



ROYAL CHARTER
OF
THE ROYAL CIVIL SERVICE COMMISSION, 1982.

ROYAL CHARTER OF THE ROYAL CIVIL SERVICE COMMISSION

TO ALL TO WHOM THESE PRESENTS SHALL COME Greetings:

WHEREAS it is expedient to constitute and establish the Royal Civil Service Commission for promotion of efficiency and effectiveness of civil service, and to motivate and promote morale, loyalty and integrity among civil servants by ensuring uniformity of personnel actions in the civil service throughout the Kingdom of Bhutan and for diverse other public purposes,

NOW KNOW YE that I, JIGME SINGYE WANGCHUCK, the King of Bhutan, have WILLED AND ORDAINED AND DO BY THESE PRESENTS, WILL AND ORDAIN as follows;

CHAPTER 1

Preliminary

1.01 Short title, extent and commencement:

- (i) This Charter shall be called the Royal Charter of the Royal Civil Service Commission, 1982.
- (ii) It shall extend to the whole of the Kingdom of Bhutan.
- (iii) It shall come into force on the 2nd Day of June 1982.

1.02 Definition :

- (i) In this Charter, unless there is anything repugnant in the subject or context,
 - (a) "Government" means the Royal Government of Bhutan.
 - (b) "Commission" means the Royal Civil Service Commission.
 - (c) "Public Service" means all services within the Government irrespective of the manner of appointment to the service and irrespective of whether such services carry compensation either in financial terms or otherwise.

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- (d) "Civil Service" means all appointments to all public services under the Government to which the jurisdiction of the Commission extends and in which appointment, compensation, career-advancement and opportunities are governed by rules and regulations framed and administered by the Commission.
 - (e) "Personnel Policy" means all plan of actions or statement of aims and ideals pertaining to the Civil Service employees under the Government.
 - (f) "Personnel action" means any processes stipulated under the Policies and Rules and Regulations formulated under this Charter pertaining to an incumbent of the Civil Services of the Government.
 - (g) "Civil Service Rules and Regulations" means all standards and stipulations laid down under this Charter for the control of actions pertaining to the personnel of all Civil Services of the Government.
 - (h) "Organizations, institutions and agencies" means ministries, departments, directorates, divisions, bureaus, sections, units, offices and corporations of the Government unless otherwise specifically stated.
 - (i) "Elective-Office" means an assignment or position to which appointment is made through an election by a defined electorate under any law or rule or by authority of His Majesty the King.
 - (j) "Staffing Pattern" means the definition of relationships, responsibilities and accountability of every position in any organization, institution and agency. In this context, "staffing plan" shall refer to staff in position or proposed to be positioned and "staff strength" shall refer to the number of incumbents forming the staffing pattern.
 - (k) "Classification and gradation of services" means the systematic arrangement of the Civil Services positions in terms of cadres, grades and levels.
 - (l) "Performance Evaluation" means the assessment of the competence of a civil service employee in the discharge of his functions. In this context, "performance appraisal" means the assignment of rating of the competence of the civil service employee.

CHAPTER II

Incorporation & Establishment

- 2.01 The Royal Government of Bhutan, with the primary intention of promoting the calibre, efficiency and effectiveness of civil servants in the provision and conduct of public services have taken cognizance of the need for a central personnel administration system.
- 2.02 This system shall maintain a public service of high competence, loyalty and integrity that contributes to the accomplishment of national goals and objectives.
- 2.03 This system shall reflect the best traditions and aspirations of our nation. It shall maintain the dignity of the individual civil servant and enable him to fulfil his functions effectively.
- 2.04 The Royal Civil Service Commission shall build a personnel administration system based on principles of experience, qualification and merit which shall govern recruitment, appointment, promotion, transfer, discipline, conduct and separation and other incidents of civil service employment.
- 2.05 The objectives and responsibilities of the Commission shall be :
 - (a) to formulate, review and ensure implementation of personnel policies and Civil Service Rules and Regulations in order to ensure efficiency and effectiveness in the functioning of the Civil Services,
 - (b) to formulate, review and ensure implementation of a rational system of administration for the recruitment, appointment, transfer, promotion, reward, discipline, conduct and separation of Civil Servants, and
 - (c) to motivate and promote morale, loyalty and integrity among Civil Servants by ensuring uniformity of personnel actions.
- 2.06 All personnel actions in the Civil Services shall be made in accordance with the personnel policies and Civil Service Rules and Regulations formulated, issued and administered by the Commission as required by the provisions of this Charter.
- 2.07 The Commission shall be independent and autonomous in the discharge of its functions.
- 2.08 The Commission shall be the final authority for the interpretation of all personnel policies and Civil Service Rules and Regulations.

CHAPTER III

Jurisdiction

3.01 The Commission shall have jurisdiction in the matter of its functions over all Civil Services covering all organizations, institutions and agencies of the Government except the following :

- (a) members of the National Assembly and all other public servants holding elective offices;
- (b) employees of the Royal Body Guard;
- (c) employees of the Royal Bhutan Army; and
- (d) employees of the Royal Bhutan Police;

Further :-

- 3.02 (a) any organization, institution and agency may be exempted from the jurisdiction of the Commission at the discretion of His Majesty the King, and
- (b) any organization, institution and agency not within the jurisdiction of the Commission as specified above may be brought within the jurisdiction of the Commission at the discretion of His Majesty the King.

CHAPTER IV

Composition and Appointment

- 4.01 The Commission shall be composed of 15 members including the Chairman and one member-Secretary and shall consist of all members of the Special Committee (which shall, hereafter cease to function as the Special Committee) and the Member-Secretary to be appointed by the Commission. Members shall hold office at the pleasure of His Majesty the King.
- 4.02 The Chairman shall be appointed by His Majesty the King from among the members of the Commission.
- 4.03 The Chairman shall be responsible to His Majesty the King.
- 4.04 There shall be atleast one member from each Ministry of the Government.
- 4.05 A member shall be relieved from the Commission with the approval of His Majesty the King on the recommendation of the Chairman, if the said member has misused his powers and responsibilities in the discharge of his functions in the Commission.
- 4.06 In the event of retirement or resignation or removal of a member from the Commission, His Majesty the King will appoint a substitute from the panel of names to be submitted by the Commission.
- 4.07 All members shall abide by the code of conduct specified in the Civil Service Rules and Regulations.

CHAPTER V

General Guidelines

- 5.01 The Commission shall have the powers to formulate, review and ensure implementation of all personnel policies, rules and regulations and actions of the Civil Services as provided in this Charter.
- 5.02 The Commission may delegate such personnel responsibilities as it deems appropriate.
- 5.03 The Commission shall discharge its functions without fear or favour in accordance with the provisions of this Charter.
- 5.04 While formulating policies, the commission shall pay due regard to economy and consistency in personnel actions in all organizations, institutions and agencies of the Government.
- 5.05 While formulating policies, the commission shall conduct appropriate enquiries, studies or investigations and consult such organizations and officials of Government and any other person as it deems fit.

CHAPTER VI

Procedures

- 6.01 All actions of the Commission shall be governed by the provisions of this Charter.
- 6.02 The quorum for any proceeding of the Commission shall be two-thirds of the total strength of the Commission.
- 6.03 Substantive matters concerning policies, rules and regulations shall be decided by the Commission with a two-thirds majority of the total strength of the Commission.
- 6.04 Procedural and matters not relating to policies shall be decided by the Commission by a simple majority of the members present and voting.
- 6.05 All policies and Civil Service Rules and Regulations formulated and decided by the Commission shall be submitted to His Majesty the King for final approval before implementation.
- 6.06 To facilitate the Commission in the discharge of its responsibilities, the Commission may form Committees from among its own members as and when it deems necessary.
- 6.07 The Commission may appoint any person (s) whom the Commission considers suitable to carry out any examination, evaluation or enquiry on the basis of which the Commission or a Committee formed by it may arrive at decision pertaining to its responsibilities.
- 6.08 All organizations, institutions and agencies of the Government shall provide any information, data, or answer any query required by the Commission in the discharge of its responsibilities.
- 6.09 The Commission shall meet, at least, once in every quarter. Additional sessions may be convened as and when necessary.
- 6.10 The Member-Secretary shall be the head of office of the Commission Secretariat.
- 6.11 The Member-Secretary shall prepare the agenda, maintain and circulate all records and minutes of the proceedings of the Commission.
- 6.12 The Member-Secretary shall notify the time and place of each session of the Commission to all its members.
- 6.13 Except in absolutely unavoidable circumstances, every member of the Commission shall attend all sessions of the Commission without fail.
- 6.14 No member shall be permitted to depute a substitute to the session of the Commission.
- 6.15 The Chairman shall submit annual report on work of the Commission to His Majesty the King.

CHAPTER VII

Policy Making Functions and Responsibilities

- 7.01 The Commission shall formulate personnel policies for all organizations, institutions and agencies of the Government as provided in Chapter III in respect of the following:
- (a) Organization development, creation of posts, staffing pattern and strength, classification and gradation of services;
 - (b) recruitment of personnel whether regular, contractual or on deputation to posts against which recruitment may be permanent, semi-permanent or temporary;
 - (c) Appointment, probation, tenure, promotion and transfer;
 - (d) training;
 - (e) structure of pay, allowances, benefits and all other matters pertaining to emoluments;
 - (f) welfare and benefits including leave, sabbatical, medical benefit, provident fund and all other in-service and post service benefit;
 - (g) working conditions including timing, holiday, health and safety and all other conditions necessary to promote efficiency and effectiveness;
 - (h) performance evaluation and appraisal;
 - (i) reward, award and incentive for meritorious and exemplary service;
 - (j) conduct and discipline ;
 - (k) superannuation, lay-off, premature retirement, removal, discharge and dismissal; and
 - (l) all other personnel matters which concern morale, efficiency and devotion to duty in the Civil Service.
- 7.02 The Commission shall review the personnel policies from time to time to ensure that such policies are in keeping with the changing situations and propose amendments and modifications as and when necessary.

CHAPTER VIII

Rule Making Functions and Responsibilities

- 8.01 The Commission shall formulate all Civil Service Rules and Regulations pertaining to personnel matters of all organizations, institutions and agencies of the Government, as provided in Chapter III in respect of the following :
- (a) Civil Services classification and gradation, staffing plans and patterns and creation of posts;
 - (b) recruitment and selection;
 - (c) appointment, probation, tenure, promotion, transfer, temporary service and confirmation;
 - (d) training;
 - (e) fixation of pay and allowances and other related matters pertaining to emoluments;
 - (f) welfare and benefits including medical benefit, provident fund, pension, gratuity and all other in-service and post-service benefits;
 - (g) working conditions including timing, health and safety regulations;
 - (h) performance evaluation and appraisal;
 - (i) absence, leave, holiday and sabbatical;
 - (j) conduct and discipline;
 - (k) superannuation, lay-off, premature retirement, removal, discharge and dismissal;
 - (l) reward, award and incentive; and
 - (m) any other matters which concern morale, efficiency and devotion to duty in the Civil Service.
- 8.02 All rules and regulations formulated by the Commission shall be consistent with personnel policies adopted by the Government.
- 8.03 All rules and regulations formulated by the Commission shall be consistent with the laws of the land and in case of conflict with such laws, whether adopted before or after the formulation of any rule or regulation, the law of the land shall prevail.

- 8.04 All rules and regulations formulated by the Commission shall be clear and precise. However, in case of differences in interpretation, the Commission's interpretation shall be final and binding.
- 8.05 The Commission while formulating rules and regulations shall consult such organizations and officials of the Government and any other person as it deems fit.
- 8.06 Prior to finalization on any rules and regulations, the Commission shall circulate the draft of such rules and regulations among the parties concerned for their views.
- 8.07 The Commission shall review the rules and regulations from time to time to ensure that such rules and regulations are in keeping with the changing situation and propose amendments and modifications as and when necessary.

CHAPTER IX

Executive Functions and Responsibilities

- 9.01 The Commission shall carry out executive functions pertaining to the following personnel matters :
- (a) Organization Development, staffing strength, staffing pattern, creation of posts, classification of positions into types and levels and cadrization of all Civil Services;
 - (b) formulation of pay structure;
 - (c) recruitment and selection;
 - (d) training-civil service career development trainings for job enrichment and job enhancement;
 - (e) out-of turn promotions, certification of promotions, promotion on transfer to other organizations, institutions and agencies;
 - (f) inter-ministerial transfers;
 - (g) sanctioning of sabbaticals; and
 - (h) review and scrutiny of personnel actions in the organizations, institutions and agencies.
- 9.02 The Commission shall carry out its executive functions in accordance with the personnel policies and Civil Service Rules and Regulations adopted by the Government.
- 9.03 The Commission or any of its committees or the Secretariat of the Commission to which its executive powers have been delegated, shall carry out its executive functions in a fair and equitable manner.
- 9.04 The Commission shall maintain upto-date personnel records of all Civil Service employees in the manner prescribed by it.
- 9.05 The personnel record shall be considered confidential and shall be accessible only to persons so authorized by the Commission.

CHAPTER X

Repeal & Saving

- 10.01 All personnel policies and Civil Service Rules and Regulations formulated and enacted by the Commission under the provisions of this Charter, shall, from the moment of enactment, supersede any other personnel policies and Civil Service Rules and Regulations in force in the Kingdom of Bhutan.
- 10.02 The King of Bhutan shall be the final authority for interpretation of provisions of this Charter and may at his discretion review, revise or revoke any of its provisions.

IN WITNESS, this 21st day of May in the year 1982 of my Reign,



**Jigme Singye Wangchuck
His Majesty, the King of
Bhutan**

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