## র্ম্বর্দানী-ফ্রী-জুমানার্থর-দা কুমানার্শ্বর্দ্ধানার্থর-দা

# THIRD PARLIAMENT OF BHUTAN 4<sup>TH</sup> SESSION



## 

्रिक्षे. ४०४० म. ११ तपुष्ट्रम. ४९ तमाश्चिम. १४ तपुष्ट्रम. १८ व्हेसी

### SUMMARY OF RESOLUTIONS AND PROCEEDINGS FOURTH SESSION OF THE THIRD PARLIAMENT

(26th November - 14th December, 2020)

क्रुवास्तरम्यः र्यटक्षिवाः प्रमाणीया

Speaker: Wangchuk Namgyel

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## Summary of Resolutions and Proceedings Fourth Session of the Third Parliament of Bhutan

#### 1. Proceedings of the Opening Ceremony

The Fourth Session of the Third Parliament commenced on the 12<sup>th</sup> Day of 10<sup>th</sup> Month of Iron Male Rat Year corresponding to 26<sup>th</sup> November, 2020 on Thursday. The auspicious day was graced by His Majesty the Druk Gyalpo along with *Zhugdrel Phunsum Tshogpai Tendrel* ceremony.

#### 1.1 Opening Address by the Speaker

The Speaker on behalf of the Parliament welcomed and expressed gratitude to His Majesty the Druk Gyalpo for gracing the Opening Ceremony, and expressed reasons for conducting the Fourth Session. The Speaker also expressed gratitude to His Majesty the Druk Gyalpo, His Majesty the Fourth Druk Gyalpo, Her Majesty the Gyaltsuen and His Holiness the Je Khenpo for their tireless efforts and initiatives in combating Covid-19 pandemic.

The Speaker reminded the Members about the agenda of the Fourth Session, and concluded the Opening Ceremony.

#### 2. Introduction and Adoption of Bills

# 2.1 Entitlement and Service Conditions (Amendment) Bill for the Holders, Members and Commissioner of Constitutional Office of Bhutan 2020

On 27<sup>th</sup> November, 2020, the Member In-Charge of the Bill (Chairperson of the Social and Culture Committee) moved the

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१. दर्गे पर्श्वम्य हेत्र दर्शेषा श्री सर्दर देश

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हैं। क्रूची अ.ग्री. प्रः स्वीयात्रास्त न्यापः हुष्टे न्यापः क्रूच्यः स्वीयः ली स्वार्थः वेरात्रायस्य प्रमुद्धः न्यात्रा हुष्यः यात्रायः स्वार्थः स्वारं स्वारं

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४. ५५५७भगर्रेश्वेन्५८७४६म।

 motion for the First and Second Reading of the Entitlement and Service Conditions (Amendment) Bill for the Holders, Members and Commissioner of Constitutional Office of Bhutan 2020. The House following the deliberation forwarded the Bill for review to the committee. Following the presentation on the the report of the committee on 3<sup>rd</sup> December, 2020, the House carried out the Third Reading of the Bill, after which the Bill was adopted with majority support with 28 "Yes" votes, 6 Abstain, and 10 "No" votes on 4<sup>th</sup> December, 2020. The Bill was then forwarded to National Council for re-deliberation.

#### 2.2 Lhengye Zhungtshog Bill of Bhutan 2020

On 27<sup>th</sup> November, 2020, the Member In-Charge of the Bill (Chairperson of the Human Rights and Foreign Affairs Committee) moved the motion for the First and Second Reading of the Lhengye Zhungtshog Bill of Bhutan 2020 after which the Bill was forwarded to Human Rights and Foreign Affairs Committee for review. Following the presentation on the report of the committee on 4<sup>th</sup> December, 2020, the House carried out the Third Reading of the Bill, after which the Bill was adopted with majority support with 42 "Yes" votes, 2 Abstain, and 2 "No" votes on 7<sup>th</sup> December, 2020. The Bill was then forwarded to National Council for redeliberation.

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### ४.५ त<u>ञ्</u>या'यो'झ्रद'क्कुश'याबुद'र्क्केयाश'गु'न्ध्रन'ध्येया' ४०५० ठद'या

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## 2.3 Fiscal Incentives (Amendment) Bill of Bhutan 2020 (Money Bill)

On 27<sup>th</sup> November, the Member In-Charge of the Bill (Minister for Finance) moved the motion for the First and Second Reading of the Fiscal Incentives (Amendment) Bill of Bhutan 2020 (money Bill). The House after the deliberation forwarded the Bill to Economic and Finance Committee for review. Following the presentation on the report of the committee on 3<sup>rd</sup> December, 2020, House carried out the Third Reading of the Bill and endorsed the Bill with all 45 Members in favour of the Bill. The Bill was then forwarded to National Council.

On 9<sup>th</sup> December, 2020, the Member In-Charge of the Bill (Minister for Finance) presented the Bill as endorsed by the National Council. The House moved a motion to re-deliberate on the Bill and the House endorsed the recommendation of the National Council to retain "as per Clause 47 (b) of the Public Finance (Amendment) Act of Bhutan 2012" and to retain 31<sup>st</sup> December, 2021 as the concluding date.

The House adopted the Bill with majority of the members supporting in favour of the Bill except for 2 Abstain votes, out of 45 members present and voting. The Bill was then submitted for Royal Assent.

४.५ तमुगागी'न्द्रियातम्यानेस्यान्त्रेयान्त्रेयाः ने प्रमाणिकाः १००० क्षामा क्षामान्त्रेयाः ने प्रमाणिकाः १०००

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#### 3. Deferment of Bills

#### 3.1 Royal Bhutan Police (Amendment) Bill of Bhutan 2020

On 27<sup>th</sup> November, 2020, the Member In-Charge of the Bill (Minister for Home and Cultural Affairs) moved the motion to defer the Royal Bhutan Police (Amendment) Bill of Bhutan 2020. The House directed the Ministry of Home and Culture affairs to submit the Bill thereof in the 5<sup>th</sup> Session of the Third Parliament.

#### 3.2 Anti-Corruption (Amendment) Bill of Bhutan 2020

On 27<sup>th</sup> November, 2020, the Member In-Charge of the Bill (Chairperson of the Good Governance Committee) moved the motion to defer the Third Reading of the Anti-Corruption (Amendment) Bill of Bhutan 2020. Therefore, the House decided to deliberate on the Bill in the 5<sup>th</sup> Session of the Third Parliament.

#### 4. Introduction and Adoption of International Covenants

# 4.1 Framework Agreement between the Royal Government of Bhutan and European Investment Bank (EIB) Governing Activities in Bhutan

On 27th November, 2020, the Member In-Charge of the Agreement (Minister for Finance) moved motion for the First and Second Reading of the Framework Agreement between the Royal Government of Bhutan and European Investment Bank (EIB) Governing Activities in Bhutan. The Agreement was endorsed by the House and forwarded to Economic and Finance Committee for review.

Following the submission of the review report, the agreement was deliberated on 30<sup>th</sup> November, 2020. On 1<sup>st</sup> December, 2020,

## 4. रधुरुधेगायरःतगुरुषा

4.7 मितामिबिटायम्यामी त्यामा सेते (तम्ने स्र्व) प्रमिटायमा ४०४० ठवाया

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इ.१ तश्चमामी नित्र प्रमामा र्स्स (तस् स्वर्) नस्त्र प्रमा १०१० उदाया

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## ८. अञ्चतःर्थेशःरेश्वेन्न्नरक्ष्यहेगा

८ तत्त्रुग्। कुष्यम्बद्धर्यः द्वर्यः व्यः सःम्बद्धर्यः सःम्बद्धर्यः व्यः सःम्बद्धर्यः व्यः सःम्बद्धर्यः सःम्वद्यः सःम्बद्धर्यः सःम्वद्यः सःम्बद्धर्यः सःम्वद्यः सःम्वद्यः सःम्बद्धर्यः सःम्बद्धर्यः सः सःम्वद्यः सःम्वदः सःम्बद्धरः सःम्वदः सःम्वदः सः सःम्वदः सः सःम्वदः सः सः सःम्वदः सः सःम्वदः सः सः सः सः

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# 4.2 Agreement between the Royal Government of Bhutan and the Green Climate Fund (GCF) on the Privileges and Immunities of the GCF

The Member In-Charge of the Agreement (Minister for Finance) moved motion for the First and Second Reading of the Agreement between the Royal Government of Bhutan and the Green Climate Fund (GCF) on the Privileges and Immunities of the GCF which was endorsed by the House and forwarded to the Environment and Climate Change Committee for review.

Following the review report of the committee on 30<sup>th</sup> November, the House deliberated and adopted the Agreement on 1<sup>st</sup> December, 2020 with all 46 members present and voting in favour of the Bill.

#### 5. Motion

The Member from Dewathang- Gomdar Constituency moved the motion regarding the Raise of the Retirement Age for Civil Servants to 60 Years and proposed two recommendations:

- 1. The government to institute a system to review the retirement age of civil servants from time to time;
- 2. Retirement of civil servants at all levels to be raised to 60 years of age.

## ८.१ तत्त्रुगःगाबुरद्रः र्क्षःधूरमावसःम्भिश्वःसःद्रुधःग्रीःचरःवः र्क्षःधूरमावसःमभिश्वःसः ५५१भःग्रीः विःद्वरद्रः चगागाःकःद्रद्ध्यःग्रीःचरःवः र्क्षःधूरमावसःमभिश्वःसः

क्ट्रिंग्वेचर्णा बुविश्वातमा नम्भैराबुनाकुर्नुम्या सहयात्वात्यर्म्यन्याविश्वात्वकुर्म्यम्यात्वेस्यात्वेस्यात्

### u. र्शेशर्देवा

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On the submissions made by the members, the Government submitted various clarifications to the House. Following the extensive deliberation, the House while ascertaining the support on the motion, 17 members voted "Yes", 17 members voted "No" and 6 members abstained, and therefore could not passed the motion.

#### 6. Resolutions of the Joint Sittings

#### 6.1 Civil and Criminal Procedure Code of Bhutan 2019

On the 25<sup>th</sup> Day of the 10<sup>th</sup> Month of Iron Male Rat Year corresponding to 10<sup>th</sup> December, 2020, the Chairperson of Joint Committee (Member from Bongo-Chapcha Constituency) presented amendments on 9 clauses of the Civil and Criminal Procedure (Amendment) Bill of Bhutan 2019 which was forwarded to National Council for review.

The National Council forwarded the Bill to the National Assembly with amendment on 19 clauses during its 24th Session. During the Third Session, the National Assembly reviewed the Bill and agreed on 12 clauses while the other 7 remained disputed. The disputed clauses were deliberated during the Joint Sitting and endorsed as per the recommendation of the Joint Committee. The Bill was then adopted with 65 "Yes" votes and 6 Abstain votes from a total of 71 members present and voting. The Bill was then submitted for Royal Assent.

म्र्यास्त्र स्वीत् म्रायह्मा प्राप्त स्वास्त्र स्वस्त्र स्वास्त्र स्वास्त्र स्वास्त्र स्वास्त्र स्वास्त्र स्वास्त्र

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#### 6.2 Penal Code (Amendment) Bill of Bhutan 2019

On the 25<sup>th</sup> Day of the 10<sup>th</sup> Month of Iron Male Rat Year Corresponding to 10<sup>th</sup> December, 2020, the Chairperson of Joint Committee (Member from Haa Dzongkhag) presented amendment on 56 clauses on the Penal Code (Amendment) Bill of Bhutan 2019 from its 24<sup>th</sup> Session, which was earlier forwarded by the National Assembly during its Second session with 14 amended clauses.

The National Assembly re-deliberated on the Bill during its Third Session and agreed on 32 clauses while 24 clauses remained disputed. During the Joint Sitting, the disputed clauses were deliberated and endorsed as per the recommendation of the Joint Committee. The Bill was then adopted by the Parliament with 63 "Yes" votes and 6 Abstain votes from a total of 69 members present and voting. The Bill was then submitted for Royal Assent.

#### 7. Resolutions of the Public Accounts Committee

The Chairperson of the Public Accounts Committee (Member from Nganglam Constituency) presented the Review Report of AAR 2019 in First Part; Follow up on Review Reports of AAR from 2010-2018 in Second Part; and Committee's Findings and Recommendations in Third Part. The House deliberated on the report and approved the following recommendations:

## ७.१ तम्बुगामी केसारमोता विस्तरादेयः दिस् र्सूत रे दुस्र स्थिग १०१० उदास

स्राक्ष्मश्राक्षेत्राम्ये वित्राम्ये वित्रा

संजा-में, न्यापः तम् मिन्यः मिन्यः मिन्यः भ्रम् निन्यः मिन्यः मि

## J. ব্য়ন্থ:ই্ক:ঠ্রিল্ম:ঠুনদী:র্ল্র্জ:ঠ্রি

#### Part 1: Chapter 2 Committee's Recommendations on AAR 2019

- 1. Review the practice of granting advance to contractors beyond the scope of PRR.
- 2. Need for guidelines on hospitality and entertainment expenses.
- 3. Need for rectifications/reconciliations of differences in accounts of budgetary agencies.
- 4. Need for agencies to enforce contractual provision of insurance for medium and large scale works.

#### Part 3: Recommendations on the Compliance Audit Reports

- Ministry and DoR to constitute a technical team to review estimates and BoQs prepared by the ROs mainly to ascertain flaws, ambiguities and other related problems and to rule out the existence of collusive practices.
- 2. The Ministry/DoR should closely monitor the activities with the respective ROs.
- Reiterating the Committee's Recommendations under Section 7.1

   (a) of the Third Session of the Third Parliament, the PAC further recommends the Ministries/Agencies to institute a Follow up Unit for Audit Issues.

# Part 3, Chapter 2: Recommendations on Surface Collection and Dredging of Riverbed materials (RBM)

1. The Committee is mindful of the Mines and Minerals Bill 2020 and currently under discussion and it is optimistic that the Parliament

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- दः तकरान्द्रियायमान्ने र्क् मी क्षेत्रावात्तरमी खुन्यरार्क् येगामा पर्वे भारतन् न् वेपा

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- ४. हेब्रायम्, लट्ब, जन्नाम्प्रायम्। ११. हेब्रायम्, लट्ब, जन्नाम्प्रायम्।
- ्व. ह्यीं क्यूंचा तत्तर स्वास्त ह्यूंचा साम्राम्य स्वास स्व

## द्रमा. हूं द्रमा. नर्स. जुव. प्रमा. मुख. प्रदेनका तुर्वे. द्रमा. नर्स. कुव. प्रमा. मुख. प्रदेनका

ग्रे. क्वॅंग्राक्ट्रिंग्वेशः ५१व्वॅंग्वास्ट्र्य्येशःग्रव्ट्र्य्यः प्रमुद्राधः त्रमुवान्त्रः विष्ट्राधः विष्ट्रः विष्

- will have given due consideration to RAA's recommendations for this particular compliance audit in the Bill.
- 2. Officials responsible for the above lapses and irregularities should be held accountable and the Action Taken Report (ATR) to be submitted before the Fifth Session of the Third Parliament.

### Part 3, Chapter 3: Recommendations on Government Property Management System

 As a Central Agency, the DNP must spearhead the development of appropriate information system to facilitate centralized inventories of properties maintained at all government agencies and also ensure compliance to property management manual through continuous monitoring system.

#### Part 4: Recommendations on Chapter 2 of Other Report

 PAC reiterated on the AG's Advisory Series and advised the concern Agency to comply with. While ascertaining the support on the recommendation, the whole recommendation was unanimously endorsed with all 65 members present and voting in favour of the recommendation.

#### 8. Re-deliberation of Bills

#### 8.1 Negotiable Instruments (Amendment) Bill of Bhutan 2020

On 8<sup>th</sup> December, 2020, the Member In-Charge of the Bill (Chairperson of Social and Cultural Committee/ Member from Lamgong-Wangchang Constituency) reported to the House that the National Assembly had forwarded the Bill to National Council

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क्रितः भी त्र प्रति प्र

## ५. ५५५'धेग'चश्चरार्वेश

४.७ तज्ञुन कुर्यायन ग्री मने तज्ञीन स्थिन त्यहितः दिश्चे र्श्वेतः विश्व प्रमाण १०१० उत् सराम्भुर र्श्वेका ग्री र्श्वेका केंद्रा

मूलायोबट्याटी, ट्रेंब. व मीट्यायोड्ड्यायह्नी, क्रिंवायां क्रायं क्रिंवायां क्रिंव्यायां क्रिंवायां क्रिंवायां

with 2 amended clauses which were then presented by the National Council with 11 amended clauses for the Committee to review. However, the Chairperson reported that the Committee had very limited time for review, and therefore the House directed the committee for more time to review the Bill.

On 12<sup>th</sup> December, 2020, during the continuation of deliberation on the Bill, the Member In-Charge of the Bill reported that the 6<sup>th</sup> clause was amended with proper terminologies in consultation with financial institutions and also ensured consistency of the amended clauses. The House deliberated and adopted each clause as per the recommendations of the committee. The Bill was then adopted with all 44 members supporting in favour of the Bill, and the Bill was submitted for Royal Assent.

#### 8.2 Mines and Minerals Bill of Bhutan 2020

On 9<sup>th</sup> December, 2020, the Member In-Charge of the Bill (Minister for Economic Affairs) moved the motion for re-deliberation of the Mines and Minerals Bill of Bhutan 2020. It was reported that the Bill which has been forwarded by the National Assembly after comprehensive deliberations has been held by National Council and presented with major amendments and completely new one. A recommendation was made for the members to keep in mind the science and sustainability, and harmonization with other laws while discussing about the Mines and Minerals Bill of Bhutan 2020.

खनश्चर्सरस्था, हे.सूरी स्थापार्य, करार्ट्या चीय हे. यापर प्रस्था चीत् प्रस्था, शुर्य प्रस्था प्रस्था

है, शह्र-याथट-ट्र्म्,त्रपुं,म्र्य्यस्य ने स्वाप्ता निक्य प्राप्त में स्वाप्त स्वाप्त

The House during its deliberation saw major changes in the Bill from National Council and decided to review the Bill comprehensively. The House decided in favor for review with a show of hands, and directed the Economic and Finance Committee to present a review report on the Bill.

The re-deliberation on Mines and Minerals Bill of Bhutan was held on 12<sup>th</sup> December, 2020. Following the deliberation on few clauses, the House decided that there was a need to review the Bill, however, a Joint Committee need to be established to resolve the issues and deliberate during the Joint Sitting in future sessions. The House endorsed the decision through unanimous support with show of hands.

# 9. Presentation of Annual Report on the State of the Nation, including Legislative Plans and Annual Plans and Priorities of the Government by the Prime Minister of Bhutan.

During the presentation of the Annual Report, Prime Minister presented that the 1000 Golden Days for mothers and children, Women and Children's Policy and data collection for old aged citizens and criteria for kidu has been instituted. The X-Ray and CT scan services across hospitals has been enhanced and around 12,000 women has been examined for cervical cancer and breast cancer.

तयर् देसेलार् मूनास्त्री प्राप्त मी विरास्त्री माश्रेर मूना स्वर्म माश्रेन स्वर्म माश्रेन स्वर्म माश्रेन स्वर्म माश्रेन स्वर्म माश्रेन स्वर्म माश्रेन स्वर्म स्वरम् स्वरम्यम स्वरम् स्वरम्यम् स्वरम् स्वरम्यम् स्वरम् स्वरम् स्वरम् स्वरम् स्वरम् स्वरम्यम् स्वरम् स्वरम्यस

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# ल. र्ह्मेव्रकेव्रः मुःगालुरमी ख्रिस्रसः पर्वे प्रमुरः त्रक्ररः प्रवेदे त्राप्तः प्रालुरमी ख्रीस्रसः प्रवेदः व्याप्ति क्रियः प्रमुरः स्वरः त्राव्यः प्रवेदः प्रवेदः

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Similarly, plans have been made to enhance the quality of education and to establish Information Technology as a subject starting from pre-primary. Moreover, Prime Minister clarified to the House that the approved budget of Nu. 69,151 million with recurrent budget of Nu. 32,900 million and capital budget of Nu. 36,251 for this financial year that saw a fiscal deficit of Nu. 15.3 million was because of the increase in capital budget.

Prime Minister also reported on other aspects such as review of the 12<sup>th</sup> Five Year Plan, base-course for farm roads, loan sanctions by the banks and the Gross Domestic Product of the nation. The need to embrace new normal was highlighted as well. The sitting was concluded after a detailed discussion on matters such as Agriculture, Tourism, Employment in Manufacturing Section, Foreign Affairs, Women and Children, Common Minimum Infrastructure, Nature, and Culture among others.

#### 10. Question Hour

As per the schedule for the Fourth Session of the Third Parliament, 4 rounds of Question Hour were conducted. The Members raised 37 Oral and 21 Written Questions to the Prime Minister and the Ministers, concluding the round of Question Hour sessions for the fourth session.

## १०. इ.चर्ग्राम्यस्य

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#### 11. Concluding Ceremony of the Fourth Session

## 11.1 Expression of Gratitude by the Prime Minister, Chairperson of the National Council and Leader of the Opposition

The Covid-19 pandemic has affected the whole world and made its first appearance in Bhutan and left the government and the people shaken and confused. Prime Minister submitted that during such times, His Majesty has worked tirelessly for the people and commanded to strengthen security along the border areas, and to establish task forces for the prevention of the pandemic. His Majesty has also provided timely guidance to government and institutions which has proven to be highly beneficial.

His Majesty worked tirelessly, traveling through risky areas to ensure that the people are safe from the pandemic. His Majesty also granted the Royal Palace at Mongar and Royal Institute for Governance and Strategic Studies (RIGSS) at Phuntsholing to be used as hospitals during the pandemic which has immensely benefitted the people. Prime Minister offered gratitude to His Majesty for all these efforts.

Moreover, His Majesty has ensured the safety of the citizens by introducing various strategies such as lockdown, providing essential items to the people, waiving off loan EMIs, and providing door-to-door medical kits for the senior citizens. His Majesty also granted kidu to employees of affected firms, guidance on future economy, and on exports and imports of the nation. Words of gratitude were expressed to His Majesty for taking lead in such noble strategies.

११. व्यायाचेत्रामहोत्रामह्याम्यूप्तिहेत्त्रवेषायर्द्र्या

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Similarly, sincere gratitude was expressed to Her Majesty the Gyaltsuen, His Majesty the Fourth Druk Gyalpo, Their Majesties the Queen Mothers and the Members of the Royal Family for their gifts and various contributions to the citizens and their safety.

The Parliament also offered thankfulness to His Holiness the Je Khenpo and the monastic bodies for conducting prayers during the time of pandemic.

Expression of gratitude was made for all the development partners, businessmen and private sectors of Bhutan, volunteers, Three Armed Forces, Desuups and front-liners, and all the members of committees for their efforts and support.

#### 11.2 Concluding Address by the Speaker

The Speaker expressed that His Majesty has travelled extensively in risky areas to monitor the situation by taking great risks to ensure security of the nation and the safety of the citizens. Therefore, the Parliament remains grateful to His Majesty the Druk Gyalpo. The Speaker also expressed gratefulness to His Holiness the Je Khenpo for leading the monastic body and conducting rituals for the nation and its citizens.

मैश्राम्य स्वाप्त्र स्वाप

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११.५ व्यायान्यं दाशीयाम्यायान्यम्।

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#### 11.3 Offering of Prayers

On 14<sup>th</sup> December, 2020, the Speaker of the National Assembly and the Chairperson of the National Council accompanied by the Secretaries General of the two Houses received His Majesty the Druk Gyalpo from Entrance Gate 1. Members of Parliament offered prayers for the long life of His Majesty the Druk Gyalpo, and successfully concluded the Fourth Session of the Third Parliament of Bhutan.



(Wangchuk Namgyel)

**SPEAKER** 

११.१ विषयायह्रदान्द्रम् मेशः र्स्स्रेदायम्

म्री.ण्. ४०४० ञ्च. १४ तपु.क्ष्य. १० जी. मीजा.ल्ट्या.क्ष्या.वर्ष्या. व्यव्या.वर्ष्या. व्यव्या.वर्ष्या.वर्या.वर्ष्या.वर्ष्या.वर्या.वर्ष्या.वर्या.व



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