

**PROCEEDINGS AND RESOLUTIONS ADOPTED IN THE 60TH SESSION OF THE
NATIONAL ASSEMBLY OF BHUTAN**

1. REGARDING EXEMPTION OF ROYALTY ON TIMBER FOR CONSTRUCTION OF COMMERCIAL BUILDING IN DZONGKHAG TOWNS.

The Representative of the Bhutan Chamber of Commerce & Industry stated that many of the temporary buildings in the Dzongkhag towns required to be demolished and permanent buildings constructed as part of the overall urban development programmes of the Royal Government. He requested that this fact be considered and that shopkeepers be extended a one time opportunity to purchase timber at same royalty rates provided for rural house construction.

In response, the Director of Forests drew the attention of the Assembly to the existing policy of the Royal Government which extends the above privilege only to the villagers. He felt that there was no justification to provide the same facility to the shopkeepers who are residing under the jurisdictions of the Municipal Corporations. He added that the shopkeepers constructing house/buildings in rural areas not covered by the town planning would be entitled to purchase timber at the same royalty rates applicable under the rural house construction timber policy provided they obtained the recommendation of the Dzongkhags concerned.

The National Assembly resolved to uphold the present policy and practice of the Royal Government.

2. REGARDING THE LATEST BHUTAN INDIA TRADE AGREEMENT

The Chimi of Samchi Dzongkhag requested that the Assembly be briefed on the Trade Agreement that had been signed between the Government of India and the Royal Government of Bhutan.

In this regard, the Joint Secretary, Department of Trade & Commerce, Industry & Mines circulated copies of the Trade Agreement among the members. All the members noted with appreciation the contents of the new agreement and expressed the hope that this would facilitate the development of Trade & Commerce in the Country.

3. REGARDING TRADE WITH THE NEIGHBOURING COUNTRIES

The Representative of Bhutan Chamber of Commerce & Industry stated that although a trade agreement between Bhutan and Bangladesh had been signed for some time now, no trade had taken place yet. He requested that the Royal Government take steps to initiate trade. Further, he pointed out that Nepal was a close neighbour besides being a monarchy like Bhutan, Government should consider introducing trade with Nepal as soon as possible.

In response, the Joint Secretary, Department of Trade & Commerce, Industry & Mines informed the Assembly that the Royal Government was keen to introduce trade with Bangladesh. Although the trade agreement in 1980 and a trade protocol in 1984 have been signed between the two countries, in the absence of a trade route, actual trade transaction could not be carried out. The new agreement signed between Bhutan and India in 1983, he stated had provisions which would permit direct trade between Bhutan and Bangladesh via India.

With regard to the establishment of trade link with Nepal, the Assembly was informed that the Bhutan India Trade Agreement of 1983, provided the Royal Government with a direct trade route of Nepal through Kakarbhita in India, and that should the Royal Government enter into a trade agreement with Nepal in the near future, the Assembly would be briefed about it at the appropriate time.

All the members of the National Assembly appreciated the initiative that was being taken by the Royal Government to establish trade links with Bangladesh.

The Assembly also resolved that trade between the Kingdom of Bhutan and Nepal should be initiated as soon as possible.

4. REGARDING THE ISSUE OF SEASONAL TRADE LICENCE FOR CASH CROPS

The Chimi of Lamidara suggested that the Royal Government should consider the possibility of issuing seasonal trade licence to the cash crop traders with a view to generate more revenue.

In reply, the Joint Secretary, Department of Trade & Commerce, Industry & Mines explained that the trade licences were being issued for seasonal trading for people from outside the

country and that nationals were being exempted of this requirement. The Government's objective to grow cash crop was to generate additional income to the farmers and while it was important to raise Government revenues, the interest and well being of the people were accorded equal priority. Therefore, while outside traders were required to obtain permits, the local people were permitted to trade in cash crop with licence.

Some members, while expressing their appreciation of the above arrangements, stated that most of the traders were outsiders. They also pointed out that these traders advance in kind to needy farmers specially in the form of food commodities and clothings prior to the harvest. The adjustment of the value earned against advance for crops were conducted at prices which were well below the prices that prevailed in the market after harvest. They requested the Royal Government to consider formulating procedures by which taxes can be levied on traders to increase revenues and to restrict pre-harvest business in cash crops by seasonal traders from outside the country.

The Assembly decided that the existing facilities being extended to the nationals should remain in effect. As regards the levying of enhanced tax and the nature of licence to be issued to the non-national seasonal traders, it was decided that the Department of Trade & Commerce formulate an acceptable procedure.

5. MATTER RELATING TO OPERATION OF SAW MILLS

The Representative of Bhutan Chamber of Commerce & Industry stated that with the changes in policy on use of timber, private saw mills had no work resulting in huge losses to their proprietors. He requested that the Royal Government consider permitting saw mills to function as before. In the meantime he suggested that the sawing of timber required in various Dzongkhags and the Export Division be given to the existing private saw mills in the country.

In response, the Joint Secretary, Department of Trade & Commerce, Industry & Mines stated that the timber export business had been nationalized after careful consideration of the country's objectives. Therefore, the resolution passed by the 50th session of the National Assembly must be respected and upheld. With regard to sawing timber for the Export Division, he said that the Division was a commercial organization with profit motive. In their operations they would cut cost wherever possible. He suggested that it should be left to interested sawmill owners to negotiate with the Export Division for obtaining work orders.

For sawing of timber required by various Dzongkhags for development works, he suggested that the issue be discussed during the Annual Plan Review and Budget Meeting.

The Assembly resolved that resolution No. 2 of the 50th Session be upheld. As regards the sawing of timbers for the Export Division and Dzongkhags, it was decided that the above suggestion be carried out.

6. MATTER RELATING TO THE GEOLOGICAL SURVEY OF BHUTAN

The Chimi of Dagapela stated that deposits of “Talc” are reported to be existing in Nimtola village under Dorona Block. He requested that a survey be undertaken to confirm the reports.

The Joint Secretary, Department of Trade & Commerce, Industry & Mines expressed his appreciation to the Chimi for the information. He stated that the Royal Government was exploring many mineral deposits and some minerals were already being exploited for the benefit of the country. A geological survey team would be sent to Nimtola to explore for minerals.

7. MATTER RELATING TO THE FOOD CORPORATION OF BHUTAN

The Chimi of Hungrey, Luni and Wangchang of Paro stated that cash crops such as potatoes and apples were perishable and required immediate marketing following harvest. Often due to inadequate storage facilities, farmers incurred large losses. He suggested that the Food Corporation of Bhutan construct adequate storage space at Phuntsholing. With regard to the auction of cash crops at Phuntsholing, he pointed out that at present most of the bidders come from Phuntsholing and the nearby places. He requested that arrangements be made to invite buyers from more distant markets in India.

In response, the Managing Director of the Food Corporation of Bhutan said that the Public Representative’s concern to introduce more storage facilities for cash crops and to obtain higher prices for the farmer’s produces were in line with the Corporation’s policies. He stated that many of the Corporation’s depots and some of the Dzongkhags were being provided with storage facilities to benefit growers. In addition, plans were being made to construct a 600 MT godown for potatoes and apples at Phuntsholing. Similar facilities would be set up where-ever it is found necessary.

Outlining the Corporation's cash crop marketing policies, the Managing Director stated that all cash crops should be sold through auctions conducted by them. The primary objective of this was to assist the growers to get remunerative prices for their produces. The Corporation would provide facilities for proper storage of perishable cash crops in the event market prices are depressed and it is necessary to await more favourable prices at the auctions. The Corporation undertook market studies to determine the prevailing prices of all the cash crops and food commodities as individual growers are not in a position to do this. Growers would not be compelled to dispose of their produce immediately after harvest and with better market information, they would get comparatively better prices. However, notwithstanding the prices prevalent and the market situation within and outside the country, the Food Corporation of Bhutan would stand ready to take the risk of buying cash crops to assist growers.

The Managing Director informed the Assembly that the Corporation was in the process of making arrangements to try and sell cash crops to Bangladesh and to cities in India at better price. Arrangements were also being made for the buyers to visit the various cash crops growing areas in the country. The Corporation had also issued notices that it would extend necessary assistance to all businessmen interested in the cash crops of Bhutan. Meanwhile, procedures were also being worked out for sale of the cash crops through auction in more distant market in India, Kathmandu (Nepal) and Bangladesh. In this regard, the Food Corporation of Bhutan was negotiating with the concerned Government authorities in India, Bangladesh and Nepal.

The Managing Director informed the Assembly that the poor response of the outside market to Bhutanese cash crops was due to a large extent on the non-grading of the produce. This was an important factor if the produce were to fetch better prices.

The Assembly expressed its appreciation for the statement of the Managing Director and resolved that the works should be carried out accordingly.

8. REGARDING THE CONSTRUCTION OF NEW BRIDGES OVER BHUR AND DHOLL KHOLA

The Chimi on behalf of the public of Gaylegphug Dzongkhag requested that permanent bridges be constructed over Bhur and Dholl Khola between Gaylegphug and Sarbhang.

In response, the Director of the Public Works Department stated that it was necessary that the two bridges be constructed in the interest of the Royal Government and the public. However, as the areas were on the foothills proper surveys would be required prior to construction.

The Hon'ble Deputy Minister, Planning informed the Assembly that the road between Gaylegphug and Sarbhang had been constructed and was being maintained by DANTAK. In response to enquiries by the Royal Government, the DANTAK authorities had reported that two rivers changed their courses frequently making it difficult to construct bridges at the existing locations where the road crosses the bridge. He assured the representatives that proper locations for construction of the bridges would be identified after more consultations with DANTAK authorities.

The Assembly endorsed the statement of the Hon'ble Deputy Minister.

9. MATTERS RELATING TO THE ISSUE OF PERMIT TO SEASONAL LABOURERS

The Chimi of Gaylegphug Dzongkhag requested that permission be granted to import labourers during the orange harvest season.

In response, the Hon'ble Deputy Minister, Department of Registration stated that the non-nationals labourers in Bhutan posed several problems. Taking this fact into account, the National Assembly had decided during several of its past sessions over the years that the import of labourers should be banned. Accordingly, the Assembly in one of its sessions had granted a three year period during which labour would be allowed to be imported while alternative arrangements were being explored. As it had not been possible, the matter was reported to His Majesty the King who graciously extended the time by another three years. The three years extension had now expired.

The Hon'ble Deputy Minister further added that a considerable amount of time had been provided to find alternative means through which seasonal labour problem should be solved. He pointed out that the import of non-nationals labourers served the interests of a few individuals only and not the general public. He proposed that the import of labourers should continue to be banned keeping in view the decisions taken in the earlier sessions of the National Assembly.

Some of the Members stated that if the import of labourers was allowed in certain areas, similar facilities should be extended to all other areas in the Kingdom. Taking into consideration the problems posed by such practice, they emphasized that a uniform ban on the import of labour be imposed in all the Dzongkhags under the Kingdom of Bhutan.

His Majesty the King was pleased to command that the same rules and regulations should be uniformly applied throughout the country. His Majesty further commanded that the respective Dzongkhag Yargye Tshogchungs of Gaylegphug and Samchi discuss the matters and find solutions to overcome the problems affecting some of the growers. The Dzongkhag and the Food Corporation were also commanded to discuss the matter and find ways and means to ease the problems of affected growers during 1984 and 1985.

In view of His Majesty's commands, the Assembly decided that the import of labourers should be uniformly banned throughout the country. Further it was decided that the Dzongkhag Yargye Tshogchungs of Samchi and Gaylegphug with the Food Corporation of Bhutan render all possible assistance to affected farmers to find alternatives within the next two years.

10. PRESENTATION OF THE ANNUAL REPORT OF THE MINISTRY OF FOREIGN AFFAIRS TO THE NATIONAL ASSEMBLY

The Hon'ble Minister for Foreign Affairs presented the Annual Report of the Ministry of Foreign Affairs to the 60th session of the National Assembly. He said that under the wise guidance of His Majesty the King, the Ministry of Foreign Affairs had been able to carry out its functions successfully. In keeping with the policy of the Royal Government, the Kingdom of Bhutan had gradually expanded relations with other countries and with some of the major international organizations. Non-resident diplomatic relations had been established between Bhutan and the neighbouring kingdom of Nepal at ambassadorial level and a Consul General of Bhutan appointed in the State of Kuwait.

The Hon'ble Foreign Minister reported to the National Assembly that the Bhutan Olympic Committee had been admitted to membership of the South Asian Sports Federation, the Olympic Council of Asia and the International Olympic Committee.

Further, at the invitation of the Foreign Minister of various countries and upon command of His Majesty the King he had paid official visits to Indonesia, Switzerland, Bangladesh and

Nordic Countries. The visit to the Nordic countries had been undertaken in view of the policy of the Royal Government to seek aid for our developmental projects and to enhance economic and technical cooperation with these countries.

Regarding the demarcation of Bhutan's northern boundary, the Hon'ble Foreign Minister stated that this issue had been raised several times in the National Assembly in past sessions. This year, at the command of His Majesty the King, a seven member delegation led by the Ambassador of Bhutan in India and comprising of officials of the Foreign Ministry and the Survey Department visited the Capital of the People's Republic of China, Beijing for the first round of boundary talks between Bhutan and the People's Republic of China. The Hon'ble Foreign Minister stated that since the establishment of the People's Republic of China 35 years ago, the Royal Government of Bhutan had no dealings with them at all. Therefore, the talks were of a preliminary nature limited to the consideration of the procedures and modalities for future meetings. The talks were held in an atmosphere of cordiality. It was decided that future meetings would be held in Thimphu and Beijing alternatively, with the next meeting being held in Thimphu.

The Hon'ble Foreign Minister also briefly informed the National Assembly about the soft-term loans that were being given to Bhutan by the World Bank, the Asian Development Bank and the Kuwait Fund. For details, the members of the National Assembly were requested to refer to the Report circulated by the Foreign Ministry.

The Members of the National Assembly expressed their appreciation of the report of the Foreign Ministry. They were very happy with the accomplishments of the Foreign Ministry particularly with the initiation of border talks with the People's Republic of China. Some members of the National Assembly were of the opinion that the Royal Government should also consider establishing diplomatic relations with China while the border talks were underway. The establishment of diplomatic relations between Bhutan and China would benefit the people of our country and particularly those living in the northern areas.

In reply, the Hon'ble Minister stated that before establishing diplomatic relations with all those countries with which we had dealings it was necessary to consider the availability of funds and manpower as well as the timeliness and importance of such a step. He stated that our first priority should be to establish diplomatic relations with the countries of the South Asian Regional Co-operation. After this, should be decide to establish diplomatic relations

with other friendly aid giving countries. It would be the responsibility of the Foreign Ministry to process the matter in accordance with the Royal Government's policies.

The Members of the National Assembly expressed their deep gratitude to His Majesty the King for his state visit to the neighbouring countries.

11. DIPLOMATIC RELATIONS WITH JAPAN

The Chimi of Tewang and Bjimey informed the members of the National Assembly that Japanese agricultural implements were found to be very useful. He suggested that diplomatic relations between Bhutan and Japan should be established to get more aid from Japan.

In reply, the Hon'ble Foreign Minister said that it was the aim of the Royal Government to gradually establish diplomatic relations with friendly aid giving countries. However, it was not necessary to establish diplomatic relations with a country solely for the purpose of getting aid as suggested by the Chimi of Tewang and Bjimey. Bhutan had representatives in the UN, Delhi, Dhaka and Kuwait who could negotiate aid matters with other countries. Besides, the representatives and officials of many countries had been visiting Bhutan to discuss various issues thus providing adequate opportunities for aid issue discussions. In conclusion, the Hon'ble Foreign Minister stated that as mentioned earlier, the responsibility of processing diplomatic relations with other countries lay with the Ministry of Foreign Affairs and that the Ministry would do its best to fulfil the responsibilities in accordance with the policies and directives of the Royal Government.

12. PROCEDURE REGARDING ALLOTMENT OF PLOTS IN TOWNSHIP AREAS

The Representative of the Bhutan Chamber of Commerce and Industry stated that the present system of allotting plots through auction has greatly affected the small businessmen. He, therefore, proposed that all the cases submitted prior to the introduction of the auction system be considered according to the earlier procedures.

In response, the Hon'ble Chairman of National Urban Development Corporation (NUDC) stated that the auction system was introduced because the land available in the township areas were limited, and the demands for allotment could not be met fully. Further some of the urban areas had also been reserved for future use by the Royal Government.

The Hon'ble Chairman further stated that in pursuance of His Majesty's commands, the urban areas in Thimphu and in all Dzongkhags were being developed and being provided with all basic municipal facilities like water supply, electricity, roads and sanitation. These works he said involved high costs, which were being met from assistance received from donor countries. He pointed out that the present system of auctioning the plots had contributed to some extent towards meeting the expenditure on urban development. He also informed the Assembly about the other proposals to levy taxes on municipal facilities.

The Chairman pointed out that most of the commercial and residential plots in the township areas were already owned by businessmen. He informed the Assembly that His Majesty the King had commanded that one family would be entitled to only one plot, and priority would be given to those who have no residence to live in. He stated that it had also been decided that all the buildings should be constructed according to Bhutanese architecture. Further in areas where limited municipal facilities existed, construction of buildings would be restricted.

The Chairman stated that the various activities of NUDC were being carried out in accordance with the commands of His Majesty the King. He added that the existing procedures relating to the allotment of the plots should not have affected the small businessmen as badly as was being reported.

During the deliberation on the issue, some of the members felt that auction system should be abolished in the interest of the people, particularly small businessmen. Some proposed that people already owning plots in the township area should not be allowed to bid in the auction.

The Assembly resolved that the allotment of plots in the township should be carried out in accordance with approved policies of the Royal Government, giving preference to the landless on the basis that one family would be entitled to own only one plot in township areas. Further, construction in the towns should be strictly in accordance with regulations.

13. EMBANKMENT WORKS AT PARO

The Representative of Bhutan Chamber of Commerce requested the Royal Government to undertake the embankment works of Paro River be implemented at the earliest time possible, so that the township area could be protected from being washed away and town development could be carried out according to the new plan.

The Chairman of NUDC informed the Assembly that the various activities of Urban Development including construction of roads and embankment works were being carried out according to priorities. Among the priorities, the embankment works of the river in Ha was found to be of great urgency and had accordingly been undertaken. Another huge embankment works, adjoining the township of Sarbhang had also been undertaken. The one at Paro would be undertaken during this year by the Department of Agriculture with assistance of UNCDF. The works extending from Shabisa to Jagathang will be completed within two years.

14. REGARDING RULES AND REGULATIONS OF THE NATIONAL ASSEMBLY

During the 59th Session of the National Assembly it had been decided that the revised rules and regulations outlining the power and functions of the Assembly would be presented during the 60th session. The Chimi of Sibsoo, therefore, requested that the rules and regulations be presented to the current session of the Assembly.

The Chairman of the Royal Advisory Council informed the Assembly that in accordance with the resolutions of the 59th session, a preliminary draft on the rules and regulations had been prepared jointly by the Secretariat of the National Assembly and the Royal Advisory Council. The draft he said had not yet been submitted to His Majesty the King and the Lhengye Shungtshog.

He assured the Assembly that the drafts would be submitted to His Majesty the King and when the document was more completed, it would be submitted to the National Assembly.

The Assembly endorsed the statement of the Chairman, Royal Advisory Council.

15. REGARDING APPOINTMENT OF THRIMTSHAB AT DAGAPELA

In continuation of the request made in the previous sessions of the Assembly, the Chimi of Dagapela requested that a Thrimtshab be appointed at Dagapela in consideration of the problem that the people have to travel long distances to the Court at Damphu.

In response, the Representative of the High Court stated that there were other places like Lingshi which faced similar problems. In compliance with the resolutions No. 10 of the 59 session of the National Assembly, the High Court had studied the matter and concluded that

with the construction of motorable road the appointment of a Thrimtshab was no longer necessary.

The Assembly endorsed the response made by the Representative of High Court to the request.

16. MATTER RELATING TO CONSULTATION IN THE AMENDMENT OF NATIONAL LAWS

The Chimi of Lamidara requested that the National Assembly be informed and consulted on the changes in rules and regulations being brought about in the country by various government departments to enable the members to brief the people. He also pointed out that the land ceiling on 25 acres under the Land Act and the rule requiring Bhutanese leaving the country to give atleast one year's notice under the Citizenship Act were not being enforced by the concerned authorities. He expressed doubts whether the above laws had been amended. He observed that the Citizenship Act was mainly to restrict grant of Citizenship and that citizens leaving the country did not seem to pose any danger. He, therefore, requested that the matter be looked into by the Assembly.

The Representative of High Court stated that changes in rules and regulations governing the country were being referred to the Assembly regularly and this practice would be continued in future. Regarding the question of the land ceiling, he said that land was being resurveyed. The policy would be implemented once the survey was completed. As regards the Citizenship Acts, he pointed out that the revised rules and regulations were being drafted and the views expressed by the members would be taken into consideration when it would be finalized.

The Assembly supported the statement made by the Representative of the High Court.

17. PROPOSAL RELATING TO APPOINTMENT OF A COMMITTEE FOR VIGILANCE

The Chimi of Lamidara had proposed that a special committee be appointed at the center to observe the proper implementation of various laws and policies of the Royal Government by the various Ministries and Departments.

In response, the Hon'ble Deputy Minister, Planning stated that the Dzongkhag Yargye Tshogchung with the powers granted by His Majesty the King should ensure that the approved plans, programmes and policies of the Royal Government were properly implemented. Starting with the Vth Plan Policy of decentralization, the DYT with members from the public as well the Government had been given full authority with regard to the proper implementation of various Government policies. He, therefore, felt that there was no need of forming a special committee, instead the DYT should be strengthened.

The Assembly resolved that with DYT and the Royal Advisory Council looking at the implementation of all National Laws and Plan programmes and His Majesty's personal interest in the functioning of the Government, a special vigilance body was not necessary.

18. MATTER RELATING TO CHUNIDOM

The Chimi of Lingmu, Shelnga and Gyoen of Punakha proposed that Chunidom system be abolished leaving only the Shabtoglemi system.

From deliberation on the matter, it was learnt that the problem of Chunidom faced by the public of Punakha was an exception. Therefore, it was decided that the Chunidom would remain in effect until the end of the Vth Plan. It resolved that the problems faced by the people of Punakha be resolved in the DYT of the Dzongkhag.

19. PUBLIC OF CHENGMARI OFFERS FELICITATION TO HIS MAJESTY THE KING

The Chimi of Chengmari on behalf of the people expressed gratitude for the immense concern which His Majesty had taken in the welfare of the people and for the state visits abroad, especially to India in the interest of the country. Observing that the initiatives of His Majesty had enhanced recognition of the country's sovereignty and independence, the Chimi conveyed the heartfelt gratitude and sincere felicitation offered by the public to His Majesty the King.

In this regard, the Hon'ble Foreign Minister expressing happiness for the gratitude extended to His Majesty the King, stated that the Kingdom's independence and sovereignty was being recognized by all the countries in the world and the nation itself was developing from strength to strength. These were all due to the policies initiated by His Majesty the King.

The Hon'ble Foreign Minister stated that Bhutan's reputation had been considerably enhanced through His Majesty's visits abroad and meetings with world leaders. The speech of His Majesty at the Non-Aligned meetings have drawn much attention of the world's leaders. He added that His Majesty the King is well recognized for hard work and for making plan programmes successful. He said that the gratitude conveyed by the Chimi of Chengmari on this occasion should be shared by the Assembly as measure of immense happiness and appreciation.

20. MATTER RELATING TO THE USE OF UNREGISTERED LAND FOR GROWING CASH CROPS

The Chimi of Sibsoo and Chengmari requested that a Government decision on the issue of unauthorized planting of orange and cardamom be taken during this session, as commanded by His Majesty the King at Samchi. Since the land used was the registered pasture land of the respective farmers, it was requested that they be re-allotted.

The Chimi of Gaylegphug requested that such lands confiscated by the Government be allotted to the farmers who are landless or generally poor.

In response, the Representative of the High Court pointed out that these lands were used without prior approval and in contravention to the Land Act which provided that the land used without the authorization would be seized and a fine equivalent to the value of the land used be imposed on the illegal growers. He proposed that the confiscated lands should be disposed of in accordance with the provisions of the land act with the objective to administer justice and to avoid setting unacceptable precedence. He added that if the requests of the public were conceded to, it might weaken the effectiveness of the law and justice system and their functioning.

The Director of the Department of Forests pointed out that the owners of pastures only had the right for fodder and grazing. They did not have any claims over trees and the use of the land for purpose other than intended by the law. If the practice of using such vast forests lands is permitted, it would result in the destruction of the national forest wealth, causing adverse effect on environment. The Director reported that the Department was starting an experimental programme to create community forests at Paro, later this programme would be extended throughout the country. He proposed that the request for allotment of the seized land to the respective farmers should not be acceded to as it might affect the programme.

The Hon'ble Deputy Minister, Department of Registration on behalf of the Home Ministry reported that the investigations and surveys of most of the Dzongkhags, established that land in excess of 26,600 acres was being used for unauthorized cultivation of cash crops. He proposed that while Assembly might not impose fines on such planters, the confiscated land should not be allotted to the respective growers under any circumstances.

In view of the above statements and in accordance with the Land and Forest Acts, the Assembly agreed that there was no grounds on which the confiscated land could be reallocated to the concerned growers. The Government could consider distributing confiscated lands among landless farmers.

His Majesty the King was pleased to note that the Assembly had concurred with the decision of the Cabinet to confiscate the land without imposing any fine. Regarding the question of re-converting illegal cash crop lands back into forests, His Majesty commanded that the suggestion of destroying fields which are already developed and giving good returns, might not be advisable. Therefore, on completion of the survey of the confiscated lands, those areas doing well in cash crops would be distributed to the landless farmers and registered as their cash crop lands. Further, His Majesty was pleased to command that the Government pasture development programmes which had not done well in several Dzongkhags due to unavailability of land could now use some of the suitable confiscated land.

His Majesty the King was pleased to direct the Director, Department of Forests to submit as soon as possible a report on the confiscated lands to the Home Ministry under the following categories :

- a. The land that may adversely affect the forests;
- b. The land that may be suitable for creation of private community forests; and
- c. The land that may be suitable for development of pasture.

His Majesty the King was further pleased to command that the concerned Dzongdas also submit reports to the Home Ministry giving the following details ;

- a. Size and extent of unauthorized cash crop land in the following categories :

1. Cash crop lands that have reached production stage.
 2. Cash crop land that have not reached the fruit bearing or production stage.
 3. Land just cleared or prepared for growing cash crops.
- b. Statistics on registered land holdings of illegal growers under the following heads :
1. Extent of registered cash crop land owned by each grower;
 2. Extent of registered land other than cash crops land owned by each growers;
 3. Illegal cash crop planters with no registered land holding at all.

The National Assembly resolved that the land illegally cultivated would be confiscated however, in this instance, the growers would be exempted from paying fines. The allotment of the confiscated lands would be carried out by the Government on completion of the investigation and surveys commanded by His Majesty the King.

21. MATTER RELATING TO BGTS

The Chimi of Gaylegphug and Chirang Dzongkhags reported that the BGTS services were not only inadequate in their Dzongkhags but the bus service schedules were found to be inconvenient to the commuters. They requested that the BGTS improve its existing facilities.

In response the Hon'ble Secretary, Ministry of Communications and Tourism stated that the BGTS had to operate services throughout the country. In addition to running its fleet, the BGTS was also expected to generate profit. Moreover, for the benefit of the public it had also to operate buses irrespective of economic and financial consideration. This has made it difficult for the BGTS to introduce new buses or bring about improvement of the existing services. However, BGTS had now made plans to not only serve the needs of the people but also make its services and facilities better hereafter.

Hon'ble Secretary informed the Assembly that there were eight buses and trucks operating between these Dzongkhags of Gaylegphug and Chirang. He felt that this should be adequate

to meet the needs of the public in the area. It was inevitable at times that the commuters might have to face inconveniences, due to mechanical problems.

The Secretary suggested that in future these problems should be resolved at the levels of forums such as DYT and BGTS Board Meetings, without having to submit them to the Assembly.

The Assembly endorsed the suggestion of the Hon'ble Secretary, Communications & Tourism and accordingly resolved that in future, the existing BGTS services and facilities should be improved.

22. REGARDING THE TERMS OF PUBLIC AND RABDEY REPRESENTATIVE AT THE ROYAL ADVISORY COUNCIL AND THE PUBLIC REPRESENTATIVES AT THE HIGH COURT.

In accordance with the Resolution No. 40 & 41 of the 51st session of the National Assembly, the Secretariat informed the National Assembly that the terms of office of the Public and Rabdey Representatives in the Royal Advisory Council and the Public Representatives in the High court were over and the election of their substitutes would take place in the 61st session.

The Assembly directed that the Secretariat of the National Assembly to issue necessary notification for filing of nominations according to the election procedure of Public Representatives. The nominations filed should reach the Secretariat of the National Assembly one month prior to the 61st session of the National Assembly.

23. PENDING POINTS FOR INCLUSION IN THE AGENDA OF THE 61ST SESSION OF THE NATIONAL ASSEMBLY

The Chimi of Hungrey, Luni and Wangchang of Paro pointed out that while the article No.11 of the "Functions and Responsibilities of the Royal Advisory Council" gives special power to the council to report to the Cabinet and the National Assembly about the activities of any persons including His Majesty the King that are considered to be harmful to the interest of the Kingdom and the people, there was no mechanism by which checks and counterchecks could be exercised in the event that the Royal Advisory Council failed to fulfill or misused its responsibilities. Accordingly, they proposed that an additional article

be added to the “Functions and Responsibilities of the Royal Advisory Council” which would authorize a special body to oversee the actions of the Royal Advisory Council, in the event that the councillors were suspected of carrying out their functions in the manner that may be harmful to the interest of the Government and People.

After lengthy deliberation, the House emerged with divided views on the issue, half of the members endorsed the proposal while the others expressed their reservation against it.

Therefore, the Assembly resolved that the issue be studied in greater depth by all members before a final resolution could be passed. The discussion on the issue was postponed for inclusion in the Agenda of the 61st session of the National Assembly.

Dated 21st June, 1984

Sd/-
(Sangey Dorji)
Offtg. Speaker
National Assembly of Bhutan