



**ASSESSMENT STUDY
ON
DZONGKHAG TSHOGDU
AND
GEWOG TSHOGDE**

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ནང་སྲིད་དང་སྲོལ་འཛིན་ལྷན་ཁག

**Department of Local Governance
Ministry of Home & Cultural Affairs**



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We acknowledge the understanding and cooperation rendered by all others during the study and hope that this study report will help bring some positive impact on the functional environment of LGs and smoothen the inter-sector coordination in local governance through improvement of the DT and GT functioning systems.

Thank you all.

ACRONYMS

| | |
|--------|--|
| BCSR | Bhutan Civil Service Rules and Regulation 2018 |
| CSAB | Civil Service Act of Bhutan |
| DLG | Department of Local Governance |
| DLGP | Decentralization and Local Governance Project |
| DT | Dzongkhag Tshogdu |
| GT | Gewog Tshogde |
| LG | Local Government |
| LG Act | Local Government Act 2009 |
| LGRR | Local Government Rules and Regulation 2012 |
| MoHCA | Ministry of Home and Cultural Affairs |
| TT | Thromde Tshogde |

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EXECUTIVE SUMMARY

This study was conducted to collect baseline information on the issues faced with Dzongkhag Tshogdu (DT) and Gewog Tshogde (GT) functioning as a means to facilitate designing of strategies to enhance the effectiveness of these institutions. The study covered a total of fourteen Dzongkhags comprising of 70% out of 20 Dzongkhags, with a total of 92 participants, out of which twenty-five participants comprising 27% were women.

Based on the overall guiding question: *What is the current context of DT and GT functioning, and what are the gaps and challenges that need to be improved in order for DT/GT to function effectively*, the study considered to assess the following areas of DT and GT functioning:

- a. General understanding of the LG functionaries on the policy contexts, principles and objectives of DTs and GTs functioning;
- b. Effectiveness of the processes leading to the conduct of DT and GT sessions;
- c. Context and nature of the conduct of DT and GT sessions;
- d. Practice and issues on implementation of DTs and GTs decisions;
- e. Functioning of DT and GT outside the DT and GT sessions, and the horizontal and vertical relationship of DTs and GTs with other sectors or agencies.

Besides carrying out desktop review of the relevant documents, primary data was collected through focus group discussions and key-informant interviews through both elected as well as the non-elected LG functionaries. Overall the study was carried out with a systemic view to examine DT and GT as the highest Local Government decision-making institutions. Therefore, the functioning of DT and GT are examined holistically and not only from the perspective of the conduct of DT and GT sessions.

The findings are also grouped into five different sections for consistency with the five areas of the study as mentioned above. The main issues, challenges and corresponding recommendations are made under the respective study areas.

The key findings of the study are presented as follows:

1. Although the LG functionaries have a good understanding of the objectives of decentralised governance and functions of DTs and GTs, they are largely limited at the conceptual level. They lack in-depth theoretical understanding of

the functioning of DT and GT as LG institutions and decentralised structures of decision-making. The knowledge of the non-elected or LG administration staff on the rationale and basis of having DTs and GTs in place as instruments of decentralised governance and main institutions of decision-making at the local level are also poor. In this respect, the following recommendations are made:

- i. Put in place a comprehensive decentralisation policy and action plan.
 - ii. Develop comprehensive LGs capacity development framework and review the capacity development program to have coordinated approach to LG capacity development.
 - iii. Develop relevant LG training modules on decentralised governance and DT/GT functioning.
 - iv. Carry out periodic sensitization and orientation on the provisions of LG Act and LGRR for both elected and non-elected LG functionaries.
2. Even though the process leading to the conduct of DT and GT sessions as stipulated in the LG Act and LGRR is clear, the LG functionaries reported certain issues that need to be looked into. These include poor community turn out and participation, fatigue out of numerous irregular ad-hoc meetings, conducting meetings at wrong time, mismatch between needs and plans, no allocation of budget to conduct Chiwog Zomdus and poor facilitation skills. To address these issues the following recommendations are made:
- i. Run civic engagement and empowerment programme, to increase public awareness on local governance and respective roles of LG functionaries as well as people themselves.
 - ii. Develop and strengthen innovative community engagement strategies.
 - iii. Develop and put in place social accountability and community monitoring systems.
 - iv. Plan and conduct meetings in a well-coordinated manner. Review Protocol for Chiwog Zomdus to address the issue of uncoordinated ways of conducting meetings in the Chiwogs.
 - v. Strengthen the institution of Tshogpas.
 - vi. Enhance quality of community facilitation.
3. On the conduct of DT and GT sessions, the challenges faced are lack of specific timeline of conducting the sessions, delay in agenda submissions, difficulty in prioritisation of agenda items, absence of clear working modality between LGs and LG administration, lack of support and timely response from LG administration officials and regional offices on the implementation of DT resolutions, lack of standard template and proper minuting, and lack of

protocol for observers in DT and GT sessions. Therefore, following strategies are recommended:

- i. LGs to prepare annual calendar specifying timeline and schedule of DT and GT sessions.
 - ii. Develop and implement standard protocol for submission and inclusion of agenda items.
 - iii. Develop and implement standard format of recording minutes.
 - iv. Promote a culture of inviting observers and special invitees in the DT and GT sessions to inculcate culture of citizen participation in decision making process and promote social accountability. However, clear protocol and process for inviting observers needs to be developed within the purview of the existing legislation.
 - v. Train Chairpersons and Dy. Chairpersons to moderate DT and GT sessions.
 - vi. Have in place compliance and follow up mechanisms to review the implementation of LG Act, rules and regulations by LG institutions (DT and GT), LG administrations and other sectors.
4. There is a clear guideline and framework on methods of implementing the DT and GT decisions. However, LGs encounter issues such as: uncoordinated distribution of minutes and lack of uniform signatory; lack of uniformity in the recipient of the notifications and resolutions; unclear instructions and directives for actions; lack of follow-up and accountability measures; accountability issues and lack of legal authority to take actions for not adhering to the resolutions from the DTs; and, lack of clarity of DT and GT's functions in between the sessions. As such, the following strategies are recommended to address the issues faced on the implementation of DT and GT decisions:
- i. Institute minimum time period for DT and GT secretariats to distribute the minutes of the DT and GT sessions, with uniform application of the signing authority.
 - ii. Standardise the nature of correspondence to distribute notifications and resolutions, with clarity on the type of actions required.
 - iii. Put in place standard protocol to trace the distribution of DT and GT resolutions and minutes with clear accountability and legal mandate for actions.
 - iv. Clarify the mechanism of DT and GT functioning in between the DT and GT sessions.
5. DTs and GTs as the institutions of LGs, function with the technical and secretarial support of LG administrations. While DTs and GTs are given

substantial powers and functions through LG Act, rules and regulations, they are also more generic, and difficult to implement on the ground. Some of the issues of DT and GT functioning outside their conduct of DT and GT sessions pertain to power relations and coordination challenges. Some of the areas to review are reported as follows:

- I. Knowledge gap in the conceptual meaning of DT and GT as LGs, and concentration of powers with the Dzongkhag administration.
- I. Accountability and power-relation issues.
- II. Generic functions and powers with difficulty in implementation.
- III. Lack of administrative and management control of the officials of LG administrations.
- IV. Financial constraints and lack of autonomy in the formulation of plans.
- V. Lack of clear protocol for functioning of the committees.
- VI. Indulgence in independent implementation of activities by LG administrative offices.

The ambiguities and issues affecting the effective functioning of DT and GT as the study indicated are misunderstanding, misinterpretation, capacity gap and coordination problems between different LG stakeholders.

In this regard, the study recommends the following:

- I. Carry out case studies on the issues and develop an implementation guideline or manual to execute the provisions of LG-Act and LGRR.
- II. Conduct a citizens' perception study on community engagement and participation.
- III. Review and harmonize rules and regulations (BCSR 2018 and LGRR 2012) to address issues of human resource management at the local government level.
- IV. Review LG Act, rules and regulations and develop clear power segregation and working relationship between LG institution and LG Administration.
- V. Develop and implement Compliance Mechanism for LG functioning.
- VI. LGs to provide inputs periodically to review the Annual Grant Guidelines and Division of Responsibilities Framework.
- VII. Review and harmonize the functioning of different working committees existing in LG Administration and LGs as mandated by provision of different

laws and regulations. E.g Human Resource Committee by BCSR, 2018, Tender Committee by PRR 2009 and other committees, and committees mandated by LG Act and LGRR, Monitoring and Evaluation Committee, Disciplinary Committee, Rule Making Committee and ad-hoc committees.

Summary of Challenges and Recommendations

| Sl. No. | Issues and Challenges | Recommendations |
|--|---|---|
| General understanding of the LG functionaries about the policy contexts, principles and objectives of DT and GT functioning | | |
| 1 | <p><i>Lack of theoretical and conceptual knowledge</i> LG functionaries lack in-depth theoretical and conceptual knowledge in terms of the actual rationale and underlying principles of the decentralisation practice or DT and GT functioning.</p> | Structured training on decentralized governance and DT/GT functioning and institute partnership in capacity building |
| 2 | <p><i>Absence of decentralisation policy and strategic guidelines for implementation</i> The functional working relation between LGs and LG administration, and effective functioning of DTs and GTs are impeded by a lack of a clear decentralisation policy framework.</p> | Comprehensive decentralisation policy and action plan |
| 3 | <p><i>Lack of capacity in elected LG functionaries to implement decentralized functions</i> Most LG functionaries (both elected and non-elected staff) are unable to comprehend provisions of legal and regulatory tools such as the Constitution, LG Act, LGRR and the assignment of functional and financial responsibilities.</p> | Periodic sensitization and orientation on the provisions of LG Act and LGRR |
| Effectiveness of the processes leading to the conduct of DT and GT sessions | | |
| 4 | <p><i>Non-adherence to the process leading to conduct of DT and GT</i> LGs do not follow the due process leading up to the conduct of DT and GT although the law is clear.</p> | Carry out Citizen Perception Study on poor participation of communities in meetings and run sensitisation and capacity building programme for people. |
| 5 | <p><i>Poor turnout and lack of quality engagement in community meetings</i> Lack of sense of ownership by the communities, meeting fatigue with lots of meetings organized in the Gewogs without coordination, ad-hoc programs, and LG functionaries unable to clearly communicate information of meetings with community members.</p> | -Develop, strengthen and implement community engagement strategy -Develop and strengthen social accountability and community monitoring systems -Plan and conduct meetings in a well-coordinated manner |

| Sl. No. | Issues and Challenges | Recommendations |
|--------------------------------------|--|--|
| 6 | <p><i>Lack of resources and enabling environment</i> Lack of budget for organizing Chiwog Zomdu and insufficient budget for the conduct of GT and DT sessions; and also lack of office for Tshogpas and a proper space to conduct Chiwog Zomdus.</p> | Strengthen the institution of Tshogpas |
| 7 | <p><i>Poor meeting facilitation skills</i> Tshogpas do not have the required expertise and skills to influence community members for local development.</p> | Enhance quality of community facilitation |
| Conduct of DT and GT sessions | | |
| 8 | <p><i>Lack of standard timeline to conduct DT and GT sessions</i> The LG-Act and LGRR mention only the number of times DT and GT sessions are to be conducted in a year and do not specify the exact time or month to conduct them.</p> | Prepare LGs Calendar with LG events |
| 9 | <p><i>Limited agenda items and delay in submission of discussion points for inclusion in the DT and GT agenda.</i> Some of the challenges for both GT and DT sessions are having only a few agenda items, irrelevant discussion points and delay in submitting points for the sessions due to lack of community capacity or poor facilitation at the Chiwog Zomdu and Gewog Tshogde.</p> | Standardize protocol for submission and inclusion of agenda items |
| 10 | <p><i>Difficulty in prioritizing agendas</i> The issues and concerns of prioritizing agenda were raised on the legality and absence of a clear working modality with current practices of screening the agenda by the Agenda Vetting Committee based on notification issued by the MoHCA.</p> | Build capacity of Chairpersons and Dy. Chairpersons to moderate DT and GT sessions |

| Sl. No. | Issues and Challenges | Recommendations |
|--|---|---|
| 11 | <p><i>Lack of proper working modality between LGs, LG administration and regional offices.</i> The absence of a clear working modality between LGs, LG administration and other regional offices and no clear accountability among the stakeholders leads to ineffectiveness of DT/GT functioning</p> | <p>Enhance and improve role of DT and GT beyond DT and GT sessions</p> |
| 12 | <p><i>Lack of standard template for minutes</i> The absence of a uniform protocol, results into different process of presenting minutes and varying interpretations by different stakeholders. Inadequate skills and capacity of the minute keepers also hampers effectiveness of the DT and GT functioning.</p> | <p>Develop and implement standard format for minutes</p> |
| 13 | <p><i>Lack of protocol for observers.</i> Lack of observers limits spaces and opportunities for those interested community members and sector officials, thereby constraining the state-citizen dialogues and capacity building of the stakeholders.</p> | <p>Promote Observer and Special Invitees culture in DT and GT sessions and develop protocol</p> |
| Implementation of DT and GT decisions | | |
| 14 | <p><i>No clarity in the distribution of minutes and lack of uniform modality on the signatory of the distribution of DT and GT resolutions.</i> There is no clarity on when the DT and GT Secretariats should distribute the minutes to the members and other respective stakeholders after the resolution is endorsed.</p> | <p>Institute guideline for DT and GT secretariats to distribute the minutes of the DT and GT sessions, with uniform application of the signing authority.</p> |

| Sl. No. | Issues and Challenges | Recommendations |
|---------|--|--|
| 15 | <p><i>Lack of clarity on the recipient or addressee of the notifications and orders from DT and GT chairpersons.</i></p> <p>The other grey area or lack of clarity is how and to who should the DTs and GTs issue notifications and resolutions.</p> | <p>Standardize the nature of correspondence to distribute notifications and directives, with clarity on the type of actions required.</p> |
| 16 | <p><i>No clarity in the instructions or directives for actions.</i></p> <p>The clarity on the specific actions to be taken by the respective sectors or agencies as communicated through the minutes is often contested.</p> | <p>Standardize the nature of correspondence to distribute notifications and directives, with clarity on the type of actions required.</p> |
| 17 | <p><i>No follow-up and accountability arrangements in place.</i></p> <p>There is no mechanism to follow up and trace the distribution and receipt of DT and GT resolution minutes or the accountability measures both for the officials distributing the resolutions and sectors or agencies receiving them.</p> | |
| 18 | <p><i>Lack of clarity on accountability and legal mandate to take actions for breach of the notifications.</i></p> <p>One of the serious issues is the lack of clarity on fixing accountability by DTs and GTs on the sectors and agencies that do not heed to their notification and directives.</p> | <p>Put in place standard protocol to trace the distribution of DT and GT resolution minutes with clear accountability and legal mandate for actions.</p> |
| 19 | <p><i>No clarity on the functions of DT and GT in between the DT and GT sessions.</i></p> <p>The presence and visibility of DTs and GTs are more during the DT and GT sessions. Outside the DT and GT sessions, DT and GT as LG institutions are not being able to play active role in the process of planning, implementation, monitoring and reporting and other aspects of governance required by the provisions of LG act.</p> | |

1. BACKGROUND

1.1 Purpose and objectives of the study

The study on the functioning of Dzongkhag Tshogdu (DT) and Gewog Tshogde (GT) was conducted as part of the activities of Decentralisation and Local Governance Project (DLGP) funded by Helvetas Swiss Intercooperation and implemented by the Department of Local Governance (DLG), Ministry of Home and Cultural Affairs (MoHCA). With the overall objective to contribute to the project's outcome of strengthening inter-governmental coordination at the Dzongkhag level, the study was intended to provide baseline information for implementation of local governance reforms in the key areas.

The main purpose of the study was to understand the current DT and GT functioning system and identify areas for improvement to enhance the effectiveness of DT and GT functioning, including intergovernmental coordination.



Trongsa_decenralization with local government

The assessment study was carried out to achieve the following objectives:

- a. Identify critical areas to strengthen DT and GT functioning.
- b. Assess functional relationships between LGs and Local Government Administrations.
- c. Provide reliable data and information to make informed decisions.

- d. Document opportunities, problems and challenges encountered in effective functioning of DTs and GTs.
- e. Validate assumptions.
- f. Provide recommendations on strengthening the functioning of DTs and GTs.

1.2 Study context and rationale

DT, GT and TT are Local Governments (LGs). They are the highest decision-making bodies at the Dzongkhag, Gewog and Thromde levels.

The primary objective of DTs and GTs is to institutionalise a decentralised system of governance at the local level that functions as platforms for direct participation by people in the decision-making process and in implementing the development programs and activities. Therefore, effective functioning of DTs and GTs is important for strengthening decentralization.

Article 22 of the Constitution of the Kingdom of Bhutan enshrines devolution of power and authority to LGs to facilitate direct participation of the people for development and management of their own social, economic and environmental well-being. The Local Government Act (LG-Act) of Bhutan 2009, and Local Government Rules and Regulations (LGRR) 2012 has clearly laid out the procedures for functioning of the LGs.

However, effective functioning of DTs and GTs are affected largely by limited understanding of the decentralised roles, lack of capacity of the LG functionaries to implement increasing devolved functions, and lack of coordination among stakeholders.

1.3 Methodology and structure of the report

The assessment was carried out as a qualitative study with an exploratory approach. Desk review of important documents were made to gather secondary information on the policy contexts, principles and objectives of DT and GT functioning.

The study was conducted with the overall guiding question: *What is the current context of DT and GT functioning, and what are the gaps and challenges that need to be improved in order for DT/GT to function effectively?* Within the overall framework of this study question, the following key areas were considered for discussion and examination:

- a. Assessment of the general understanding of the LG functionaries about the policies, principles and objectives of DTs and GTs;
- b. Assessment of the effectiveness of the processes leading to the conduct of DT and GT sessions;
- c. Assessment of the context and nature of the conduct of DT and GT sessions;
- d. Assessment of the practice and issues on implementation of DTs and GTs decisions;
- e. Assessment of the functioning of DT and GT outside the DT and GT sessions, their horizontal and vertical relationship with other agencies.

The LG-Act and LGRR were used as the main points of reference, and examination of issues encountered by DT and GT while functioning within the framework of LG-Act and LGRR provisions were made.

The primary data was collected through stakeholders' consultation with relevant LG functionaries, comprising both elected and non-elected administration staff. The stakeholders' consultations comprised of two regional workshops (held at Tsirang and Mongar), and meeting of LG functionaries in four other Dzongkhags (Chukha, Haa, Thimphu and Paro) that were not covered in the regional workshops. Consultations during the regional workshops as well as in the four other Dzongkhags were conducted either as focus group discussions (FGDs) or key informant interviews (KIIs), with the guiding questions on aforementioned six areas of study.

The study covered a total of fourteen (70%) out of 20 Dzongkhags. The participants were 92 (45 elected and 47 non-elected) LG functionaries, of which 27% were women. (Annexure 2- List of discussants).

The literature review on relevant aspects of decentralisation, decentralised governance and DT/GT functioning is presented as annexure 1 of this report, including the community engagement and participatory local governance. The discussion under the literature review helps to link the issues presented under the findings to the theoretical aspect of the study subject and provides framework to develop strategic interventions.

The study was carried out with a systemic view. In this respect, the DT and GT are looked at as decentralised institutions at the local level or as LGs in itself. Therefore, the functioning of DT and GT are examined holistically and not only from the perspective of the conduct of DT and GT sessions.

In this respect, the findings are also grouped into five different sections for consistency with the five areas of study:

- i. General understanding of the LG functionaries about the policy contexts, principles and objectives of DTs and GTs functioning;
- ii. Effectiveness of the processes leading to the conduct of DT and GT sessions;
- iii. Process of the conduct of DT and GT sessions;
- iv. Implementation of the decisions of DTs and GTs; and,
- v. Functioning of DTs and GTs outside the DT and GT sessions, and the horizontal and vertical relationship of DTs and GTs with other sectors or agencies.

The main issues, challenges and corresponding recommendations are being made under the respective sections of this report. Provisions of the most relevant clauses and sections of the LG-Act and LGRR are reviewed and discussed under each area of findings to provide a basis for the issues or challenges presented. The discussion of the relevant provisions from the LG-Act and LGRR further facilitated in providing recommendations.

2. FINDINGS

2.1 General understanding of the LG functionaries about the policy contexts, principles and objectives of DT and GT functioning

The elected LG functionaries, in general, have a good understanding of the functions of DTs and GTs, and especially by those who have been in the positions for a longer period compared to their new counterparts. The sources of their understanding are the sensitisation and capacity building programmes provided by relevant central agencies, and from the trainings availed on matters related to local governance. The Constitution, LG-Act and LGRR have also been instrumental in providing them with the general understanding on the functions of DTs and GTs.

The LG functionaries demonstrated a satisfactory understanding of the overall policy contexts, rationale and objectives of decentralisation and its purpose which is empowerment of people through delegation of decision-making powers, authority and resources.

However, the study further revealed that the knowledge and understanding on decentralised system of local governance are largely limited at the conceptual level. The meaning of LGs is confined more to the geographical boundaries of Dzongkhags and Gewogs. The knowledge about DTs and GTs as institutions of local governments and critical decision-making is also comparatively limited.

Besides, it was noted that the LG members could not play an active role in pursuing functional working relationship with LG administration and other stakeholders beyond DT and GT sessions. There is limited engagement of LG members in the process of planning, implementation, monitoring of plans and programs, taking forward the DT and GT resolutions and, in the overall local governance process. The issues are largely attributed to the limited capacity of elected LG functionaries to implement the provisions of relevant laws and regulations and to some extent with resistance for change from the LG administration.

The knowledge of the LG Administration staff on the rationale and basis of having DTs and GTs in place as instruments of decentralised governance and main institutions of decision-making at the local level are also weak. The ‘administrative machinery’ of civil servants placed to ‘support LGs’ plays a significant role in delivering devolved functions. However, it was observed that there is a weak functional relationship between the LGs institutions (DT and GT) with the LG administration due to lack of

coordination and collaboration among DT, GT and LG administration in decision-making process, reporting line and employing clearly distinguished accountability mechanism.

The following appears to be some of the main challenges related to lack of knowledge and understanding on DT and GT functioning in terms of the policy context, objectives and principles:

a. Lack theoretical and conceptual knowledge:

LG functionaries lack in-depth theoretical and conceptual knowledge in terms of the actual rationale and underlying principles of the decentralisation practice or DT and GT functioning. It was noted that this is primarily due to change in the elected leaders every five years, lack of a proper documentation system, lack of prior knowledge and skills and lack of downward and upward accountability mechanism once elected to the positions.

This challenge also applies to the non-elected LG Administration staff who are mainly civil servants. The frequent change in the administration staff, lack of human resource management, lack of skilled personnel at the LG level, limited understanding of LG functioning system and the lack of awareness programs are some of the issues and challenges faced by the LG administration.



Regional Workshop Participant on DT Assessment Study at Tsirang

b. Absence of decentralisation policy and strategic guidelines for implementation:

The functional working relation between LGs and LG administration, and effective functioning of DTs and GTs are impeded by a lack of a clear decentralisation policy framework. Decentralisation and decentralised governance structures such as DTs and GTs over the years have evolved gradually, but in the absence of a clear decentralization policy and framework, decentralised local governance is understood differently by different people at different levels.

The non-elected LG functionaries understand the roles and functions of LGs and LG administration from the context of territorial decentralisation and deconcentration, in which administrative power and authorities are transferred to the local level merely to take the functions closer to the people. The mode of implementing the decentralization process is still not clearly and fully devolved as envisioned in the Constitution of Bhutan.

c. Lack of capacity in elected LG functionaries to implement decentralised functions:

Most LG functionaries (both elected and non-elected staff) are unable to comprehend provisions of legal and regulatory tools such as the Constitution, LG Act, LGRR and the assignment of functional and financial responsibilities. When the elected LG functionaries change, they do not necessarily get sensitised or trained on time, especially on their functional roles in local governance as representatives of the people.

i. Structured training on decentralised governance and DT/GT functioning and institute partnership in capacity building

There is need for the development of tailored course modules in partnership with local training institutes on the application of theoretical concept of decentralised governance, policy objectives, rationale and principles of DT and GT functioning. Likewise, there is the need in developing a comprehensive capacity building framework for elected and non-elected LG administration staff. There is also the need to institute long term partnership between DLG, local and regional training institutes, think-tank bodies and other stakeholders for the conduct of effective training programs in a sustainable approach.

The training should be repeated as periodic refresher course for the LG functionaries, containing the following:

- Successive governance reforms
- Purpose and rationale of decentralisation
- Decentralised institutions or structure and their functions
- Roles and responsibilities of different stakeholders
- Rights and duties of different stakeholders
- Implementation mechanisms and strategies
- Benefits and risks of the implementing decentralised functions

ii. **Comprehensive decentralisation policy and action plan**

There is the need to develop a National Decentralization Policy that will guide the future direction of decentralization and provide better clarity. It was noted that the process has been initiated by the Department of Local Governance under MoHCA. The findings from this study on strengthening DT and GT functioning could be considered while formulating the policy and developing action plan for Decentralization Policy.

The consolidated national decentralisation policy should be supported by the decentralisation action plan and strategy to roll out the decentralisation process in line with the decentralisation policy. It will specify key components, implementing responsibilities, time plan and sequencing of interventions, a monitoring and evaluation framework, and financing mechanisms.

Based on policy direction, there is also need for the periodic review of key documents like Division of Responsibilities Framework (DORF) and Annual Grant Guidelines (AGG). The consultation process needs to be strengthened while formulating those documents and involve LGs and key stakeholders to have better clarity and ownership.

iii. **Periodic sensitization and orientation on the provisions of LG Act and LGRR:**

Both elected and non-elected functionaries should be sensitised and oriented on the provisions of the LG Act and LGRR with focus on different roles and applications of the provisions.

The induction programme for the elected LG functionaries organized immediately after their election does not seem to provide them with the

adequate knowledge and skills to understand their roles and responsibilities clearly. They face challenges during the course of implementing their roles, and most LG functionaries get changed in the middle of their tenure for various reasons. The lack of a structured sensitization and orientation programme, or a forum in-between to discuss issues faced leaves them confused resulting into clash of ideas.

There is also the need for the development of a comprehensive LGs capacity development framework and review of the capacity development program to have a coordinated approach towards LG capacity development.

2.2 Effectiveness of the processes leading to the conduct of DT and GT sessions

The processes leading to the conduct of DT and GT sessions are covered in LG Act and LGRR 2012 and through subsequent notifications issued by the authority. However, there is variance in norms and practices while implementing the process. Following are the general approach and steps being followed:

- The Chairpersons of DT and GT respectively confirms dates of the conduct of the sessions and accordingly issues notifications for submission of proposals from members for inclusion in the agenda.
- Based on notification and dates scheduled, Gewog sends out subsequent notification for the conduct of Gewog Tshogde and Chiwog Zomdus.
- For the purpose of making proposals for inclusion in the GT sessions, the LG members shall call for Zomdus (meeting) in their respective constituencies.
- The proposals of agenda for discussion in the DT sessions are made as the decisions of the GT sessions and submitted to DT Secretariat.
- The agenda vetting committee formed based on notification from DLG, MoHCA decides on inclusion and exclusion of agenda in DT sessions.

Similarly, the processes for the conduct of Chiwog Zomdus are also stipulated in Chapter 12 of LGRR 2012 including the purpose, participation process and decision-making process.

Even though the steps leading to the conduct of DT and GT sessions as stipulated by the LG Act and LGRR are clear, the report during the workshop suggests variance in the level of implementation process. LG functionaries

reported certain issues to be considered. The list of issues faced, especially on the quality participation of people are discussed and the recommendations made are as follows:

a. Non-adherence to the process leading to conduct of DT and GT:

Although the process is clear, all LGs do not follow the due process leading up to the conduct of DT and GT. The delay in the submission of agenda, not following the due process of issuing notification, not able to conduct Chiwog Zomdus and poor quality of discussion are some of the common issues highlighted.

In general, people do not have a clear understanding of their roles and rights as citizens and are oblivious of their duties to hold their duty bearers accountable. Therefore, duty bearers continue to function as the benefactors while people largely remain as subjects and beneficiaries, requiring to be directed in most community affairs. So, people are totally dependent and look upon outside agencies to look after their welfare. There is a strong local-central dependency for guidance and overall supervision.

b. Poor turnout and lack of quality engagement in community meetings:

The LG functionaries reported on the poor participation and lack of quality engagement of communities in Chiwog Zomdu and overall local governance process. They have associated those issues with lack of sense of ownership by the communities, meeting fatigue with lots of meetings organized in the Gewogs without coordination, ad-hoc programs, and LG functionaries unable to clearly communicate information of meetings with community members.

It was reported that usually, household members who do not participate actively are sent to the Zomdus, for mere representation and as headcounts to avoid fines and penalties. This affected the quality of engagement and community contribution as both women and children generally shy away from expressing constructive views. This is aggravated by the elite capture that drives the agenda and the decisions on behalf of others. It gives others the impression that their views are not heard, and their needs not considered, thereby ultimately discouraging participation.

c. Lack of resources and enabling environment:

Lack of budget for organizing Chiwog Zomdu and insufficient budget for the conduct of GT and DT sessions were raised. Participants also raised the issue

of non-flexibility in terms of using the budget allocated to LGs for promoting citizen engagement in Local Government. They raised the issue for the need of a separate budget head for such activities and to have in place a more realistic budgeting method.

The lack of office for Tshogpas and a proper space to conduct Chiwog Zomdus were also highlighted. The current practices of conducting meetings in open spaces, private residences, Lhakhangs etc. were considered inconvenient and obstructing creation of an enabling environment.

d. Poor meeting facilitation skills:

It was reported that the Tshogpas and extension staffs at the Gewog level plays critical role in mobilizing communities and promoting community participation in the local governance affairs. The critical role of Tshogpas as a bridge between communities, Gewog and Dzongkhag were reiterated by the participants. However, they do not have the required expertise and skills to influence community members for local development. It was highlighted that they did not receive the much-needed attention in the past with a majority of focus being for the Gups and Mangmis.

In view of the issues cited above, the following recommendations are made:

i. Carry out Citizen Perception Study on poor participation of communities in meetings and run sensitisation and capacity building programme for people

The study recommends conducting study to understand the people's perception on poor participation of communities in chiwog Zomdus and accordingly develop a strategy for promoting citizen engagement in community meetings. Initiating citizens' empowerment programme will increase public awareness on local governance and respective roles of LG functionaries as well as people themselves and further contribute in building people's capacity to understand and implement decentralised local governance more proactively. The programme will enhance people's knowledge and skills to not only participate but engage themselves in the local development processes constructively and strengthen social accountability and relationships with the duty bearers.

ii. Develop, strengthen and implement community engagement strategy

Establish and institutionalize operation of innovative community engagement strategies such as establishment of community engagement

platforms to enhance people's involvement and participation. Such measures in place will enhance community engagement in terms of inclusive representation, increase proximity of meeting venue, promote community ownership, and reduce popular dominance in decision-making. With the change in times and with advancement of technology, there is opportunity to explore and create e-platforms for community engagement using different modes including social media and other applications.

iii. Develop and strengthen social accountability and community monitoring systems

Developing and implementing mechanisms such as community complaints and redressal systems, social accountability and community monitoring practices would help the people as well as the LG office bearers to focus on the implementation of community-based development activities with quality assurance. Such systems and practices can also enhance the responsibility of people to participate and take ownership, while increasing the accountability of service providers to deliver effectively. While efforts were made in the past to establish systems like social accountability mechanism and Community Monitoring System, there was no continuity, and sustainability was a major issue. Therefore, it was recommended that focus may be given to learn from the good practices and institutionalize the system rather than developing parallel new structures or systems.

iv. Plan and conduct meetings in a well-coordinated manner

Since one of the major issues was the meeting fatigue in communities, it is recommended to clearly distinguish between formal Chiwog Zomdu and other sectoral meetings. There is the need to review the Chiwog Zomdu protocol and make it more convenient and improve the overall coordination and access to information.

The use of communication-for-development tools such as community announcement and information-sharing system (community radio) will be very effective in mobilising community members for community activities and their engagement. Similarly, diversification of the use of Community Information Centres (CICs) and expanding their functions beyond providing online services should be considered. CICs can be a good platform for enhancing community information-sharing and facilitating community vitality and engagement.

v. Strengthen the institution of Tshogpas

It was highlighted that strengthening the role of Tshogpas and creating an enabling environment for the functioning of Tshogpas will positively contribute in promoting good governance at the lowest level and strengthen GT and DT functioning.

There is also the need for collaboration and coordination among the different stakeholders in consolidating the use of existing community infrastructure available in Chiwogs like the Community centers, NFE Centers, extended classrooms etc. for common use. In the absence of such facilities, there is need for the provision of facilities at the chiwog level to promote and enhance citizen engagement in local governance.

vi. Enhance quality of community facilitation

People's participation and quality discussions also depend on the quality of facilitation of community meetings. Lack of good community facilitation skills usually results into direct narration and supply-driven information sharing in the community meetings. In this regard, Tshogpas and other community coordinators must be trained on community facilitation skills.

Development of a community engagement facilitation strategy supported by a user-friendly manual is recommended for use by the Tshogpas during Chiwog Zomdus. This will enhance people's involvement in the identification of community issues, needs and setting priorities.

2.3 Conduct of DT and GT sessions

The conduct of business of the DT and GT sessions are specified by Chapter 8 of the LG-Act, Chapter 8, 9, 10 and 11 of LGRR and Clause 206 of LGRR. The standard requirements of proceeding are as follows:

- The agenda or subject of discussion during the DT and GT sessions include follow-up matters arising out of the proceedings of the earlier DT or GT sessions; matters proposed by the Chairperson or the Gup during the preparation of the agenda, as the case may be; and, any other matters proposed by other members resulting out of the Zomdus in the respective constituencies.

- The DT sessions are conducted at least once every six months corresponding to two sessions per year, while the GT sessions are held at least once in four months corresponding to three sessions per year.
- Besides the regular sessions, the DT Chairperson can convene special DT sessions on three grounds: receipt of written request made by not less than three-fourths of the total number of DT members on particular matter; as and when the Chairperson deems it necessary to discuss matter of urgency; and, upon receiving a request from the Dzongdag specifying the purpose, proposed date and reasons for calling the session.
- Require a government official concerned to address or submit any information or explanation either orally or in writing whenever a matter relating to that government agency is under discussion. The need for invitation of specific government officials occurs when matters pertaining to certain issues are adopted as agenda, either as a new discussion or as a follow up of the resolutions of the preceding sessions.
- Similarly, the DT and GT Chairpersons can invite any Government official or person as an observer during the sessions.
- Unless decided to be closed-door discussions in line with the procedures in place for doing so, the DT and GT sessions are open to the public, members of the press and any person invited by the Chairperson. If any decision item happens to be divided and controversial, the final decision will be made by a majority of votes of the members present.

Within the framework of the procedures of the conduct of DT and GT sessions provided in the LG-Act and LGRR, the following issues impeding effective functioning of DT and GT are raised:

a. Lack of standard timeline to conduct DT and GT sessions

The LG-Act and LGRR mention only the number of times DT and GT sessions are to be conducted in a year and do not specify the exact time or month to conduct them. DTs are scheduled in discussion with LG administration based on various factors which include planning and budgeting cycle, timing of parliament and ad-hoc programs that draws attention of the DT and GT sessions. In the absence of an annual calendar for the Local Governments, timing and schedule of important forum like DT and GT sessions are not consistent and are conducted on ad-hoc basis.

DTs and GTs also face challenges when their sessions cannot be held in line with the planning and budgeting timeframe of the Government, or when the regular plans and programmes are not submitted when DT and GT sessions are conducted. In such case, most development programmes have to be passed without proper review by the DTs and GTs, at the discretion of the sector agencies and results into issues during implementation.

b. Limited agenda items and delay in submission of discussion points for inclusion in the DT and GT agenda

Some of the challenges for both GT and DT sessions are having only a few agenda items, irrelevant discussion points and delay in submitting points for the sessions. Due to lack of community capacity or poor facilitation skills of the Tshogpas, hardly any discussion points are submitted for discussion in the GT sessions. Similarly, GTs do not submit adequate substantive agenda items for DT sessions, and at the hind side, people later have complaints of DT and GT members not doing enough.

Sometimes, the agenda items do not get submitted on time and get excluded from discussion. The delay in submitting agenda items adversely affects inclusion of people's views expressed or results into delay in decision making of important issues. This is attributed to poor planning process as well as unstructured information-sharing mechanism between DT and GTs, and between GTs and communities.

c. Difficulty in prioritising agendas

The issue of prioritising agenda for the DT was raised where the agenda submitted from GT were not being considered for discussion in DT. The issues and concerns were raised on the legality and absence of a clear working modality with current practices of screening the agenda by the Agenda Vetting Committee based on notification issued by the MoHCA. The notification stated only on the composition of committee without clear terms of reference and working modality. This led to the Dzongkhags in adopting different practices and in general, there is no clear process and flow of information on exclusion or inclusion of agendas in the DT sessions.

The study also observed the issue of time and resource constraint for the DT sessions to deliberate on agenda. There was no proper mechanism and working modality between the LG administration and DT and GTs in terms of functioning of sub-committees to do background work and research before leading to DT session.

It was highlighted that many a times DT and GT sessions due to lack of time tend to just endorse the proposals, plans and agendas submitted in abstract without much deliberation.

d. Lack of proper working modality between LGs, LG administration and regional offices

One of the main challenges faced in the effective functioning of DT and GT is the absence of a clear working modality between LGs, LG administration and other regional offices. There was no clear accountability among the stakeholders. The process leading up to the conduct of effective DT and GT session requires lots of coordination work between LG and LG administration in terms of decision-making processes and providing technical support by the LG administration. However, the general sense and observation was that there is limited coordination mechanism and flow of communication between key stakeholders. Some of the specific issues are highlighted as follows:

- Difficulty in the implementation of DT and GT resolutions without the support of LG administration and other regional offices.
- Unable to get sector representatives in DT and GT sessions who can take decisions.
- Representatives not being able to provide required technical support and guidance during the deliberations.
- Delay in the implementation of activities in the absence of clear follow up and accountability mechanisms.

e. Lack of standard template for minutes

Sometimes implementation of DT and GT resolutions are affected by the lack of clarity in the minutes of the DT and GT sessions. In this regard, the style and quality of DT and GT minutes depend on the skills of the DT secretaries and GAOs. Therefore, the absence of a uniform protocol, results into different process of presenting minutes and varying interpretations by different stakeholders. Inadequate skills and capacity of the minute keepers also hampers effectiveness of the DT and GT functioning.

f. Lack of protocol for observers

In general, both the elected and non-elected LG functionaries lack broader perspective and a sense of importance of having observers during the DT and GT sessions. The DT and GT members are only aware of their powers to

require certain Government officials to attend and answer to the questions but have limited understanding on the noble intent and values of observers in such important forum to maintain transparency, information-sharing, awareness and promote social accountability. Lack of observers limits spaces and opportunities for those interested community members and sector officials, thereby constraining the state-citizen dialogues and capacity building of the stakeholders.

The participants also attributed those issues on the lack of clear protocol, lack of budget and cost involved in terms of food and travel, lack of awareness and access to information and sense of insecurity within the members with more scrutiny and accountability.

The differing practices and need for inviting Gewog Administrative Officers in DT sessions were discussed. While there was mixed reactions from the participants, a majority of them felt the need for the GAOs to attend the DT sessions as observers to have a broader understanding and help perform better in coordinating between Dzongkhag and Gewogs.

In order to address the issues discussed above, the following recommendations are made:

i. Prepare LGs Calendar with LG events

LGs need to prepare annual calendar and agree on the timeline for important LG events, including Chiwog Zomdu, GT and DT sessions. The preparation of LG calendar can be in line with the Government Calendar and important events like planning and budgeting cycle, review and monitoring, progress reporting and other national events being considered. The LGs calendar will help all stakeholders prepare accordingly and inform local communities on events.

ii. Standardise protocol for submission and inclusion of agenda items

A standard protocol on submission of agenda items with specific procedure will help in avoiding delay of agenda proposals, generation and submission of relevant agenda proposals, and likewise inclusion or exclusion of the proposals. All relevant stakeholders, including the community members requires to be then trained on the protocol of conducting meeting and on aspects such as agenda generation, submission requirement and prioritisation process of the agenda items.

iii. Develop and implement standard format for minutes

Development of a standard format to record minutes of the DT and GT sessions and training the relevant officials would help in the uniformity of recording minutes and reduce misunderstandings from differing interpretations. A uniform protocol of recording minutes would be useful in adopting a standard process of writing the minutes with enhanced skills and capacity of the minute keepers.

iv. Promote Observer and Special Invitees culture in DT and GT sessions and develop protocol

There is also the need to promote the culture of inviting observers and special invitees in the DT and GT sessions to inculcate a culture of citizen participation in governance process, share good practices, enhance access to information, and promote inclusive development and social accountability. Besides, there is need for the development of a clear protocol and process for inviting observers within the purview of laws to avoid misunderstanding, misconstruction and misuse of the platform by the LG functionaries and communities.

v. Train Chairpersons and Dy. Chairpersons to moderate DT and GT sessions

Chairpersons and Deputy Chairpersons could be trained to moderate or chair the LG sessions more effectively and efficiently. A lot of issues and challenges in decision-making during the discussions are attributed to limited skills of the moderators to understand the discussions and deliberate professionally. Therefore, the capacity of the Chairpersons on professional moderation of DT and GT sessions would minimise issues and contribute in enhancing the quality of DT and GT functioning.

vi. Enhance and improve role of DT and GT beyond DT and GT sessions

There is need for the DT and GT to play pro-active role beyond DT and GT sessions. The functional working relation between LGs and LG administration needs to be clearly defined. There is need to review and harmonize roles of different existing committees in LG Administrations (HR Committee, Tender Committee, Environment Committee etc.) and working committees mandated and instituted under LG Act and LGRR (Monitoring and Evaluation Committee, Disciplinary Committee, Rule Making Committee and others).

The study recommends instituting mechanisms and adopting working modalities of the sub-committees like the National Assembly and the National Council and work collaboratively between LGs and LG administrations to carry out background work, research and present findings and enable informed decision-making during DT and GT.

There is need to put in place periodic review and compliance mechanism to track the implementation status of LG Act and LGRR.

2.4 Implementation of DT and GT decisions:

As per the provisions of LG act and LGRR, the following process involves in implementation of DT and GT resolutions:

- The DT and GT Secretariats distribute resolutions of the DT and GT sessions to all the respective members, the Dzongkhag and Gewog administration, and all the agencies within the Dzongkhag or Gewog administrations.
- The DT resolution is also distributed to DLG for onward submission to the concerned Ministries and agencies at the central level.
- All DT and GT members are responsible to apprise the people of their constituencies of the resolutions adopted in the sessions of their respective LGs within two weeks of the distribution of the copies of the resolutions.
- The LG-Act empowers DT and GT chairpersons to issue notifications based on the resolutions of the DT and GT sessions.
- Following distribution of the DT and GT minutes, or the notification or orders from the DT and GT Chairpersons, the ministries and agencies owe responses to the concerned LGs.
- Dzongkhag and Gewog administration, and agencies within the jurisdiction of the respective Dzongkhag and Gewog administrations are responsible to submit a written report on the status of implementation of the DT and GT resolutions, within thirty days after the receipt of the resolutions from the DT and GT Secretariats.

While the provision of LG act and LGRR outline the process on implementing DT and GT resolutions, the LGs reported following issues while implementing these provisions of the DT and GT resolutions:

a. No clarity in the distribution of minutes and lack of uniform modality on the signatory of the distribution of DT and GT resolutions:

The draft minutes of the DT and GT sessions are completed and adopted at the end of the DT and GT sessions, and the final minutes is verified by the Chairperson. He/she attaches his/her signature on every page of the minutes.

However, there is no clarity on when the DT and GT Secretariats should distribute the minutes to the members and other respective stakeholders. This has implications on the deadline for the respective members to appraise the public as required. The fifteen-day time frame is subject to receiving the minutes by the members from the DT and GT Secretariats. Similarly, the follow-up actions and responses by the other agencies both at the central and local level depend on the timely receipt of the minutes.

At the same time, there is no uniformity for the signatory of the letter accompanying the distribution of letters. Sometimes, it is the Chairpersons themselves and some other times it is the DT and GT Secretaries, Dzongdag or Mangmis. This has implications on the authority of the signatory and credence upon the recipient. The implication is serious when minutes are distributed without coordination and knowledge of the same among the different authorities or officials at the DT and GT secretariats.

b. Lack of clarity on the recipient or addressee of the notifications and orders from DT and GT chairpersons:

The other grey area or lack of clarity is how and to who should the DTs and GTs issue notifications and resolutions. Should they write directly to the sectors or officials of the agencies concerned? Or, do they write to the Dzongdag for further communication and orders to the relevant stakeholders? Can they write directly to the respective sector heads based on the pertinence of the specific resolutions, in which case, how should they keep Dzongdag in the loop? Will the sector heads heed to the instructions or orders without routing through the Dzongdag or will Dzongdag acknowledge and consent to the arrangement of direct communication?

In the lack of clarity in correspondence arrangement, different DTs and GTs in various Dzongkhags and Gewogs practice different correspondence systems. Most coordination issues appear to arise as a result of a lack of specific correspondence arrangement and uniformity.

c. No clarity in the instructions or directives for actions:

The clarity on the specific actions to be taken by the respective sectors or agencies as communicated through the minutes is often contested. Some LGs simply forward the whole minutes to the agencies with a broad request to respond or to take actions as may be relevant to them. In such cases, the agencies concerned cannot understand the particular areas of actions required from their side, resulting in delay and being non-responsive. On the other hand, some LGs make specific list of actions required from agencies and request for responses.

There is need to have a standard format and process of taking minutes, and also the capacity of the DT and GT secretariats to send out clear instructions for actions. The role of DLG in communicating to the central Ministries and agencies, and back to the LGs, is an area of consideration to improve this issue.

d. No follow-up and accountability arrangements in place:

There is no mechanism to follow up and trace the distribution and receipt of DT and GT resolution minutes or the accountability measures both for the officials distributing the resolutions and sectors or agencies receiving them. This results into communication gaps and delay in responses. For example, no one at the DTs and GTs follow up whether resolutions are received by the relevant agencies and sectors, or DLG at the central level. Unless they are followed up by the officials with moral responsibility and commitment, the responses on the follow up actions are usually poor as a result of lack of due acknowledgement from the mediating agencies as well as the recipient sectors.

This situation is aggravated by the lack of accountability measures to take actions for those agencies not performing the required follow-up duties effectively.

e. Lack of clarity on accountability and legal mandate to take actions for breach of the notifications:

One of the serious issues is the lack of clarity on fixing accountability by DTs and GTs on the sectors and agencies that do not heed to their notification and directives. While the LG-Act and LGRR empowers them to issue orders of follow-up actions based on the DT and GT sessions, there is no provision

on the legal mandate of actions to fix those agencies accountable for their non-response or acknowledgement of the orders. This results into buck-passing between different LG functionaries and in between LGs and central government agencies.

f. No clarity on the functions of DT and GT in between the DT and GT sessions:

The presence and visibility of DTs and GTs are more during the DT and GT sessions. Outside the DT and GT sessions, DT and GT as LG institutions are not being able to play active role in the process of planning, implementation, monitoring and reporting and other aspects of governance required by the provisions of LG act. The functional relationship between LGs and LG administration is not strong enough to foster effective working modality. It was highlighted that at times decisions were being taken by DT and GT unilaterally that is not in line with the national policies, laws and regulations making it difficult to implement. Such situation arises due to lack of coordination and working mechanism between LG and LG administration outside the DT and GT sessions.

The following strategies are recommended to address the issues faced on implementation of the DT and GT decisions:

i. Institute guideline for DT and GT secretariats to distribute the minutes of the DT and GT sessions, with uniform application of the signing authority:

It is imperative to specify a specific time line for DT and GT secretariats to distribute the minutes of the DT and GT sessions to the members and the other respective stakeholders. This will avoid miscommunication and misunderstanding on the date of receipt of the minutes and application of the fifteen-day deadline for the members to disseminate the minutes to the people of their respective constituencies. Similarly, this will have more clarity for DLG to communicate with other agencies and for the other agencies to apply the thirty-day deadline to provide responses.

The authority to sign the covering letter or the directives for actions should be made uniform. There should be clarity between the signing authority given to the DT Chair for issuing notifications and directives with that of the accountability and onus for the implementation of DT resolutions which lies with the Dzongdag at the Dzongkhag level and the

GAO at the Gewog level. Such issues with varying interpretation of the provisions of LG Act, LGRR and lack of a standard protocol have also hindered effective functioning of DT and GT.

ii. Standardise the nature of correspondence to distribute notifications and directives, with clarity on the type of actions required:

The addressee of the notifications or orders should be standardised and applied uniformly. The chain of flow of directives and reporting mechanism to DT and GT sessions should be clearly outlined. Moreover, the notification and directives from the DTs and GTs should clearly stipulate the nature and type of actions required, instead of sharing the whole minutes and asking them to respond on actions on relevant areas.

iii. Put in place standard protocol to trace the distribution of DT and GT resolution minutes with clear accountability and legal mandate for actions:

Appropriate protocol to follow up and trace the distribution of minutes with clear accountability to those officials involved would reduce delays and enhance the turn-around time for responses. The electronic platform may be explored to ensure effective distribution of resolutions and ensure proper documentation.

This protocol or follow-up mechanism should include legal powers for the relevant authorities to take accountability actions for non-response or non-compliance to the DT and GT orders or instructions.

2.5 DT and GT's functioning outside their sessions, and the horizontal and vertical relationship with other sectors or agencies

DTs and GTs as the institutions of LGs, function with the technical and secretarial support of LG offices and LG administrations. LG offices comprise of the DT and GT secretariats and the LG administrations are comprised of Dzongkhag and Gewog administrations. The functional mandate and relationship between DT and GT, and the LG offices and administrations determine the regular functions of DT and GT outside the DT and GT sessions.

At the outset the regular functions of DT and GT are determined by the powers and functions of LG as stipulated in Chapter 4 of the LG-Act. While DTs

and GTs as LGs have substantial powers and functions, they are also more generic, and difficult to implement on the ground. Some of the issues of DT and GT functioning outside their conduct of DT and GT sessions pertain to power relations and coordination challenges. Some of the areas to review are as follows:

a. Meaning of LG and DT/GT

The conceptual meaning and application of LG, DT and GT has to be clear and understood by the LG functionaries. Some understand LG as being different from DT and GT, while others think that DT and GT are the LGs themselves. Chapter 2 of LG-Act considers DT and GT as LGs in the respective Dzongkhags and Gewogs. The LG-Act also considers DTs and GTs as the highest decision-making bodies in the Dzongkhags and Gewogs respectively.

However, most administration and management responsibilities and powers of the Dzongkhag's development are vested with the Dzongkhag Administration and Dzongdag.

b. Accountability and power-relation issues

Some provisions of the LG-Act and LGRR need to be reviewed as they result into accountability and power-rifts between the Dzongkhag administration, DT and GT. A clear-cut power of authority needs to be designated to the position of Dzongdag as the Chief Executive of the Dzongkhag, and the DT Chairperson as the overall head of the highest decision-making body of the LG so as to avert trespassing into each other's function.

For example, Clause 238 of the LG-Act states that the Dzongdag shall ensure the effective and efficient management of the activities of LG and Clause 249 empowers the Dzongkhag Administration with most of the administrative and managerial functions concerning the Dzongkhag. Similarly, Clauses 257 and 259 of the LG-Act specify the role of Dzongdag to report and make recommendations to government matter relating efficient and effective functioning of LGs and implementation of programs and policies of government.

Just like Clause 84 of the LG-Act states the accountability of the GT Chairperson to GT and DT, the functional accountability of the DT chairperson is not specified anywhere. On the other hand, Clauses 249 (d) and 252 of the LG-Act hold the Dzongkhag Administration and the Dzongdag

accountable to DT only in respect of implementing the decisions taken by DT. Similarly, while Clause 84 (o) of the LG-Act empowers DT Chairperson with approval of official travels leave of absence from duty for civil servants under the Gewog administration, the DT chairperson is required to inform the Dzongkhag administration to make official travels within as well as outside the Dzongkhag.

However, the administration and management of civil servants under LG administration are also governed by the Civil Service Act of Bhutan and Bhutan Civil Service Rules and Regulation that outlines the provision for management of civil servants. There are issues with regard to fixation of accountability and reporting mechanism with different Dzongkhags and Gewogs following different practices with varying interpretation.

The DT Secretariat is also staffed by civil servants who are under the administrative control of the Dzongdag.

c. Lack of clarity in administrative and management control of the officials of LG administrations

LG administrations and the DT and GT secretariats are staffed by civil servants who are directly under the control of the Dzongdag. Although they are functionally associated to DT and GT, they report to the Dzongdag and their respective agencies at the central level. Without clarity in human resource management strategies between LGs and LG administration, difference in interpretation of provision of two laws (CSA of Bhutan and Local Government Act) and the absence of accountability mechanism, the functioning of LGs as institutions have been impeded.

It was also reported that one of the reasons why sectors and regional offices do not heed to the notices and directives of the DT and GT are because of the absence of legal mandate to take actions for non-compliance.

This is aggravated by the lack of capacity and facilitation skills of the DT and GT members to pro-actively liaise with sectors that provide technical support and vice versa.

In view of the issues presented above, the study recommends the following measures:

- Carry out case studies of the issues and develop an implementation guideline or manual to execute the provisions of LG-Act and LGRR.

- Review and harmonize rules and regulations (BCSR 2018 and LGRR 2012) to address issues of human resource management at the local government level.
- Review LG Act, rules and regulations and develop clear power segregation and working relationship between LG institution and LG Administration.
- Develop and implement Compliance Mechanisms for LG functioning.
- LGs to provide inputs periodically to review the Annual Grant Guidelines and Division of Responsibilities Framework.
- Review and Harmonize functioning of different working committees existing in LG Administration and LGs mandated by provision of different laws and regulations. E.g Human Resource Committee by BCSR, 2018, Tender Committee by PRR 2009 and other committees, and committees mandated by LG Act and LGRR; Monitoring and Evaluation Committee, Disciplinary Committee, Rule Making Committee and ad-hoc committees.

3. CONCLUSION



The study was conducted with a systemic view of the institutions of DT and GT as LGs. In this regard, DTs and GTs were reviewed as a holistic system of LGs, focusing on the six main areas of: policy context; situations preceding DT and GT sessions; general environment and mechanisms of conducting the DT and GT sessions; effectiveness of implementing the resolutions; how DT and GT function outside their sessions; and, the working relationship of DT and GT with the LG administrations, and other regional offices of the central government.

The DT and GT functioning was examined mainly against the framework of the provisions of the LG-Act and LGRR to see the relevance and applicability of those provisions in the effective functioning of DT and GT. The overall indication from the study is that an enabling policy context and environment is laid by the provisions of the LG-Act and LGRR. Considering the current governance system and structure of administration, the LG-Act and LGRR serves as useful guiding instruments for LGs to function within the overall national development goals and objectives. There is no major issue arising out of irrelevancy or lack of clarity of the LG-Act and LGRR provisions.

However, there are certain ambiguities and issues affecting the effective functioning of DT and GT, mainly as a result of misunderstanding, misinterpretation, capacity

gap and coordination problems between different stakeholders of LGs. In this regard, at the outset, a comprehensive sensitization and training for specific groups of LG functionaries with structured training content would help in minimizing the current challenges. In addition, there is a need to develop and implement certain strategies and protocols to help in application of the LG functioning framework on the ground. One of the key follow-up activities to help strengthen the findings of this study would be to **carry out a follow-up study on the specific issues identified and make case studies of the issues**, which later can be used to design specific targeted interventions to resolve the issues. Developing an **implementation guideline or manual to execute the provisions of LG-Act and LGRR** is highly recommended. For a deeper examination of the nature and level of community participation, it is recommended to **carry out a citizens' perception study to know their understanding, convictions and responses to participatory local governance**. This study will be useful in designing strategies to influence community engagement and enhance proactive community involvement in participatory local governance.

However, the limitation of this study is that it was a rapid assessment and appraisal conducted based on focus group discussions with selected LG functionaries in the two regional workshops and visit to four Dzongkhags. The findings presented in this study are the outcome of the analysis of the perceptions and opinions gathered during consultations with this limited group of LG functionaries, review of literature and triangulation of information which other LG functionaries may like to differ. Some issues are minor administrative issues, yet with huge implications to the DT and GT functioning. The list of recommendations made for each issue will serve as basis for further discussion and help design relevant strategies.

As a final remark, it must be mentioned that, it is highly possible for some readers to find this report focus more on issues and challenges but not so much on good practices of DT and GT functioning. This study in no way undermines positive contribution of LG institutions in local governance system. This study is probably the first kind, focusing on the topic of DT and GT functioning, and the study scope remained focused more on gathering issues and challenges surrounding the functioning of DT and GT with the aim to provide strategic recommendation to enhance effective functioning of DT and GT through thematic based research and assessment study in future.

ANNEXURE 1:

LITERATURE REVIEW

1.1 Overarching Decentralization Principle and Objectives:

At the outset, decentralized governance in Bhutan is intended to promote the country's development goal of Gross National Happiness (GNH), which maintains that as the decision-making process is taken closer to the communities, the more operational the philosophy of GNH gets. According to this concept, preconditions of human happiness are the capacity and the space for individuals to make choices through institutions and procedures that they collectively make and pursue development at a pace they want.

Within the framework of GNH, the underlying principle of establishment of DTs and GTs has been to promote and enhance “delegation of a wide range of powers, authority, resources and responsibilities from the central Government” for LGs to be able to formulate, approve and implement their development plans and activities. Functioning of DTs and GTs are primarily aimed at “empowering the people to make decisions on their plans and programmes and enabling them to adopt approaches and practices adapted to local needs”. Thus, the primary driving force for decentralization is to design development programmes along the sharing development responsibilities and engaging them in implementation.

The objectives of decentralisation and framework for functioning of DTs and GTs are also set in numerous other policy documents. Bhutan 2020: A vision for Peace, Prosperity and Happiness upholds to pursue “people-centered sustainable development” to safeguard the interests of the local communities, including the “vulnerable” and disadvantaged groups. The Vision document envisions a decentralized governance system to facilitate: enlargement of opportunities for people and their representatives to participate effectively in decisions that have a bearing on their present as well as future lives; assumption of a greater responsibility by people and deter them from sole dependence to the Government; building autonomy of LGs by upgrading the existing system of administration, transparency and accountability mechanisms.

The report on Enhancing Good Governance: Promoting Efficiency, Transparency and Accountability for GNH (GG99) reinforces decentralization and people's participation in the process of decision-making, by transferring the skilled human resources, devolution and delegation of financial and administrative powers to LGs, and a greater inter-sectoral coordination to fulfil the country's governance vision of

people-centered development based on a “bottom-up approach. While the central government could continue to manage personnel matters within the delegated powers, the authority to make decisions must be given to LGs through the DTs and GTs.

Good Governance Plus: In pursuit of Gross National Happiness 2005 (GG+) upholds the need to shift the role of Government from a “benevolent benefactor to a “responsible and responsive institution that serves current and emerging needs of people for realizing GNH”. This report emphasizes the need to enhance transparency, accountability, efficiency and professionalism in decentralized governance.

In short, the policy context and rationale for decentralisation and functioning of DTs and GTs are aimed at:

- Providing platform for the development plans and priorities to be set at the local level consistent with the needs of the people;
- Making LGs play a central role to institute participation of the local people in planning, implementation and monitoring and evaluation of plans and programs;
- Instilling greater political consciousness and decision-making skills among the people to regenerate the sense of control, ownership and responsibility for the maintenance of collective local resources.

1.2 Community Engagement and Participatory Local Governance

Community engagement refers to the process of building a grass root movement affecting the community, and primarily deals with the practice of moving communities toward change. It is the process by which individuals of the community are benefited by permanent relationships for a collective goal. Community engagement is also referred to as citizens/civic engagement, referring to “individual and collective actions designed to identify and address issues of public concern”. In other words, it is the citizens working together to make a change or difference in the community, in both political and non-political actions. The overriding goal is to address public concerns and promote the quality of community’s wellbeing.

Community engagement or participation is also interchangeably referred to as citizens’ participation, people’s participation, public participation or popular participation. Although each of them refers slightly differently depending on their applications in different social, economic, political context, they are used interchangeably with the same meaning and understanding for the purpose of this assessment.

Oakley and Marsden (1987) define community participation as “the process by which individuals, families, or communities assume responsibility for their own welfare and develop a capacity to contribute to the community’s development.”

In the context of development, community participation refers to an active process whereby beneficiaries influence the direction and execution of development projects rather than merely receive a share of project benefits (Paul, in Bamberger, 1986).

Citizen or community engagement in participation is built on the organized efforts aimed at increasing control over resources and the regulatory institutions in a given social situations. The key role is played by those groups or individuals who are hither to excluded from the process. The intention is to include determination for types and levels of service, budget priorities, and the acceptability of physical construction projects in order to orient government programmes toward community needs, build the entire public support, and encourage a sense of cohesiveness and humanity within the society. The main purpose and objective of community engagement is to boost people’s livelihoods and foster development in the community. It will help the primary beneficiaries of development programmes or project to break away from a dependency mentality, while promoting self-confidence and self-awareness in the people. Such heightened consciousness could make people continuously aware of the practical reality about themselves and strive to build their capacity to attend to the challenges. Further, as people get the freedom to participate in activities, they will gain dignity and self-respect in the community.

Participatory local governance refers to a governance system that supports engagement of all or most individuals or communities that contributes to local development activities and is benefited by services in return. The emphasis is made in “having a share” and “taking part” in the governance process as well as its outcomes, both good and bad.

Brager, Specht, and Torczyner (1987) define participation in governance as a means to educate citizens and to increase their competence. It is a vehicle for influencing decisions that affect the lives of citizens and an avenue for transferring political power. However, it can also be a method to co-opt dissent, a mechanism for ensuring the receptivity, sensitivity, and even accountability of social services to the consumers.

The other meaning and understanding of participatory governance is the “process of governance in which citizens act in response to public concerns, voice their opinions about decisions that affect them, and take responsibility for changes to their community (Armitage, 1988). It is also referred to as a system of governance

that is driven by “collective efforts to increase and exercise control over resources and institutions on the part of groups and movements of those hitherto excluded from control” (Westergaard, 1986). According to World Bank, participatory governance is “a process through which stakeholders influence and share control over development initiatives, and the decisions and resources which affect them” (WB Learning Group on Participatory Development, 1995).

The degree of community engagement for participatory governance at the local level depends on two factors: (a) Whether the authorities concerned actually allow the community to participate and make their own decisions; (b) Whether community understands the purpose and objectives of participation, and are willing to engage proactively for community benefits and values. The degree and extent of engagement would be effective only if both these participation modes exist during implementation.

The objective, level or mode of participation in terms of whether participation is taking place “as a means” or “as an end” also determines the level of people’s engagement in participatory governance of community development.

“Participation as means” is implemented in mainly two instances:

- (a) Implementation of community development programmes with the intention of preparing the rural population to collaborate with government development plans; and
- (b) Establishment of formal organizations (cooperatives, farmers association, user groups, etc.) with the intention to provide the structure through which the rural people could have some contact with, and voice in, development programmes. As one can sense, meaningful engagement is hardly achieved through participation by means, but rather increases challenges of effective community engagement and development.

On the other hand, “participation as an end” involves a self-mobilizing strategy and mode, in which people take the total command with power to influence the decisions affecting their livelihoods. Community participation as an end takes a long-term nature and process, with the purpose of developing and strengthening the capabilities of people in order to participate directly in development initiatives.

1.3 Legal and Regulatory Framework on Decentralized Governance and DT/GT Functioning

The Constitution of the Kingdom of Bhutan defines the structure of DTs, GTs and TTs, and sets the objectives, responsibilities and framework for their functioning. Article 22 of the Constitution enshrines devolution of power and authority to LGs to facilitate direct participation of the people for development and management of their own wellbeing.

Within the provisions enshrined in the Constitution, the LG Act and LGRR elaborate the functional modality of DTs and GTs. The Act states that the power and authority shall be decentralized and devolved to the elected LGs to facilitate direct participation of the people in the development and management of their own social, economic and environmental wellbeing. It enables local interests to be taken into account in the national sphere of governance by providing a forum for public consideration on issues affecting the local territory. It reaffirms the importance and significance of community involvement and participation in stating the objectives of LGs being to provide democratic and accountable government for local communities; ensure the provision of services to communities in a sustainable manner; and, encourage the involvement of communities and community organizations in matters of local governance.

Further, the LGRR details out the process-steps of the proceedings of the LG operation, and mentions how community or people must be involved in the due course of making any decisions through DTs and GTs. Proposals of agenda items for discussion in DT and GT must be submitted in writing with their origins being resolutions of Zomdu held with the proponent's public of the constituency in case of GT, and that of GT in case of DT (Clause 75). Both DT and GT sessions are open to public (Clause 93), with any reports of administration concerned made available for reference of the public (Clause 128). The DT & GT members are obligated to disseminate the minutes of the DT/GT resolutions and apprise the public within fifteen working days of the receipt of the minutes (Clause 165).

Community involvement and participation is specifically expressed out by the provision requiring conduct of Zomdu (Chapter 12), the purpose of which is to “enhance participation of citizens at grass-root level and solicit views of voters of his/her constituency” (Clause 166). It is mandatory for each Gung to represent in the Zomdu (Clause 173), failure of which is punishable with a stipulated fine (Clause 175). Giving information about Zomdu is also clearly stated (Clauses 176 – 178) with encouragement of “persons who may be affected by or have an interest” to be present (Clause 179a). The minutes of a Zomdu is, largely, taken by consensus or

majority vote (Clause 182). If the Zomdu quorum of not less than two-thirds of the total number of Gungs is not met, it shall not be conducted.

To this effect, the DTs and GTs are the instruments of implementing the decentralized local governance. The functioning of DTs and GTs are the primary means and channel of achieving the provisions of the LG Act and LGRR. The key essence of decentralisation and decentralized governance lies in the effectiveness of the functioning of DTs and GTs.



Participanat from Regional Workshop at Mongar- DT Assessment Study

ANNEXURE 2:

LIST OF DOCUMENTS REFERRED

1. Constitution of the Kingdom of Bhutan
2. Vision 2020: A Vision for Peace, Prosperity and Happiness
3. Good Governance Plus 2005
4. Guidelines on Decentralization Policy (RGoB, 1993)
5. Local Government Related Acts
6. Local Government Rules and Regulations
7. Thromde Rules
8. Division of Responsibilities Framework
9. Annual Grant Guidelines
10. Fiscal Decentralization Report (DLG)
11. Project Documents- Decentralization and Local Governance (DLGP)
12. Municipal Finance Policy
13. Public Finance Act
14. Financial Rules and Regulations
15. Civil Service Act 2010
16. Bhutan Civil Service Rules and Regulations 2018
17. 12th Five Year Plan Guidelines and related documents (RGoB)
18. LG Assessment Study Report (National Council of Bhutan, 2016)
19. Dzongdag Conference Resolutions
20. Thrizins (Gups) Conference resolutions
21. Local Government Development Planning Manual
22. Minutes of the DTs and GTs
23. Other Administrative records and information in the Dzongkhags and Gewog
24. Workshop report with DT Secretary on DT and GT Functioning organized by DLG, MoHCA
25. Other relevant policies, reports and publications

ANNEXURE 3:

DEFINITION AND GLOSSARY

1. **Chiwog-** The lowest local administrative unit below Gewog
2. **Decentralization-** The transfer of authority from central to local government.
3. **De-concentration-** The process whereby a central organization transfers some of its responsibilities to a lower level unit within its jurisdiction.
4. **Delegation-** Assignment of any responsibility or authority from a manager to a subordinate or from central government to local governments.
5. **Devolution-** Transfer of power to a lower level especially by central government to local governments.
6. **Dzongdag-** District Administrator/Chief Executive of a district.
7. **Dzongkhag-** District
8. **Dzongkhag Tshogdu-** District Assembly.
9. **Dzongkhag Tshogdu Chairperson-** DT Chairperson is elected among the members of Dzongkhag Tshogdu by the majority votes.
10. **Empowerment-** Enabling a person or institution with power and authority.
11. **Gewog-** County, the territorial constituency for election of Gup and Mangmi.
12. **Gewog Tshogde-** County Council
13. **Gup-** Elected leadership/head of Gewog. He is also the chair for the Gewog Tshogde
14. **Local Government-** A form of public administration which, in a majority of context, exist as the lowest tier of administration within a state. It consists of Dzongkhag Tshogdu, Gewog Tshogde and Thromdey Tshogde
15. **Local Government Administration-** Refers to Dzongkhag and Gewog Administration
16. **Local Government Functionaries-** Refer to elected members of LGs and LG administration staff who are civil servant in Dzongkhags and Gewogs
17. **Mangmi-** An elected representative of the Gewog, who is also the Deputy Gup.
18. **Thromde-**Municipality
19. **Thromde Tshogde-** Municipal Council
20. **Tshogdrung-** Secretary to the Dzongkhag Tshogdu.
21. **Tshogpa-** An Association or Committee or an elected representative of a Chiwog.
22. **Chiwog Zomdu-** A meeting of residents of villages or communities

ANNEXURE 4:

TERMS OF REFERENCE

1. Introduction/Background

In the history of decentralization in Bhutan, important milestones came together with the establishment of institutions that took on decentralized functions. In 1953, the establishment of the Gyalong Tshogdu was initiated by the Third Druk Gyalpo, and the nature of this Assembly gradually changed from a consultative body to one whose decision was binding. Since then, and under the leadership of the Fourth Druk Gyalpo, various political and administrative reforms were started to decentralize authority and responsibilities to different levels of the state. For local democracy specifically, the establishment of local government institutions at the Dzongkhag and Gewog level was significant. Dzongkhag Yargay Tshogdus and Gewog Yargay Tshogchung were set up in 1981 and 1991 respectively. These local government institutions in the beginning played a supportive role to the Dzongkhag (district) and Gewog (county) administration. It was with the enactment of the Local Government Act, 2007 and 2009 that these institutions – now called the Dzongkhag Tshogdu (DT) and Gewog Tshogde (GT) - were clearly recognized as the highest decision-making bodies in the Dzongkhag and Gewog. In parallel, under a separate Municipal Act, city municipal councils were set up in two of the largest urban centers in the country and later the number of such municipality councils grew to four. Preparations are now underway to create Dzongkhag Thromde Tshogdes (TT) and Yenlag Thromdes in all 20 dzongkhags. Today, the separate frameworks governing DTs, GTs and Thromdes have been brought together as can be seen in the Local Government Act. All these processes have led to Local Governments having strengthened administrative capacity and decision making authority as well as exercising responsibilities over increasing financial allocations. All of these developments as well as the establishment of new national institutions and the drafting of the Constitution were a build up to the transition Bhutan made in 2008 to a Democratic Constitutional Monarchy. The Constitution states that ‘Power and authority shall be decentralised and devolved to elected Local Governments to facilitate the direct participation of the people in the development and management of their own social, economic and environmental well-being’ (Article 22).

These processes are not without challenges. Differences in understanding and implementation of decentralized roles, evolution in roles and responsibilities of local government functionaries not matched by competencies, coordination, and limited community participation beyond planning are some of the challenges that keeps surface at various level.

Under the Decentralization and Local Governance Project (DLGP) initiated in 12th FYP (2018-2022) by Department of Local Government, Ministry of Home and Culture Affairs with support from Helvetas Swiss Intercooperation, various initiatives were considered to strengthen local government reforms. Based on Project Logic Framework, one of the major outcomes under the project is; ‘Intergovernmental coordination at the Dzongkhag level is effective and supports the implementation of local governance reforms in key priority areas. And, one of the specific out put under the project is: ‘DT Functioning strengthen in 4 Dzongkhags for upscaling in other Dzongkhags’.

2. Purpose

The Department of Local Governance (DLG), MoHCA under the DLGP is in beginning stage of implementing project activities to strengthen Local Government Reforms.

The main purpose of assessment study is to understand the current DT and GT functioning system and provide baseline data and information, and inputs to come up with initiatives to strengthen DT and GT functioning.

3. Objectives of Consultancy

The main objectives of assessment study are to:

1. Identify critical areas to strengthen DT and GT functioning.
2. Assessment of functional relationships between LGs and Local Government Administrations.
3. Provide reliable data and information to make informed decisions.
4. Document opportunities, problems and challenges encountered.
5. Validate assumptions.
6. Provide recommendations on strengthening DT and GT Functioning.

4. Expected Results

The final expected result of the consultancy is:

- Draft and Final Inception Report
- Draft version of Assessment Study on DT and GT Functioning
- Final Assessment Report

5. Main Task

In particular, the consultancy services will include but not be limited to the following:

- a. Lead and facilitate workshops to achieve desire outcome from workshops.
- b. Collect Primary and Secondary Data.

- c. Develop methodology of assessment study based on ToR.
- d. Analysis of data and information.
- e. Finalize the draft Assessment Study on DT and GT Functioning and incorporate any revisions thereafter.

6. Methodology/Approaches

The DLG shall provide logistic support in organizing the workshops and in overall process of assessment study. The actual assessment process and content shall be led by consultant.

The DLG, MoHCA and Helvetas Swiss Inter cooperation will provide guidance and direction during the assessment process. While we recommend mix of quantitative and qualitative approach to be adopted, the actual design and methods will be developed by consultant to achieve desired outcome of study based on requirements in ToR. The methodology shall be agreed and endorsed jointly by the PMU, DLG and Consultant.

7. Deliverables and Schedule

The consultant will be engaged for total duration of 30 working days including attending Regional based workshops and field visits to Dzongkhags and Gewogs for data collection.

The total duration will not be continuous and spread over the period of 3 months from the day of the award of work.

Scheduled as below:

| SN. | Phase | Activity | Duration |
|------------|----------------------------------|---|-----------------|
| 1 | Inception phase | <ul style="list-style-type: none"> • Present Draft Inception Report (present conceptual framework, methodology, workplan and questionnaires to DLG) • Final Inception Report (submit report after incorporating comments) | 5 Days |
| 2 | Data Collection and Field Visits | <ul style="list-style-type: none"> • Data collection and analysis (workshops, observation, questionnaire, etc) | 10 Days |
| | | <ul style="list-style-type: none"> • Lead workshops with stakeholders | 6 Days |

| SN. | Phase | Activity | Duration |
|-----|---------|--|----------------|
| 3 | Reports | <ul style="list-style-type: none"> • Presentation on initial findings to DLG (PowerPoint) | 9 Days |
| | | <ul style="list-style-type: none"> • Submission of Draft Report | |
| | | <ul style="list-style-type: none"> • Submission of Final Report | |
| | | Total duration (Working Days) | 30 Days |

8. Reporting and debriefing

A final draft Assessment Report will be submitted to PMU, DLG, MoHCA.

9. Payment Modalities

The rate be can be quoted on lumpsum or on daily basis for 30 working days including cost of field visits. The lump sum rate should be the rate of overall cost not individual team members.

The consultant does not have to account cost of workshops that will be organized by DLG in his/her proposal. The Consultant can only account his/her own fees during the workshops. The other cost involved during the workshops shall be borne by DLG, MoHCA.

The payment mode shall be as follows:

| Due Date | Expected Results | Amount (%) |
|---|--|------------|
| To be agreed during signing of Contract | Submission of final inception report | 30% |
| To be agreed during signing of Contract | Presentation and endorsement of initial Findings | 35% |
| To be agreed during signing of Contract | Submission and endorsement of Final Draft Report | 35% |

10. Logistics

Local Consultant shall arrange his/her own logistics including payment for lodging and transportation in all process of assessment.

11. Evaluation of Proposal

The proposal will be evaluated based on weight age of 60 percent technical and 40 percent on financial proposal. The criteria for technical evaluation will be based on (sound methodology, qualification and experience of team leader, experience in similar assignment of study and team composition).

12. Reference documents

- Constitution of the Kingdom of Bhutan
- Vision 2020: A Vision for Peace, Prosperity and Happiness
- Good Governance Plus 2005
- Guidelines on Decentralization Policy (RGoB, 1993)
- Local Government Related Acts
- Local Government Rules and Regulations
- Thromde Rules
- Division of Responsibilities between Local Government and National Government
- Annual Grant Guidelines
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