



THE JUDICIARY OF THE KINGDOM OF BHUTAN

Annual Report

2016



ཀྲུལ་སྤུལ་སྐུ་འཁྲུངས་སྐར་ལ་བསྟོད་པ།

༥ དཔལ་ལྷན་འབྲུག་པའི་ཆོས་ཀྱི་ཀྲུལ་པོ་དེ། ཁྱེད་པ་གུ་རུ་ཞབས་དུང་རྣམ་གསུམ་གྱིས།
 ཐུགས་རྗེ་དྲོ་མེད་ཏྲགས་གསུམ་མ་འཕྲུག་པར། ཀྲུལ་སྤུལ་སྐུ་མཆོག་མཆོད་པའི་ཡོངས་སུ་བཞད།
 འབྲུག་མི་བསོད་ནམས་སྤྱི་མཐུན་གནམ་མཁའ་རུ། ཡལ་མེས་སྤུལ་གྱི་ཉི་ལྷ་སྐར་གསུམ་ཤར།
 གང་སྐུ་འཁྲུངས་སྐར་རིན་ཆེན་བཟང་བྱ་དེ། ཐོག་མར་ཆོས་པ་དད་བརྒྱའི་མེ་ཏྲིག་འཛོར།
 འགྲོ་བའི་དོན་ལ་འཇིགས་མེད་དཔའ་བོའི་སྐུ། དཔལ་ལྷན་འབྲུག་པ་ཕྱོགས་ལས་རྣམ་ཀུལ་གྱི།
 དབང་ཕྱུག་གཏུང་འཛིན་ཀྲུལ་སྤུལ་རིན་པོ་ཆེ། འཁྲུངས་སྐར་དང་པོར་བཟྱ་ཤིས་བདེ་ལེགས་ལྷ།

FELICITATION FOR THE BIRTH ANNIVERSARY OF HIS ROYAL HIGHNESS THE GYALSEY

The Dharma Kings of our Glorious Country;
 Born by virtue of unflinching Compassionate Blessings;
 Of Lord Buddha, Guru Padmasambhava and Zhabdrung Rinpoche;
 The Supreme being of our Gyalsey endowed with all the
 Accomplished Attributes [of the Buddha] is thus born.

In the sky of our Collective Merits;
 Where the rays of the Trinity of Their Majesties
 The Druk Gyalpos and The Gyalsey are ever so luminous;
 We offer flowers of eternal joy and happiness;
 As we embark on the joyous celebration of the first
 Birth Anniversary of His Royal Highness The Gyalsey.

To the Fearless (Jigme) Hero of all Sentient Beings;
 The Complete Victor (Namgyel) of our Glorious Nation;
 And the Precious Successor of the Wangchuck Dynasty;
 We offer our heartfelt felicitations and prayers on the
 occasion of His First Birth Anniversary.

Table of Contents

1. Background	1
2. Human Resource Development	2
3. Recruitment and Retirement in 2016	2
4. Reforms	3
4.1. Specialization of Benches	3
4.2. Private Money Lending Regulation	3
4.3. E-Services	4
4.4. Judicial Integrity Scan	4
4.5. Guidelines, Notifications and Orders	4
5. Case Statistics and Analysis	13
5.1. Case Statistics 2016	13
5.2. Comparison of Cases Registered and Decided by the Courts in 2016	17
5.3. Category of Cases heard by the Courts	20
5.4. General Trend of the Cases from 2007 to 2016	21
5.5. Case Statistics of the High Court	22
5.6. Case Statistics of the Supreme Court	22
5.7. Marriage Certificate Statistics 2016	23
5.8. Statistics of Marriage Certificate and Other Miscellaneous Matters 2016	25
6. Key Events of 2016	38
6.1. Training on Case Management System (CMS)	38
6.2. Appointment of Dzongkhag Drangpon	39
6.3. Tenjur Recitation	39
6.4. Workshop on setting up of Library, Archive and Case Management System	40
6.5. Oath Taking Ceremony	41
6.6. Appointment of Drangpon Rabjams	41
6.7. Workshop on ‘Making Laws in the Country by Consent’	42
6.8. Appointment of Dungkhag Drangpon	42
6.9. The Visit of Hon. Chief Justice of Thailand and Delegation	43
6.10. Consecration of the Gasa Drangpon’s Residence	43
6.11. Talk on Judicial and Professional Ethics	44
6.12. Launch of the Judicial Integrity Scan Report	44

6.13.	Training on Judicial Integrity and Ethics	45
6.14.	Civil Service Award.....	45
6.15.	Appointment of the Chief Administrator.....	46
6.16.	Inauguration of Specialized Benches	46
6.17.	Hon Chief Justice’s Talk to Stanford Students	46
6.18.	Royal Judicial Service Council Meeting	47
6.19.	Phasing out of the SDC	50
6.20.	Austria Extends Support.....	50
7.	Events Attended by the Hon. Chief Justice in 2016	50
8.	List of International Guests 2016	51
9.	Trainings Conducted by the Bhutan National Legal Institute for Judicial Personnel	53
10.	Challenges	54
11.	Way Forward.....	56
-	Judicial Responsibility and Accountability Regulation	56
-	Endorsing of the Guideline on Conflict of Interest	56
-	Launching of Judiciary’s E-Services	56
-	Bench Book and Modern Amenities for the Family and Child Bench	56



༄ དཔལ་ལྷན་འབྲུག་པའི་ཁྲིམས་ཀྱི་འདུན་ས།

ROYAL COURT OF JUSTICE

CJB-19/2017/151

Date: 24th February, 2017

FROM THE OFFICE OF THE CHIEF JUSTICE OF BHUTAN

The supremacy of the rule of law is inviolable and inalienable. His Majesty the Druk Gyalpo has profoundly stated that: *“Rule of law brings about discipline in people and order in society. If there is order in society, there will be peace and trust amongst the people. If there is trust and peace amongst the people, the nation will achieve untold prosperity”*

The Judiciary must effectively and efficiently achieve the mandate enshrined in the Constitution which states that *“The Judiciary shall 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.”*

The pursuit of Justice is a journey and not the destination. It calls for vision, humanism and unity of thought and constant vigilance. The Judiciary is the custodian of the sacred trust to uphold the rule of law, the essence of which lies in the assurance that no person is above the law; that everyone is answerable to it; that corruption will not be tolerated; and that every citizen should have the greatest equality of opportunity. The authority of the judiciary must therefore be rooted in its absolute commitment to the core principles of impartiality, transparency and integrity.

The administration of Justice must constantly evolve to suit the changing times, but their high place must be maintained and their functions must be preserved so that right may be done to all the persons in accordance with law. Therefore, the Judiciary has continued to review the system to ensure that the judicial process achieves its objectives. The process of delivery of justice



༄། དཔལ་ལྷན་འབྲུག་པའི་ཁྲིམས་ཀྱི་འདུན་ས།

ROYAL COURT OF JUSTICE

through equitable judicial remedies must continue to be simple and its implementation continually monitored.

His Majesty has constantly reminded us that: *"There is a need to continue to improve the legal system through timely and appropriate reforms and proactive initiatives. Any system developed must be compared with other systems, but the essence must remain traditional and Bhutanese."*

The Judiciary of Bhutan has initiated many periodic reforms to fulfill His Majesty's aspirations and visions which have always been in consonance with our culture and traditions. These changes have continued to strengthen the existing system of dispensing justice by making it more dynamic and responsive to the changing times without abandoning the past. One of the most important reforms has been the establishment of the Specialized Benches at Thimphu District Court in 2016. This specialization is aimed at bringing about uniformity, accuracy, precision, and predictability of judgment and the interpretation of laws. I am confident that professional *Specialist* judges will promote thoughtful in-depth analysis, logic, and consistency to judgments, leading to greater credibility, transparency and integrity of the justice system.

His Majesty the Druk Gyalpo has commanded that: *"The judiciary must serve with humility and must be reminded of integrity at all times"*

Justice requires efficient judicial process, relentless effort and an impeccable Code of Conduct on the part of Judges and Judicial Staff. Judicial personnel must at all times aspire to exhort and enhance good conduct, accountability and integrity. Poor ethical and moral turpitude of the judicial officials tarnish the moral authority of the Judiciary and its persuasive arguments. Hence, we must exhibit and promote high standards of judicial conduct in order to reinforce public confidence in the judiciary, which is fundamental to the maintenance of judicial independence.



༄ དཔལ་ལྷན་འབྲུག་པའི་ཁྲིམས་ཀྱི་འདུན་སྤྱོད་

ROYAL COURT OF JUSTICE

The Judges are appointed with a profound belief in the indispensable importance of the Courts of Justice in sustaining the whole edifice of society. It is our paramount duty to uphold the fundamental rights and protect the citizens of Bhutan. We should not be discouraged by criticisms nor be daunted by the challenges ahead. Objective criticism unveils the opportunity of dynamic review and necessary reforms. Thus, developing a system where the judges and the Court personnel can be held accountable for violation of court rules, policies and codes of conduct or other corrupt and unprofessional behaviors is an important element in creating accountability and encouraging professionalism. However we must be aware of the fact that excessive accountability could undermine judicial independence. Therefore, reform initiatives in these areas have to be carried with a view to striking a proper balance between the values of judicial independence and judicial accountability, both being equally crucial for the proper functioning of the judicial system in a democratic society.

The Royal Courts of Justice shall continue to render service with commitment and resolve, unwavering determination and devotion. The Judiciary must serve the cause of justice with humility, clarity of thought, and single minded dedication, so that we may meaningfully contribute towards fulfilling His Majesty the Druk Gyalpo's vision of creating a fair and just society and an intelligent and practical democracy. The Royal Courts of Justice shall continue to aspire and strive to maintain a judicial system that is independent, treated with respect, imbued with a reputation for integrity and competence worthy of public confidence.



(TSHERING WANGCHUK)
Chief Justice of Bhutan
Supreme Court
Royal Court of Justice
Thimphu : Bhutan

1. Background

The judicial authority is “vested in the Royal Courts of Justice comprising the Supreme Court, the High Court, the Dzongkhag Court, the Dungkhag Court and such other Courts and Tribunals as may be established.” The Judiciary of the Kingdom of Bhutan is constitutionally mandated to “safeguard, uphold, and administer Justice fairly and independently without fear, favour, or undue delay in accordance with the Rule of Law.” It is the foundation upon which our democracy grows and thrives as the Judiciary is the only organ that deals with the administration and dispensation of justice. The Judiciary is the custodian of justice and our Courts the temples of justice. As the Courts are thus the hallowed places of justice and a last bastion of hope for the people, it behooves the Judiciary to deliver its mandates in a fair, impartial, and independent manner.

The Judiciary of Bhutan today is required to act at a time when polarization is occurring over a number of fundamental goals and aspirations of the Bhutanese people, spurred on by the rapid socio-economic and socio-cultural changes in the country. Law and Courts are asked to do much more than in the past.

The Judiciary, as the bastion of justice, must command public trust and confidence, and respect – which is easier, said than done. When we decide, we divide – one party always remains a loser at the end of a trial. The general acceptance of the judicial decisions largely reflects the trust and confidence of the people. The rule of law depends upon peaceful acceptance of those decisions, and compliance with court orders, even if they are strongly resented. The trust and confidence in the Judiciary do not necessarily mean that there has to be a belief that all judicial decisions are wise, or all judicial behaviour impeccable. What it may require, however, is a satisfaction that the justice system is based upon values of independence, fairness, impartiality, integrity, predictability, consistency and professionalism, and that, within the limits of ordinary human frailty, the system pursues those values faithfully. It has always been recognized as a primary responsibility for our Courts to conduct themselves in a manner that fosters satisfaction. The Judiciary emphasizes on maintaining both the reality and the appearance of independence and impartiality, keeping in mind that not only justice is rendered by our Courts, but it must also be seen to be done.

The equal treatment of citizens before the law is fundamental to our justice system. The phrase “Equal Justice under Law” that is found inscribed on the facade of every courtroom, a concept written into our Constitution, must evoke hope and provoke positive action. An independent, impartial, honest and competent Judiciary is integral to upholding the rule of law which is *sine quo non* for engendering public confidence in the administration of Justice. Justice is neither the rights of Judiciary nor the private rights of the judges - it is the right of all consumers of justice. The Judiciary, therefore, must firmly stand for what it is.

The Judiciary of the Kingdom of Bhutan guided by the visionary and dynamic leadership of His Majesty the Druk Gyalpo, must administer justice to all persons alike without fear,

favour or prejudice, in accordance with the Constitution and the law. The Judiciary recognizes that the public disagreement with or criticism of the judgments or orders of the court is a testimony that irrespective of how morally they are diminished by injustice, they are at the same time so ennobled by justice - which is so essential to humanity. This obliges us to strive continually toward a more sublime judicial system that inspires public trust and confidence at all times in the belief to seek truth and justice in the preservation of the rule of law, the very bedrock of our democracy and societal peace.

It is hoped that this Annual Report will continue to provide the in-depth look at the work of the Judiciary for the year 2016 and help inform the people of the important role that the judiciary plays in the country. The Report is designed in a way that it provides information on Human Resource Development, Reforms Initiated, Case Statistics and Analysis, Key Events in 2016, Challenges and the Way Forward, amongst others.

2. Human Resource Development

The individual contributions of the employees play a crucial role in the efficient functioning of any organization. Likewise, the performance of the judicial system is largely dependent on the competency of its human resource. For the same reason, investing in human capital is being given due priority by the Judiciary towards promoting and facilitating an effective, efficient and transparent administration of justice. The Judiciary stresses on ensuring the professional development of holders of judicial office to bolster their ethics and competence. Judiciary strives to provide its employees with a working environment that is fair and supportive of individual and professional growth.

The Judiciary implements through Bhutan National Legal Institute programmes and trainings for the continuing education and training of judges and judicial officers. The human resource initiatives undertaken by Judiciary are vision-focused, purposeful and timely to bolster judicial independence, impartiality and efficiency.

The Judiciary has organized and facilitated several trainings and workshops for Judges, Registrars, Bench Clerks and other judicial personnel on current and important subject areas such as judicial ethics and integrity; case management; and making of laws. Judges and judicial personnel are in addition sent for ex-country trainings and further studies. In 2016, four court Registrars completed their Masters in International Law from the University of St. Gallen Switzerland. A Court Registrar completed Masters in International Legal Studies from University of Vienna, Austria while another Registrar completed Masters in Commercial Law from the George Washington University, U.S.A.

3. Recruitment and Retirement in 2016

In 2016, Judiciary recruited thirty new employees, while a total of thirteen employees retired/resigned from the service. From amongst the new recruits, there were two Court Registrars, twenty Bench Clerks and eight support staff. The following table contains the list of judicial personnel who superannuated or voluntarily resigned in 2016.

Sl.No	Name	Designation	Court	Remark
1	Kuenzang Thinley	Bench Clerk	Gasa	Superannuated
2	Tashi Dendup	Bench Clerk	Bumthang	-do-
3	Sonam Dorji	Bench Clerk	Lingzhi	-do-
4	Wangdi	Bench Clerk	Lingzhi	-do-
5	Tobgye	Bench Clerk	Lhuentse	-do-
6	Chogyel	Bench Clerk	Trashigang	-do-
7	Rinzin Namgay	Bench Clerk	Trongsa	-do-
8	Thinley Wangmo	Bench Clerk	Chukha	Voluntarily Resigned
9	Dargay	Bench Clerk	Dorokha	-do-
10	Tashi Phuntsho	Driver	Supreme Court	-do-
11	Jigme Dorji	Personal Assistant	Thimphu	-do-
12	Namgay Lhamo	Dispatcher	Wangdi Phodrang	-do-
13	Nima Dorji	Driver	Punakha	-do-

4. Reforms

The Judiciary must ensure timely reforms to fulfil the constitutional mandate of upholding the rule of law and to enhance transparency, impartiality and integrity in the administration of justice. It is crucial for the Judiciary as the reforms enhance the efficiency of the judicial institution and strengthen its independence. The following are some of the reforms initiated in the year of 2016.

4.1. Specialization of Benches

“...promote thoughtful in-depth analysis, logic, and consistency to judgments, leading to greater credibility, transparency and integrity of the justice system.”

Hon. Chief Justice Lyonpo Tshering Wangchuk

The Judiciary, in order to ensure a fair, reliable and efficient justice system, the welfare of our people and the society at large, embarks on new and timely reforms. It stresses on improving procedures and policies, and enhancing judicial services, including better protection of the individual's rights. To this effect, the Judiciary undertook the initiative to establish specialized benches and streamline its procedures. The Judiciary, therefore, established specialized benches at the Thimphu Dzongkhag Court on 21st December, 2016. With this progress, the Judiciary strives to expedite and enhance the delivery of services to the court users, ensure uniformity, accuracy, precision, and predictability of judgment and the interpretation of laws.

4.2. Private Money Lending Regulation

To regulate informal money lending and reduce the docket inundated with informal money lending cases, the Judiciary in consultation with the Royal Monetary Authority drafted a Private Money Lending Regulation.

The regulation aims to supplement the Financial Rules by enhancing the effectiveness of monetary policy and reducing litigations and adverse socio-economic consequences arising thereof.

4.3. E-Services

With the objective of improving the delivery of judicial services and enhancing user satisfaction, the Judiciary is set to undertake automation of services under the Public Notary System with the support from G2C office. The Judiciary endeavored to implement an online service delivery system to avail and deliver judicial services. Some of the key objectives for this significant initiative are:

- To facilitate citizen's easy access to judicial services;
- To enable the efficient delivery of judicial services to public;
- To simplify and improve judicial service; and
- To monitor the efficiency of service delivery.

With the introduction of the online system, the general public can now apply for:

- Marriage Certificate;
- Change of Name and/or Date of Birth;
- Affirmation/Translation of Marriage Certificate;
- Marital Status;
- Child Travel Documents;
- Lost Document(s);
- Attestation of Document(s);
- Kidney Transplant Documents;
- Child Adoption;
- Attestation of Agreements, Wills, Contracts and Testaments; and
- Closing of Accounts and Transfer of Shares.

The development of the system for the aforementioned online services has been completed, and since December, 2016, the Notary Public Office in Thimphu has started to render online services on trial basis. The online services will be formally launched following which the public will be able to avail aforementioned services.

4.4. Judicial Integrity Scan

The Judiciary in collaboration with the Bhutan National Legal Institute (BNLI) and Anti-Corruption Commission (ACC) initiated the Judicial Integrity Scan and launched the Report 20th September 2016. It provides an overview of the legal and institutional framework for judicial integrity.

4.5. Guidelines, Notifications and Orders

The Supreme Court over the years has issued several guidelines and notifications clarifying the anomalies in the application of laws and court process. This has not only

expedited the adjudication of the cases in the Courts, but has also brought consistency in the procedures and judgments rendered by the Courts. Some of the orders from the Office of the Chief Justice are:



འབྲུག་གི་མདོན་མཐོ་ཁྲིམས་ཀྱི་འདུན་སྐྱོད།
Supreme Court of Bhutan



མདོན་མཐོ་ ༡། ༡-༢༠༡༦/ ༢༠༣༧

།དམིགས་དོན་བཀོད་ཀྱི་ཕྱག་ལུགས།

༢- ཆེ་མཐོ་ཁྲིམས་འདུན་ཁྲིམ་གཞིའི་དང་ཁྲིམས་ལྟར་ཕྱི་འབྲེལ་ཡོད་ཡོད་སྟེ། ཆེད་འབྲེལ་དེ་ཡང་ ལྷ་ཁྲིམས་ཆེན་མོའི་
དགོངས་དོན་དང་ མི་དབང་མང་འབད་ག་ཅིན་པོ་ཆེ་འདི་དགོངས་བཞེད་འབྲུག་ཐབས་ལུ་ དང་ཁྲིམས་ལྟར་ཕྱི་འབྲེལ་གྱི་དམིགས་དོན་བཀོད་
ཀྱི་ཕྱག་ལུགས་བཞེད་ཡོད་པ་དེ།

༡. མ་འོངས་པར་ ཁྲིམས་འདུན་ཚུ་ནང་ཐུང་བའི་དགའ་ངལ་སེལ་ཐབས་ལུ་དམིགས་ཏེ་ མི་དབྱུག་དང་ལེགས་བཅོས་ཚུ་ དུས་ཚོད་
ལར་ འགོ་བཙུགས་གནང་དགོཔ་གཤམ་ཅེ།
༢. ཁྲིམས་ཀྱི་འདུན་སྐྱོད་ལམ་ལུ་ ཞབས་ཏོག་དགོཔ་པའི་མེད་ཅོན་གང་ཞིག་ཡོད་པ་མིན་ན་ ཚུད་ཁྲིམ་པ་ཚུ་གི་དགོས་མཁོ་དང་ གཤམ་གནང་ཆེ་
བའི་མེད་ཅོན་ཚུ་འཛིན་འབད་དེ་ མཇུག་ཅི་ཚུ་ཡར་ཤུགས་ཏང་དགོཔ་པ།
༣. ཐུ་བའི་གནད་ཚུ་དང་དཔེ་གྲགས་ཏེ་ དམིགས་བསལ་གྱི་ཁྲིམས་ཁྲིའི་ཕུགས་ཀྱི་ཕྱག་ལུགས་ལུ་ ཆེ་མཐོ་ཁྲིམས་ཀྱི་འདུན་སྐྱོད་
ཁྲིམས་ཀྱི་དབུ་བཙུགས་ཐོག་ལུ་ གནན་དང་དཔོན་གཉིས་ལུ་མཐུན་པའི་འཁོར་གནས་སྐྱོད་ཁྲིམས་ཀྱི་ཁྲིམས་ཁྲིམ་ཏེ།
༤. ཐེམ་ལུ་ཁྲིམས་ཀྱི་འདུན་སྐྱོད་ ཉེས་ཚུད་དང་ཞི་ཚུད་ བཟུང་ཆང་དང་ལུ་གཞི་ ཆོང་འབྲེལ་ཁྲིམས་ཀྱི་ཐུགས་ཀྱི་ཕྱག་ལུགས་ཀྱི།
༥. དང་ཁྲིམས་ཀྱི་ལམ་ལུགས་དང་ ཁྲིམས་ཀྱི་རིང་ལུགས་ཚུ་ལུ་ མི་མེར་གྱི་ཡིད་ཆེས་དང་ཕྱོགས་ཚུ་གྲུགས་པ་མེ་ དང་ཁྲིམས་ལྟར་ཕྱི་
འབྲེལ་འཕེལ་འབྲེལ་ཐབས་ལུ་ དང་ཁྲིམས་ལྟར་ཕྱི་འབྲེལ་ཡོད་ཅེ་ཆ་མཉམ་ཁྲིམ་གཅིག་པོར་ བཏོན་དགོཔ་པ།
༦. རྒྱལ་དང་མཐུན་པའི་སྤྱོད་ལུ་ཐབས་དང་ འགན་འཁུའི་ལམ་ལུགས་ དང་དཔོན་ཚུ་གི་ལུ་ལུ་ཚུ་ དཔོན་བཟག་ཀྱི་མེད་ཅོན་ལུ་
བསྐྱར་ཞིབ་འགོ་བཙུགས་གནང་ནི་མིན།
༧. རྒྱལ་གཞུང་ཁྲིམས་ལྟེ་ཆོག་ལུ་ཕྱི་ལོ་ དོན་མིན་ཅན་གྱི་ཕྱག་ལུགས་འབྲེལ་འདྲེན་ཐོག་ལུ་ དང་དཔོན་རང་སེལ་ལུ་ལུ་གཞི་བཞག་ཀྱི་
ཞུམ་ཐབས་བཏོན་ཀྱི་ལེགས་སྒྲུབ་དང་ བཀའ་འཁྱོད་གནང་ཐབས་བསྒྲིག་ནི།
༨. ཚུད་ཅོན་ཁྲིམ་ཆབས་ཆེན་འབྲུང་མེད་པའི་ཕ་ཡུན་ཚུ་ལུ་ ཁྲིམས་ཀྱི་ཁྲིམས་ཁྲིམ་གསོ་དང་ རྒྱལ་ནང་འཁྲིམས་ལམ་ཤུགས་ཏང་ནི།
༩. ཁྲིམས་འདུན་ཆ་མཉམ་ཀྱི་ནང་ བཞུགས་ཀྱི་འཛིན་ཁམ་དང་ རྒྱལ་དང་འབྲེལ་ཐབས་ཚུ་ ཆོད་ལུན་བཅོམ་ཐབས་དང་ དང་དཔོན་
རང་སེལ་ ཐབས་དང་གནས་སྐབས་བཏོན་ཏེ་ ཁྲིམས་འབྲེལ་དཔེ་མཇོན་ཁང་ལུ་ མོགས་ལུ་སྤྱོད་ཀྱི་འཛིན་ཁམ་འབད་དགོཔ་པ།
༡༠. དཔེ་མཉམ་པར་ཡང་ བསྐྱར་བཅོས་ཀྱི་རིམ་པ་གང་ཞིག་བཙུགས་ཏེ་ རང་ལུགས་ཀྱི་ཁྲིམ་ཆོས་དང་ སྤུངས་ཚུ་ལམ་ལུགས་ལམ་
རབ་ཐང་རའི་ལམ་སྟེང་དང་ རྒྱལ་ཡོངས་སྤྱད་ཀྱི་ཁྲིམ་ཆོང་ཁམ་ཚུ་ ཞོང་འཕེལ་དང་གཅེས་འཛིན་འབད་ནི་མེད་ཅོན་ལུ་ འཛོམས་ཐུང་བཅོན་
ལུགས་བསྐྱོད་གནང་དགོཔ་བཅས་ གནས་ཁོ་ཤིང་ལུ་ཁྲིམ་ཆུང་ཕུན་ཀྱིས་པའི་ཉེར་ལུ་ཁམས་ མི་ཆེས་ ༣, ༢, ༢༠༡༦ ལོ།

།ཆེད་འབྲེལ་ཕྱག་ལུགས།
འབྲུག་གི་ཁྲིམས་ཀྱི་ཆེད་མཐོ་
དཔེ་མཉམ་ཕྱག་ལུགས་ཀྱི་ཆེད་མཐོ་ཁྲིམས་ལྟར་ཕྱི་
འབྲེལ་ཁྲིམས་ཀྱི་འཛིན་ཁམ་





། དཔལ་ལྷན་འབྲུག་པའི་ཁྲིམས་ཀྱི་འདུན་ནས།

ROYAL COURT OF JUSTICE

མདོན་མཐོ་(༢༡)-༢༠༡༦/༥༢༦

། གསལ་བསྐྱུགས།

༢ འབྲུག་གི་དང་ཁྲིམས་ལྷན་གྱི་འོངས་གཏོགས་འབྲེལ་ཡོད་ཁྲིམས་ཀྱི་འདུན་སའི་དྲུག་ཤོས་དང་དཔོན་ཡོངས་ཀྱི་སྙན་ལམ་དུ་
ཆེད་འབྲེལ་དེ་ཡང་ གཤམ་གནད་ཆེ་བར་ནན་ཏན་གྱི་དབང་དུ་བཏང་སྟེ རང་རེ་དང་ཁྲིམས་ལྷན་གྱི་དམིགས་བསལ་གྱི་དགོས་དོན་
འབྲུག་ཐབས་ལུ་བརྟེན་ གསལ་བསྐྱུགས་སྟེལ་དགོས་བྱུང་བ་དེ་ཡང་། སྤར་ནས་ད་ཆུན་ གླེང་གི་ཚིག་གཞི་ལྷན་ཁུ།(CIS) ཟེར་
ཡོད་མི་དེ་ དེང་སང་ ཏུས་ཀྱི་འཕྱར་བཤམ་ གཞུང་གི་ལེགས་བཅོས་ཀྱི་ལམ་ལུགས་དང་བསྟན་ མིང་གི་ཐ་སྙད་འདི་ (CMS)
ཚིག་གཞི་འཛིན་སྲོང་ལམ་ལུགས་ཟེར་ བསྐྱར་བཅོས་འབད་ཡོད་མི་དེ་ སྤྱི་ཆེས་ཁྱེས་༡༤.༢.༢༠༡༦ལས་ སྤྱི་ཆེས་༤.༣.༢༠༡༦ཚུན་
ཚུལ་ཚོང་ཁག་གི་མངའ་འོག་ ས་གནས་ཕུན་ཚོགས་གླིང་གི་ཉེ་འདབ་ རིན་ཆེན་ལྷིང་མཐོ་རིམ་སློབ་གྲྭ་ལི་ས་ཁོངས་ནང་ལུ་སྤྱི་
བནར་མཐིལ་ཕྱིན་འབད་ཡོད་པ་མི་བཞིན་ ད་རེས་སྤྱི་ཆེས་༡.༢.༢༠༡༦ ལས་འགོ་བཟུང་ སློག་རིག་ཡོངས་འབྲེལ་ལུ་
cms.judiciary.gov.bt Username:employee id Password:pass@123 མོག་ ལག་ལེན་དངོས་སུ་བསྐྱར་
དགོས་པ་དང་འབྲེལ་ སྤན་རང་གི་ཡོངས་ལས་ཀྱང་འཕམ་ལུགས་མི་དམངས་སྤྱི་དོན་ལུ་ཕན་ཆེ་བས་འབྱུང་ཆུགས་པའི་སྤྱོད་འདུན་དང་
དེ་བཞིན་དུ་འབྲེལ་ཡོད་ཆོང་མས་ཚུལ་མཐུན་ངོས་ལེན་མཛད་གནང་དགོས་པ་བཅས་ རང་ལུགས་གནམ་ཡོ་མེ་མེ་སྟེལ་ལོ་གླེང་གིས་པའི་
ཉེར་གཉིས་མམ་ སྤྱི་ཆེས་ ༣༠.༣.༢༠༡༦ ལུ་ མདོན་མཐོ་ཁྲིམས་ཀྱི་འདུན་ནས།



། ཆེ་རིང་དབང་ལྷུག་།
འབྲུག་གི་ཁྲིམས་སྤྱི་ཁྲོན་པོ་
དཔལ་ལྷན་འབྲུག་པའི་དང་ཁྲིམས་ལྷན་གྱི་
མདོན་མཐོ་ཁྲིམས་ཀྱི་འདུན་ནས།



༄། དཔལ་ལྷན་འབྲུག་པའི་ཁྲིམས་ཀྱི་འདུན་ནམ།

མདོན་མཛོད་ ༡༡ - ༢༠༡༦ / ༡༠༠༥

ROYAL COURT OF JUSTICE

། རྒྱབ་བསྟན་གསུམ་ །

འཇིག་རྒྱུ་མེད་ཉིད་ཀྱི་བཀའ་ཅད་པའི་དྲང་ཁྲིམས་ལྷན་གྱི་རྒྱུ་ལོག་གསུམ་པའི་འབྲེལ་ཡོད་ཡོངས་ལྷ། ཆེད་འབྲས་དེ་ནི་ འབྲུག་གི་
བཅག་འབྲུན་ལྷན་འཛིན་གྱི་ཁྱེད་ཀྱི་ཡིག་ཡང་ ཡི་མི་ལེ་ཡེས་ཡི་མི་ ༥༢/༢༠༡༦/༣༩༥༠ ལྷི་ཆེས་ ༡༤.༢༠༡༦ ཅན་མའི་འབྲེལ་གནད་ཐོག་ ལྷི་
ལོ་ ༢༠༡༦ ཡོད་མ་གནས་གཞུང་གི་བཅག་འབྲུན་འབྲེལ་ལྷན་ནང་གཏོགས་པའི་དོན་ལྷ། འབྲུག་གི་ཆོད་དང་ཉེས་ཆོད་ཐུ་བའི་གནད་སྤྱོད་ཀྱི་ཁྲིམས་
དེབ་དོན་ཆོན་ ༧༩ དང་ ལྷི་ལོ་ ༢༠༠༤ ཅན་མའི་འབྲུག་གི་བཅག་འབྲུན་འཛིན་པའི་ཁྲིམས་ཀྱི་འབྲེལ་གསུམ་ ༡༤ པའི་ནང་གསལ་ ཆོག་པ་མེ་མའི་
འབྲུས་མའི་གཤམ་ཁར་ཡོད་མེད་དང་ ཆོག་པ་པའི་འབྲུས་མའི་ལས་དཔོན་ལྷ། འབད་བཤོད་མེད་ཀྱི་འབའ་གན་ཆུ་ ཁྲིམས་འདུན་ལ་ཤས་ཀྱིས་ལེན་
སྤྱོད་ཡོད་ལྷགས་སྐོར་འཛོད་དེ་གནད་འདུག་མེད་ཐང་ བཅག་འབྲུན་ལྷན་ཆོག་པ་ཀྱི་འདེམས་ཁོང་ངོས་ལེན་འགོ་དཔོན་ནས་དཔྱེ་ཞིབ་འབད་ནི་ལེན་
པར་བཞེན་ ད་ལས་པར་ ཡོང་འཛོད་འབའ་གན་འདི་ལོག་པ་སྤྱོད་དཔོན་ལེན་དཔོན་ལེན་འདུག་ ཡིན་རུང་ རང་འདི་ཁྲིམས་ཀྱི་འདུན་ནམ་དུས་རྒྱུན་
བསྟར་སྤྱོད་མཛད་དཔོན་པའི་འབྲེལ་གསུམ་ ༡༤ ཀྱི་ ཅན་མ་འདེམས་འདི་བཞེར་ཡིག་རྒྱུང་མ་ཅིག་ལག་ལེན་འབབ་དཔོན་པར་བཞོད་འདུག་པ་
བཞིན་ འབྲེལ་ཡོད་ཆ་མཉམ་གྱིས་ དེ་ལྷགས་ལྷགས་ཁར་ངེས་དཔོན་པ་བཅས་ གནས་ལོ་མེ་ལྷུ་ལོ་རྒྱ་བཞི་པའི་ཉེར་གཅིག་གསུམ་ ལྷི་ཆེས་
༡༢.༢.༢༠༡༦ ལྷ། མདོན་མཛོད་ཁྲིམས་ཀྱི་འདུན་ནམ་ནམ།



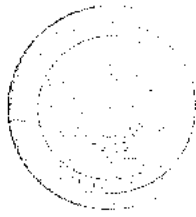
། ཆེ་རིང་དབང་ལྷག་ །

འབྲུག་གི་ཁྲིམས་ལྷི་རྒྱུ་ལོ

དཔལ་ལྷན་འབྲུག་པའི་དྲང་ཁྲིམས་ལྷན་གྱི་

མདོན་མཛོད་ཁྲིམས་ཀྱི་འདུན་ནམ།

འདྲ། འབྲུག་གི་བཅག་འབྲུན་འཛིན་གྱི་ཁྱེད་ཀྱི་ཡིག་ཡང་།




ROYAL COURT OF JUSTICE

མཚོ་མཐོ་ ༩༩ - 2076/7602

[illegible][illegible][illegible]

မိုးကြိုး

[illegible][illegible]


 J. Edgar Hoover
 Director



མདོན་མཐོ་(༧)-༢༠༡༦/༡༩༣༥

༣༡ དཔལ་ལྷན་འབྲུག་པའི་ཁྲིམས་ཀྱི་འདུན་སྒྲུབ་
ROYAL COURT OF JUSTICE

༡ རྒྱབ་བསྟན་གསུང་

༢ རྒྱུ་ལྡན་དང་དྲུང་ལྡན་ཁྲིམས་ཀྱི་འདུན་སྒྲུབ་པའི་དྲང་དོན་ཡོངས་ཀྱི་སྒྲུབ་ལམ་དུ། ཚེད་འབྲས་དེ་ཡང་། དལ་གཞིར་ཚུད་དོན་ཐག་གཅོད་ཀྱི་དབང་ཚད་ཕྱི་ལ་བྱ་དྲང་དོན་རང་སེའི་སྤྱི་དབང་ལྟ་བུ་དུ་ཡོད་པ་ཡིན་ཅུང་། མཛད་རིམ་གཅིག་མཚུངས་ཀྱི་ཆ་ཁྲིམ་དང་འབྲེལ་། སྤར་གྱི་ལག་ལ་ཡང་། མདོན་མཐོ་(༧)-༢༠༡༦/༣༦༩༥ སྤྱི་ཆེས་༡༢.༥.༢༠༡༥ ཚན་མའི་འབྲེལ་དོན་ཐོག་ལུ་དྲན་བསྐྱེད་བཞིན་པའི་ཁྲིམས་པའི་ཡང་།

༡. **སྒྲུབ་ལམ་ལྟར་དྲང་ལྡན་མཛད་པར་འབྲེལ་གཏོགས་མཛད་དགོས་ཀྱི་སྤར་གྱི་ལག་ལ་ཡང་།** སྤར་གྱི་ལག་ལ་ཡང་། ཚུད་དོན་ཐག་གཅོད་དང་འབྲེལ་བའི་ལས་སྤྱིའི་རིགས་དཔྱེག་ཞིབ་མཐོལ་ཕྱི་ཐོག་ཀྱི་སྤྱི་དབང་ལྟ་བུ་དུ་ཡོད་པར་ཡོད་ཅུང་། ལྷག་པར་དྲུང་ལས་པར་ནན་ཆེར་མཛད་དགོས་པའི་ཡང་། གནས་ལོ་མེ་སྤྱུག་ལོར་ཆེ་མཐོ་ཁྲིམས་ཀྱི་འདུན་སྒྲུབ་པའི་མངའ་བདག་རིན་པོ་ཆའི་ལག་ལ་ཡོག་དོན་ཚན་༡༢ ཚན་མའི་ནང་གསལ་དོན་ཚན་༣ པར་ “ཁྲིམས་དཔོན་ལྷན་ཀྱི་གྲས་ལས་ རྒྱུ་ལྡན་ལམ་མཛད་པའི་དྲང་གིས་མ་གཏོགས་ ཁྲིམས་དཔོན་ལ་ལས་བཟང་དུ་གྱུར་ལྷན་གང་ཡང་མ་ལབ་པར་སྤོད་ལུས་འདུག་པ་དེ་ནི་ དང་པར་རང་གི་འགན་ཁུར་མ་འབག་པ་དང་ གཉིས་པར་ཚུད་གཞིའི་ཆ་ལོ་ནུམས་ཀྱི་བསམ་པ་མ་ཆོག་པར་འཇུག་པའི་ཡང་བསྐྱེད་པའི་འདུག་པ་ཆེན་ དལ་སྤར་ལས་ཁྲིམས་དཔོན་རང་སོར་ཐོག་པའི་འགན་ཁུར་འཇོག་པའི་ལྷན་གྱི་ལྷན་གྲགས་པར་མ་བག་ལ་ཆུན་ རང་གི་དབྱེད་ཐབས་ཁྱེད་པ་དང་ འགན་ཁུར་གཞན་ལ་བག་ལ་བཞག་པ་དང་ འགན་འདྲ་འདྲ་མ་འབག་པར་སྤོད་པའི་གསུང་ལྟར་ནས་ཐུག་ཡོད་ཆོག་” རེར་བཞིན་གནང་བའི་དགོངས་དོན་དེ་དང་འབྲེལ་ནི་ ཚུད་དོན་དང་འབྲེལ་བའི་ཞིབ་འཇུག་གང་དྲག་མཛད་དགོས་དང་འབྲེལ་ རྒྱུ་ལྡན་ལུ་ ཚུད་གཞིའི་སྤྱི་དབང་དོན་དང་བསྐྱེད་པའི་དེ་ཆ་དེས་པར་དུ་མཛད་དགོས་པའི་ཡང་། ཚུད་དྲང་ཆུ་གིས་ཁྲིམ་མི་དང་ ལུ་མི་ཆུ་ལུ་སྤྱི་གཏད་དེ་མ་བཞག་པར་ དེ་ལུ་ཡིན་མིན་གྱིས་བཞག་དཔྱད་པའི་ཡང་མཛད་དགོས་མ་ཆད་ ཚུད་གཞི་དང་འབྲེལ་བའི་ལས་འགན་དྲང་དོན་རང་སོར་ཕྱི་ལོར་འབག་དགོས་པས་ སྤར་ལས་ལྷག་པར་གང་ག་ཐབས་མཛད་དགོས་པར་ཐུགས་ལ་ཤེས་གནང་དགོ།

༢. **ལན་བསྐྱེད་ཀྱི་གནས་ཚུལ་སྤོངས་** རང་རེའི་དྲང་ཁྲིམས་ལྷན་སྤྱིའི་འབྲེལ་ཡོད་ཡོངས་ཀྱིས་མཐུན་གསལ་བཞིན་ དེ་ལས་ནངས་པར་མི་སྤྱི་བདེ་བསྐྱེད་ཀྱི་གནས་ཚུལ་ཆུ་ནང་ མི་སེར་ལུ་ཚུད་གཞིར་དྲང་བདེན་མ་ཐོབ་པའི་འཕྲོར་གཏང་སྤྱི་ཆོག་གསུང་རྒྱབ་སོང་ཡོད་པ་ལས་ འཕྲོར་གཏང་སྤྱི་གཅོད་པར་བསྐྱེད་དགོས་པའི་དུང་ ཁྲིམས་སྤྱིའི་འབྲུག་ལས་ཡང་ དོན་མེད་འབྲུར་ཁམས་ཀྱི་མི་དཔུག་དང་ ཚུད་གཞིའི་དོན་ཁུངས་དང་བསྐྱེད་པའི་དྲང་བདེན་སྤྱི་ཐབས་བསྐྱིག་དགོ།

༣. **ཚུད་འབྲེལ་ཞིབ་དཔྱད་སྤོངས་** རྒྱུ་ལྡན་ལམ་ལྟར་ལྷན་ལྟར་ལྷན་ལྟར་ ས་གནས་ཁར་དཔྱེག་ཞིབ་དོན་ལུ་བསྐྱོད་པའི་སྤྱི་ལས་ དུས་ལུན་རིང་མ་དྲག་པར་ ཉེན་ཁུངས་རྒྱུ་ལྡན་པའི་འབྲུག་བསྐྱོད་ལས་རིམ་ཐོག་ལུ་བསྐྱོད་དགོས་དང་ དུས་ལུན་ཀྱི་སྤྱི་ཐབས་ལས་མཛད་པར་དཔྱེད་པའི་མཛད་རིམ་ལུ་མ་གཞི་དང་ དཔེར་ན་སྤྱི་བསྐྱེད་ཕྱི་གཏུག་ཕྱི་གཏུག་ལས་ ཉེན་ཁུངས་སྤྱི་ཐབས་ལས་མཛད་དེ་བསྐྱོད་ལུ་འདུག་པའི་པོས་འབབ་མིན་འདུག།

[Signature]



༣། དཔལ་ལྷན་འབྲུག་པའི་ཁྲིམས་ཀྱི་འདུན་ས་།

ROYAL COURT OF JUSTICE

༡. **གོ་བ་དང་ལག་ལེན་གཅིག་བསྒྲིལ་གྱི་འཕུན་ཚད་གནང་དགོས།** འདས་པའི་འཕུན་ཚད་ཚུ་ཇི་ལྟར་ཡིན་ཡང་ དལ་ས་ཡར་ འདས་པའི་ཁྲིམས་ཁྲིམས་སྤྱི་ཚེས་ ༡༢.༠.༢༠༡༥ ཚན་མའི་དོན་ཚན་༡༠ པའི་ནང་གསལ་ལྟར་ ཁྲིམས་འདུན་ནས་གནང་བའི་འཕུན་ཚད་ཚུ་ནང་ ཚུད་གཞི་རྒྱལ་པམ་གྱི་གནང་དོན་འདི་སྤེལ་དོན་སྤེལ་ཡིན་པར་ ཚུ་མན་༢ ལུ་ཡིད་ཆེས་བསྐྱེད་བཟུལ་ལུ་དམིགས་ཏེ་ ཆིག་དོན་ཚུ་གང་བས་དངས་གསལ་ཚན་འཁོད་དགོས་པའི་ཐོག་ལུ་ མཁོངས་པར་ཚུད་དོན་དེ་དང་འབྲེལ་བའི་བསྐྱར་སྤྱོད་མཛུགས་ རྒྱབ་སྐྱོར་བའི་མི་ཚུ་གྱི་དཀའ་ངལ་བསལ་ཚུ་གསལ་སྟེ་ སྤར་ནས་བྱུགས་ཁར་དྲན་ཞིན་མཁལ་ས་ གོ་བ་དང་ལག་ལེན་གཅིག་བསྒྲིལ་གྱི་འཕུན་ཚད་གནང་དགོ།
༢. **ལྷན་བསྐྱོམས་ཚུད་བཞེར་སྟོན།** རྒྱ་བའི་གནད་སྤྱོད་གྱི་ཁྲིམས་དོན་༡༠༠༧ པའི་ནང་གསལ་གྱི་དགོངས་དོན་ལྟར་ ཚུད་གཞི་ལྷན་བསྐྱོམས་མཛུགས་འཛུགས་པའི་སྐབས་དོན་ཚུ་ནང་ ཆེ་མཐོ་ཁྲིམས་ཀྱི་འདུན་ས་དང་ མདོན་མཐོ་ཁྲིམས་ཀྱི་འདུན་སའི་དབང་ཁྲུ་བཏང་བ་ ཅིན་ སྤར་ལོག་དང་ ལྷན་བསྐྱོམས་ཚུད་བཞེར་མཛུགས་པའི་བཀའ་རྒྱ་ཁྲིམས་སྤྱི་སྤྱོད་གནང་ནི་མ་གཏོགས་ ཁྲིམས་ཁྲིའི་དང་ དཔོན་ཚུ་གིས་ བཅད་ཀར་བཀའ་རྒྱ་བཏོན་མི་ཆོག།
༣. **ཁྲིམས་འབྲེལ་ཚོང་ལས།** Legal Firm རྒྱ་བ་མིའི་ཆོག་ཐམ་ཐད་ཁར་ ཁྲིམས་དོན་གཏུག་ལག་གཞི་རིམ་མཐར་འཁྱོལ་གྱུ་བ་ པའི་ཁར་ མཐོ་རིམ་གོང་མའི་རྒྱལ་ཡོངས་ཁྲིམས་དོན་སྤྱོད་བསྐྱོང་མཐར་འཁྱོལ་ཚན་གྱི་མི་དོ་ཚུ་ལུ་ རྒྱ་བ་མིའི་བཅའ་ཁྲིམས་ལག་ལེན་དང་ཁུབ་མ་མོང་ཚུན་ ཚུད་གཞིའི་འབྲེལ་གནང་ཚུ་ནང་ རྒྱ་བ་མིའི་ཁྱད་རིག་གུ་གཏུག་སྤྱོད་ལས་མ་འགལ་བར་ རྒྱ་བ་མི་གཏོགས་ཆོག་པ་སྟེ་ ལྷ་ལས་རྒྱ་བ་སྤྱོད་བཀའ་རྒྱ་གནང་ཐུས་ཡོད་པ་བཞིན་དུ་ དལ་ས་ཡར་འབྲེལ་ཡོད་དང་དཔོན་ཚུ་གིས་ བཅད་ཀར་རྒྱ་བ་མིའི་འབྲེལ་གྲོག་ཐོག་ལས་ཐག་བཅད་མཛུགས་དགོ།
༤. **ཁྲིམས་འབྲེལ་ཞབས་ཏྲིག་ཡིག་ཚང་།** Legal Service Provider རྒྱ་བ་མིའི་གངས་སུ་མ་འདུས་པའི་ཁྲིམས་འབྲེལ་ཞབས་ཏྲིག་ཡིག་ཚང་གཞི་འཕྲོགས་དོན་ལུ་ འབྲེལ་ཡོད་དབང་འཛིན་དང་ སུག་ནས་གྱི་ཁྲིམས་འདུན་ཚུ་གི་རྒྱ་བ་སྤྱོད་ཡིག་དང་ རྒྱགས་ཏེ་འཕྱར་བའི་རིགས་ལུ་ ལྷ་ལས་རྒྱ་བ་སྤྱོད་བཀའ་རྒྱ་གནང་བཞིན་པར་ཡོད་པ་ཡིན། ཁྲིམས་འབྲེལ་ཞབས་ཏྲིག་ཡིག་ཚང་འཆང་མི་ཚུ་གིས་ བཞེར་ཡིག་འབྲི་ནི་དང་གན་རྒྱ་བཅོམ་ནི་ ཞི་ཚུད་འདུམ་འབྲིག་མེད་པའདུག་ཅུང་ ཚུད་དོན་རེ་རེ་བཞིན་དུ་ མདོན་མཐོ་ཁྲིམས་འདུན་ལས་འོས་སྤྱོད་བཀའ་འཁོག་མེད་པ་ཅིན་ ཚུད་གཞིར་ངོ་ཆེབ་སྟེ་གཏོགས་མི་ཆོག།
༥. **ཚོང་པའི་རྒྱ་བ་ཡིག་ལག་ལེན་སྟོན།** ཁྲིམས་འབྲེལ་ཚོང་ལས་ཡིག་ཚང་དང་ ཁྲིམས་འབྲེལ་ཞབས་ཏྲིག་ཡིག་ཚང་ལག་ལེན་འཐབ་མི་ཚུ་ནས་ ཁྲིམས་ཀྱི་འདུན་སར་བཞེར་ཡིག་ཐུལ་སྐབས་ འབྲུག་གི་རྩ་ཁྲིམས་ཆེན་མོའི་ཆ་ཚན་༡ པའི་དགོངས་དོན་ལྟར་ འབྲུག་གི་རྒྱལ་ཡོངས་རྒྱ་བ་ཡིག་གམ་ཚོང་པའི་ཐོག་ལུ་འཇམ་པར་ཐུལ་བཟུལ་གྱི་བསྐུལ་མ་གནང་དགོ། དེ་དང་འབྲེལ་བའི་རྒྱ་བ་ཏེན་གྱི་ཡིག་ཆས་ཡིན་ཆེ་ དཔྱིན་སྤྱད་ཐོག་ཐུལ་དུང་འབྲུམ་འཇམ་བཞག་ཡོད།



༣། དཔལ་ལྷན་འབྲུག་པའི་ཁྲིམས་ཀྱི་འདུན་ས།
ROYAL COURT OF JUSTICE

༩. རན་ལྷན་དང་འབྲེལ་བའི་ཚྭ་བཤེར་གང་མཚོན་གསལ་པོ་སྟོན། རན་ལྷན་དང་འབྲེལ་བའི་ཚྭ་གཞི་འདི་ དུ་ཚུན་
ཁྲིམས་ཀྱི་རིང་ལུགས་དང་འབྲེལ་མཐུན་བཞིན་དུ་ཡོད་པ་མ་ཆད་ འབྲུག་གི་ཚྭ་དང་ཉེས་ཚྭ་བའི་གནད་སྟོན་གྱི་ཁྲིམས་དེབ་
དོན་ཚན་༡༩༠ པའི་དགོངས་དོན་ལྷན་ ཚྭ་འཛིན་བཀོད་ཞིན་མ་ལས་ཞག་གྲངས་༡༠ གྱི་ནང་འཁོད་སྟོན་ལྷན་གསལ་མཐུན་དེ་
གང་མཚོན་གསལ་གྱི་གོ་སྐབས་སྟོན་དང་ཡོད་ཅུང་ ཡང་བསྐྱར་དུ་བསྐུལ་ཕུལ་དོན་ལྷན་ དཔལ་ལྷན་ཡང་ རན་ལྷན་དང་འབྲེལ་
བའི་ཚྭ་གཞི་འདི་ མཐོ་ཤིས་ཆེན་འཇུག་གི་ནང་འཁོད་ཚྭ་བཤེར་མཇུག་བསྒྲིལ་གནང་དགོ་པའི་ཁར་ དེལ་ས་འགལ་བའི་གནད་དེ་
མི་དེ་ཙམ་ དང་དཔོན་རང་སོས་དེ་དང་འབྲེལ་བའི་བྱ་སྤྲེལ་བའི་མིན་གྱི་ཁྲུངས་གསལ་སྟན་ལུ་ཕུལ་དགོ།
༡༠. ཁྲིམས་གནད་ཕུལ་དགོས། གཉེན་ཐམས་དང་ མིང་གསལ་བཞེསོར། གཉེན་ཐམས་སྐད་བསྐྱར། ཡིག་ཆ་བསྐྱར་སྟོན། གཉེན་
སྟོན་/གཉེན་འབྲེལ་གནས་སྤངས། ཨ་ལོའི་འབྲུལ་བསྟོད་ཡིག་རིགས། ཡིག་ཆའི་བདེན་སྟོན། བུ་ཆ་བསྟོད་ལེན། གཟུགས་ཀྱི་ཆ་
ཤས་ཐོ་སོར། གན་གྱ། ཁ་ཆེམས། འགན་འཛིན་དང་ བསམ་དོན། དེ་བཟུམ་མའི་འབྲེལ་གནད་ཐོག་ལུ་བདེན་སྟོན་གྱི་དོན་ལུ་
ཁྲིམས་འདུན་ཁག་ལུ་བཤེར་ཡིག་འཕྲོར་བའི་རིགས་ ཚྭ་གཞི་སྟོན་བཟང་གི་ལམ་ལུགས་ལྷན་ ཁྲིམས་གནད་དེམ་པར་དུ་ལེན་
དགོས་བཅས་ གན་མ་ལོ་མེ་སྟེལ་ལྷན་བདུན་པ་མི་མའི་ཆོས་ཉི་ཤུ་འཇུག་ སྟོ་ཆོས་ ༢༡.༩.༢༠༡༩ ལ།



ཁྲིམས་གནད་ཕུལ་གྱི་
འབྲུག་གི་ཁྲིམས་སྟོན་པ་
དཔལ་ལྷན་འབྲུག་པའི་དྲུང་ཁྲིམས་ལྷན་གྱི་
མདོན་མཐོ་ཁྲིམས་ཀྱི་འདུན་ས།

5. Case Statistics and Analysis

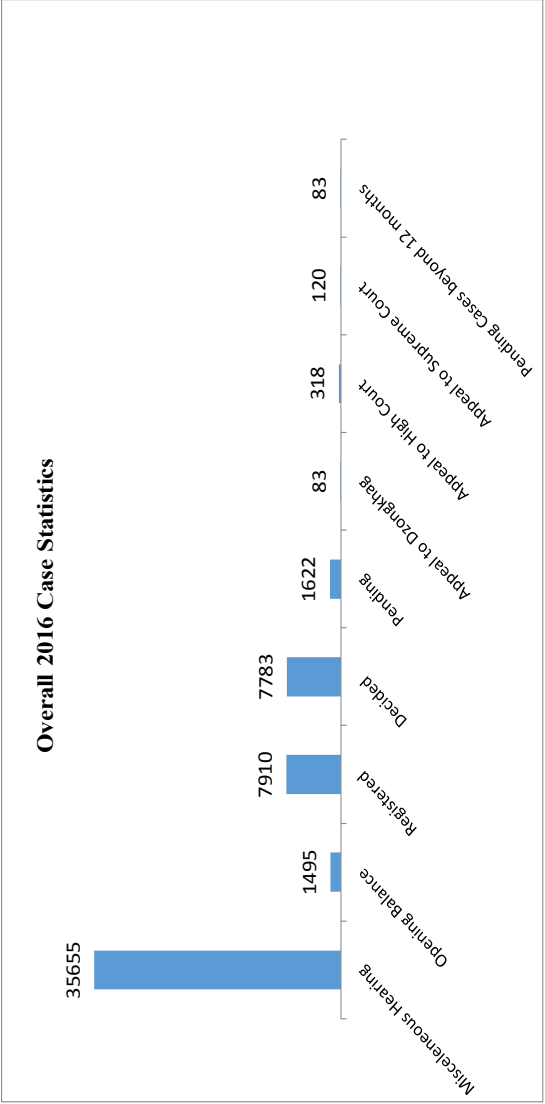
5.1. Case Statistics 2016

Statistics on the Registration, Disposal, and Pendency of Cases as of 31st December, 2016											
Sl. No.	Court	Bench	Miscellaneous	Opening Balance	Registered	Decided	Pending	Appeal to Dzongkhag	Appeal to High Court	Appeal to Supreme Court	Pending Cases beyond 12 months
1	Bumthang		532	31	138	132	37		6		0
2	Chukha		609	39	289	280	48		17		1
3	Dagana		720	40	243	213	70		6		13
4	Gasa		128	2	33	33	2		3		0
5	Haa		455	22	141	117	46		5		0
6	High Court	Bench I	1393	61	184	217	28			62	1
		Bench II		19	184	177	26		58	3	
7	Lhuentse		709	38	121	149	10		3		2
8	Mongar		1432	119	337	362	94		13		5
9	Paro	Bench I	5658	237	489	564	162		36		16
		Bench II									
10	Pemagatshel		500	4	180	177	7		13		0
11	Punakha		1447	33	288	245	76		19		0
12	Samdrup Jongkhar		711	28	321	327	22		9		0
13	Samtse		1234	38	254	282	10		13		0
14	Sarpang			10	172	157	25		9		0

Statistics on the Registration, Disposal, and Pendency of Cases as of 31st December, 2016											
Sl. No.	Court	Bench	Miscellaneous	Opening Balance	Registered	Decided	Pending	Appeal to Dzongkhag	Appeal to High Court	Appeal to Supreme Court	Pending Cases beyond 12 months
15	Supreme Court	Tachog	33	11	10	13	8		6		2
		Langchen	34	4	16	15	5				0
		Khading	33	9	12	14	7				0
		Maja	33	7	12	17	2				0
16	Thimphu	Bench I		21	196	164	53		12		15
		Bench II		61	362	330	93		33		
		Bench III	9125	61	383	342	102		16		
		Bench IV		35	376	327	84		14		
		Bench V		60	379	328	111		16		
			994	16	230	221	25		17		
17	Trashigang										0
18	Trashi Yangtse		543	3	92	76	19		0		2
19	Trongsa		779	29	156	148	37		4		4
20	Tsirang		994	53	80	128	5		17		0
21	Wangdi Phodrang		1899	57	502	514	45		28		0
22	Zhemgang		469	34	89	105	18		3		0
23	Dorokha		181	18	43	52	9	2			1
24	Gelephu		943	34	279	266	47	14			8
25	Jhomotsangkha		185	10	40	43	7	0			0
26	Lhamoizingkha		269	6	30	31	5	1			0

Statistics on the Registration, Disposal, and Pendency of Cases as of 31st December, 2016											
Sl. No.	Court	Bench	Miscellaneous	Opening Balance	Registered	Decided	Pending	Appeal to Dzongkhag	Appeal to High Court	Appeal to Supreme Court	Pending Cases beyond 12 months
27	Lingzhi		52	2	9	6	5	0			0
28	Nganglam		240	5	135	122	18	8			0
29	Pangbang		221	8	48	36	20	2			8
30	Phuentsholing		1536	187	616	611	192	52			2
31	Sakteng		132	0	32	27	5	0			0
32	Samdrup Choeling		218	8	134	139	3	0			0
33	Sibsoo		608	5	85	79	11	1			0
34	Sombeykha		128	8	43	45	6	0			0
35	Thrimshing		159	5	41	41	5	0			0
36	Wamrong		246	12	72	75	9	2			0
37	Weringla		73	5	34	36	3	1			0
	TOTAL		35655	1495	7910	7783	1622	83	318	120	83

From the year 2016, the Courts adopted the Case Management System (CMS) which is a web based system to record the case details. However, the Marriage Certificate (MC) and other miscellaneous matters are not entered into the system.



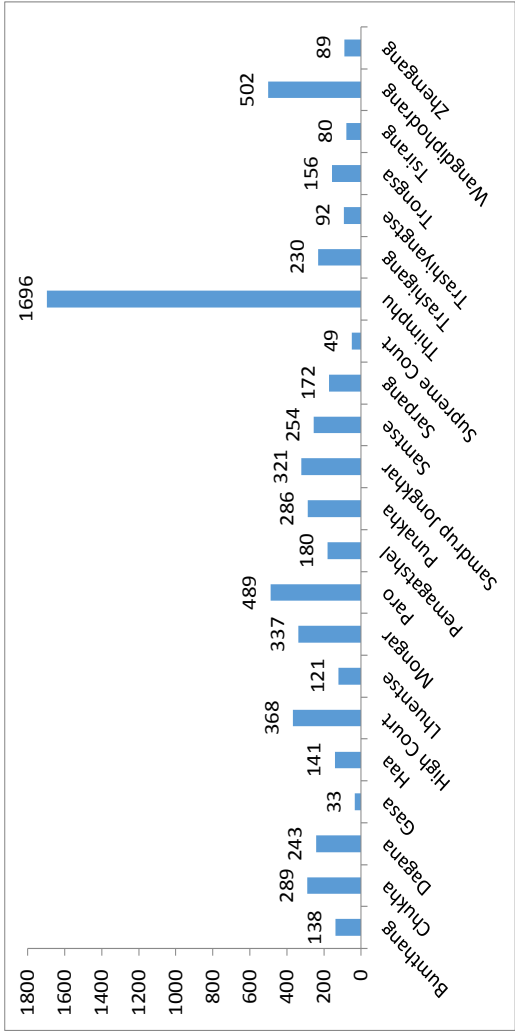
As reflected in the Case Statistics and the Bar Graph, 1495 cases were carried forward as the opening number of cases for 2016, while 7910 new cases were registered. The Thimphu Dzongkhag Court had the highest number of cases registered with 1696 cases followed by Wangdi Phodrang and Paro with 502 and 489 cases respectively. Amongst the Dungkhag Courts, Phuntsholing had the highest number of cases registered with 616 cases.

In 2016, 7783 cases were decided out of which 3434 were decided within 108 days, which is 44.12% of the total cases decided. Similarly, 318 cases were appealed to the High Court while 120 cases were appealed to the Supreme Court. Out of 1622 pending cases, 83 cases are pending beyond one year, which is 5.12% of the total cases pending as of 31st December 2016.

5.2. Comparison of Cases Registered and Decided by the Courts in 2016

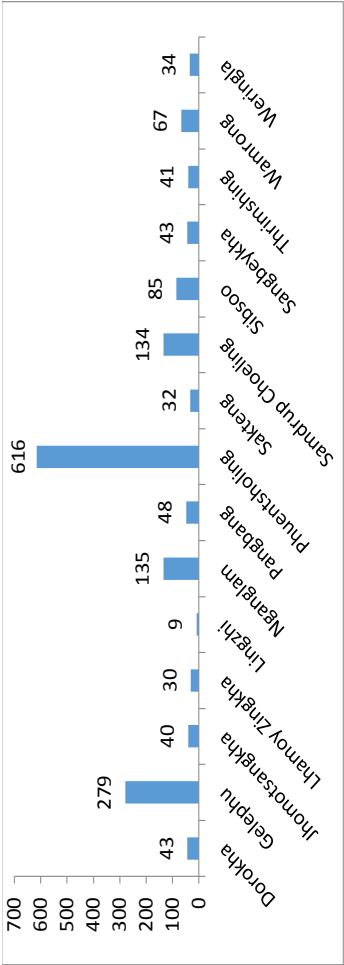
The following graph shows the comparative analysis of cases registered and decided in 2016 by the respective Courts.

(i) Cases Registered in Dzongkhag Courts



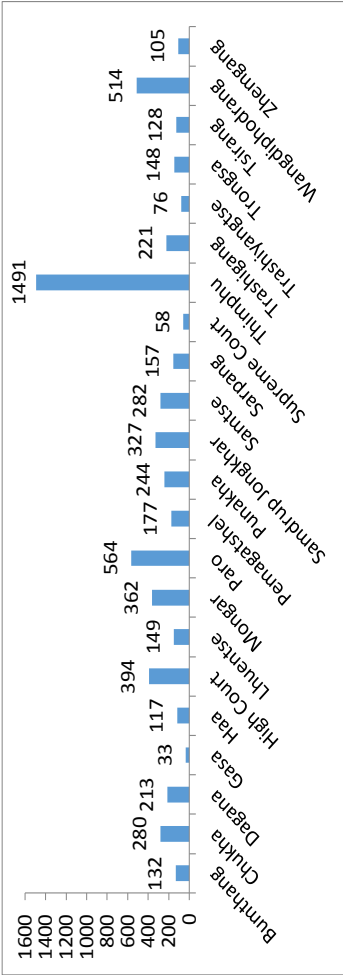
Amongst the twenty Dzongkhag Courts, Thimphu with five Benches has the highest number of cases registered with 1696 followed by Wangdi Phodrang with 502 cases. The Gasar Dzongkhag Court has the lowest with 33 cases.

(ii) Cases Registered in Dungkhag Courts



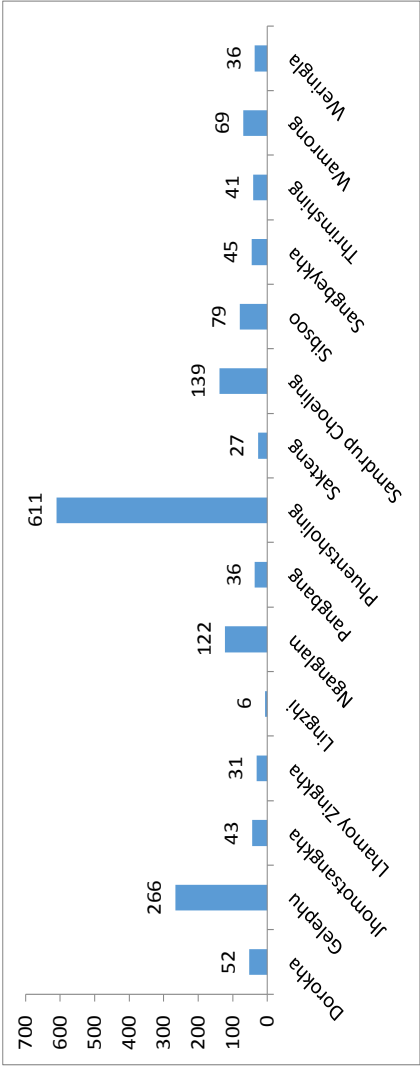
Amongst the 15 Dungkhag Courts, Phuntsholing with two Benches has the highest with 616 cases followed by Gelephu with 279 cases. The Lingzhi Dungkhag has the lowest with 9 cases.

(iii) Cases Decided by Dzongkhag Courts



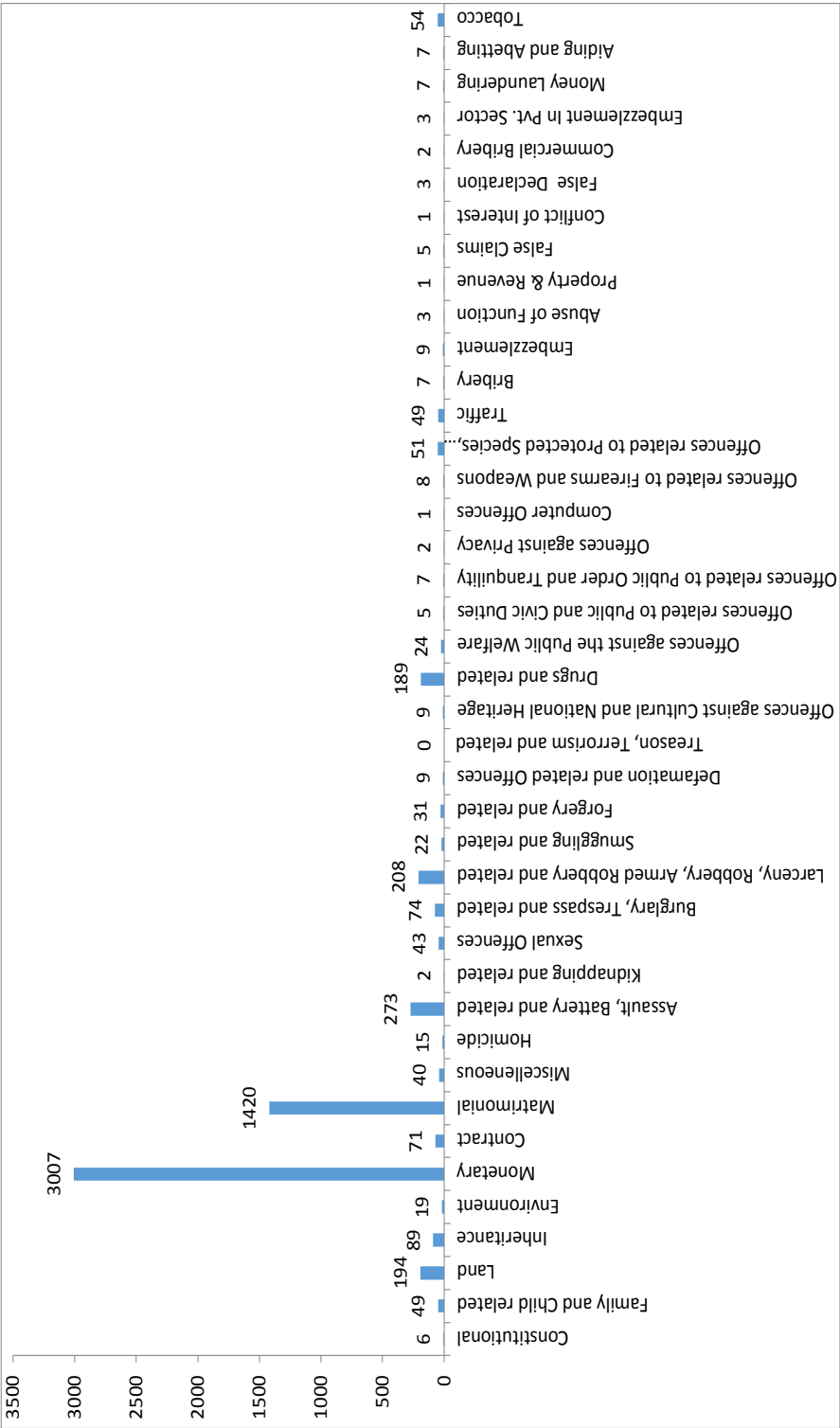
Amongst the twenty Dzongkhag Courts, Thimphu with five Benches has the highest number of cases decided with 1491 cases, while Gasu has the least with 33 cases.

(iv) Cases Decided by Dungkhag Courts

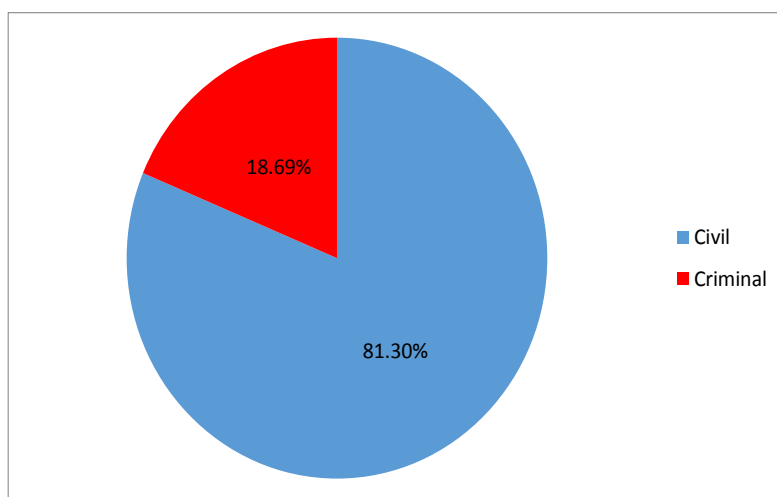


Amongst the Dungkhag Courts, Phuntsholing has the highest number of cases decided with 611 cases, while Lingshi has the least with 6 cases.

5.3. Category of Cases heard by the Courts



Percentage in Civil and Criminal Cases



5.4. General Trend of the Cases from 2007 to 2016

Details	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Opening Case Balance	2,362	2,197	1,604	1,901	1,650	1,226	1,054	1,042	1,319	1,495
Case Registered	11,342	8,732	10,007	12,245	13,215	13,783	19,653	20,196	18,720	7,910
Case Decided	11,501	9,388	9,713	12,518	13,637	13,926	19,304	20,243	18,523	7,783
Case Pending	2,203	1,541	1,898	1,628	1,228	1,083	1,403	995	1,516	1,622

The table shows that the number of cases registered in the country have been constantly increasing over the years, although there is reduction in 2015 and 2016. There is a visible reduction in 2016 as the data on Marriage Certificates and other miscellaneous matters were recorded in a separate system. The statistics on the Marriage Certificates and Other Miscellaneous Matters are reflected separately in Table 5.7 and 5.8.

5.5. Case Statistics of the High Court

In 2016, out of 5721 cases decided by the District Courts in the country, a total of 318 cases were appealed to the High Court along with 5 cases remanded from the Supreme Court, which totals to 323 new cases. Further, 80 cases were carried forward from 2015 as pending cases. The High Court had a total of 448 cases in 2016.

From the cases admitted, 29 cases were totally reversed and 84 partially reversed and 281 affirmed. The High Court remanded 5 cases. In 2016, the High Court has, therefore, decided a total of 394 cases, which is 87.9% of the total cases. A total of 54 cases, which constitute 12.05% of the total cases registered, are pending before the High Court as of 31st December 2016. Out of the total cases decided, 120 cases were appealed to the Supreme Court, which is 26.78 % of the total number of cases decided by the High Court.

5.6. Case Statistics of the Supreme Court

In 2016, a total of 133 cases were appealed to the Supreme Court. After the Review Hearing, the Supreme Court dismissed 52 cases, while 31 cases were withdrawn by the parties. Thus, the total number of cases registered in the Supreme Court was 50. Having carried forward 31 cases from the previous year, the total number of cases in the Supreme Court for the year 2016 was 81.

Out of 81 cases, the Supreme Court decided 59 cases, which is 72.83% of the total cases. Of the total number of cases decided, 1 case was remanded, 26 totally reversed, 13 partially reversed, 14 affirmed, 2 negotiated and 3 were dismissed. There are 22 cases pending in the Supreme Court. Therefore, in addition to the dismissal orders, the Supreme Court has disposed 142 cases, which is 86.58% of the total cases.

5.7. Marriage Certificate Statistics 2016

Court	Opening Balance	Registered	Decided	Pending
Bumthang	0	144	143	1
Chukha	0	190	190	0
Dagana	0	169	169	0
Gasa	0	48	48	0
Gelephu	0	234	234	0
Haa	0	168	168	0
Lhuentse	0	203	203	0
Mongar	0	363	363	0
Pemagatshel	0	123	123	0
Phuntsholing	0	385	385	0
Paro	0	374	372	2
Punakha	0	351	351	0
S/Jongkhar	0	149	149	0
Samtse	1	404	405	0
Sarpang	0	264	264	0
Trashiyangtse	0	143	143	0
Thimphu	3	1158	1158	3
Trashigang	0	363	363	0
Trongsa	0	184	184	0
Tsirang	0	459	459	0
Wangdi phodrang	0	545	545	0
Wamrong	0	64	64	0
Zhemgang	0	106	106	0
Dorokha	0	84	84	0
Jomotsangkha	0	66	66	0

Court	Opening Balance	Registered	Decided	Pending
Lhamoizingkha	0	104	104	0
Lingshi	0	13	13	0
Nganglam	0	112	112	0
Panbang	0	98	98	0
Sakten	0	53	53	0
Samdrup choling	0	64	64	0
Sibsoo	0	317	317	0
Sombeykha	0	49	49	0
Thrimshing	0	38	38	0
Weringla	0	18	18	0
Total	4	7607	7605	6

5.8. Statistics of Marriage Certificate and Other Miscellaneous Matters 2016

Court	Type of Service	Opening Balance	Registered	Decided	Pending
Bumthang	Marriage Certificate	0	144	143	1
	MC with Foreigner	0	1	1	0
	Single Status	0	2	2	0
	Attestation of Documents	0	6	6	0
	Account closing and Transfer of shares	0	13	13	0
	Court Affidavit for Election Purposes	0	75	75	0
Chukha	Marriage Certificate	0	190	190	0
	MC with Foreigner	0	4	4	0
	Translation of MC	0	10	10	0
	Single Status	0	7	7	0
	Account closing and Transfer of shares	0	5	5	0
	Court Affidavit for Election Purposes	0	173	173	0
Dagana	Marriage Certificate	0	169	169	0
	MC with Foreigner	0	2	2	0
	Translation of MC	0	9	9	0
	Single Status	0	5	5	0

Court	Type of Service	Opening Balance	Registered	Decided	Pending
	Attestation of Documents	0	7	7	0
	Account closing and Transfer of shares	0	4	4	0
	Court Affidavit for Election Purposes	0	246	246	0
Gasa	Marriage Certificate	0	48	48	0
	Court Affidavit for Election Purposes	0	50	50	0
Gelephu	Marriage Certificate	0	234	234	0
	Translation of MC	0	10	10	0
	Single Status	0	21	21	0
	Attestation of Documents	0	18	18	0
	Marriage Certificate	0	168	168	0
Haa	Translation of MC	0	13	13	0
	Single Status	0	3	3	0
	Name Change	0	2	2	0
	Court Affidavit for Election Purposes	0	72	72	0
	Marriage Certificate	0	203	203	0
Lhuentse	Translation of MC	0	1	1	0
	Single Status	0	8	8	0

Court	Type of Service	Opening Balance	Registered	Decided	Pending
Mongar	Account closing and Transfer of shares	0	9	9	0
	Court Affidavit for Election Purposes	0	189	189	0
	Marriage Certificate	0	363	363	0
	MC with Foreigner	0	3	3	0
	Translation of MC	0	26	26	0
	Single Status	0	8	8	0
	Name Change	0	0	0	0
	Attestation of Documents	0	8	8	0
	Account closing and Transfer of shares	0	14	14	0
	Court Affidavit for Election Purposes	0	290	290	0
Pemagatshel	Marriage Certificate	0	123	123	0
	Single Status	0	5	5	0
	Account closing and Transfer of shares	0	10	10	0
	Court Affidavit for Election Purposes	0	135	135	0
Phuntsholing	Marriage Certificate	0	385	385	0

Court	Type of Service	Opening Balance	Registered	Decided	Pending
Paro	Translation of MC	0	125	125	0
	Single Status	0	13	13	0
	Name Change	0	2	2	0
	Attestation of Documents	0	46	46	0
	Attest Wills	0	1	1	0
	Account closing and Transfer of shares	0	9	9	0
	Court Affidavit for Election Purposes	0	32	32	0
	Marriage Certificate	0	374	372	2
	MC with Foreigner	0	3	3	0
	Translation of MC	0	44	44	0
	Single Status	0	11	11	0
	Attestation of Documents	0	37	37	0
	Account closing and Transfer of shares	0	4	4	0
Punakha	Lost documents	0	11	11	0
	Court Affidavit for Election Purposes	0	178	178	0
	Marriage Certificate	0	351	351	0
	Translation of MC	0	34	34	0

Court	Type of Service	Opening Balance	Registered	Decided	Pending
	Single Status	0	3	3	0
	Name Change	0	2	2	0
	Attestation of Documents	0	4	4	0
	Attest Wills	0	1	1	0
	Account closing and Transfer of shares	0	15	15	0
	Court Affidavit for Election Purposes	0	240	240	0
	Marriage Certificate	0	149	149	0
	Translation of MC	0	3	3	0
	Single Status	0	4	4	0
	Name Change	0	1	1	0
Samdrup Jongkhar	Attestation of Documents	0	13	13	0
	Account closing and Transfer of shares	0	12	12	0
	Court Affidavit for Election Purposes	0	143	143	0
	Marriage Certificate	1	404	405	0
	MC with Foreigner	0	6	6	0
Samtse	Translation of MC	0	11	11	0
	Single Status	0	37	37	0

Court	Type of Service	Opening Balance	Registered	Decided	Pending
Sarpang	Name Change	0	1	1	0
	Attestation of Documents	0	19	19	0
	Child Travel Documents	0	1	1	0
	Account closing and Transfer of shares	0	16	16	0
	Court Affidavit for Election Purposes	0	221	221	0
	Marriage Certificate	0	264	264	0
	MC with Foreigner	0	5	5	0
	Translation of MC	0	13	13	0
	Single Status	0	6	6	0
	Name Change	0	1	1	0
Trashig Yangtse	Attestation of Documents	0	3	3	0
	Account closing and Transfer of shares	0	8	8	0
	Court Affidavit for Election Purposes	0	277	277	0
	Marriage Certificate	0	143	143	0
	Translation of MC	0	2	2	0
	Single Status	0	2	2	0
	Attestation of Documents	0	3	3	0

Court	Type of Service	Opening Balance	Registered	Decided	Pending
Thimphu	Account closing and Transfer of shares	0	19	19	0
	Court Affidavit for Election Purposes	0	153	153	0
	Marriage Certificate	3	1158	1158	3
	MC with Foreigner	0	25	25	0
	Translation of MC	0	532	532	0
	Single Status	2	69	69	2
	Name Change	0	18	17	1
	Attestation of Documents	0	2932	2932	0
	Child Travel Documents	0	46	46	0
	Kidney Transplant	0	12	12	0
	Adoption	0	14	14	0
	Account closing and Transfer of shares	3	78	76	5
	Lost documents	0	11	11	0
	Court Affidavit for Election Purposes	0	71	71	0
	Merger of Shares	1	3	2	2
Trashigang	Divorce Certificates	0	11	11	0
	Marriage Certificate	0	363	363	0

Court	Type of Service	Opening Balance	Registered	Decided	Pending
Trongsa	MC with Foreigner	0	5	5	0
	Translation of MC	0	10	10	0
	Single Status	0	7	7	0
	Attestation of Documents	0	10	10	0
	Adoption	0	1	1	0
	Account closing and Transfer of shares	0	15	15	0
	Court Affidavit for Election Purposes	0	220	220	0
	Marriage Certificate	0	184	184	0
	MC with Foreigner	0	2	2	0
	Translation of MC	0	28	28	0
	Single Status	0	2	2	0
	Name Change	0	2	2	0
	Attestation of Documents	0	12	12	0
	Adoption	0	1	1	0
	Account closing and Transfer of shares	0	13	13	0
	Lost documents	0	1	1	0
	Court Affidavit for Election Purposes	0	89	89	0

Court	Type of Service	Opening Balance	Registered	Decided	Pending
Tsirang	Marriage Certificate	0	459	459	0
	MC with Foreigner	0	3	3	0
	Translation of MC	0	2	2	0
	Single Status	0	26	26	0
	Name Change	0	1	1	0
	Account closing and Transfer of shares	0	10	10	0
	Court Affidavit for Election Purposes	0	233	233	0
Wangdi Phodrang	Marriage Certificate	0	545	545	0
	Translation of MC	0	27	27	0
	Single Status	0	4	4	0
	Attestation of Documents	0	9	9	0
	Adoption	0	1	1	0
	Account closing and Transfer of shares	0	26	26	0
	Court Affidavit for Election Purposes	0	265	265	0
Wamrong	Marriage Certificate	0	64	64	0
	Translation of MC	0	1	1	0
	Single Status	0	1	1	0

Court	Type of Service	Opening Balance	Registered	Decided	Pending
Zhengang	Court Affidavit for Election Purposes	0	27	27	0
	Marriage Certificate	0	106	106	0
	Single Status	0	4	4	0
	Attestation of Documents	0	95	95	0
	Account closing and Transfer of shares	0	2	2	0
	Court Affidavit for Election Purposes	0	49	49	0
Dorokha	Marriage Certificate	0	84	84	0
	Translation of MC	0	3	3	0
	Single Status	0	11	11	0
	Account closing and Transfer of shares	0	2	2	0
	Marriage Certificate	0	66	66	0
Jomotsangkha	Translation of MC	0	3	3	0
	Attestation of Documents	0	2	2	0
	Account closing and Transfer of shares	0	7	7	0
	Court Affidavit for Election Purposes	0	8	8	0

Court	Type of Service	Opening Balance	Registered	Decided	Pending
Lhamoizinkha	Marriage Certificate	0	104	104	0
	Translation of MC	0	1	1	0
	Single Status	0	7	7	0
	Account closing and Transfer of shares	0	3	3	0
	Court Affidavit for Election Purposes	0	49	49	0
Lingshi	Marriage Certificate	0	13	13	0
	Court Affidavit for Election Purposes	0	28	28	0
	Marriage Certificate	0	112	112	0
Nganglam	MC with Foreigner	0			0
	Translation of MC	0	6	6	0
	Attestation of Documents	0	2	2	0
	Account closing and Transfer of shares	0	7	7	0
	Marriage Certificate	0	98	98	0
Panbang	Account closing and Transfer of shares	3	3	3	3
	Court Affidavit for Election Purposes	0	110	110	0

Court	Type of Service	Opening Balance	Registered	Decided	Pending
Sakteng	Marriage Certificate	0	53	53	0
	Court Affidavit for Election Purposes	0	34	34	0
	Marriage Certificate	0	64	64	0
Samdrup Choling	Translation of MC	0	1	1	0
	Single Status	0	2	2	0
	Account closing and Transfer of shares	0	4	4	0
	Court Affidavit for Election Purposes	0	56	56	0
	Marriage Certificate	0	317	317	0
Sibsoo	Translation of MC	0	5	5	0
	Single Status	0	26	26	0
	Name Change	0	2	2	0
	Attestation of Documents	0	1	1	0
	Account closing and Transfer of shares	0	2	2	0
	Lost documents	0	1	1	0
	Court Affidavit for Election Purposes	0	120	120	0
Sombeykha	Marriage Certificate	0	49	49	0

Court	Type of Service	Opening Balance	Registered	Decided	Pending
Thrimshing	Translation of MC	0	1	1	0
	Court Affidavit for Election Purposes	0	28	28	0
	Marriage Certificate	0	38	38	0
	Account closing and Transfer of shares	0	1	1	0
Weringla	Court Affidavit for Election Purposes	0	36	36	0
	Marriage Certificate	0	18	18	0
	Security Clearance for election	0	13	13	0
Total		13	16477	16471	19

6. Key Events of 2016

6.1. Training on Case Management System (CMS)

The Supreme Court conducted the training on CMS for the Bench Clerks, Court Registrars, and the Drangpons in January, 2016 at Phuentsholing. With the funding from the Royal Government of Bhutan, the Case Information System (CIS), which was then an offline system, was upgraded to an online CMS.

The CMS is a web-based monitoring system that enables the court to track the status of cases as well as the stage of the proceedings. It replaces the cumbersome and outdated system of having to maintain registers and files on cases by providing an on-line platform to gather and monitor information on cases. This automation reduces case processing delays, increases the transparency of office operations, and reduces the potential for oversight and corruption. The CMS is also in accord with the e-governance initiative envisaged by the government. The objectives of CMS are to:

1. Establish a centralized database on cases registered and tried by the Courts;
2. Provide effective judicial service and personnel administration;
3. Enable smooth information sharing and retrieval;
4. Generate statistics for periodic reports;
5. Reduce expenditure on stationery; and
6. Share real time information.

The system generates statistics for periodic reports for the purpose of constant monitoring and evaluation. All the Courts use the system to record the cases and track their proceedings.



(The Participants of the CMS training)

6.2. Appointment of Dzongkhag Drangpon

In accordance with Section 73 of the Judicial Service Act 2007, three Dzongkhag Drangpons were appointed by His Majesty The Druk Gyalpo by warrant under His Hand and Seal on the recommendation of the Chief Justice of Bhutan upon the nomination received from the Royal Judicial Service Council (Council) on 25th February, 2016. Drangpon Lhindup Zangpo was appointed as the Drangpon of Lhuentse Dzongkhag Court, Drangpon Tashi Yangzom as the Drangpon of Tashi Yangtse Dzongkhag Court, and Dy. Chief Legal Officer Mr. Yeshi Dorji as the Drangpon, who continues to serve at the Office of the Gyalpoi Zimpon.



(Newly appointed Dzongkhag Drangpon Lhindup Zangpo, Dzongkhag Drangpon Tashi Yangzom and Drangpon Yeshi Dorji)

6.3. Tenjur Recitation

Tenjur was recited for four days by 275 judicial personnel in the Supreme Court from 20th February, 2016 coinciding with the Birth Anniversary of His Majesty the Druk Gyalpo. The recitation was conducted to mark the three auspicious occasions - The joyous occasion of the Royal Birth of the HRH the Gyalsey, 400 years of the arrival of Zhabdrung Ngawang Namgyal in Bhutan and the Birth year of Guru Rinpoche.

The recitation was graced by the Yonten Lupon and concluded by Tsugla Lupon of the Central Monastic Body with the offering of Gonpoi Tongtshog and prayers for the well-being of His Majesty the Kings, Members of the Royal Family, the Country, and the sentient beings.



(Judicial personnel reciting Tenjur)

6.4. Workshop on setting up of Library, Archive and Case Management System

With the objective to establish a formal library and archiving system in the Supreme Court, the Judiciary conducted a workshop on setting up of Library, Archive and Case Management System at the Supreme Court conference hall from 21st to 24th March, 2016 under the Legal Sector Programme funded by the SDC and ADA. Three delegates from the Federal Administrative Court (FAC) of Switzerland led by former President Dr. Christoph Bandli were the resource persons.

As an outcome of the workshop, a Guideline for Library and Archive was drafted by an eleven-member group during a four-day retreat in Paro from 13th to 16th June, 2016. Mrs. Sonam Yudon and Mrs. Sonam Yangdon, Librarians, National Library of Bhutan, were invited as the resource persons.



(Participants interacting during the workshop)

6.5. Oath Taking Ceremony

In accordance to Art 10(19) of the Constitution, which states that “*the Prime Minister, the Ministers, the Speaker, the Deputy Speaker, the Chairperson and Deputy Chairperson of the National Council shall take an oath or affirmation of Secrecy, as provided for in the Fourth Schedule of this Constitution, before assuming Office,*” Lyonpo Tshering Wangchuk, the Hon. Chief Justice of Bhutan, administered the oath taking ceremony of Lyonpo Lekey Dorji on 7th April, 2016 at the Supreme Court.

The ceremony was graced by the Hon. Prime Minister, Lyonchen Tshering Tobgay and the Cabinet Ministers, Members of Parliament, Constitutional Post-holders and other dignitaries.

6.6. Appointment of Drangpon Rabjams

Hon. Chief Justice Lyonpo Tshering Wangchuk appointed Mrs. Kesang Choden, Sr. Attorney, Office of the Attorney General and Mr. Tenzin, the Personal Secretary (P.S.) to The Hon. President of the Bhutan National Legal Institute Her Royal Highness Ashi Sonam Dechan Wangchuck, as Drangpon Rabjams on 9th June, 2016. The appointment was made on the recommendation of the Council in line with the Judicial Service Act, 2007. Following the appointment, Drangpon Rabjam Tenzin continues to serve as the P.S to Hon. President, while Drangpon Rabjam Kesang Choden has been placed at the Registry of the Thimphu Dzongkhag Court.



(Hon. Chief Justice and Tsugla Lopen of Zhung Dratshang with the newly Appointed Drangpon Rabjam Kesang Choden and Drangpon Rabjam Tenzin)

6.7. Workshop on ‘Making Laws in the Country by Consent’

Reflecting on the importance of comparative constitutional studies, the Judiciary of Bhutan in collaboration with the FAC organized a workshop on *Making Laws in the Country by Consent: The Swiss Political System between cautionary tale and Role Model* at Gelephu on 20th and 21st June, 2016. The Hon. Chief Justice Lyonpo Tshering Wangchuk graced the opening and closing of the workshop.

The workshop brought together some 16 Dzongkhag and Dungkhag Judges, and 10 Court Registrars to explore on how laws are enacted by consent in a direct democracy like Switzerland and what lessons could be learned for Bhutan. The participants were familiarized with basic constitutional features such as federalism, the voting system and the system of government and they were also briefed on judicial ethics and the use of doctrines in court decisions. They were encouraged to view the Bhutanese legal system from a bird’s eye perspective so that they could see their own domestic system in a new and perhaps even different light.

The two-day workshop was jointly funded by the SDC and ADA. It was the last of the four workshops planned under the Legal Sector Programme (LSP).



(Hon. Chief Justice Lyonpo Tshering Wangchuk, The Resource Persons and the Participants of the Workshop)

6.8. Appointment of Dungkhag Drangpon

The Hon. Chief Justice appointed Rabjam Bhola Nath Dahal as the new Drangpon of the Lhamoizingkha Dungkhag Court on the recommendation of the Royal Judicial Service Council. Drangpon Dahal formally joined the Lhamoizingkha Court on 7th July, 2016. Prior to his appointment, Drangpon Dahal was serving as the Administrative Officer at the Supreme Court.



(Drangpon Bhola Nath Dahal formally joining the Lhamoizingkha Dungkha Court)

6.9. The Visit of Hon. Chief Justice of Thailand and Delegation

The Chief Justice of Thailand, His Lordship Veerapol Tungsuan along with the Justices of the Supreme Court of Thailand visited Bhutan on 8th July, 2016. During his visit, His Lordship met with Hon. Chief Justice Lyonpo Tshering Wangchuk. Hon. Lyonpo and His Lordship Veerapol Tungsuan shared views and deep interest for the respective judicial systems and also spoke on the recent expansion of bilateral judicial relations and exchanges between the two institutions.

6.10. Consecration of the Gasa Drangpon's Residence

On 17th July 2016, Hon. Chief Justice of Bhutan graced the consecration ceremony of the residence of the Gasa Drangpon. The construction was funded by the Royal Government of Bhutan.



(Hon. Chief Justice Lyonpo Tshering Wangchuk during the consecration ceremony)

6.11. Talk on Judicial and Professional Ethics

On 5th September, 2016, a Talk on Judicial and Professional Ethics was delivered by Hon. Judge Donald Cryan (Hon) LL.D. Treasurer of the Honorable Society of the Inner Temple to judges and lawyers at the Supreme Court Conference Hall.

Stressing on the importance of upholding ethics and integrity in legal and professional relationships, the talk also emphasized on the need for lawyers and judges to be loyal to their professional role. According to Judge Cryan, “...*the good practice of the law requires knowledge, judgment and sensitivity.*” He further stated, “...*the delivery of justice and an effective legal system is best achieved if the lawyers and the Judiciary see themselves as part of a system which aims at delivering justice according to the law.*”

The talk also provided insights into the functioning and structure of the Bar of England and Wales and the Inns of Court, apart from elaborating on the system of learning, teaching and practice of law in England.

6.12. Launch of the Judicial Integrity Scan Report

The Judiciary launched a Judicial Integrity Scan Report on 20th September, 2016 at the Supreme Court Complex in collaboration with the ACC and BNLI. It was funded by the SDC. The Scan assesses the legal and institutional framework, particularly with regard to the Bangalore Principles of Judicial Conduct and Article 11 of the United Nations Convention Against Corruption (UNCAC).

The Report is a tool to maintain and improve the integrity safeguards in the Judiciary. It is also to pave the way for judicial reform, strengthen judicial integrity and eradicate corruption within the Judiciary. It aims at fostering the Judiciary's role in combating corruption across all parts of society.



(Hon. Chief Justice Lyonpo Tshering Wangchuk, Hon. Chairperson of the Anti-Corruption Commission and Mr. Matthias Meier, Director, SDC, Bhutan)

6.13. Training on Judicial Integrity and Ethics

After having trained 90 Bench Clerks from 20 Dzongkhags in March 2016, the BNLI organized Training on Judicial integrity and Ethics at Paro from 4th to 6th October, 2016 for Dungkhag Drangpons and Registrars. The Dzongkhag Drangpons were also provided similar training at the Jamyang Resort, Thimphu on 20th October 2016. The training was in line with the Judicial Integrity Scan conducted in May 2015. The training was a clear manifestation of the Judiciary's support in preventing corruption in the judicial system and strengthening its integrity.



(Hon. Acting Chief Justice of the High Court addressing the Participants)

6.14. Civil Service Award

In 2016, a total of twenty-seven judicial personnel were bestowed with the Civil Service Awards under the Hand and Seal of His Majesty the King. Three Drangpons and six judicial personnel were awarded the 'Life Time Service Award.' A Drangpon Rabjam and a senior Bench Clerk received gold medals for 30 years of dedicated service. Eleven Drangpons were awarded the Silver medals for 20 years of dedicated service while a Drangpon and four judicial employees received Bronze Medals for 10 years of dedicated service.



(Some of the Recipients of the Civil Service Award with the Hon. Acting Chief Justice, High Court)

6.15. Appointment of the Chief Administrator

In accordance with Section 6 of the Alternative Dispute Resolution Act of Bhutan, 2013 the National Judicial Commission conducted Selection Process for the post of Chief Administrator for the Bhutan Alternative Dispute Resolution Centre on 7th December, 2016 at the Supreme Court complex. Mr. Chimi Dorji, the former Chief HRO/AFD Head of the Office of the Attorney General was appointed as the Chief Administrator on 30th December 2016.

6.16. Inauguration of Specialized Benches

The Judiciary established the specialized Benches at the Thimphu District Court on 21st December, 2016. The reform is initiated to facilitate expeditious, fair and just adjudication of criminal, commercial, civil, family and child related disputes through a specialized bench. The Thimphu District Court now comprises two Criminal Benches, a Civil Bench, a Commercial Bench and a Family and Child Bench.



(Hon. Chief Justice Lyonpo Tshering Wangchuk inaugurating the establishment of Specialized Benches)

6.17. Hon Chief Justice's Talk to Stanford Students

The Hon. Chief Justice hosted a delegation of 30 Stanford MBA students and talked on *Gross National Happiness & the Law* at the Supreme Court Conference Hall on 30th December, 2016. The main purpose of their visit to Bhutan was to learn about the country's efforts in promoting economic development without sacrificing the well-being of its citizens. By studying Bhutan's concept of Gross National Happiness (GNH), the students hoped to understand how they could inculcate similar concepts to their countries and organizations. The Hon. Chief Justice mentioned that to the end of improving the sum total of human happiness and welfare, the most important pillar among other three pillars of GNH is good governance. He stated that good governance is all about justice and Rule of Law.



(Hon. Chief Justice Lyonpo Tshering Wangchuk addressing the MBA Students from the Stanford University)

6.18. Royal Judicial Service Council Meeting

The Council formulates personnel policies for judicial bodies, institutions and the courts. In order to fulfill its mandates as enumerated in the Judicial Service Act 2007, the Council meets at least twice a year. However, additional sessions may be convened if the Chief Justice of Bhutan deems necessary. The Council met two times in regular session and two in additional session in 2016.

On 26th January, the additional session was convened in the Supreme Court to discuss matters on the transfers of Dungkhag Drangpons effected by the 12th Council Meeting held on 24th and 25th December, 2015. The Council also discussed on the recommendations for the appointment of Drangpon and Drangpon Rabjams. Based on their qualifications, experiences, and proven integrity, Rabjam Tashi Yangzom and Rabjam Lhindrup Zangpo were recommended for the appointment of Dzongkhag Drangpons. The Council also met on an additional session on 15th February to discuss the transfer requests of judicial personnel.

The regular 13th session of the Council was convened on 14th June to deliberate on normal and fast track promotions for the Drangpons and Judicial personnel. The regular 14th session of the Council was convened on 21st December. The Council deliberated and decided on the transfer of Drangpons, Court Registrars, and the Bench Clerks.

The following tables shows the postings of Drangpons and judicial personnel as effected by the Council:

Transfer of Drangpons				
Sl No.	Name	Designation	Present Court	Transferred To
1	Drangpon PR Gurung	Dzongkhag Drangpon	Dagana	Sarpang
2	Drangpon Pema Rinzin	Dzongkhag Drangpon	Bumthang	Thimphu
3	Drangpon Duba Dukpa	Dzongkhag Drangpon	Haa	Tsirang
4	Drangpon Kinley Dorji	Dzongkhag Drangpon	Paro	Thimphu
5	Drangpon Lobzang R. Ya rgay	Dzongkhag Drangpon	Tsirang	Thimphu
6	Drangpon Gembo Dorji	Dzongkhag Drangpon	Chukha	Wangdi Phodrang
7	Drangpon Dr. Jangchuk Norbu	Dzongkhag Drangpon	Sarpang	Haa
8	Drangpon Rinchen Penjor	Dzongkhag Drangpon	Thimphu	Paro
9	Drangpon Bir Bahadur	Dzongkhag Drangpon	Samtse	Samdrup Jongkhar
10	Drangpon Norbu	Dzongkhag Drangpon	Trongsa	Pemagtshel
11	Drangpon Chador Phuntsho	Dzongkhag Drangpon	Pemagatshel	Dagana
12	Drangpon Phurba Dorji	Dzongkhag Drangpon	Mongar	Bumthang
13	Drangpon Ugyen Jamtsho	Dzongkhag Drangpon	Samdrup Jongkhar	Samtse
14	Drangpon Passang Wangmo	Dzongkhag Drangpon	Wangdi Phodrang	Thimphu
15	Drangpon Sonam Gyeltshen	Dzongkhag Drangpon	Paro	Mongar
16	Drangpon Gembo Tashi	Dzongkhag Drangpon	Thimphu	Chukha
17	Drangpon Ugyen Tshering	Dzongkhag Drangpon	Thimphu	Trongsa
18	Drangpon Pelden Wangmo	Dzongkhag Drangpon	Thimphu	Paro
19	Drangpon Damcho	Dungkhag Drangpon	Dorokha	Sibsoo

Transfer of Drangpons				
Sl No.	Name	Designation	Present Court	Transferred To
	Lhendup			
20	Drangpon Purushuttom Ghimmery	Dungkhag Drangpon	Sarpang	Dorokha

Transfer of Judicial Personnel					
Sl No	Name	Designation	Present Court	Transferred To	Remark
1	Karma Tshering	Registrar	Supreme Court	Wangdi Phodrang	
2	Jigme Lodey	-do-	Phuntsholing Dungkhag Court	Punakha	
3	Singye Wangdi	-do-	Paro	Supreme Court	Langchen Bench
4	Gyelpo	-do-	Supreme Court	High Court	Registry
5	Tenzin Dorji	-do-	Supreme Court	Paro	
6	Chimi Dorji A	-do-	Supreme Court	Chukha	On Study
7	Phuntsho Wangchuk	-do-	Thimphu Dzongkhag Court	Trashigang	-do-
8	Dungay Tshering	-do-	-do-	Mongar	-do-
9	Garab Yeshe	-do-	-do-	Samdrup Jongkhar	-do-
10	Pema Yechang	-do-	Supreme Court	Phuntsholing	-
11	Tshering Pelden	-do-	-do-	Gelephu	-

6.19. Phasing out of the SDC

The SDC started its support to Judiciary since 2008 when the country began its 10th Five Year Plan. In collaboration with the ADA, it funded the construction of Dzongkhag Courts in Bumthang, Trongsa, Wangdi Phodrang and Punakha along with the capacity development activities for the judges and judicial personnel. Having supported Judiciary for the last eight years, it finally phased out in October 2016. The Judiciary appreciates the generous support it rendered.

6.20. Austria Extends Support

From 2008 onwards, the ADA funded the construction of Dzongkhag and Dungkhag Courts in Tsirang, Dagana, Zhemgang and Dorokha beside co-funding Dzongkhag Courts in Bumthang, Trongsa, Wangdi Phodrang and Punakha with the SDC.

The government of Austria extended its support to the Judiciary through the Legal Sector Programme which will now be continued till December 2018. The ADA released additional fund for construction of Trashy Yangtse Dzongkhag Court and connecting all other Courts with internet facilities. In the extended phase, the ADA released Nu. 93 million for the Judiciary and Jigme Singye Wangchuck School of Law.

7. Events Attended by the Hon. Chief Justice in 2016

The following table contains the events attended by Hon. Chief Justice in the year 2016.

Sl No.	Date	Particular	Country
1	4 th -8 th March, 2016	SAARCLAW Conference	Kathmandu, Nepal
2	17 th -26 th April, 2016	Institutional Linkage Meetings	FAC, St. Gallen, Switzerland
3	21 st -25 th May, 2016	The 13th United Nations Day of Vesak Celebrations from	Bangkok, Thailand
4	24 th September-1 st October, 2016	Third Asian Judges Symposium on Environment: Law, the Judiciary, and Climate Change	Manila, The Philippines
5	20 th -25 th October, 2016	The Global Conference on "National Initiative towards strengthening Arbitration & Enforcement	New Delhi, India
6	23 rd -28 th November, 2016	The Bangladesh Environmental and Climate Change Conference	Dhaka, Bangladesh

8. List of International Guests 2016

Sl. No.	Date of Visit	Detail (Name, Designation & Office)	Country
1	12/01/2016	Mr. Henrik Nielsen, Former Head of DANIDA	Denmark
2	13/01/2016	Mr. Md. Bodiuzzaman, Chairperson of ACC, Hon'ble Dr. Nasiruddin Ahmed, Commissioner, Dr. Md. Shamsul Arefin, DG and Ms. Krishna Chanda, GIZ Representative	Bangladesh
3	03/03/2016	Ms. Christine Heather Bogle, Former Ambassador	New Zealand
4	14/3/2016	Students from Indian Law Institute, Siliguri	India
5	15/3/2016	Prof. Stephan Sonnenberg and Delegates, Harvard Law School	USA
6	21/3/2016	Dr. Christoph Bandli, Former President of FAC, Mr. Patrick Bucher, Chief Training and Support CIS, and Ms. Christelle Weibel, Chief Librarian, FAC	Switzerland
7	04/08/2016	Prof. Michaela Windischgraetz, Prof. Martin Risak, and Prof. Wolfram Schaffar, University of Vienna	Austria
8	05/06/2016	Prof. Dilip Shinde and Delegates Bombay	India
9	18/5/2016	Dr. Mr. Martin Ledolter, MD, ADA	Austria
10	20/5/2016	Hon'ble Mr. Justice Arjam Kumar Sikri, Supreme Court	India
11	25/5/2016	Honourable Justice Shriram & Justice Gupta Suresh, High Court, Bombay	India
12	26/5/2016	Professor (Dr.) C. Raj Kumar, Vice Chancellor of the OP Jindal Global University, Sonapat, Hariyana, and Lt. Gen. (Retd.) Rajesh Kochar, Senior Director, Jindal Institute of Leadership development and Executive Education	India
13	26/5/2016	Dr. Geta Oberoi, Acting Director, National Judicial Academy of Bhopal	India
14	30/5/2016	Hon'ble Mr. Justice Adarsh Kumar Goel and Hon'ble Mr. Justice Ranjan Gogol, Supreme Court	India
15	31/5/2016	Mrs. (Justice) Sujata Manohar (retd.) and husband, Supreme Court	India

Sl. No.	Date of Visit	Detail (Name, Designation & Office)	Country
16	14/6/2016	Karen L. Cassidy, The founder and Principal of Governmental Grant Professionals (GGP), Fund Raising Expert, Washington	USA
17	23/6/2016	Dr. Martin Kayser, Hon. Judge at the FAC, and Lecturer in International Law and Public Law at the University of St. Gallen, and Mr. Lukas Rast, Assistant to Hon. President of FAC, FAC	Switzerland
18	25/6/2016	Mrs. Marianne Frei, President, Society Switzerland Bhutan (SSB)	Switzerland
19	27/6/2016	Mr. Jean-Luc Baechler, Hon. President of the FAC, Mrs. Anne-Therese Pierrette Baechler, and Mr. PietroAngeli-Busi, Legal Counsel; Hon. Judge, FAC	Switzerland
20	07/01/2016	Lam Khambee (Jekhenpo) and Delegates	Mongolia
21	07/08/2016	Chief Justice Veerapol Tungsuwan, President of the Supreme Court of Thailand and Delegates	Thailand
22	20/7/2016	Professor Shiv Kumar, Delhi University, and Mr. Vinpin Bharti, First Director, SAARCLAW Head Office, Kathmandu	India and Nepal
23	23/8/2016	Mr. Nicholas Rosellini, Dy. Regional Director for Asia and the Pacific and Director of the Bangkok Regional Hub	Thailand
24	09/05/2016	Hon'ble Judge Donald Michael Cryan and Master Serivenor Mrs. Pamela Cryan	British
25	09/06/2016	Mr. Kai Schultz, Journalist, New York Times	USA
26	19/10/2016	Hon. Justice Md. Anwarul Haque, Chairman and Justice Enayetul Rahim, War Criminal Court of Supreme Court	Bangladesh
27	31/10/2016	Dr. Thierry Mathou, Ambassador of France to the Republic of the Philippines and his spouse	France
28	30/11/2016	Mr. V.V. Veeder QC, eminent British Arbitrator and Barrister	British
29	12/12/2016	Mr. Grip Bueta, ADB3	Dhaka
30	30/12/2016	Professor Baba Shiv, a senior Stanford GSB faculty member with a delegation of 30 Stanford MBA students	USA

9. Trainings Conducted by the Bhutan National Legal Institute for Judicial Personnel

The BNLI under the leadership and guidance of the Hon. President, Her Royal Highness Ashi Sonam Dechan Wangchuck, conducted the following trainings for Judges, Court Registrars and Bench Clerks in the year 2016.

Date	Trainings	Dzongkhags	No. of Participants	Place
6 th -9 th March, 2016	Training on Judicial Integrity and Ethics for Bench Clerks	Four Dzongkhags: Trashi Yangtse; Tashigang; Samdrup Jongkhar; Pemagatshel	30	Samdrup Jongkhar
29 th -31 st March, 2016	Training on Judicial Integrity and Ethics for Bench Clerks	Dzongkhags: Paro, Punakha, Chukha, Phuntsholing, Wangdi phodrang, Gasa, Haa. Dungkhags: Lingzhi, Sombaykha	58	Paro
6 th -8 th April, 2016	Training on Judicial Integrity and Ethics for Bench Clerks	Dzongkhags: Thimphu; Dagana; Samtse; Tsirang; Sarpang. Dungkhags: Dorokha; Lingzhi; Sibsoo; Gelephu; Lhamoizingkha	108	Thimphu
26 th -29 th April, 2016	Training on Judicial Integrity and Ethics for Bench Clerks	Dzongkhags: Bumthang; Trongsa; Zhemgang; Mongar; Lhuntse; Trashiyangtse. Dungkhags: Weringla; Panbang	32	Bumthang
4 th -6 th October, 2016	Training on Judicial Ethics and Integrity for Dungkhag Drangpons and Court Registrars		30	Paro
27 th -29 th October, 2016	Training on Judicial Ethics and Integrity for Dzongkhag Drangpons		24	Thimphu

10. Challenges

The expectations of the people from the Judiciary as an organization that adjudicates and resolves dispute, as they are, perhaps, on a daily basis affected by rapid changes in terms of their political, social, cultural and legal relationships is not unfounded. While such changes generate promises of hope and of new beginnings, it also presents unprecedented challenges for the Judiciary. In the Judiciary's quest to improve continually and fulfill its mandate it continues to face some of the old challenges and thus the challenges listed below may not necessarily be exclusive of the ones mentioned in the previous reports.

- Every other day, the Judiciary is called to handle immensely intricate problems of the modern day. The judicial competency is a key to unlock such problems. This competency will be realized only when the courts are qualitatively and quantitatively staffed. The Judiciary continues to face shortages in human resources both in terms of numbers and specialization. The establishment of the Specialized Benches in Thimphu District Court demands specialized Judges and Staff, in order for it to be able to deliver the services effectively and efficiently.

The Special Family and Child Bench needs to be gradually developed so that it serves the needs of the society effectively and efficiently. However, limited resource for conducting trainings, development of human resource and the specialized infrastructure is an impediment.

- A few of the District Courts continue to be either housed in the Dzongs or some other temporary structures. Without proper infrastructure, it becomes difficult not only for the courts to function effectively and efficiently, but also causes inconveniences for the consumers of court services.

Bringing disability into perspective, the courts in the Dzongs and other structures are not easily accessible for persons with disabilities. The physical accessibility of courts would mean steps to and inside the courthouse, disability-friendly equipments inside the courtrooms, assistive technology to enable persons with disabilities to understand the proceedings, such as a requirement to provide a court interpreter and the modernization of courtroom equipments. Many courtrooms lack the equipment to accommodate hearing and speech disabilities, or ramps and other features enabling mobility around the court building.

- The Judiciary is perhaps the weakest branch of the government in terms of budgetary matters. The Judiciary must depend on the budget sanctioned and controlled by the government and support rendered by donors, which fast disappearing. Although, it is pertinent for the Judges and Judicial Personnel to constantly hone their professional knowledge and skills, it will become progressively difficult for the judiciary to avail

timely and necessary trainings owing to diminishing resources. Trainings on Judicial Conduct, Management and Administration Skills, Judicial Disposition- Attitudes, Values and Ethics, and Interdisciplinary courses continue to be pertinent at a time where everyone is so judgmental.

- The anomalies in the enacted laws and the need for the Judiciary to provide consistent interpretation leave the courts vulnerable to the unfounded allegations of it cherry-picking the provision of the law that favours one party. The Judiciary has continued to provide consistency in the interpretations of the laws through precedence set by higher courts and periodic issuance of orders from the Office of the Chief Justice, which have been misconstrued, criticized without merit as having encroached upon the mandate of the separation of power.
- As pointed out in its Annual Report 2015, not many of our people know and understand the operation of the court system. As little knowledge is often dangerous, the limited knowledge on the operation of the court system and judicial processes poses risk of creating confusion and misunderstanding amongst the general public. Many of us, at the same time, do not care to find out how the court works. And more importantly, our people are probably more interested in what the Courts have done in a substantive sense, rather than finding out how it has come to its decision.

Viewing this issue through another lens, it leads to our people being unaware of their rights guaranteed by different laws, and also the procedures of filing and proceedings of a case. The majority of the population is either wholly or partially legal illiterates. Except in a few urban centers, where there are private law firms who represent clients in the Courts, most places still have litigants appearing in Court in person as pro se litigants. In such a scenario, there is always the challenge of litigants not being aware of the court procedures and failure to correctly state the facts and issues before the Courts.

Therefore, it is important that legal information are disseminated adequately and the people are made aware of the enacted laws and court procedures. Adequate awareness of the laws and processes could help in efficient delivery of justice and in also enhancing the trust and confidence of the people in the justice system.

11. Way Forward

The Judiciary re-dedicates itself to the noble and enduring judicial virtues in its desire to render justice to all those who access the courts in order to make the judiciary respectable and worthy of respect. The Judiciary of the Kingdom of Bhutan is aware of its responsibilities and will continue to initiate timely and adequate reforms to develop an institution that is fair, impartial, transparent and accountable. The following initiatives will be discussed and adopted by the impending Annual Judicial Conference, 2017.

- **Judicial Responsibility and Accountability Regulation**

The Judiciary of Bhutan has always strived to be guided by the commitment to uphold the law and to do so in an impartial and unbiased manner. The Judicial personnel constantly endeavors to serve our people to the best of their abilities - towards ensuring fair and prompt administration of justice. While safeguards are paramount to ensure that Judges make judicial decisions without fear or favor, judicial accountability is equally important with regards to maintaining the credibility and aura of the Judiciary. In view of the fact that the legitimacy of Judiciary flows from public support and trust, transparency in the functioning of the judges and judicial staff coupled with their accountability for any disservice to the court users. The Judiciary endorses the canon that in a democratic country guided by the Rule of Law, a considerable degree of accountability should exist for those serving in public office. To this effect, the Judiciary is in the process of adopting the Judicial Responsibility and Accountability Regulations which will provide for the process of initiating complaint, investigation and possible actions that can be taken against judicial personnel.

- **Endorsing of the Guideline on Conflict of Interest**

Judiciary is in the process of adopting the Guidelines and procedures associated with contentious issues of Conflict of Interest.

- **Launching of Judiciary's E-Services**

The e-services under the Public Notary System will be formally launched in 2017 following which the public will be able to avail judicial services online.

- **Bench Book and Modern Amenities for the Family and Child Bench**

Following the establishment of the Family and Child Bench, the Judiciary is working towards equipping the bench with modern equipments and facilities essential for creating the right environment and implementing child friendly procedures. Consequently following several deliberations, the draft 'Child Bench Book' funded by Save the Children, is also ready for review and adoption. The bench book once endorsed will strengthen child-friendly procedures and policies.

