

PREAMBLE

Whereas, His Majesty the King had established Geog Yargay Tshogchhung in 1991 to promote local socio-economic development strategies and initiatives by empowering the people to make decisions on their plans and programmes, and by enabling them to adopt approaches and practices adapted to local needs;

Whereas, the Royal Government has decided that the 9th Five-Year Plan shall be geog based and that a wide range of powers, authority, functions and responsibilities shall be devolved to the people through the Geog Yargay Tshogchhung; and

Whereas, in pursuant to the profound visions and noble conceptions of reforms of His Majesty the King aimed at strengthening decentralization and devolution, the Chathrim of Geog Yargay Tshogchhung, 1992, is herewith revised to bring greater peace, happiness and prosperity in the Kingdom.

Therefore, be it resolved, that the 80th Session of the National Assembly of Bhutan enacts "Geog Yargay Tshogchhung Chathrim, 2002" on 13th day of the 6th month of Water Male Horse Year, corresponding to 22nd July, 2002.

ARTICLE 1. Title, Commencement and Amendment

1. *This Chathrim shall be called the "Geog Yargay Tshogchhung Chathrim, 2002", corresponding to the Water Male Horse Year.*
2. *The Chathrim shall come into force on the date of its ratification on 22nd July, 2002, corresponding to the 13th day of the 6th month of Water Male Horse Year, by the National Assembly, throughout the Kingdom.*
3. *This Chathrim shall supersede all earlier Chathrim, rules and regulations pertaining to Geog Yargay Tshogchhung.*

4. *Any provision of this Chathrim may be amended, whenever necessary, by the National Assembly of Bhutan.*

ARTICLE 1A. Title, Commencement, Amendment and Application

1. This Manual may be called the Manual for the implementation of 'Geog Yargay Tshogchung Chathrim, 2002', corresponding to the Wood Monkey Year 2004.
2. This Manual shall come into force on the date of its ratification on 5th August 2004, corresponding to the 20th Day of the 6th Month of Wood Monkey Year, by the Lhengye Zhungtshog.
3. Any provision of this Manual may be amended, whenever necessary, by the Lhengye Zhungtshog.
4. This Manual shall be applicable throughout the Kingdom of Bhutan.

ARTICLE 2. Definitions

1. *'Candidate' means any person who is standing for election or nomination;*
2. *'Chathrim' means the Chathrim of Geog Yargay Tshogchung, 2002;*
3. *'Chimi' means an elected member of the National Assembly of Bhutan representing his or her constituency;*
4. *'Dzongdag' means the chief executive of a dzongkhag or any official for the time being exercising the functions of the office of dzongdag;*
- 4A. The term 'chief executive' means the highest administrative authority in the dzongkhag.
5. *'Dzongkhag Administration' means the agency of the Royal Government headed by the dzongdag;*

- 5A. All officers and staff of the *dzongkhag* administration (DA) shall be under the administrative control of the *dzongdag*. All employees of the DA shall be responsible and accountable to the *dzongdag*.
6. *‘Dzongkhag Yargay Tshogdu’ means any Dzongkhag Yargay Tshogdu constituted under the provisions of the Dzongkhag Yargay Tshogdu Chathrim, 2002;*
- 6A. There shall not be more than one DYT established in each *dzongkhag*.
7. *‘Geog plan’ means a set of activities that are included in the national annual or five-year plan, and are managed and implemented by the Geog Yargay Tshogchhung;*
8. *‘Geog Yargay Tshogchhung’ means any Geog Yargay Tshogchhung constituted under this Chathrim;*
- 8A. There shall not be more than one GYT established in each *geog*.
9. *‘Gung’ means households registered in accordance with the household registration system;*
- 9A. Household registration system means the registration of households, as maintained by the department of civil registration and census, Ministry of Home and Cultural Affairs (MOHCA).
10. *‘Gup’ means the head of the geog elected as per the provisions of this Chathrim;*
11. *‘Geog clerk’ means the clerk of the geog and the Geog Yargay Tshogchhung, appointed by Geog Yargay Tshogchhung;*
12. *‘Local’ means the areas within the jurisdiction of the Geog Yargay Tshogchhung;*

- 12A. Areas means all constituencies under a GYT *tshogpa* in a *geog*.
13. *'Mangmi'* means an elected representative of the *geog*, who can be either a *mang ap* or a *mang aum*;
- 13A. There shall be one *'mangmi'* for every *geog*.
- 13B. *'Mangmi'*, as an elected representative of the *geog*, is a representative of all the villages in a *geog*. He or she is not elected as a representative of the village in which he or she resides. Therefore, the *mangmi* shall represent the interests of the entire *geog* as a member in the GYT.
14. *'Member'* means any elected person who has fulfilled the criteria of membership of *Geog Yargay Tshogchhung*;
- 14A. In accordance with Article 3 (1) of the GYT *Chathrim*, 2002, *gup*, *mangmi* and *tshogpa* shall be members of the GYT.
- 14B. A member shall continue to reside and live in the constituency from which a member has been elected from within the *geog* until his/her term of office is over.
15. *'Nangkhoet'* means works or responsibilities determined by village (s);
- 15A. Such works and responsibilities shall be determined in a village *zomdue* where all households are represented.
16. *'Observer'* means a *chimi*, or a sectoral staff who attends *Geog Yargay Tshogchhung* meeting to provide clarifications and information;
- 16A. An observer may intervene during the discussion as per the directives of the chairman if he or she deems it to be necessary given the relevance of the subject to the observer.

- 16 B. As the *chimi* or sectoral extension staff is not a member, he/she can participate only as an observer and does not have the right to vote. In all other respects, he/she is required to participate actively in all the deliberations, except which pertain to the National Assembly for which the *chimi* may provide clarifications/explanations.
17. *‘Registered resident’ means a person with citizenship identity card whose census record is maintained in a particular geog, and he or she has been living there for at least one year in the immediate past;*
- 17A. For the purpose of contesting an election as a candidate, the definition, as stated in Article 2 (17) of the GYT *Chathrim* shall be applicable. The candidate shall be a habitual resident in the constituency from which he/she is standing for election.
- 17B. For the purpose of casting a vote in an election, ‘registered resident’ means a person of 21 years of age and above with citizenship identity card whose census record is maintained in a particular *geog*, but who may or may not necessarily be a habitual resident in the *geog*.
- 17C. A person elected as a member of GYT shall continue to be a habitual resident in the *geog* until term of office is over.
18. *‘Royal Government’ means the Royal Government of Bhutan;*
- 18A. ‘Central Authorities’ mean the line Ministries, Departments and Autonomous Organizations.
19. *‘Tshogpa’ means a representative of a village, or a cluster of villages; and*
- 19A. There shall be one *tshogpa* for every village or a cluster of villages as per existing practice.

- 19B. In case a *tshogpa* is elected as a representative of a cluster of villages, he/she shall represent the interests of all the villages as a member of GYT and not only of the village in which the *tshogpa* resides.
20. *'Chupon' means a village messenger.*
21. *In case of conflicting interpretation of any provision of this Chathrim, the decision of the Court of Law shall be final and binding.*
22. *The original of the Chathrim shall be in Dzongkha which will prevail over its translations in other languages, if there are conflicting interpretations.*

ARTICLE 3. Composition, Terms of Office and Allowances of GYT Members

1. *Geog Yargay Tshogchhung* shall comprise of *gup*, *mangmi* and *tshogpa* as members.
- 1A. *Gup*, *mangmi* and *tshogpa* shall be members of the GYT for the duration of their term, respectively, as *gup*, *mangmi* and *tshogpa*.
2. *Chimi*, *geog clerk*, and *representatives of the various sectors in the geog* shall attend as observers. The *gup* may invite any other observer, as required.
- 2A. *Chimi* shall be an observer in the GYT for the duration of his or her term as *chimi*.
- 2B. *Geog clerk* shall cease to be observer in the GYT either from the day his term is over or from the day he is removed from office by the GYT.
- 2C. Observers invited by the *gup* shall be included on the basis of the agenda or as the occasion may demand.

- 2D. The chairman shall inform and introduce the observers so invited to the GYT.
- 2E. Such observers shall be treated differently from observers mentioned under Article 3 (2) of the GYT *Chathrim*, 2002. These guest observers shall be treated as guests. Such guest observers may be requested by the chairman to address the GYT.
- 2F. Under special circumstances, the *gup* may inform and introduce government officials and guests invited to a GYT meeting after the traditional opening ceremony.
- 3. *The term of office for the members of the Geog Yargay Tshogchhung shall be one year for tshogpa; three years each for mangmi and gup.*
 - 3A. *Tshogpa* may serve successive terms, if re-elected.
 - 3B. *Mangmi* may also serve successive terms, if re-elected.
 - 3C. *Gup* may also serve successive terms, if re-elected.
- 4. *The tenure of the gup shall be reckoned from the date of registration with the dzongkhag administration, which shall coincide with the date on which the gup receives a dar from the dzongdag.*
 - 4A. The tenure of *mangmi* shall be reckoned from the date of registration with the DA, following the declaration of election results.
 - 4B. The tenure of *tshogpa* shall be reckoned from the date of registration with the DA, following the declaration of election results.
- 5. *The gup, mangmi and geog clerk shall receive a monthly allowance of Nu. 6,000, Nu. 4,500 and Nu. 4,000 respectively, or as revised by the Royal Government from time to time.*

6. *All voting members and non-voting member and geog clerk shall receive Nu. 150 per day as sitting fees for Geog Yargay Tshogchhung sessions or as revised by the Royal Government from time to time.*
- 6A. Sitting fees shall be paid on the basis of attendance register maintained by the geog clerk and list of attendees in a GYT meeting verified and signed by the *gup*.

ARTICLE 4. Eligibility Criteria for GYT Members

A candidate for Geog Yargay Tshogchhung, including the gup, shall satisfy all of the following terms:

1. *A candidate shall be a Bhutanese citizen under the provisions of the Citizenship Act;*
- 1A. A candidate shall possess a valid citizenship identity card issued by the department of census and civil registration, MOHCA.
2. *A candidate shall not have served a prison sentence both inside and outside the Kingdom;*
- 2A. A candidate shall be eligible to contest in an election even if he or she has been under detention, but not convicted by a court of law.
- 2B. A candidate who has been convicted by a court of law but has not served sentence for any reason shall be ineligible to contest in an election.
3. *A candidate shall not have committed a criminal offence;*
- 3A. Criminal offences shall mean those offences categorized as criminal offences under The Bhutan Penal Code, 2004.

4. *A candidate shall not have been dismissed, on dishonorable grounds such as corruption and misuse of position, from his or her previous employment in either government or private organizations;*
- 4A. A candidate shall be ineligible to contest in an election if he or she has been proved to be in violation of Article 4 (4) of the GYT *Chathrim*, 2002, even if the candidate has held any elected or public post prior to his or her nomination.
5. *A candidate shall be of sound mental health and physically able to effectively perform his or her duties with honesty and dedication;*
- 5A. A candidate shall submit a medical certificate, certifying him or her to be mentally sound and physically able to perform his or her duties, from the district medical officer or a doctor from a government hospital.
6. *A candidate shall be a registered resident of the geog, who are 25 years of age and above;*
- 6A. A person who is standing for election as a GYT member must fulfill the residency requirement as specified under Article 2 (17) of the GYT *Chathrim*, 2002, and be a habitual resident in the constituency, as stated under Article 2, Section 17 A of this manual.
- 6B. The one year residency requirement for a candidate is to ensure that an elected member is a person residing in the *geog*, since a person residing in a *geog* understands local needs and problems better than a person who does not reside in a *geog*, even though he or she may be registered in a *geog*.
- 6C. If a candidate is elected as a GYT member, he or she shall continue to be a habitual resident in the constituency from which a candidate has contested from within the *geog*, until term of office is over.
7. *A candidate shall be functionally literate, with skills adequate to discharge his or her duties;*

- 7A. In this regard, efforts shall be made to ensure that candidates have reasonable academic qualification.
- 7B. Academic qualification means primary, secondary, higher and non-formal education as well as education from *shedras*, *gomdeys*, *rabdeys*, *rigzhungs* etc. thereby the person having at least a knowledge of numerical, reading and writing.
- 8. *A candidate who is not married to a foreign national; and*
- 8A. This provision shall not pertain to candidates with naturalized spouses.
- 9. *A candidate who respects and follows the Driglam Choesum of Pelden Drukpa.*

ARTICLE 5. Procedures for Election of GYT Members

The procedures for electing the members of the Geog Yargay Tshogchhung shall be as per the provisions of an Election Act. However, until the Election Act is passed by the National Assembly of Bhutan, the members of the Geog Yargay Tshogchhung shall be elected in accordance with the following procedures:

- 1. *The candidates shall not solicit votes through bribery, threat or any other unscrupulous means;*
- 2. *All members of the Geog Yargay Tshogchhung shall be elected through secret ballots;*
- 3. *All the registered residents of a geog/village, who are 21 years of age and above, with citizenship identity card, shall be eligible to vote;*
- 4. *Each eligible registered resident gathered during the time of voting shall cast one vote;*
- 5. *Ballot boxes shall be opened and votes counted in the presence of at least half of those who have participated in the voting;*

6. *In case of more than one candidates, the candidate securing the highest number of votes shall be declared as elected;*
7. *In the case of candidates securing equal number of votes, a second round of voting shall be carried out amongst the tied candidates. If, however, the candidates with the highest number of votes still remain tied even after the second round, then, the candidate shall be elected by drawing of lots amongst such tied candidates;*
8. *In case there is only one candidate, secret ballot shall be held on basis of 'yes' and 'no'. The candidate shall be declared elected only if he or she secures 'yes' votes of more than fifty percent of the votes casted. Otherwise, the geog shall nominate another candidate or candidates and repeat the voting procedures.*
9. *For the election of gup, there shall be a minimum of two officers appointed by the dzongkhag administration, whose functions shall be to:*
 - (a) *verify that eligibility requirements are met by all candidates before they fill nomination forms;*
 - (b) *prepare polling place and ballots and conduct the election process in a fair manner; and*
 - (c) *countersign the form for the declaration of election results, signed by the Geog Yargay Tshogchhung members.*
10. *Any registered resident of a geog may send a written complaint concerning the alleged irregularity in the election of any GYT member to the dzongkhag administration, within a period of 10 days, after the declaration of the election results. The dzongkhag administration shall carry out an inquiry into the allegation. If the allegation is found true, the candidate shall be disqualified and re-elections shall be conducted. The disqualified candidate shall be barred from contesting in future elections for a period of ten years. Further, any person involved in bribery or similar unlawful acts shall be prosecuted at the Court of Law.*

- 10A. If an allegation is leveled against a person by another person or persons, the former can file a case in a court of law and if such allegation is proved to be false, the person or persons making the allegation shall be barred from contesting in future elections for a period of ten years.
- 10B. In addition, the person who has made a false allegation may be taken to court by the other person concerned.
- 10C. A *Dzongkhag* Election Committee [DEC] shall be formed in the *dzongkhag*.
- 10D. This Committee will cease to function once the office of Election Commission is established.
- 10E. A *Dzongkhag* Election Committee shall comprise of the *dzongdag* as chairman, *dzongrab/dzongkhag* administrative officer as member secretary; and as may be required other *dzongkhag* sector heads, officials and staff as members.
- 10F. The functions of the DEC shall be as follows:
- Brief the electorate on the Chathrim
 - Appoint Election Officers
 - Prepare voter lists
 - Identify polling centres
 - Fix election dates for various polling centres and public notification thereof
 - Prepare election budget
 - Arrange ballot boxes, ballot papers and nomination documents of candidates
 - Scrutinize and accept nomination papers
 - Arrange security arrangement for polling centres by the Royal Bhutan Police
 - Conduct Elections
 - Declare Election Results

- Conduct inquiry into election related disputes /complaints, if any
 - Set the standard for size of photographs of candidates
- 10G. Election of *Gup*, *Mangmi* and GYT *Tshogpa* shall be completed within one month from the beginning of election in the *geog*.
- 10H. The registration of voters shall be as per census record.
- 10I. Each candidate shall bring 3 copies of photographs of A4 size. The photographs of candidates shall be displayed on the ballot boxes, which shall be arranged in alphabetical order in base *dzongkha* alphabet, left to right, taking alphabet from the first name. Where candidates have the same first names, the alphabet of the second name shall be used.
- 10J. All eligible voters shall produce citizenship identity cards, in original, at the time of voting. No other forms of identification shall be accepted.
- 10K. The nomination of candidates by *chiogs* and filing of candidature shall take place at least two weeks before the election date as fixed by the *dzongkhag* election committee.
- 10L. Ballot papers shall contain seal and signature of the chairperson of DEC.
- 10M. The finger of every voter shall be marked with indelible ink just before casting of votes.
- 10N. Casting of votes, opening of ballot boxes, counting of ballots and declaration of results shall be done as per Article 5 of the GYT *Chathrim*, 2002.

ARTICLE 6. Relieving of GYT Members

A member of Geog Yargay Tshogchhung, including the gup, may be relieved of his or her post by Geog Yargay Tshogchhung with two-thirds majority of all members under any of the following circumstances:

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1. *A member has lost the trust and confidence of the people, with demonstrable evidence;*
2. *A member is found to be incompetent and negligent in the duties entrusted to him or her; and*
3. *A member is found to have engaged in an act that is harmful and detrimental to the peace and harmony of the community or of the Kingdom.*

The members in question shall not participate in the meeting and in case it is the gup, the mangmi shall chair the meeting.

- 6A. The member against whom the motion is moved shall not be eligible to cast a vote.
- 6B. At the end of a GYT meeting, a member may introduce a motion to relieve a member from the GYT with justifications based on any of the sections under Article 6.
- 6C. Another member shall second the motion.
- 6D. The chairman shall direct the member against whom the motion has been moved to leave the meeting.
- 6E. If the motion is against the chairman, the chairman shall leave the meeting and the *mangmi* shall chair the meeting.
- 6F. All members shall vote for or against the motion through casting of 'Yes" or 'No' votes through secret ballot.
- 6G. If two thirds majority of members vote for the motion, then the member in question shall be deemed relieved from the GYT.
- 6H. The *geog* clerk shall record the decision in the minutes of the GYT meeting.

- 6I. Within one week of the meeting, the chairman shall inform the *dzongdag* of the decision in writing, quoting the specific session and date of the GYT meeting.

ARTICLE 7. *Geog Yargay Tshogchung Meeting Procedures*

1. *Geog Yargay Tshogchung meetings shall be convened, at least once every three months and shall be chaired by the gup.*
- 1A Under extenuating circumstances, the *gup* may re-schedule a meeting in which case the *gup* shall provide valid reasons.
- 1B. It shall be the responsibility of the chairman of the GYT to ensure that quarterly meetings of the GYT are held.
- 1C. The responsibility for proposing the date along with a draft agenda for a DYT meeting shall rest with the *gup*, in keeping with his work schedule and other responsibilities.
- 1D. The draft agenda shall be drafted by the *gup* which will later include incorporating proposals received from GYT *tshogpas*.
- 1E. Upon the date having been agreed between the *gup* and the GYT *tshogpas*, the *gup* shall ensure that the GYT clerk issues necessary notification, along with the draft agenda to all the members of the GYT as well as to *geog* sector extension staff concerned.
- 1F. The notification shall also invite additional proposals from *chiog* through GYT *tshogpa* and from *geog* sector extension staff concerned.
- 1G. There shall be normally a minimum of one week of notification after the second draft is circulated.
2. *The gup may convene, if required, additional meetings.*

- 2A(i). The *gup* may decide on the convening of the additional GYT meetings at the end of a GYT meeting on the request of a member or the chair by simple majority of the members present.
- 2A(ii). The purpose and date of the additional meeting shall be agreed in the same meeting.
- 2B. Additional meetings may also be convened by the *gup* as may be requested by the DA.
3. *In the absence of the gup, the mangmi shall chair the meeting.*
- 3A. All provisions relating to the *gup* as GYT chairman shall be applicable to meetings chaired by *mangmi*.
4. *There shall be a fixed agenda for every meeting.*
- 4A. The agenda shall be prepared by the *gup* upon receiving proposals from *chiog* through GYT *tshogpa* as well as from *dzongkhag* sector extension staff, incorporating proposals from the DA.
- 4B. The agenda for adoption shall be the second draft agenda and shall be the first item to be adopted by the house.
5. *At least two-thirds of all the members must be present at a meeting to form the quorum and pass any decision.*
- 5A. Any member failing to attend a GYT meeting shall submit, in writing, valid reasons to the *geog* clerk one week in advance who shall duly inform the *gup*. Failure to do so shall only be condoned on grounds of radical and extenuating circumstances.
- 5B. Any member who fails to attend two consecutive GYT meetings is liable to be relieved of membership in the GYT. However, such a matter will have to be decided in a GYT meeting by two thirds majority, in which case the said person will lose his/her post by virtue of which he/she has become a member of the GYT. Absence at three or more consecutive meetings will automatically result in termination of membership in the GYT and post in the constituency.

6. *The GYT meeting shall commence with traditional opening ceremony.*
- 6A. There shall be a budget of Nu. 5,000 per meeting to meet expenses.
7. *Decisions of the meeting shall be made either by consensus or by a simple majority of those present in a meeting.*
- 7A. Consensus means all members must be in agreement or the dissenting members, if any, having withdraw their objection.
- 7B. Simple majority means maximum number of votes cast in favor of or against a motion.
8. *The geog clerk shall record the minutes of meeting and distribute them to all the members.*
- 8A. The minutes of the meeting shall be distributed by the geog clerk, no later than one week after a GYT meeting.
- 8B. Amendments must be proposed, in writing, as early as possible in order to enable the DA and geog extension staff to begin implementation or execute decisions.
9. *The agenda and the record of the meetings shall be maintained in national language. The minutes of a meeting shall be adopted upon confirmation by the members present in a meeting and subsequently signed by the chairman.*
- 9A. Minutes of the previous meeting shall form item 2 of the agenda in the next meeting and shall be adopted.
10. *No member of a Geog Yargay Tshogchhung shall be arrested or prosecuted while Geog Yargay Tshogchhung is in session.*
- 10A. This does not exempt a member and an observer from non-compliance to decorum and in-disciplined behavior.

- 10B. Decorum and discipline of GYT members and observers shall be maintained by the GYT chairman, by ensuring that the code of conduct for GYT meetings are observed by all members and observers.
- 10C. The code of conduct shall pertain to language, personal allegations and physical assault or violence during a meeting.
- 10D. In the event any code is violated, the GYT chairman shall have the right to dismiss members and observers from that meeting.
- 11. *Members shall enjoy equal freedom of speech in the GYT meeting.*
- 11A. Notwithstanding Article 7 (11) of the GYT Chathrim, 2002, the provisions pertaining to code of conduct under Article 7, Section 10A, 10B, 10C and 10D of this manual shall be applicable.
- 11B. Members and observers shall enjoy immunity for discussions in a meeting. This, however, excludes the violation of the code of conduct and other national Laws.

ARTICLE 8. *Regulatory Powers of Geog Yargay Tshogchhung*

The following are the areas of powers and functions of Geog Yargay Tshogchhung on which it can adopt and enforce regulations applicable within a geog:

- 8A. The GYT is not a legislative body.
- 8B. All rules and regulations made by the GYT shall be faithfully implemented by the *gup's* office.
- 8C. All rules and regulations must be in full conformity with national laws and rules and regulations. These rules and regulations cannot be lesser in terms of stipulations but can be more strict and stringent.

The spirit and intent must be consistent and supportive of or strengthen national laws.

- 8D1. *Tshogpas* and *mangmi* shall report to the *gup* on violations of rules and regulations and need for remedial/corrective actions.
- 8D2. The *gup*'s office shall take immediate action on such reports. Where action to be taken is beyond its capacity, the *gup*'s office shall report the matter to the DA requesting action/support.
- 8E. Working committee of a temporary nature may be formed by the GYT to study and recommend rules and regulations. Unless otherwise specified, under specific acts or sector guidelines, the following procedures shall be followed.
- 8F. A draft of the regulations approved by the GYT, in exercise of powers under Article 8, shall be submitted to the *dzongdag*.
- 8G. The *dzongdag* shall then direct the *dzongkhag* sector concerned to consult the respective sector ministry to ensure that such regulations are consistent with national laws.
- 8H. If the sector concerned is not represented in the DA, the *dzongdag* shall give the draft rules and regulations to either the *dzongkhag* administration officer or the *dzongkhag* planning officer to follow up with the sector ministry concerned.
- 8I. The *dzongdag* shall communicate the response received from the sector ministry concerned to the *gup* who shall further apprise GYT members in the next GYT session following receipt of response from the *dzongdag*.
- 1. *safe disposal of waste;*
- 1A(i) The GYT may designate specific areas in the villages for safe disposal of waste.
- 1A(ii) Standards and practices against littering shall be promulgated by the GYT.

1A(iii) The GYT shall impose penalties for littering.

1B. GYT members may suggest recommendations which shall be forwarded to the DA for action in accordance with Article 8, Section 8E to Section 8I of this manual.

1C. In addition to strict enforcement of the national law on plastics, the GYT shall take regulatory and implement appropriate measures to encourage people from using disposable articles and objects such as plastic products with a view to minimize waste.

1D. The GYT shall educate people on such matters as what constitutes hazardous waste, bio-degradable and non bio-degradable and their implications on health and the environment of the community.

2. *control and prevention of pollution of air, soil and water;*

2A. The standards in the rules and regulations shall be more strict but not lesser than national standards.

2B. The rules and regulations must receive the technical advice and approval of the NEC.

3. *sanitation standards;*

3A. The GYT shall ensure that sanitation facilities and standards are given highest importance at all times.

3B. This shall also include disposal of waste, hygiene standards in villages, cleanliness and proper drainage in accordance with prevailing national guidelines and acts.

4. *control of communicable livestock diseases within the geog in accordance with the Livestock Act, 2001;*

4A. The GYT shall ensure that national laws pertaining to livestock are strictly adhered to within the *geog*.

- 4B. The GYT shall require the DA to submit proposals for measures to prevent the arrival and spreading of communicable crop and livestock diseases within the *geog*. Such measures may have financial implications, which are beyond the immediate capacity of DA and require approval of GYT/DYT before submission to central authorities.
- 4C. The GYT shall ensure that DA and *gup/mangmi* and *tshogpa* concerned implements, expeditiously and effectively, the measures approved by GYT; and that it lifts the ban just as expeditiously upon removal of dangers.
- 4D. The GYT shall require DA / *geog* extension staff concerned to submit post-epidemic report.
- 5. *allocation of safe and clean drinking water from water supply schemes;*
- 5A. The GYT shall ensure that allocation of safe and clean drinking water is given highest importance at all times.
- 5B. The GYT shall ensure that allocation of safe and clean drinking water is done equitably.
- 5C. The GYT shall ensure that provisions and standards under the rural water supply schemes are strictly adhered to.
- 5D. The GYT shall ensure the protection of water sources and catchment areas of water supply schemes, in accordance with the Forest and Nature Conservation Act 1995.
- 5E. The GYT shall ensure the maintenance of rural water supply schemes by the respective beneficiaries.
- 6. *allocation of irrigation water, in accordance with the provisions of the Land Act, 1979;*
- 6A. GYT members may submit suggestions pertaining to allocation of irrigation water to the *dzongkhag* administration for further action.

- 6B. The GYT shall ensure the protection of water sources and catchment areas of irrigation water, in accordance with the Forest and Nature Conservation Act 1995.
- 7. *standard of architectural designs of houses, within the broad framework of set national codes;*
- 7A. The GYT shall seek technical advice and guidance of the DA.
- 7B. The GYT shall ensure that housing constructions, residential or commercial, are in strict adherence to traditional architecture.
- 7C. The GYT shall disseminate information and literature concerning national standards for architecture.
- 7D. The GYT shall pass rules and regulations requiring all constructions to conform to traditional norms and standards.
- 7E. The GYT shall ensure that structures that do not conform to norms and standards are altered to incorporate traditional features or dismantled.
- 7F. The GYT shall promote local consciousness and public commitment to not only to implement such rules, but also to collectively enforce others to do so. It shall also mobilize community action to ensure compliance.
- 8. *protecting and harvesting of edible forest products in the local area in accordance with the Forest and Nature Conservation Act, 1995;*
- 8 A. The GYT shall submit specific recommendations to the DA which shall obtain approval from central authorities upon which the *gup's* office shall take appropriate action under the advice of DA.
- 9. *setting up of local handicraft enterprises within the geog;*
- 9A. GYT members shall submit recommendations to the DA for setting up of local handicrafts enterprises within the *geog* for further action.

10. *setting up of co-operatives, within the scope of the Co-operatives Act, 2001, with members within a geog;*
- 10A. The GYT shall encourage the setting up of cooperatives both at geog and community levels in accordance with Cooperatives Act, 2001, including sector and registration guidelines issued, respectively, by the sector concerned and MOHCA.
11. *depredation of crops by livestock and wildlife, in accordance with the provisions of the Forest and Nature Conservation Act, 1995;*
- 11A. The GYT shall submit periodic reports to the DA, which shall direct the sector concerned to take appropriate action failing which the matter may be discussed in the DYT.
- 11B. The GYT shall submit recommendations to the DA and shall be guided by the advice of sector extension or dzongkhag staff concerned in the process of preparation of recommendations.
12. *exemption of gung from nangkhoet beneficiary contributions, in cash, in kind or in labour; and*
- 12A. A list of gung exempted from nangkhoet beneficiary contributions shall be submitted to the DA by the gup quoting the specific session of GYT meeting where such exemption was granted by the GYT.
13. *creation and designation of local recreational areas around villages.*
- 13A. The GYT must promote healthy social and recreational life in villages. The GYT must also promote establishment of recreational facilities and may require villages or cluster of homes to identify and mutually agree on the use of the identified places to be used for such purposes. Unless funds are available from a central government agency as part of its programs, there shall be no cost implication to the government otherwise.
- 13B. The procedure, as stated above under Article 8, Section 8E to Section 8I of this manual shall be followed.

ARTICLE 9. Administrative Powers and Functions of GYT

The following are the administrative powers and functions of Geog Yargay Tshogchhung:

1. *identification, prioritization and formulation of activities for the geog plan, for which the technical backstopping and advisory services must be provided by the sector staff of the dzongkhag administration;*
- 1A(i) Prioritization of development activities means prioritization during the preparation of the five year plan as well as during the course of implementation of the five year plan.
- 1A(ii) It includes activities already contained in the geog five year plan as well as activities not contained in the geog five year plan.
- 1B. GYT members as well as the DA may propose prioritization of development activities contained in the geog plan in a GYT meeting.
- 1C. The GYT shall study and review the need for prioritization based on the reasons submitted for prioritization of development activities in the geog development plan.
- 1C(i) For non-plan activities of the geog FYP, approval of the department of planning (DOP) must be sought for incorporation. The request for incorporation of such activities in the five year plan of the geog, as endorsed by the GYT and DYT, shall be submitted to the department of planning by the DA along with a copy to the sector ministry concerned and MOHCA.
- 1C(ii) DOP shall notify the DA concerned of its decision along with a copy each to the sector ministry concerned and MOHCA.
- 1D (i) The prioritization of development activities contained in the approved geog plan for the five year plan, as proposed by the GYT, shall be effective for implementation only after approval of the DYT. The DA shall accordingly inform the DOP, sector ministry concerned and MOHCA.

- 1D(ii) If the prioritization of development activities by the GYT includes activities not contained in the five year plan of the *geog*, such shall be effective for implementation only after endorsement of the DYT and approval of the DOP for incorporation in the five year plan of the *geog*.

For Five Year Plans

- 1E. Within one week of receiving planning guidelines from the DOP, the DA shall notify the *gup* to hold a GYT meeting to discuss and begin the preparation of plans. The DA shall also carry out directives, as contained in the guidelines.

The *gup* shall be required to submit the *geog* plan to the DA within the specified time in the notification.

- 1F. Within three weeks of receiving the notification, the *gup* shall organize a GYT meeting where the guidelines are clarified and explained by the concerned *dzongkhag* staff. Each GYT *tshogpa* shall be directed to hold a meeting in the *chiog* for submission of proposals to the GYT. The GYT *tshogpa* shall be given one month to discuss, finalize and submit proposals from the *chiog* to the GYT. The date of the next GYT meeting to finalize and approve the *geog* plan shall also be decided in the GYT meeting.
- 1G. A GYT meeting shall be held to deliberate on the proposals from the *chiog*. During the GYT meeting, the *chiog* proposals shall be discussed, prioritized and finalized as the *geog* plan for submission to the DYT through the DA.
- 1H. Within three weeks of receiving the *geog* plans, a DYT meeting shall be convened for which the DA shall compile and submit the *geog* plans for the DYT to finalize for onward submission to the DOP by the DA.
- 1I. The *dzongkhag* plan, incorporating all proposals from the sectors, *geogs* if applicable and including inter-*geog* activities shall also be submitted to the DYT to prioritize and finalize.

- 1J. After finalization by the DYT, the DA shall submit the *geog* plans along with the *dzongkhag* plan to the DOP and other ministries concerned.
- 1K. The DYT shall conduct review and revision of its proposals if and when directives to do so are received from the DOP.
- 1L. On receipt of the approved plans from the DOP, the DA shall distribute the plans accordingly to all concerned for information or implementation as may be applicable.

For Annual Plan and Budget Request

- 1M. Within one week of receiving annual plan and budget guidelines (to be prepared jointly by the DOP and DBA) from the Department of Budget and Accounts, MoF, the DA shall notify the *Gup* to hold a GYT meeting to discuss and begin preparation of annual plan and budget. The DA shall also carry out the directives as contained in the guidelines. The *Gup* shall be required to submit the *geog* annual plan and budget to the DA within the specified time.
- 1N. Within three weeks of receiving the notification, the *Gup* shall organize the GYT meeting where the guidelines are clarified and explained by the concerned Dzongkhag staff. Each GYT Tshogpas shall be directed to hold a meeting in the *Chiwog* for submission of proposals to the GYT. The GYT Tshogpas shall be given one month to discuss, finalize and submit proposal from the *Chiwog* to the GYT. The date of the next GYT meeting to finalize and approve the *geog* plan and budget shall be decided in the GYT meeting.
- 1O. A GYT meeting shall be held to deliberate on the proposals from the *Chiwogs*. During the GYT Meeting, the *Chiwog* proposals shall be discussed, prioritized and finalized as the *geog* plan and budget for submission to the DYT through the DA.
- 1P. After finalization by the DYT, the annual budget request shall be submitted to the department of budget and accounts (DBA), MOF for necessary action at the central level, including presentation of the annual budget to the National Assembly. The DBA, MOF will approve and release the annual budget upon

having received approval of the National Assembly during the annual budget presentation.

- 1Q. Technical advisory and support for the preparation of five year and the annual budget request shall be the responsibility of the DA.
2. *administration, monitoring and review of all activities that are part of the geog's plans, including the maintenance of community properties such as lhakhangs, goendeys and their nangtens, chheoten, mani dangrem, water supply schemes, irrigation channels, footpaths, mule tracks, farm and feeder roads, suspension and cantilever bridges, micro-hydels, Basic Health Units and outreach clinics, lower secondary school and community schools, and extension centres of the Renewal Natural Resources sectors;*
- 2A. Since all activities in the *geog* are approved by GYT and as all responsibility for development of *geog* ultimately rests with the GYT, it must keep itself abreast of plan progress. This shall be ensured through the following means:
 - 2 A(i) Upon receiving the budget from the center, the *gup's* office shall begin immediate implementation while the DYT shall be informed of releases made. The DA shall facilitate the immediate implementation against the released budget.
 - 2A(ii) With support from the *geog* extension staff, quarterly plan progress report shall be submitted by the GYT to the DYT and DA;
 - 2A(iii) During these quarterly reports, GYT shall hear the views/opinions of the representatives of the respective villages on the accuracy of reports and if applicable question the *geog* extension staff where such targets have not been achieved. Likewise, this will also be an opportunity where the DA/ *geog* extension staff will hold responsible the GYT members concerned for their failure in fulfilling their responsibilities associated with implementing *geog* specific plan activities.

- 2B. In addition, each *tshogpa* shall report on the progress of implementation of development activities in a GYT meeting and submit clarifications as may be required.
- 2C. The *geog* extension staff shall also report on the progress of implementation of development activities and submit clarifications as may be required.
- 2D. GYT members may also participate in monitoring and evaluation teams, as may be arranged by respective sector ministries or sectors of the DA, where applicable and relevant. However, such participation will be on a voluntary basis.
- 3. *discuss and submit three monthly progress reports to the dzongkhag administration on sectors listed in paragraph 2 above, including on financial and administration matters, performances of civil servants etc.*
- 3A. Regarding the L/C account / releases, this shall be done on the basis of the monthly accounts.
- 3B. Regarding the current account, this shall be done on the basis of the half-yearly reports required for expenditures to be met from rural taxes and other locally mobilized resources under 'System for Implementation of Activities' of the Financial Rules and Regulations 2002, Changes Applicable to Geog Executed Activities; and as stated under Article 10, Section 5A, 5B, 5C, 6A, 6B, 6C and Section 8A, 8B and 8C of this manual, when and where applicable.
- 3C. The *gup* shall submit quarterly reports in the prescribed format which shall include physical achievements of the plan to the DA.
- 4. *submission of motions arising from villages for consideration of Dzongkhag Yargay Tshogdu and the National Assembly;*
- 4A. After receiving notification of the National Assembly through the DA, the *gup*, in consultation with *chimi* shall notify all *tshogpas* to hold meetings in their respective

constituencies for submission of points for the consideration of the GYT. The date, time and venue of the GYT meeting shall be expressly notified by the gup.

- 4B. The *gup* and *chimi* shall then submit the points in writing along with the list of participants and their signatures/thumb impressions, to the office of the GYT. A GYT meeting shall be conducted to compile and improve the points submitted by the people. The *chimi* shall provide clarification and explanation during the GYT meeting.
- 4C. During the GYT meeting, geog extension staff and other civil servants in attendance as observers, including guests shall provide clarification, explanation and suggestions. However, they shall not participate in the deliberations when the time comes for the GYT to approve the final list of points from the *geog* for submission to the DYT.
- 4D. The points submitted by the people and approved by the GYT shall be submitted by the *gup* to the office of the DYT after obtaining the signatures of the chairman of GYT and the *mangmi*.
- 5. *approval for hiring and mobilization of labour for the upkeep of communal facilities;*
- 5A. Communal facilities means community infrastructure such as outreach clinics, primary and community schools, non-formal education centers, community managed micro-hydels, *geog* centers etc. and any other infrastructure that is communally owned or managed.
- 5A(i) In addition to existing practice, the GYT may decide to carry out the upkeep of communal facilities, as listed above in Section 5A, on contract basis.
- 5A(ii) The GYT, however, shall ensure that additional funds over and above what is made available by the government for the upkeep of communal facilities are not requested.

- 5A(iii) Where the GYT decides to carry out upkeep of such communal facilities on contract basis, it shall ensure that funds made available by the government are supplemented by local contribution in place of *shapto-lemi*.
- 5B(i) The GYT shall approve hiring of labour based on submission of request by *gup* or GYT *tshogpa*, the payment of which, partial or full, may be used from funds in the *geog*'s current account as may be relevant.
- 5B(ii) However, payments may be made only for labour used for maintenance of development infrastructure in accordance with provision stated above under Article 9, Section 5A.
- 5B(iii) A full quorum of GYT shall be required to approve such payments from the *geog*'s current account. A member who is unable to attend a meeting where a decision concerning such payments are to be made shall sent his or her decision in writing, which shall be read out in the meeting by the *geog* clerk at the time when such a decision is to be made.
- 5C(i). The GYT shall approve mobilization of labour for *shapto-lemi* in accordance with *shapto-lemi chathrim*.
- 5C(ii) The GYT shall approve mobilization of labour for other activities by two thirds of members in a meeting with full GYT quorum.
6. *approval of the appointment of geog clerk;*
- 6A. The *geog* clerk shall have a minimum academic qualification of class X.
- 6B. Candidates for the post of *geog* clerk may be from other *geog*.
- 6C. In addition, other criteria set by the GYT shall be strictly followed in the selection process for the appointment of the *geog* clerk.
- 6D. The *geog* clerk may be relieved from office if two thirds of members so decide in a GYT meeting.

7. *conservation and protection of water sources, lakes, springs, streams, and rivers;*
 - 7A. The GYT shall approve all activities related to the above, including those for which funds are not sought from the government budget.
 - 7B. The GYT shall also act in accordance with Article 8, Section 5A, 5B, 5C, 5D and 5E, 6A and 6B of this manual.
8. *custody and care of communal lands, community forests, including sokshing and nyekhor tsamdo, medicinal herbs and accordingly prevention of illegal house construction and all other types of encroachments in such community lands as well as on Government land and forests;*
 - 8A. The *gup* shall prepare and submit periodic reports to the DYT and *dzongkhag* administration which shall include problems, violations, remedial measures taken and recommendations.
9. *prevention of construction of structures, whether on national, communal or private lands, within 50 feet of highways falling in local area;*
 - 9A. The GYT must monitor adherence to national policies and ensure that such provisions are not violated within its jurisdiction.
 - 9B. Where the GYT is unable to enforce effectively the above through the office of the *gup*, the matter shall be referred to the DA which shall render necessary support.
10. *protection and preservation of ney, nyekhang of yulha and zhidag, which are not part of custody of a monastic body or central agencies;*
 - 10A. The GYT shall require the office of the *gup* to submit an inventory of all *ney*, *nyekhang* of *yulha* and *zhidag* as well as report on traditions and practices associated with respect to each of these sacred places and deities.
 - 10B. The GYT shall direct the office of the *gup* to ensure that sacred places and traditions continue to be preserved and respected.

11. *management of community shedra, drubdey, gomdey, tshechu, kuchhoe bumdey, and other community rites and festivities;*

11A. The GYT shall submit and maintain inventory and status reports on such institutions and submit annual report on these religious institutions.

11B. The GYT shall require respective *tshogpas* to monitor and submit reports to GYT through the *gup*.

11C. The GYT shall take measures to ensure that those institutions and practices, which do not fall under central or monastic control and receive funds therefrom, shall be attended to and the practices continued without relying on funds from the government.

12. *preservation and promotion of driglam choesum;*

12A. The DA shall support the GYT in ensuring that *driglam choesum* is observed in the *geog* and that the code of conduct is observed during GYT meetings.

13. *organization of relief measures during natural disasters and emergencies;*

13A. GYT shall strictly follow and act in accordance with the directives received from the center or *dzongkhag* administration.

14. *promotion of co-operatives and community initiated and managed activities in the geog;*

14A. GYT shall encourage the promotion of cooperatives both at *geog* and community levels.

15. *award of contract works; and*

15A. For expenditures to be met from rural taxes and other locally mobilized resources, the GYT shall take the decision for award of contract works and also issue the contract work or work order. However, a copy of both shall be submitted to the *dzongkhag* administration for information and record.

- 15B. For expenditures to be met from centrally allocated funds for five year plans, *geog* tender committee shall recommend the award of contract works while the GYT shall approve the award of contract works. The *dzongkhag* administration shall issue award of contract work or work order based on the recommendation of the *geog* tender committee and the approval of the GYT.
16. *appointment of geog tender committee and other committees required for discharging functions of Geog Yargay Tshogchung.*
- 16A. Three GYT members shall be identified and nominated in a GYT meeting to serve as members on the *geog* tender committee along with other members specified under the Financial Rules and Regulations 2002 – Changes Applicable to Geog Executed Activities of the GYT *Chathrim*, 2002.
- 16B. Based on the GYT's decision, the *gup* shall issue an appointment order for the three GYT members nominated to the tender committee.

ARTICLE 10. Financial Powers of Geog Yargay Tshogchung

Geog Yargay Tshogchung shall be vested with adequate budgetary and financial powers to enable it to effectively carry out its roles and responsibilities under this Chathrim, particularly the following:

1. *approval of the geog's annual budget;*
- 1A. The GYT shall request/propose the *geog's* annual budget before submission to the DYT for endorsement following which the *dzongkhag* administration shall forward it to the department of budget and accounts.
2. *accordance of approval by GYT for works or activities costing above Nu. 50,000;*
- 2A. The GYT shall not accord approval of such works before budget confirmation is received from the department of budget and accounts.

- 2B. Such works shall be approved by two thirds of members in a meeting where all members are present. If a member is unable to attend, he or she may send his or her position in writing, which shall be read out by the *geog* clerk at the appropriate time.
- 2C. GYT decisions pertaining to such approvals shall be recorded accurately in the minutes of the meeting.
- 3. *accordance of other financial approvals as required under regulations;*
- 3A. The *dzongkhag* finance section (until such time *geog* has competent finance personnel) shall prepare and submit the necessary proposals for accordance of other financial approvals by the GYT as required under regulations.
- 4. *re-appropriation of geog plan budget, as provided in regulation;*
- 4A. GYT proposals for re-appropriation shall be governed by existing rules and regulations. Re-appropriation shall only be made for activities that are included in the *geog* plan budget.
- 4B. GYT proposals for re-appropriation shall be effective after endorsement of DYT and upon receiving approval of DBA, MOF.
- 4C. All re-appropriation proposals shall be proposed for onward submission to the DYT and DBA, MOF after thorough deliberation based on justifications / explanations submitted.
- 4D. *Geog* plan budget means budget of trans-village activities and development activities within the *geog*, which do not pertain to the *dzongkhag* plan or budget.
- 5. *approval of the plan for maintenance of development infrastructures to be met from the retained rural taxes;*

- 5A. The *gup* shall submit the plan which shall contain the activities for which such funds are to be used, along with a work plan that also assigns specific responsibilities to specific individuals and the mode of implementing the activities.
- 5B. The *gup* shall submit periodic reports to the GYT and DYT, including the *dzongkhag* administration on the status of progress of work as well as the status of funds approved by the GYT for activities contained in the plan.
- 5C. The use of such funds shall be strictly in accordance with the activities contained in the plan and approved by the GYT.
- 6. *approval of the plan for use of other funds raised by the Geog Yargay Tshogchhung itself;*
- 6A. The *gup* shall submit the plan which shall contain the activities for which such funds are to be used, along with a work plan that also assigns specific responsibilities to specific individuals and the mode of implementing the activities.
- 6B. The *gup* shall submit periodic reports to the GYT and DYT, including the *dzongkhag* administration on the status of progress of work as well as the status of funds approved by the GYT for activities contained in the plan.
- 6C. The use of such funds shall be strictly in accordance with the activities contained in the plan and approved by the GYT.
- 7. *approval of rates of local utilities like irrigation water, locally generated power and drinking water necessary for the upkeep of such utilities; and*
- 7A. A full quorum of the GYT shall be required to decide on the above in which two-thirds of members must accord approval.
- 8. *review of accounts of all expenditures of the geog and ratify, in accordance with the financial rules and regulations.*

- 8A. The review and ratification of accounts of rural tax shall be done on a periodical basis.
- 8B. The *gup* shall provide clarifications and explanations as may be required.
- 8C. Where applicable, the *gup* shall provide a report on other collections and expenditures made thereof.

The Ministry of Finance shall from time to time review and frame rules and regulations on the financial powers and functions of the Geog Yargay Tshogchhung that shall include but not limited to the above.

ARTICLE 11. Powers and Responsibilities of Gup

As the head of the geog, the gup shall:

- 1. *oversee the overall affairs of the geog and implement the decisions of the Geog Yargay Tshogchhung;*
- 1A. The *gup* shall submit periodic reports to the GYT in a GYT meeting on the status of implementation of decisions of GYT, including constraints faced and remedial measures taken.
- 1B. The *gup* shall keep the *dzongkhag* administration informed or request for technical advice and guidance if such can not or are not provided by the *geog* extension staff.
- 2. *chair the Geog Yargay Tshogchhung meetings, school management and admission boards and the geog's other important meetings, and maintain decorum and order in these meetings;*
- 2A. The *gup* shall ensure that code of conduct for GYT meeting is maintained in accordance with Article 7, Section 10A to Section 10D.

3. *submit progress reports of the geog in accordance with Article 9 (3) to the dzongkhag administration;*
- 3A. The *gup* shall submit reports on the progress or lack of it, as may be applicable, both to the GYT and DYT.
4. *appoint and exercise administrative control of non-civil service personnel, such as the geog clerk and communal caretakers, appointed in the geog under the authority of the Geog Yargay Tshogchung;*
- 4A(i) Along with the provisions under Article 9 (6), Section 6A and Section 6B of this manual, the GYT may decide on additional criteria for the selection of the *geog* clerk in a GYT meeting, following which the *tshogpas* shall be directed to inform their constituencies about the vacancy; and to submit a list of candidates within 3 weeks.
- 4A(ii) Where and when necessary, the GYT shall relieve the *geog* clerk in accordance with Article 9 (6), Section 6D of this manual.
- 4B(i) Upon receipt of applications, the *gup* shall invite through open public notice candidates for the post.
- 4B(ii) After instituting a committee and interviewing candidates under the supervision of the *gup*, the *gup* shall submit a shortlist in order of merit to the GYT.
- 4C. The candidate selected by the GYT shall be appointed by the *gup*. A copy of the appointment order shall be maintained by the *gup* while a copy each shall be given, respectively, to the person concerned and the DA.
- 4D. The procedures for the appointment of communal caretakers shall be decided by the GYT.
5. *carry out works approved by the GYT in accordance with the financial rules and regulations in execution of works;*

- 5A. The *gup* shall consult the *dzongkhag* finance officer / *geog* accountant to ensure that financial rules and regulations are adhered to; and clarify such to other members.
6. *authorize payments for the works, procurements, and administrative claims;*
- 6A. The *gup* shall sign all bills for works and procurements before submission to the *dzongkhag* finance officer / *geog* accountant as well as TA/DA forms for members where applicable.
7. *accord financial sanctions for activities costing up to Nu. 50,000;*
- 7A. This applies only to an activity whose entire cost for completion is up to Nu. 50,000.
- 7B. This excludes activities that cost more than Nu. 50,000 but whose costs are broken up in to smaller amounts.
8. *maintain registration records of land, livestock and other properties and population and issue certifications and testimonials thereof;*
- 8A. The above records shall be maintained by the *gup* in the *geog* center in *geogs* that have *geog* center.
- 8B. The *gup* shall ensure that the public has access to their respective records.
- 8C. Certifications and testimonials shall be signed with seal as follows:
- Name of *Gup*
Name of *Geog*
Name of *Dzongkhag*
9. *compile and submit annual records of population, houses, land and cattle to the dzongkhag administration not later than December of every year;*

- 9A. The *gup*'s office shall function as *geog* civil registration office (GCRO). GCRO shall ensure that all births, deaths, marriages and annual departure of residents as well as separation and establishment of new *gung* are recorded on an annual basis.
- 9B. GCRO shall work closely and be guided by the department of civil registration and census, MOHCA in such and all related matters.
- 10. *collect annual rural taxes not later than October of every year;*
- 10A. The *gup* shall collect and deposit rural taxes in the current account opened in the name of the *geog* but maintained and operated by the *gup* and the *gup*'s clerk.
- 10B. The *gup/geog* clerk shall issue official receipts issued by the Ministry of Finance to individuals from whom rural taxes are collected.
- 10C. The *gup* shall report on the status of rural tax collection in every GYT meeting, including on the utilization of rural taxes and endorse a copy to the DA.
- 11. *collect and deposit premiums for rural life and house insurance with the dzongkhag administration not later than February of every year;*
- 11A. The *gup / geog* clerk shall issue official receipts to all individuals from whom such deposits are collected.
- 11B. The *dzongkhag* finance officer shall issue an acknowledgement, in writing, to the *gup* certifying the receipt of the above collections which shall include among others, amount received and name of *geog*.
- 12. *verify life and house insurance claims;*
- 12A. The *gup* shall verify the above claims, using the appropriate claim forms, for submission to the DA for necessary action. .

13. *verify applications for timber, fuel wood and such other facilities;*
- 13A. The *gup* shall verify the above applications using the appropriate application forms.
14. *verify applications for kidu;*
- 14A. The *gup* shall verify applications for *kidu* as per Article 11, Section 8C of this manual.
15. *mediate and conciliate disputes of minor civil nature referred by the people in the geog by involving, if required, conciliators of good standing in the community.*
- 15A. The *gup* shall promote harmony and cooperation among residents of the *geog*.
- 15B. In compoundable cases, the *gup* shall use his good office to appoint a mediator and settle disputes through conciliatory efforts at all times.
- 15C. The *gup* may settle disputes outside the court of law by recommending mediators.
- 15D. Notwithstanding the clauses 15A to 15C, the *gup* shall not have the authority to adjudicate such cases.

ARTICLE 12. *Responsibilities of Mangmi, Geog Clerk, Tshogpa and Chupon*

- 1 *As the deputy head of the geog, mangmi shall assist the gup in the administration of the functions and responsibilities delegated to the gup. Mangmi shall officiate as gup in the absence of the gup.*
- 2 *The geog clerk shall maintain records of proceedings of Geog Yargay Tshogchhung and such other meetings. He or she shall be responsible for the management of the office.*

3. *Tshogpa, besides attending the GYT meetings, shall be responsible for the overall affairs of his or her constituency and liaise between Geog Yargay Tshogchung and the constituency he or she represents.*
4. *Chupon shall be entrusted with the traditional responsibilities within the geog of communicating directives of the chairman of the Geog Yargay Tshogchung (gup) to the people.*

ARTICLE 13. Code of Practice of Members of Geog Yargay Tshogchung and Office Bearers

1. *Any member or office bearer of Geog Yargay Tshogchung with any personal or pecuniary interest shall disqualify himself or be disqualified from participation in decision making process when circumstances seem to affect his impartiality.*
- 1A. Any member or office bearer of GYT, including those serving on the geog tender committee shall leave the meeting when a decision has to be made in which he or she has personal or pecuniary interest.
- 1B. Personal or pecuniary interest means a situation where a GYT member or a family member is a direct beneficiary of a decision that has to be made. For example, a GYT member shall leave the meeting when it is time for the GYT to take a decision pertaining to:
 - a GYT member or any person of his family, as listed below in Section 1C, is a participant in a tender for which a GYT member is a member of the geog tender committee; or
 - a GYT member or any person of his family, as listed in Section 1C, having made a submission on an issue to the GYT for approval.
- 1C. Family member means any other person who shares the same *gung* or *thram* number with a GYT member.

- 1D. If a GYT member violates Article 14, Clause 1, then a GYT member shall lose all voting power for the rest of his or her term as a GYT member.
- 1E. In addition, the decision in which a GYT member has participated shall be reversed and cease to be effective and any liabilities and claims shall be the responsibility of that GYT member.
- 1F. The *dzongdag* shall be responsible for implementing the sanctions specified under this article under Section 1D and 1E.
2. *The following acts or omissions of members and office-bearers of Geog Yargay Tshogchhung shall constitute corrupt practices, which are hereby unlawful:*
- (a) taking possession or disposing by illicit means of government and public money and property;*
 - (b) approving or awarding any contract works, procurement, and jobs in favour of a person or organization, not competent or entitled to such works, procurement, and jobs or in favour of an indirect representative of a person or organization who is not competent or entitled;*
 - (c) directly or indirectly requesting or receiving any gift in cash or kind, in connection with contract works, procurement, and jobs, which may affect fair decisions;*
 - (d) neglecting, after due request, without sufficient justification, to process or act expeditiously on a matter pending before him or her, for the purpose of getting irregular pecuniary returns from a person or organization, or discriminating against a person or organization;*
 - (e) divulging valuable information of a confidential character, acquired in his or her official capacity to unauthorized persons or organization or*

releasing such information in advance of the authorized release date; and

(f) giving any private individuals or organizations unwarranted benefits and preferences in the discharge of his or her duties through partiality.

2A(i) The *dzongdag* shall ensure that GYT members are in compliance of the above clauses.

2A(ii) For violation of the above clauses, the *dzongdag* shall take action or report where necessary to the competent authorities.

2A(iii) If a disciplinary committee is instituted, at least one third of the committee shall be from the *dzongkhag* administration.

ARTICLE 14. Penalties for Violation of Code of Practice

1. *Any member, or an employee of Geog Yargay Tshogchhung, or a functionary serving the community in any capacity committing any violation of Article 13 shall be subject to penal sanctions.*

2. *Any violation proven in an administrative proceeding, instituted by dzongkhag administration, shall be sufficient ground for his or her dismissal even if no criminal prosecution is instituted against him or her.*

2A. An administrative proceeding shall be undertaken by a committee, comprised of the following:

dzongdag as chairman

gup if he/she is not involved. Otherwise *mangmi* shall be a member.

deputy chairman of DYT

two senior officers from the DA

- 2B. The committee shall convene a meeting for which the party concerned shall be intimated in advance so as to be prepared for the administrative proceeding.
- 2C. Likewise, the committee shall conduct thorough investigation in support of the charges.
- 2D. At the outset of the meeting, the chairman of the committee shall read and inform the party concerned again of the charges leveled, following which he or she will be given the opportunity to clarify/explain and refute the charges with evidence and witnesses.
- 2E. Following the clarification/ explanation and refutation of charges by the party concerned, committee members may ask questions and seek additional clarification/ explanation.
- 2F. The party concerned shall be asked to leave the meeting when it is time for the committee to deliberate further and decide on the findings of the proceeding.
- 2G. The committee shall prepare and submit a report to the DYT, within 3 months from the time the committee is instituted, which shall include its findings and recommendation for consideration of the DYT.
- 2H. The DYT shall consider the case at its very first meeting after the report is submitted and shall arrive at a decision in the same meeting. The decision of the DYT shall be implemented by the *dzongdag*.
- 3. *Any person or organization committing any of the unlawful acts, which is deemed serious, shall be tried in court by criminal prosecution.*
- 4. *Any person or organization abetting with the members or office bearers in violation of Article 13 of this Chathrim, shall be subject to penal liabilities as per the laws.*

The 2004 Manual for the Implementation of Geog Yargay Tshogchhung Chathrim 2002 has been promulgated with a view to facilitate the implementation of the provisions of GYT Chathrim 2002.

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APPENDIX “A”

**BIO-DATA OF CANDIDATE NOMINATED
FOR GUP/MANGMI/DYT/GYT MEMBERS**

1. Name.....
2. Place of Birth.....
3. Date of Birth..... LotagAge
4. House No.....
5. Citizenship Identity Card No.....
6. Thram No.....
7. Permanent Address.....
.....
8. Geog/Dzongkhag:.....
9. Qualification:.....
10. Occupation & Place of Work.....
11. Working Experience.....
12. No. of Years as Registered Residents:.....
13. Name of spouse.....
 - a. House No.
 - b. Citizenship Identity Card No.....
 - c. Thram No.....
 - d. Permanent Address
.....
.....

e. Geog/Dzongkhag:.....

14. Documents Required :

- | | | |
|----|--------------------|----------|
| a. | Security Clearance | Yes / No |
| b. | Medical Clearance | Yes / No |

Certified that the above candidate has been nominated for the post of
Gup/Mangmi/Thromdey/Thromtsog Representative.

Signature of:

1. Tshogpa/Chipon/Thromdey/Thromtsog Tshopa.

2. Gup/Mamgmi

Date:

**Chairperson
Dzongkhag Election Committee**

APPENDIX “B”

ELECTION RESULT DECLARATION FORM

1. Election of Candidate ;

- i) Name Village/Geog/Municipality/Town/Votes secured
- ii) NameVillage/Geog/Municipality/Town/Votes secured
- iii) Name..... Village/Geog/Municipality/Town/Votes secured
- iv) Name.....Village/Geog/Municipality/Town/Votes secured
- v) NameVillage/Geog/Municipality/Town/Votes secured

At the election among the above contestants conducted on the day month of the is declared as the elected candidate to represent Geog/Dzongkhag/Municipality/Town as in the GYT/DYT. The election was conducted in strict compliance with the provisions laid down in GYT/DYT Chathrim.

2. Particulars of Candidate :

- a) Name
- b) Age & date of birth
- c) Father's Name
- d) Permanent Address

- e) Citizenship ID Card
- f) Qualification
- g) Past Experience
- h) House No.
- i) Thram No.

3. In witness :

Name and Signature of Election Officer

Name and Signature of Gup / Mangmi

Chairperson

Dzongkhag Election Committee

APPENDIX “C”

VOTER LIST

1. Dzongkhag:
2. Geog :
3. Village :

<i>Sl. No.</i>	<i>Name</i>	<i>Age</i>	<i>Sex</i>		<i>ID No.</i>	<i>H. No.</i>	<i>T. No.</i>	<i>Sign.</i>
			<i>M</i>	<i>F</i>				

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