response to the need of the people and the country, the government had included the proposal in the Plan which had been thoroughly discussed during the 73rd National Assembly, and the site for the Rigney School had been earmarked for Trashiyangtse Dzongkhag in view of the non-existence of major development centres in the dzongkhag.

Consequently, the Education Division had conducted a survey of a suitable location which was finally identified at Karmaling, not far from the new Dzongkhag Headquarter. The site was found more suitable than other places as it was not far from the road head and water source, and other local facilities were adequately available. Details of the contour survey and area measurement of that private registered land was completed and taken to Thimphu last year. However, of late the people had heard that a feasibility study would have to be carried once again and the proposal to construct the Rigney School might perhaps be withdrawn. This had saddened the public. Hence, the people resubmitted this issue wholeheartedly before the 74th session of the National Assembly for its consideration.

The Secretary, Education Division informed the members that in response to the needs and wishes of the people of Trashiyangtse Dzongkhag, it was decided during the 73rd Session of the National Assembly that a new Rigney School would be established in Trashiyangtse. The Secretary, also informed the members that in view of the importance of promoting traditional learning and literature, His Majesty the King had commanded the Education Division to carry out a feasibility study for the establishment of a new Rigney School in Trashiyangtse. Accordingly, a survey of the proposed site was carried out with an assistance of Nu. 350,000 from the Netherlands. However, a budget of Nu. 40m was required to establish the Rigney School, and the estimated budget requirement had been submitted to the Planning Commission. For its part, the Education Division was sparing no efforts to find funding for establishing the Rigney School. He informed the members that construction of the Rigney School would commence as soon as funds were available.

The Trashiyangtse Chimi requested that every effort be made to obtain funding from donors to enable the early establishment of the Rigney School, as decided by the government in response to the needs of the people.

His Majesty the King informed the members that although the Assembly had decided on the establishment of a new Rigney School at Karmaling in Trashiyangtse, construction had not been started because the required funding of Nu. 40 million had not been mobilized. As submitted by the Secretary, Education Division, a feasibility study and survey of the proposed site had already been carried out with a financial assistance of Nu. 350,000 from the Netherlands. Plans for the new Rigney School had been drawn up and the Planning Commission was also looking for funding from donor countries. His Majesty the King also informed the members that aid sensitization talks on the Eighth Five-Year Plan would soon commence with the Government of India and thereafter, with other donor countries and international organisations, during which funding for the Rigney School would be included on the agenda. The construction of the Rigney School would be carried out as decided earlier as soon as the required funding was available.

The National Assembly, noting that work on the Rigney School at Trashiyangtse had not yet started due to lack of funding, resolved that in view of the importance of establishing such a Rigney School in eastern Bhutan, the Finance Ministry and Planning Commission should make every effort to mobilize the required funding so that work could begin on the establishment of the new Rigney School.

2. Development of Animal Husbandry and Pasture

The people's representative of Nubi and Tangbi gewogs under Trongsa Dzongkhag submitted that the policy of the government with regard to Animal Husbandry was to increase improved-breeds, reduce inferior breeds and develop pasture. However, even after 35 years of formulating such development policies, there had been no significant improvement or result.

He pointed out that the practice of herding cattle for open grazing had resulted in damage to crops in the course of driving cattle from place to place. Open grazing also damaged saplings and tender trees and required cow-herders to camp in the forest despite the rapid development attained in the country. Also, local breeds that required open grazing gave less income even if their numbers were more.

He submitted that if the government and the Animal Husbandry Department formulated durable policies and implemented them, it would greatly benefit the people who depended

upon animal husbandry and they would have an opportunity to reap the fruits of development.

In response, the Deputy Minister of Agriculture informed the Assembly that since over 80% of the Bhutanese population was dependent on agriculture and livestock for their livelihood, the Royal Government had been according very high priority to the development of agriculture and livestock from the First Five-Year Plan and the Animal Husbandry Department had also been established for that purpose. He informed the members that the budget outlay of the Animal Husbandry Department was Nu. 162.4m for the 5th Plan, Nu. 331.0m for the 6th Plan and Nu. 614.83m for the 7th Plan. The members were already aware that the objectives of the Animal Husbandry Department were to achieve self-sufficiency in livestock products, improve the nutritional status of the people and enhance rural income. To achieve these objectives high breed animals and improved pasture seeds had been distributed to the people free of cost and Veterinary hospitals and Laboratories had been established. These measures had produced good results in livestock development. This had been acknowledged by the people time and again during various meetings in the Dzongkhags. Donors had also been happy that their money and aid had been utilized properly and they had expressed their willingness to extend further assistance. The Deputy Minister then gave a brief review of the achievements in livestock development. Citing animal disease control as an example, he said that when the Reinderpest wiped out entire cattle populations in many Dzongkhags, men had to replace oxen to plough fields. Through the unstinted efforts of the Royal Government, Reinderpest had been eradicated. He said that although Bhutan started late in the development of livestock as compared to other countries, it was the first country in South Asia to declare itself free from Reinderpest in an international forum in France in 1992, thereby clearly indicating the achievements in the livestock sector.

The Deputy Minister informed the Assembly that during the Sixth Plan, 335 pure bred/cross bred bulls had been distributed and 38 Artificial Insemination Centers had been operationalised. By 1992, cross-bred cattle population had reached 22,000, almost 12,000 acres of improved pastures had been established, and 55,000 poultry birds and 3200 piglets had been distributed. He also said that by the end of 1994, population of cross-bred cattle had reached 32,900 and acreage of improved pasture had been increased to 16,976 acres. By the end of 1995, the Government had established 139 Livestock Extension Centres, 20 Veterinary Hospitals, 10 farms, two Fodder Seed Production Centres, six Regional Laboratories, one Epidemiology Centre, one Vaccine Production Centre, one

Animal Feed Factory and two Milk Processing Plants. In addition to the general support provided for livestock development to all gewogs and Dzongkhags, from the beginning of the Sixth Plan, 37 gewogs from 10 Dzongkhags were selected for two projects for intensive livestock development to be financed by the Asian Development Bank and the Swiss Government.

The Deputy Minister pointed out that regarding Nubi and Tangsibi gewogs, in addition to the support provided to them like for all other gewogs under the Five-Year Plans, from the Sixth Plan they had been recipients of Swiss assistance which had provided them with 23 breeding bulls, 93 cross-bred cattle, 148 breeding piglets, 1,066 poultry birds, one Solar Refrigerator, 1,068 acres of improved pasture, two Livestock Extension Centres, a Milk Processing Unit and a Mobile Artificial Insemination Centre. He said that although the Animal Husbandry Department was not responsible for construction of roads, because the majority of the people in the area were dependent on livestock for their livelihood, the department had constructed a 5 km feeder road from Bjezam. For the development of pasture, the Animal Husbandry Department had taken 500 acres of forest land, out of which 187 acres had been developed into improved pasture. During the Sixth Plan alone, these two gewogs had been provided with assistance worth Nu. 4.2 million, excluding salary of staff and cost of medicines. It was clear from the above that there had been considerable development in the livestock sector in the two gewogs, mainly due to the control and eradication of cattle diseases and development of improved pasture.

The Deputy Minister pointed out that no government could have done more within such a short time. He said that it was important for the representatives of the people to realize that the government could not indefinitely continue maintaining the facilities established for the benefit of the people, and that it was their responsibility to maintain these facilities and make optimum use of them. He informed the members that a recent survey had revealed that 47% of the people's income was from agriculture and livestock. In view of the great overall increase in the people's income, the contribution from agriculture and livestock was therefore very substantial.

The Deputy Minister said that if livestock was to be developed further, all unproductive livestock would have to be culled and stall feeding promoted. Such steps would definitely increase the productivity of livestock and also reduce livestock diseases. However, as the members were aware, culling would not be acceptable to the people on religious grounds and while laws forbidding open grazing could be enacted, their implementation would be very difficult, he said.

The Deputy Minister informed the members that while he had heard of some problems related to livestock development being raised during the plan meetings conducted in the Dzongkhags, no one had complained that the livestock development plans and programmes had not been beneficial to the people. It was clear that those who felt that the livestock development policies and programmes had not yielded results or been beneficial had forgotten what the situation was like before, when disease used to wipe out entire cattle populations.

The Deputy Minister deeply regretted that a member of the Assembly could raise such a baseless issue which was not even discussed during village meetings. The National Assembly was a forum for debating issues of national importance. As such, members should raise genuine and well considered issues, otherwise not only the officials of the Royal Government but also donors helping us would find such statements very discouraging, he said.

The representative of the Bhutan Chamber of Commerce and Industry submitted that due to the Royal Government's livestock development policy and programmes, there had been considerable benefit to the people. He said that a person who had only five to six heads of cattle today earned more income than a person who owned 50 to 60 heads of cattle before. Therefore, there might have been a communication gap regarding the point raised by the people's representative from Trongsa. He expressed his gratitude to the Royal Government for its livestock development policy and programmes which had achieved 100% success in benefitting the people.

The Trongsa Dzongda clarified that there had indeed been some miscommunication on the point submitted by the people's representative of Nubi and Tangsibi gewogs regarding livestock development. He said that the point submitted was not about there being no benefit from the livestock development policies and programmes. It was a submission that there were still large numbers of unproductive livestock which destroyed the improved pasture developed through generous assistance from the government. The people of the two gewogs had actually been requesting for strict laws to be enacted to reduce the number of unproductive livestock. This would not only enhance development of improved pasture and raise the people's income but also help in preserving the environment by reducing the practice of open grazing. He said that the people of Trongsa Dzongkhag were very grateful

for the various programmes and policies initiated by the government, and requested for such beneficial policies and programmes to be continued in the future.

The National Assembly resolved that the point regarding livestock development submitted by the people of Nubi and Tangsibi gewogs under Trongsa Dzongkhag could be discussed in the Dzongkhag Yargay Tshogchung and if necessary taken up with the concerned Ministry.

3. Establishment of Dungkhag at Drujeygang

The people's representative of Drujeygang gewog under Dagana Dzongkhag submitted that the public of Drujeygang requested for the establishment of a Dungkhag at Drujeygang during the 8th Five-Year Plan. Although the Dzongkhag looked after the welfare of the people, there was a considerable distance between Drujeygang and the Dzong. Therefore, it was very difficult for the people as they had to come to the Dzongkhag Headquarter even for petty matters. The establishment of a Dungkhag at Drujeygang would also benefit the people of Lajab, Khibesa and Tshangkha gewogs. Moreover, facilities like a school and BHU already existed at Drujeygang. As such, the public of the four gewogs would benefit immensely if a Dungkhag was opened at Drujeygang.

In response, the Home Minister said that the request by the 361 gungs in Drujeygang gewog for the establishment of a new Dungkhag at Drujeygang must be considered while keeping in mind many similar requests from the public of other Dzongkhags. The benefits and disadvantages of such proposals must be considered very carefully, otherwise it would result in unnecessary problems in the future. Therefore, the proposal for establishing a new Dungkhag at Drujeygang should be considered only after a proper survey and feasibility study has been carried out by the Ministry of Home Affairs, he said.

The Drujeygang Chimi further submitted that the establishment of a Dungkhag at Drujeygang would not only benefit the people of Drujeygang, but also the people of Khibisa, Lajap and Tshangkha gewogs. The Dzongdag of Dagana supported the submission of the Drujeygang Chimi, and added that the people of these gewogs had to come all the way to the Dzongkhag Headquarter even for minor development matters. Therefore, it would benefit the people of these gewogs immensely if a new Dungkhag could be established at Drujeygang. She, however, submitted that the decision on the

establishment of the Dungkhag could be made after a feasibility study was carried out by the Home Ministry, as submitted by the Home Minister.

The people's representative from Monggar submitted that, as requested by the Drujeygang Chimi for a new Dungkhag to be established to alleviate the difficulties of people who had to travel long distances to their respective Dzongkhag headquarters, the Ministry of Home Affairs should carry out feasibility studies in all Dzongkhags and establish new Dungkhags wherever it was found necessary.

The Monggar Dzongda, recalling that his Dzongkhag had submitted a similar point to the National Assembly before, said that Gongdu and Silambi gewogs were both about four days journey from the Dzongkhag Headquarter in Monggar. There were 600 gungs in these two gewogs, while under Damitse and Ngatsang gewogs there were about 900 gungs. In view of the difficulties faced by the people of such remote gewogs, he requested the government to conduct a feasibility study in all the Dzongkhags and establish new Dungkhags wherever necessary. This would benefit the general public immensely, he said.

His Majesty the King suggested that if the establishment of Dungkhags in various Dzongkhags was beneficial to the government and people, the Home Ministry should compile a list of all gewogs in the 20 Dzongkhags which wanted Dungkhags to be established, along with the justifications given for such requests. The proposals could then be discussed during the Eight Five-Year Plan meetings of the various Dzongkhags and submitted to the next session of the National Assembly. If the proposals were then passed by the National Assembly, establishment of the Dungkhags could commence along with the Eight Five-Year Plan.

The National Assembly decided that as suggested by His Majesty the King, the Dzongkhags should invite proposals for establishment of new Dungkhags from the Gewog Yargay Tshogchungs and debate on the proposals in the Dzongkhag Yargay Tshogchungs. If the proposals are found to be genuine and necessary, the concerned Dzongkhag should submit them to the Home Ministry which will conduct a feasibility study in consultation with the concerned Dzongkhag. These proposals will then be included for discussion during the Eight Five-Year Plan meetings and deliberated extensively, after which they will be tabled before the National Assembly for a final decision.

4. Site for Township

The representative of the Bhutan Chamber of Commerce and Industry submitted that as the present town area of Wangduephodrang was located in a windy place prone to fire, His Majesty the King with his farsighted vision had commanded the town to be shifted to Barjo. However, no land had yet been allotted for the proposed town area. Since the location of the present town was prone to fire outbreaks which could also harm the Dzong, he requested the National Assembly to pass a resolution for taking over the new town site in Wangduephodrang, and also in Bumthang where the town site had been identified, as per the provisions of Section Ka 6-8 and Ka 6-9 of the Land Act.

The Secretary of the Public Works Division informed the members that since the Wangduephodrang town was presently situated next to the national highway in a very windy place, there was indeed a serious risk from fire, and children could also be run over by passing vehicles. In view of these problems, during the 7th Plan meeting in the Dzongkhag, His Majesty the King had commanded that the town be shifted to Barjo. Accordingly, in 1993 the Works and Housing Division had identified and measured 15 acres of land at Barjo and drawn up a detailed plan for the new township.

The Secretary informed the members that under the 7th Plan, a budget of Nu. 8.762 million had been allotted for establishing the Wangduephodrang town in the proposed location, excluding the cost that would be incurred for electrification and telecommunication services. However, the Ministry of Agriculture had objected to the proposed site because the Ministry had made large investments, with external assistance, in establishing an important agriculture research centre where extensive research and trials of different varieties of cereals were conducted for eventual distribution to the Dzongkhags. The close proximity of the sewerage and waste disposal system in the proposed township would not be conducive to effective research work at the centre. Because of the objections from the Ministry of Agriculture, the Works and Housing Division, in consultation with the Dzongkhag Headquarter, had surveyed some paddy fields located west of the agriculture research centre. However, the owners of the fields not only asked for a very high price but also demanded that their land be replaced with paddy fields from other places. That was why the site for the new township had not yet been acquired.

The Secretary also informed the members that during the 7th Plan meeting in Bumthang, His Majesty the King had inspected the Chamkhar town and found that since it was located next to a very marshy area it had no scope for further expansion. On the submission made by the residents of the town, His Majesty personally inspected a possible site for a new

township at Dekiling and approved it. Thereafter, the Works and Housing Division identified 27 acres of land at Dekiling and also drew up a plan. However, the Dzongkhag Headquarter reported that during the Dzongkhag Yargay Tshogchung meeting, the owners of the land had demanded Nu. 1 million per acre. Although this demand was later reduced to Nu. 881,200 per acre it still entailed a total cost of Nu. 23.522 million for acquiring the land.

Although a budget of Nu. 7.44 million had been allotted under the 7th Plan for establishing the new township in Bumthang, excluding cost for infrastructure and service facilities, this would not even cover the cost for acquiring the new site. Therefore, there was nothing the Works and Housing Division could do unless the Dzongkhag Headquarter first handed over the proposed site.

The Secretary also informed the members that a budget of Nu. 1,087 million had been allotted under the 7th plan for the development of towns. He said that 10 existing towns had been improved and developed at considerable cost, and work on establishing five new towns were underway.

In response, the peoples representatives of Haa, one of the Royal Advisory Councillors and the Thimphu Chimi submitted that all the people, regardless of their Dzongkhags, enjoyed the rights to carry out business activities in whichever towns they wished to throughout the country. It was, therefore, very important that every Dzongkhag had a town to promote commercial activity. While it was a fact that sites for new townships would necessarily have to be acquired from the people, it was also understandable if the people felt very attached to their ancestral land. As such, it should be made possible for the people to receive land replacement as per their choice.

Other members noted that just as some people face their houses to the east with the expectation of receiving the warm rays of the sun in the morning, those possessing land next to urban areas were also expecting high prices for their land in view of the rapid progress and development that had taken place in the country. The government should therefore consider fixing an adequate price and giving suitable substitutes for land required for establishing new towns.

Other members said that just as a hat covers the head, the laws of the country should apply to everyone in the country. Likewise, the same procedures and rules under which other

town sites were acquired should apply for the new townships at Barjo and Bumthang, and that these sites should therefore be acquired in accordance with Sections Ka 6-8 and Ka 6-9 of the Land Act.

The Planning Minister pointed out that towns are meant for promoting commercial activity and the growth of the business community. There are established procedures for acquiring land required as sites for new towns. The price of land and mode of payment are covered under the relevant clauses of the Land Act and resolutions of the Lhengyel Shungtshog. He also informed the members that the government incurred considerable expenditure for establishing and maintaining basic infrastructure and service facilities in the towns. Adequate budgets were allotted for this and external assistance was also being sought to meet these costs. Therefore, if a decision could be taken to acquire the required sites, there would be no problem in establishing the proposed towns.

The Deputy Minister of Agriculture submitted that although towns were necessary to promote the growth of business and commercial activity, it should be remembered that over 80% of the Bhutanese people depended on agriculture for their livelihood. This was despite the fact that Bhutan had very limited cultivable land and the National Assembly had also passed a decision, in keeping with the national interest, to maintain at least 60% of the kingdom's total land area under forest cover. He also informed the members that as a result of better health coverage, the population was increasing every year. As a result, the Royal Government had to import and distribute 27,000 tons of rice and 10,000 tons of wheat in 1994, incurring a cost of Nu. 235 million. If the import of edible oil and sugar is added, the figure value goes upto 43,900 tons and Nu. 375 million respectively. In view these facts, it was very important for Bhutan to preserve all its cultivable land.

The Deputy Minister also informed the members that the Renewable Natural Resources Research Centre (RNRRC) at Wangduephodrang had been conducting extensive trials and research of vegetables and other agricultural produce, and distributing them to the various Dzongkhags. The establishment of a town at Barjo would not only entail the loss of prime agricultural land but also have adverse effects on the research centre. This would in turn have an adverse impact on the fulfilment of the national goal of food self reliance.

The Deputy Minister further submitted that in view of the importance of having an agricultural research centre, the Royal Government had spent Nu. 50 million, mobilized from donor countries, to establish the RNRRC. Over Nu. 14 million was spent on the research complex and equipment, Nu. 32 million on the seed complex (DSC), Nu. 1.5

million on plant protection (RPPC) and Nu. 0.6 million on the agriculture machinery repair complex (RAMC). He reminded the members that development of agriculture was very important for ensuring the overall national security of the country.

The people's representative of Thimphu and Wangduephodrang Dzongkhags, and one of the Royal Advisory Councillors suggested that in order to ensure the present convenience and future security of the Wangduephodrang business community, the new township could be established between the RBA Training Centre and Barjothang where there was more than adequate space. Quoting the saying, "the sacrifice of one life will benefit the lives of a hundred others", they pointed out that while the establishment of the town in this location would affect a few people, it would greatly benefit the general public of Wangduephodrang and to an extent the country also. The necessary land should therefore be acquired in accordance with the provisions of the Land Act, and the new town established. They pointed out that in view of the shortcomings of the present town site, the Wangduephodrang business community had been expecting a new site for their town since the 5th Five-Year Plan, but it had not materialized. During the 6th Plan also, it had been the same story until His Majesty the King issued the command during the Dzongkhag 7th Plan meeting to relocate the town at Barjo. However, just like the child saying "the precious brass pot is burning while father and mother are arguing who should lift it out of the fire", despite His Majesty's command, the Wangduephodrang business community were facing a serious problem. The site for their town had not yet been acquired because, on the one hand, there was objection from the Ministry of Agriculture and, on the other, the owners were asking a very high price for their land.

They also pointed out that the existing town had no scope at all for expansion as it was hemmed in from all four directions by the Dangchu river, the Punatsangchu river, the RBA Training Centre and the Dzong. Moreover, with the petrol pump located in the town there was a serious risk from fire, particularly in winter, while in the summer the existing site was prone to landslides. In view of all this, they suggested that, in keeping with His Majesty the King's command, the National Assembly should pass a resolution for a suitable town site to be acquired from the people in Barjo at a location that did not affect the agriculture research centre.

The Minister of Trade and Industry informed the members that the Ministry of Trade and Industry attached importance to towns in all Dzongkhags because of the Royal Government's firm commitment towards promoting the private sector. In this context, the

government had been issuing many business and industrial licences. As the non-existence of sites for towns and industries would hinder the process of private sector development, it was important for every Dzongkhag to have a proper town site and an industrial area. Although in the case of Wangduephodrang the proposed new site had been approved by His Majesty the King, in other Dzongkhags it was the responsibility of the Dzongda, Dzongkhag Yargey Tshogchungs and Gewog Yargey Tshogchungs to identify such sites. If private land was needed for such purposes, he pointed out that there were established government procedures for acquiring them.

The Secretary, Health and Education Division informed the members, that towns built in small and congested sites were not only exposed to fire hazards but also faced hygiene and sanitation problems. In this regard, His Majesty the King had commanded that proper hygiene and sanitation must be maintained in all the towns, and also issued a Kasho emphasizing the importance of promoting hygiene and sanitation in all the Dzongkhags. He pointed out that it was very difficult to maintain proper hygiene and sanitation in the present Wangduephodrang town because it was extremely congested and had a growing population. This could lead to serious health problems for the residents. Moreover, the town's close proximity to the Junior High School was also a source of distraction to the students. He submitted that it was important that the National Assembly considered the issue of the proposed site for the Wangduephodrang town very carefully in the light of these facts.

Intervening in the debate, His Majesty the King pointed out that the main problem in establishing new towns in Wangduephodrang and Bumthang had arisen on account of the price of paddy fields and dry land that had to be acquired for the sites. His Majesty recalled that in view of the difficulties faced by the people, the Lhengyel Zhungtshog during its 135th session in 1992 had fixed the price of all categories of paddy field at Nu. 30,000 per acre without categorising them into "Rab", "Ding", "Thar". The price for dry land was fixed at Nu. 25,000 per acre and for Tseri at Nu. 3,000 per acre for Tseri. Likewise, if the government had to acquire land for urban development, the price had been fixed at Nu. 65,300 per acre for Category 1 urban areas, Nu. 43,500 per acre for Category 2 and 3 urban areas and Nu. 35,000 per acre for Category 4 and 5 urban areas. The people faced a problem today because the land price had increased everywhere in comparison to these rates fixed several years ago. It was therefore necessary for the Lhengyel Shungtshog to once again review the land price for urban areas and agricultural land including wet land, dry land and Tseri. The owners had refused to sell the land required for the new town sites in Bumthang and Barjo because they would receive a much higher price if they sold their land to private parties. His Majesty suggested that the problem faced by the people and

private sector in all the Dzongkhags regarding land that was needed for development activities and town sites could be resolved if the Lhengyel Zhungtshog reviewed and increased the price of all categories of rural and urban land.

The Wangduephodrang Dzongda submitted that there was a consensus among the hon'ble members to shift the existing town to Barjo because the present site was very congested and caused serious problems for the Wangduephodrang business community. Since the proposed site was all fertile wet land on which two crops of paddy could be harvested every year, the owners had demanded very high prices and also substitute land because of which the Dzongkhag Headquarter had not been able to acquire the site. He thanked His Majesty the King for his command that the Lhengyel Zhungtshog could review and increase the land price. This would resolve the problem in acquiring the new site for the Wangduephodrang town.

The Speaker asked the members to inform the people in their respective constituencies about His Majesty the King's benevolent command that for the benefit of the people, the Lhengyel Shungtshog would review and increase the price of all categories of land required for establishing development infrastructure and new town sites.

The representative of the Bhutan Chamber of Commerce and Industry thanked His Majesty the King and said that the review and increase of land price by the Lhengyel Shungtsog would greatly benefit the business community and the people of all the Dzongkhags in Bhutan, and in particular the business community of Wangduephodrang and Bumthang.

The National Assembly resolved that as suggested by His Majesty the King, the existing price of all categories of land required for establishing development infrastructure and new town sites should be reviewed and increased by the Lhengyel Zhungtsog.

5. Shifting of Bondey township

The people's representative of Wangchang, Luney and Humrey in Paro Dzongkhag submitted that the 40 shopkeepers of Bondey were facing problems because they had not been allotted proper commercial plots. He therefore requested that the Dantak camp in Bondey be shifted to another place so that plots could be allotted to the Bondey business community from the site. Since the Dantak had been playing a very important role in the development of service infrastructure in the country, the Dzongkhag Yargay Tshogchung had identified a suitable place called Gangjab on the way to Zangrila and Chelela, to which

the Dantak camp could be shifted. If plots could be allotted from the present Dantak camp site to the business community of Bondey, their existing small shops could be dismantled and a well planned new township could then be established. He pointed out that since the Bondey town is located next to the road to Paro Airport, the present unplanned cluster of shacks gave a very poor first impression of Bhutan to foreign visitors.

The Secretary, Public Works Division agreed that there were serious problems regarding the Bondey town because it was a crowded cluster of shacks located right next to the road to the Paro Airport. He informed the members that during the 7th Plan meeting in Paro, His Majesty the King had commanded that the Bondey town should be shifted after identifying a proper site. Accordingly, the Works and Housing Division together with the Dzongkhag Headquarter held two rounds of meeting with the Bondey business community. Since no other suitable area could be identified, it was decided that the Bondey town should be shifted behind the present Dantak camp and a plan had been also been drawn up. However, since the people had objected to paddy fields being taken over to establish the town, the matter had been kept pending. The Secretary said that the only other suitable place for shifting the Bondey town was to the Dantak camp site. However, Dantak was not only one of the most important organisations assisting Bhutan, but it was also presently carrying out important construction works funded by the Government of India at the Paro Airport. He therefore submitted that the Dantak officials should also be consulted about shifting their Bondey camp to the site suggested by the Paro chimi.

The Paro Dzongda and the representative of the Bhutan Chamber of Commerce and Industry submitted that the site identified for the new Bondey township, following His Majesty the King's command during the 7th Plan meeting, was an area which contained some of the best paddy fields in Paro. Moreover, these paddy fields belonged to people whose other fields had already fallen under the Paro Airport. After the owners of these fields had explained their problems, the Dzongkhag investigated the Dantak camp area and found it to be a suitable site for the Bondey township. Part of the area was government land while parts of it was under private ownership. The business community in Bondey had already procured timber and stones and had repeatedly asked for the site to be approved, and plots allotted, so that they could begin constructing their shops. In view of the problem faced by them, the business community in Bondey was requesting the National Assembly to pass a resolution to shift the Dantak camp to the place identified by the Dzongkhag Yargay Tshogchung so that its site could be allotted for establishing the new Bondey township.

His Majesty the King informed the members that the Dantak camp at Bondey was presently engaged in important works at Paro Airport, such as the construction of the terminal building, for which the Government of India had given a grant assistance of Nu. 200 million. It would be inconvenient for the Dantak camp to be shifted while these works were still under progress. His Majesty suggested that the National Assembly could decide that the Ministry of Home Affairs and the Division of Works and Housing should meet with the Dantak officials and mutually arrive at a solution to the problem of the site for the new Bondey township through cordial and friendly discussions.

The Paro Chimi thanked His Majesty the King.

The National Assembly decided that as suggested by His Majesty the King, the Ministry of Home Affairs and the Division of Works and Housing should hold discussions with the Dantak officials about the problem of the Bondey township site and conduct all necessary studies for shifting the town to the proposed site after the works at Paro Airport were completed.

V. ISSUES RELATED TO THE NGOLOP PROBLEM

1. **Bhutan-Nepal talks**

The people's representatives of Samar and Katsho gewogs under Haa Dzongkhag, Nangkor gewog under Zhemgang Dzongkhag, Lhuntse Dzongkhag, Tangsibi, Drakten and Korphug gewogs under Trongsa Dzongkhag, and the representative of the Bhutan Chamber of Commerce and Industry requested for a briefing on the progress of the Bhutan-Nepal talks which had already concluded seven rounds. They pointed out that the two sides had established a basis for the negotiations when they agreed that there were four categories of people in the refugee camps in Nepal. Since the responsibility of resolving the present problem between Bhutan and Nepal did not fall upon the government only but was also the concern of all Bhutanese citizens, the people were keen to learn about the progress of the bilateral negotiations.

Some of the representatives pointed out that when there were only about 200 people claiming to be Bhutanese refugees who had come to Nepal in 1991, the Nepalese government not only supported them but also sought assistance for them from foreign countries and organisations. This resulted in thousands of ethnic Nepalese claiming to be

Bhutanese refugees flocking to Nepal, making it necessary for the two governments of Bhutan and Nepal to start bilateral negotiations. However, no progress had been made even after seven rounds of talks because every time there was a change of government in Nepal, and a new delegation from their side participated in the bilateral meetings, they changed their policies and positions. It was evident that sound reason had no effect on them. The Chimis pointed out that it was the Nepalese government which created the problem in the first place and it is they who are now deviating from the decisions taken during earlier rounds of the bilateral meetings. Quoting a traditional saying, “the wine you have bought is yours to drink whether it is sweet or sour,” the people’s representatives called for talks with Nepal to be discontinued.

In response, the Foreign Minister, noting that several members had requested for a briefing on the progress of the talks between Bhutan and Nepal concerning the people in the refugee camps in Nepal, made the following report :

In January this year, the Prime Minister of Nepal Mr. Sher Bahadur Deuba wrote a letter to His Majesty the King suggesting that the talks between the two governments should be conducted by the Foreign Ministers and not by the Home Ministers. His Majesty agreed to this suggestion and accordingly, in April this year, the Bhutanese delegation led by the Foreign Minister, Lyonpo Dawa Tsering and comprising the Bhutanese Ambassador Dashi Nado Rinchen, High Court Judge, Dashi Deo Narayan Katwal, Trashigang Dzongda Dashi Rinzin Gyeltshen, Sarpang Dzongda, (Dr.) Sonam Tenzin, and two officers from the Foreign Ministry, Kinga Singye and Kencho Tshering went to Nepal for the seventh round of the Ministerial Joint Committee (MJC).

The Foreign Minister reported that when the Ministerial Joint Committee talks opened, he informed the Nepalese Foreign Minister Dr. K.C. Lohani that the Royal Government of Bhutan was keen to solve the problem between the two countries through bilateral talks. He also told the Nepalese Foreign Minister that considerable progress had been achieved during the first four meetings of the MJC and that, therefore, if the problem is to be solved, the talks must build on the progress already achieved. The Nepalese Foreign Minister, however, took a position which contradicted the previous decisions of the Ministerial Joint Committee. According to the Nepalese Foreign Minister, all the persons in the camps who were long-term habitual residents of Bhutan should be permitted to return to Bhutan. The Foreign Minister informed the Assembly that in that case persons in the refugee camps did not have to be Bhutanese citizens in order to return to Bhutan, and that as long as they had lived in Bhutan for some time they would have the right to return to Bhutan. Also, large

numbers of Nepalese labourers and others who had worked in Bhutan for some time would thereby become eligible to come to Bhutan and settle down.

The Foreign Minister reported that according to the Foreign Minister of Nepal, the basis for distinguishing whether a person had been forcibly evicted or had migrated voluntarily is to be the statement of the person concerned. In that case, if a person who had sold all his properties in Bhutan and had left Bhutan voluntarily gave a statement saying that he was forcibly evicted, then on the basis of that statement he would be allowed to return to Bhutan and reclaim his property. The Foreign Minister said that according to the Nepalese position, the deciding factor would be the statement of the persons in the camps. This, he reported, would nullify the joint verification mechanism which had been approved by the Third Meeting of the Ministerial Joint Committee.

The Minister further stated that the main objective of the Nepalese Government is to send all the people in the refugee camps in Nepal to Bhutan. He said that they also want a third party to be involved in the talks. Since the Nepalese position was new and contradicted what had been agreed to during the previous meetings of the Ministerial Joint Committee, the Foreign Minister reported that he told the Nepalese Foreign Minister that he did not have the mandate to discuss such proposals. He said that he would convey the proposals to the Lhengyal Shungtsog and then communicate the views of the Lhengyal Shungtsog to the Nepalese Foreign Minister who could then consult with his colleagues and come fully prepared for talks to the next meeting of the Ministerial Joint Committee in Thimphu.

The Foreign Minister informed the National Assembly that the Nepalese Government did not seem to be interested in solving the problem through the bilateral process. All the Nepalese Ambassadors in keeping with their government's instructions are making various allegations against Bhutan to tarnish the image of Bhutan. For example, they have been saying that there is no human rights in Bhutan, and they have been approaching countries which give aid to Bhutan to put pressure on Bhutan to accept all the people in the camps.

The Minister said that the Seventh Meeting of the Ministerial Joint Committee held in Kathmandu recently was not successful because the Nepalese had changed their position and introduced new proposals. He assured the National Assembly that in the process of finding a solution to the problem nothing will be done to compromise our national interests.

Following the Foreign Minister's report, many people's representatives submitted their views. The people's representative from Thimphu Dzongkhag pointed out that ever since the ngolop problem in the south began in 1990, His Majesty the King in his magnanimity and with farsighted wisdom had committed himself to finding an early solution to the problem. As the saying goes "if victory is the ultimate aim do not hesitate to take defeat in stride along the way, if your aspirations are high learn to be humble also," His Majesty has always responded with magnanimity to the subversive activities of the ngolops and refrained from taking any strong action against them. Likewise, His Majesty had also started the Bhutan-Nepal talks with a view to resolve the problem facing the two countries which have traditionally enjoyed close relations. However, with the Nepalese changing their position every time there was a change in their delegation, there would be no end to the talks. As such, there is no point in Bhutan making any special effort regarding the talks, he said.

The people's representative from Trashigang Dzongkhag submitted that the bilateral talks were turning out to be a one sided affair as the Nepalese government was demanding that persons who had merely worked in Bhutan and even those who had never set foot in the Kingdom should be accepted as Bhutanese on the basis of the claims made by them. This clearly reveals that the objective of the Nepalese government is to send everyone in the refugee camps to Bhutan regardless of their true status. Such an attitude is not at all acceptable to us the Bhutanese people, he said. Nor will their attitude be found reasonable by others. He therefore submitted that it would be better to discontinue the bilateral talks with the Nepalese government.

The people's representatives of Lhuntse, Pemagatshel and Trongsa Dzongkhags said that Bhutan had always existed as a sovereign, independent country, and the ngolops had no grounds to make any allegations about human rights in Bhutan as it is the Bhutanese people who know best whether they enjoy human rights in their country. The Chimis said that the ngolops are welcome to stay where they can enjoy their brand of human rights, but they should not even think about coming to Bhutan.

The Chimis pointed out that it was Prime Minister Koirala of Nepal who had, for political reasons, encouraged and allowed the problem of the people in the refugee camps in Nepal to grow to the present dimension. The people who had congregated in the refugee camps in Nepal were not evicted from Bhutan. Although there may be Lhotshampas who had left the country among them, they had left Bhutan of their own free will after applying to emigrate. This matter had been discussed in the previous sessions of the National Assembly

and the facts were reflected clearly in the resolutions. The Chimis said that no talks should be held about the repatriation of the people in the refugee camps in Nepal, particularly the ngolops who will always be a threat to the peace and economic progress of the country. Even if the talks should continue, it must be bilateral and the question of a third party intermediary should not even be considered.

The Chimis also pointed out that Bhutan had never changed its position over the decisions that had been mutually agreed upon by both parties. The progress in the bilateral talks had been impeded by the Nepalese delegation changing their position every time there was a change of government in Nepal. The present Prime Minister of Nepal, Mr. Sher Bahadur Deuba, had himself led the first ministerial-level delegation to Thimphu when he was Home Minister. During the first Ministerial Joint Committee meeting, the basis for the bilateral negotiations was laid down when the two sides agreed that there are four categories of people in the refugee camps in Nepal. This was reflected in the signed minutes of the meeting. However, as no substantial progress has been made because of the new elements introduced by the different Nepalese delegations, it would be better to discontinue the talks.

Speaking on the issue, the Minister of Home Affairs said that since the Foreign Minister had already apprised the members of the developments in the Bhutan-Nepal talks, there was no need to dwell any further on the progress of the talks. He, however, expressed his opinion that regarding the position of the Nepalese delegation conveyed to the Lhengyel Shungtsog and the decision taken therein to be conveyed to the Nepalese Ministerial Joint Committee members, they should also submit it to their Cabinet. Thereafter, if the decision of their Cabinet could be conveyed to us before the next round of the talks begin between the two governments, it would be a fair procedure. The Home Minister said that the reason for his submission was that until our delegation actually meets with the Nepalese delegation, it is not possible to know in advance their intentions and positions. Moreover, even during the actual talks, what the Nepalese delegation tells us is catered to the consumption of the media and the international community.

The Minister pointed out that it is not correct to convey the Lhengyel Shungtsog decision to the Nepalese Government unless they conveyed their Cabinet decisions to us also. Otherwise it would not be fair and would create an unnecessary precedence.

Commenting on the statement of the Home Minister, the Foreign Minister said that it was indeed true that the way the talks had turned out did not set a good precedent. He said that the Bhutanese delegation had received clear command from His Majesty the King to make every effort to solve the problem. The Minister said that even though the Nepalese side introduced completely new elements which contradicted previous agreements, the Bhutanese delegation did not abandon the talks because of His Majesty's command. The Bhutanese delegation therefore informed the Nepalese delegation that their new proposals would be conveyed to the Lhengyal Shungtsog, and that the views of the Lhengyal Shungtsog would be communicated to them so that they can consult among themselves and come fully prepared for the Eighth Meeting of the MJC in Thimphu. However, he said, while we shall be conveying the views of the Lhengyal Shungtsog to the Nepalese, on their part they had simply been informing us of the views published in their newspapers, and therefore the way the talks are progressing does not set good precedents.

The representative of the Bhutan Chamber of Commerce and Industry reminded the members that the people of southern Bhutan had been basking under the warmth of an unclouded sun and quenching their thirst from the freshness of a mountain stream, when they revolted against their government, disturbed the peace of the country and left Bhutan on their own free will. He pointed out that when there were only about 200 people who had come to Nepal, claiming to be Bhutanese refugees, the Nepalese government extended them full support and assistance, as a result of which the present refugee problem between Nepal and Bhutan was created. When His Majesty the King and Prime Minister Koirala of Nepal met in Colombo, His Majesty requested the Nepalese Prime Minister not to allow people claiming to be Bhutanese refugees to enter Nepal as it would encourage many ethnic Nepalese to congregate in the refugee camps in Nepal for free handouts. His Majesty requested Prime Minister Koirala to at least discourage such people from coming to Nepal if it was not possible for him to stop them. However, Prime Minister Koirala said he could not comply with His Majesty's request because it would hurt the sentiments of the Nepalese people and he would also be criticised by the political parties in Nepal.

The BCCI representative also recalled that when His Majesty met Prime Minister Koirala during the SARRC summit in Dhaka, the Prime Minister had agreed to His Majesty's proposal for determining the status of the people in the refugee camps in Nepal, but changed his mind when a joint press release was to be issued. As for the people who had left Bhutan, he pointed out that His Majesty the King had personally visited southern Bhutan many times and had appealed to them not to emigrate, and both His Majesty and

the government had done everything possible to dissuade them from leaving the country. However, they refused to stay back and left for Nepal, clearly looking forward to returning to their motherland. This observation is not based on rumors but on what many of us have seen with our own eyes, he said.

He pointed out that ever since the bilateral talks between Bhutan and Nepal began in 1993, led by the Home Ministers of the two countries, Bhutan had always abided by the decisions arrived at jointly by the two delegations. However, even after seven rounds of talks, the Nepalese have not only been dragging their feet and changing their position, but they have even been attempting to interfere in the internal affairs of our country, he said. Therefore, rather than discontinue the bilateral talks, it is more important to find out the real motives of the Nepalese government for not honouring the decisions that have been jointly agreed to during the previous rounds of talks.

The people's representative from Haa Dzongkhag submitted that when Bhutan was enjoying peace and stability, a few persons with vested interests attempted to overthrow the institution of the Palden Drukpa by creating misunderstanding between the government and the people. As for the people who had subsequently left Bhutan, "they are like those who expect the ash to be warmer than the fire and water to taste better than wine," he said, adding that his colleagues had already described how these people left Bhutan and how they were welcomed by the Nepalese government. The people of Haa who move down to the south in winter and come in constant contact with the Lotshampas have seen how these people turned deaf ears even to His Majesty the King's repeated appeals to them not to emigrate and leave the country, he said.

He informed the members that the Lhotshampas in Dophuchen, Doenchukha and Bumthana in Samtse Dzongkhag were far more prosperous than the people of Haa. They possessed a lot of livestock, orange orchards, cardamom fields, fertile paddy fields and dry land, which were once the pasture land of the people of Haa before the government granted these land to the Lhotshampas. Despite the prosperity they enjoyed, the Bahuns and Chhetris in these places, who mostly owned the fertile land, sold their property and left the country just like the Lhotshampas from other Dzongkhags. He recalled that in 1994, about 30 to 40 Lhotshampa households camped at Damdum near the Samtse Dzongkhag headquarters and applied to emigrate. The Dzongda, Gups and Chimis and sectoral heads in the Dzongkhag came to the camp to read them a Kasho from His Majesty the King which called upon them not to emigrate, and awarded them exemption of rural taxes and

Gungda Woola for three years to encourage them to stay back. However, only one person, an ex-Gup stayed back. The others were very keen to go to Nepal and left soon thereafter. We were doing orange business in Samtse at that time and saw this with our own eyes, he said. Just about a week later, we heard one of these emigrants, a student called Tula Ram from Denchukha gewog under Dorokha Dungkha, claiming on Radio Nepal that he had been forcefully evicted from Bhutan, he said.

The Haa Chimi submitted that although it had been agreed during the bilateral talks with Nepal that there are four categories of people in the refugee camps in Nepal, no significant progress had been made thus far. Since the people who left Bhutan, did so of their own free will, there was actually no need to hold any talks with the Nepalese government, he said. However, His Majesty the King had decided to hold bilateral talks with Nepal in view of the traditionally close relations between Bhutan and Nepal as neighbouring countries, and the people did not want to contradict His Majesty's decision even though they had doubts about holding the talks. He said that the people cannot tolerate the false allegations of human rights violations in Bhutan made by the Nepalese and their frequent changes of position during the bilateral talks, particularly, their attempt to send all the people in the refugee camps to Bhutan without proper verification. Even though they may have no shame in making such blatantly unreasonable demands, they should realize that there is no way we will accept such demands. Nepal should realize that it was their own Prime Minister Koirala, who supported the people claiming to be Bhutanese refugees and started the refugee camps in Nepal. Since it was the Nepalese government under Mr. Koirala that encouraged ethnic Nepalese to come to the camps, and it is on Nepalese soil that these camps have been established where all these people congregated, there is no reason for our government to be involved in whatever problem there is today regarding this matter as it should be sorted out between the people in the camps and former Prime Minister Koirala, he said.

The people's representative from Tsirang Dzongkhag expressed his appreciation for the clear briefing given by the Foreign Minister on the Bhutan-Nepal talks. Although seven rounds of talks had been completed after His Majesty the King initiated the bilateral negotiations, no significant progress had been made. Obviously listening to the wishes of the dissidents from Bhutan, it appeared that the Nepalese government wanted even those who had merely worked in Bhutan as labourers to be given Bhutanese citizenship. This is like a worker who is hired to plough the field and herd cattle claiming a share of the land and cattle, he said. Since the Nepalese government did not seem to be interested in working out a mutually acceptable solution to the problem facing the two countries through the

bilateral negotiations, there is no need for Bhutan to make any further effort to continue with the talks, he said.

The people's representative from Punakha Dzongkhag pointed out that during a BBC interview in October 1991, Prime Minister Koirala of Nepal admitted that he had come to Bhutan in 1952 and created the Bhutan State Congress. He also said he was giving moral support to the ngolops who had come to Nepal. It is clear that Mr. Koirala and his government have been attempting to undermine the established system of government in Bhutan, and they are also responsible for creating the problem of the people in the refugee camps in Nepal, he said.

He reminded the Assembly that the present Prime Minister of Nepal, Mr. Sher Bahadur Deuba, visited Bhutan in 1993 when he was Home Minister and led the Nepalese delegation in the meeting which established the mandate for the bilateral talks. He was also the leader of the Nepalese delegation during the first Ministerial Joint Committee meeting held in Kathmandu. Now that Mr. Sher Bahadur Deuba is the Prime Minister of Nepal, we cannot understand why the Nepalese delegation is not abiding by the decisions which had been taken jointly by him in the previous meetings.

He pointed out that the people of Bhutan enjoy the values of human rights and good governance to a degree that is comparable with any country with a democratic system of government. The people of Bhutan in all walks of life love and respect the system of hereditary monarchy. If ever there is a need for any changes to be introduced in the system of government, it will be done so in accordance to the needs recognised by His Majesty the King and the people, and on the basis of the close bond between them which is like the bond between a father and his children, and not because other countries have a different system of government. We, therefore, reject the allegations made by the so-called refugees and the Nepalese government about there being no human rights in Bhutan, and their criticisms of our government, he said. Since the human rights and democratic system of government sought by the people in the so-called refugee camps exist in Nepal, there is no reason for the people who emigrated from Bhutan to talk of coming back. When they emigrated and left for Nepal, no agreement was executed that they can return after a fixed period of time. There is also absolutely no ground for the Nepalese to call for a third party intermediary during any talks regarding these people in the refugee camps.

The Punakha Chimi also pointed out that no country in the world gives citizenship to people who come in search of work. Nor could he believe that people returning to their motherland could ever be considered as refugees. When ordinary people are bound to abide by an agreement they have drawn up, governments should be even more responsible in abiding by the agreements they have reached with each other. If the Nepalese government does not stand by the decisions that had been jointly taken during the previous rounds of bilateral negotiations, a mutually acceptable solution to the problem will never be reached. However, if the Nepalese government abides by the mutually agreed decision to resolve the problem facing the two countries on the basis of the four agreed categories of people in the camps, it will be possible to resolve the problem and thereby strengthen the traditionally friendly relations between two neighbouring Himalayan kingdoms, in keeping with the aspirations of His Majesty the King. The people of Punakha will abide by whatever decision is taken by His Majesty the King and the Royal Government regarding the continuation of the Bhutan-Nepal talks, he said.

His Majesty the King expressed his regret that progress in the bilateral talks with Nepal had been like taking one step forward and two steps back. The Royal Government, His Majesty said, is fully committed to resolving the problem facing our two countries, and to that end we must ensure that the process of dialogue is based on integrity and good faith. His Majesty told the Assembly that the views of all members would be kept in mind during the eighth round of talks sched

uled to be held in Thimphu in the near future, and the results of the talks would be reported to the next session of the National Assembly.

Speaking on the issue, one of the Royal Advisory Councillors pointed out that the latest position of the Nepalese government, as reported by the Foreign Minister, was absolutely astounding. Although their position is incredibly unreasonable, we should nevertheless make necessary preparations to respond to them effectively, he said. Recalling that even though there had been no grounds for holding talks with Nepal since the people who had left Bhutan had emigrated on their own free will, the Royal Government had started negotiations with the Nepalese government in good faith and with the expectation that they would be sincere in their efforts to find a solution to the problem. Although it is clear that their words cannot be relied upon, we should keep in mind the saying, “just as a big log cannot be split with one blow of the axe, a complex negotiation cannot be concluded with just one round of talks,” he said. Having persevered thus far with the negotiations, Bhutan should exercise yet a little more patience and continue with the eighth round of talks which

are scheduled to be held in Thimphu. During the talks, the Royal Government should stick to its position and try to persuade the Nepalese delegation to charter a course along the path that had been agreed to earlier. If, however, they still persist with their unreasonable position, then we will have to conclude that they are truly inflexible like the sword which cannot be bent and the sickle which cannot be straightened. In the event of such an outcome, the Nepalese government has the right to stick to their position just as we have the prerogative to follow our own decision, he said.

The Speaker observed that since all the members were fully aware of the people's deep concern over the lack of progress in the Bhutan-Nepal talks, there was no need to deliberate on the issue any further.

The National Assembly resolved that the Royal Government would continue with the Bhutan-Nepal talks, and the result of the eighth round of talks would be reported to the next session of the National Assembly.

2. Extradition of Rongthong Kinley

The people's representative from Pemagatshel Dzongkhag submitted that during the 73rd Session of the National Assembly, extensive discussions had been held about the ngolop Rongthong Kinley, and a resolution was also passed. However, the people of Pemagatshel remained deeply upset that Rongthong Kinley, who had benefitted from the benevolence of the Royal Government more than other Bhutanese nationals, had revolted against the Tsa-Wa-Sum and left the country like a horse that kicks the person who has been feeding it. Since then he had been attempting to harm the Tsa-Wa-Sum through false and malicious allegations. The people therefore request the Royal Government to have discussions with the Nepalese government for his extradition and punish him strictly as per the provisions of the Thrimshung Chhenpo, he said.

The Home Minister reported that Rongthong Kuenley's loan defaults stands at Nu. 12,127,984 as of 30th June 1996. Not being able to repay his debts, he left the country. Rongthong Kuenley had given clandestine support to the anti-national movement in 1990. Based on reliable evidence of his subversive activities against the Tsa-Wa-Sum, he was detained in 1991. However, His Majesty the King granted him royal pardon. In appreciation of the royal pardon, Rongthong Kuenley signed an undertaking in the presence of his own brother Pema Wangdi who was then Director in the Home Ministry,

the Chief Justice, and Royal Advisory Councillor Kuenzang Wangdi pledging that he would never indulge in any harmful activity against the Tsa-Wa-Sum. However, he flouted this undertaking signed of his own free will, and once again indulged in treasonable acts. Therefore, as submitted by the people's representative of Pemagatshel, Rongthong Kuenley should be brought before the court of law, he said.

The Home Minister informed the members that recently in a propaganda booklet, Rongthong Kuenley admitted to having taken loans from his business associates and the financial institutions, and stated that he had also given a Genja to late Lyonpo Sangye Penjor, when he was the Chief Justice, that he would pay double the amount should he fail to pay his loans on time. He had also written that the loan repayment should be made when a Thrimkhang specializing in loan cases was established. The Home Minister pointed out that just as the dumbest person can smell pork being roasted, it is obvious that Rongthong Kuenley is merely barking like a stray dog in making these statements since he has no intention of actually repaying his loans. He can indulge in as much baseless allegations and falsehoods as he likes, but the fact remains that he has violated the National Security Act and other laws, and he therefore falls under Category 4, namely, Bhutanese who have committed criminal acts, said the Home Minister. Although it is not worth taking any notice of a person like Rongthong Kuenley who cannot even be trusted as a friend or companion for a brief period while answering the call of nature, since he has broken the law and also defaulted on many loans taken from the financial institutions and private individuals, he will sooner or later be brought before the Court of Law on these counts, the Minister added.

The Home Minister pointed out that Rongthong Kuenley was a two faced person who through speech expressed his loyalty and dedication in the name of the Guardian Deities, while through his mind and body he engaged in subversive activities against his own country. As such he is the incarnation of the evil "Rudra" himself. He said that, since the Bhutanese people believe in the Buddhist values and the concept of Karma, the unseen but ever present forces of right and wrong will one day bring Rongthong Kuenley before the Court of law in Bhutan to stand trail for treason against the Tsa-Wa-Sum and fraudulently defaulting on the many loans taken by him. It is easy for Rongthong Kuenley to spread lies and pratter like a jestor from a foreign country among faithless and disloyal persons like himself who have flocked together like birds of the same feather. The Home Minister informed the members that in keeping with the resolution of the 73rd Session of the

National Assembly, every effort will be made to extradite Ronthong Kuenley and bring him to trial before the court of law in Bhutan.

The National Assembly decided that, as resolved during the 73rd session of the National Assembly, since Rongthong Kuenley is a ngolop who has committed criminal acts against the Tsa-Wa-Sum, and has also defaulted on large loans taken from the financial institutions and private individuals, and since he falls under Category 4, Bhutanese who have committed criminal acts, the Royal Government should have discussions with the Nepalese government and make every effort to extradite him and have him tried according to the laws of the country.

3. Seizure of properties and assets of Rongthong Kunley

The people's representative from Pemagatshel Dzongkhag submitted that Rongthong Kunley was a Bhutanese citizen who had become a traitor and revolted against the Tsa-Wa-Sum and joined the anti-nationals. Further, after deceiving the Royal Government, he had taken huge loans and absconded from the country. The people of Pemagatshel therefore requested the government to seize all his properties and assets.

In response, the Home Minister informed the members that the submission made by the people's representative of Pemagatshel for seizure of properties and assets of Rongthong Kuenley, had to be reviewed very carefully in depth. Since everyone is equal before the law in Bhutan, anyone who violates the law should be punished without partiality, as per the law, irrespective of the person's position or status, he said.

The Home Minister pointed out that Rongthong Kuenley had taken many loans from his associates and the financial institutions but failed to repay them. He also engaged himself in subversive activities and made numerous false and malicious allegations against the Tsa-Wa-Sum. By engaging in all these activities, he had violated the provisions of the National Security Act, and is therefore, liable for punishment under this Act which includes capital punishment, he said.

The Home Minister informed the members that regarding Rongthong Kuenley's loans, the case needs to be forwarded to the Court and the loan recovered from the sale proceeds of his property. For this, the Home Ministry had conducted an investigation into his assets and property, and found that he had 51.50 acres of land under his Thram, excluding pasture land and Sokshing. When these lands were measured during the cadastral survey in

Trashigang Dzongkhag, it was found that there was 67.83 acres of land under his Thram. The Home Minister informed the members that all his excess land will be dealt with in accordance with the Land Act when the land records for Trashigang Dzongkhag are updated. Regarding the seizure of Rongthong Kuenley's assets and properties, it will be dealt with as per the laws of the country, he said.

The people's representative of Pemagatshel pointed out that the main concern of the people was that apart from misusing a lot of money which belonged to the government and the people, Rongthong Kinley had revolted against the Tsa-Wa-Sum and left the country. Although it may be all right to take action as suggested by the Home Minister, it should be kept in mind that the traditional practice of seizing the properties of ngolops existed long before Rongthong Kinley left the country. The National Assembly should therefore pass a resolution to confiscate the properties of ngolops like Rongthong Kinley.

The people's representatives of Mewang, Gyene and Dagala gewogs in Thimphu Dzongkhag, Wangchang, Humrey and Luni gewogs in Paro Dzongkhag, Tangsibi gewog in Trongsa Dzongkhag, and the representative of the Bhutan Chamber of Commerce and Industry also submitted that besides taking many loans from the financial institutions and private individuals, Rongthong Kinley had revolted against the Tsa-Wa-Sum and left the country. A list of his debts had been submitted to the High Court while he was still in the country. However, realizing his faults, he had left the country to escape the jurisdiction of the Court. The government should confiscate the property and assets left behind by Rongthong Kinley.

Some of the members submitted that if Rongthong Kinley is allowed to remain in a foreign country after defaulting on so many loans he had taken in Bhutan, it would encourage others like him to do the same. Therefore, all of Rongthong Kinley's property should be confiscated so that it will deter others from committing such crimes and also strengthen the traditional codes of the country.

Other members pointed out that, not content with taking large loans from the financial institutions and leading an extravagant life beyond his means, Rongthong Kinley also revolted against the Tsa-Wa-Sum. Hence, keeping in mind the saying, "if evil is not uprooted, the good will not flourish," all his property should be confiscated and the High Court should also pass a judgment on Rongthong Kuenley's loan defaults in accordance with the laws of the land.

The National Assembly decided that although Rongthong Kuenley's had not only taken many loans on which he had defaulted but had also revolted against the Tsa-Wa-Sum and left the country, the question of seizing his properties and assets shall be dealt with in accordance with the laws of the land.

4. False allegations by the people in the camps in Nepal

The people's representative from Tsirang Dzongkhag submitted that those who had revolted against the Tsa-Wa-Sum in southern Bhutan in 1990 had left the country after carrying out large scale destruction of public property and development service infrastructure, and indulging in unspeakable acts of terrorism causing untold suffering to the people. They absconded because they did not want to face the consequences of their crimes. There were also other people who applied to emigrate and left on their own free will after selling their land and property to people both inside the country and living across the border. These people left even after His Majesty the King visited the disturbed areas of southern Bhutan, exempted Gungda Woola and rural tax for 1992 to encourage them to stay back, and personally appealed to them not to emigrate. After reaching the camps in Jhapa, they claimed that they were forcefully evicted and accused the Royal Government of human rights violations. These are totally false and baseless allegations, and the people of Tsirang would like to place on record that there is no human rights violations in Bhutan. If these people were forcefully evicted as claimed by them, how is it that many of their relatives continue to live in Bhutan? The Lhotshampas in Bhutan can stand as witness to refute these false allegations, he said.

The Tsirang Chimi also pointed out that it was the ngolops who were the real violators of human rights in Bhutan. Not only had they revolted against the Royal Government but they had inflicted untold pain and suffering on the people of southern Bhutan who had been living their lives in peace and tranquility. The ngolops know this better than anyone although they have no shame and hesitation in saying just the opposite. Nor do they seem to have any qualms in violating moral values and principles of their religion by indulging in such blatant lies and falsehoods.

In response the Home Minister said that the ngolops, after having emigrated and left the country on their own request, have indulged in making false allegations against the Royal Government in order to gain sympathy and support both from the Nepalese people and the international community. If their allegations that they have been forcefully evicted have

any basis why should so many of their family members still work in government service, private sector and in the villages, and live happily in the country? The Minister pointed out that lies will remain lies even if they are repeated like mantras a million times, and being baseless and false will have no credibility. There is no need to be concerned by the false allegations made by the ngolops. As all Bhutanese are aware, the rights of every citizen in Bhutan is fully protected under the Thrimzhung Chenpo.

The people's representative of Lamidara in Tsirang Dzongkhag said that the allegations made by the ngolops in Nepal that there is no human rights in Bhutan are totally false. It is these ngolops who are the actual violators of human rights as they have inflicted great suffering on the people. They burnt, bombed and destroyed schools, health centres, bridges and many social service infrastructure which the government had established at great cost for the benefit of the people, and then left because they did not wish to live in Bhutan. The ngolops making these false allegations comprise only 20% of the Lhotshampa population, 80% of whom continue to live in Bhutan. If there is any truth in their allegations, none of their relatives would be found in Bhutan. The government has not asked anyone to leave the country. Nor have the security forces, which have confined themselves to safeguarding the security of the country, come to the villages and done anything harmful to the people. The false allegations by these people who only constitute 20% of the Lhotshampas should not be given any credence by people in other countries, he said.

The deliberation on this point concluded with the Speaker endorsing the National Assembly member's submission regarding the ngolops and the people who emigrated and left the country who are now making all kinds of baseless and false allegations against the government and people of Bhutan. The Speaker reminded the Chimis to inform the people about the various submissions from the National Assembly members refuting the false allegations made by the ngolops who had left the country.

5. Relatives of ngolops (anti-nationals)

The representative of the Bhutan Chamber of Commerce and Industry submitted that the family members and relatives of the ngolops who were involved in the revolt against the Tsa-Wa-Sum and had taken refuge in Nepal or joined the anti-nationals in Nepal should not be granted equal benefits and opportunities as other citizens. Their activities and connections must be thoroughly investigated to prevent them from harming the security of the country. He cited the example of Rigzin Dorji, an administrative officer in the BCCI,

who absconded to Nepal after stealing over Nu. 300,000, audio tapes containing recordings of the minutes of important meetings of the Chamber, and some office equipments. Rigzin Dorji joined the ngolop Rongthong Kuenley, and in a ngolop newspaper which carried his photograph falsely claimed that he had been forcefully evicted. It is because of such cases that the issue of the relatives of ngolops is being repeatedly submitted to the National Assembly, he said.

The Secretary of the Royal Civil Service Commission explained that the RCSC is fully aware of the deep concern shown by the Bhutanese citizens over the continued employment of relatives of ngolops by the Royal Government, and he agreed that the people's concerns are fully justified. He reported that starting from 1990, many Lhotshampa civil servants had absconded to Nepal taking with them important documents, government money and assets. Many of them had become leaders of the ngolops. However, the Royal Government, in keeping with the Civil Service Rules and Regulations, follows one uniform policy for all civil servants, and recruitment, training and promotions of the civil servants are based purely on merit.

He said that the ngolop problem in the south and the actions of Lhotshampa civil servants had caused considerable embarrassment to the Royal Government besides posing a security risk. Yet, he said, following the command of His Majesty the King, no discriminatory actions had been taken against Lhotshampa civil servants.

Out of the total of 12,132 civil servants in the Kingdom, 3,216 are Lhotshampas. Since 1990, 1,147 Lhotshampas were recruited, 1,039 promoted, 477 sent overseas for further studies and 87 of them were being trained as doctors, engineers and in other specialized professions.

He said that despite the non-discriminating policy followed by the Royal Government, many Lhotshampa civil servants absconded after stealing large sums of government funds and assets, as well as important documents. Others retired in the hundreds, and after claiming all their retirement benefits joined the ngolops, while several Lhotshampas who were sent abroad for advanced studies did not return home and instead engaged in spreading malicious allegations against the Tsa-Wa-Sum. Such activities by Lhotshampa civil servants have embarrassed the Royal Government both at home and abroad. Expecting them to play a constructive role in the development of their country, the Royal Government educated and trained the Lhotshampas at great cost. By absconding in such

large numbers after acquiring knowledge and experience, these Lhotshampa civil servants not only affected the development process in the country but also undermined His Majesty the King's policy of bringing the Lhotshampas into the national mainstream.

The Secretary informed the members that the RCSC, sharing the same concerns expressed by the people, had on several occasions taken a decision to terminate the service of all the relatives of the ngolops. However, His Majesty the King had always intervened and reminded the RCSC that no civil servant can be removed from service unless he or she has violated the civil service regulations. Since no separate action or procedures can be applied to the Lhotshampa civil servants, the RCSC cannot give an assurance that no problem will be created in the future by them. Meanwhile, the RCSC, in keeping with His Majesty the King's command, continues to follow a non-discriminating policy towards the relatives of ngolops and the employment, training and promotion of Lhotshampa civil servants.

The Secretary said that it is his sincere hope and prayer that the Lhotshampa civil servants would prove themselves to be loyal citizens who are fully committed to fulfilling His Majesty the King's aspiration and vision of a strongly united country where all the Bhutanese people will enjoy peace and prosperity.

The people's representatives from Sarpang and Tsirang Dzongkhags pointed out that the ngolops and their close relatives had committed serious crimes and inflicted untold suffering upon the people in their Dzongkhags. They had strong reasons for believing that secret communication links existed between the ngolops in the Jhapa camps and their close relatives and friends inside Bhutan. Resolutions of the GYT and DYT meetings and other inside information were being sent to the ngolops by their relatives who also provided money, provisions and shelter when the ngolops entered Bhutan to carry out terrorist activities. These relatives frequently visited the camps in Nepal and were also responsible for putting up anti-national posters and distributing subversive literature. According to the people's representatives from Sarpang and Tsirang, the problem in southern Bhutan still existed because of the close links maintained between the ngolops in Nepal and their relatives inside Bhutan.

The people's representative from Sarpang Dzongkhag said that he could cite several examples of collaboration between the ngolops and their close relatives. For instance, six armed ngolops entered Deorali under Kalikhola Dungkhag and stayed there for a week. Yet, the matter was not reported to the Gup, Chimi or the Dungkhag officials. Ngolops had also been given assistance and shelter by their relatives in Leopani, Hillay and Danabari,

and several people from Dovan village went and visited their relatives in Jhapa. At the same time, the service facilities provided by the government was being shared equally by the relatives of the ngolops and the loyal Lhotshampa citizens. Since the relatives of the ngolops will always remain a constant threat to the peace and security of the country, it will not be possible for the loyal Lhotshampas to live in harmony with them, he said.

The Chairman of the Royal Advisory Council pointed out that the peace and tranquility which the Bhutanese people had enjoyed for such a long time had been disrupted by the recent anti-national activities. He said that there was no need to elaborate on this subject as everyone was aware of the heinous crimes committed by the ngolops. Nevertheless, he reminded the Assembly about the Lhotshampa civil servants, and other ngolops, who had fled to Nepal after violating the law in Bhutan and then claimed that they had been forcefully evicted. Although they are the ones who had committed numerous crimes, these ngolops had been making baseless allegations through the media to malign the Royal Government. In view of this, it is necessary to ensure that the ngolops and their relatives are punished in accordance with the laws of the land, he said. Keeping in mind the saying, “strong action against one will deter a hundred others,” it was also necessary to adopt a more strict policy towards the relatives of the ngolops.

The people’s representative from Haa Dzongkhag submitted that while he deeply appreciated the clarification given by the Secretary of the Royal Civil Service Commission that in keeping with His Majesty the King’s command every Bhutanese must be treated equally regardless of caste, creed or status, he still had grave reservations about the relatives of ngolops. No matter how we may look at it, it will always be a problem to have so many sons and relatives of ngolops working under our civil service Chathrim when their fathers and brothers continue to indulge freely in subversive activities, he said. Therefore, it is necessary for the Royal Civil Service Commission to give a serious thought to formulating a separate regulation for dealing with the relatives of ngolops, even as it upholds His Majesty the King’s command to treat every civil servant equally.

Supporting the submission made by the people’s representative from Haa, the Deputy Minister of Agriculture submitted that during past times when there was a traditional practice of imposing punishment to family members and relatives of ngolops also, there were hardly any incidences of ngolop activities taking place. These days the Government does not take any action against relatives of ngolops so long as they have themselves not been involved in carrying out any activity violating the law. That is why, there are many

close relatives of ngolops who continue to stay in the country today with one foot in Bhutan and the other in Nepal to facilitate the return of the ngolops in the event they are able to achieve their objectives, as the saying goes “to keep the nest warm”. The relatives are also in position to provide information from the country to the ngolops. The Deputy Minister pointed out that since the ngolops are confident that their actions will not affect their relatives who stay behind, they are encouraged to continue their subversive activities. He therefore, suggested that a new regulation should be framed to punish the ngolops and their relatives.

The people’s representatives from Punakha and Thimphu Dzongkhags submitted that although the Royal Government has been treating the relatives of ngolops equally with all other citizens, they strongly suspected these people of passing all available inside information to the ngolops outside the country. In keeping with the saying “take necessary precautions to avoid catching the disease and clear the drains before the waters come,” all relatives of the ngolops in government service or in the private sector must be investigated and closely monitored. They also said that it does not make sense to give additional responsibilities to the relatives of the ngolops.

The Dagana Dzongda cited the example of a Lhotshampa section officer who absconded to Nepal in 1993. He was working on the construction of the mini hydel station at Daga Tseza gewog when he absconded with three months’ labour wages and joined his parents who had already gone to Nepal. If a junior officer like him with minimal financial powers can abscond with three months labour wages, Lhotshampa officials with more financial powers would have no hesitation at all in stealing government assets and absconding from the country, like Bhim Subba and R.B. Basnet, he said. He also strongly suspected that the relatives of ngolops working in the private sector were providing them with financial support. He said that, besides His Majesty the King’s command and the RCSC Charter, the Royal Civil Service Commission should also follow the National Security Act, 1992 and other relevant laws of the country when dealing with the relatives of ngolops. The issue of the recruitment, training and promotion of Lhotshampas and giving them posts with financial powers also needed to be reviewed very carefully, he said.

The Speaker suggested that although this issue had been thoroughly discussed during the previous sessions, and the Royal Civil Service Commission had to function in accordance with the RCSC Chathrim and His Majesty the King’s command to treat all civil servants equally, including the relatives of ngolops, a new legislation to deal with the issue of the

relatives of ngolops could be drafted by the Lhengyel Shungtshog and submitted for consideration by the National Assembly during its next session.

Intervening in the debate, His Majesty the King pointed out that the issues raised by the members were all covered under the existing laws of the land and the resolutions of the previous sessions of the National Assembly. As such, there was no need to enact a separate legislation regarding the relatives of ngolops.

His Majesty noted that the concerns raised by the members covered three categories of people - relatives of ngolops who had left the country, relatives of people who had applied to emigrate and left the country on their own free will, and relatives of people who had left the country after violating the law and committing criminal acts. The main concern of the members was that while the relatives of these people who had left the country enjoyed the same benefits as all other Bhutanese citizens such as business opportunities, availing loans, free schooling for their children and free health coverage, they posed a serious threat to the security of the country. His Majesty reminded the members that the issue of ngolops' relatives had been debated at length during the 72nd and 73rd sessions of the National Assembly and clear guidelines on the matter had been laid down in the resolutions. The Home Ministry had been instructed to follow these guidelines and it had in turn instructed all the Dzongdas accordingly. Therefore, there was no need for a separate legislation on the relatives of ngolops.

The Home Minister pointed out that the Citizenship Acts of 1958 and 1985, clearly mentioned that once a person renounced his/her citizenship and left the country, he/she would no longer be a citizen of Bhutan. As for their relatives who stay behind, they will continue to be Bhutanese citizens. The Home Minister also said that His Majesty the King had issued a Kasho reminding everyone that it was a punishable act under the law to forcefully evict any bonafide citizen from the country. Moreover, His Majesty had also repeatedly instructed the Home Ministry and the RCSC to ensure that no such actions are taken by anyone. Therefore, all relatives of ngolops and the relatives of those who had emigrated and left the country, have never been discriminated against. Nor have any of them been punished as punishment is liable only if a person breaks the law and commits an offence. As for the employment, training and promotion of civil servants, these are determined on the basis of merit.

The Home Minister recalled that during the 72nd and 73rd sessions also, the members had called for all relatives of ngolops, and those who had left the country to be sent out, and His Majesty the King had to intervene to remind the Assembly that such actions cannot be

taken because it is not in keeping with the laws of the country. The Home Minister suggested that this issue should therefore be dealt with in accordance with the laws of the country and the resolutions of the past sessions of the National Assembly.

The Home Minister pointed out that if relatives of ngolops and those who had emigrated are forcefully evicted as called for by the members, they will then become genuine refugees, as per the laws of the country, unlike those in the camps in Nepal who claim they are Bhutanese refugees. While most of these people in the Nepal camps are not even from Bhutan, even those who had come from the Kingdom are people who had emigrated and left on their own free will. Such people will not be considered refugees under the laws of any country. For example, about 400,000 Nepalese go to India every year to look for jobs because of the population explosion in Nepal, but they are not considered as refugees since they left on their own free will. The Home Minister also informed the members that the Nepalese government kept giving different figures regarding the number of the so-called refugees in the camps, sometimes saying there are 80,000, sometimes saying the figure is 90,000 and sometimes claiming there are more than 100,000.

The Home Minister reminded the members that even those people in the refugees camps who had come from Bhutan had been asked by His Majesty the King himself to withdraw their applications to emigrate and stay back. To encourage them to remain in the country, His Majesty granted exemption of rural taxes and Gungda Woola. Since these people left the country on their own free will, they cannot be considered as refugees. As for the relatives of ngolops who continue to live in Bhutan, since they are Bhutanese citizens who have not committed any offences themselves, there are no legal grounds for any punitive action to be taken against them, said the Home Minister.

Intervening in the debate, His Majesty the King reminded the members that if relatives of ngolops have not been involved in any subversive activities, they are not liable to any punishment under the laws of the land. Children cannot be punished just because their parents are ngolops, said His Majesty. On the other hand, the existing laws of the country have adequate provisions for the trial of any Bhutanese citizen who has absconded to Nepal after committing treason or other crimes, as also for verification of any claim of forceful eviction. There was, therefore, no need for the 74th session of the National Assembly to have any further deliberations on enacting a legislation specifically for relatives of ngolops, and relatives of people who had either emigrated or left the country after committing criminal acts.

His Majesty also informed the members that close relatives of anti-nationals were not employed by the government in other countries. Bhutan was the only country in the world which employed relatives of ngolops in government service and treated them equally with all other citizens.

The National Assembly decided that since the issue of employment, training and promotion for relatives of ngolops had been discussed extensively during the previous sessions, the Royal Government should continue to deal with the matter according to the resolutions of the 72nd and 73rd sessions of the National Assembly and the existing laws of the country.

6. Ban on the return of people who have left the country

The people's representatives of Pemagatshel, Sarpang, Tsirang, Monggar, Bumthang, Samtse, Trongsa, Samdrupjongkhar and Paro Dzongkhags, and Phuentsholing Dungkha submitted the request of the people in their constituencies for a ban on the return of people who had left the country.

The people's representatives of Pemagatshel, Monggar, Bumthang and Paro Dzongkhags reiterated their submission made during the National Assembly sessions held after 1990 that those people who had left the country on their own free will must not be allowed to return.

The people's representatives of Sarpangtar and Surey gewogs under Sarpang Dzongkhag and Samdrupjongkhar Dzongkhag submitted that the people were deeply concerned to hear that the ngolops who had left after revolting against the Tsa-Wa-Sum and who had inflicted untold suffering on the simple villagers of southern Bhutan were now attempting to come back to Bhutan. As there would be no peace and stability in the country if these ngolops returned, the people requested the Royal Government to ensure that the ngolops are never allowed to come back.

The people's representative from Trongsa Dzongkhag reminded the Assembly that when the revolt in the south could not achieve any success, many people from southern Bhutan left for their motherland, Nepal. These people left because they did not like to consider His Majesty as their King and Bhutan as their coun

try, and also because they had no respect for the laws of the land. He also pointed out that the Nepalese government had rendered all possible help to these people.

The people's representative from Tsirang Dzongkhag submitted that far from allowing these faithless and treacherous people to come back, such a step should not even be considered. Moreover, people who had left after applying to emigrate and completing all the related procedures had no grounds at all for returning to the country. Also, as per the laws of the country, once a person has surrendered his citizenship he cannot reclaim it. He pointed out that allowing such people to return would amount to nullifying the Citizenship Acts enacted by the National Assembly. Further, if these ngolops returned they would stir up discord and would always be a threat to the security of the country. He submitted that such people must never be allowed to return.

The people's representative from Samtse Dzongkhag informed the Assembly that the Gewog Yargay Tshogchungs and Dzongkhag Yargay Tshogchungs in the southern Dzongkhags had appealed to the Lhotshampas who had applied for emigration not to leave the country. He said that His Majesty the King had also appealed to these people not to leave, out of consideration for the difficulties they would face once they left the country. He recalled that His Majesty had even issued a Kasho exempting Gungda Woola and rural taxes for three years to encourage these people to stay back. However, instead of appreciating these Kidus, they listened to the ngolops in the camps in Jhapa, Nepal and left the country after selling their properties. Upon reaching Nepal, these people suddenly claimed that they had been forcefully evicted and made malicious and baseless allegations against the Royal Government of Bhutan. The Chimi also pointed out that many poor Nepalese from India and Nepal were gathered in the camps to increase the number of "refugees". He submitted that there were no genuine Bhutanese refugees in the camps and those who had come from Bhutan had not been forcefully evicted as claimed by the ngolops. The ngolops were making these false allegations against the Royal Government in order to destabilize Bhutan and undermine its sovereignty. He said that the people of Samtse had repeatedly called for a ban on the return of all ngolops, and they reiterated this call during the current session of the National Assembly.

The people's representative from Phuentsholing Dungkhag submitted that the people in his Dungkhag had clearly understood resolution VI.4 of the 73rd Session of the National Assembly and they were fully committed to defending the security of their villages and their country. He pointed out that if the ngolops are allowed to return they would once again destroy the development service facilities like schools, health facilities, and

agriculture and animal husbandry centres established for the benefit of the people. Also, sectoral officials and personnel will not want to come to the districts and villages to work because of the presence of these ngolops in our midst, he said. He also pointed out that because the Gups and Chimis refused to support the ngolops, they were regarded by them as their enemies. He further reminded the Assembly that the ngolops had promised jobs to non-nationals in return for their support, and these non-nationals were now waiting to come to Bhutan with the ngolops.

In response, the Home Minister informed the members that he clearly understood the views of the people from all quarters of Bhutan submitted before the National Assembly by their representatives. He said that the substance of all their submissions was that the various resolutions of the National Assembly should be adhered to and strengthened. As submitted by the people's representatives, it was true that ngolops and those who left the country do not really consider Bhutan as their country. Indicating that they did not even want to stay a night longer, these people sold their land and property and left on their own free will.

Moreover, without any regard to the laws of the country, these people have been coming all the way from the camps in Jhapa and committing rape, murder, theft and robbery in southern Bhutan. As of June this year, village volunteers in the southern villages have caught and handed over to the police 85 terrorists who have come from the refugee camps in Nepal to terrorise the people of southern Bhutan, he said.

The Home Minister pointed out that, as everyone is aware, the ngolops have terrorised the innocent people and destroyed and vandalised many development facilities such as schools, hospitals, drinking water schemes, WFP stores, agriculture centres and other service facilities. He added that the people in the camps in Nepal who may have come from Bhutan and were now claiming to be Bhutanese refugees had never considered Bhutan as their country. If they did, why did they sell their properties and leave the country, and if they had any regard for the national laws of Bhutan, why did they commit such atrocities and crimes, he asked.

The Home Minister also informed the members that His Majesty the King had told the former Prime Minister of Nepal Mr. G.P. Koirala that all the people coming to the camps were not Bhutanese citizens, nor had they come from Bhutan. His Majesty the King had also made it clear to Prime Minister Deuba, when he was the Home Minister of Nepal, during his two visits to Thimphu that if there were any Bhutanese citizens in the camps in Nepal, who had been forcefully evicted from the country, they would be accepted as

Bhutanese refugees and the Royal Government would take full responsibility for them. Moreover, His Majesty the King had issued a Kasho reminding everyone that it is a punishable offence under the law for anyone to forcefully evict any bonafide citizen from the country.

The Home Minister said that in the ultimate analysis, every one should abide by the laws of the land and resolutions of the National Assembly. In this regard, the issue of the ngolops and people who emigrated and left the country should be dealt with in accordance with the citizenship and immigration laws of the country, and the resolutions of the National Assembly, he said.

The Dzongda of Trashigang informed the members that Trashigang shares its border with Tawang and Bumdeyla under the Indian state of Arunachal Pradesh. He said that while going for border investigation, he found that there are approximately around 4,000 Bhutanese people in these places, some of whom had emigrated and left the country in 1958 when the system of paying rural tax in cash and “Dukdom” was introduced in Bhutan, while others left Bhutan during the 1962 Sino-Indian war. These people had married with the local people there and were given Indian citizenship, and are now engaged in various commercial activities in Tawang and Bomdeyla. The Dzongda pointed out that these people also had been dealt with in accordance with the citizenship and immigration laws. The ngolops allege that the Citizenship Act and the Immigration Policy of Bhutan were enacted recently to evict them from the country. As everyone is fully aware, these laws were legislated a long time ago by the National Assembly for the benefit of all the people and not to get rid of the Lhotsampas, he said.

The Dzongda of Samdrupjongkhar reported that in February this year, around 200 people from Nepal had entered Samdrupjongkhar. In keeping with the rules and provision of the Citizenship Act, the Dzongkhag with the help of the Indian police verified these people and found that they had come from Nepal in search of employment. Similarly, last year and this year many Nepalese had come to Daifam looking for jobs and works. He further submitted that while he was the Dzongda of Tsirang, he had seen with his own eyes the Lhotshampas employing Nepalese citizens as labourers in cardamom gardens, orange orchards, farms and even as cowherders and housekeepers.

Several government representatives, Royal Advisory Councillors and people's representatives speaking on the issue pointed out that among the Lhotshampas who left the

country were those who emigrated despite His Majesty the King himself appealing to them personally not to leave the country. These people were like persons who looked for comfort by lying on the beams instead of on the bed or searched for food after leaving the kitchen. Others who left the country were people who were involved in treason, or had committed armed robbery, terrorised the villagers and committed other crimes. After claiming to have been forcefully evicted and registering themselves as refugees in the camps in Jhapa, many of them had been returning to Bhutan to carry out terrorist activities and acts of armed robbery, murder and theft. They also pointed out that although His Majesty the King had granted amnesty to 1,685 ngolops and terrorists between 1991 and 1996, instead of being grateful for this magnanimous gesture many of them resumed their subversive activities against the Tsa-Wa-Sum. Therefore, not a single ngolop should be allowed to come back.

Some members expressed their concern that since the ngolops were not transfixed in Nepal like immobile stones, the repeated discussions on banning their return might be like discussing how to erect a fence when foraging cattle have already entered the field. In this context, although the 72nd session of the National Assembly had resolved that while awarding contracts priority should be given to people of the area where the work is to be done, there was cause for concern over the obtaining of labour permits by the contractors. Many non-nationals were being employed by the contractors and there was every possibility that some of these workers were Lhotshampas who had emigrated, and even ngolops who had left the country. It was therefore necessary to exercise utmost vigilance in the issuing of permits for outside labour. The laws and the rules and regulations of the country should not be kept on paper only but must be implemented properly.

Some of the members pointed out that it was very significant that all the people claiming to be Bhutanese refugees had gone to Nepal. If they were genuinely seeking refuge, why did they not stay in India instead of going all the way to Nepal? The ngolops had gone to Nepal to use it as a base to overthrow the Royal Government and capture political power in Bhutan. Since the Nepalese government had given them refuge and support, they should keep the ngolops in Nepal and not even a single person should be sent back.

The people's representatives of Trashiyangtse Dzongkhag condemned the false and malicious allegations made by the ngolops against the Royal Government through the media, and their baseless claim that there is no human rights in Bhutan. He pointed out that not only did the Bhutanese people enjoy the right to do whatever they liked in all walks of

life, they were also provided with free basic social service facilities like schools, hospitals, rural drinking water supply schemes, roads, bridges, and animal husbandry and agricultural centres, in equal measure in all the 20 Dzongkhags. The objective of the ngolops in making their baseless allegations against the Royal Government is a ploy to gain international sympathy and support, he said.

Speaking on the issue, the Minister of Trade and Industry said that despite the numerous problems arising from the anti-nationals, the southern Bhutanese people had to be grateful to His Majesty the King for looking after their welfare and for issuing commands not to discriminate against them in any way. Even from the side of the Ministry of Trade and Industry, trade and industrial licenses were being issued to Southern Bhutanese without discrimination. On the other hand, as per the papers emanating from those claiming to be Bhutanese refugees in Nepal, after falsely criticising and condemning the Tsa-Wa-Sum, ministers, and other government officials, they want to come back to the country. The Minister wondered as to what their true motives were.

As far as the Bhutan-Nepal talks were concerned, the Minister said that there is no reason for concern as Bhutan is a sovereign country and could take its own decision in keeping with the people's desire, and towards ensuring the present and future security and stability of the kingdom.

The National Assembly resolved that regarding the people who had emigrated from the country or left because they had committed treason against the Tsa-Wa-Sum and various other crimes, they shall be dealt with in accordance with the resolutions of the previous sessions of the National Assembly and the laws of the country. The National Assembly also resolved that the Royal Government will keep in mind all the concerns raised by the people on this issue while holding the eighth round of the Bhutan-Nepal talks scheduled to be held in Thimphu.

7. “Peace March” by ngolops is a programme to disturb the peace and security of Bhutan.

The people's representative of Dagapela Dungkhag submitted that the people from southern Bhutan who had left the country had done so on their own free will out of a desire to become citizens of Nepal. Many of them had been trying for Nepalese citizenship before they left while others already had dual citizenships of Bhutan and Nepal. Going by their

true feelings and their decision to surrender their citizenship, as well as by the laws of the country, these people are no longer Bhutanese citizens, he said. Moreover, these people left the country after destroying and vandalizing many developmental service facilities established for the benefit of the people of southern Bhutan. Now these people and their leaders are trying to come back to Bhutan under the guise of a so-called peace march and disrupt the peace and security of the country. Everything must be done to prevent these people from entering Bhutan, including the strict implementation of the 1985 Citizenship Act and other relevant laws of the country, he said.

Supporting the Dagapela Chimi, the people's representative of Tsangkha and Lajab gewogs in Dagana Dzongkhag submitted that when the people who were applying to emigrate to Nepal were asked why they wanted to leave, they had replied that Nepal was a country with which they felt close affinity because it was the home of their parents. He informed the members that first, a few of them went to Nepal to study the situation. Then, upon hearing from these persons that there was free food, housing, education and health facilities available in the refugee camps in Nepal without having to do any work, many Lhotshampas emigrated and very eagerly left the country. Many applications written in Nepali and submitted by those who have emigrated and left the country are available in the gewog offices, he said. Now these people were attempting to return by coming on a so-called peace march. The loyal Lhotshampas who had never even heard such a term before were very concerned over this development. He therefore requested the Royal Government to take all necessary steps to prevent these disloyal and faithless people from coming to Bhutan no matter what pretext they may come up with.

Speaking on the issue, the Dagana Dzongda reminded the Assembly that while many of the people who had left the country had absconded after committing terrorist activities, including the destruction of development facilities established by the government at great cost, many others had left because they had come from Nepal and wished to return to their homeland. These people had made repeated demands to expedite their applications for emigration and left as soon as the procedures were completed in the Court. The Lhotshampa people have been very concerned to learn that these very people are now attempting to return to Bhutan through a so-called peace march, he said. In this context, the Dzongda expressed his deep appreciation to the Government of India for taking measures, in keeping with their laws and in the spirit of good neighbourly friendship and cooperation, to prevent these people from carrying out harmful activities against Bhutan from Indian soil. He suggested that the Royal Government should also take all necessary measures, in

keeping with the laws of the land, to deal with the ploys and tactics of the ngolops to undermine the security of the country.

The Home Minister informed the members that the ngolops had been preparing for the so-called peace march since December 1996. The declared objective of the march was to submit an “appeal letter” to His Majesty the King while their real objective is clearly evident from the 37 demands contained in this letter itself. Some of the demands are :

- release all prisoners from Bhutanese prisons unconditionally and immediately;
- withdraw the RBA stationed in southern Bhutan and send them to their barracks;
- suspend the implementation of the 1985 Citizenship Act and 1988 Census Policy and restoration of citizenship to all Southern Bhutanese;
- the interpretation and application of “one nation, one people” policy should be declared null and void;
- introduce Nepali language in the school and college curricula;
- the executive organ of the government should be formed on a party basis;
- allow all people claiming to be Bhutanese refugees in Nepal to return to Bhutan and to give them jobs in both public and private sectors and issue trade licences to them;
- repatriation and rehabilitation of the people claiming to be Bhutanese refugees should be monitored with the full participation of the UNHCR, ICRC and other human rights and non-government organisations.

Several copies of the demand letter had been received by His Majesty the King. The ngolops had also sent copies of the same letter to the Prime Minister of India, the Prime Minister of Nepal, the Secretary General of the United Nations and to many other government and international organisations and non-governmental organisations.

The Home Minister pointed out that their demand for the release of convicted ngolops who had committed treason against the Tsa-Wa-Sum and acts of terrorism clearly indicated their contempt for the rule of law and their intention of undermining the judicial system and laws of the country.

The motive for their demand to withdraw the RBA stationed in southern Bhutan for the protection of the Lhotshampa people is to make it easier for them to increase the frequency of their terrorist raids on the people in southern Bhutan and coerce them to support their subversive activities against the Tsa-Wa-Sum. By demanding the suspension of the Citizenship Act and Census Policy passed by the National Assembly, the ngolops want to flood Bhutan with ethnic Nepalese by giving citizenship, land and jobs, as already promised by them, to Nepalese who had worked in Bhutan and all ethnic Nepalese who supported them.

The Home Minister said that the demand for Nepali to be included in the school and college curricula is to make Nepali into the national language. He pointed out that Nepali has always been spoken freely in Bhutan from the time the Lhotshampa Dzongkhags were established. It is used in the National Assembly deliberations, the Kuensel and the Bhutan Broadcasting Service. In fact, although most Lhotshampas do not speak Dzongkha, most Northern Bhutanese in all the Dzongkhags speak Nepali, not just in the towns but also in the villages.

He said that the demand for all the people in the refugee camps in Nepal to be repatriated to Bhutan without any verification of their claims to being Bhutanese refugees, including terrorists and criminals under a general amnesty, and for them to be given jobs and issued with trade licenses is aimed at fulfilling their objective of taking over political power in Bhutan. By increasing their number through such a large scale influx of ethnic Nepalese, their plan is to outnumber the Bhutanese citizens and capture power through multi-party elections, and thereby make the age-old institution of the Palden Drukpa vanish like a rainbow from the sky. Going by their demand that the repatriation and rehabilitation of all people in the refugee camps must be monitored by the UNHCR, ICRC and other human rights and non governmental organisations, it appears as if the ngolops do not even consider Bhutan to be a fully sovereign, independent country, said the Home Minister.

It is clear that the innermost objective of the ngolops is to turn Bhutan into a Nepalese state, and the so-called peace march is merely a guise under which they hoped to achieve this objective. Support groups for the ngolops and the so-called peace marchers had already been established in Nepal and among the ethnic Nepalese in Sikkim, Kalimpong, Darjeeling, Siliguri, Bakhra Kote, Banarhat, Loksan, Birpara, and Kalchini. The Home Minister pointed out that while the march would start from Nepal with some 200 to 300 people claiming to be Bhutanese refugees, they would be joined along the way by the ethnic Nepalese in the above areas where support groups had been established. By the time

they reached the Bhutan border, the number of the so-called peace marchers would have increased to anywhere between 5,000 to 10,000 non-nationals claiming to be Bhutanese refugees. The ngolops had publicised in the media that the “Bhutanese refugees” were going on a “peace march” to submit an “appeal letter” to His Majesty the King in Bhutan. However, this is a pretext for them to collect tens of thousands of ethnic Nepalese along the way and forcefully enter Bhutan. Once they enter the country, they have no intentions of leaving as their objective is to destabilise the country and force the government to give them Bhutanese citizenship, land and employment, said the Home Minister.

The attempts by the ngolops to forcefully enter Bhutan with large numbers of ethnic Nepalese supporters under the guise of a “peace march” had not been successful so far because the Government of India, in keeping with its policy of not allowing Indian soil to be used to carry out activities harmful to a friendly neighbour, imposed GPC sections 144 and 151 under their law to prevent these people from creating serious law and order problems. However, in view of Bhutan’s long and porous border with India in the south, if such precedence is set whereby these ngolops manage to enter the country at some point of the border with large numbers of ethnic Nepalese supporters gathered along the way, it would seriously threaten the peace and security of the country and the very existence of the Kingdom. Therefore, it is very important for the hon’ble members to consider very carefully how to safeguard the peace and security of the country while deliberating on this issue, said the Home Minister.

The Chukha Dzongda informed the members that, since it was the plan of the so-called peace marchers to come to Jaigaon and then march into Bhutan, he had been frequently monitoring the situation from Phuentsholing since December, 1995. It was clear that the ngolops’ true intention was to send waves of ethnic Nepalese into Bhutan under the guise of a “peace march” and take over the country. The ngolops had openly offered citizenship, land and jobs to the ethnic Nepalese across the border if they extended their support, and the ethnic Nepalese in these areas had already formed support groups for the ngolops and the peace marchers. However, the Indians across the border with whom we have very close and friendly relations have been very supportive towards Bhutan, said the Dzongda. In fact the Indian authorities had been arresting the so-called peace marchers under Section 144 of their laws in order to prevent them from creating serious law and order problems. The Dzongda informed the members that local Indian officials had told him that these people were remaining in jail deliberately by refusing to pay a nominal bond of Rs. 100 in order to attract publicity and international attention.

The Planning Minister, Lyonpo C. Dorji reminded the members that during previous Assembly sessions, they had called for existing developmental activities to be discontinued and new programmes under the Five-Year Plan to be suspended in the southern Dzongkhags, in view of destruction of many developmental facilities by the ngolops. However, His Majesty the King had over-ruled this request, pointing out that the Lhotshampa people were also citizens of the country like all other Bhutanese, and despite the difficulties, development programmes must also be included for the southern Dzongkhags as for all other Dzongkhags while drawing up the Seventh Five-Year Plan. Subsequently, before launching the Seventh Five-Year Plan in 1992, the first public meetings to finalise the plan programmes, after the opening meeting in Punakha, were held in the southern Dzongkhags. Despite the serious situation in the south because of the ngolop problem, His Majesty the King visited Samtse, Sarpang, Tsirang and Dagana, and personally chaired the Seventh Plan programmes with the people in these Lhotshampa Dzongkhags. The budget outlay for the five southern Dzongkhags was increased by 181.3% to Nu. 4,918.512 from the Sixth Plan outlay of Nu. 1,748.242 million. Due to the serious security threat on account of the continued terrorist activities by the ngolops, the Royal Government had faced great difficulties in finding suitable officials and personnel to implement the Plan programmes.

The Planning Minister also informed the members that more development had taken place in the south than in the rest of the country. For instance, there were nine hospitals in the five southern Dzongkhags while many Dzongkhags in the north like Punakha, Wangduephodrang, Paro, Haa, Gasa, Trongsa, Trashiyangtse and Lhuntse did not have hospitals. Other development activities like industries, roads, electrification etc. were established in the south before other parts of the country.

The Planning Minister reminded the members that the ngolops had destroyed 29 schools, 12 Basic Health Units and many service facilities like bridges and electric pylons, all of which had been established for the benefit of the Lhotshampa people by the government at great cost. Besides sanctioning a huge outlay during the Seventh Plan, the government had been able to keep 89 health facilities, 76 schools and other service facilities open in the southern Dzongkhags in spite of the great difficulties because of the continued terrorist activities by the ngolops. The expenditure incurred for repairing these facilities, without taking into account the cost for providing security to keep them open, have been very high, said the Minister.

In keeping with His Majesty the King's command to take up full scale programmes in southern Bhutan under the Eighth Five-Year Plan, which is scheduled to begin in July,

1997, the Planning Commission has already started drawing up more comprehensive programmes than before for the southern Dzongkhags. However, without peace and security, it will not be possible to implement development programmes effectively. If the security forces have to provide security for every development programme, then no amount of resources will be sufficient. As submitted in previous sessions of the National Assembly, it is very important for our Lhotshampa people to realize the great efforts the government has been making, despite all the problems, to implement the development programmes in their Dzongkhags, said the Planning Minister. The ngolops are trying to destabilize the country through their so-called peace march and disrupt the implementation of development programmes in order to prevent the people from enjoying the benefits of these programmes. Therefore, if the Lhotshampa people do not join hands and work together with the government, out of a sense of true loyalty, to prevent the ngolops from carrying out their plans to destabilize the country, it will not be possible to implement the Eighth Plan programmes successfully, he said.

The people's representatives of Dagana and Tsirang Dzongkhags said that the so-called peace march by the people from the refugee camps in Nepal is a part of an overall plan to overthrow the Royal Government and take over power in Bhutan. They pointed out that those people in the camps who had come from Bhutan were either terrorists and ngolops or those who had applied to emigrate, sold their property and left for their homeland, Nepal, after renouncing their Bhutanese citizenship.

The representative of the Bhutan Chamber of Commerce and Industry informed the Assembly that many Lhotshampas considered themselves to be Nepalese rather than Bhutanese. He said that the portrait of the King of Nepal occupied a place of honour in almost every Lhotshampa house. When the Lhotshampas were asked whose portrait it was they would reply, "This is the portrait of our Sri Panch Maharaj Diraj, the King of Nepal". When Lhotshampas whose houses also had a portrait of His Majesty the King were asked whose portrait it was, they would reply, "That is the photo of the King of Bhutan". Some of these Lhotshampas who considered the King of Nepal to be their sovereign rather than His Majesty the King had left for Nepal before the ngolop problem began. Yet, some of these people were seen among the so-called peace marchers who came to Siliguri on 26th February 1996. It is therefore very important for the Royal Government and the Bhutanese people to be fully prepared to deal with such tactics of the ngolops like the so-called peace march, he said.

The people's representative of Lamidara in Tsirang Dzongkhag said that the persons who were trying to come to Bhutan on a so-called peace march were the ones who insisted on leaving the country despite repeated appeals made to them by the Dzongda, Gups, and Chimis to stay back. They reserved trucks to carry their belongings and we have seen them sing songs and leave the country with joy, he said. Now it seems that these people, and also those who had left of their own free will want to come back because they are not so happy in Nepal as they thought they would be when they left. He called for the 1985 Citizenship Act to be implemented strictly to prevent these people from coming back.

The Chairman of the Royal Advisory Council noted that the so-called peace march was a new tactic by the ngolops to destabilize the country. The marchers had not yet reached Bhutanese soil because the Indian authorities had taken measures to stop them from disrupting law and order and carrying out anti-Bhutan activities from Indian soil. However, both the government and the people should not be complacent. The so-called peace march was merely a ploy for the ngolops to bring large numbers of ethnic Nepalese into Bhutan as Bhutanese refugees and thereby overthrow the institution of the Palden Drukpa. Noting that it was the army which defended the nation against external threats while the police maintained law and order in the country, he suggested that the RBA and the RBP should be given the responsibility of dealing with the so-called peace march.

Some of the Ministers, Royal Advisory Councillors and people's representatives said that it was the responsibility of all Bhutanese citizens to protect the nation against the activities of the ngolops and their supporters. They pointed out that the legacy bequeathed by the past Bhutanese generations must be safeguarded by their descendants today. Even if the ngolops and their supporters were to arrive in tens of thousands they must be stopped, with the people joining the security forces to defend the nation's security.

Some members pointed out that if tens of thousands of ethnic Nepalese were to attempt marching into Bhutan, claiming to be Lhotshampas who had been forcibly evicted, it should be the responsibility of the Lhotshampa people to stop them. While the police will not be in a position to distinguish former Lhotshampas claiming to be Bhutanese refugees from the non-nationals, the Lhotshampa people would be able to identify them.

The people's representative from Chukha Dzongkhag compared the so-called peace marchers to a large herd of cattle that had arrived near a field and were pushing against the fence in an attempt to break it down and feed on the crop. He said that the responsibility of

stopping the “peace marchers” should fall upon the Lhotshampas as the marchers have to first enter their Dzongkhags.

The Sarpang Dzongda informed the Assembly that upon hearing that the ngolops in Nepal were organising a “peace march” to Bhutan, several meetings had been held by the people of Sarpang in their respective gewogs. As per the reports he received from the gewogs, the people had strongly condemned the ngolops for planning to create problems once again after inflicting untold sufferings in the past to the loyal Lhotshampas. Each gewog would take the responsibility of stopping the ngolops. However, the people requested to be exempted from punishment if in the course of defending the borders of their gewogs, they happened to kill some of the ngolops. At the same time, some of the people had also expressed their doubts in being able to stop the so-called peace marchers if they came in very large numbers, although they were confident of stopping them if they came in smaller numbers.

The Dagana Dzongda expressed the view that since the ngolop problem was started by Lhotshampas, the responsibility of stopping the so-called peace marchers from crossing the southern borders should fall upon the people of the five Dzongkhags and one Dungkha of southern Bhutan. They should be helped by the police and the Census and Immigration Division, with the army being called in as a last resort only.

Intervening in the debate, His Majesty the King pointed out that the real threat of the so-called peace march was that it was an attempt by a large numbers of non-nationals to forcefully enter Bhutan by claiming to be Bhutanese refugees. While they may start with only a few hundred people from Nepal, their objective is to increase their number to 5,000 to 10,000 by the time they reach Bhutan even though more than 90 percent of them would be non-nationals. Although it is the responsibility of the police to deal with this type of situation, due to their small strength, they are already overstretched in the 20 Dzongkhags to carry out their normal duty of maintaining law and order. As some of the members had pointed out, there would be problems in giving the responsibility to the villagers and people in the Dzongkhags. Therefore, since the so-called peace march is a threat to the country’s security, the responsibility for dealing with the problem would have to be given to the army, His Majesty said.

The people’s representative from Tsirang Dzongkhag agreed with those members who had expressed doubts about the reaction of some of the Lhotshampas if the responsibility of

stopping the so-called peace march was given to them only. He said that stopping the so-called peace marchers from entering the country was the responsibility of all Bhutanese citizens. However, since the ngolops had gained much experience in carrying out terrorist activities, he submitted that the responsibility of stopping the ngolops and their supporters from harming the security of the country should be given to the police and the army, with the people also supporting them fully.

The Chief Operations Officer of the Royal Bhutan Army, Goongloen Gongma Lam Dorji, informed the members that in countries like our neighbour, India, the police dealt with such problems. If the situation could not be dealt with by the police, paramilitary forces like the CRP, BSF and ITBP were called in. The army was called in as a last resort when the situation could not be dealt with by these forces. In Bhutan we only have the Royal Bhutan Police and the Royal Bhutan Army, he said.

The Goongloen pointed out that if thousands of people from outside organised themselves and attempted to forcefully enter Bhutan it would be an act of aggression threatening the country's very security and sovereignty. It is the responsibility of the RBA to protect the nation from any act of aggression and I would like to assure all the hon'ble members of the National Assembly that the RBA will defend the security of the country with utmost loyalty and dedication, he said.

The people's representative of Dorokha Dungkha pointed out that the so-called peace marchers comprised a few Lhotshampas who had left the country and large numbers of unemployed ethnic Nepalese from Nepal and the neighbouring areas across the border. As already submitted to the Assembly during the previous sessions, the people of Samtse had mobilized village volunteers who have been protecting their villages in Samtse against the ngolops, and they will continue to protect the security of their villages and Dzongkhags against the ngolops and their supporters even if they come by the thousands, he said.

His Majesty the King mentioned that following the ngolop uprising in southern Bhutan in 1990, terrorist activities were perpetrated throughout the five southern Dzongkhags to such an extent that the security forces with their small strength could not prevent most of the raids. With the terrorist activities continuing unabated, the Lhotshampa people took the initiative to organise able bodied men as village volunteers to protect their villages against the terrorist attacks by the ngolops. If these village volunteers who continue to protect their villages were also to come forward and protect the security of their country, as submitted

by the Lhotshampa Chimis, it would indeed be very useful. His Majesty therefore suggested that the main responsibility of stopping the so-called peace marchers should be entrusted to the RBP, with the RBA providing them reinforcement if more manpower is required. If it becomes necessary, then the village volunteers in the southern Dzongkhags could also assist the security forces to protect the security of the country.

The Minister of Trade and Industry said that because the so-called peace march had to be routed through Indian territory, up till now, in view of the good relations between Bhutan and India, the Government of India had stopped the marchers from entering Bhutan through their territory. The Minister thanked the Government of India for having imposed the ban, and advised that since India was a friendly country, the most important requirement was for the Royal Government to hold talks with the central and concerned state government of India so that appropriate steps, in keeping with their laws, could be taken to ward off the danger while it was still at a distance. However, if the marchers could not be stopped in this way then the responsibility for stopping them and safeguarding the country's integrity should be vested with the Royal Bhutan Army.

His Majesty the King said that as submitted by the Trade and Industry Minister, relations between India and Bhutan are very close, and it would, of course, be best if the so-called peace marchers were stopped before they reached the Bhutan border. In view of the Government of India's policy that it will not allow Indian soil to be used to carry out activities harmful to Bhutan, several attempts by these marchers had already been stopped by the Indian authorities which had taken measures under relevant sections of their laws.

His Majesty informed the members that there were 22 million Nepalese in Nepal and 12 million ethnic Nepalese living in India, and about 400,000 Nepalese came from Nepal to India every year to look for jobs. In view of the open border between India and Nepal and the large ethnic Nepalese population living in the neighbouring areas across the border in southern Bhutan, the possibility of large numbers of ethnic Nepalese marching into Bhutan will always remain a serious threat. Since any attempt by large numbers of non-nationals to forcefully enter Bhutan would seriously threaten the security of the country, the Chief Operations Officer of the Royal Bhutan Army, the Home Minister, and the five Dzongdas of the southern Dzongkhags should discuss and decide the modalities of dealing with such a situation.

His Majesty the King also expressed his deep appreciation to the Government of India for the steps it had taken to prevent the so-called peace marchers from creating law and order problems and for not allowing anti-Bhutan activities to be carried out from Indian soil.

The National Assembly, noting that any attempt by large numbers of non-nationals, claiming to be Bhutanese nationals, to forcefully enter Bhutan would seriously threaten the nation's sovereignty and security, decided that the responsibility for stopping any such act of aggression shall be entrusted to the Royal Bhutan Police and the Royal Bhutan Army. The National Assembly also decided that, as submitted by the Lhotshampa people's representatives, if it becomes necessary, the village volunteers in the five Dzongkhags of southern Bhutan will assist the security forces.

8. Security Forces in southern Bhutan should be increased and deployed on permanent basis

The people's representative of Tshangkha Gewog in Dagana Dzongkhag submitted that the ngolops had been spreading false allegations that the security forces have been committing rape and terrorising the people in the southern Dzongkhags. These allegations are totally false. Instead it is the ngolops who have been committing rape of our daughters and sisters, and we have ample proof against them, he said. The motive of the ngolops for blaming the security troops is to have them withdraw from the southern Dzongkhags so that they can freely rape our women and terrorize the people again.

The security forces kept by the government have been protecting the lives and property of the Lhotshampa public. The people therefore request for the security forces to be increased and kept in the south. Even after the present problem is resolved, we would like to request that army camps be established along the southern border areas on a permanent basis, he said. He also thanked the security troops posted at Tshangkha gewog for looking after the security of the people of Dagana, Tshangkha and Tsirang, on behalf of the people in these three areas.

The Dagana Dzongda informed the members that the Lhotshampa public, fully aware that the ngolops were trying to create misunderstandings between the government, people and security forces through their false allegations, had submitted written reports on how the ngolops had destroyed many developmental facilities, and terrorized the people by committing rape, armed robbery, and other atrocities. Such reports giving all the details of the atrocities committed by the ngolops were submitted to the Dzongkhag by the people in all the gewogs, he said.

The representative of the Bhutan Chamber of Commerce and Industry pointed out that since the 70th session, the members had been reporting to the National Assembly how the ngolops have been attempting to malign the security forces and blame them for atrocities which the ngolops themselves had committed. Just as the sight of the fish is clearer than the water, the facts of the atrocities committed by the ngolops are known to all the members of the Tshogdu Chenmo.

He recalled how the ngolops had desecrated the Mochu Lhakhang (temple) in Sombekha, under Haa Dzongkhag. The ngolops had broken the holy images in the temple, torn the pages of the sacred texts, and after strewing them all over the floor had defecated on them. In another incident, Nado from Haa Esuna who was looking after his cattle was almost killed by the ngolops when they inflicted severe knife wounds on his head. The house of the Dorokha people's representative was raided and robbed. During a raid on another house belonging to Sidhi Chand, the ngolops raped his daughter in his own presence. After absconding from the country to escape the law, these ngolops have made all sorts of allegations in the media and accused our security forces of committing the atrocities they had themselves committed. He called for the security forces to be deployed on a permanent basis even after the ngolop problem is resolved as it would be beneficial for the country's future well-being.

The Dagana Chimi submitted that as already pointed out by the Dagana Dzongda and the Tshangkha Chimi, the ngolops were trying to have the security forces removed from the south so that it will be easier for them to infiltrate the southern Dzongkhags. Therefore, instead of withdrawing them, the strength of the security forces should be increased and they should be deployed in the south on a permanent basis.

The people's representative from Sarpang Dzongkhag said that although the ngolops had blamed the security forces for the atrocities which they themselves had committed, when the people came to know of this, the true facts were communicated to the Dzongkhag by the Gewog Yargay Tshogchungs through written reports. He requested for the security forces to be deployed in the south on a permanent basis.

The Chief Operations Officer, Goongloen Gongma Lam Dorji informed the members that the security forces were deployed in the south in 1990, on the command of His Majesty the King, to restore peace and normalcy following the large scale terrorist activities perpetrated by the ngolops. Apart from destroying and vandalizing schools, hospitals and other service

facilities established at great cost for the benefit of the people over the last three decades of planned development, the ngolops targeted Lhotshampas who did not listen to them and carried out brutal acts of murder, armed robbery and rape.

The deployment of the security forces in the south made it possible for developmental activities to be resumed and social service facilities to be re-opened. During the period, development infrastructures like schools and government quarters which the security forces had to take over earlier, were renovated by the security forces and returned to the respective departments. The security forces also provided security for the teachers and students in the schools. The motive of the ngolops in blaming the security forces for the atrocities which the ngolops themselves have committed is to make the Royal Government remove the security forces from the south so that they can carry out their terrorist activities like before.

The Chief Operations Officer said that the main function of the army is to defend the Tsa-Wa-Sum. He assured the hon'ble members of the house that the armed forces would continue to discharge their duties with total loyalty and dedication, faithfully following the command of His Majesty the King, and defend the country against any threat to its security.

He said that the support and appreciation of the Lhotshampa public for the role and performance of the security forces was a clear indication of the trust and confidence reposed in them by the people. The officers and men of the armed forces will be proud and happy when they hear about this. As most of the troops are young soldiers who have enlisted from the villages, they will be especially happy to learn that the people's appreciation for their contributions have been voiced in the National Assembly. This will motivate them to perform their duties with even more dedication.

The Chief Operations Officer said that the wishes and request of the people for permanent deployment of security forces in the south is in harmony with the assessment and decision of the Royal Government. He informed the members that since the ngolop uprising in the south in 1990, 15 security outposts were established between Sibsoo in the west and Daifam in the east for the security of the Lhotshampa people. In addition, a military wing was established at Samtse in 1994 and another wing at Gelephu in 1995. A third wing is being established this year at Samdrupjongkhar.

In keeping with His Majesty the King's command, the security forces have been doing their best to protect the lives and property of the Lhotshampa people and safeguard the peace and security of the country. While the decision to increase the strength of the security forces and their deployment on a permanent basis will depend on the situation in southern Bhutan and the decision of His Majesty the King and the Royal Government, the armed forces will continue to carry out their responsibilities to the best of their abilities and with total loyalty and dedication, said the Goongloen Gongma.

The Home Minister informed the members that the ngolops had openly announced in the media that they will ultimately turn militant to fulfil their objective. Being aware of this, the army and the police are fully alert while performing their duties. The civil authorities and officials are also paying full attention towards strengthening security in their Dzongkhags, Dungkhags and gewogs.

He reminded the members that His Majesty the King had visited all the high risk areas in the southern Dzongkhags many times without any regard for his own security, and is ever prepared to do so all the time, in order to ensure the peace and security of the country and because of his deep concern for the well being of the people. He pointed out that the people in the gewogs, Dungkhags and the Dzongkhags also have a responsibility, earlier during this session, that the people in one of the villages in Kalikhola had not reported the presence of armed ngolops in their villages even after a week had passed by, it appears that the National Assembly decisions and the circulars sent by the Home Ministry are being ignored. If such is the case it will be very difficult to strengthen and safeguard the peace and security of the country, he said. However, if the Gups, Chimis, village volunteers and the people in the different villages all remain vigilant and act in accordance with the National Assembly resolutions and the Home Ministry's circulars, it will be possible to strengthen and safeguard the security of the country, said the Home Minister.

The people's representative from Chukha Dzongkhag said that the bonds between the government and the people have always been strong like the bonds between parents and children. Therefore, when the country is facing serious problems, all citizens must think with one mind and work together to protect its security and well being. The Chimi also requested the National Assembly to expedite the issuing of firearms to the Lhotshampa Gups and Chimis as decided during the 73rd Session.

One of the Royal Advisory Councillors pointed out that just as other countries give top priority to their national security, it is important for Bhutan also to give priority to

protecting its security. Since it is the responsibility of the army to defend the country from external threats, it must keep itself in a state of preparedness to deal with any unexpected situation. Instead of being complacent like the person who keeps looking up at the clear sky overhead and ignores the rain advancing from the valleys below, we must be like the prudent person who clears the drains before the waters come and takes all necessary preventions to avoid illness and disease. While the security forces prepare to resist any external threat, the rest of the Bhutanese people should also be ready to safeguard the precious jewel of the Palden Drukpa from within, he said.

The Planning Minister reminded the members that the development activities in southern Bhutan were more than in any other parts of the country. Through the mobilisation of international assistance, the 7th Plan outlay in the five southern districts exceeded the 6th Plan outlay by 181.3%.

Since 1961, many developmental facilities and service centres had been established in southern Bhutan for the benefit of the Lhotshampa people. However, the ngolops who have disrupted the peace and stability in the south destroyed many of these facilities, causing great loss for the government and people. Since the implementation of developmental activities in southern Bhutan would not be possible without peace and normalcy, His Majesty the King had commanded that adequate security measures be taken to protect the lives and property of the Lhotshampa people and enable development programmes to be implemented. Accordingly, security outposts were established by the army in Samtse, Gelephu and Samdrupjongkhar, and necessary security measures taken in the interest of the nation and for the benefit of the people. The Planning Minister submitted that while the cost incurred for implementing the development programmes will be compounded by the cost of maintaining the security forces, for the time being the deployment of security forces in the southern Dzongkhags was unavoidable. He therefore proposed that the National Assembly should approve the deployment of security forces in the south as proposed by the Lhotshampa people's representatives.

The National Assembly, while noting that the security forces should be increased in strength and deployed on a permanent basis in the south, as requested by the Lhotshampa people, decided that the Royal Bhutan Army should, after taking into consideration the requirements of the prevailing situation and the benefit to the security of the people and the country, deploy and increase the strength of the security forces in southern Bhutan in keeping with the directives issued by the Royal Government.

9. Ngolops to be punished in accordance to Thrimzhung Chenpo.

The people's representative of Tsirang Dzongkhag submitted that the ngolops who left the country after destroying many developmental facilities, embezzling government funds and robbing and terrorising the people, now want to come back to Bhutan. The people strongly feel that allowing the ngolops to return to Bhutan would pose a threat to the peace and security of the country. The people, therefore, request that if the ngolops come back to Bhutan, they should all be punished in strict accordance with the laws of the country.

Supporting the view of the Tsirang Chimi, the people's representative of Tangsibi, Dakten, Korphug and Nubi gewogs under Trongsa Dzongkhag pointed out that as everyone is aware, since 1988-89, many people of southern Bhutan have engaged in subversive activities against the Tsa-Wa-Sum. In spite of this, His Majesty the King has magnanimously granted amnesty to more than 1,600 anti-nationals. However, instead of being grateful to His Majesty the King, the ngolops have continued with their subversive activities. The people therefore request that in the larger interests of the country's security and sovereignty, no amnesty should be granted to any ngolop in future. Instead they should all be punished in strict accordance with the Thrimzhung Chhenpo.

In response, the Home Minister said that every offender is punishable under the laws of the country, and therefore, any one violating the laws have been dealt with accordingly. This issue was raised and discussed thoroughly during the 69th Session of the National Assembly and in accordance with the resolutions taken therein, many ngolops apprehended as of June, 1996, have been prosecuted by the High Court.

The Home Minister informed the Assembly that as of June, 1996, a total of 1,685 ngolops had been granted amnesty by His Majesty the King, 89 were convicted and serving their sentence, nine were acquitted by the High Court, and 45 had been released after serving their sentences.

The Home Minister said that those who have absconded after committing subversive activities and murder, armed robbery and other crimes would fall under Category 4, namely, Bhutanese who have committed criminal acts. The ngolops have absconded to Nepal because they are fully aware that they would have to answer to the law for their crimes. He said there was much truth in the submissions made by the hon'ble members that the people who have absconded from the country are the ngolops who embezzled

government funds, committed subversive activities and caused untold sufferings to the people through their acts of terrorism.

Summarising the terrorist activities carried out by the ngolops, the Home Minister said that as of June, 1996, the police have investigated and confirmed 70 murder cases (excluding those abducted and missing), 989 cases of robbery and dacoity and 677 Bhutanese nationals have been attacked and injured during raids on southern villages. During the period, the terrorists burnt, blasted or destroyed 29 schools, 12 Basic Health Units, 9 Agriculture and Veterinary Centres, 21 Forest Outposts and Range Offices and 24 Police Checkposts, Customs, Postal and Gup's offices. The terrorists also destroyed 16 bridges, hijacked 64 vehicles and destroyed another 36 vehicles. They also severely damaged the Taklai Irrigation Project including 15 drinking water supply schemes which was established in 1979 at a cost of Nu. 48.86 million. There were 69 cases of ambush and attacks on the security forces and government officials by the ngolops during which six security officers and 31 soldiers were injured. At the same time, the village volunteers in various villages apprehended and handed over to the police 112 terrorists who had come to raid and rob the people. Since the ngolops are all criminals who committed serious crimes in Bhutan, they should be brought before the Court and punished in strict accordance with the laws of the country.

The Chimis who raised the point thanked the Home Minister for his clarification on the issue.

The National Assembly resolved that the people's representatives should apprise the people of their constituencies of the discussion on the issue and inform them that if any ngolops are apprehended in the future, they will be tried and punished as per the laws of country.

10. Issue of new Identity Card

The people's representative from Samtse Dzongkhag submitted that as in other districts of the country, the people of Samtse have been given new House Nos. and Thram Nos. since 1993. However, this change in the House No. and Thram No. has not been reflected in the present ID Card, which would give a false impression that the present ID Card has become redundant. When the ngolops emigrated from the country, they stole the ID Cards of other Lhotsampas and took them along with their own ID Cards. Further, the ngolop terrorists

who had been raiding the villages in southern Bhutan and committing murder and armed robbery have also been taking the ID Cards of many villagers.

He further submitted that the ngolops in the refugee camps in Nepal have made fake Bhutanese Citizenship Identity Cards and have been entering the country without much difficulty. This point was also discussed many times in the previous Assembly sessions. The people feel that if a new and more secure ID Card is not made, it would pose a big threat to the peace and security of the nation. Moreover, it is very difficult to identify the ngolops when they come in Ghos and Kiras. Therefore, the people of Samtse Dzongkhag request for issue of new ID Cards, which would help greatly to reduce the ngolop problem.

Supporting the submission of the Samtse Chimi, the people's representative from Haa submitted that it is difficult for the inspectors at the security checkpoints to detect the ngolops when they come back to Bhutan and travel with our people with fake ID Cards. As a result ngolops mingle with our loyal citizens like fish and weed, which poses a big threat to the sovereignty and security of the country. Therefore, it is high time that the government should weed out such undesirable elements.

The people's representative from Pemagatshel Dzongkhag informed the members that the ngolops and other Nepalese citizens who have been entering the country with fake ID Cards should be dealt with in accordance with the provisions of the Citizenship Act of 1958 and 1985. He said that it may not be prudent to issue the new ID Cards during a period when the country has not yet been restored to normalcy. Therefore, he submitted that it would be better to retain the old ID Cards for the time being.

The people's representative from Trashigang submitted that he had heard of people in the refugee camps in Jhapa claiming to be Bhutanese refugees by showing fake Bhutanese ID Cards. People travelling into and within Bhutan are allowed to pass through the various immigration checkpoints if they produce Citizenship ID Cards. As a result, the ngolops have entered into almost all the Dzongkhags including the capital with fake ID Cards or original ones that they have taken when they absconded from the country. He said that if the new ID Cards are issued or a system of issuing certificate of identity by the concerned ministries and departments for government servants and by the Gups and Dzongkhags for the general public is introduced, as suggested in earlier sessions, it would greatly enhance the security of the country.

The representative of the Bhutan Chamber of Commerce and Industry, while agreeing with the submission made by the other Chimis, pointed out that if the new ID Cards are issued at this juncture, it would give the ngolops an opportunity to accuse the Royal Government of attempting to prove that the ID Cards in their possession are fake. Moreover, it would increase terrorist raids by the ngolops to steal the new citizenship cards, causing more concern for the Lhotshampas as well as all other citizens, he said. He therefore recommended that the present ID Cards should be retained for the time being.

In response, the Home Minister said that the matter concerning the issuing of new ID Cards had been thoroughly discussed during the 71st and 73rd sessions of the National Assembly, and the Home Ministry had briefed the members about the functioning and procedures of the Immigration and Census Division. He said that as everyone knows, the current ID Cards were printed in Calcutta at a cost of Nu. 2 per card and are, therefore, easy to duplicate. Some newspapers had even carried a column about the ngolops who printed duplicate ID Cards and written about a dispute between the seller and buyer of such cards, he said.

The Home Minister added that one of the objectives of the ngolops has invariably been to rob the Bhutanese people of their ID Cards. If new ID Cards are issued at this juncture it could lead to many problems. We should not give the ngolops another opportunity to distort the truth and make malicious allegations against the Royal Government.

He informed the members that in keeping with the resolution of the 73rd Session of the National Assembly, His Majesty the King had instructed that the issue of new Identity Cards should be kept in abeyance until the verification of the people in the camps in Nepal, claiming to be Bhutanese refugees, was completed.

The National Assembly decided that as submitted by the Home Minister, and in keeping with Resolution No. 15 of the 73rd Session of the National Assembly, the new Citizenship Identity Cards will not be issued for the time being.

11. Not to make amendments to the Citizenship Act of 1985 and Registration Policy of 1988.

The people's representative of Dagapela Dungkhag and Tshangkha gewog submitted that no amendment should be made to the Citizenship Act of 1985 and the Census Policy of

1988. He said that the ngolops through the media like radio and newspapers criticize and blame the Citizenship Act of 1985 and Census Policy of 1988 for the present problem in southern Bhutan, and are therefore demanding amendment of these laws. However, these laws were framed and passed by the National Assembly for the benefit and welfare of the country and the people. If it is necessary to amend or change these laws, the people themselves will, through the Gewog Yargay Tshogchung and Dzongkhag Yargay Tshogchung, submit the proposal before the National Assembly for deliberation. They said that the ngolops are baselessly criticizing the laws of our country, passed by the National Assembly, so as to enable them and their supporters to enter our country and enjoy the benefits and facilities enjoyed by the loyal Bhutanese citizens.

The people's representative of Dagana submitted that there is no question of amending the Citizenship Act of 1985 and the Registration Policy of 1988 just to suit the objectives of the ngolops who have absconded from the country.

The representative of the Bhutan Chamber of Commerce and Industry submitted that the laws of Bhutan were enacted long before the outbreak of the ngolop problem in the south, after extensive consultations between the government and the people, for the long term peace and security of the country. He said that the malicious allegation by the ngolops was in keeping with the saying, "a drowning man will grasp at anything" and we should not amend our laws just because the ngolops are demanding that we do.

In response, the Home Minister informed the members that the Royal Government adopted the immigration rules and regulations during the 36th Session of the National Assembly in 1972. The Citizenship Acts were enacted in 1958, 1977, 1985 and the Census Policy in 1988. He said that the draft Citizenship Act of 1985 was circulated among the Assembly members six months in advance for the comments of the people of their respective constituencies, with the instruction to submit their comments during the next session. This Act was accordingly passed during the 62nd Session of the National Assembly. The implementation of the 1985 Citizenship Act was also made more convenient by the resolutions on the Act passed by the 67th Session of the National Assembly in 1988.

The Home Minister also informed the members that after the nation wide census in 1987-88 found as many as 113,000 non-nationals working in Bhutan, the National Assembly decided to impose a strict restriction on the import of outside labour. It was also decided that for cases where outside labour is necessary as in the implementation of important projects, suitable regulations would be framed. Accordingly, relevant procedures were

framed by the Immigration and Census Division in accordance with the resolutions of the 36th Session of the National Assembly and the decision of the Lhengyel Shungtsog.

The Home Minister pointed out that no outsiders can dictate changes to our laws. Only His Majesty the King and the National Assembly are empowered to change or amend the laws of Bhutan, including the Citizenship Act, he said. He also reminded the members that the responsibility of the Division of Registration is to implement the relevant laws and the rules passed by the National Assembly, he said.

The Dzongda of Dagana submitted that the reason why the ngolops criticize our Citizenship Act and demand for its amendment is that when the national census was conducted in 1988 in the southern Dzongkhags, it was found that thousands of people had been illegally registered in our census as relatives of the Lhotshampas in contravention of the Citizenship Act.

He informed the members that the Lhotsampas had brought in thousands of ethnic Nepalese to work as share croppers, labourers in the orange orchards, farm labourers and cowherders. Some of these people had bought land illegally while many others were given land as shares by the Lhotshampas themselves on the ground that they were their relatives. Later on, these non-nationals had fraudulently registered themselves as Bhutanese citizens. For example, in Samtse Dzongkhag there is a place called Pangri which has about 20 households. After meeting with the Chiwog Tshogpa and the Gewog Tshogpa and verifying these people, the census team found that there was not a single Bhutanese citizen among the 20 households. They had come in as share croppers giving only their caste names like Rai and Gurung. After their children were educated by the Royal Government at great cost, they married with the people of Jalpaiguri, Kalimpong, Darjeeling and people from the tea gardens and brought them to Bhutan so that they could enjoy the economic benefits in our country.

He further submitted that of the more than 1,00,000 non-nationals found within the country, most of them were people working with the Dantak, the Public Works Division and the private sector. These non-nationals had married with Bhutanese nationals, obtained marriage certificates and their children were accorded all benefits as Bhutanese nationals. Some of these children were even sent abroad for further studies and joined the civil service, he said.

He reiterated that the reason why the ngolops criticize our Citizenship Act and demand its repeal, is that they want to bring all the people claiming to be Bhutanese refugees in the refugee camps in Nepal to Bhutan, include them as Bhutanese citizens and then take over the country. Therefore, as already requested by the other members, and for the peace and security of the country, no amendments should be made to the Citizenship Act of 1985 and the Census Policy of 1988.

The National Assembly resolved that as the Chimis are the bridge between the Royal Government and the people, they should apprise the people about the contents of the deliberation on this point. The National Assembly also decided that there is no need to amend the Citizenship Act and the Census Policy, both of which should be adhered to and implemented by all concerned.

12. Heads of civil and military authorities must be alert

The people's representative of Mewang, Gyene and Dagala gewogs in Thimphu Dzongkhag submitted that due to the grace of the Guardian Deities, the wise leadership of His Majesty the King and the good fortune of the people, the anti-national activities by the ngolops have not been able to cause any harm to the country. However, the people would like to request all the concerned civil and military authorities to take even more precautions than before to safeguard the development infrastructure and important industries and projects in the country, including important documents in the offices. Keeping in mind the saying, "too much familiarity can encourage even a dog to bite a lion while even the eye cannot see its own lashes because they are too close," all concerned civil and military officials should exercise utmost care and not be complacent about the threat from the ngolops. We make this submission in keeping with the saying, "Comments uttered after something has happened will only cause regret, while words of caution spoken before are words of advice".

Recalling that the clergy had always played an important role in averting unforeseen dangers to the country through the invocation of spiritual protection from the Guardian Deities, the Thimphu Chimi also called upon the Dratshang and the Rabdeys to continue conducting the sacred ceremonies and rituals for the benefit of the nation and the people.

In response, the Home Minister said that, as submitted by the Thimphu Chimi, the Home Ministry has cautioned both civil and military officials and all others concerned to be

vigilant against the ngolop threat while performing their responsibilities. Heads of civil authorities, expatriate workers and visiting dignitaries going to the disturbed areas in southern Bhutan are being provided security coverage to the extent possible. Expatriate workers in the country have also been advised to limit their movement in the risk prone areas. These cautions and security measures have been conveyed to all concerned so that no undue security risks are taken by anyone.

Since the ngolops have been carrying out terrorist activities constantly, it is just a matter of time before they start targeting important projects and installations like the Chukha Hydro-power Project, the Penden Cement Factory and important bridges. The security for these important installations should therefore be strengthened. All members of the National Assembly, government officials and businessmen should be alert and mindful while traveling through the disturbed areas in the country, said the Home Minister.

The representative of the Bhutan Chamber of Commerce and Industry submitted that because of the subversive activities in southern Bhutan, the Royal Government had strengthened the security of important projects and installations since 1990, and protected the lives and property of the people. As a close neighbour and good friend, the Government of India had also extended all support and cooperation towards safeguarding Bhutan's security from the ngolop activities. Expressing the deep appreciation of the business community to the Government of India, he expressed the hope that the Indian Government would continue to extend full cooperation in safeguarding the security of the Bhutanese business community during their frequent travels across the border in India.

Speaking on behalf of the Dratshang and the Rabdeys, the Tseni Lopen informed the members that all the members of the clergy were fully conscious of their spiritual responsibility for the country's well being. He said that the Dratshang, Rabdeys, Shedras and Drubdras had been conducting Kurims and prayers for the long life of His Majesty the King, the well-being and prosperity of the people, and the peace and security of the country. The clergy will continue to perform their spiritual responsibilities for the well being and security of the nation.

Since Bhutan is a country which is steeped in spiritual values, the responsibility of promoting peace and harmony in the country through spiritual means should not be confined to the clergy only, said the Tseni Lopen. He pointed out that it is important for everyone to keep in mind that as per the laws of cause and effect, peace and harmony is

promoted through a clear understanding and practice of the concept of mutual trust, respect and sense of obligation that should always exist between leaders and followers, teachers and students, parents and children, and the government and the people.

The blessings of the Guardian Deities do not materialise because they are sought during times of difficulties nor are they unavailable at other times when they are not prayed for. It is the faith and spiritual application of a person that will bring forth the blessings of the Kunchho Sum (Triple Gem of the Dharma). Therefore, invoking the spiritual protection of the Guardian Deities should not be left only to the clergy. Bhutan will continue to be blessed and protected by the Guardian Deities if the Bhutanese people continue to respect and practice the values of the Dharma as they have done from generation to generation, said the Tseni Lupon.

The people's representatives from Thimphu and Chukha Dzongkhags submitted that since Bhutan is a country which was blessed by the great sages and saints, it has always been protected against all threats to its security. Even the wars from Tibet in the north and the British in the south could not harm Bhutan's sovereignty and security. Because of the blessings of the Guardian Deities, the farsighted leadership of our monarchs and the good fortune of the people, Bhutan has enjoyed peace and stability for many years. The people should therefore support the Dratshang in attaching great importance to the traditional faith and reverence particularly at a time when the country is facing a difficult problem.

The Speaker pointed out that the Dharma has flourished in the Kingdom of Bhutan due to the blessings of the great sages and saints of the past and the efforts of His Majesty the King. Because of his concern for the spiritual well being of the country and the people, His Majesty has renovated monasteries, established Shedras and Drubdras, and ensured that all the religious infrastructure and institutions were developed and cared for. As a result, even though Bhutan is a small country, it has enjoyed peace, stability and prosperity. The Speaker placed on record the deep appreciation of the clergy, the government, and the people to His Majesty the King for the pure dedication with which he has ensured the preservation and growth of Mahayana Buddhism in Bhutan.

The National Assembly resolved that the security of all important installations should be strengthened and all National Assembly members, government officials, and the business community should be alert while travelling through the disturbed areas of the country.

13. No discrimination in race, religion or language

The people's representative of Khibesa, Lajab and Tshangkha gewogs in Dagana Dzongkhag submitted that the Lhotshampa people in Dagana had heard that the ngolops have been alleging through the media like radio and newspapers that the Royal Government is discriminating against race, language and religion in southern Bhutan. He said that the Lhotshampa people rejected these allegations as false because everyone is treated equally in Bhutan and the government allows everyone to practise their own religion and customs, and speak the language they know. The people have raised this point in the National Assembly so that the countries which have friendly relations with Bhutan and international organisations can be asked not to place any credence in the false allegations made by the ngolops.

He pointed out that one of the most important festivals of southern Bhutan, the Dashain, has been declared a national holiday by His Majesty the King who personally takes part in the Tikka ceremony with his Lhotshampa subjects. As for language, Nepali has always been one of the languages used during National Assembly debates. I stand here in the Assembly talking in Nepali and every word in this august body is translated into Dzongkha and every word in Dzongkha is translated into Nepali, he said. Regarding religion and customs, just as Buddhists perform their rituals in their own way, Lhotshampas perform Hindu rituals for birth, death, marriage, and every other occasion. It is important that everyone in the rest of Bhutan, and the United Nations organisations posted in the Kingdom also realise the total baselessness of the malicious allegations made by the ngolops.

The representative of the Bhutan Chamber of Commerce and Industry pointed out that there is no discrimination against the different languages and dialects spoken in the 20 Dzongkhags in the Kingdom. Although the national language of the country is Dzongkha, the fact that Nepali is the only other language spoken in the National Assembly clearly proves that the allegation made by the ngolops is false.

The BCCI Chimi informed the members that since he lives in the south for about eight months every year, he had observed that all Lhotshampas followed their own cultural traditions and practised their religion with complete freedom. Moreover, during his frequent tours to the southern Dzongkhags, His Majesty visits and prays in the Hindu temples where he has also presented images of Hindu deities. Those international organisations which have been giving assistance to the ngolops who have left the country, claiming to be Bhutanese refugees, on the basis of their false allegations of being

discriminated against by the Royal Government on the grounds of race and religion, should carefully check out the facts. If they were to ask the Bhutanese citizens in Bhutan, they would understand the true facts very clearly.

The people's representative from Tsirang Dzongkhag submitted that the people who had left Bhutan and were claiming to be Bhutanese refugees and staying in the refugee camps in Jhapa, Nepal and been lobbying against the Royal Government among the international community alleging discriminatory policies against the Nepalese language and culture. Such activities by the ngolops are aimed at disrupting the peace and stability of the country. He said that the ngolops making such baseless allegations are like mad dogs which do not walk straight on the road but run everywhere and bite everyone. He called upon the countries that have friendly relations with Bhutan not to give any credence to the baseless allegations made by the ngolops.

Speaking on the issue, the Home Minister said that the allegations by the ngolops that there is discrimination in Bhutan on the basis of race, religion and language are baseless. The fundamental principle of Bhutanese law is that all persons, irrespective of status, are equal before the law. Specific legal provisions have been made under OM AA HUM of the Thrimshung Chhenpo to safeguard this principle which is upheld by the Courts. Also, every person enjoys the right to appeal before the local Court, the High Court, the Home Ministry or directly to His Majesty the King. This is known by all and is being fully exercised by all Bhutanese citizens. Further, every policy of the Royal Government is first discussed thoroughly in the Gewog Yargay Tshogchungs and Dzongkhg Yargay Tshogchungs, and then debated in the National Assembly.

The Home Minister pointed out that far from pursuing a discriminatory policy, it has always been an aspiration of His Majesty the King to bring all sections of the Bhutanese society into the national mainstream, and therefore the policy of one nation, one people has been promoted. He reminded the members that His Majesty had repeatedly toured the southern Dzongkhags and personally appealed to the Lhotshampa people, applying to emigrate, not to leave the country. In some cases, the people refused to wait even for a day or two for His Majesty to come and meet them personally, and agreed to wait until His Majesty arrived only after every individual was given money as daily allowance. Now, these people who left the country, and are claiming to be Bhutanese refugees, are making all sorts of false and malicious allegations about discrimination in Bhutan.

The Home Minister also pointed out that if Bhutan was truly following a discriminatory policy against the Lhotshampas, then northern Bhutan would be the last place the Lhotshampas would go to invest their savings. Numerous enterprises now being operated by Lhotshampas in Thimphu and other northern towns stand testimony against the baseless allegations of the ngolops. He also reminded the members that, His Majesty had issued a Kasho emphasising that it would be a serious violation of the law and a punishable offence to force any Bhutanese national to leave the country against their will.

As everyone in Bhutan is aware, there is no religious discrimination between Buddhism and Hinduism. In 1980, the Hindu Dashain festival was declared a national holiday, and His Majesty personally participates in the Tikka ceremony with officials and representatives of the southern Bhutanese community. That the allegation of discrimination on the basis of language is false is clearly evident from the fact that the national newspaper, Kuensel, is published in Dzongkha, English and Nepali, while the Bhutan Broadcasting Service broadcasts its programmes in Dzongkha, English, Sharchopkha and Nepali. Moreover, the Lhotshampa people's representatives can deliberate in Nepali in the National Assembly. All correspondences between the Dzongkhag offices and the Lhotshampa people continue to be in Nepali. All Kidu petitions in Nepali from the Lhotshampas are accepted by all government offices. Nepali books and periodicals are sold freely and Nepali films are shown in cinema halls in Bhutan. In fact, Nepali is one of the most widely spoken language in Bhutan. The irony is that while most northern Bhutanese can speak Nepali, very few southern Bhutanese can speak Dzongkha, the national language.

In view of all the above, there is no discrimination based on race, religion and language in Bhutan, said the Home Minister.

The people's representatives of Sarpang and Dagana Dzongkhags submitted that, as pointed out by the Home Minister, everyone in Bhutan is free to practise their own religion and customs, and speak their language. His Majesty the King has presented images of Hindu deities to the Hindu temples in southern Bhutan, and His Majesty also personally takes part in the Tikka ceremony with the Lhotshampas. Nepali is used as one of the languages in the National Assembly debates. The allegations made by the ngolops of discriminatory policies against language, religion and customs are false and baseless. The ngolops can make whatever false allegations they like from outside the country but the people in southern Bhutan will remain loyal to their government and country.

The people's representative from Haa Dzongkhag and the representative of the Bhutan Chamber of Commerce and Industry pointed out that the ngolops are trying to cover up their wrong doings by making so many false and baseless allegations. Having had no intention of remaining in Bhutan as true Bhutanese citizens, these people have never made any effort to appreciate the customs and traditions of the Kingdom. Since their intention is to destabilise the country, they never had any respect for the laws framed by the government in consultation with the people, and enacted by the National Assembly for the benefit of the country. Their wild allegations are like the actions of disoriented people groping in the dark. Such people should be dealt with in accordance with the laws of the land.

The people's representative from Sarpang Dzongkhag said that, as everyone is aware, under the benevolent leadership of His Majesty the King, the people of Bhutan have been enjoying peace and happiness. It is the people of Bhutan who know this best and not those who have emigrated and left the country. The false allegations of these people from outside the country cannot harm us, he said.

The fact that Lhotshampa Chimis speak freely in Nepali during the National Assembly deliberations alone proves that the allegation of discrimination on the basis of language is false. Further, in all the villages in southern Bhutan, the Lhotshampa people continue to practice their own customs and traditions freely with no restrictions imposed by the government. Rather, the government has supported the preservation of our language, traditions and customs, he said.

One of the Royal Advisory Councillors reminded the members that the Royal Government had built schools, hospitals and many other development infrastructure in southern Bhutan for the benefit of the Lhotshampa people, as they themselves are aware. In order to promote national integration, cash incentives were given to people for inter-marriages between northern and southern Bhutanese. A member of His Majesty the King's own family had also married into a Lhotshampa family. For all these, the ngolops have shown their gratitude like a horse that kicks the person who feeds it.

As Hinduism and Buddhism are the two main religions of Bhutan which have very close affinity with each other, His Majesty the King built Sanskrit Patshalas and Hindu temples in southern Bhutan. For example, in 1990, His Majesty the King granted Nu. 500,000 for the construction of a Sanskrit Patshala in Dagapela Dungkhag.

As already pointed out by the representative of the Bhutan Chamber of Commerce and Industry during our deliberations on another point, the Lhotshampas call the King of Nepal, “our His Majesty Sri Panch Maharaj Diraj of Nepal”, and refer to His Majesty simply as “the King of Bhutan”, said the Councillor. This indicates that it is actually the ngolops who have left the country who practice discrimination. Their actions do not even compare to a person taking the wrong path by mistake, as the right path can always be found although it might delay the journey. Theirs is like the person making the wrong plan which will result in much more serious consequences. Therefore, the ngolops have no basis to make false allegations against the Royal Government.

Although it is very important for all Bhutanese citizens to consider themselves as one people of one country, the ngolops have always considered themselves to be citizens of Nepal. While most northern Bhutanese can speak Nepali, the Lhotshampas, on the other hand, have never shown much interest in learning Dzongkha, the national language. Therefore, it is the ngolops who have actually practised discrimination on the basis of language. As long as all our people do not inculcate the feelings of loyalty towards our Druk Gyalpo and devotion to the country from their hearts, and as long as they do not value the religion and race of every citizen of the country and generate a spirit of unity and brotherhood, it will not be possible to attain peace and progress in our country, he said.

The Lhuntse Dzongda expressed the view that discussion and deliberation on the false allegations made by the ngolops would appear like replying to them. Therefore, instead of deliberating on their baseless allegations, we should act in accordance to our laws, policies and traditions to promote the peace and prosperity of our nation, he said.

The Speaker noted that although the malicious allegations of the ngolops are just like the criticisms of an employee who wants to leave his employer, the people, not being able to remain silent when such baseless allegations are made, had submitted this point for discussion and the house had deliberated on it at length. There was no need for further deliberations as it would be adequate if all concerned dealt with the matter in keeping with the laws of the land.

The National Assembly resolved that Bhutan will continue to uphold its policies which are aimed at ensuring equality to all citizens. If necessary, the concerned departments of the Royal Government should clarify and point out to relevant countries and international

organisations the baselessness of the allegations made by the ngolops about discriminatory policies in Bhutan.

VI. RESETTLEMENT OF LANDLESS PEOPLE

The people's representatives of 26 gewogs from Trashigang Dzongkhag, Thangrong and Tsakaling gewogs in Monggar Dzogkhag, Tong gewog in Zhemgang Dzongkhag, Danabari, Bhur and Surey gewogs in Sarpang Dzongkhag, and Bhangtar, Dalim, Bakuli and Samrang gewogs in Samdrupjongkhar Dzongkhag made the following submissions requesting for resettlement of landless people:

Although repeated requests had been made in 70th, 71st, 72nd and 73rd Sessions of the National Assembly for allotment of land from southern Bhutan to the landless people, those with very small unproductive land and people dependent on Tseri farming (shifting cultivation), so far the Royal Government has not allotted any land to these people. Therefore, the resettlement of the above people should be done as soon as possible.

The people of Danabari, Bhur and Surey Gewogs of Sarpang Dzongkhag submitted that Sarpang Dzongkhag stretches along three-fourths of the international boundary in the south, and it lies across the states of Assam and West Bengal in India. As a result, the Dzongkhag is consistently confronted with the problem of potential infiltration by the anti-nationals through the wide expanse of this porous border. The people of Sarpang, therefore, look upon resettlement as one of the main solutions to such intrusion and the perpetration of terrorism and atrocities in their Dzongkhag by the ngolops.

There are also many people who have been forced to move and take shelter in the towns due to the ceaseless raids by the terrorists, and they have not been in a position to cultivate their land for the last few years. Early resettlement would, therefore, enhance and facilitate the immediate return of such people to their respective villages from the towns to become productive citizens of the country.

The people of Samdrupjongkhar Dzongkhag submitted that the lands of the people who have left the country after selling their properties have now turned into forest. The wild animals in the forest are damaging crops in nearby fields. Therefore, it would be a Kidu to the landless people and those with very small land holdings, who have been loyal and dedicated to the Tsa-Wa-Sum, if these lands are granted to them. Cultivation of such land

would contribute to increasing agricultural production in the country, and it would also benefit the security of the people living along the southern border.

The Deputy Minister of Agriculture informed the National Assembly that there is very limited land suitable for agriculture in the country due to the steep topography and rugged terrain, while on the other hand, the increase in the population and resulting land fragmentation has further contributed to increasing the shortage of arable land. Therefore, the Ministry of Agriculture attaches great importance to resettlement of landless people and those with very small land holdings to enable them to overcome the difficulties faced by them.

According to a study conducted by the Ministry of Agriculture, there are more than 2,156 households that have no land at all, 25,126 households are fully dependent on Tseri farming with about 300,000 acres of Tseri land officially registered in their Thrams, and 16,041 households have less than two acres of unproductive land. In all, a total of about 43,300 households are in acute need of productive agricultural land, most of them being Tseri dependent households spread out in remote areas. In view of the above, the people have been repeatedly requesting for resettlement in the National Assembly.

The Deputy Minister of Agriculture reminded the National Assembly that resettlement is not a new programme, since starting from 1976 the Government had taken up 17 resettlement programmes for the landless people and those with small land holdings. In future, if resettlement programmes are implemented to enable the people to overcome their difficulties, it would also help the country in achieving its policy objective of enhancing agricultural production and food self sufficiency.

He reminded the Assembly that Tseri cultivators comprised the poorest section of farmers. They eked out a hand to mouth living through slash and burn farming methods that are destructive to the environment. Also, being scattered over difficult terrain, there is no scope for any development programmes benefitting them unless they are resettled.

The Deputy Minister submitted that resettlement of Tseri cultivators, the landless people and those with very small and unproductive land will enhance food production in the country, have a positive impact on environmental preservation, enable the Royal Government to provide services for agricultural development and other services, develop a prosperous and sustainable farming community, and thereby also help in achieving the government's policy of reducing rural-urban migration.

The Deputy Minister submitted that even if it is not possible to resettle these people all at the same time, in keeping with the aspirations of the people and taking into consideration Ministry of Agriculture's policies, the Royal Government could first consider the resettlement of landless people and Tseri cultivators, as decided in the previous sessions of the National Assembly.

The people's representatives of Pemagatshel and Haa Dzongkhags submitted that the resettlement programme for people needing land, out of consideration of their Kidu, would benefit those needy people immensely. They expressed their deep gratitude for the consideration given to the resettlement programme. In spite of the hard work put in by Tseri cultivators and those residing at higher altitudes, these people applying for resettlement have always faced difficulties in feeding their families due to poor productivity of the land they farmed. The Chimis requested for the resettlement programme to be implemented as soon as possible, as decided by the 73rd Session of the National Assembly.

The Secretary of Health and Education said that implementation of development programmes in Bhutan have been impeded by its steep and rugged mountainous terrain which has caused villages to be scattered over a wide area. For instance, if one village has to be electrified, hundreds of thousands of Ngulturm would have to be spent which is not economically viable when the village has only a few households. The country today has 644 health facilities including hospitals and Basic Health Units, and more than 300 education institutions including primary schools, high schools, junior colleges and college. Yet due to the difficult terrain and scattered nature of settlements, the Health and Education Divisions have not been able to provide optimum coverage of their services. By applying for resettlement, the people are seeking an opportunity to raise their living standards and become self reliant, in keeping with His Majesty the King's vision of uplifting the poorer section of the population. Therefore, if the Royal Government could implement the resettlement programme, it will make development programmes much more cost effective and greatly help health and education coverage.

The people's representatives of Trashigang and Monggar Dzongkhags submitted that in certain parts of Bhutan landslides have become a major threat to the lives of people and domestic animals, besides reducing the agricultural land area by as much as 20%. As a result, the people are facing difficulties in producing enough food for themselves. It was in this context that repeated requests have been made in the earlier National Assembly sessions for resettlement. They suggested that if the security situation in southern Bhutan is

not conducive for the resettlement programme at present, the Government could still consider resettling people in agriculturally productive areas which are not close to the border, for the Kidu of the landless people and those with very small land holdings.

The Deputy Minister of Environment and Agriculture stated that for the protection of our pristine environment, the Ministry of Agriculture and the National Environment Commission have been working on a programme to reduce Tseri cultivation in the country from last year. Since there is not enough land in the northern Dzongkhags to accommodate the resettlement of about 43,300 households, they submitted that in spite of the present security situation in southern Bhutan, the government and the people should jointly try to find a solution as early as possible, and resettle the people on vacant land which are not under forest in the southern Dzongkhags. This would greatly benefit the people and increase agricultural production, and help in minimising any negative impact on the environment.

The Chairman of the Royal Advisory Council observed that while some members have been suggesting that everyone should all work with dedication and commitment towards finding a lasting solution to the southern Bhutan problem, others have been requesting Kidu for resettlement in southern Bhutan despite the present situation. He felt that instead of trying to tackle all these problems at the same time, the issues should be prioritised and tackled one by one. He said that the government had not abandoned the resettlement programme. It has only been delayed because of security considerations. He, therefore, suggested that the resettlement programme should be implemented as decided during the 73rd Session of the National Assembly.

The Chukha Dzongda submitted that the people have been repeatedly requesting for resettlement in the National Assembly so as to enable them to uplift their economic conditions. However, if the resettlement programme cannot be implemented for some time due to security problems in the south, other alternatives could be considered for these people. In the 8th Plan, in keeping with the Royal Government's policy of increasing the country's revenue generation, the Tala Hydropower Project in Chukha Dzongkhag, Kurichhu Hydropower Project in Monggar, Basochhu Power Project in Wangduephodrang and the Dungsum Cement Plant would be implemented. In the process of implementing these major projects, if our people can take the responsibility for providing the manpower required, we can benefit immensely from the large capital investments, and the money will also remain in the hands of our people, he said.

If those 43,300 households who have opted for resettlement could work in these projects till a lasting solution to the southern Bhutan problem is found, it will not only help them to sustain their livelihood for the time being, but they will also gain useful work experience which will come in handy when they participate in the resettlement programme. The National Assembly may like to give a serious thought to this suggestion, he said.

To this, the government representatives, Royal Advisory Councillors and people's representatives felt that the landless people and Tseri cultivators applying for resettlement would have to face difficulties either way. If they are included in the resettlement programme they would have to face the security risks from the anti-nationals, and if not, they will continue to face the problem of eking out a very difficult livelihood. If they were to work in the projects they will only earn about Nu. 56 per day which will not be sufficient for them to sustain themselves and their dependents. Quoting an old Bhutanese saying, "The earlier you light the fire, the sooner the smoke will settle", they strongly requested for resettlement to be given priority so as to enable the farmers to sustain themselves through agriculture.

The Minister of Trade and Industry said that on the one hand there was the question of landless people to be resettled in view of the problems they faced, and on the other hand, there were difficulties in getting labour for the large projects to be established in the country for the betterment of the people. Because of this, such labour requirements and the issue of settlements should be discussed simultaneously. The Minister pointed out that the Tala Project alone would require fifteen to twenty thousand people, the Dungsum cement project around 5,000 labour and the Kurichu and Basochu projects around 5,000 to 10,000 people. With regard to the Kurichu project, the Minister pointed out that based on earlier experiences, the Royal Government had decided to recruit as many workers as possible from the eastern Dzongkhags. However, when actual implementation took place, the project was able to obtain only about 200 people from the Dzongkhags in spite of earlier commitments. Since the Indian contractors involved with the projects started to complain, the Home Ministry's permission had to be sought for the recruitment of additional labourers from India.

The Minister appealed to the house to give serious thought to the issue of resettlement of landless people from these points of view. If all landless people were resettled, he wondered as to who would be available for construction and running of large hydroelectric and industrial projects that are beneficial to the people and the country. If all

the labour had to be imported from outside, who would actually derive the benefits from the socio-economic development efforts of the Royal Government had to be given serious consideration.

Some of the people's representatives submitted that the importance of the resettlement programme should not be undermined after having been requested for by the people repeatedly. Instead, the Royal Government and the people should jointly shoulder the security responsibility of the resettlement programme. Quoting the old Bhutanese saying, "If a person does not love his daughter who is staying with him, he will not miss his son who is going away", they submitted that if the people are not resettled on the land lying vacant in the southern Dzongkhags, the Lhotshampa people will have to keep on facing the constant threat from the anti-nationals. They also submitted that the main consideration should be to ensure that where the father lives today, the son can live tomorrow. They strongly pleaded that for the benefit of those people who are facing difficulties in maintaining their livelihood, the Royal Government should consider their resettlement as a Kidu, and also since this issue has been repeatedly discussed and decision taken in the previous sessions of the National Assembly.

The Home Minister said that resettlement was not a new programme in the country. He informed the members that since 1976, in consideration of the Kidu of the landless people and those who did not have enough land, His Majesty the King had initiated resettlement programmes in the country. The first resettlement programme was undertaken in 1976 in Samrang, Daisam, Khirkharia and Kawapani under Samdrupjongkhar Dzongkhag; followed by Pemaling, Norbuling, Sershong and Tashiphu under Gelephu Dungkhag; Matshangdaza, Bongdima, Gepshing and Yangbari under Monggar Dzongkhag; Laptshakha under Punakha Dzongkhag; Lajab and Khibesa gewogs under Dagana Dzongkhag; Changyakha under Phuentsholing Dzongkhag; and Chhotaytar under Bhangtar Dungkhag. In total, 17 resettlement programmes were undertaken. In addition, as per records available in the Land Records Division, since 1974, His Majesty the King has granted a total of 60,276 acres of land as Kidu to 13,028 families having no land at all or very small and unproductive land holdings. No other country has done so much for the well being of landless people, he said. He also informed the members that due to lack of proper investigations in the past, by the Dzongkhags and the concerned Gups, even non-nationals had managed to obtain Kashos for land, and by including them in the resettlement programmes, tremendous difficulties had been encountered.

The Home Minister submitted that it was very important to conduct a proper study, including an assessment of how beneficial it would be to the people involved, before implementing any resettlement programme. Following the 73rd Session of the National Assembly in 1995, His Majesty the King had commanded the establishment of a Resettlement Committee to coordinate the various preparations by the concerned ministries. As of June 1996, the Home Ministry has received more than 10,000 applications requesting for resettlement and it is in the process of working on the resettlement programmes in accordance with the National Assembly decisions. The applications received from the people are being screened by the Resettlement Committee, and they are being listed under three categories, landless people, Tseri cultivators and people with very small and unproductive land holdings.

According to the report submitted by the Resettlement Committee, most of the land available for resettlement is in the south. Due to the present situation in southern Bhutan, people resettled there would face serious security risks from the anti-nationals. The need to provide security for any resettlement programme in the south, as highlighted by the Committee, is indeed a serious problem which needs careful consideration particularly in light of the fact that the ngolops have carried out 989 cases of armed robbery and dacoity in the south since 1990, and have been repeatedly sending letters threatening to carry out more subversive activities in the country. He said that security considerations merited the attention and consideration of not just the Home Ministry but the National Assembly also. He informed the members that he had consulted the Royal Bhutan Army on this issue, but had been informed that providing security for resettlers was the responsibility of the police. However, due to its small size, the police force did not even have enough personnel to look after law and order in the 20 Dzongkhags. Therefore, unless a solution could be found to provide adequate security, there would be a great risk in starting the resettlement programme as requested. The resettlement programme should be started as soon as the Royal Government is able to provide adequate security protection, he said.

His Majesty the King pointed out that, as submitted by the Trade and Industry Minister, if Bhutanese nationals do not come in the required numbers to work in the Tala, Basochhu, Kurichhu and Dungsum projects, the Royal Government would face great difficulties as these four major projects, costing a total of more than Nu. 28 billion will require a minimum of 50,000 workers, besides the 30,000 non-nationals labourers who are presently working in the country. His Majesty reminded the members that Bhutanese people have always been reluctant to work as labourers in the projects. At the Chukha

project, for example, when a total of about 20,000 workers were required, not even 1,000 nationals had come to work. Similarly, when the Kurichu Project started, very few nationals came forward to work on the project, although many people from Monggar, Kurtoe, Trashigang, Trashiyangtse and even Pemagatshel and Samdrupjongkhar, during the 7th Plan meetings, had said that they would mobilize adequate manpower.

His Majesty said that it was very important to have a full time work force to implement the projects on time. The Tala Project period is eight years, the Basochhu Project is five years, the Dungsum Project is four years and the Kurichhu project period is five years. It is important to keep in mind that the funding for some of these projects are 60% grant and 40% loan. Therefore, if there is a delay of even a year or two, the loss would amount to hundreds of millions of Ngultrum. These projects will bring tremendous benefit to the people and the country if completed on time. Therefore, it is very important for us to see whether a national work force can be mobilized, and make proper arrangements to meet the manpower requirements for these projects, said His Majesty.

The Trashigang Dzongda submitted that just as the Royal Government has been discharging its responsibility of arranging donor funding and drawing up the best possible development programmes for the benefit of the people, the responsibility for physical implementation lies with the Bhutanese people. Regarding labour requirement for major projects, he submitted that there had been no discussions between project officials, the people's representatives and the Dzongdas. Another reason why the people were not coming forward to work on projects was because they had no clear idea of the wages and other benefits they would get. The current daily wage in the villages is Nu. 50 to 60 for both men and women, and includes three meals a day. As such, the official daily wage rate of Nu. 50 does not compare favourably with even the local rates.

Regarding the labour requirement for the Kurichhu Project, the Ministry of Trade and Industry and the projects officials should have contacted the Dzongkhags, indicating the number of workers required, and providing information about their wages, housing arrangements, medical facilities, schooling arrangements for their children and other benefits such as compensation for deaths and accidents, as per the National Work Force Chathrim. Proper arrangements should have also been made for transportation and handing/taking over of the workers required for project. If these points are discussed and decided very clearly by all concerned, there will be no problem in mobilizing people to work on the projects, he said.

As the hon'ble members are all aware, repeated requests are being made by the people for resettlement because of the difficulties they face due to lack of cultivable land. He had personally observed the difficulties faced by the people through his interaction with them. Although it is not appropriate to make such requests at a time when the country is going through a difficult period, the request for resettlement is being raised in keeping with the Speaker's instructions that matters affecting the people should be brought before the National Assembly through the Gewog Yargay Tshogchungs and Dzongkhag Yargay Tshogchungs.

During the past 35 years of planned development, the Royal Government has spent millions of Ngultrums on agricultural development. The Ministry of Agriculture and its staff have also worked very hard with full dedication and commitment. The people also have been working very hard to develop their land. In spite of this, the impact has not been very substantial everywhere because of the ruggedness of the terrain and unsuitability of the soil for farming in many parts of the country. No amount of fertilizers or improved seeds and tools will raise productivity to the desired level when the soil is infertile and unsuitable for agriculture. Alternative approaches should therefore be considered for the Kidu of people facing such difficulties during the Eighth Five-Year Plan, he said.

In southern Bhutan, the ngolops have destroyed many development facilities established by the Royal Government at great cost. At the same time, in some of the northern Dzongkhags, Tseri cultivators have been destroying many hillsides through their slash and burn farming methods which result in hundreds of thousands of acres of forest being burnt every year. This method of farming is both harmful to the environment and unproductive for the farmers. In the long run it will only result in wasting government resources and fruitless toil for the people, said the Dzongda.

As in other countries, Tseri cultivators are considered very backward in Bhutan also. Since there is a substantial number of people practising Tseri cultivation, they would give the impression that most Bhutanese are dependent on primitive methods of subsistence farming, thereby giving a negative image of our country, even though Bhutan, under His Majesty the King's personal leadership and guidance, has one of the highest per capita incomes in South Asia, he said. Therefore, even if all the 43,300 people who have applied for resettlement cannot be resettled right away, consideration should be given for Tseri cultivators and the landless people.

The Dagana Dzongda submitted that with the abolition of the only Woola which the people had to contribute, known as Gungda Woola, by His Majesty the King, it will be difficult to mobilize workers for the projects. He said that his Dzongkhag had faced difficulty in mobilizing a work force for the renovation of the Punakha Dzong. In his view, it would be next to impossible to mobilize tens of thousands of national workers for the various projects. Such being the case, he submitted that the resettlement of people who have no land or very small land holdings should be undertaken as soon as possible to enable them to enhance their income and contribute to agricultural production in the country.

He requested that priority should be given to resettlement of landless people and Tseri cultivators, and suggested that resettlement could first start from areas where there is no security problem, in a planned and phased manner, and then depending on the security situation move to the more southern areas. This would reduce the budgetary requirements for the government and also benefit the people.

Intervening in the debate, His Majesty the King pointed out that it is necessary for the National Assembly to consider the matter from two angles. What will be the benefits and the problems of resettling more than 43,000 families, particularly in view of the security protection required for all these people at this present juncture? How important is it to mobilize a national workforce to complete the above mentioned four projects on time, and ensure that the huge resources coming into the country for these projects will remain mostly in the country in the hands of the Bhutanese people? His Majesty reminded the members that the implementation of these projects, and others in the future, are vital for the economic growth and prosperity of the country, and a large work force will be required to complete them on time. His Majesty suggested that a Committee comprising the Home Ministry, Agriculture Ministry, Finance Ministry, the 20 Dzongdags and the RBA Headquarter should study the implications of implementing the resettlement programme at this juncture, and also study how the labour requirement for the important projects should be mobilized. A separate report for both issues should then be submitted to the Lhengyel Shungtshog for its consideration and decision.

The National Assembly decided that as suggested by His Majesty the King, a Committee should be established to study the implications of implementing the resettlement programme at this juncture and to study how the labour requirement for the upcoming major projects should be mobilized, and that a separate report on the two issues shall be

submitted to the Lhengyel Shungtshog for consideration and final decision for implementation.

VII. BHUTAN-CHINA BOUNDARY TALKS

The Bumthang Chimi submitted that the people of Bumthang Dzongkhag would like to bring to the notice of the National Assembly that Tibetan herdsmen have been constructing sheds in Majathang and Jakarlung area between Namgung and Orongla. These highland pastures were used for grazing by the Tamshing Dratshang in the past. For some years now, after the Yak herders of Tamshing Dratshang started taking the yaks and absconding across the border, the Chhokortoe public have been grazing their yaks in the area during the summer months. Last autumn, Tibetan yak herders were seen pitching their tents in the area. When questioned by the yak herders of Bumthang, they had said that they will be bringing more yaks the following year, and this is exactly what they seem to be doing this year as they have now brought two herds of yaks.

The people's representative of Paro Dzongkhag, noting that several rounds of border talks had taken place between Bhutan and China, requested for a briefing on the results of the ongoing talks.

In response, the Secretary of Survey informed the National Assembly that the boundary talks with China were started in 1984. The first five rounds were spent on finalizing the guiding principles. The substantive talks started during the 6th round held in Beijing in 1989. Since then, the Chinese have been claiming Pasamlung and Jakarlung valleys with an area of 495 square kilometers. Likewise, we have also claimed these valleys on the ground that going by the watershed principle, these valleys are below the source of Bazaguru Chhu (river) of Kurtoe Dzongkhag. Movements by the Chinese in Majathang and Jakarlung appear to be instigated by the former yak herders of Tamshing Dratshang. In 1982, Lhawang Yeshey, the Norpon (chief herder) of Tamshing Dratshang and his daughter Dolkar absconded across the border to Tibet taking with them the yaks belonging to the Dratshang. Following their departure, Chinese soldiers started patrolling the border in this area. Last year, also, two yak herders of Tamshing Dratshang absconded across the border with the Dratshang's yaks. The construction of sheds and the presence of two yak herds in the area this year appears to have been instigated by these two Tibetan herders.

The people's representative of Haa Dzongkhag submitted that in the grazing land in Haa Shakhatoe at the northern border, Tibetan grazers had constructed yak sheds since several years back, and the matter had been discussed during the previous sessions. Although the people of Haa have not tabled any point in the present session, since the Sino-Bhutan boundary talks are still going on, the concerns of the people of Haa are very similar to those raised by the Bumthang Chimi. The large majority of the people of Haa are dependent on yaks for their livelihood. With Tibetan grazers encroaching into our grazing areas, the Haps are facing great difficulties in grazing their yaks. He therefore requested the Royal Government to expedite the boundary demarcation with China to avoid problems and complications in the future.

The Secretary of Survey replied that, as reported to the 73rd Session of the National Assembly, the unresolved areas in the western sector which were still under discussion between the two governments, were Doklam, Sinchlumpa, Dramana and Shakhatoe.

The people's representative of Haa said that while the boundary negotiations were going on, the Tibetan yaks herds grazing in the traditional pasture land of the Haaps were increasing in size every year. The Tibetan herders would start by bringing a few yaks first and then bring in more and more yaks every year. He, therefore requested for the boundary talks to be finalised as soon as possible.

The Chief Operations Officer of the Royal Bhutan Army, Goongloen Gongma Lam Dorji, informed the members that, in 1959, while he was on a patrol of the northern border as commanded by the late King His Majesty Jigme Dorji Wangchuck, he had come across Tibetan refugees who had camped at Majathang and Jakarlung, and had even started cultivating crops. These refugees greeted him very warmly and offered him gifts of yak, horses and mules, and asked him not to send them back to Tibet but help them to receive permission to stay in Bhutanese territory. It is apparent from this that the Tibetans always considered Majathang and Jakarlung to be Bhutanese territory, he said.

His Majesty the King informed the members that when the boundary talks between Bhutan and China began in 1984, there was more than 1,000 square kilometers of territory under dispute. After the past rounds of talks, there are essentially only three areas in the western sector which are still under negotiation. These are 89 square kilometres in Doklam, 42 square kilometres in Sinchulumpa, and 138 square kilometres in Shakhatoe, a total of 269 square kilometres.

His Majesty also informed the members that the Chinese government has already invited the Royal Government for the 11th round of border talks which will be held in Beijing this year.

The Foreign Minister informed the house that when the border talks began, the Chinese claimed Pasamlung, Jakarlung and Majathang as part of their territory. However, during the 1992 round of talks in Beijing, the Chinese side have more or less agreed to concede these areas to Bhutan.

The people's representative from Thimphu Dzongkhag recalled that during the 73rd Assembly session when it had been reported that the Chinese government had offered Pasamlung and Jakarlung in exchange for Dramana and Sinchulumpa or vice versa, His Majesty the King had been pleased to command that the Royal Government will not take any decision on the issue without consulting the National Assembly.

The people's representative from Bumthang Dzongkhag informed the Assembly that Majathang and Jakarlung falls within the watershed of Choigongla, and has always been a part of Bhutanese territory. He also recalled that during the 68th session of the National Assembly, it had been decided that the Choigongla watershed should determine the claims of the two sides on Majathang and Jakarlung.

The people's representative of the Bhutan Chamber of Commerce and Industry pointed out that when Prime Minister Pandit Jawaharlal Nehru of India visited Bhutan in 1958, Chinese officials had escorted him upto Langmarpo Zam (Langmarpo bridge) where the Bhutanese officials received and welcomed him to Bhutan. This clearly shows that the Bhutan-China border in that area is at the Langmarpo Zam. He expressed concern that the two sheds built by the Tibetan herders this year may multiply to 10 to 12 next year. Today's guests may become tomorrow's hosts, he said.

The people's representatives from Paro and Chukha Dzongkhags and one of the Royal Advisory Councillors noted that although the boundary talks with China had started in 1984 it had still not been concluded. They cautioned the members of the Bhutanese delegation to keep in mind the saying, "do not rejoice because something has been promised as one can be sure of a promised gift only after it is received in hand". They recommended that the boundary talks should be concluded as soon as possible.

The Foreign Minister said that the issue of the Bhutan-China border talks was discussed at great length during the 73rd Session and it was resolved that what matters is not the pace

of negotiations, but the final outcome. He informed the house that although the bilateral talks following the 73rd National Assembly Session has not yet been held, the 11th round of talks is due to be held in China this year. The Foreign Minister said the participants of the forthcoming boundary talk will continue to bear in mind the views of the National Assembly and the national interest of Bhutan.

The people's representative from Chukha Dzongkhag and one of the Royal Advisory Councillors noted that while there is nothing wrong if the boundary negotiations are conducted at a slow pace, just as paddy will dry according to the warmth of the sun, the problems raised by the Bumthang and Haa Chimis required attention, like a persistent itch needs to be scratched. Even as the boundary talks are in progress, the encroachment by Tibetan herders on the traditional grazing land of the Haaps and Bumthaps is causing them serious problems. They suggested that the Bhutanese officials should apprise the Chinese delegation of such encroachments during the boundary talks.

The National Assembly resolved that while the boundary talks with China should continue to be conducted in keeping with the decisions of the previous Assembly sessions, the Bhutanese delegation should apprise their Chinese counterparts about the points raised by the people's representatives during the 74th session when the 11th round of border talks are held this year, and report on the outcome of the talks during the next session of the National Assembly.

VIII. MISCELLANEOUS ISSUES

1. **Ban on employment of Nepalese in government and private organisations.**

The people's representative of Chasikhar gewog in Monggar Dzongkhag submitted that there are various government and private organisations in our country that are employing Nepalese nationals and it seems that future employment opportunities for such foreigners still exist. The people feel that continuing this practice can have no benefit to the country, and in fact would have adverse implications for the future. The people therefore request the National Assembly to pass a resolution for immediate measures to be taken to stop future employment of Nepalese nationals in government and private organisations, and further, to reduce the numbers of those presently employed.

In response, the Secretary, Royal Civil Service Commission informed the members that as submitted by the people's representative of Monggar, there are many problems related to employing non-nationals, particularly Nepalese nationals. As the members are well aware, the present ngolop problem is a fall out of the employment of so many non-nationals in the country in the past.

At present, there are 300 schools and institutes and 84,000 students in the country. Thousands of students graduate or complete their course every year and seek employment. As in other countries, there is every possibility of having unemployed educated youth in Bhutan also, he said.

For example, for a long time, the two teacher training institutes in the country were run at half capacity due to lack of class 10 passed students opting for teaching. As a result, there had been an acute shortage of teachers in the country. Now, as published in the Kuensel just a few days back, the situation has changed. For the two teacher training institutes at Samtse and Paro there were only 90 seats available whereas a record number of 360 students applied for admission to these institutes. Therefore, while the government is optimistic of solving the problem of shortage of teachers in the country, there would be shortage of employment opportunities for students who have graduated from the various schools and colleges, in the near future. Unemployed youths have already surfaced in towns like Thimphu and Phuentsholing.

Such trends have been a source of great concern for His Majesty the King, who has commanded the Royal Civil Service Commission to give priority to employing Bhutanese nationals. Accordingly, the RCSC is concentrating its efforts on providing employment to nationals in the public as well as the private sectors. He informed the Assembly that presently about 11% of the civil servants in the country are non-nationals, mostly from India. These non-nationals are employed only after careful selection and under a contract agreement with a fixed period of 3 to 5 years employment. These contract employees are paid an additional 30% contract allowance as compared to national civil servants.

In view of careful selection and additional salary as well as the excellent relations between the Royal Bhutan and the Government of India and between the people of our two countries, all Indians employed in Bhutan are well qualified, hard working and dedicated, he said.

The Secretary also said that there will continue to be a shortage of doctors, lecturers and engineers for some time to come in Bhutan. They would be recruited from India after carefully scrutinizing their academic and other qualifications.

He said that the reason for the increasing possibility of educated youths not finding employment is that the private sector prefers to employ qualified people from outside, while on the other hand, the educated youths prefer government service because the benefits and jobs in the private sector are still insecure.

The Secretary informed the members that during a meeting with members of the business community, His Majesty the King had commanded the representatives of the Bhutan Chamber of Commerce and Industry to employ as many educated youths as possible in the private sector. The Royal Civil Service Commission is hoping that the private sector will be able to absorb more educated young Bhutanese men and women.

The representative of Bhutan Chamber of Commerce and Industry pointed out that if Nepalese nationals continue to be employed in Bhutan, being ethnically the same as the Lhotshampa people, there is every possibility that, after some time, they will claim Bhutanese citizenship and refuse to leave the country. Therefore, it is important for both the government and the private sector to put an end to the employment of Nepalese nationals.

Since the Bhutan Chamber of Commerce and Industry has an important role to play as a link between the government and the business community, it has been making every effort to implement the Royal Government's policy of increasing the employment of nationals. Although the business community has not been able to provide adequate employment to Bhutanese nationals thus far, due to various problems faced by some of its members, every effort will be made to employ more and more Bhutanese in the future, he said.

Speaking on the issue, the Home Minister informed the members that since 1961, when the First Five-Year Plan was launched, many non-national workers had to be brought to Bhutan to work on the developmental activities that had to be undertaken on an unprecedented scale. As Bhutan was embarking on a process of planned development for the very first time, these works included the construction of roads and the establishment of basic infrastructures. Baidars (labour recruitment contractors), who had a free hand in recruiting labour, brought many Nepalese from different parts of Nepal to work on the

various development projects being undertaken in Bhutan. As a result, when a nation wide census was conducted in 1987-88, it was found that there were more than 113,000 non-nationals working in Bhutan. The matter was submitted before the National Assembly. In accordance with the resolutions passed by the National Assembly, and on the directives of His Majesty the King and the Lhengyel Shungtsog, every effort was made to reduce the number of foreign workers to the actual requirement of the various contractors engaged in construction works. The strict criterion for employment of non-nationals was also aimed at enabling Bhutanese nationals to take up more work in all sectors and be gainfully employed.

The Home Minister pointed out that acquiring skills in such trades as carpentry and masonry is like acquiring an education as these trades can be taken up as a profession and would be a source of regular income. Employing as many Bhutanese as possible and encouraging them to acquire various trades and skills would greatly benefit the general population in Bhutan. However, since the private sector prefers to employ non-nationals even for small works, it is necessary for the Royal Government to impose a strict procedure for the employment of non-nationals, he said.

The Home Minister informed the members that out of a total of 30,000 non-nationals working in Bhutan today, about 10,000 are ethnic Nepalese. He said that the Registration Department screened and sent back many non-nationals who had been carrying out business and industrial activities without any licenses. In 1987 and 1988, when many foreign workers were sent back along with large numbers of labourers reduced from the Penden and Chukha projects, after giving them all payments including a special Soilra, they returned home and made no complaints of being forcefully evicted. Nor did they claim to be Bhutanese refugees until four years later, he said.

The Home Minister pointed out that there were only 304 persons claiming to be Bhutanese refugees in September 1991, when the United Nations High Commissioner for Refugees (UNHCR) started an assistance programme for these people in Nepal. Once the refugee camps were established in eastern Nepal, the numbers immediately swelled because poor ethnic Nepalese from the neighbouring areas, including the Nepalese workers who had left Bhutan, flocked to the camps, claiming to be Bhutanese refugees. With all kinds of assistance such as free housing, rations, education and health facilities, and even cooking stoves, kerosine and washing soaps provided, jobless and landless ethnic Nepalese from

the neighbouring areas, including Nepal itself, were attracted like flies to the camps in Jhapa, Nepal.

He further informed the members that since the Nepalese government had made several false allegations against the Royal Government after creating the refugee problem themselves, His Majesty the King twice requested the then Prime Minister of Nepal, Mr. Koirala not to establish the refugee camps and allow people claiming to be Bhutanese refugees to enter Nepal as it would provide an opportunity for many destitute and unemployed ethnic Nepalese to congregate in the camps, and thereby put a strain on the traditionally warm relations between Bhutan and Nepal. However, the Prime Minister replied that he could not comply with the request as it would hurt the sentiments of the Nepalese people and the political parties would criticize him.

The Home Minister explained to the members that the Royal Government had allowed the 10,000 ethnic Nepalese labourers remaining in Bhutan today to continue working in the Kingdom even after their contract terms had expired because, if retrenched, they too would be attracted by the free handouts in the refugee camps and go there directly, claiming to be Bhutanese refugees. Moreover, His Majesty the King had commanded that the remaining Nepalese workers should be given temporary permits and work until the verification of the people in the refugee camps was completed.

He also pointed out that with the Tala, Kurichu and Basochu power projects and the Dungsum Cement Project now coming up, there would be a big requirement for both skilled and unskilled manpower. In this regard, it is very important for the hon'ble members to give careful thought as to the best options for improving the livelihood of the landless people who have applied for resettlement. On the one hand there is a shortage of people joining the national workforce, while on the other hand repeated requests have been made in the National Assembly itself for the resettlement of landless people. Which will be more beneficial? Resettle the landless people as requested or encourage them to join the national workforce and work in these many upcoming big projects? If they are employed in the projects they would receive monthly salaries and have a definite and regular source of income, if they are resettled, they would have to work year in and year out cultivating their fields and their incomes would depend on the quality of the harvests reaped by them.

Since it is the policy of the Royal Government to give maximum employment to Bhutanese nationals, every effort is being made to give the Bhutanese people as much of the available

jobs and works as possible. Where it is necessary to bring in outside manpower, priority will be given to recruiting them from India, said the Home Minister.

The people's representative from Trashigang Dzongkhag noted that the shortage of teachers faced by the Education Division and the difficulty for Class 10 and 12 students to find employment were indeed problems that needed to be addressed urgently. As one of the problems in this regard appeared to be the standard of education in the country, he expressed his appreciation that the Royal Government was attaching the highest importance to the development of skilled and qualified manpower in Bhutan.

The people's representative from Punakha Dzongkhag pointed out that the increasing presence of outsiders is becoming more obvious every year. There are outsiders who have business licenses and run shops, while many are working in the hotels and various sections of the private sector. At this rate, there is every possibility that, one day, if a Bhutanese went to a hotel and asked for a cup of tea in the national language, he would not even be understood, said the Chimi. Recalling that the issue of reducing the employment of non-nationals had been discussed during the 72nd Session of the National Assembly, he expressed his appreciation over the efforts made by the Royal Government to reduce the number of non-national workers in keeping with the policy on this issue.

He submitted that the Nepalese nationals presently working in Bhutan should be sent back to their country once their work permits expired. Although they may go straight to the refugee camps in Jhapa and claim they are Bhutanese refugees, there is no need to pay any heed to them since they are not Bhutanese nationals. Previous sessions of the National Assembly have supported the policy of reducing the employment of outsiders. The present session should also emphasise the strengthening and implementation of this policy.

The Chimi also pointed out that while reducing the employment of non-nationals on the one hand, if every effort is not made to increase the national work force on the other, serious problems would arise in the future. The problem in increasing the national work force is due to the tendency of the Bhutanese people to look for land instead of work, as is evident from the request tabled in the National Assembly for landless people to be granted land and resettled. One of the main reasons for the small size of the national work force is that the Bhutanese people are ready to work only if it is very profitable. Today, it has become difficult to find people willing to do any work in the villages even though they are given three good meals and paid Nu. 50 to Nu. 60 per day. Therefore, if the national wage rate

could be increased once again, people who do not have land would be more willing to join the national work force.

The Chimi also pointed out that there was a drain of wealth from the country because of business fronting. Bhutanese nationals were applying for several business licenses and leasing them to non-nationals. It is very important for the Royal Government to give due consideration to this problem also.

The Speaker noted that since the Home Minister and the Secretary of the Royal Civil Service Commission had clarified the Royal Government's policy and actions regarding the employment of non-nationals, there was no need for further deliberations on the matter. In connection with the submissions regarding business licenses and development of the national workforce, he informed the members that the objective of the Royal Government is to give every opportunity possible to Bhutanese entrepreneurs and develop the private sector in Bhutan. To that end, the Royal Government had floated shares to the general public and privatised many public sector industries and corporations.

The Chairman of the Royal Advisory Council and Royal Advisory Councillors expressed their appreciation for the measures taken by the Home Ministry, in keeping with the policies of the Royal Government, to reduce the number of non-national employees since 1987, as reported by the Home Minister. They called upon the Home Ministry to continue to strictly monitor the employment of non-nationals and to send back the 10,000 Nepalese nationals still working in Bhutan as soon as their work permits expire. At the same time, it is very important to mobilise as many national workers as possible to work in the industries and projects, and thereby promote the national goal of economic self-reliance.

They also noted that following the ngolop problem in southern Bhutan, it has become clear that the policy of the Nepalese government is to justify that all the people in the refugee camps in Nepal are Bhutanese nationals and insist that Bhutan must take all of them. Therefore, it is necessary for the Royal Government to deal appropriately with the Nepalese Government's position and policy on this issue.

The National Assembly resolved that the measures taken by the concerned departments regarding the employment of non-nationals, in keeping with the policies of the Royal Government, was adequate and should be continued.

2. Need for an Office and an Assistant for the Gups

The people's representative of Trongsa, Wangduephodrang, Haa, Punakha and Trashigang Dzongkhags submitted that, in keeping with the government's policy of people's participation, the people have been given the opportunity to participate fully in the development programmes starting from the preparation of plans to implementation and maintenance of development activities. Promoting even further decentralization, His Majesty the King has established Gewog Yargay Tshogchungs (GYTs) in addition to Dzongkhag Yargay Tshogchungs (DYTs). As a result of the establishment of the GYTs, and growing volume of gewog related activities such as conducting the annual gewog census, rural tax collection, support to extension services, mobilization of Zhaptolemi, coordination with the government officials and experts from the projects, implementation of Plan activities and submission of reports on the above issues, the responsibilities of Gups have increased manifold compared to the past. Therefore, the Gups should be given an office and an Assistant/Clerk, as requested in the previous session of the National Assembly. The people's representative of Wangduephodrang Dzongkhag further submitted that if new offices cannot be constructed for the Gups, the government could consider supplying materials for repair of old and abandoned offices of various departments and Nagtshangs, wherever available. The people would contribute the physical labour for all the repair works. He said that if this was not possible, the Gups should be allowed to hire village houses for their office. As for the Assistant, he said that the government could consider sanctioning the Gups an appropriate level of salary that he can pay to an Assistant.

In response, the Home Minister said that the issue of establishing an office for the Gups was discussed at length during the 73rd Session of the National Assembly and a decision also taken. However, before this decision has been implemented, the same point has been submitted again in the current session, which is not correct. He said that it will be more appropriate if the issue is dealt with in accordance to the earlier decision of the National Assembly.

The Home Minister said that it would certainly be beneficial to both the Royal Government and the people if offices for the Gups can be established as suggested by the people's representative of Wangduephodrang. But, constructing a permanent office for the Gups will pose a lot of problems. The Gups are changed every three years, and it will not be economically viable to establish a new office every time a Gup is elected from different villages of the gewog. He said that he had reported about practical and logistical problems

to the National Assembly last year when the members, while appreciating the difficulties, had supported the suggestion to establish the Gup's offices in the schools, Nagtshangs or other vacant government buildings in their respective areas. Accordingly, the National Assembly had decided that the Gups and Chimis should discuss the matter and submit their proposals through their respective Dzongkhags to the Home Ministry for studying and submitting to the next session of the National Assembly for deliberation and decision. But, so far, not a single proposal has been received from any gewog. As a result, no studies could be undertaken and the Home Ministry is, therefore, not in a position to suggest anything on the issue at the moment.

He said that even if the government approved the construction of a Gup's office for each of the 196 gewogs, the expenditure for the administration and maintenance of the offices will be very high, including the requirement of additional manpower. Hence, a thorough study is very important before taking a final decision. Therefore, he suggested that further action on the issue should be taken as per the decision of the 73rd Session of the National Assembly.

The people's representative of Zhemgang Dzongkhag submitted that an office for the Gup is required as the responsibilities of the Gups had increased manifold in keeping with the rapid progress and development taking place in the country. Although, the Gup's Chathrim states that only educated and capable persons who will be able to serve the people are eligible for election, during the election process of Gups and Chimis from the villages, it is not always possible to get such persons because a candidate who is educated is usually not capable while a capable candidate is often not educated. On the other hand, in the process of dealing between the government and the people, Gups are required to be able to express themselves clearly and also communicate in writing. To overcome the above problem, he requested the government to consider appointing an Assistant/Clerk to the Gups. He further requested that the Gup's office could be established alongside the numerous development centres established by the government for the benefit of the people.

The Finance Minister submitted that if an office for the Gup is approved, 196 offices would have to be constructed and 196 Assistants provided. Therefore, as submitted earlier by the Home Minister, he suggested that a decision should be taken only after a thorough study has been done of the proposals submitted through the GYT's and DYT's to the Home Ministry.

He reminded the members that the salary for an Assistant to the Gup was merged with the Gup's salary of Nu. 1,300 during their last pay revision, which is clearly mentioned in the Gup's Chathrim. The Chathrim also clearly spells out that only literate and capable candidates are eligible for election as Gups. Therefore, if the selection process is done according to the Chathrim, there is no reason why the Gup's responsibilities cannot be shouldered by the individual. The Finance Minister reminded the members that in accordance to the Gup's Chathrim, the Gup could seek assistance from the Primary School headmaster in his gewog to maintain the minutes of the GYT meetings.

As reported to the National Assembly on 28 June 1996 during the presentation of the Budget, His Majesty the King had commanded a 50 percent increase in the salary of the Gups out of consideration for the increasing responsibilities they had to shoulder in supervising development activities and in ensuring greater people's participation. He requested the hon'ble members to carefully consider whether it will be feasible to construct 196 Gup's offices or not, by assessing the implementation requirements of other activities in the Dzongkhag and their constraints, the difficulties likely to be faced in the maintenance of Gup's offices on top of the already existing difficulties with the increasing cost of maintaining service facilities, and the necessity and requirement of appointing an Assistant to the Gup.

With the 50% increase in pay for 196 Gups in the 20 Dzongkhags, as commanded by His Majesty the King, each Gup will have to be paid Nu. 1,950 per month. The total annual expenditure on account of salary for the Gups will be Nu. 4,586,000. Taking into account the 50 percent salary increase for the Chimis, the annual expenditure for them will be Nu. 1,444,000. The total implication for Gup's and Chimi's salaries will be more than Nu. 6 million, which does not include other allowances. On the other hand, it should be remembered that the total rural taxes from the 20 Dzongkhags is estimated at Nu. 5.5 million only although collections have never been more than Nu. 4.2 million a year.

As the hon'ble members are aware, it is the Royal Government's policy to try and meet recurrent expenditure from internal revenue generation. It is very important to remember that we can achieve our national objective of self-reliance only if we can meet our recurrent expenditure by internal revenue generation, said the Finance Minister.

Some of the people's representatives submitted that although they respected the decision of the 73rd Session of the National Assembly that proposals from the gewogs for establishment of Gup's office and appointment of an Assistant/Clerk should be submitted to

the Home Ministry, they requested the Home Ministry to study and put up the proposals submitted through the GYTs and DYT to the next session of the National Assembly without delay so that the hopes and aspirations of the people for a Gup's office and an Assistant to the Gup will be realized during the next Assembly session.

The National Assembly resolved that, based on the decision of the 73rd Session of the National Assembly, the issue of an office and an Assistant for the Gups will be discussed at the respective GYTs followed by deliberations at the DYT level and the proposals shall be forwarded to the Home Ministry, which will then carry out a thorough study of the proposals and submit a report to the next session of the National Assembly.

3. Request for raise in Gups and Chimis salary

The people's representatives of Samar and Katsho gewogs in Haa Dzongkhag, Goenshari, Shelgana and Bjeme gewogs in Punakha Dzongkhag and Trashigang Dzongkhag submitted that the Gups of the different gewogs are playing a very important role as the bridge between the government and the people. With the establishment of Gewog Yargay Tshogchung, in keeping with the Royal Government's policy of decentralisation, the responsibilities of the Gups have increased greatly. As a result, they are engaged full time in discharging their responsibilities and cannot pay attention to their own work. In view of this, we had forwarded a proposal for an increase in the salary of Gups for discussion in the Tshogdu Chhenmo. However, His Majesty the King had already taken into consideration the rising price of essential commodities, and the increasing responsibilities of Gups and Chimis in implementing development programmes as a result of the decentralisation policy. His Majesty had, therefore, commanded the Finance Ministry to increase the salary of Gups and Chimis by 50 percent from 1st July, 1996. This was accordingly announced by the Finance Minister when he presented the national budget at the beginning of this Assembly session.

Other people's representatives joined the above Chimis in expressing their deep gratitude to His Majesty the King, on behalf of all the Gups and Chimis, for increasing the salary of Gups as well as Chimis by 50

percent. They pointed out that the increase in the salaries of Gups and Chimis, far exceeding the increase of pay for the civil service, will benefit them greatly.

In view of the above, the National Assembly decided that there was no need to deliberate on the increase of salary for Gups.

4. Status of Gups

The people's representative of Dogar and Sharpa gewogs in Paro Dzongkhag submitted that Gups are the link between the government and the people. They are also like fathers to the people in their gewogs. Gups now have to shoulder increasing responsibilities and are required to spend more than the income they receive, unlike Gups in the past. In view of this, there is a need to award Gups with a suitable grade befitting their responsibilities.

In response, the Home Minister acknowledged that the Gups shouldered the responsibility for carrying out many public activities in their gewogs. Therefore, the post of Gup is an important one in Bhutan, benefitting the people in villages all over the country. As submitted by the Chimi from Paro, the responsibilities of the Gups have, indeed, been increasing every year.

With regard to the request by the people for a separate grade for Gups, it should be remembered that from days gone by, Gups in Bhutan were the elders of the gewogs, being capable persons who could solve the problems of the people of their gewogs. The people of each gewog elect their Gups in accordance with the Chathrim for Election of Gups, and the Gups receive their scarves of office from their respective Dzongdas who are the representatives of His Majesty the King in the Dzongkhags. They are also awarded a Kapney called "Khamar". This in itself symbolises a special status for the Gups in our society, he said.

Every village and gewog has its local heirarchy with separate status such as Gup, Chipon, Mangap, and Gewog Yargay Tshogchung member. Of these, the Gup is the principal local authority who is duly elected by the people. Therefore, it would not be appropriate to place the Gups in a separate grade like the civil servants.

Likewise, a Chimi is a representative of the people who is elected by the people to represent them in the National Assembly. As such, like the Gups, they play an important role in bearing increasing responsibilities in development activities which are aimed at improving the quality of life of the people. It would be improper to equate the status of Gups and Chimis to a civil service grade, nor is there a need to do so. The Home Minister requested the National Assembly to retain the existing practice which reflects the important status and role of Gups and Chimis, and not to consider creating a new grade system.

The people's representative from Haa Dzongkhag observed that, as submitted by the Home Minister, the Gup is elected by the people of the gewog following which he receives the scarf of his post, in the presence of His Majesty the King's portrait, from the Dzongda who is His Majesty's representative, after donning the Gup's Kapney known as "Khamar". He felt that this is an adequate distinction of the Gup's status.

Since no other members made any interventions after the Haa Chimi spoke, the National Assembly decided that, as submitted by the Home Minister, there was no need to introduce any separate grades for Gups and change the existing system.

5. Share-cropping

The people's representative of Langthel and Drakten gewogs in Trongsa Dzongkhag submitted that in spite of the high priority being accorded to agricultural development by the government for the benefit of the people, those who depend on share-cropping are not able to uplift their economic conditions at par with others mainly because the produce from the land has to be shared between two parties. Even if the output of the land is increased through construction of irrigation schemes and improvement of soil fertility, the share-croppers get only half of the produce. As a result, it will be very difficult for the share-croppers to improve their economic condition through agriculture.

Therefore, the people who are dependent on share-cropping feel that if the Land Act could be amended and share-cropping or agricultural lease prohibited, they would have an opportunity to develop and improve their living standards.

The Chimi submitted three suggestions on behalf of the people of Langthel and Drakten gewogs :

- a) People dependent on share-cropping should be given independent land holdings.
- b) All land owners should be made to cultivate their land by themselves and not by others.
- c) If the land owners are engaged in business or government service their land should be sold to the share-croppers. If the share croppers cannot buy the land, such land should be bought by the government and sold to them at subsidised price.

He further submitted that if formulating such policies would take time, the people would be grateful if a temporary solution is found whereby the share-croppers can avail loans at interest rates that will not exceed the value of the annual produce from the land being cultivated on lease.

In response, the Secretary of Survey said that the practice of share-cropping exists in Bhutan as it does in other countries of the world. In Bhutan, the issues of sharing the produce, management and improvement of land are all very clearly covered by Sections Ka 10-1 to Ka 10-36 of the Land Act. Therefore, if the share-croppers follow the above provisions of the Land Act, there should not be any problem in share-cropping. As far as the Kidu of landless people is concerned, as already reported by the Home Minister, His Majesty the King has so far granted 60,276 acres of land to 13,208 households from all over the country. In addition landless people can apply and register for resettlement under a resettlement programme which is under consideration of the government. Those landless people who wish to buy land can avail loan facilities from the Rural Credit Schemes administered by the Dzongkhags or directly from Bhutan Development Finance Corporation (BDFC), and Bank of Bhutan for purchase of land, and such land transactions are allowed as per Sections Ka 5-1 and Ka 5-2 of the Land Act. Therefore, he submitted that in view of the various facilities available to the people to address this problem, there was no need to amend the Land Act.

The concerned people's representative submitted that even if it is not possible to amend the Land Act immediately, the government could consider making some amendments after a few years to address the problem faced by the people.

The people's representatives of Chhukha, Haa and Bumthang Dzongkhags submitted that although in the western Dzongkhags there are different systems of sharing the crop between the land owner and the share-cropper, there is no problem to the share-croppers due to the existing provisions of the Land Act. Some of the people's representatives also submitted that although share-cropping is prevalent in all the Dzongkhags, starting from Haa in the west to Trashigang in the east, the share-croppers had no problems at all. They pointed out that further deliberations on amending the Land Act, based on the points submitted by the people of Draktan and Langthel gewogs could lead to a lot of problems.

Supporting the views of the people's representatives, the Deputy Minister of Agriculture informed the members that in other countries there are more share-croppers and less land while in Bhutan the majority of the population own land and as a result, the number of share-croppers is small. Regarding difficulties faced by the share-croppers, he said that the share-croppers are never at a disadvantage. He pointed out that as per the provisions under Chapter 10 of the Land Act, even if a share cropper cultivates two or three crops a year, the land owner gets only the share from the main crop. If the crops are destroyed due to flood, landslides or diseases, the owner gets only the share from what is left.

Therefore, the share-croppers gain more than the land owners. If, as submitted by the people's representatives of Trongsa, we make policies which would deprive the people of their ancestral land which have been legally registered in their Thrams, it would not only infringe on basic rights of individual citizens but would also amount to adopting a communist policy.

Going by the submission made by the Trongsa Chimi, those legal land owners who lease out their land for share-cropping must sell their land, and government servants and business people cannot own land. On the pretext of furthering the policy of food self sufficiency, it is a move to keep the children of farmers on the farms, depriving them of education and knowledge in other fields. At this rate the government could soon be requested to pass a law prohibiting farmers to engage in business on the ground that there would be more businessmen than customers. Therefore, in order to avoid such unlawful things from happening, it would be better not to make any amendment to laws which are beneficial to the vast majority of the population.

In response, the Trongsa Dzungda submitted that out of the 700 households under Draktan and Langthel gewogs, 417 households are share-croppers. Therefore, whenever any development work is to be implemented, it is very difficult to make these people work as their main excuse is that they do not own any land. For instance, he said that during the 5th Plan, a programme to construct an irrigation channel was started under Langthel gewog. However, due to lack of cooperation between the land owners and share-croppers, the canal has not yet been constructed. In his view, the share-croppers were like people who did a full day's work but received only a half day's wages.

He further submitted that with the establishment of many big industries, the country's revenue generation has increased substantially. But, for most of the people who depend

upon agriculture, their only source of income is from their land which makes it very difficult for share croppers who do not own any land. If the economic conditions of the share croppers is to be improved in keeping with the national policy of self-reliance, it will be necessary to enable them to own land. To that end, the share croppers are requesting for an amendment to the Land Act in due course of time and not immediately, he said.

The Finance Minister expressed the opinion that after listening to the Secretary of Survey, the Deputy Minister of Agriculture, the Trongsa Dzongda and the Trongsa Chimi it was apparent that the reason why the share croppers in Trongsa felt share cropping was unfair for them was because they were not following the provisions of the Land Act. The division of crops between cultivators and land owners are governed, to a large degree, by the size and fertility of the land holding and, in most cases, the cultivators get the better bargain by receiving upto 70 percent of the produce. There were cases of share croppers cultivating land belonging to the Dratshang and Rabdeys not even bothering to give 30 percent share of one crop from fields yielding two or three annual crops. As a result, the Royal Government had to write off many tonnes of paddy left unpaid by share croppers to the Dratshang and Rabdeys over a period of four to five years, he said.

The Finance Minister also pointed out that if the Royal Government was to adopt a policy of buying land on a mandatory basis from land owners and then sell it at subsidised rates to share croppers, as proposed by them, it would not be in keeping with the Land Act and would also result in major expenses for the government. Regarding loans for buying land, the Minister said that everyone knows, most of the loans given by the BDFC in the 20 Dzongkhags are for buying seeds, fertilizers, agricultural machinery, development of agriculture land and cash crops. He said that since May 1995, in consultation with the Board of Directors of BDFC, a new scheme for giving loans of Nu. 20,000 to 50,000 to farmers for buying land was started with the objective of assisting the landless people to buy land. Although this new scheme has been in existence for about a year, perhaps the Trongsa Chimi is not aware of it. He said that the people's representatives must be aware of the policies and programmes that are framed by the Royal Government for the welfare of the people, and they should disseminate such information to the people. He said that loans for purchase of land upto an amount of Nu. 20,000 can be obtained through the DYT's while the authority for sanctioning loans above Nu. 20,000 rests with BDFC head office. If all the loans sanctioned by the BDFC are utilised properly and installments paid on time, the Dzongkhags will be authorized to sanction loans upto Nu. 50,000 in future. Moreover, the loans are repayable within a period of eight to 10 years only and the interest rate is 14% per annum.

The Finance Minister also informed the members that loans are also being made available under another scheme for transportation of cash crops and other agricultural produce from the farms to the markets; marketing of village handicrafts made out of wood, bamboo and cane; hand-woven cloth materials; wooden bowls and cups and other such products. He requested the hon'ble members to keep this in mind so that the people could make full use of these various loan schemes. In view of all the above, there is no need to amend the Land Act, he said.

The representative of the Bhutan Chamber of Commerce and Industry said that if a law which had been enacted by the National Assembly for the benefit of all the people in the country is amended just for the benefit of the share-croppers, it could set a bad precedence. Likewise, tenants in rented houses could also ask for ownership of houses after residing in them for a few years. He felt that the problem of the share croppers could be resolved if they were addressed accordingly to the relevant clauses of the existing Land Act.

The National Assembly, noting that the difficulties faced by the share croppers of the two gewogs in Trongsa Dzongkhag could be resolved by following the Land Act, decided that all concerned should accordingly implement the provisions of this Act, and no separate resolution was adopted.

6. Survey of Pangshing and Tseri

The people's representatives of Korphu, Tangsibi, Langthel and Nubi gewogs of Trongsa Dzongkhag submitted that during 1995-96, when the land under Trongsa Dzongkhag was resurveyed and measured, it was found that trees and bushes had grown in the dry land and Tseri registered in the names of individuals for many years, which had not been cultivated for some time. The survey team refused to measure these dry lands and Tseris unless a No Objection Certificate (NOC) was produced from the Forestry Division. As a result, many such lands have not been included in the recent survey.

Therefore, he said, the people would be grateful if they are allowed to retain such land in their respective Thrams without any problem since they require to cultivate them from time to time to meet their food requirement. As for the trees grown on these lands, as and when the people are able to cultivate the land, they should be allowed to fell them in accordance with the rules and regulations of the Forestry Division.

In response, the Secretary of Survey informed the Assembly that the resurvey of land in all the Dzongkhags was started in keeping with the decision taken by the National Assembly in 1979, when it enacted the Land Act.

He said that the resurvey of land in Trongsa Dzongkhag was started in September last year and completed in June this year, during which only those land which were being utilised or those which were in the process of being utilised were surveyed. Those Tseri land and Pangshing which had turned into forest were not surveyed in keeping with sections Ka 3-6 and Ka 3-9 of the Land Act, Ka 1-8 of the Thrimzhung Chhenpo and Resolution No. 16 of the 28th Session of the National Assembly. If such land are to be surveyed, the land owners are required to produce a No Objection Certificate from the Forestry Division. He said the reason for not surveying these land was because they had already turned into forest. He, however, assured the Trongsa Chimi that there is no reason for the people to be apprehensive of losing land which are already in their Thrams.

The Secretary informed the Assembly that the present exercise is only to resurvey the land and not to make any changes to the Thrams. Later, during the course of amendment of the Thrams, whenever desired by the government, the land owners will be able to retain the ownership of land in their respective Thrams provided they clarify the growth of trees on their land with the Forestry Division well in advance.

The resurvey of land in 18 Dzongkhags of the country, except in Zhemgang and Haa, have already been completed, and in all the Dzongkhags the same modalities and procedures were adopted. There was no complaint from any Dzongkhag except Trongsa. He felt that the reason why the people of Trongsa were not satisfied with the survey was because the need for resurvey of land and the provisions of the Land Act were not properly explained to the GYT's and the DYT.

The concerned people's representatives submitted that the people were of the opinion that if they could not sort out the ownership of their land during the resurvey process, it would be more difficult in the future. Hence, they had submitted this point to the National Assembly, bearing in mind that the laws may also need to be amended and updated in keeping with the changing times.

The people's representative of Nubi gewog under Trongsa Dzongkhag informed the Assembly that many people in Trongsa were dependent on Pangshing and Tseri cultivation and that there were very few households who owned paddy fields. As a result, the people

were very concerned when they could not get their land resurveyed. In view of this, the problem faced by the people had to be submitted to the National Assembly, she said.

The people's representative from Thimphu Dzongkhag supported the submission made by the Trongsa Chimi. He said that according to the Secretary of Survey even if some land are not resurveyed now it does not mean the owners would lose the ownership of the land, and that as and when NOC from the Forestry Division is produced, the land can be resurveyed and registered in the Thram without any problem. He, however, felt that between the Forestry Division and Survey Division the provisions of the Land Act were being undermined because as per Ka 3-6 of the Land Act, except for orchards, Sokshing and Tsamdrog, trees grown on any other category of land registered in an individual's name in the Thram can be felled without any permit and no NOC from the Forestry Division is required.

According to Ka 3-9 of the Land Act, the ownership of the trees, if the land is allotted to an individual after 1969 is clearly laid down in the Forest Act. However, there is no need to obtain approval from the Forestry Division for clearance of trees on land which is registered in one's name prior to 1969. Therefore, asking the people of Trongsa Dzongkhag to produce clearance certificate from the Forestry Division for the land registered in their Thrans many years ago and not newly allotted by the government is like asking a person to put food in his mouth by stretching his hand from behind his neck, and will cause a lot of difficulties for the people.

To this, the Secretary of Survey replied that if a piece of Tseri land is left fallow for less than 12 years, the owner can continue to cultivate it as Tseri land, whereas if the fallow period exceeds 12 years it has to revert back to reserve forest. But while surveying on the ground, it is very difficult for the surveyors to ascertain the age of such trees, and hence, the need for obtaining NOC from the Forestry Division, as per Ka 1-8 of the Thrimzhung Chhenpo.

He felt that the main reason why the people of Trongsa Dzongkhag are facing a problem in this regard is because they are not aware of the need for proper protection of watershed areas in the country as per the provisions of the Forest Act and other regulations. The Forestry Division is required to ascertain the impact on the watershed and environment from cutting down trees on Tseri land which have turned into forests. If such conversion is likely to affect the watershed and environment, such land shall be taken over by the

government and substitute land as per the area registered in the Thram shall be given to the owner from areas which will not be harmful to the environment.

The Home Minister clarified that although there is a system of allotting substitute land, as per Ka 1-8 of the Thrimzhung Chhenpo, no substitute land is required to be allotted if a Tseri land is left fallow for more than 12 years and has already turned into forest.

The people's representative from Chukha Dzongkhag submitted that although the people dependent on Tseri are paying annual land taxes regularly, they are not able to cultivate the land when, as per the provisions of the Land Act, they approach the Forestry Division and are not given NOC for clearance of Tseris which have turned into forest. As a result, with every passing year the trees get bigger, he said. In view of the serious difficulties faced by these people, he requested the National Assembly to consider allotting ownership of trees grown on such land to the owner of the land itself.

His Majesty the King informed the National Assembly that many owners of Tseri land had approached His Majesty to allot trees grown on such land to them in spite of the fact that in most of the Dzongkhags, government reserved forests are being claimed as Tseri, and in some Tseri land there are trees which are more than 50 to 60 years old, suitable even for construction of Dzongs.

His Majesty also informed the Assembly that where a Tseri land is reflected as five acres in the Thram, on actual measurement it is invariably more than 25 acres. Therefore, it is extremely important that the government and the people abide by the provisions of the Land Act and the Forest Act. His Majesty said that the National Assembly should discuss and try to resolve issues which are in the overall interest of the country and the people. It should not be sidetracked into discussing the amendments of laws which were enacted for the benefit of all the people in the country, just for the benefit of a few people.

In consideration of their Kidu, the people are still allowed to cultivate Tseri land so long as the trees on such land are not very big, even though the Government policy is to reduce Tseri cultivation. Although registered acreage of Tseri in the 20 Dzongkhags is only about 300,000 acres, on the ground the area is many times larger. As the members are aware, during Tseri cultivation in the second and third Bhutanese months, for every acre of Tseri burnt and cleared large areas of nearby forest are also burnt and destroyed.

Nevertheless, if the majority of the members agree to give ownership of such Tseri land which have not been cultivated for more than 12 years to the land owners, it would be all right to consider discussing the need for amending the existing law. However, if the majority of the members decide not to allow cultivation of Tseri land on which there are trees which are more than 12 years old, in accordance with the provisions of the Forest Act, the government could consider paying cash compensation to the owners of such land, since it will not make sense for the Forestry Division to allot them substitute land from another forest area, said His Majesty.

The representative of the Bhutan Chamber of Commerce and Industry submitted that in spite of the fact that the provisions of the Land Act are very clear regarding utilisation of Tseri land which has not been cultivated for over 12 years, and neither substitute land nor cash compensation is required to be given to the land owners as per the Land Act, His Majesty the King has very graciously commanded that cash compensation could be given to such land owners in consideration of their Kidu. He suggested that the National Assembly should adopt a decision as proposed by His Majesty for the Kidu of people dependent on Tseri cultivation.

Pointing out that the majority of the population are dependent on agriculture for their livelihood, he submitted that the house should not consider amending the Forest Act which was enacted by the 73rd Session of the National Assembly for the benefit of future generations after carefully considering each and every clause in the Act. Retaining the Forest Act unchanged would be in the long term interest of our country, he said.

The people's representatives of Haa and Pemagatshel Dzongkhags expressed their deep appreciation and gratitude to His Majesty the King for graciously commanding payment of cash compensation to Tseri land owners in consideration of their Kidu, in spite of the fact that in accordance with the provisions of the Land Act, Tseri land which have not been cultivated for more than 12 years and which have turned into forest revert back to reserve forest with neither substitute land nor cash compensation being payable to the owner.

They submitted that the main difficulty faced during the land survey and also the main reason why all the land cannot be surveyed at the same time is because of the need for producing NOC from the Forestry Division for Tseri land on which trees have grown. They suggested that to overcome this difficulty, the survey team should be accompanied by an official of the Forestry Division who could physically verify the age of trees on the Tseri

land as per provisions of the law, and give on the spot decision as to whether the Tseri land can be used by the owner or not. This, they said, would be in the interest of both the government and the people.

The Dagana Dzongda also expressed his deep appreciation to His Majesty the King for commanding cash compensation to those land owners whose Tseri land have not been cultivated for more than 12 years and therefore revert back to government reserve forest. He informed the Assembly that most of the Tseri land fell in the watershed areas where there is very high risk of landslides. According to the provisions of the Forest Act, such areas should not be cultivated. He also informed the members that where a piece of Tseri land is recorded in the Thram as one acre, its actual size on measurement is usually as much as 40 to 50 acres. He submitted that, if possible, and as provided in the Land Act, the excess Tseri land should be allotted to the land owners provided it is within the land ceiling of 25 acres, and also provided that it does not affect the forest and environment. If this amendment is made to the Land Act, the government would not have to pay cash compensation for Tseri land which reverts back to forest.

To this, the Speaker said that if two-thirds of the members agree to amend the Land Act, the Assembly could deliberate on it, otherwise there is no provision for amending a law which was enacted so recently as during the last session, just for the benefit of a few individuals.

The people's representative of Trongsa Dzongkhag submitted that although according to the Land Act, Tseri land which have not been cultivated for more than 12 years and turned into forests, have to revert back to reserve forest without substitute land or cash compensation being given, His Majesty the King has very graciously commanded payment of cash compensation for such land during this session of the National Assembly. He expressed his deep gratitude to His Majesty the King for this gracious command which will benefit the people in all the Dzongkhags in the country.

The National Assembly, noting the fact that although as per the provisions of the Thrimzhung Chhenpo and the Land Act, no substitute land or cash compensation is liable to be given by the Royal Government for Tseri land which has not been cultivated for more than 12 years and turned into forest, decided that as commanded by His Majesty the King, the Royal Government will henceforth pay cash compensation to land owners whose Tseri land have reverted to government reserved forest. The rate of compensation to be paid will be decided by the Lhengyel Shungtshog along with the issue of increasing the price for

private land required for townships and developmental activities, and cash compensation for such land will be paid by the Royal Government.

7. Traditional system of paddy land demarcation

The people's representative of Kawang gewog in Thimphu Dzongkhag submitted that right from the past, there was no system of recording the boundary descriptions for paddy land. The government fixed the number of Langdo and Soendey approximately based on the number of terraces recorded in the Chhazhag Thram (land record maintained by the government) which actually should coincide with the actual number of terraces in use. And there was no practice of excluding any land as excess.

Although as per Ka 4.2 of the Land Act, the number of terraces are considered as boundaries of the paddy field, with the commencement of the cadastral survey, measurement of paddy land is carried out area wise and boundaries are fixed accordingly, foregoing the traditional practice of considering the number of terraces as the boundary of a particular paddy field.

The people are therefore concerned that when the terraces are not considered as boundaries, they may be liable to penalties under Ka 6.2 of the Land Act. Hence the public would be grateful, if the terraces are considered as boundaries for paddy fields like in the past.

One of the Royal Advisory Councillors stated that in the past paddy land was registered in the Chhazhag Thram with details like the name of the owner, the name of land, and size of the land given in Langdos based on the number of terraces and dreys (measure) of seed sown. Therefore, the boundaries of the paddy land was based on the number of terraces.

However, in keeping with the pace of development in the country, the cadastral survey with the land measured in acres was introduced for more accurate survey and registration of land. Under this system of measuring the land, the people are concerned that the area measured within a terrace will be found to be much more than the size given in the Thram derived from measurement in Langdos and will therefore result in much difficulty for the people.

Therefore, the people were requesting for the number of terraces in the Thram to be taken into consideration while measuring the paddy fields in keeping with section Ka 4.2 of the Land Act.

In response, the Secretary of Survey clarified that in keeping with Clause Ka 4.2 of the Land Act, excess land measured in a paddy field with specific descriptive boundaries is not liable for payment. However, land tax for the excess land shall be paid from the time that the land was registered in the Thram.

Also, in line with Clause Ka 4.3 of the Land Act, if plots do not have any descriptive boundary all excess land is liable for extra payment and land tax shall be levied from the time that the land was used.

Accordingly, the admissibility of excess land in line with Ka 6.2 and 6.3 for Chhuzing, Kamzhing, Tsesa and Pangzhing is 12 decimals per acre, and 25 decimals per acre for Tseri and Rizhing.

Although the submissions by the Chimi of Kawang and the Royal Advisory Councillor gives the impression that the Survey Division is not abiding by Ka 4.2 of the Land Act, the actual fact is that for plots having only the number of terraces given in the Thram but no fixed boundaries, the number of terraces are not admissible as boundaries.

Intervening in the debate, His Majesty the King commanded that if the number of terraces are registered in the Thram, they should be considered valid as boundaries for paddy fields, and the relevant clause of the Land Act should be modified accordingly.

The Thimphu Chimi submitted that the point had been raised because of the concern felt by the people since the cadastral survey has been completed in Thimphu Dzongkhag and the Thrams are being updated. He expressed his deep gratitude to His Majesty the King, on behalf of the people, for commanding that the number of terraces should be considered as boundaries for paddy fields.

The National Assembly decided that, as commanded by His Majesty the King, if specific boundaries of paddy fields are recorded in the Thram or if the number of terraces are registered in the name of the owner, both will be considered as boundaries for paddy fields, and excess land measured within these boundaries shall not be considered as excess land. Section Ka 4.2 of the Land Act shall accordingly be modified.

8. Compensation for Acquisition of Private Land by Government

The people's representative of Chang gewog in Thimphu Dzongkhag submitted that when the government is in need of taking over people's inherited land (Phazhi), the people have to offer the land without complaint as per Ka 6.8 of the Land Act. In this connection, the clause pertaining to the allotment of land replacement from government land, in addition to the cost of land fixed as per category of land prescribed according to the government norms, was amended by the Lhengyel Shungtshog. In the amendment, land replacement and land cost entitlement are made in two categories. He requested that consideration may be granted to follow Section Ka 6.9 of the Land Act as enacted without change in view of the Kidu caused by the decision of the Lhengyel Shungtshog.

In response, the Secretary of Survey said that as submitted by the people's representative of Kawang gewog, when the government has to acquire private land for development activities or townships, it is done so in accordance with Ka 6.8 of the Land Act. Under Section Ka 6.9 of the Land Act, the acquisition can be divided into three categories; firstly, to provide land replacement from Pangtsel land (undeveloped land not under forest cover), secondly, payment of cash compensation, and lastly, if Pangtsel land is not acceptable, no land replacement is required to be given.

In keeping with the progress and development taking place in the country, and in consideration of the overall interest of the people, the government has been increasing the land compensation rates on a regular basis. For instance, land compensation rates were increased under three different categories of land (Rab, Ding and Thar) in 1986 during the 77th Lhengyel Shungtshog meeting. In 1992, the 135th meeting of the Lhengyel Shungtshog amended the decision of its 77th meeting pertaining to section Ka 6.9 of the Land Act as follows :

- a) If private land is acquired by the government and the owner is left landless the owner will be given land replacement and monetary compensation for the land.
- b) The government will try to give replacement of land, to the extent possible, instead of paying monetary compensation when acquiring private land.

- c) If the government acquires cultivated land which is recorded in the Thram, and if replacement happens to be uncultivated land, the owner will be paid half the cost of land taken over in addition to the replacement.
- d) If uncultivated private land is taken over by the government and the replacement is also uncultivated land, the owner is not entitled to any additional monetary compensation.
- e) If the government acquires uncultivated land which is recorded in the owner's Thram and if replacement is Chhuzhing or Kamzhing, the owner need not pay the difference to the government. Moreover, the replacement land should be given from the respective Dzongkhags.

The Secretary of Survey said that the above decisions were taken by the Lhengyel Shungtshog in consideration of the Kidu of the people. The land compensation rates for Kamzhing and Chhuzhing fixed by the 77th Lhengyel Shungtshog meeting into three categories of Rab, Dring and Thar were done away with, and instead it was decided to pay the compensation at the highest rate given for Rab Category of land.

The people's representatives of Mewang, Geney, and Dagala gewogs in Thimphu Dzongkhag submitted that the main reason why they had to submit the issue of land substitution and compensation to the National Assembly was due to the fact that large areas of private land were taken over for the industrial estate at Bjimena and the Sewerage Project at Babesa. And, also this particular point was submitted by the people through the GYT's and DYT. They requested the government to consider giving both land substitution and monetary compensation as per Ka 6.9 of the Land Act since the people have not understood the amendments made during the 135th Lhengyel Shungtshog meeting.

To this, His Majesty the King enquired about the difficulties and problems the people of Kawang gewog of Thimphu Dzongkhag had faced as a result of the decision taken by the 135th Lhengyel Shungtshog meeting.

The people's representative of Chang and Kawang gewogs of Thimphu Dzongkhag submitted that their Kidu would be taken care of when the Lhengyel Shungtshog, as commanded by His Majesty the King, reviews and increases the price of land required for townships and developmental activities.

He further submitted that with the amendment made by the Lhengyel Shungtshog regarding the implementation of section Ka 6.9 of the Land Act, a land owner will receive cash compensation, as per existing government rates, as well as substitute land from undeveloped government land, if his land is acquired by the government; if an individual still has some land left, he will not get any substitute land; if he takes substitute land, he will not get land compensation; if he receives land compensation, he will not get land substitute, but if he were to become landless, he will be given land substitute free of cost from government land. However, the people were of the opinion that when private land is acquired by the government, since the land compensation rate is fixed, it would be more beneficial for their Kidu if the Royal Government could consider allotting substitute land free of cost from within one's own Dzongkhag, as provided for in the Land Act.

His Majesty the King informed the members that as already submitted by the Secretary of Survey, the Lhengyel Shungtshog had also decided to allot substitute land from within one's own Dzongkhag. If the replacement land for private land acquired by the government for development activities was of poorer quality the owner will be provided with substitute land and also half of the land cost as Kidu. Similarly, if the owner had to forfeit all his land to the government, he will be provided land substitute as well as land compensation as a special Kidu, and if the owner does not have enough land after part of his land has been acquired by the government, he will be provided with land substitute.

His Majesty reminded the members that the Royal Government had already agreed to increase the land compensation rates of Chhuzhing, Kamzhing, Pangshing and Tseri as requested by the people. The government would have no objection to increasing the price of land required for development infrastructure. But it should be kept in mind that the people would have to pay the same rate when they buy land or pay for excess land in their Thrams. It is important for the members to keep the interest of all the people in mind, and not just a few individuals, while submitting or deliberating such proposals in the National Assembly. The people's representative of Monggar Dzongkhag submitted that while those people living in big towns may be having the above Kidu, the National Assembly should consider the issue very carefully so as not to create problems for the general population, in the future. When the land survey was first carried out most of the surveyors were expatriates since there were not enough trained Bhutanese who could do the work at the time. As a result, in some areas the land was not even measured and only a rough estimation was recorded. But today, when the resurvey of land is being carried out with the help of proper technical instruments, a lot of excess land will be found during the survey. If we decide to

increase the land compensation rates based on the request from just one Dzongkhag, the land price in all the Dzongkhags will go up, thereby putting all the people under tremendous Kidu, he said. Therefore, the interest of the population at large should be given priority over the interest of a few people who have submitted this request.

The people's representative from Trongsa Dzongkhag supported the view submitted by the Monggar Chimi, pointing out that the request of the Thimphu Chimi was like the saying "if you give a person a space to sleep, he will soon ask for a place to live". The request of the Thimphu Chimi is likely to have a negative impact on land transaction in the country, he said. While the government will have no problem in paying high land compensation to the people when taking over private land, it will not be possible for the people to pay the same rates when buying land from the government, particularly in the future when land becomes scarce due to increasing population. Even land transaction among the people would become difficult as a result of the increase in land prices. Therefore, he requested the National Assembly to maintain the decision taken by the Lhengyel Shungtshog regarding land substitute and rate for monetary compensation.

The Thimphu Chimi submitted that there was a slight difference between the decision taken by the Lhengyel Shungtshog during its 135th meeting regarding land compensation and land substitution for the general Kidu of the people and His Majesty the King's command received today on the one hand, and the procedure adopted when the land in Bjemenang and Babesa were acquired on the other. As a result, he had to submit the Kidu of the people to the National Assembly. Regarding the land compensation, he submitted that His Majesty the King's command to increase land compensation was much more than their expectations in requesting for land compensation to be given as per Section Ka 6.9 of the Land Act, he said.

The Home Minister informed the members that the land at Bjimena for the industrial estate was taken over by the Town Committee after consulting the village Tshogpas and carrying out a proper survey. Regarding land compensation and land substitution, it was done in accordance with the amended provisions of Ka 6.9 of the Land Act. Those who wanted land substitute were assured they would be given land substitutes after receiving their individual applications, while those who did not want land substitute would be paid land compensation. The land substitute will be given from vacant government land in their own villages after they have identified the areas themselves. Out of consideration that the people may not be very clear about the provisions under the Land Act, the Secretary of Survey was

sent personally to explain to the people the various provisions of the law. Therefore, since the land transaction had taken place in keeping with the amended provisions of the Land Act, there was no problem at all to the people.

The National Assembly, noting that the Royal Government is already implementing the amended provisions of the Land Act with regard to the point submitted by the people of Thimphu Dzongkhag concerning land substitution and compensation, decided there was no need to discuss the issue any further as it was a problem of just one gewog in one Dzongkhag. Regarding the increase in land compensation rates, the National Assembly decided that, as commanded by His Majesty the King during the earlier discussion on the issue of land required for townships and developmental activities, the Lhengyel Shungtshog shall review and accordingly increase the price of land.

9. Increase in pension benefits of retired service personnels

The people's representatives of Chapchha, Getana and Bongo gewogs in Chukha Dzongkhag, while expressing the gratitude of the people to the Government for granting pension to the retired soldiers who had served the country, requested an increase in the pension for the retired soldiers of the three service forces in view of the changing times, and the Kidu of their varying economic conditions. He submitted that those soldiers, who were in service in Tencholing before 1980, and were now collecting pension today, did not receive pay and other benefits like the soldiers in service today. As a result, they had to face a lot of difficulties. Although their pension was increased after retirement, the amount they collect at three monthly intervals from their Dzongkhags is sometimes only enough to meet the expenditure for the journey back and forth to collect the pension. Although they have retired from service, these ex-soldiers are ready to serve the country and protect its security whenever required. In view of the increase in the cost of living and to remove their economic difficulties, he requested for the pension of retired soldiers to be increased, even though the government also had only limited resources. He said that the request was being made in the spirit of children asking parents to look after them.

The Chief Operations Officer of the Royal Bhutan Army, Goongloen Gongma Lam Dorji, thanked the people on behalf of the armed forces for their concern about the retired military personnel.

He said that His Majesty the King, as the supreme commander of the armed forces in the Kingdom, has been deeply gracious in granting Kidu to both the serving and retired service personnel. He informed the members that the members of the armed forces receive several benefits while in service such as salary, travel allowance, uniforms, rations, rise in ranks and pensions. He said that those military personnel who do not have agricultural land upon retirement have been granted land by His Majesty the King. Further, on His Majesty's command, the Army Welfare Project provides cash grant at the time of death of close relatives of the service personnel and also during other times of crisis, such as when the house of a soldier is destroyed by fire or flood.

The retired military personnel who continue to receive monthly pension are those who retired before 1985. On the command of His Majesty the King, lumpsum payment of gratuity started in the year 1985 with the view that such mode of payment would help the retired servicemen either in constructing their houses or to start business ventures. Those who retired after 1985, therefore, did not face any problems and the lumpsum payment of gratuity had in fact helped to enhance their means of livelihood.

The Goongloen Goongma said that some of the retired service personnel have become representatives of the people in the National Assembly. He said that the pension of those servicemen who retired before 1985 appeared nominal because of inflation. In view of their Kidu, His Majesty the King has been granting lumpsum advances of pension for three to six year periods to all those who had genuine Kidu problems. So far, the advances given comes to Nu. 13.5 million. He said that if interest on the lumpsum pension advances is calculated, then the total expenditure incurred would be very high. The Goongloen Gongma pointed out that since the military maintains only monthly accounts, having to provide three to six years lumpsum advance pension poses great problems. Since the RBA Headquarter is not used to taking adjustment funds from the Ministry of Finance, he pointed out that while the retired servicemen get the benefits, all the problems of adjustment are borne by the Army Welfare Fund.

The Goongloen Gongma also informed the Assembly that because of increased cost of living and low salary rates of the servicemen, His Majesty the King had commanded increasing their salary. An initial estimate of the additional fund required for the pay raise comes to Nu. 95.500 million for the 1996-97 fiscal year, he said.

He said that the servicemen who retired earlier and were receiving monthly pensions, have not been ignored or neglected by the Royal Government. Since they continue to receive their pensions from the military, the military continues to extend all possible help at the

time of their sickness and death, provided request for such help is made. If they face problems which are beyond the scope of the Army Headquarter to solve, then like all other Bhutanese people, they can always approach His Majesty the King for Kidu, said the Goongloen.

Concerning the travel expenses incurred by the ex-servicemen for collecting their pensions, the Chief Operations Officer pointed out that the pensions are being released on quarterly basis to the respective Dzongkhags and therefore the Dzongkhag officials, Mang Aps, Gups and Chimis could help in delivering the pensions to the concerned individuals.

With regard to raising the pensions of retired servicemen, His Majesty the King had always granted them Kidus in the past and he assured the house that His Majesty would continue to do so even in the future. He said that it was not necessary for the Chapcha Chimi to submit this request to the National Assembly as the proper procedure would be to make this request to the RBA Headquarter, and if necessary to His Majesty the King. In light of the above, the Goongloen Gongma expressed the view that further deliberation by the National Assembly on this issue which concerns the pension of retired soldiers was not necessary.

The Finance Minister acknowledged that in ensuring the security of the nation, the members of the armed forces have to face a lot of hardships and also go on frequent transfers from one Wing to another. As such, His Majesty the King personally oversees the welfare of the officers and men of the RBA, RBG and RBP who receive many Kidu facilities not available to the civil service, such as cash grants on the death of close family members, subsidised sale of rations for soldiers with families, and interest free loans.

He pointed out that the system of giving monthly pension was only for soldiers who retired before 1985. Since then, lumpsum payment of gratuity was introduced. When a substantial number of servicemen retire together, the financial burden on the government becomes very heavy. Yet, considering the dedication with which they have been serving the nation, His Majesty the King had granted lumpsum payment of gratuity to all retiring soldiers.

The Finance Minister also informed the Assembly that, on the initiative of His Majesty the King, the Army Welfare Project was established in 1976 with no capital invested from the government, people or private sector. The Army Welfare Project today has a fund of Nu. 490 million. Apart from meeting the welfare needs of the armed forces, this fund can also be utilized during times of emergency. Since the Royal Government has been looking after the Kidu of service personnel, the people need not be worried about their welfare. The

matter regarding the pension for the retired soldiers can be dealt directly with the RBA Headquarter, and there is no need for it to be discussed in the National Assembly, he said.

One of the Royal Advisory Councillors expressed his wish to submit his views regarding the issue of increasing the pension of retired soldiers as he was also a retired soldier. He said that the soldiers of the three service forces are men who have been selected from amongst the people to look after the security of the country and in the course of their service they face much hardship. When they retire from service, they revert back to civilian life although they can be inducted into the security forces whenever required by the country. Therefore, he requested for increase in the pension of the retired soldiers as submitted by the two people's representatives from Chukha Dzongkhag.

The Speaker concluded that the issue of increasing the pension of retired soldiers as requested by the people of Chapcha gewog in Chukha Dzongkhag need not be discussed in the Assembly since, as already submitted by the Chief Operations Officer of Royal Bhutan Army, the issue could be looked into by the RBA Headquarter.

10. Establishment of trade relations with other countries

The people's representative of Shaba gewog in Paro Dzongkhag submitted that Bangladesh is the only country to which export of cash crops such as apples and oranges from Bhutan earns foreign exchange. The exporters are facing problems due to the increasing numbers of exporters every year and the internal problems in the country. Therefore, the people would be grateful if the Royal Government could explore and develop similar trade relations with other countries as well, he said.

The Minister of Trade and Industry said that first he would like to provide some information and clarification on exports and export-based industries. Towards promoting the country's industrial development as well as to give opportunities to the private sector in industries, and to enhance the revenue and foreign exchange earnings of the country, the Royal Government had set up power and industrial projects. The Kurichu and the Basochhu power projects, including a few small industrial schemes, were currently being implemented. The government had also approved the establishment of the major Tala Hydroelectric Project and the Dungsum Cement Project. For the Eighth Plan, power and industrial project proposals had been submitted to the Planning Commission, and the government was in the process of studying them.

In order to increase the country's foreign trade it would be essential to produce the right goods through establishment of export-based industries. When setting up industries, if the liquidity available with our financial institutions can be utilized, it would not only benefit the financial institutions but would also have a positive impact on the country's development, and enhance the revenues and income of both the government and the people.

The Trade Minister said that it was the practice among foreign banks to fix the rates of interest, and lay down loan procedures, based on their changing liquidity positions. Hence, if Bhutanese financial institutions also did the same by taking into account the country's pace of development, the capacities of the private sector and the Royal Government's industrial policies, it may be beneficial for all concerned. Again, it was not only Bhutanese Ngultrums that were needed, but depending on the situation, Indian Rupees and other foreign currencies were also required. Therefore, if the financial institutions bore all these factors in mind, and then determined the interest rates and procedure for availing loans, it would facilitate those taking loans resulting in the utilization of the cash reserves of the financial institutions and benefiting them and the people in the long run.

He informed the members that when the government grants licenses to the private sector for establishing export-based and other industries, they invariably request for permission to import labour. However, the government and the National Assembly should consider as to what extent foreign labour intensive industries can be permitted into the country.

Again, for the establishment of export-based and other industries, besides finances, land and labour, as in the case of industries put up in Pasakha, since machineries were not available in the country, these had to be bought from India and mostly from other foreign countries by paying in foreign currencies. Again, despite this situation, in some cases even on payment certain technologies were not easily available, and foreign firms instead, sought to obtain equity participation in our industries. Hence, bearing in mind the present and future national interests, it was essential to give proper thought to this aspect. Furthermore, though it was more feasible to establish power-based industries in the country, as of present, most of the available firm power had already been utilized by the industries. It is, therefore, necessary for us to build more power plants to promote industrialization, he said.

It is the policy of the Royal Government to give opportunities in industries to as many Bhutanese nationals as possible, and not only to a few big businessmen. However, if industries have to be put up immediately, then it would mostly be the big houses who will have the capacity to do so, as other people do not possess the requisite resources and management capability. Hence, in order to set up export-based and other industries, it is not only the availability of finances that has to be taken into account, but also the procedures of financial institutions, the capability of the private sector, the present and future interests of the country, as well as its economic and political situation.

When cash crops like apples and oranges are exported to other countries, besides foreign exchange earnings, it also benefits the people. Regarding trade with Bangladesh, during 1992, exports amounted to Nu. 270.70 million, and imports from Bangladesh during that year were Nu. 4.50 million. In 1993, exports were Nu. 191.67 million and imports Nu. 5.58 million, and in 1994, exports further fell to Nu. 127.64 million and imports fell to about Nu. 2 million.

The reasons for the declining trade with Bangladesh were firstly, because of the political and other problems in Bangladesh; secondly, as the Assembly is aware, the anti-national problem in southern Bhutan resulted in security problems, and finally, in 1994, due to the plague in India, any fruit and edible item sent through Indian territory were not permitted entry into Bangladesh.

Bangladesh has also been insisting that Bhutan increase imports from their country towards balancing trade. It is also the policy of the Royal Government to enhance imports of Bangladeshi goods, and towards this end, several private firms have been established and all efforts have been made to increase such imports. However, despite all these efforts, we have not been able to reduce the existing balance of trade deficit with Bangladesh mainly due to our small population and economy.

Despite this situation, since Bangladesh is a country of the region and a friendly neighbour to Bhutan, our policy is to further develop our trade with them. As soon as the new government of Bangladesh is well established, we will initiate talks with them on the matter, said the Minister.

With regard to exports of cash crops like apples and oranges, besides India and Bangladesh, both the ministries of Trade and Industry and Agriculture have made serious

efforts towards this end. In 1992, the State Trading Corporation of Bhutan (STCB), in order to study the possibilities, despatched some apples through Calcutta port to Sri Lanka. Because of the distance involved, and the fact that the importer could not unload the consignment from the ship immediately upon arrival, half the apples became rotten. Added to this, the Sri Lankan authorities levied a 78% import duty on the CIF value of the consignment, resulting in serious loss. When the President of Sri Lanka visited Bhutan, as per instructions of His Majesty the King, the Ministry of Trade & Industry took up the matter of duty reductions up to the level of the President. However, Sri Lanka was unable to grant any duty concessions to Bhutan at that time as it was a signatory of GATT. Similarly, the Ministry of Agriculture made attempts to export apples to Thailand based on the advice and guidance of a foreign consultant, but the outcome was not encouraging. Though the government has been making attempts to export our cash crops to other countries, there are a couple of points which have to be borne in mind in regard to such produce. Cash crops are mostly fruits and vegetables which are perishable in nature and cannot be easily transported to distant destinations. Furthermore, our cash crop exports have to compete in other markets with similar produce coming from developed countries. As the Ministry of Agriculture is aware, when we sent our apples to Thailand we had to compete with high quality and lower prices of apples from other countries. Due to these reasons it is more profitable to export cash crops mostly to India and Bangladesh and not to distant places, he said.

Bhutanese exporters have also started exporting mineral-based products to Bangladesh besides cash crops. Essential oils from eastern Bhutan are being sold to Europe, and in the event the ferrosilicon, particle board and calcium carbide do not fetch good prices in India, there are possibilities of exporting these commodities to other countries.

On the issue raised by the Paro Chimi regarding the problems resulting from the increasing number of Bhutanese exporters, in the past all exports to third countries were handled solely by the government. However, His Majesty the King issued a command to the Ministry of Trade and Industry that all opportunities in trade should be implemented by the private sector. In view of this royal command, all trade activities were handed over to the private sector. Hence, when any Bhutanese comes to obtain an export license, the government cannot restrict the number of such licenses, he said.

The Minister assured the National Assembly that, as far as the Ministry of Trade and Industry is concerned, everything in the area of exports is being done in keeping with the

country's situation, the Royal Government's economic development policies and the royal commands issued to the ministry.

The people's representative from Haa Dzongkhag expressed the deep gratitude of the people to the Royal Government for establishing trade relations with Bangladesh and enabling the people to increase their income through trade. He submitted that there are many young men and women who have left Junior High Schools and High Schools in the various Dzongkhags, and who are not employed by the government or the private sector. Although these young people are keen to undertake export or contract works, and even after they obtain the required licences, they are unable to start their business due to their inability to obtain capital from the financial institutions because they have no assets. For example, to obtain a loan of Nu. 500,000 it is necessary to have as mortgage, assets worth Nu. 1,000,000. He requested the government to consider the possibility of sanctioning loans to these people based on their individual capability and capacity to repay the loan after thorough investigation by the concerned Dzongkhags.

The Finance Minister said that, as all the members are aware, from the beginning of the 7th Five-Year Plan, between 50 to 70 boys and girls have been graduating every year from college. Since all of them could not be absorbed in the civil service and the private sector had only been employing a limited number, the financial institutions with the assistance of the Ministry of Trade and Industry had been sponsoring and conducting trainings under a Comprehensive Entrepreneurship Course for those who were interested in taking up business. Entrepreneurs with viable projects had been given loans upto Nu. 1 million without mortgage. Reminding the members that it is the policy of the Royal Government to encourage the growth of the private sector, he urged the business community to make optimum use of the opportunities given to them.

The Finance Minister recalled the submission by the representative of the Bhutan Chamber of Commerce and Industry regarding the availability of funds with the financial institutions and his request for interest rates to be lowered. Going purely by the cash reserves available it may seem possible to lower the interest rate. However, it must be kept in mind that all the money does not belong to the government. The money in the financial institutions are investments made by the general public, the business community and private organisations.

The financial institutions are required to maintain proper accounts, and based on the duration of deposits, interest rates between 8 to 11 percent are paid to the depositors. He said that the interest rates on loans given out by the financial institutions are higher than the interest paid to depositors because the cost of running the financial institution had to be met from this return. For example, the capital of the Royal Insurance Corporation of Bhutan (RICB) comes from the Provident Fund of government employees for which interest of 10% is paid by the RICB. If loans are given at the same interest rate, the company would go bankrupt. He pointed out that even in India, the interest rates on loans are between 16 to 20%, and if Bhutan needs to borrow from the Indian Banks, an interest of 16% will have to be paid.

The rates of interest on deposits in the Bank of Bhutan are between 8 to 11% while in the Banks in India they range from 10 to 13%. While fixing the interest rates for Bhutan it is necessary to keep in mind the interest rates in the neighbouring countries. A balance had to be maintained by the Bhutanese financial institutions and the Royal Monetary Authority of Bhutan which constantly monitors the interest rates for loans and deposit in India and other countries. If the interest rates for loans are decreased then the interest rates for deposits will also have to be decreased. If the money deposited beyond Jaigoan earns more interest than in Bhutan, there is a risk of a large outflow of cash from the country, thereby seriously harming our economy, he said.

The Finance Minister pointed out that Bhutan's export earnings were much lower than its imports despite the high priority being accorded to developing the export trade. Due to the close and friendly relations established with other countries by His Majesty the King, there is no dearth of external funding, and the financial institutions have large cash reserves at their disposal for lending. He therefore, called upon the business community and the people to make full use of the capital available and work hard to establish export oriented industries and businesses. With the trade deficit gradually reducing every year and the present favourable conditions, every effort must be made to increase our export earning capacity so that we can soon meet our import requirements from our export earnings, he said.

The people's representative from Bumthang Dzongkhag submitted that those industries which were handed over to the private sector under the Royal Government's privatisation policy were doing well. But, the main threat to the economic prosperity and political stability of the country comes from the non-national employees of these industries and the outside workers employed by major contractors. He said that Bhutanese industries and

contractors prefer non-nationals and refuse to employ Bhutanese workers on the pretext of nationals demanding higher wages. Since the continued employment of non-nationals has tremendous negative impact on the government policy, he suggested that the government and the people should seriously consider changing the present practice. He suggested that those entrepreneurs and contractors who employ only Bhutanese workers should be given preference over others even though the bids made by them may be a little higher than others.

The Minister of Trade and Industry clarified that as per government policy, the first preference for works were given to Bhutanese nationals. As an example, the Minister said that the work on the head race tunnel at Chukha was given to Bhutan Engineering Company. Similarly, he said that the contract works for expansion of the Penden Cement Factory, as well as construction of many buildings were given to national contractors. The Minister pointed out that upon close scrutiny, it was found that although contract works were given to national contractors, these works in several cases had been surreptitiously sub-contracted to foreign firms. Again, since Bhutanese contractors could not be expected to have the capacity to undertake huge projects, the Minister said that in major projects like in Tala and Kurichhu, the complex works had to be contracted out to foreign companies.

The Deputy Minister of Agriculture submitted that in order to increase rural income, the Ministry of Agriculture had been promoting the development of cash crops. As a result, with the assistance of the Royal Government, during 1993, 1994 and 1995, cash crops worth Nu. 385 million, 331 million and 300 million respectively have been exported to India and Bangladesh.

With regard to marketing in other countries, as explained very clearly by the Hon'ble Minister of Trade and Industry, there were many constraints. When studies were carried out for export of apples to Thailand, it was revealed that if the goods are sent through Calcutta Port, it would take weeks for them to reach Thailand. If the apples were exported through Druk Air from Paro to Bangkok, even at the lowest concessional rate, it would cost Nu.50 per Kg as airfare. With the policy of the Royal Government to promote cultivation of cash crops and the overall growth in the cash crop production, the Deputy Minister submitted that it is most important to improve the quality of our cash crops.

As such, even for exports to India and Bangladesh, it is important for crops like oranges and apples to be harvested at the right time, to be graded and to be packed properly. Since

our traders do not carry out these tasks properly, our apples and oranges do not have a good market image and often even our good fruits are sold as fruits from other countries and low quality products from other sources are sold as Bhutanese apples and oranges, he said. It was therefore important for the government, the farmers and traders to collectively ensure that all our cash crops reach the foreign markets in good condition, and to create a image of Bhutan as a supplier of quality products. Such a step would ensure that the country does not face problems of marketing cash crops, he said.

The people's representative from Chukha Dzongkhag submitted that a stone mining quarry had been established at a place four kilometres away from Kamji under Phuentsholing Dungkhag. As per the Mines and Minerals Act, the cattle belonging to the 12 households of the area have not been allowed to graze in the quarry area, and the physical labour to the project is being contributed by the people in the gewog. During a visit to the site by the BDFC Managing Director, the Dzongda and officials from concerned departments, the people were made aware of the financial benefit that they could accrue if they bought shares in the mining company. As a result, the people bought shares with loans from BDFC and put in a lot of interest and effort in the activities of the company. Now after putting so much of effort and resources, and a large quantity of stones already mined, the company is unable to sell the stones. He said that the people are very concerned that instead of getting dividends they might even lose their investments. Therefore, he requested the government to assist the company in selling the stones to Bangladesh for the benefit of the people.

The National Assembly resolved that the exporters should improve the grading and packaging of cash crops meant for export as suggested by the Minister of Trade and Industry and the Deputy Minister of Agriculture, and that the Royal Government shall also make every effort to open trade with other countries.

11. Brief on duties of Royal Advisory Councillors

The people's representative of Luni gewog in Paro Dzongkhag submitted that the people's representatives in the Royal Advisory Council are hand-picked from among the public of the 20 Dzongkhags and elected to the important post of Royal Advisory Councillors. He requested for a briefing on the role and responsibilities of the six Councillors in the service of the country so that the people are better informed about the duties performed by them.

In response, the Chairman of the Royal Advisory Council said that the duties and responsibilities of the Councillors are clearly laid down in the ammended Rules and Regulations of the Royal Advisory Council which was approved during the 72nd Session

of the National Assembly held in 1993, and there should be no reason why the representatives of the people should not be aware of this. However, since the Paro Chimi had made the request he would give a brief clarification.

The nine members of the Royal Advisory Council consist of six elected representatives of the people, two representatives of the Dratshang and Rabdey and one government representative. The six representatives of the people who were elected to the Royal Advisory Council during the 73rd Session of the National Assembly have been serving as Councillors for the last eight months.

All members of the Royal Advisory Council are also the members of the Lhengyel Shungtshog which is chaired by His Majesty the King. During the Lhengyel Shungtshog meetings all important issues of national concern are discussed and His Majesty the King has repeatedly asked the Councillors to speak their mind without any hesitation on all the issues under discussion. The Chairman informed the Assembly that the Councillors have been participating actively in all the discussions held by the Lhengyel Shungtshog.

One of the duties of the Royal Advisory Councillors is to investigate the appeals of litigants who are not satisfied with the decisions of the High Court. Although it is not the responsibility of the Royal Advisory Council to be involved in legal cases, His Majesty the King has commanded the Councillors to investigate these appeal cases out of consideration for the Kidu of the people. While investigating the appeal cases, the Councillors carry out on site investigations whenever found necessary. The findings of the cases are submitted to His Majesty the King, following which the final decisions are taken jointly by the High Court and the Royal Advisory Council in keeping with the Thrimzhung Chhenpo.

The Royal Advisory Councillors also meet all important visiting foreign dignitaries. They participate in all National Assembly Sessions and other important meetings called to discuss issues of national concern. Since the Councillors have to undergo three election processes before their appointment to the Royal Advisory Council, at the gewog, Dzongkhag and National Assembly level, they do not represent their Dzongkhags only but are the representatives of the people of all the 20 Dzongkhags.

One of the most important responsibilities of the Royal Advisory Councillors is to maintain harmonious relations between the government and the people, and to advise His

Majesty the King and the Royal Government on all matters of national importance and concern. They keep a watch to see that all the resolutions of the National Assembly and the national policies and programmes are properly implemented by both the government and the people. They are also entrusted with the responsibility to bring to the notice of His Majesty the King, the National Assembly and the Lhengyel Shungtshog, the actions of any person, including His Majesty himself, which are found to be harmful to the interest of the people and the country.

The Chairman of the Royal Advisory Council also informed the members that all the Councillors are expected to discharge their responsibility without fear or favour, and with complete integrity, impartiality, loyalty and dedication. He assured the hon'ble members that the Councillors are discharging their responsibilities as laid down in the Chathrim for the Royal Advisory Council.

The Paro Chimi expressed his appreciation for the clarification given by the Chairman of the Royal Advisory Council.

The National Assembly did not adopt a separate resolution on this point.

12. Gratitude to the Indian Government

The people's representative of Hastinapur gewog in Samdrupjongkhar Dzongkhag submitted that the anti-nationals who have revolted against the Tsa-Wa-Sum and others who are claiming to be Bhutanese refugees living in Jhapa, Nepal have attempted to enter into Bhutan through a so called peace march. However, when these so-called peace marchers reached the Indo-Nepal border, the Government of India stopped them from marching through their territory into Bhutan, by invoking Section 144 of their law. As a result, the anti-nationals have not been able to inflict any harm to our national security. Therefore, the people would like to express their deep gratitude to the government and people of India, for not allowing the anti-nationals to endanger our country's security.

The National Assembly recorded the deep appreciation of the Royal Government and the people of Bhutan to the government and people of India for its continued goodwill, friendship and cooperation, particularly in not allowing the anti-nationals to carry out anti-Bhutan activities from Indian soil.

13. Expression of Support and Gratitude to His Majesty the King

The people's representative of Trashigang Dzongkhag submitted that the people of Trashigang are deeply concerned with the on-going Bhutan-Nepal talks, and they offer their sincere support and gratitude to His Majesty the King and the Royal Government for repeated efforts in resolving the ngolop problem. In spite of this serious problem, the developmental activities are being funded and implemented smoothly. A big power project at Rangjung costing over Nu. 200 million has been established with assistance from the Austrian government. This has immensely benefited the people of the surrounding gewogs. Therefore, the people of Trashigang would like to express their deep appreciation and gratitude to His Majesty the King for his selfless and far-sighted leadership.

Similarly, the people's representative of Bongo gewog in Chukha Dzongkhag submitted that although the anti-national problem which started in the south in 1990 has posed a serious threat to the security and economic development of the country, causing much financial loss to the government and people, due to the blessings of our Guardian Deities, the wise and dynamic leadership of His Majesty the King and the good fortune of the people, the anti-nationals could not harm the security of the country. Not only have the anti-nationals of southern Bhutan failed to harm the Tsa-Wa-Sum, the incidence of terrorist activities such as armed robbery and dacoities have also been reduced. This, he said, was only possible because of the responsibility His Majesty the King has taken upon himself to ensure peace and prosperity for his subjects. Therefore, the people of Bhutan will forever be grateful to His Majesty the King, he said.

14. Pledge of Loyalty

The people's representative of Samtse Dzongkhag submitted that in the wake of the attempts by the anti-nationals to enter the country through a so called peace march since January 1996, the people of Samtse have increased the strength of village volunteer groups to enable them to stop the anti-nationals and protect the security of the country. He said that they will continue to volunteer their services in safeguarding their own gewogs and Dzongkhag as per the Genja submitted to the 71st Session of the National Assembly.

One of the Royal Advisory Councillors from southern Bhutan, expressing his appreciation for the submission made by the Samtse Chimi reiterating the commitment to fulfil the Genja submitted to the 71st Session of the National Assembly, said that he also fully supported it. He also reminded the members that the responsibility for protecting the national security does not fall on Samtse Dzongkhag alone but on all the Dzongkhags of the country. He said that the words enshrined in the Genja submitted to the 71st Session of the

National Assembly are still vivid in his mind, and there has been no change in the commitment of the Lhotshampas to uphold the Tsa-Wa-Sum, nor will this commitment change in the future. He said that the people of southern Bhutan would like to pledge in this session of the National Assembly, also, to continue to abide by and strive to live up to the Genja.

Similarly, the people's representative of Tsirang Dzongkhag reiterated the commitment of the people of his Dzongkhag to fulfil the Genja submitted to the 71st Session of the National Assembly to uphold the Tsa-Wa-Sum and protect its interests with loyalty and dedication. If the anti-nationals try to enter the country on the pretext of the so-called peace march, the people are ready to even sacrifice their lives to stop them from entering and harming the security of the country. They will not fail in their duty, under the most difficult situation, to stop the ngolops. He expressed the hope of the Lhotshampa people that, in the time of need, the people of all the 20 Dzongkhags will come forward to protect the Tsa-Wa-Sum.

The Dorokha Chimi submitted that the anti-nationals had tried to enter Bhutan through a so-called peace march about twelve to thirteen times since January 1996, and on 24-25 June, 1996 they had reached Nagarkata, Loksan and Bindu areas of Jalpaiguri Division in India. Although the ngolops have been claiming this to be a peace march, their real intention is to disturb the peace and security of the country. This is obvious from the fact that the people involved in organising the so-called peace march are mostly Nepalese who have no economic opportunities in their own country.

He said that one of the intentions of these people seems to be to harm the good relations existing between Bhutan and India. He assured the Assembly that the people of Samtse Dzongkhag are ready to protect the security of their villages, Dungkhags, and Dzongkhag. To that end, the people had already increased the strength of village volunteers. As all Bhutanese citizens are aware, these so-called peace marches were stopped by the Indian Government to prevent them from creating serious law and order situation in India, and this was very helpful in protecting our security. Therefore, we express our deep appreciation to the Government of India for stopping the ngolops from entering Bhutan. He said that the people of Samtse would like to request the Government of India not to allow the ngolops to use Indian soil to enter Bhutan.

The people's representative from Sarpang Dzongkhag also reiterated the commitment of the people of Sarpang towards fulfilling the Genja submitted by the Lhotshampas to the 71st Session of the National Assembly. He said that the people of Sarpang have already strengthened village security, and that they are ever ready to stop the ngolops from entering the country.

Similarly, the people's representative from Dagana Dzongkhag submitted that when the anti-nationals tried to enter Bhutan on the pretext of a peace march in January this year, a DYT meeting was held in which the people had pledged to stop the ngolops from entering the country. He said that the people were also ready to assist the government in any manner possible in stopping the ngolops from entering the country.

He further informed the Assembly that the people had also pledged not to allow the ngolops to enter Bhutan on the pretext of a peace march by any means during a meeting held between the local head of police and the people of the 11 gewogs in the Dzongkhag. In case the people were unable to stop the ngolops by themselves, they will continue to do so with the help of the security force.

The people's representative from Samdrupjongkhar Dzongkhag submitted that since Samdrupjongkhar is also one of the disturbed areas of the southern Bhutan, the people have been working very closely with the Dzongkhag officials since 1990, when the ngolop problem started, in safeguarding the security of the country, and will continue to do so in the future.

The National Assembly, noting the strong pledge of loyalty and dedication by all the people of southern Bhutan in the 74th Session of the National Assembly, in keeping with the Genja submitted by them in the 71st Session, declared that this was an auspicious sign for peace and stability prevailing in Bhutan as before. The National Assembly called upon the members to ensure that the people in their respective constituencies participate actively in the protection of the peace, stability and security of the country with unswerving loyalty and dedication.

15. Pledge of support to King and Monarchy

The people's representatives from Paro and Pemagatshel Dzongkhags submitted that the peace and prosperity which the people of Bhutan enjoy today are due to His Majesty the King's wise leadership. They submitted that to protect and further strengthen the security of

the country and the cherished institution of monarchy, the people pledge not only to contribute manpower and materials but, if necessary, to even sacrifice their lives without any hesitation.

Similarly, the people's representatives from Trashiyangtse, Trongsa, Lhuntse and Monggar Dzongkhags and the representative of the Bhutan Chamber of Commerce and Industry submitted that Bhutan has always remained an independent, sovereign nation even after fighting many wars with Tibet in the north and the British in the south, thanks to our forefathers, wise leaders and monarchs. It is our sacred duty to protect what has been handed down to us by our forefathers, and we have already done so following the ngolop uprising, with every male member of the population above 18 years and below 50 years of age volunteering for militia service with single minded loyalty and dedication. The people have once again pledged their whole-hearted loyalty and support, and express their readiness to serve the country whenever called upon by His Majesty the King and the Royal Government.

They recalled that the installation of Gongsar Ugyen Wangchuck as the first hereditary monarch of Bhutan on the unanimous choice of the people, officials and Dratshang, because of his wisdom and outstanding leadership qualities, had ushered in an era of peace, stability and prosperity for the people of Druk Yul.

They pledged their total support, loyalty and dedication to His Majesty the Fourth Druk Gyalpo and his descendants from the depth of their hearts and prayed that they will continue to rule, protect and guide the destiny of the country with benevolence and wisdom for all time to come. They offered their sincere prayers for the institution of hereditary monarchy to endure until the end of the time so that the people of Bhutan can live in continued peace and happiness.

The National Assembly recorded with appreciation the pledges of loyalty and support made by the people's representatives to His Majesty the King and the Palden Drukpa and their commitment to serve the Tsa-Wa-Sum with total dedication.

16. Expression of Appreciation

The people's representative from Pemagatshel Dzongkhag submitted that it was through the benevolence and wise leadership of His Majesty the King and his commitment to the welfare of the country and the people that the people of Bhutan have been able to enjoy

peace and prosperity, and have access to service facilities such as schools, hospitals, agriculture and animal husbandry extension centres, drinking water supply, irrigation canals and bridges all over the country. Although, the ngolops in southern Bhutan attempted to subvert the country of the Palden Drukpa, they have not succeeded in their objective, and the development programmes in the country continue to benefit the people. For this, the people would like to offer their heartfelt appreciation and deep gratitude to His Majesty the King.

The people's representative from Trashiyangtse Dzongkhag submitted that the people of the eight gewogs of Trashiyangtse would like to offer their deep gratitude to the Royal Government for the creation of a new Dzongkhag at Trashiyangtse in the 7th Plan. He said that earlier when Trashiyangtse was a Dungkhag under Trashigang Dzongkhag, because of its vastness in size and big population, not many developmental programmes could be undertaken in Trashiyangtse. With the creation of a new Dzongkhag at Trashiyangtse in 1992 during the visit of His Majesty the King and Their Majesties the Queens, the people all over the Dzongkhag have benefited immensely in terms of developmental facilities as well as economic growth, thereby fulfilling the Kidu and aspirations of the people.

The construction of the new Dzong in Trashiyangtse has made very good progress and the remaining works are also making steady progress. Besides, a number of constructions like the Dzongkhag Guest House, Veterinary Hospital, Forest Range Office, Dzongkhag store and the police office and barracks have been completed. A 20 bedded hospital is also under construction.

In addition to these, five RNR centers and 24 Out Reach Clinics have been constructed in different gewogs. Also, all the schools that exist in the gewogs are being improved. The Rangthangwoong Primary School has been upgraded to a Junior High School and construction of hostel facilities have been completed. With this upgradation, the students of this Dzongkhag have the opportunity to acquire Junior High School education within the Dzongkhag itself.

Moreover, new construction of schools and Basic Health Units in the Dzongkhag through UNCDF project is already being implemented. And, also, various sectoral facilities such as rural water supply schemes, smokeless stoves, high yielding variety seeds and improved livestock are made available to the people in large quantities. All these benefits have been possible because of the establishment of a separate Dzongkhag at Trashiyangtse.

Telecommunications, which were only heard of in the past, are now a reality and people avail the opportunity to utilise them. The funds and budgets allocated for various development programmes have been put into proper utilisation, and as a result, socio-economic development in Trashiyangtse is rapidly progressing.

The people of Trashiyangtse have benefited immensely from the huge development budget allotted by His Majesty the King and the Royal Government in consideration of their Kidu. For this, he said, the people of the eight gewogs of Trashiyangtse would like to express their heartfelt gratitude to His Majesty the King.

The people's representative from Trashigang Dzongkhag submitted that the people of Trashigang were deeply grateful to His Majesty the King for abolishing the deployment of Goongda Woola for the greater benefit and Kidu of the people.

The people's representative of Zomi gewog from Punakha Dzongkhag submitted that it was because of His Majesty the King's concern for the welfare of the people that the socio-economic development process in the country has been progressing rapidly like the brightness of the waxing moon approaching the power and glory of the full moon. Through His Majesty's farsighted leadership, warm and friendly relations have been established with many countries, particularly our closest neighbour, India. In spite of the very large population and the problems that they have been facing, the government and people of India have been very generous in providing support and assistance to our development process right from our First Five-Year Plan. Over the years, the friendship between India and Bhutan has become a shining example of bilateral relations to the rest of the world. He said that the signing of the Tala Hydropower Project and Dungsam Cement Project were two out of the many outstanding examples of Indo-Bhutan friendship and cooperation.

He submitted that the development assistance mobilized by His Majesty the King from other countries for the benefit of the people should be utilised in a well planned and effective manner by the various agencies involved, including the officials of the central ministries, Dzongkhags and gewogs, with total commitment and dedication, and in keeping with the commands and aspirations of His Majesty the King for the well being and prosperity of our country.

Quoting an old saying, "while life is dear in the wheel of life, to the King his subjects are dearer," the Punakha Chimi prayed that His Majesty the King, who is the central guardian of the country's security, will continue to lead the nation for all time to come for the peace and well-being of the Bhutanese people, with the prayers of the Dratshang and the blessings

and protection of Guardian Deities of the Palden Drukpa. He said that His Majesty was like a loving parent and a precious gem to the people, and he expressed the heartfelt gratitude of the people of Punakha to His Majesty the King for the dedication and wisdom with which he continued to steer the Kingdom towards peace and economic prosperity.

The people's representative of Gasa Dzongkhag submitted that Gasa was administered as a Dungkha for some time, as a result of which economic development in the Dzongkhag was lagging behind other parts of the Kingdom. With the inauguration of the new Dzongkhag by His Majesty the King during the 7th Plan, the development programmes in the Dzongkhag have been intensified, thereby enabling the people to attain economic progress and well being. For this, he said, the people of Gasa are deeply grateful to His Majesty the King.

The people's representative of Thimphu Dzongkhag expressed the appreciation of all the people of the northern Dzongkhags to the people of southern Bhutan for pledging to uphold the Tsa-Wa-Sum with sincere loyalty and dedication.

He said that it was the spiritual leader Shabdrung Ngawang Namgyal who gave Bhutan its unique national identity and the first codification of laws. He also pointed out that the reason why the Bhutanese people are today able to look after the legacy of a sovereign, independent country handed down by past generations, is mainly because of the deep and abiding bonds of faith, trust and loyalty between His Majesty the King and the people. He expressed his hope and prayers that it will continue to be so in the future.

The Finance Minister said that it was heartening to note the appreciation and deep gratitude the people of the 20 Dzongkhags have expressed to His Majesty the King and the Royal Government for the progress achieved in the socio-economic development process of the country.

Due to the outbreak of the ngolop problem at the time of launching the 7th Plan there was a serious doubt whether development programmes in the country could be implemented successfully. The people's representatives had repeatedly asked the government, in the earlier sessions of the National Assembly, to give priority to the nation's security over development. Similarly, the officials of the government ministries and departments had proposed that development programmes should be kept on hold, and instead the nation's security be strengthened. It was only His Majesty the King who commanded the implementation of development programmes throughout the country, including the southern

Dzongkhags, which have since been successfully implemented. Today, when we are in the final year of the 7th Plan, it is gratifying to note the good progress made in the implementation of development programmes as planned. Bhutan had also made good progress in its trade relations with other countries and foreign exchange earnings had risen steadily over the years. Government borrowing from outside has been kept to the minimum, and such funds are properly utilised for the socio-economic development of the country.

Despite the existing problems in the country, His Majesty the King has encouraged the development of the private sector. Contract works, commercial activities and industries are given to the private sector in increasing numbers. In keeping with the manpower policy of the Royal Government, serious attention is being paid to the development of skills and capability of the private sector. Further plans are in the pipeline for the development of the private sector. In order to meet the increase in financial dealings in the country, a second commercial bank is being opened in the Kingdom on the command of His Majesty the King.

The Finance Minister also informed the Assembly that in spite of the fact that regular flow of funds was necessary to maintain the pace of development in the country, the natural resources of the country such as forests and minerals have not been compromised. Instead, government revenue generation was increased through establishment of various industries in the Kingdom. The flow of external assistance has also been regular due to the improved and excellent relations maintained by His Majesty with other countries, for which we all have to be very grateful to His Majesty the King, he said.

He said that two major projects, which had been under discussion for the last many years, and on which no agreement could be reached through the concerned Ministry, were signed during His Majesty's visit to Delhi in March this year. By the end of the 8th Plan, these two projects will go a long way in fulfilling our national goal of economic self-reliance. Therefore, all the officials of the Royal Government are deeply grateful to His Majesty the King for his wise and far sighted leadership, said the Finance Minister.

Bhutan being a Buddhist country, His Majesty the King has also given due importance to the preservation of the Kingdom's rich religious and cultural heritage. In addition to improving the existing Dratshang, Shedras and Drubdras, new Shedras and Drubdras have been established. His Majesty has also sanctioned millions of Ngultrums to the Dratshang for the performance of sacred Bumdeys and Kurims. He said that it was because of the

regular performance of Bumdeys and Kurims by the Dratshang, which were initiated by Shabdrung Ngawang Namgyal, that all our endeavours are fulfilled without problem.

Appreciating the dedication with which the people had worked in implementing the plan programmes in their Dzongkhags, the Finance Minister called upon them to continue doing so during the final year of the 7th Plan. He informed the members that the 8th Plan will start from July 1997 and expressed the hope that the people will implement the development programmes in their respective Dzongkhags with dedication and commitment as they had already submitted in the Assembly. He expressed his confidence that the officials of the Royal Government will also strive to serve the country and the people with dedication and commitment.

The Finance Minister submitted that inspite of the problems and difficulties that arise, His Majesty the King is deeply concerned for the peace, happiness and prosperity of the people, for which His Majesty works day and night. For the ministries and departments, His Majesty the King is the guiding light and main driving force in implementing the development programmes, and bringing peace and prosperity to the Bhutanese people.

The Speaker pointed out that Bhutan has been able to become a member of the United Nations and maintain its status as a sovereign, independent nation among the comity of nations mainly because of the wise leadership of His Late Majesty Jigme Dorji Wangchuck and the prayers of the great sages of the past and our forefathers. For this, he said, we all should be ever grateful to His Late Majesty.

Quoting an old Bhutanese saying, “you are a wise man if you think ahead, and you are a fool if you repent later”, he reminded the members that now is the time to think seriously and act according to the letter and spirit of the submissions already made by them in the National Assembly.

The Speaker also reminded the members that it was out of his deep concern for the welfare of the people of Bhutan, that His Majesty the King had established development projects and activities throughout the Kingdom. Moreover, people from all walks of life, from the humblest farmer to a minister, can approach His Majesty directly for any Kidu and fulfil his wishes. This is a system which is unique in the world and a very commendable example to others, he said.

The National Assembly, recognizing the wise and far sighted policies of His Majesty of the King for the maintenance of peace and stability in the country and implementation of development projects and programmes throughout the Kingdom in a balanced manner for the economic upliftment of the people, expressed sincere and heartfelt appreciation to His Majesty for bringing peace, progress and prosperity to the Bhutanese people through his dynamic and selfless leadership. The National Assembly also expressed deep appreciation for the pure and strong bonds of loyalty and trust between the people and their beloved King, and offered sincere prayers for the long life and glorious reign of His Majesty the King.

IX. ENACTMENT/RATIFICATION OF CHATHRIMS/ACTS

a) **Chathrim for the Speaker of the National Assembly**

Following the Opening Ceremony of the 74th Session of the National Assembly on the 12th day of the 5th Month of the Male Fire Rat Year corresponding to the 28th of June, 1996, a copy of the Draft Chathrim for the Speaker of the National Assembly, 1996, was distributed to all the members of the National Assembly. The Draft Chathrim was reviewed and deliberated by the National Assembly on 11th July, 1996 for enactment.

At the outset, the Speaker asked the members to keep in mind the importance of this Chathrim in the larger interests of the nation while reviewing it. He invited views and proposals from the members while going through the Draft Chathrim section by section, and page by page.

The representative of the Bhutan Chamber of Commerce and Industry expressed his opinion that under sub-section 1.1, the year “1996”, in the title “Chathrim for the office of the Speaker of the National Assembly of the Kingdom of Bhutan, 1996” should be replaced by the Bhutanese Calendar year as “Male Fire Rat Year” in keeping with traditional practice.

In response, the Speaker clarified that while the title of the Chathrim is in line with international norms, it did not contravene the Bhutanese tradition and culture, and therefore there was no need to amend it. As there were no further comments from other members on the title of the Chathrim, it was decided to retain it as given in the Draft.

Some members were not clear on sub-section 5.2 regarding the authority of the Speaker to permit discussion of issues not included in the agenda, and inquired about the procedures for submission of points from the people for deliberation in the National Assembly. The

Speaker clarified that sub-section 5.2 dealt with the discretion of the Speaker to permit discussion of issues not included in the agenda if the matters are of national importance, and as such no amendment was deemed necessary to this sub-section.

The people's representative from Haa Dzongkhag submitted that sub-section 7.2 states that the Speaker elected shall wear the Kabney as per his/her entitlement. He enquired as to what Kabney a Speaker elected from the people's representatives should wear. In response, the Speaker informed the members that if the Speaker is elected from among the people's representatives, he/she shall wear a blue Kabney like the People's Representatives in the Royal Advisory Council, after completing the electoral procedures of the Speaker. The Speaker called the attention of the members to his own case as an example, pointing out that since he was elected from among the people's representatives as the Speaker of the National Assembly, he was wearing a blue Kabney as could be seen by all the members. Since there were no further enquires on this, no change was made in sub-section 7.2.

Some members expressed their opinion that if a Deputy Speaker was elected, instead of keeping the post vacant as per sub-section 6.4, it would be convenient in case there arise any problems regarding the Speaker. The members also sought clarification as to what type of Kabney the Deputy Speaker should wear if he or she was elected from among the people's representatives.

In response, the Speaker said that after the enactment of the Chathrim for the Speaker of the National Assembly, if the majority of the members felt the need for the election of a Deputy Speaker, and a motion was moved in the Assembly to do so, the National Assembly could elect a Deputy Speaker at any time. Regarding the Kabney of the Deputy Speaker, he/she shall also wear a blue Kabney like the Royal Advisory Councillors. As such, there was no need to discuss this issue separately.

Some of the members submitted that since the Chathrim had to be translated into other languages, there was always a possibility of misinterpreting the meaning of the provisions therein, and therefore, requested that the official text be retained in Dzongkha. The Speaker acknowledged their point and the National Assembly decided to insert a foot note to that effect.

The National Assembly formally approved the Chathrim for the office of the Speaker of the National Assembly of the Kingdom of Bhutan, 1996 for implementation with effect

from the 4th day of the 6th month of the Male Fire Rat Year, corresponding to 19th July, 1996.

b) Ammendment to the Marriage Act, 1980

Keeping in mind the frequent requests made by the members during the past sessions of the National Assembly regarding the need to review and increase divorce damages, alimony and child support, His Majesty the King had commanded the High Court to review the Marriage Act, 1980. Accordingly, the High Court reviewed the Marriage Act and prepared a Draft Ammendment which was discussed four times by the Lhengyel Shungtshog. Copies of the Draft Amendment were then distributed to the National Assembly members on 28th June, 1996 after the 74th Session was formally opened.

The discussions on the Draft Amendment to the Marriage Act, 1980 was opened on 11th June, 1996 with the Speaker informing the members that since the Judiciary was not represented in the Assembly, the Hon'ble Chief Justice had been invited as a special guest for the discussion on the Draft Amendment. He asked the members to voice their opinions and suggestions frankly and seek clarification on any point from the Hon'ble Chief Justice. The Draft Amendment was then discussed clause by clause and page by page.

On sub-section 7.3 of the Draft Amendment, the Punakha Chimi submitted that although the divorced mother is given custody of the child until the child reaches nine years of age, and the father would have to pay 20% of his monthly income as child support, there are cases where the mother has left the child with the father and gone with another man. Therefore, instead of making only the "father" of the child liable for paying child support, the clause should state that the "spouse at fault" shall be liable to pay child support in the case of a divorce. Further, with child support extended from nine years to 18 years, would the old clause giving the child the right to choose with which parent to live with after attaining nine years of age now be nullified? If not, and the child chooses to live with the father, would the mother then be liable to pay child support?

Supporting the Punakha Chimi, the Trongsa Chimi submitted that there is no differentiation between the rights of a woman and a man in Bhutan. Similarly, infidelity could be committed by both men and women. It is therefore only reasonable to have a clause inserted stating that child support shall be paid by the "spouse at fault". Taking the floor to clarify these points, the Chief Justice expressed his deep gratitude to His Majesty

the King and the National Assembly for inviting him as a special guest to explain and clarify any doubts on the Draft Amendment. He said that although there is truth in the point raised by the Punakha Chimi, the objective of the Draft Amendment is fully in keeping with the frequent requests that had been made by the members in previous Sessions for amendments to be made in the existing Marriage Act. He clarified that under Kha 3.1 of the Draft Amendment, in adultery cases, the spouse at fault is liable to pay damages to the other spouse. When spouses divorce, the question of whether the mother of the child is liable to pay child support, is covered under Kha 7.5 of the Marriage Act, 1980, wherein it is laid down that the “father” of the child will pay child support. This has not been changed under the Draft Amendment and the term “father” is retained under sub-section 7.3. Therefore, by not including the term “spouse at fault”, as suggested by the two Chimis, there is no cause for any misunderstanding. The right of the mother for custody of the child until the child attains nine years of age has not been amended. Nor is there any change to the right of the child to choose with which parent to live with after reaching nine years of age. If the mother gives up her right to custody of the child, the matter shall be dealt with as per Kha 7.1, Kha 7.2, Kha 7.3 of the Marriage Act. Relevant clauses for dealing with such issues, like Kha 7.5, Kha 7.3.2 and Kha 7.3.3 of the Marriage Act have not been changed under the Draft Amendment, said the Chief Justice.

The people’s representative of Drujeygang Gewog in Dagana Dzongkhag submitted that regardless of who the offending spouse is, in case of a divorce, it is the mother who has custody of the child until the child reaches nine years of age, and it is she who has to look after and raise the child. Therefore, there is no need to change the clause stating that the “father” of the child shall pay child support, she said.

His Majesty the King reminded the members that while the custody of a child is given to the mother until the child turned nine years of age, the child has the right to choose with which parent to live with after the age of nine. This provision is unique to Bhutanese law and has been in practice in Bhutan for many years before it was codified under the Marriage Act in 1980. Even in very advanced and developed countries, such a clause which gives the child the legal right to choose with which parent to live with is only now being introduced, said His Majesty.

The people’s representatives from Haa, Thimphu and Monggar Dzongkhags and the representative of the Bhutan Chamber of Commerce and Industry voiced their opinions regarding sub-section 7.3 of the Draft Amendment regarding child support being paid at

20% of the father's income for one child, but not to exceed 40% of his income in total if support has to be paid to more than one child. Some of the members asked whether the Draft Amendment, when passed and enacted, would have a retroactive effect on recent court judgements and mutually settled divorce case. Other members proposed that rather than a percentage, a lump sum amount should be fixed as child support. At a fixed percentage of income, a rich man would be paying a very large amount as child support while a poor man would pay a very small amount. Also, the Courts will face a lot of problem in estimating the correct income of litigants, which could in itself lead to further litigations.

The Chairman of the Royal Advisory Council reminded the members that the judiciary passed judgements as per the laws enacted. The Draft Amendment to the Marriage Act, 1980 was prepared by the High Court, keeping in mind the requests made by the members in previous Assembly Sessions to review the rates for divorce damages, alimony and child support. The Draft was submitted to His Majesty the King and then discussed thoroughly during four meetings of the Lhengyel Shungtshog. Only then was the Draft finalised for discussion and enactment by the present session of the National Assembly. He asked the members to keep in mind the saying "we cannot know whether a fruit is bitter or sweet unless we taste it first". Similarly, unless the law is enacted and put into practice by the Court, it is not possible to declare its efficacy. As such, there is no need to prolong discussions on this point, he said.

The people's representative from Bumthang Dzongkhag expressed his appreciation that the Draft Amendment had been carefully prepared by the High Court and then examined by His Majesty the King and finally discussed by the Lhengyel Shungtshog before being tabled in the National Assembly. Regarding child support for legitimate and illegitimate children as covered under sub-section 7.3 and sub-section 8.1, he felt that the considerable increase would be very beneficial in reducing divorce cases and the number of illegitimate children, as well as in promoting family planning and preventing sexually transmitted diseases. The payment of child support being fixed on a percentage of income will also not be impractical. For the salaried person, the payment can be fixed from the monthly net income while for well off persons, a reasonable estimate of their income can be arrived at. For the poorer persons, the payment can be fixed on the basis of the National Daily Wage Rate.

The Punakha Chimi submitted that while he agreed with the Bumthang Chimi that fixing child support payment would not be difficult in the case of a salaried person, it would not

be practical for farmers, members of a joint family, and those who have no definite source of income.

The Chief Justice clarified that the doubts raised by the Punakha Chimi were covered under other provisions of the Marriage Act. He said that having a fixed child support allowance would only result in the same inconveniences faced today resurfacing tomorrow. A fixed child support allowance would be too low for the rich and too high for the poor. The existing child support of Nu. 500 was fixed many years ago when it was a considerable amount and many persons had great difficulty in paying. Today, this amount had become insignificant. Likewise, if a fixed child support is again included in the Act it would result in the same problems in the future.

In the time of Shabdrung Ngawang Namgyal, judges were known as Drangpons. Like the Drangpons in the past, it is the responsibility of Thrimpons today to impart justice impartially and correctly, and endeavour ceaselessly to arrive at the correct decision even if it is as difficult as splitting the thinnest hair in a pony's tail or correctly counting every grain of mustard seed. He reminded the members that according to Article One of the Thrimshung Chhenpo, except for His Majesty the King, all citizens of Bhutan are equal before the law, regardless of their rank or status. Accordingly, the Courts have endeavoured to impart judgements with total impartiality and fully in keeping with the law, reconciling litigants where possible and making the whole process of litigation as simple and convenient as possible for the litigants. Through the tireless efforts of the Thrimpons all over the country, the Courts have decided about 25,000 cases during the past 10 years.

The hon'ble members should not be concerned that if a person having no income fathers an illegitimate child, he will get away without any consequences for his act. The law prescribes punishment in proportion to the wrong done, and the Court shall accordingly impose judgement.

In keeping with Ka-19, Cha-1 and Cha-2 of the procedures followed by the Courts, the judiciary has strived to interpret the law with total impartiality and dispense equal justice to everyone regardless of their status, sex or creed. The judiciary shall continue to fulfil its responsibility with total dedication. We also express our faith and confidence that the National Assembly will extend its support by enacting laws that will enable us to dispense justice, said the Chief Justice.

As it is the function of the National Assembly to enact and amend laws, the judiciary shall have no say in the matter. Nevertheless, the National Assembly must bear in mind that the laws enacted by it must be sound in principle and practical for implementation. Otherwise, it would lead to growing disrespect for the law. As such, if child support for both legitimate and illegitimate children are made payable on the basis of a fixed amount it would cause inconvenience for all parties concerned after a very short time and the need for amending the clause would arise time and again.

The Chief Justice also informed the members that, like laws all over the world, once a case has been closed, there is no question of re-opening it. In keeping with Kadyon Nga-2, the Amendment to the Marriage Act, 1980 will have no retroactive effect.

The people's representative of Chang and Kawang gewogs in Thimphu Dzongkhag agreed that the existing child support rate is only a nominal sum. The person paying it gets off very lightly while the one receiving it loses out. That is why the people had requested for that clause to be amended. However, fixing the child support rate on the percentage of income or on the basis of the National Wage Rate would also cause difficulties. Instead, child support should be fixed at a definite figure, whether it is Nu. 1,000 to Nu. 10,000 or to a higher ceiling.

Also, regarding child support for illegitimate children, it is necessary to keep in mind that some people have difficulty in feeding their own children and it would not be fair for a person to have to pay child support when he may not be natural father of the child. Therefore, child support for illegitimate children should not be made payable until the child attains 18 years of age.

Some Chimis expressed the view that in certain cases children reaching 18 years of age are old enough to become parents themselves, and so the child support period for illegitimate children should be kept at 11 or 13 years of age. Other members, however, pointed out that 18 year old children would still be going to school and be dependent on their parents, and therefore child support for illegitimate children should also be payable until the child reaches 18 year of age.

His Majesty the King explained that, in the past, there may have been false accusations of parenthood which could not be denied or proven in the Courts. However, with advancement of technology today, the father of an illegitimate child can be determined

without doubt. Therefore, there should be no differentiation in the payment of child support for both legitimate and illegitimate children, and it should remain the same as given in the Draft Amendment.

The Home Minister pointed out that whether a child has been born in wedlock or is illegitimate, it is still the offspring of the same father. In the eyes of the law, too, the child born in wedlock or out of wedlock should be considered impartially as the offspring of the same father. If child support is made payable with a fixed amount, the need to amend the clause will arise with the passage of time because of inflation, as already explained by the Chief Justice. The hon'ble members must keep in mind that a law enacted by the National Assembly should be comprehensive and not be subject to frequent changes.

One of the Royal Advisory Councillors and the people's representatives of Chukha, Lhuntse, Trongsa, Paro, Monggar and Dagana Dzongkhags also expressed their views and doubts on the payment of child support. Some of them enquired whether child support for an illegitimate child would have to be paid until the child attains 18 years of age, even if the mother re-married. Other members agreed that payment of child support on the basis of percentage of income as given in the Draft Amendment should be adopted. Since the Draft had been carefully prepared by the High Court and discussed thoroughly in the Lhengyel Shungtshog before tabling it in the National Assembly, and as the Chief Justice has clarified the relevant points, there is no need to prolong the discussion any further.

Since the majority of the members supported the adoption of sub-sections Kha 7.3 and Kha 8.1 as incorporated in the Draft Amendment, the National Assembly enacted the Amendment to the Marriage Act, 1980 and declared it to be in force from the 4th day of the 6th month of the Male Rat Year corresponding to 19th July, 1996.

c) Zhapto-Lemi Chathrim

On 28th June 1996, following the Opening Ceremony of the 74th Session of the National Assembly, the Home Ministry distributed copies of the Draft Zhapto-Lemi Chathrim to all the members. The Draft Chathrim was discussed on 12th July, 1996.

The Home Minister began his presentation of the aims and purposes of the Zhapto-Lemi Chathrim by reminding the members about the discontinuation of the Gungda Woola system. Keeping in mind the welfare and Kidu of the people, His Majesty the King had declared the discontinuation of Gungda Woola on the auspicious occasion of the National

Day celebrations at Zhemgang on 17th December 1995. Although the discontinuation of Gungda Woola will affect the mobilization of workforce for development programmes and also make it more difficult to renovate and maintain important national institutions like Dzongs and sacred Lhakhangs, His Majesty did away with Gungda Woola for the Kidu and benefit of the people. His Majesty has also commanded a raise in the minimum daily wages from Nu. 40 to Nu. 50, he said.

In addition, His Majesty had been pleased to command that the existing Zhapto-Lemi Chathrim, which was enacted by the National Assembly in 1987, should be reviewed and revised for the benefit of the people and to give them a greater decision making role in implementing development programmes and activities. As the hon'ble members are aware, when the 5th Five-Year Plan began in 1981, in keeping with His Majesty's command, Dzongkhag Yargay Tshogchungs (DYTs) were established in all the Dzongkhags so that decision making powers could be transferred from the centre to the districts. Accordingly, the DYT have been actively involved in the formulation and implementation of development programmes for their Dzongkhags. Ten years later, on the auspicious occasion of the Drukpa Tse-shi (the holy 4th day of the sixth month of the Bhutanese Calendar), His Majesty the King established Gewog Yargay Tshogchungs (GYTs) in all the gewogs in the Kingdom, thereby taking the process of decentralization and people's participation to the grassroots level in the villages, said the Home Minister.

Over the years, the government and the people have been working hand in hand, sharing the responsibilities in planning and implementing many socio-economic development programmes for the benefit of the people and the country. Such a system of close cooperation between the government and people, and active grassroots participation in both the decision making process and the implementation of development programmes, probably does not exist anywhere else in the world. We can be proud of this unique system we have in Bhutan which provides a good example to other countries, said the Home Minister.

His Majesty the King had commanded the revision of the Zhapto-Lemi Chathrim to bring it in line with the policy of promoting greater decentralization and people's participation. Earlier, the responsibility for the implementation of the Zhapto-Lemi was with the Home Ministry and the Dzongkhag Administrations. The revised Chathrim transfers decision making powers and responsibility to the people. The revision is also aimed at making the Chathrim more relevant and effective for the DYT and GYT to implement, said the Home Minister.

According to the Draft Chathrim, the main purpose for utilizing Zhapto-Lemi is to maintain community oriented programmes at the gewog level. As such, it clearly spells out the projects/schemes that fall under Zhapto-Lemi, procedures for mobilizing Zhapto-Lemi, and maintenance of Zhatpo-Lemi Registers. The Draft Chathrim also spells out that any development scheme or programme at the gewog level which is beyond the capacity of the local people will be implemented with appropriate additional support from the government and the Dzongkhag Administration.

The Home Minister asked the Chimis to ensure that the people in their constituencies understand the additional decision making powers that have been given to them and accordingly shoulder their responsibilities so that His Majesty the King's aspirations for even greater decentralization and people's participation will be fulfilled.

Once the revised Zhapto-Lemi Chathrim is enacted, it will be the responsibility of the DYT, GYT and the people to implement it. It is my sincere hope that the implementation of this Chathrim will benefit all the people equitably, said the Home Minister.

The Speaker asked the members to keep in mind the likely problems for both the government and the people, and the benefit towards proper implementation of development programmes, while reviewing the Zhapto-Lemi Chathrim and to express their views frankly. The Chathrim was then reviewed clause by clause and page by page.

Some of the people's representatives suggested that under Clause 4 a), community schools should also be included with primary schools as one of the schemes to be covered by Zhapto-Lemi.

His Majesty the King explained that although the inclusion of community schools is valid, it had been left out from Clause 4 a) because it is the policy of the Royal Government to upgrade all 104 community schools in the country to primary schools during the 8th Five-Year Plan. However, it is upto the members to decide whether community schools should also be included or not under Zhapto-Lemi, said His Majesty.

Some of the people's representatives, while deeply appreciating His Majesty's clarification and expressing their gratitude for the Royal Government's plan to upgrade all existing community schools to primary schools during the 8th Plan, requested for community

schools to be included under Clause 4 a). While the existing community schools would be upgraded, the need for new community schools will arise in the future, and it would reassure the people to have community schools included in the Zhapto-Lemi Chathrim.

It was accordingly decided that community schools will be included under Clause 4 a) of the Zhapto-Lemi Chathrim.

The Bumthang Chimi suggested that under Clause 4 b), hygiene and sanitation promotion should be included. The Home Minister and some of the Chimis pointed out that it was not necessary to include this as a Royal Kasho had been issued to all the Dzongdas to ensure the promotion of hygiene and sanitation. Other Chimis said that since promoting hygiene and sanitation is important it is one of the priority activities undertaken in every gewog.

His Majesty the King noted that the Bumthang Chimi's suggestion to include hygiene and sanitation under Clause 4 b) was very relevant. Since it is an important issue for the country, it should be included with other health activities covered by Zhapto-Lemi.

Accordingly, hygiene and sanitation was included under Clause 4 b).

The representative of the Bhutan Chamber of Commerce and Industry expressed the view that under Clause 4 f), renovation of "forestry extension centres" should be deleted as the people in the villages are directly involved only in community forestry activities.

His Majesty the King confirmed that in rural areas the people are only responsible for carrying out social forestry activities and not activities under central programmes. Therefore, the reference to "forestry extension centres" could be deleted from the Zhapto-Lemi Chathrim.

The reference to "forestry extension centres" was accordingly deleted from Clause 4 of the Zhapto-Lemi Chathrim.

On Clause 4 h), the representative of the Bhutan Chamber of Commerce and Industry commented that the term "local Lhakhangs and Chortens" might also be taken to include government owned Lhakhangs and Chortens, and it may thus cause inconvenience while mobilizing Zhapto-Lemi.

The Speaker explained that local “Lhakhangs and Chortens” refer to those Lhakhangs and Chortens which are not within the purview of the government, and there was therefore no need to amend Clause 4 h).

The people’s representatives from Monggar and Trashigang Dzongkhags said that Clause 4 a) stating that Zhapto-Lemi participation will be on the basis of Miphu/Gung/Threlkang/Sathram was too brief, and could therefore be misunderstood and misinterpreted. Misunderstandings and problems could arise from the fact that many persons owning land (Sathram) and house (Gung) in the villages actually live in the towns or in other Dzongkhags as government servants, members of the armed forces, national workforce, and business community. They could look for loopholes to evade Zhapto-Lemi. Does the Chathrim clarify who are required to contribute towards Zhapto-Lemi in the gewogs from the above categories of people? They suggested that more detailed explanations on Zhapto-Lemi participation would be very useful.

The Home Minister explained that Miphu is a person or a family having the status of living separately even if they reside in the same house as another person or family. Gung is a household living in one house. Threlkang is a title holder to land/property in a gewog who has been registered as such for the purpose of paying tax. Sathram refers to people who have land registered in their name in a particular gewog.

Zhapto-Lemi obligations for all schemes and programmes in the gewog will not apply to all four of the above categories. For example, only people having registered land (Sathram or Threlkang) will have to contribute towards work on irrigation schemes. On the other hand, only people actually living in the gewog (Gung and Miphu) will have to contribute towards Zhapto-Lemi mobilized for work on health and education facilities. Since the GYT can determine who is obliged to contribute towards Zhapto-Lemi on the above lines, it is not necessary to elaborate on this in the Chathrim, said the Home Minister.

As there were no further comments, no changes were made in Clause 5 a).

On Clause 5.1 a), some of the Chimis inquired whether the people of a particular village would have to seek the approval of the GYT to deploy Zhapto-Lemi in their own villages since the Clause states that the DYT and GYT shall have the sole authority for deploying Zhapto-Lemi.

The Dagana Dzongda pointed out that since all the villages are represented in the GYT, and since the GYT member from the concerned village is fully aware of the need for Zhapto-Lemi deployment in his village, there should be no problem in seeking the necessary approval from the GYT.

The Lhuntse Dzongda also pointed out that as per the new Zhapto-Lemi Chathrim, the GYTs and DYT's are required to maintain the record and register for deployment and exemption of Zhapto-Lemi. Therefore, the deployment of Zhapto-Lemi can only be done after the matter has been referred to the GYT.

It was decided that the authority to mobilize and deploy Zhapto-Lemi for any schemes/programmes in the gewog shall be vested with the GYT as given in the Draft Zhapto-Lemi Chathrim.

Some of the Chimis suggested that under Clause 5 a), the term Mitsi (Census) should also be included.

The Home Minister clarified that since all persons living in a gewog are included in the Mitsi of the gewog, it is not necessary to incorporate this in the Chathrim.

Since there were no further comments on this, it was decided that Clause 5 a) would be retained unchanged.

Some of the Chimis submitted that if any schemes or programmes are beyond the capacity of the GYT and DYT to implement, the required assistance should be extended by the government.

His Majesty the King assured the Chimis that whatever activities are beyond the capacity of the DYT and GYT will be implemented with the help of the Dzongkhag Administration and the government, as reflected in the Draft Chathrim.

One of the Royal Advisory Councillors reminded the members that His Majesty the King had decentralised the decision making process to the Dzongkhag and gewog level by establishing the DYT's and GYT's, thereby promoting greater people's participation to ensure more effective implementation of development programmes and achieve the national goal of self-reliance. Recalling a saying, "the field which is full of rocks must be ploughed by the owner who has experience in avoiding these rocks", he said that, similarly,

the problems and difficulties in one's gewog should be known to the people and resolved through their own efforts. Hence, the people should look for assistance from the government only when the programmes and activities in the gewog cannot be carried out by themselves due to technical problems or lack of adequate financial resources. The Councillor expressed his hope that the DYT and GYT members will discharge their responsibilities by making proper use of the decision making powers transferred to them. He expressed his deep appreciation to His Majesty the King for transferring decision making powers to the people without even receiving any request to that end, and for making the implementation of various programmes and activities more and more convenient for the people.

His Majesty the King explained to the members that, as per the provisions of the Draft Chathrim, the deployment of Zhapto-Lemi is on the basis of Miphu/Gung/Threlkang/Sathram, and the authority to deploy Zhapto-Lemi and also grant exemption on Kidu grounds is vested with the DYT and GYT members. Therefore, the DYT and GYT members should study the Kidu cases carefully and grant exemption to genuine and deserving ones. It is important for the DYT and GYT members to maintain clear records on Kidu granted by them, along with the reasons for such Kidu. Kidu should be given only to genuine cases because if those who do not need it are exempted Zhapto-Lemi, it would cause problems and be a disservice to both the government and the public on the part of the concerned DYT and GYT members. Therefore, it is very important for all concerned to keep in mind their responsibilities and discharge them faithfully.

His Majesty informed the members that the 20 DYT members in the country today have a total of 560 members while the 196 GYT members have a total of 2,589 members. He expressed the hope that all the DYT and GYT members will strive to implement the Zhapto-Lemi Chathrim for the benefit of the people of their Dzongkhags and gewogs. They must ensure that all the programmes and schemes for their gewogs which are covered under the Zhapto-Lemi Chathrim are properly implemented. As there will be many more development programmes to be implemented during the 8th Five-Year Plan, the role of the DYT and GYT members in implementing the Zhapto-Lemi Chathrim will assume even greater importance. His Majesty expressed his hope that all the DYT and GYT members will make proper use of the decision making powers that have been transferred to them and discharge their responsibilities with sincerity and dedication for the greater benefit of the people and the country.

The people's representatives expressed their deep appreciation and gratitude to His Majesty the King for establishing the DYT's and GYT's and decentralizing the decision making process, and, with the revised Zhapto-Lemi Chathrim, transferring even more decision making powers to the people at the gewog and village level. The Chimis said that since they are active members of the DYT's and observers in the GYT's, they would ensure that both the DYT's and GYT's will implement the Zhapto-Lemi Chathrim in keeping with His Majesty the King's aspirations for the benefit of the people and the nation.

The Dzongdas also joined the people's representatives in expressing their deep appreciation and gratitudes to His Majesty the King, on behalf of the people, for reviewing the Zhapto-Lemi Chathrim and making it more simple and easy to implement, and for transferring even more decision making powers to the people in keeping with His Majesty's policy to decentralize the decision making process right down to the grassroots level, and thereby achieve the national goal of self-reliance through active people's participation. All the members expressed their confidence that the Zhapto-Lemi Chathrim will go a long way towards fulfilling the government's policy of promoting equal benefit to all the people.

The National Assembly enacted the Zhapto-Lemi Chathrim for implementation with effect from the 4th Day of the 6th month of the Fire Male Rat Year corresponding to 19th July, 1996.

XI. CONCLUDING CEREMONY

In his concluding address, the Speaker expressed deep satisfaction for the successful conclusion of the 74th Session of the National Assembly and thanked His Majesty the King and all the members of the National Assembly. He expressed his deep appreciation to His Majesty the King for his wise counsel and to all the members for their active participation while discussing issues of national importance, thereby ensuring the success of the 74th Session and contributing towards both the present and future well-being and security of the country.

The Speaker reminded the members that it is the bounden duty of all the members to see that the decisions taken by the 74th Session are properly and faithfully implemented. He said that every representative must clearly apprise the people as early as possible of the Assembly deliberations and the resolutions adopted on many issues of national importance, and then submit a report to the National Assembly Secretariat.

The Speaker expressed his appreciation to the outgoing Chimis, who would be retiring this year after completing their term, for discharging their responsibilities with dedication and sincerity, and for fostering close cooperation and understanding between the government and the people. Since the outgoing Chimis fully understand the policies of the government as well as the problems and the needs of the people, he expressed his hope that they would continue to play an active role in their respective gewogs and Dzongkhags and work towards the well-being of the nation.

The Speaker reminded the house that Bhutan had enjoyed peace, progress and stability due to the inherent merits of the cherished institution of hereditary monarchy and the wise and dynamic leadership of His Majesty the King. The Speaker offered his prayers that the sovereignty and independence of the country will be preserved for all time to come and expressed his hope that peace and happiness will continue to flourish in the Kingdom of the Palden Drukpa like the light of the moon and the brilliance of the sun.

The 74th Session of the National Assembly concluded with the representatives of the clergy, the government and the people taking part in the Tashi Menlom Ceremony to offer their prayers for the long life of His Majesty the King and the fulfillment of his aspirations to ensure the well-being and security of the country and the prosperity and happiness of the Bhutanese people for all time to come.

Dated : 19.7.1996

sd/-

(Passang Dorji)

Speaker

National Assembly of Bhutan