

ANNUAL REPORT 2022



འབྲུག་གི་དབང་མེད་དྲང་མཉམ་།
Equal Justice Under Law

འབྲུག་གི་དབང་མེད་འབྲུག་གི་འཇུག་ལྷན་ཁྲེེ།
Judiciary of Bhutan

Compiled By:

1. Dr. Karma Tshering
2. Dem Zam

Design and Layout:

Langa Tenzin

Publisher:

Supreme Court
Lhadrong, Hejo
Thimphu: Bhutan

Website: <https://www.judiciary.gov.bt>

© Supreme Court of Bhutan



Equal Justice Under Law

Vision

“Strive to create a free, fair, just, and harmonious society through effective resolution of disputes and expeditious dispensation of justice.”

Mission

“Safeguard, uphold, and administer justice fairly and independently without fear, favour, or undue delay in accordance with the rule of law to inspire trust and confidence and to enhance access to justice.”

Annual Report 2022

Judiciary of Bhutan

Table of Contents

Judicial Year in Figures	2
Case Statistics	4
Types of Case Disposal	14
Notary Services	16
Key Events	18

འབྲུག་གི་ཁྲིམས་སྲི་བློན་པོ།
མངོན་མཚོ་ཁྲིམས་གྲི་འདུན་ལ།



Chief Justice of Bhutan

Supreme Court

Chief Justice of Bhutan's Foreword

We are pleased to present the Annual Report of the Judiciary 2022. It gives us an opportunity to review the previous year in retrospect, celebrate the successes, and reflect on the challenges of the year. Over the past year, the Judiciary studied and introduced measures to improve workplace conduct and ethics, published rules and regulations, and maintained our commitment to excellence in service to the public. Our progress, innovation, and improvement this past year in the face of several challenges is a source of pride for the judicial fraternity and a source of public trust and confidence in the judicial system.

The year 2022 has been a milestone for Bhutan in terms of change and transformation. The Judiciary has taken cognizance of the change outside and around us and instituted a number of measures to improve productivity, efficiency and public trust in our institution. One of the measures to uphold the Judiciary's unwavering ability to adhere to its core Constitutional mandate of dispensing justice in a fair and orderly manner was the publication of the Judiciary Strategic Plan 2022-2032 (Plan). The Plan outlines strategic goals and directions, a strategic plan of action, and implementation arrangements. With this Plan, our hope is to strengthen institutional independence, enhance public trust and confidence, and foster the judicial attributes of efficiency, professionalism and accountability.

We are happy to report that the implementation of the Plan commenced in earnest. The Judiciary formed several Working Group Committees (WGCs) to examine judicial workplace practices that nurture professionalism and accountability. The WGCs submitted draft Rules and Regulations, Guidelines and Standard Operating Procedures, which the Judiciary adopted and the courts are actively implementing them. The Judiciary will continue to institute WGCs, from time to time, to ensure responsive reforms in light of the Plan.

Among others, the Judiciary adopted the Judicial Performance Review and Evaluation Rules 2022 to institute a system of review and evaluation of judicial performance. The Rule is aimed at inspiring visionary leadership informed by accountability and professionalism as the guiding principles which are crucial in garnering public trust and confidence in the Judiciary. In light of the Rule, the Judiciary commenced Judicial Performance Review and Evaluation in December 2022. It sought to review and evaluate the professional competency and social relevance of our judges. This exercise will be carried out every year to ensure responsiveness of the judiciary in ever-changing times and needs of the people and the country.

The year 2022 also saw the de-linking of judicial personnel from the Civil Service. This will strengthen the independence and autonomy of the Judiciary, which are fundamental to

shouldering the judicial mandates fairly and independently and fulfilling its vision of creating a free, fair, just and harmonious society.

This Annual Report contains statistics about case, notary and other judicial services rendered by the Judiciary. It also contains information on other key events of the year. While we rejoice in the collective dedication and effort that went into disposing of cases and rendering other judicial services, we must also be equally inspired to work harder and produce better outcomes. With this forward-looking attitude, the Judiciary would be able to build on its strengths and overcome weaknesses in the administration of justice. Like any other system, the Judiciary must evolve constantly with changing times through innovation, and be responsive to the need of the hour in order to take the justice system closer to the people.

Finally, I would like to recognize the exceptional work so many have put in for the improvement of the justice system. In the year of change and challenge, the Judiciary achieved many of its goals and made great progress on others. None of our accomplishments this year would have been possible without our skilled and dedicated judicial personnel. When the nation is undergoing massive challenges caused by the pandemic, exemplary dedication, loyalty, and resilience displayed by our judicial personnel have been modest but inspirational.

Therefore, I would like to offer my sincere appreciation to every member of the Judiciary for the successful year.

Just as we publish this Annual Report, the new year 2023 is already upon us, demanding us to continue learning, growing and serving people with the highest level of dedication and professionalism. As a new year resolution, we have adopted a theme of being coordinated, maintaining collegiality, and being connected in our work. Individually, we pledged to make efforts to improve our versions every year, in terms of knowledge, behaviour and service.

I would like to wish everyone the very best of luck in the year 2023.

Tashi Delek!



(Chogyal Dago Rigdzin)

CHIEF JUSTICE OF BHUTAN
SUPREME COURT
ROYAL COURT OF JUSTICE
THIMPHU: BHUTAN

Introduction

The publication of the Annual Report is the celebration of the achievements and the direction for an even more successful year ahead. It also helps the Judiciary to present crucial information about its workload, budget, and overall functioning and key events. The Report as such is comprised of five parts.

The first part of the Report breaks down the judicial year of 2022 into overall figures and statistics, followed by its detailed enumeration in the second part. The first part comprises the total number of cases across all four-tier court systems across the country, which is then compiled and compartmented to demonstrate the workload across all four-tier court systems as well as individual courts in the second part. This provides crucial information for the Royal Judicial Service Council and the Office of Registrar General of the Supreme Court to make important financial and human resource management and other administrative decisions.

Part three of the Report deals with the types of case disposal by the courts. It also contains the total number of cases mediated through Court-Annexed Mediation. This alternative mode of dispute resolution continues to assist courts in managing the caseload in its docket and crucially helps litigants to come together despite their differences and work out more acceptable allocations of rights and duties between them. It has not only proven a fast and inexpensive mode of dissolving the differences but goes far into maintaining social cordiality and cohesion between the parties in particular and the community they live in and the country in general. Following this, part four presents the information on the types and the total number of notary services delivered by the Thimphu Public Notary Office and other courts.

Part five of the Report comprises the key events comprising the appointment of new court registrars, other important initiatives, matters relating to civil service awards, transfers and superannuation. This part also reports on the revenue generated by the courts. One of the notable key achievements was the adoption of numerous Rules and Regulations, Guidelines and Standing Operating Procedures. These Rules and Guidelines were adopted by the Royal Judicial Service Council in its 28th Meeting on 20 June 2022 and came into force on 1 July 2022 upon the notification by the Office of the Hon'ble Chief Justice of Bhutan. These Rules and Guidelines will facilitate and revamp the judicial process to ensure fair justice for all litigants by bringing about consistency in the interpretation and application of laws and adjudication of diverse disputes. The Judiciary hopes these Rules and Guidelines will strengthen the public trust and confidence in the Judiciary.

1. Judicial Year in Figures

1.1 The Total Figures

8,239 Cases Registered	8,262 Cases Decided	1,779 Cases Pending
----------------------------------	-------------------------------	-------------------------------

1.2 Dungkhag Courts

1,455 Cases Registered	1,369 Cases Decided	387 Cases Pending
----------------------------------	-------------------------------	-----------------------------

1.3 Dzongkhag Courts

5,911 Cases Registered	5,848 Cases Decided	1,135 Cases Pending
----------------------------------	-------------------------------	-------------------------------

1.4 High Court

169 Miscellaneous Hearings	561 Cases Registered	586 Cases Decided	65 Cases Pending
--------------------------------------	--------------------------------	-----------------------------	----------------------------

1.5 Supreme Court

640 Miscellaneous Hearings	285 Cases Registered	449 Cases Decided	139 Cases Pending
--------------------------------------	--------------------------------	-----------------------------	-----------------------------

1.6 Total Cases Decided Through Court-Annexed Mediation

2 High Court	1,246 Dzongkhag Courts	226 Dungkhag Courts
------------------------	----------------------------------	-------------------------------

1.7 Other Important Figures

(i) Budget

Nu. 110.080 M Capital	Nu. 291.452 M Current	Nu. 401.532 M Total
---------------------------------	---------------------------------	-------------------------------

(ii) Revenue Generated by Court

Nu. 24.4 M

(iii) Notary Services

11,025 Marriage Certificates	8,504 Attestation of Documents	9,660 Affirmation of MC	109 Child Travel Documents
--	--	-----------------------------------	--------------------------------------

(iv) Civil Service Award Recipients

4 Life Time Service	3 30 Years of Service	6 20 Years of Service	41 10 Years of Service
-------------------------------	---------------------------------	---------------------------------	----------------------------------

(v) Retirements and Resignations

5 Superannuation	20 Voluntary Resignations
----------------------------	-------------------------------------

2. Case Statistics

2.1 Case Statistics of Dungkhag Courts

Sl. No.	Court	Opening Balance	Registered	Total	Decided	Pending	Pending Beyond 12 Months	
1	Dorokha	3	68	71	57	14	0	
2	Gelephu	108	263	371	320	51	0	
3	Jomotsangkha	2	24	26	24	2	0	
4	Lhamoizingkha	5	28	33	31	2	0	
5	Lingzhi	4	11	15	14	1	1	
6	Nganglam	7	98	105	102	3	0	
7	Panbang	2	36	38	37	1	0	
8	Phuentsholing	Bench I	92	273	365	185	180	17
		Bench II	60	279	339	245	94	7
9	Sakteng	0	38	38	30	8	0	
10	Samdrupcholing	2	120	122	109	13	0	
11	Sombeykha	0	32	32	30	2	0	
12	Tashicholing	6	95	101	100	1	0	
13	Thrimshing	1	29	30	28	2	0	
14	Wamrong	9	44	53	48	5	0	
15	Weringla	0	17	17	9	8	0	
Total		301	1,455	1,756	1,369	387	25	

2.2 Case Statistics of Dzongkhag Courts

Sl. No.	Court		Opening Balance	Registered	Total	Decided	Pending	Pending Beyond 12 Months
1	Bumthang		50	148	198	178	20	0
2	Chukha		35	149	184	165	19	0
3	Dagana		9	206	215	153	62	0
4	Gasa		0	61	61	58	3	0
5	Haa		11	153	164	141	23	0
6	Lhuentse		9	74	83	70	13	0
7	Mongar		38	383	421	381	40	0
8	Paro	Bench I	57	235	292	218	74	0
		Bench II	125	223	348	272	76	0
9	Pemagatshel		49	177	226	208	18	0
10	Punakha		66	387	453	405	48	0
11	Samdrupjongkhar		8	66	74	69	5	0
12	Samtse		44	188	232	191	41	1
13	Sarpang		24	190	214	177	37	0
14	Thimphu	Criminal Bench	46	253	299	169	130	1
		Family and Child Bench	59	419	478	446	32	0
		Commercial Bench I	54	437	491	434	57	0
		Commercial Bench II	49	317	366	214	152	11
		Civil Bench	218	576	794	693	101	0
15	Trashigang		8	235	243	231	12	1
16	Trashiyangtse		13	178	191	179	12	0
17	Trongsa		13	166	179	155	24	0
18	Tsirang		18	270	288	261	27	0
19	Wangdue Phodrang	Bench I	39	146	185	145	40	0
		Bench II	11	180	191	125	66	1
20	Zhemgang		19	94	113	110	3	0
Total			1,072	5,911	6,983	5,848	1,135	15

2.3 Case Statistics of Time-Bound Bench

Sl. No.	Court	Opening Balance	Registered		Total	Decided	Pending	Pending Beyond 12 Months
1	Time-Bound Bench	36	27		63	10	53	0

2.4 Case Statistics of High Court

Sl. No.	Court	Bench	Miscellaneous Hearing	Opening Balance	Registered		Total	Decided	Pending	Pending Beyond 12 Months
1	High Court	Bench I	169	22	169		191	165	26	0
		Bench II		38	197		235	205	30	0
		Bench III		30	195		225	216	9	0
Total				90	561		651	586	65	0

2.5 Case Statistics of Supreme Court

Sl. No.	Court	Bench	Miscellaneous Hearing	Opening Balance	Registered		Total	Decided	Pending	Pending Beyond 12 Months
1	Supreme Court	Langchen	640	61	74		135	108	27	5
		Tachog		82	71		153	123	30	5
		Maja		84	70		154	110	44	11
		Khading		76	70		146	108	38	3
Total				303	285		588	449	139	24

2.6 Overview of Case Report

Dungkhag Courts registered 1,455 new cases in addition to 301 cases carried forward from 2021. The Court disposed of 77.96 per cent of the total cases, of which 7.67 per cent appealed to Dzongkhag Courts. The year saw a total of 387 cases pending before the Dungkhag Courts, of which 6.46 per cent is pending beyond 12 months.

Dzongkhag Courts registered 5,911 new cases in addition to 1,072 cases carried forward from 2021. The Court disposed of 83.74 per cent of the total cases, of which 1.79 per cent appealed to the High Court. The year saw a total of 1,135 cases pending before the Dzongkhag Courts, of which 1.3 per cent are pending beyond 12 months. Likewise, the Time-bound Bench registered 27 new cases in addition to 36 pending cases from other courts. Of that, the Bench decided 15.87 per cent of cases with no cases pending beyond 12 months.

The High Court registered 561 new cases in 2022 in addition to 90 cases pending from 2021. Of that, the High Court disposed of 90 per cent of the total cases with no cases pending beyond 12 months. Of 586 cases decided, 42.83 per cent appealed to the Supreme Court.

The topmost court had an opening balance of 303 cases with 285 new registrations in 2022. The Supreme Court decided 76.36 per cent of cases. Of the total 139 cases pending, 17.26 per cent are pending beyond 12 months.

Overall, the Judiciary registered 8,239 new cases with 1,806 cases carried forward from 2021. Of this, the Judiciary disposed of 82.24 per cent. Of the total 1,779 cases pending in 2022, 3.59 per cent of cases are pending beyond 12 months. Beside these figures, the courts across the country are also engaged heavily in hearing and deciding miscellaneous matters, which includes cases registered as well as those dismissed and matters relating to the issuance of Marriage Certificates and notarization of documents.

2.7 Appeals from High Court to Supreme Court

Sl. No.	Court	Bench	Appeals to Supreme Court
1	High Court	Bench I	78
		Bench II	89
		Bench III	84
Total			251

2.8 Appeals From Dzongkhag Courts to High Court

Sl. No.	Court	Decided	Appeals
1	Bumthang	178	6
2	Chukha	165	19
3	Dagana	153	4
4	Gasa	58	1

5	Haa		141	13
6	Lhuentse		70	0
7	Mongar		381	15
8	Paro	Bench I	218	12
		Bench II	272	58
9	Pemagatshel		208	15
10	Punakha		405	52
11	Samdrupjongkhar		69	3
12	Samtse		191	17
13	Sarpang		177	35
14	Thimphu	Criminal Bench	169	21
		Family and Child Bench	446	16
		Commercial Bench I	434	61
		Commercial Bench II	214	23
		Civil Bench	693	93
15	Trashigang		231	10
16	Trashiyangtse		179	4
17	Trongsa		155	4
18	Tsirang		261	5
19	Wangdue Phodrang	Bench I	145	6
		Bench II	125	2
20	Zhemgang		110	8
Total			5,848	503

2.9 Appeals from Dungkhag Courts to Dzongkhag Courts

Sl. No.	Court	Decided	Appeals
1	Dorokha	57	2
2	Gelephu	320	44
3	Jomotsangkha	24	0
4	Lhamoizingkha	31	1
5	Lingzhi	14	2

6	Nganglam	102	20	
7	Panbang	37	1	
8	Phuentsholing	Bench I	185	8
		Bench II	245	20
9	Sakteng	30	0	
10	Samdrupcholing	109	2	
11	Sombeykha	30	0	
12	Tashicholing	100	3	
13	Thrimshing	28	0	
14	Wamrong	48	2	
15	Weringla	9	0	
Total		1,369	105	

2.10 Pending Case Statistics of Past 5 Years

Year	Cases Pending	Cases Pending Beyond 12 Months
2018	2,400	202
2019	2,692	259
2020	2,873	342
2021	1,806	100
2022	1,779	64

2.11 Classification of Registered Cases

(i) Dungkhag Courts

Sl. No.	Court	Civil Cases	Criminal Cases
1	Dorokha	57	11
2	Gelephu	194	69
3	Jomotsangkha	15	9
4	Lhamoizingkha	23	5
5	Lingzhi	9	2
6	Nganglam	93	5
7	Panbang	34	2
8	Phuentsholing	395	157

9	Sakteng	35	3
10	Samdrupcholing	112	8
11	Sombaykha	35	3
12	Tashicholing	68	27
13	Thrimshing	4	25
14	Wamrong	28	16
15	Weringla	16	1
Total		1,112	343

(ii) Dzongkhag Courts

Sl. No.	Court	Civil Cases	Criminal Cases
1	Bumthang	136	12
2	Chhukha	128	21
3	Dagana	165	41
4	Gasa	47	14
5	Haa	129	24
6	Lhuentse	57	17
7	Mongar	332	51
8	Paro	327	131
9	Pemagatshel	160	17
10	Punakha	298	89
11	Samdrup Jongkhar	47	19
12	Samtse	131	57
13	Sarpang	151	39
14	Thimphu	1,693	309
15	Trashigang	198	37
16	Trashiyangtse	159	19
17	Trongsa	133	33
18	Tsirang	235	35
19	Wangdue Phodrang	257	69
20	Zhemgang	78	16
Total		4,859	1,050

3. Types of Case Disposal

3.1 High Court

Sl. No.	Court	Bench	Affirmed	Fully Reversed	Partial Reversed	Remand	Negotiation	Withdrawal
1	High Court	Bench I	84	17	57	1	2	2
		Bench II	129	20	48	3	1	4
		Bench III	90	25	96	0	4	1
		Total	303	62	201	4	7	7

3.2 Supreme Court

Sl. No.	Bench	Dismissed	Affirmed	Partially Reversed	Fully Reversed
1	Langchen	85	12	4	8
2	Tachog	84	7	15	12
3	Maja	89	11	11	4
4	Khading	69	23	8	7
Total		327	53	38	31

3.3 Report on Court-Annexed Mediation

(i) Dungkha Courts

Sl. No.	Court	No. of Cases Mediated
1	Dorokha	1
2	Gelephu	49
3	Jomotsangkha	5
4	Lhamoizingkha	9
5	Lingzhi	0
6	Nganglam	41
7	Panbang	4
8	Phuentsholing	33
9	Sakteng	10
10	Samdrupcholing	9
11	Sombaykha	4
12	Tashicholing	41
13	Thrimshing	14
14	Wamrong	15
15	Weringla	1
Total		226

(ii) Dzongkhag Courts

Sl. No.	Court	No. of Cases Mediated
1	Bumthang	23
2	Chhukha	38
3	Dagana	53
4	Gasa	12
5	Haa	34
6	Lhuentse	17
7	Mongar	157
8	Paro	129
9	Pemagatshel	46
10	Punakha	52
11	Samdrup Jongkhar	23
12	Samtse	30
13	Sarpang	26
14	Thimphu	274
15	Trashigang	141
16	Trashiyangtse	30
17	Trongsa	45
18	Tsirang	60
19	Wangdue Phodrang	20
20	Zhemgang	36
Total		1,246

(iii) High Court

Sl. No.	Court	Bench	No. of Cases Mediated
1	High Court	Bench I	0
		Bench II	1
		Bench III	1
Total			2

4. Notary Services

Sl. No.	Court	Marriage Certificates (MC)	Name Change	Affirmation of MC	Lost Documents	Marital Status	Child Travel Documents		Attestation of Documents	Child Adoption	Organ Transplant	Closing and Transfer of Shares and Accounts	Attestation of Agreements, Wills and Contracts and Testaments	Affidavit
1	Dorokha	67	0	23	0	14	0		0	0	0	0	0	57
2	Gelephu	615	1	353	1	25	0		10	0	0	10	0	147
3	Jomotsangkha	38	0	21	0	4	0		0	0	0	0	0	42
4	Lhamoizingkha	43	0	3	0	12	0		0	0	0	6	0	48
5	Lingzhi	2	0	0	0	0	0		0	0	0	0	0	32
6	Nganglam	78	2	44	0	1	0		1	0	0	11	0	42
7	Panbang	25	0	12	0	1	0		0	0	0	1	0	82
8	Phuentsholing	793	0	512	1	119	5		4	0	0	9	0	62
9	Sakteng	52	0	4	0	1	0		0	0	0	0	0	31
10	Samdrupcholing	90	0	35	0	1	0		0	0	0	3	0	77
11	Sombaykha	24	0	19	0	0	0		0	0	0	1	0	23
12	Tashicholing	201	0	58	0	34	0		0	0	0	6	0	117
13	Thrimshing	19	0	6	0	0	0		0	0	0	0	0	37
14	Wamrong	34	0	21	0	0	0		0	0	0	1	0	42
15	Werringla	15	0	8	0	0	0		0	0	0	0	0	0
16	Bumthang	260	0	200	0	4	0		47	0	1	0	0	0
17	Chhukha	299	1	232	0	3	1		152	3	0	6	0	1
18	Dagana	234	2	154	1	13	0		40	0	0	11	0	0
19	Gasa	134	2	143	0	0	0		17	1	0	3	0	0
20	Haa	404	0	358	0	7	0		71	0	0	8	0	2
21	Lhuentse	100	0	58	0	4	0		27	0	0	9	0	2
22	Mongar	266	4	169	0	2	1		60	1	0	6	0	3
23	Paro	72	0	30	0	0	0		10	0	0	8	0	5
24	Pemagatshel	866	0	350	5	14	3		310	2	0	35	0	0
25	Punakha	710	0	699	0	7	5		239	0	1	20	0	0
26	Samdrup Jongkhar	166	0	55	0	8	0		30	0	0	11	0	0
27	Samtse	322	0	168	0	110	0		24	2	0	7	0	0
28	Sarpang	208	0	23	0	4	0		17	0	0	5	0	0
29	Public Notary, Thimphu	2,721	7	4,186	7	18	88		6,630	17	26	49	0	2
30	Trashigang	126	0	45	0	1	0		18	0	0	3	0	0
31	Trashiyangtse	206	0	124	0	13	0		28	0	1	14	0	0
32	Trongsa	337	0	253	0	3	2		78	1	1	9	1	0
33	Tsirang	275	4	171	0	29	0		53	1	0	11	0	0
34	Wangdue Phodrang	1,111	0	1,025	0	3	4		291	2	0	22	0	4
35	Zhemgang	112	0	98	0	3	0		14	0	0	6	0	0
Total		11,025	23	9,660	15	458	109		8,504	32	32	326	3	23

5. Key Events

5.1 Recruitment of Court Registrars

Four new Court Registrars were recruited after they completed the Post Graduate Diploma in National Law (PGDNL) from the Royal Institute of Management in Thimphu in 2021.



(i) Mr Leki Tshering

From Goshing, Panbang under Zhemgang district, he graduated from the Kalinga Institute of Industrial Technology (KIIT) University, which is located in Odisha, India.

He is currently serving in the Civil Bench of Thimphu District Court.

(ii) Mr Namgay Dorji

Hailing from Wangdue Phodrang, he graduated from Jagran Lakecity University, which is located in Bhopal.

He is currently working at the Punakha District Court.



(iii) Mr Ngawang Yonten

Ngawang Yonten also completed his law degree from the Kalinga Institute of Industrial Technology (KIIT) in Odisha, India.

He is currently working at the Wangdue Phodrang District Court.



(iv) Mr Ugyen Tshering

From Narang in Mongar, Ugyen Tshering graduated from the Kalinga Institute of Industrial Technology (KIIT) in Odisha, India.

He is currently placed at the Thimphu District Court.



5.2 Establishment of Media and Communication Unit

The Media and Communication Unit (Unit), housed in the Supreme Court Complex, was inaugurated on 14 May 2022. The Unit strives to disseminate factual information to the public whenever necessary, and streamline communication between the courts and other key actors of the justice sector. Another important task the Unit carries out is to minimize the percolation of unverified information to the public, which in the long run will have an adverse impact on the level of public trust and confidence in the Judiciary. It has become highly necessary to verify any information that we have access to in the age of widespread social media platforms, where fake news and half-baked information spread easily.

5.3 Establishment of Enforcement Unit at Thimphu District Court

A separate Enforcement Unit (Unit) in Thimphu District Court was long overdue. Recognizing its long-standing need, the Unit at Thimphu District Court was established on 14 May 2022. As the court is situated in the capital city, it continues to see the highest number of cases being registered year after year. The court has five Benches in total presided over by a Drangpon each. Without a separate Unit, enforcement of judgments by the respective issuing courts required considerable time and resources. The Judiciary hopes this pilot initiative is able to enforce judgments in a more organized and systematic manner.

5.4 Establishment of Grievance Cell

The Grievance Cell was established in the Supreme Court on 19 June 2022. It was established with the main purpose of understanding the challenges and grievances of the litigants and the general public so that the Judiciary can learn from such grievances and devise appropriate mechanisms to address them. This process, in turn, will help the Judiciary to grow and improve efficiency in the delivery of its services.

5.5 Appointment of Dasho Tashi Chhozom as Eminent NC Member

His Majesty the King appointed Dasho Tashi Chhozom as an Eminent Member of the National Council on 15 July 2022. She formerly served as a Drangpon at the Supreme Court of Bhutan. Five Eminent Members are appointed by His Majesty the King to the National Council under Article 11 of the Constitution.

5.6 Time-Bound Bench at the Supreme Court

The Judiciary established a Time-Bound Bench at the Supreme Court to hear and decide cases involving one Phajo Nidup. His dubious business plans resulted in multiple mortgages of various same properties with both financial institutions and private individuals.

The order constituting it ordered courts across the country to forward case files involving this individual to this Bench to avoid the risk of multiple and conflicting court decisions and ensuing difficulties of enforcing those decisions vis-à-vis competing and conflicting claims. The Judiciary hopes that the Bench constituted solely for purpose is able to ensure justice wherever due and necessary.

5.7 Allocation of New Office for Public Notary Office

To maximize the utilization of existing public resources through effective collaboration among the government institutions, the Public Notary Office, formerly housed in the Thimphu District Court's premise, was moved to the Office of the Attorney General (OAG) Building in Motithang on 19 October 2022. It is expected that the new office will be able to enhance public convenience and ease the delivery of notary services that are on the rise due to the increase in the number of Bhutanese seeking opportunities to study and work abroad.

5.8 Adoption of Rules and Regulations, Guidelines and Standard Operating Procedures (SoPs)

The Royal Judicial Service Council formed several Working Groups to research and draft different Rules and Regulations, Guidelines and SoPs to bring about reforms and improvements in judicial process in order to ensure fair justice for the litigants as well as efficient overall administration of the Judiciary even as the country undergoes a major transformation.

The Council adopted the above documents and they came into force on 1 July 2022 upon notification by the Chief Justice of Bhutan. These instruments are aimed at revamping and systematising the conventional judicial and administrative processes. With a precise system in place, the Judiciary hopes that it would foster accountability, transparency and professionalism as the thematic means and target for the judicial personnel to follow and achieve through their respective mandates.

Brief accounts of the Rules, Guidelines and SoPs, including their primary objectives and purpose, are provided below.

(i) SoP for the Media and Communication Unit of the Judiciary, 2022

The Judiciary has witnessed a new trend of print, social and other online media platforms maligning Judiciary and its employees, often levelling allegations of bias, injustice, and miscarriage of justice. Gradual feeding of such unverified information to the public has a drastic effect on the level of public trust and confidence in the Judiciary as the impartial and neutral judicial authority upholding the rule of law.

In view of this, the Judiciary established the Media and Communication Unit at the Supreme Court. Functioning under this SoP, this Unit strives to disseminate factual information to the public whenever necessary, ensure timely access to judicial information to foster transparency and accountability, and streamline communication between the courts and other key actors of the justice sector and enhance trust and confidence in the Judiciary.

(ii) SoP for the Adjudication of Banking Cases, 2022

This SoP was framed with the main aim of ensuring uniform application of laws and court procedures specifically dealing with the loan and mortgage-related disputes. There were instances where certain matters relating to loan cases were not practised uniformly leading to perceived injustice and unfair court procedures. Besides addressing this pressing issue, the SoP also reiterates the importance to expedite the loan cases, where there are no complex legal issues, as allowed under the Civil and Criminal Procedure Code, through summary or ex-parte judgments. It also provides guidance to the courts regarding those cases where there are administrative lapses on the part of the banks, sometimes even with elements constituting a criminal offence.

(iii) SoP for the Grievance Cell of the Judiciary, 2022

The SoP for the Grievance Cell was formulated with the main aim of taking into consideration the need to understand and appreciate the needs, difficulties and aspirations of the justice service consumers, address their aspirations and meet their expectations and enhance and improve judicial service. Functioning under this SoP, the Cell manages the grievances of the public or consumers of justice stemming out of judicial processes and court proceedings and submits recommendation for further actions to the Hon'ble Chief Justice of Bhutan or the Council as the matter may relate to. The Cell is, however, not authorised to entertain any grievance or complaint against a judicial order or judgment.

(iv) SoP for Private Money Lending, 2022

This SoP, drafted pursuant to the relevant provisions of the Financial Services Act of Bhutan 2011, is another mechanism in the concerted efforts to prevent private money lenders from taking undue advantage of the borrowers by charging high interest rates or by disguising the money lending-borrowing transaction as a sale or other like transactions.

While the SoP accepts that money lending for non-business purposes is an age-old and traditional practice, it prohibits money lending at the disadvantage of a borrower, who would not have equal bargaining power with the lender.

(v) Sentencing Guideline of the Judiciary of Bhutan, 2022

It is vital that the criminal laws are unambiguous with limited discretion for the judges, who are expected to apply such laws in a uniform and consistent manner to ensure that it serves the purpose of sentencing, while also ensuring a rational and consistent sentencing practice.

The Sentencing Guideline of the Judiciary of Bhutan was adopted to enhance uniformity and consistency and clarity and rationality of sentencing standards, keeping in mind various factors that are integral elements of the criminal justice system.

(vi) Rules on Declaration of Conflict of Interest by Drangpon, 2022

Without a robust system of declaring a conflict of interest by Drangpons, the Judiciary will be seriously challenged by a lack of accountability and transparency in court orders and decisions, which will have a lasting impact on the affected litigants and citizens.

In view of the above, this Rule was promulgated with the main aim of instituting a system of declaration of conflict of interest by Drangpons to achieve the aims of justice and protect the integrity of the Judiciary. The Rule will allow Drangpons to perform their judicial duties without fear, favour, or bias and in accordance with the Rule of Law.

(vii) Rules of Procedure of the Royal Judicial Service Council, 2022

The Royal Judicial Service Council is a pivotal decision-making body concerning judicial personnel regarding their recruitment, management, promotion and transfer. It is set to play an even more important and proactive role hereafter since the judicial personnel have been de-linked from the Civil Service.

This Rule was promulgated to lay down procedures for the fair conduct of the business of the Council.

(viii) Rules and Guidelines on *Semso*, Gifts, Ushering and Exiting Programs for Judicial Personnel, 2022

Until recently, the Judiciary lacked a proper system to ensure the well-being of its personnel. With this systemic gap in view, the Rule was promulgated to set a standard procedure for the following:

- a) Claiming *semso* during the demise of a member of his/her immediate dependants;
- b) Organising welcome programs for officials joining Judiciary;
- c) Providing gifts to officials exiting Judiciary; and
- d) Organizing farewell programs.

(ix) Judicial Performance Review and Evaluation Rules, 2022

Regular review and evaluation of employees' performance, particularly those occupying leadership positions, are imperative to nurture a judicial system where professionalism and accountability are the top priorities, and where competency and merit are the primary criteria for career advancement and promotion.

To institutionalise a system of objective performance review and evaluation in the Judiciary, the Rule was promulgated with the following primary objectives to:

- a) Promote transparency, efficiency and accountability in the dispensation of justice;
- b) Enable fairness in career advancement and promote talent, merit, productivity and morale;
- c) Enhance both organizational and individual effectiveness by introducing objective measures of performance targets and results; and
- d) Maintain a track record to determine eligibility for promotion or elevation, regularization of service and other incentives.

(x) Guideline on Expeditious Adjudication Proceedings, 2022

Timely delivery of justice without undue delay is an important aspect of the efficient administration of justice.

Guided by this overarching principle, the Guideline was promulgated mainly to:

- a) Facilitate expeditious disposal of cases;
- b) Overcome backlog of cases;
- c) Effectuate the right of parties to a speedy hearing/trial;
- d) Enhance efficiency in the administration of justice; and
- e) Ensure effective and optimal utilization of the resources.

(xi) Guideline on Appeal, 2022

Various aspects of the appeal procedure needed to be streamlined to ensure that it followed the prescribed procedural requirements under the Civil and Criminal Code. As much as it is important on the part of the judiciary to facilitate an exhaustive appeal procedure, it must also ensure to take a firm stand against frivolous appeals, which are solely aimed at buying time and/or harassing the respondent by the appellant.

The primary purpose of this Guideline is to:

- a) Enhance access to justice;
- b) Streamline and ensure uniformity of the appeal procedure; and

- c) Prevent frivolous appeals.

(xii) Guideline for *Sothue* – Child Support Allowance, 2022

Although the Marriage Act 1980 prescribes the payment of monthly *sothue* amounting to twenty percent of a parent's monthly income, it does not define or expressly define 'net income'. This has led to inconsistent interpretations and application of the provisions of the Marriage Act, which is further complicated by the ever-changing nature and heads of income.

Keeping this in mind, the Guideline was promulgated to rationalise the determination of *sothue* vis-à-vis a parent's monthly income. This, in turn, will ensure a consistent and uniform interpretation and application of provisions of the law relating to *sothue*.

(xiii) Guideline for Prevention and Protection of Judicial Service Personnel from Sexual Harassment at the Work Place, 2022

Among many forms of harassment and intimidating practices at workplace, sexual harassment of the women employees especially continues to dominate the news headlines around the world. A free and safe workplace is the starting point for an efficient and productive working environment. Despite the Judiciary being an institution anchored by principles of the Rule of Law, fairness and justice, it lacked a regulatory framework against sexual harassment at workplace.

Against this backdrop, this Guideline was adopted with the following main purpose:

- a) Eliminate all forms of sexual harassment at workplace;
- b) Enhance understanding of sexual harassment at workplace;
- c) Create a safe and conducive working environment for all individuals working within the court system; and
- d) Provide guidance and mechanism to deal with sexual harassment complaints.

(xiv) Contempt of Court Rules and Regulation of Judiciary of Bhutan, 2022

The courts of justice must be able to maintain their dignity and garner public regard to ensure that they conduct their proceedings in a fearless and impartial manner without fear or favour in accordance with the Rule of Law.

Guided by the above primary considerations, this Rule was promulgated with the following objectives:

- a) Uphold the dignity and authority of the court;
- b) Ensure compliance with the directions of the court;
- c) Ensure respect for the due process of law;
- d) Preserve an impartial system of justice; and
- e) Maintain public trust and confidence in the administration of justice.

5.9 Transfers, Civil Service Awards and Superannuations

(i) Transfer of Judicial Personnel

Sl. No.	Name	Designation	Transferred From	Transferred To	Date of Transfer
1	Jigme Choden	Bench Clerk	Pemagatshel	Thimphu	01/01/2022
2	Ngawang Phuntsho	Bench Clerk	Tsirang	Wangdue Phodrang	01/01/2022
3	Nima Zangmo Sherpa	Bench Clerk	Dagana	Punakha	01/01/2022
4	Rinzin Wangdi	Bench Clerk	Nganglam	Pemagatshel	01/01/2022
5	Sonam Wangmo	Bench Clerk	Thimphu	Punakha	01/01/2022
6	Tenzin Nedup	Bench Clerk	High Court	Paro	01/01/2022
7	Thinley Zangmo	Bench Clerk	Chukha	Thimphu	01/01/2022
8	Ugyen Lhamo	Bench Clerk	Samdrup Jongkhar	Trashiyangtse	01/01/2022
9	Lhab Gyem	Bench Clerk	Dagana	Paro	01/01/2022
10	Kelzang Choden	Bench Clerk	Punakha	Thimphu	01/01/2022
11	Dorji Yuden	Bench Clerk	Wangdue Phodrang	Thimphu	01/01/2022
12	Yeshi Dorji	Court Registrar	Wangdue Phodrang	High Court	07/01/2022
13	Karma Yangzom	Bench Clerk	High Court	Supreme Court	10/01/2022
14	Tshering Lham	Bench Clerk	High Court	Supreme Court	10/01/2022
15	Chencho Dorji	Bench Clerk	Tashicholing	Phuentsholing	18/04/2022
16	Dawa Zam	Bench Clerk	Thimphu	Sarpang	18/04/2022
17	Sonam Dechen	Bench Clerk	Phuentsholing	Thimphu	18/04/2022
18	Tashi Dorji	Court Registrar	Chukha	Tsirang	18/04/2022
19	Tshering Choden	Bench Clerk	Gasa	Thimphu	18/04/2022
20	Tshewang Dema	Bench Clerk	Panbang	Zhemgang	18/04/2022

21	Tshewang Zangmo	Bench Clerk	Chukha	Paro	18/4/2022
22	Dorji Wangchuk	Bench Clerk	Lhamoizingkha	Thimphu	15/6/2022
23	Pema Seldon	Bench Clerk	Jomotsangkha	Gasa	15/6/2022
24	Phurpa Gyeltshen	Bench Clerk	Paro	Thimphu	23/6/2022
25	Leki Tshering	Court Registrar	Supreme Court	Thimphu	30/6/2022
26	Ugyen Tshering	Court Registrar	Supreme Court	Thimphu	30/6/2022
27	Lungten Wangmo	Personal Assistant	Thimphu	Lhamoizingkha	1/9/2022
28	Lungten Zam	Personal Assistant	Dorokha	Thimphu	15/9/2022
29	Wangchuk Tshering	Bench Clerk	Tsirang	Lhuntse	16/9/2022
30	Tshering Wangda	Bench Clerk	Thimphu	Supreme Court	30/9/2022
31	Tsheten Phuntsho	Bench Clerk	Gasa	Bhutan National Legal Institute	1/11/2022

5.10 List of Civil Service Award Recipients

(a) Life Time

Sl. No.	Name	Designation	Court	Total Years of Service
1	Dasho Lhundup Dorji	Drangpon Rabjam	Wangdue Phodrang	38
2	Dasho Singye	Drangpon Rabjam	Weringla	39
3	Pemba	Bench Clerk	Public Notary	33
4	Late Norbu Wangdi	Bench Clerk	High Court	35

(b) 30 Years and Above

Sl. No.	Name	Designation	Court	Total Years of Service
1	Dasho Sangay Khandu	Drangpon	Supreme Court	30
2	Dasho Sonam Tshering	Drangpon Rabjam	Panbang	30
3	Leki Wangmo	Sr. Personal Assistant IV	Supreme Court	30

(c) 20 Years and Above

Sl. No.	Name	Designation	Court	Total Years of Service
1	Dasho Gembo Tashi	Drangpon	Sarpang	20
2	Namgay Dema	Messenger	Supreme Court	20
3	Dorji Wangdi	Cleaner	Mongar	20
4	Leki Dema Bal Tamang	Cleaner	Dagana	20
5	Younten Phuntsho	Messenger	Gelephu	20
6	Tenzin	Cleaner	Gelephu	20

(d) 10 Years and Above

Sl. No.	Name	Designation	Court	Total Years of Service
1	Dasho Thongjay	Drangpon	Dagana	10
2	Dasho Jigme Loday	Drangpon	Mongar	10
3	Dasho Singye Wangdi	Drangpon	Trashiyangtse	10
4	Dasho Sangay Chedup	Drangpon	Gasa	10
5	Dr. Karma Tshering	Sr. Court Registrar	Supreme Court	10
6	Pema Wangda	Bench Clerk	Supreme Court	10
7	Tandin Nidup	Bench Clerk	Supreme Court	10
8	Tashi Choden	Bench Clerk	High Court	10
9	Pema Dema	Bench Clerk	High Court	10
10	Sherab Lhamo	Bench Clerk	High Court	10
11	Karchung	Bench Clerk	High Court	10
12	Sonam Tshering	Bench Clerk	High Court	10
13	Karma Tenzin	Bench Clerk	Trongsa	10
14	Sonam Gyelpo	Bench Clerk	Trongsa	10
15	Sonam Dechen	Bench Clerk	Thimphu	10
16	Sangay Dema	Bench Clerk	Thimphu	10
17	Tandin Om	Bench Clerk	Thimphu	10
18	Tshering Dema Sherpa	Bench Clerk	Thimphu	10
19	Sonam Decho	Bench Clerk	Thimphu	10
20	Dawa Lhamo	Bench Clerk	Thimphu	10
21	Karma Tshering	Bench Clerk	Wamrong	10

22	Tshewang Chopel	Bench Clerk	Samdrup Jongkhar	10
23	Sonam Tenzin	Bench Clerk	Punakha	10
24	Karma Chenzom	Cleaner	Wangdue Phodrang	10
25	Sangay Wangmo	Cleaner	Weringla	10
26	Sangay Wangmo	Messenger	Weringla	10
27	Chimi Dema	Gardener	Jomotsangkha	10
28	Ngache	Cleaner	Phuentsholing	10
29	Ugyen Wangchuk	Driver	Lhuentse	10
30	Shacha Zangmo	Gardener	Gelephu	10
31	Bir Bahadur Tamang	Messenger	High Court	10
32	Sonam Yangchen	Messenger	Wamrong	10
33	Kelzang Phuntsho	Driver	Sarpang	10
34	Shakti Rai	Sr. Technician III	Supreme Court	10
35	Kelzang Choden	Sr. Technician III	Supreme Court	10
36	Chado Wangmo	Personal Asst. II	Supreme Court	10
37	Kinley Zangmo	Admin Asst. I	Supreme Court	10
38	Lungten	Driver	Thimphu	10
39	Lam Zomba	Cleaner	Trongsa	10
40	Karma Wangmo	Cleaner	Trashiyangtse	10
41	Tshering Wangchuk	Messenger	Mongar	10

5.11 List of Superannuated Judicial Personnel

Sl. No.	Name	Position Title	Court	Date of Superannuation
1	Gyempo Tshering	Sr. Bench Clerk III	Supreme Court	09/15/2022
2	Gyempo Tshering	Bench Clerk I	Paro	01/01/2022
3	Tashi Phuntsho	Bench Clerk I	Dorokha	06/05/2022
4	Jangchub Norbu	Dispatcher II	Samtse	06/1/.2022
5	Zakorla	Driver	Phuentsholing	01/01/2022

5.12 Voluntary Resignations

Sl. No.	Name	Position Title	Court	Date of Resignation
1	Meera Devi Darjee	Accounts Asst. IV	Supreme Court	1/1/2022
2	Norbu Dorji Tamang	Personal Asst. II	Weringla	1/1/2022
3	Phurba	Driver	Trongsa	1/1/2023
4	Balang Dema	Sr. Bench Clerk III	Wangdue Phodrang	1/1/2022
5	Sonam Dorji	Driver	Pemagatshel	9/3/2022
6	Tshewang Rinzin	Bench Clerk III	Trashiyangtse	31/3/2022
7	Tshering Wangdi	Sr. HR Officer	Supreme Court	1/4/2022
8	Pema Lhadon	Personal Asst. II	High Court	2/5/2022
9	Yezer Dema	Executive Engineer	Supreme Court	1/7/2022
10	Tshewang Zangmo	Bench Clerk I	Thimphu	18/7/2022
11	Rinchen	Dispatcher II	Thrimshing	8/8/2022
12	Jampel Tshering	Bench Clerk I	Bumthang	12/9/2022
13	Sonam Penjor	Sr. Bench Clerk II	Supreme Court	30/9/2022
14	Karma Lhamo	Bench Clerk II	Thimphu	31/10/2022
15	Lhamo	Bench Clerk I	Thimphu	31/10/2022
16	Sonam Phuntsho	Caretaker	Trongsa	30/11/2022
17	Jamyang Lhamo	PA	Trongsa	23/12/2022
18	Daza	Dispatcher II	Nganglam	30/12/2022
19	Dema	PA	Thimphu	31/12/2022
20	Hodo	Sweeper	Punakha	31/12/2022

5.13 Revenue Generated by Courts

Sl. No.	Court	Revenue (Nu.)
1	Dorokha	146,000
2	Gelephu	477,175
3	Jomotsangkha	59,700
4	Lhamoizingkha	896,587
5	Nganglam	211,875
6	Panbang	21,000
7	Phuentsholing	1,523,635
8	Sakteng	118,875
9	Samdrupcholing	170,000
10	Taschicholing	55,775
11	Thimshing	32,145
12	Wamrong	212,400
13	Weringla	5,100
14	Bumthang	130,000
15	Chukha	458,175
16	Dagana	345,475
17	Gasa	160,250
18	Haa	597,350
19	Lhuentse	861,950
20	Mongar	903,400
21	Paro	2,097,875
22	Pemagatshel	272,250
23	Punakha	1,186,625
24	Samdrup Jongkhar	104,850
25	Samtse	260,700
26	Sarpang	210,225
27	Thimphu	8,636,970
28	Trashigang	134,900
29	Trashiyangtse	1,615,900
30	Trongsa	559,887
31	Tsirang	288,194
32	Wangdue Phodrang	894,315
33	Zhemgang	97,100
34	High Court	1,065,588
35	Supreme Court	504,100
Total		24,419,759

Judiciary of Bhutan

Website: <https://www.judiciary.gov.bt>

Facebook: <https://www.facebook.com/judiciarybhutan>