

AGENDA FOR THE 2ND SESSION OF THE FIRST NATIONAL COUNCIL
(December 24, 2008 – January 21, 2009)

Agenda for December 22, 2008
(Monday)

I. REGISTRATION OF MEMBERS

- i. Call on the Chairperson
- ii. Distribution of documents

Agenda for December 24, 2008
(Wednesday)

II. OPENING OF THE 2ND SESSION OF THE NATIONAL COUNCIL

- i. Inaugural Address by the Chairperson
- ii. Adoption of Agenda

Agenda for December 25, 2008
(Thursday)

III. LEGISLATIVE ISSUES

A. THE ROYAL BHUTAN POLICE BILL 2008

Agenda for December 26, 2008
(Friday)

Continuation of discussion on the Royal Bhutan Police Bill 2008

Agenda for December 29, 2008
(Monday)

Continuation of discussion on the Royal Bhutan Police Bill 2008

Agenda for December 30, 2008
(Tuesday)

B. THE PRISON BILL OF THE KINGDOM OF BHUTAN 2008

Agenda for December 31, 2008
(Wednesday)

Continuation of discussion on the Prison Bill of the Kingdom of Bhutan 2008

Agenda for January 1, 2009
(Thursday)

Continuation of discussion on the Prison Bill of the Kingdom of Bhutan 2008

Agenda for January 2, 2009
(Friday)

National Holiday (Winter Solstice)

Agenda for January 5, 2009
(Monday)

C. RULES OF PROCEDURE FOR THE JOINT SITTING OF PARLIAMENT

Agenda for January 6, 2009
(Tuesday)

D. RULES OF PROCEDURE OF THE NATIONAL COUNCIL

Agenda for January 7, 2009
(Wednesday)

Continuation of discussion on the Rules of Procedure of the National Council

Agenda for January 8, 2009
(Thursday)

E. COMMITTEE RULES OF THE NATIONAL COUNCIL

Agenda for January 9, 2009
(Friday)

F. RATIFICATION OF PROTOCOL OF ACCESSION OF ISLAMIC REPUBLIC OF AFGANISTAN TO AGREEMENT ON SOUTH ASIAN FREE TRADE AREA (SAFTA)

IV. POLICY ISSUES

- A. Public Awareness of Acts, Rules & Regulations**
- A lot of Acts and Regulations have been passed but most of these legislations remain widely unknown to the general population at large, thus defeating the whole purpose of passing one in the first place. It is very important for the people to be fully aware and informed of such Acts and Regulations in order to exercise their rights and responsibilities.
- Submissions to be made by Hon'ble Members from:*
- 1. Punakha*
 - 2. Haa*
 - 3. Trashigang*

Proposed Resolution

The National Council:

- i. calls upon the government ministries, departments, autonomous organizations and all concerned agencies to educate and create awareness on laws and resolutions passed by Parliament; and
 - ii. commends the Bhutan Broadcasting Service Corporation for its efforts to broadcast programs on legal issues, and
- Motion to be moved by Hon'ble Member from Gasa*

urge it and other broadcast and print media to work with the government and public agencies to institute a program for disseminating awareness on laws and legal issues.

Agenda for January 12, 2009
(Monday)

B. The Constitution specifies different procedures for the approval of the annual budget and the Budget Bill. However, in general parlance, the two are seen to be the same which there has been a conflict between the two Houses. There is the need to reconcile either the procedure or the definition.

Passing of Budget

Submission to be made by Legislative Committee

Proposed Resolution
The National Council seeks the advice of the Supreme Court in the interpretation of the conflicting clauses of the Constitution.

Motion to be moved by Chairperson, Legislative Committee

C. The National Council has passed the 2008-2009 Budget in its first session but objected to state financing of political parties and Constituency Development Grant (CDG). The government has withdrawn the proposal for state financing of political parties but the status of CDG is not clear.

Constituency Development Grant

Submissions to be made by Hon'ble Members from:

- 1. Karma Yezer Raydi*
- 2. Trongsa*
- 3. Samtse*

Proposed Resolution
The National Council resolves that granting Constituency Development Grant to Members of the National Assembly is unconstitutional and that it will undermine the autonomy of the local governments and politicize it.

Motion to be moved by Hon'ble Member Karma Yezer Raydi

D. During the last Parliamentary joint-sitting, the National Council argued that the local government elections should be funded by the government. But Parliament ruled against it. Besides, it also fixed a limit on the permissible private campaigning fund for aspiring candidates who wished to contest in the forthcoming local government elections.

Local Government Election Campaign Fund

Submissions to be made by Hon'ble Members from:

- 1. Sarpang*
- 2. Gasa*

This, however, generated concerns that if candidates were allowed to campaign with their own funds, it would be impossible to ascertain the expenditure made. This would pave way for money-power to influence elections. In order to avoid unnecessary problems, it would be better if no private campaigning fund is permitted for the upcoming local government elections.

Motion to be moved by

Proposed Resolution

The National Council resolves that it will review the Public Election Fund Act after the local government elections are conducted in 2009.

Hon'ble Member from Sarpang

Agenda for January 13, 2009

(Tuesday)

- E. Excess land** The National Land Cadastral Survey had required people of all *dzongkhags* to pay for excess land. While payment is being withheld in many *dzongkhags*, the people of eight *dzongkhags* had already either paid for the excess land or surrendered them to the government.

Submissions to be made by Hon'ble Members from:

1. *Haa*
2. *Gasa*
3. *Wangduephodrang*
4. *Samdrupjongkhar*

Proposed Resolution

The National Council calls upon the National Land Commission to enable farmers of the eight *dzongkhags* of Haa, Gasa, Lhuentse, Paro, Samdrupjongkhar, Trashiyangtse, Punakha and Wangduephodrang to be allowed to cultivate excess land surrendered to the government until His Majesty the King issues a royal command after the cadastral land survey is completed.

Motion to be moved by Hon'ble Member from Haa

- F. Land Compensation** Land acquired by the government for public purposes are given land substitute or cash compensation. Sometimes, substitutes may be equal in area to the ones taken over by the government. But the ones taken over may be tilled and cultivated over the years while substitutes may be fallow lands. Thus, the cost of labour, fencing etc. needs to be built into the land substitute and compensation scheme.

Submissions to be made by Hon'ble Members from:

1. *Trashigang*
2. *Pemagatshel*
3. *Thimphu*

Proposed Resolution

The National Council calls upon the National Land Commission to include in the Land Act provisions concerning compensations for loss of cultivable lands owing to development projects.

Motion to be moved by Hon'ble Member from Trashigang

Agenda for January 14, 2009

(Wednesday)

- G. Human-Wildlife Conflict** Depredation of crops by wild animals, particularly wild boar and elephants has resulted in huge loss of crops in almost all parts of the country. Dealing with wildlife menace has become drudgery to the lives of rural communities.
- Besides crops, wild animals also inflict damage to livestock particularly in highland communities. These communities depend entirely on livestock for livelihood.

Submissions to be made by Hon'ble Members from:

1. *Trashigang*
2. *Trashiyangtse*
3. *Zhemgang*
4. *Lhuentse*
5. *Samdrupjongkhar*
6. *Sarpang*
7. *Mongar*

On the one hand, national and international laws protect most of these wild animals. On the other hand, subsistence food security of both highland and lowland communities are threatened by protected animal species.

8. *Wangduephodrang*

Proposed Resolution

That the National Council calls upon the Department of Forest, Ministry of Agriculture for the purpose of ensuring the food security of farmers to;

*Motion to be moved by
Hon'ble Member from
Trashiyangtse*

- i. enforce Section 23.b of Forest & Nature Conservation Act, 1995 and issue special permits for taking any animal for the 'purposes of culling or control,
- ii. examine the resolution of the 86th session of the National Assembly that limits 'farmers to shoot and kill wild animals encroaching standing crop fields within 200 metres of the boundary' until the issue of wild boar depredation of crops has been adequately addressed; and
- iii. make adequate compensations to farmers for heavy crop losses to wild animals or for livestock killed by predators if their food security is threatened.

H. There are lots of mining activities in different *dzongkhags*. Although mining operations benefit the country economically, the people are concerned that improper exploration of mines cause adverse effects on the environment.

Impact of Mining on Environment

*Submissions to be made by
Hon'ble Members from:*

1. *Samtse,*
2. *Chhukha*
3. *Thimphu*
4. *Pemagatshel*

Proposed Resolution

That the National Council calls upon regulatory authorities like National Environment Commission and Department of Geology & Mines to enforce the existing regulations very strictly so that mining activities do not damage the natural environment.

*Motion to be moved by the
Hon'ble Member from
Samtse*

***Agenda for January 15, 2009
(Thursday)***

I. The requirement for labour contribution by communities to build or maintain community infrastructure has become a disincentive for the people living in the villages. There is no fixed number of days that a household is required to contribute labour. People's precious time required for subsistence farming and other livelihood activities is taken up by fulfilling labour

*Submissions to be made by
Hon'ble Members from:*

1. *Trashigang*
2. *Trashiyangtse*

requirement obligations.

Proposed Resolution

The National Council of Bhutan resolves to:

- i. call upon the government to enforce the resolutions of the 87th session of the National Assembly which states that a household will not have to contribute more than 15 days of labour in a year with the beginning of the 10th Five Year Plan; and
- ii. amend **Section 4** of the **Zhabto-Lemi Chathrim, 1996** by removing sectors and schemes for which *zhabto-lemi* contributions are required and retaining only those schemes that were approved by the 86th session of the National Assembly.

*Motion to be moved by
Hon'ble Member from
Trashigang*

**J.
National
Minimum
Wage**

Labour has become scarce in villages and its value has correspondingly increased. However, the National Minimum Wage Rate has been only Nu.100 a day for more than a decade. For most villagers, wages earned from contributing labour for developmental works has been a major source of cash income. The current wage rate is no longer realistic, especially in the context of rising standard of living.

*Submissions to be made by
Hon'ble Members from:*

1. Trashigang,
2. Trashiyangtse
3. Lhuentse
4. Wangduephodrang
5. Pemagatshel
6. Zhemgang

Proposed Resolution

That the National Council calls upon the government to consider increasing the national daily wage rate, as soon as possible, to enable people in lower income brackets to adjust with the rising cost of living.

*Motion to be moved by
Hon'ble Member from
Zhemgang*

**Agenda for January 16, 2009
(Friday)**

**K.
Appointment
of Caretaker
for Gewog
Centre**

Every *gewog* has a *gewog* centre consisting of the office of local governments. The *gewog* office is usually located away from the main village. They are vulnerable to theft and vandalism.

*Submissions to be made by
Hon'ble Members from:*

1. Pemagatshel
2. Wangduephodrang
3. Dagana

Proposed Resolution

The National Council calls upon the government to appoint a caretaker each for every *gewog* centre under the ESP category.

*Motion to be moved by
Hon'ble Member from
Pemagatshel*

**L.
Remuneration**

Each *chiwog tshogpa* is assisted by one or more *chipons* in addition to *chusungpas* and *mesungpas*.

*Submissions to be made by
Hon'ble Members from:*

for Chipons Duties of a *chipon* require him/her to be always on the move within the designated village mostly running errands for other GYT Members even to the extent of foregoing his/her own household activities. These services, however, are currently rendered free. Considering the difficulty and importance of the job of a *chipon*, it is only fair that his/her services be remunerated appropriately.

1. *Pemagatshel*
2. *Samdrupjongkhar*
3. *Lhuentse*
4. *Trashigang*

Proposed Resolution

The National Council asks the Royal Government to consider paying a minimal remuneration for *chipons*.

*Motion to be moved by
Hon'ble Member from
Lhuentse*

M. **Wages & Remuneration for Gewog Officials** *Gups* and *Mangmis* travel in their *gewogs* for officials purposes. Their works are not limited to office premise alone. They also often stay overnight in villages depending on the distance from the *gewog* centre or on the nature of assignments they have to undertake. But they are not entitled to travelling allowances contrary to the Gewog Administrative Officer or other civil servants in the *gewogs*.

*Submissions to be made by
Hon'ble Member from
Trashigang*

Proposed Resolution

The National Council calls upon the government to constitute the Pay Commission to recommend salaries and remunerations for local government officials before the local government elections are conducted.

*Motion to be moved by
Hon'ble Member from
Trashigang*

***Agenda for January 19, 2009
(Monday)***

N. ***Thrue* be reinstated as Public Holiday** The festival of *thru* or Blessed Rainy Day, which has been celebrated for hundred of years, has been removed from the list of national holidays. It is not just a holiday but an important cultural and spiritual heritage. Although it is officially not a holiday, families and communities continue to observe it. Government and public institutions function on this day but most staff take leave to be with their families.

*Submissions to be made by
Hon'ble Members from:*

1. *Mongar*
2. *Trashiyangtse*
3. *Trashigang*
4. *Lhuentse*
5. *Pemagatshel*
6. *Samdrupjongkhar*

Proposed Resolution

The National Council calls upon the government to reinstate *thru* as a National holiday.

*Motion to be moved by the
Hon'ble Member from
Samdrupjongkhar*

- O.** The people of some *dzongkhags* are concerned about the role of political party *tshogpas* in the *gewog* activities. In some *gewogs*, party *tshogpas* seem to be interfering in the implementation of the development activities thereby creating some confusion. At the center level as well, the appointment of 4 party workers in the Cabinet Secretariat appears to be unlawful while also violating the spirit of the Constitution to maintain an independent and apolitical civil service.
- Role of Party Workers in Governance**
- Submissions to be made by Hon'ble Members from:*
1. *Samtse*
 2. *Trashigang*
 3. *Karma Yezer Raydi*

Proposed Resolution

The National Council:

- i. declare that involvement of party co-ordinators or Members in local government institutions undermines the constitutional provision that local governments should be apolitical;
 - ii. call the attention of the Minister of Home & Cultural Affairs concerning the participation of party co-ordinators in GYT meetings without invitation from *Gup*; and
 - iii. seek judicial review on the appointment of party workers in the civil service in particular and the involvement of party workers in governance in general
- Motion to be moved by Hon'ble Member from Samtse*

Agenda for January 20, 2009
(Tuesday)

- P.** Growing youth un-employment has become a serious concern for the nation. Despite several initiatives taken by the government over the past years, the problem is only aggravating as evidenced by the fact that there is still large number of youth looking for jobs.
- Youth Un-employment**
- Submissions to be made by Hon'ble Members from:*
1. *Social and Cultural Affairs Committee*
 2. *Trashigang*
 3. *Lhuentse*
 4. *Trashiyangtse*

Proposed Resolution

The National Council calls upon the government to:

- i. urgently take proactive interventions to address youth unemployment problem; and
 - ii. review existing schemes and propose opportunities for self-employment in the form of small and micro enterprises by creating access to training and credit facilities.
- Motion to be moved by Chairperson of Social & Cultural Affairs Committee*

- Q.** Although existing rural credit scheme has benefited farmers, the interest rate is rather too high. In addition, the requirement for collaterals and documents authentication is viewed to be a disincentive for availing loan besides being cumbersome process.
- Rural & Agricultural Credit Schemes**
- Submissions to be made by Hon'ble Members from:*
1. *Trashigang*
 2. *Trongsa*
 3. *Zhemgang*
 4. *Thimphu*
 5. *Haa*

6. *Samdrupjongkhar*
7. *Lhuentse*

Proposed Resolution

The National Council calls upon:

- i. BDFC to consider the need for collaterals and review the document authentication process.
- ii. other financial institutions to examine possibilities of formulating policies and extending affordable credit schemes to support agriculture and other enterprises of farmers and rural communities.

*Motion to be moved by
Hon'ble Member from
Samdrupjongkhar*

Agenda for January 21, 2009

(Wednesday)

**R.
Farm Road
Issues**

The farm roads constructed over the years have benefited rural communities. However, part of the arrangement of farm road construction is that communities must maintain them. But most farm roads are washed away by landslides or blocked by falling boulders and mudslides every year. Labour obligation required to clear the roads and maintain them is very heavy, particularly, during rainy season when farm works are at their peak. Currently, approved budget of Nu. 1.3 m/km of farm road is inadequate to cover essential works like soling and drainage. It leads to fast deterioration of roads, and the road become unusable. Due to acute shortage of manpower, the village communities are unable to contribute labour for farm road maintenance.

*Submissions to be made by
Hon'ble Members from:*

1. *Trashigang*
2. *Pemagatshel*
3. *Thimphu*
4. *Chhukha*
5. *Lhuentse*
6. *Trashiyangtse*

Proposed Resolution

The National Council calls upon the Ministry of Agriculture:

- i. remove clauses in guidelines for farm roads and power tiller track development that require the community to operate and maintain the roads upon completion of constructions;
- ii. include 'stone pavement' as part of the engineering parameters under Section 6.1 of the **Guidelines for Farm Roads Development, Revision I (2003)** instead of 'road with ordinary earth surface';
- iii. include maintenance of farm roads and power tiller tracks as part of the work awarded on contract basis; and
- iv. provide daily wage for labour contribution as part of *Zhabto-lemi* or hand over farm road construction and maintenance to the Department of Roads.

*Motion to be moved by
Hon'ble Member from
Trashigang*

V. CONCLUSION OF THE SESSION

- i. Closing Address by the Chairperson
- ii. Trashi Moenlam