

# MINUTES OF THE 21ST THROMDE TSHOGDE

## THIMPHU THROMDE

10-Oct-14

Venue: Conference Hall-1, MoWHS

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## Abbreviations

TT	:	Thimphu Thromde
MoWHS	:	Ministry of Works and Human Settlement
MoFA	:	Ministry of Foreign Affairs
DIT	:	Department of Information & Technology
RAA	:	Royal Audit Authority
RAPA	:	Royal Academy of Performing Arts
NEC	:	National Environment Commission
NLCS	:	National Land Commission Secretariat
RICB	:	Royal Insurance Corporation of Bhutan
CDCL	:	Construction Development Corporation Ltd.
DHI	:	Druk Holding and Investment
JICA	:	Japan International Corporation Agency
GoI	:	Government of India
IFC	:	International Finance Corporation
SDP	:	Small Development Projects
NCRP	:	National Cadastral Resurvey Program
TSP	:	Thimphu Structure Plan
PPP	:	Public Private Partnership
NOC	:	No Objection Certificate
FASA	:	Financial Advisory Services Agreement
DCR	:	Development Control Regulations
MoU	:	Memorandum of Understanding
CCTV	:	Closed Circuit Television
CFM	:	Centenary Farmer's Market
ICT	:	Information & Communication Technology
CA	:	Concession Agreement
AFD	:	Accounts and Finance Division
UPD	:	Urban Planning Division
DCD	:	Development Control Division
DCFO	:	Deputy Chief Finance Officer
UV	:	Urban Village
LAP	:	Local Area Plan
LAB	:	Laboratory
USD	:	United States Dollar
BTN	:	Bhutan (Currency)
HSS	:	Higher Secondary School
Sq.m	:	Square Meter (M <sup>2</sup> )
Sq.ft	:	Square Feet

**Definitions**

<i>Thrompon</i>	:	Mayor
<i>Thuemi</i>	:	Councilor
<i>Tshogde</i>	:	Council
<i>Thromde</i>	:	City
<i>Azhi</i>	:	Queen
<i>Gyalyum</i>	:	Royal Mother
<i>Tshechu</i>	:	Festival
<i>Satshab</i>	:	Land Relocation
<i>Thram</i>	:	Land Ownership Certificate
<i>LungtenZampa:</i>		Name of Bridge
<i>Olarongchu</i>	:	Name of stream in Olakha
<i>Wangchhu</i>	:	Name of river flowing through Thimphu City



21<sup>st</sup> THROMDE TSHOGDE, THIMPHU

**Venue:** Conference Hall, MoWHS

**Date:** Convened on Friday the 10<sup>th</sup> October, 2014

**Time:** 10:30 AM – 6:20PM

### Members Present

1	Dasho Kinlay Dorjee	Thrompon	Chairperson
2	Mr. Namgay Tshering	Babesa <i>Thuemi</i>	Dy. Chairperson
3	Mrs. Dorji Dema	Motithang <i>Thuemi</i>	Member
4	Mr. Kinley	Changbangdu-Olakha <i>Thuemi</i>	Member
5	Mr. Kuenga Yonten	Norzin <i>Thuemi</i>	Member
6	Mr. Rinzin Dorji	Changangkha <i>Thuemi</i>	Member
7	Mr. Ugyen	Taba-Dechenchholing <i>Thuemi</i>	Member
8	Mr. Ugyen Penjor	Jungzhina-Kawangjangsa <i>Thuemi</i>	Member
9	Mr. Minjur Dorji	Executive Secretary	Member Secretary

### Invitees

1	Mr. Mahesh Pradhan	Head, Engineering Division
2	Mr. Tshering Penjor	Head, Environment Division
3	Mr. Thinley Norbu	Head, DCD
4	Mr. Sarvajit Rai	Engineer, Customer Service
5	Mr. Ugyen Dorji	Architect, UPD
6	Mr. Sonam Nima	Sr. Accounts Officer, AFD
7	Mr. Samten Dhendup	Head, SLMS
8	Mr. Sukumar	Architect, UPD
9	Mr. Tashi Penjor	Census Officer, Census Section
10	Mr. Dorji Phurba	ADM Officer, AFD
11	Mr. Karma Dorji	APO, Policy & Planning Section

### Opening Remarks by Chairperson

The Chairperson welcomed the council members and other Thromde Officials and expressed his deep appreciation for their presence for the 21<sup>st</sup> Thromde Tshogde. The Chairperson also briefed the floor on the achievements made by Thromde since last Tshogde meeting. He shared with floor the following thirteen points he has submitted to His majesty during the Royal audience:

- Subsequent visit was made by His Majesty and granted approval to go ahead with the construction of Multilevel Parking for Thimphu Thromde.
- The Plans and programs to improve water supply within Thimphu Thromde.
- The plans to address solid waste management and sewerage problems within Thromde. The Chairperson apprised His Majesty about the technology to convert plastic to crude oil, for which His Majesty was keen to see it implemented.
- The plans and progress of renovation works at Changangkha Lhakhang.
- The construction of 16 units labor camp at Changangkha area to relocate current labor camps opposite RAPA.
- Also submitted plans and available budget for construction of new roads and drains within city.
- Youth issues within Thromde and how Thromde is working with other licensing agencies like Department of Trade and enforcement agencies like RBP to address the problems.
- Bhutan Oil Distributer near *Lungten Zampa* to be relocated according to TSP. Thromde has identified two sites (one in the north and another in south) and for this, His Majesty also agreed to make site visits, which was subsequently done.
- The Royal plan to shift handicraft shops to present truck parking area was also reported. His Majesty visited the site and approved the proposed new location for the truck parking.
- The construction of bus terminal in *Olarongchu*.
- His Majesty was also apprised on the proposal to construct automobile workshop at Jungzhina, for which His Majesty visited the site.
- The development of diplomatic enclave and its issues. His Majesty ordered Thromde to thoroughly verify the land owners and year of transaction and report back for early decision.





- The last point was regarding the plans to construct stalls at various places where people can sell their farm produces. Also the plan to shift all meat shops along Norzin Lam to near CFM has been shared with His Majesty.
- His Majesty commended that the thromde should work towards making Thimphu City more pedestrian friendly.
- HM commended on the good works being planned by the Thromde.

Following that, on 12<sup>th</sup> August, His Majesty has made site visits to various planned areas and expressed his appreciation for the development works and plans initiated by Thimphu Thromde. Also on 20<sup>th</sup> August, His majesty granted an audience to Thromde staff and shared his concerns about Thimphu Thromde.

The Chairperson also informed Tshogde about the plans to develop pedestrian friendly city and to develop underpass along the express way which is to be carried out in collaboration with Construction Development Corporation Limited (CDCL). He informed about the visit of the President of India to Bhutan on 7 and 8<sup>th</sup> of November 2014 and the preparations to be made within the city. He also reminded Tshogde of the 60<sup>th</sup> birth anniversary of His Majesty the 4<sup>th</sup> King and the vital roles Thromde has to play hereafter.

The chairperson shared with the Tshogde about the plans to install CCTVs along the express way, a project of Nu 90 Million initiated by Royal Bhutan Police in collaboration with Department of Law and Order and Thimphu Thromde as part of the Safe City Solutions. He also said that Thimphu Thromde has to take an active role and has to invest where ever necessary for the upcoming project. The security cameras would also be installed in the parks and recreational areas and also one or two cameras in each school for protection of the school property against vandalism. ICT section from Thimphu Thromde has to take a lead in the project and Mr. Garab Dorji, Sr. ICT officer of TT is a technical committee member for the project. TT should propose certain budget in next the Fiscal Year.

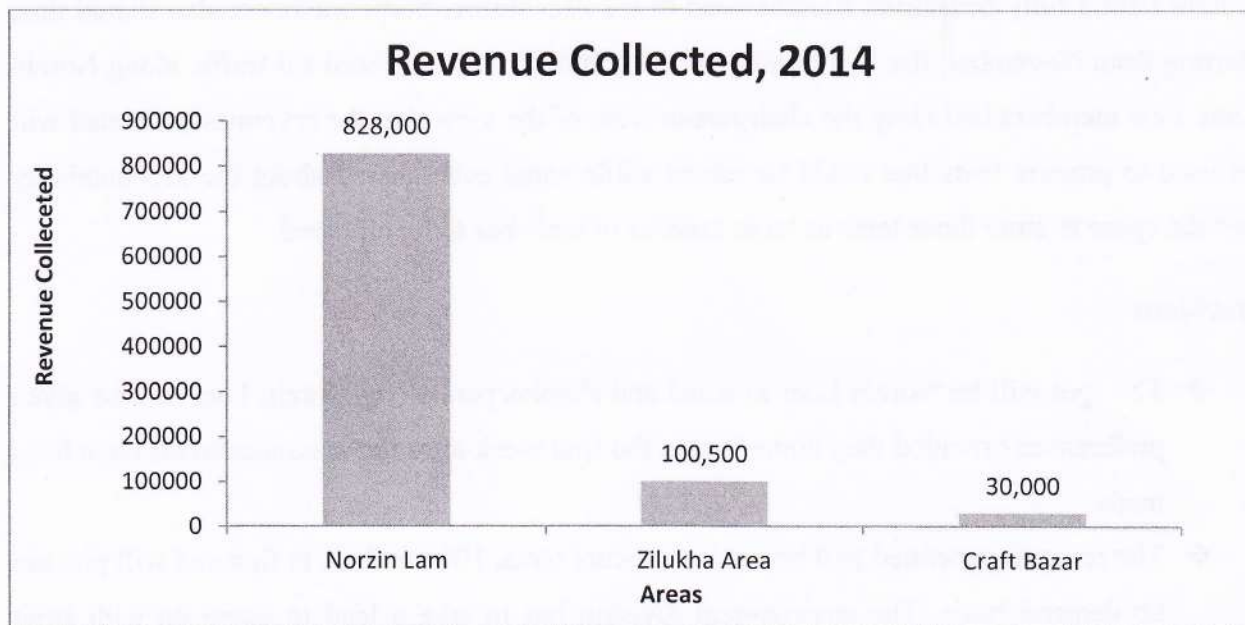
The chairperson also requested all *thuemis* to make an appointment with the people in all their constituencies to share the achievements made so far, the ongoing works and the future development plans. He urged the *thuemis* to have 100 % attendance of public in their areas



during the upcoming public meetings which will start from mid October 2014 on Saturdays and Sundays.

**Agenda 1: Rental fee from *Tshechhu* stalls along Norzin Lam, Zilukha and Craft bazar areas**

The environment division presented the income generated from the rental fees and expenditure incurred during the three day Thimphu *Tshechu*. A total of 570 stalls including food, clothes and other stalls were registered in Norzin Lam and Zilukha area. The total revenue generated was as shown below:



The Revenue generated in 2013 Thimphu *Tshechu* was Nu 413,000 and for 2014 it is Nu 963,000. A total increase of about Nu 550,000 from last year. The total expenditure this year was around Nu 76,920.

The Environment division also present to the Tshogde the future plans to improve the service delivery. The future plans include buying of tents by the revenue generated and to use either Norzin Lam or Changlingmethang parking areas to have the stalls. The other recommendations were giving preference to those shopkeepers along Norzin Lam and to develop terms and conditions from next year.

**Discussion**

For these recommendations, many members shared their views. Norzin *thuemi* and few others supported that shopkeepers along the Norzin Lam should be given preferences while some said having more shopkeepers in one building will create nuisance. Jungzhina *thuemi* supported the view to shift the spot to Changlingmethang parking area and also to increase the duration to 5 days. For this the other members said, the main objective of having along Norzin Lam is to make Norzin Lam a fully pedestrian friendly road in the near future. Some members also shared that, starting from November, the first Sunday of every month will be closed for traffic along Norzin Lam. Few members including the chairperson were of the view that the revenues generated will be used to procure tents that could be rented while some even shared about the accountability and the space to store those tents as large number of tents has to be procured.

**Decisions**

- ❖ The spot will be Norzin Lam as usual and shopkeepers along Norzin Lam will be given preferences provided they come within the first week after the announcements have been made.
- ❖ The revenue generated will be used to procure tents, 100 numbers at first and will procure on demand basis. The environment division has to take a lead to come up with strict terms and conditions which would also include proper waste management and also to come up with better resolution if any after a thorough study.
- ❖ The first Sunday every month starting November 2014, Norzin Lam will be closed for traffics. The day can be used by those shopkeepers who wish to sell along the Norzin Lam at current fees (Nu 500/day). This has to be broadcast through various media.
- ❖ The rental fee to be revised from next year. For those who avail the tent services from Thromde will have to pay Nu1500/day (Nu. 4500 for three days) and those who do not avail the tents service will have to pay Nu1000/day (Nu. 3000 for three days).
- ❖ Over time payments have to be given to those who work during the Tshechu season and also a certain amount (Nu 25,000-30,000) has to be given to traffic police for rendering effective support services to Thromde office.
- ❖ The environment division will have to look into possibilities of renting tents to city hawkers where by Thromde could levy some nominal charges.



**Action:** Environment Division, Thimphu Thromde

**Agenda 2: Approval for Remittance of Liquidity damage recovered from construction bills into RAA from revenue accounts**

The penalty levied on contractors for delay in completion of work has been deposited into Thromde revenue accounts. During recent auditing, Thimphu Thromde has been asked to deposit the money into audit recovery account. Accordingly a sum of Nu 8.00 million has to be approved by Tshogde to be deposited into government's revenue accounts.

**Decision**

Tshogde has approved the transfer of Nu8.00M to government's revenue account. The Chairperson also informed Tshogde that Thimphu Thromde will meet Attorney General to discuss on the possibility to retain such recoveries with Thromde office.

**Agenda 3: Approval for Urgent support required at Zilnon Namgyeling Primary School**

The Thromde Education office has proposed for an urgent budgetary support to construct staff toilet and boy's toilet at Zilnon Namgyeling Primary School. The total estimated cost submitted to Tshogde was Nu. 40,120.00 The Education Office has no approved budget for such construction this financial year.

**Decision**

The Tshogde unanimously decided to support the plan and approved Nu 40,120 to be utilized from the reserved fund.

**Action:** Thromde Education Office

**Agenda 4: Library for Development Control Division**

DCD has proposed budget to setup a small office library, which would have all the relevant manuals and codes and also other rules and regulations pertaining to developments in the urban areas. The estimated cost was Nu 0.100 Million.

**Decision**

The Tshogde decided and approved the proposal and the amount 0.1M to be utilized from the reserve fund.

**Action:** DCD, Thimphu Thromde

**Agenda 5: Request by the proponent for regularization of deviated structures such as conversion of one floor into basement and an enclosure of verandah**

The head of DCD made a presentation to the Tshogde about the two cases of regularization issues (1) conversion of one floor into basement and an enclosure of verandah, a case of Ms. Yeshey Lham, Thram No.TT-563, Plot No.116 and (2) enclosure of verandah, a case of Mrs. Lhamo Dukpa (Tenzin Wangchuk), Thram No.924A, Plot No.116/PT-A – Semtokha LAP). The DCD proposed that certain penalty has to be applied for carrying out work without any prior approval.

**Decision**

Since it is not practical to demolish the structures now, the Tshogde has decided to levy nominal fee as a penalty and regularize the structures.

**Action:** DCD, Thimphu Thromde

**Agenda 6: Application of construction processing fee for the revised drawings, minor renovation, minor permit**

The DCD submitted to the Tshogde that so far for minor applications including plastering of walls, external paintings, tiling of walls, wall paneling, repairing of plinth protection, repairing/change of sanitary wares, changing of openings, plinth drain repair works, repairing of eaves board and roof overhang panel, re-roofing, roof truss change/replacement for the building/house with plinth area less than 1500sq.ft and a maximum of two storied and any type of wall or fencing whose height does not exceed 1.5 meter maximum, no fees were applied. The DCD has proposed that since minimum of 2-3 applications are received every day and Thromde has to bear the associated costs, a lump sum fee of either Nu 500 or Nu 1000 to be charged per application hereafter.



**Discussion**

This proposal of DCD was being deliberated among the members. The Motithang *thuemi* was of the view that, even for minor renovations, if people are to pay, it would be a burden for them. Some members pointed out that, levying Nu 500 will not even recover the costs incurred for the inspections carried out during construction. Dechenchholing and Olakha *thuemis* proposed to the Tshogde that when it's due to disasters that major/minor renovations have to be carried out, if fee would be waived off and also no drawings are required to be submitted.

For this some members said that fees are important to move towards financial self-sufficiency. Many supported the proposal to charge a lump sum fee of Nu 500 just to cover up the costs incurred in carrying out the site inspection by Thromde officials. The renovations/repairs due to disasters should be dealt separately since the nature of work will depend from building to building and need separate assessment. The DCD proposed that if the renovations are done without any variations from its previous structures, there won't be any problem but if the renovations are totally different from the previous structures, drawings have to be submitted. This proposal was being supported by all members.

Dechenchholing *thuemi* submitted that, if the renovations are without any variations, but has to be built from the foundation, it would be better if Thromde could exempt from accepting drawings. To this the chairperson and other members disagreed and that if the renovations are to be done starting from the foundation; drawings must be prepared and submitted for scrutiny and approval.

**Decision**

The Tshogde decided that a lump sum fee Nu 500 shall be levied for all type of minor rectifications as proposed by DCD.

**Action:** DCD



**Agenda 7: Applicability of scrutiny, service and amenity fees to be based on built-up area**

This issue was also raised by DCD. Some applicants have shown reservation on the applicability of such fees, especially if the same building drawing is planned to be used more than once on the same project site.

**Discussion**

The executive secretary of Thimphu Thromde pointed out that, even if the scrutiny fee could be levied once, other fees like service and amenity fees have to be based on the number of buildings since service and amenities fee are for each building and also that Thromde staff have to visit and inspect each building. The Dechenchholing *thuemi* also supported the view. The chairperson raised the issues of different locations and different owners. Many members were of the view that, if it's a different owner and is in different locations, all fees have to be levied.

**Decisions**

- ❖ If same owner uses one drawing for multiple building constructions in same plot, scrutiny fee for only one plan has to be levied but other fees like service and amenity have to be based on number of buildings.
- ❖ If it is in different locations, despite using the same drawing and proposed by same owner, since its located at different sites, all fees have to be levied
- ❖ If two different owners use the same approved drawing, all fees have to be levied separately since two different approvals have to be made with two different names of the drawings

**Action:** DCD, Thimphu Thromde

**Agenda 8: Car Washing Proposal at Hejo adjacent to Crematorium Complex**

The DCD head brought up this agenda in line with the proposal received for the establishment of car washing facilities in Hejo. The precinct falls under UV-2 Sub-Cat I (Medium Density Mixed Use Precinct) and the DCR-2004 does not clearly spell out whether activity such as car washing service center is permissible or not. However, owing to its close proximity to the Crematorium Complex, it may be difficult to use the area for the residential uses.



**Decision**

Tshogde decided that the proposal could be accepted but city can only provide location clearance whereas environment clearance must be sought from NEC. Besides the development of car washing facilities, Jungzhina *thuemi* along with few others also highlighted on the feasibility of developing car parking facilities by Thromde office by relocating the private plots to another location.

**Action:** DCD, Thimphu Thromde

**Agenda 9: Issuance of building permits for sites falling under Buffer (Opposite Pelkhil School)**

The DCD presented the detail scenario of the issues regarding the building permits in buffer zone. DCD has received a proposal to construct double storied residential house on a privately registered land which falls under the E-1 Precinct. As per the DCR-2004& TSP,

1. NOC to be obtained from NEC,
2. No Access road or any service installations to private plots to be permitted though this zone.
3. No development or construction shall be permitted within thirty meters of the edge of the watercourse or the edge of the gullies of *WangChhu*.
4. Existing structure can be retained and no further extension shall be permitted.

However, upon examination of cadastral planned map of the area, it is observed that there are 17 numbers of plots being affected partially or fully. It is also observed during the site visit that there are buildings whose storey ranges from one to five and more than 90% of these plots are already developed few years back. Also owing to the non-availability of the service plot in the nearby area, it may be difficult to relocate the plots.

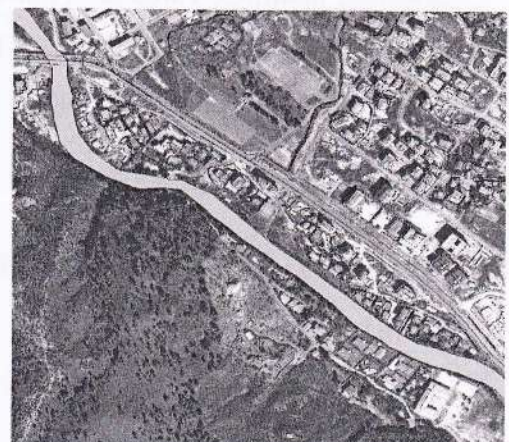
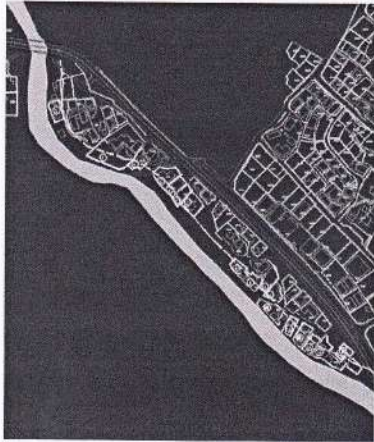
DCD also provided the following recommendations for the Tshogde to decide upon:

1. Change the precinct to UV-2(Low Density Residential Precinct) with 25% coverage and maximum of 3 storied (no attic).
2. Change the precinct to UV-2 Sub-Cat II with the coverage between 40% and 45% depending on the plot size and maximum of 2 storied (no attic).





3. If precinct change is not possible, then relocation.



### Discussion

While a portion of some of the plots fall under buffer zone, it was not clear as to how many plots and how much percentage of each plot falls under buffer zones. Some members also suggested that development should be allowed provided more than 60% is outside the buffer zone. . If the plot fully falls under buffer, then relocation has to be carried out. But according to UPD, almost all the cases here are those which cannot be relocated due to non-availability of service plot in the nearby area and also most of the plots have been already developed. However Tshogde could not decide upon the matter since more details were required regarding the number of plots and percentage of each plot falling under buffer zones.

### Decision

After much deliberation, Tshogde decided that DCD should carry out thorough study on the plots falling under buffer zones and those not falling under buffer and to submit a detailed report in the next Tshogde.

**Action:** DCD/UPD, Thimphu Thromde

### Agenda 10: Post transaction service for parking project by IFC

The Ministry of Finance, Thimphu Thromde and International Finance Corporation (IFC) have signed a MoU with regard to post transaction services for the parking project. The post



transaction services will be provided by the IFC to Thimphu Thromde (TT) provided TT has to pay to IFC for the services rendered. The services include:

1. Advise the client (TT) on contract management process and procedures over the first 12 months after signing of the Concession Agreement (CA)
2. Deliver a project manual and toolkit
3. Developing an internal Information Management and Dissemination System
4. Capacity Building through workshops, site visits and trainings

In order to provide the above services to Thromde, the IFC requested for one year duration with a TT having to pay USD5000 per month. There is already a provision of three months extension in earlier contract. This was put up to Tshogde to decide on whether Thromde should go on with IFC's decision.

#### **Decision**

The Tshogde decided that one year duration cannot be granted rather, 6 months extension from the day of signing the CA will be given with TT having to pay USD 5000 per month which would come around nu. 1.8M for 6 months. This would be released from the raise in parking fee collection due to the PPP project.

**Action:**Project Manager, Parking Project

#### **Agenda 11: Request for Bike (BG-1-0562) to be sold on installment basis**

Mr.Khandu of Thimphu Thromde has put up a request to allot him a 2000 model bike, BG-1-0562 which he has been maintaining and using since 2000 on installment basis.

#### **Discussion**

Many members pointed out that since it is an old model bike (2000), at the depreciation rate, the book value would be zero and even if auctioned, it would not fetch much price. Some members pointed out that precedence will be set in future if given at very low price or for free. Many members were of the view that it can be allotted at a minimal price since it is an old model.

**Decision**

Tshogde decided that the bike be given to him at Nu 7,000/- in one installment since its book value could have become zero. It is approved with a condition that he has to continue using the same bike for his official works as well.

**Action:** AFD, Thimphu Thromde

**Agenda 12: Collection of Rural House Insurance and Life Insurance premium**

It was clarified by the Census section of Thimphu Thromde as to who should be responsible for collecting rural house insurance and life insurance. Since it is insurance, he felt that it has to be collected by RICB or should it be the responsibility of *thuemis* to collect it from their respective constituencies.

**Discussion**

Norzin *thuemi* and Dechenchholing *thuemi* said that RICB has to inspect and take a responsibility to collect rural house insurance. They also said that if TT is to do the job, certain portion has to be shared with TT. The Motithang *thuemi* also expressed difficulties in collecting the insurance. The chairperson pointed out that collection of house insurance could be outsourced to private people, while life insurance could be collected by TT during annual census. He also informed Tshogde that this issue will be discussed with people during upcoming public meeting. Some members also suggested that insurance collection should be made optional.

**Decision**

Tshogde decided that both the house and life insurance collections will be carried out by TT (Census section) during annual census. It has to be informed to the people through various media and through respective *thuemis*. Even Tshogde decided that cash handling allowances could be provided for those people handling the cash, although the amount has not been specified.

**Action:** Census Section, Thimphu Thromde





### Agenda 13: Endorsement of site plan and Demarcation fees collection and adoption of same service invoice

It was proposed by UPD, Thimphu Thromde regarding the inconsistency in levying fees during the issuance of site plans by TT. After the NCRP, survey is not required and only site plans are to be provided by TT. For this only Nu 100 should be charged per site plan. On other hand, if both survey and demarcation are to be carried out, the fees are as follows:

Sl.No	Plot Sizes (m <sup>2</sup> )	Average Size (m <sup>2</sup> )	Rate/m <sup>2</sup>	Rate	Site Plan Fee (Nu)
1	372 and Below	372	2.41	897	1200
2	373 to 499	436	2.41	1050	1500
3	500 to 699	599.5	2.41	1445	1800
4	700 to 999	849.5	2.41	2047	2000
5	1000 and Above	1000	2.41	2410	3000

#### Discussion

All members supported and appreciated the new proposal from UPD. In some cases where there needs to be resurveyed as a result of survey errors, it will be on case by case basis and will be dealt as per land act of Bhutan. The Dechenchholing *thuemi* raised the issue of feno pegs (demarcation pegs) being misplaced, however Tshogde decided to table this issue in a separate meeting later.

#### Decision

Tshogde decided and approved the proposal from UPD on site plan fees. If only site plan is to be issued, a nominal fee of Nu 100 shall be levied per plan and if survey and demarcations are required, the fees shall be levied as mentioned in the table above. To avoid multiple invoices, as proposed by Head, SLMS, it was also decided to include service charges related to land registration/management.

**Action:** UPD, Thimphu Thromde

### Agenda 14: Requisition form for official site plan

The UPD has proposed Tshogde a new requisition form for official site plan for approval. UPD has expressed the flaws with the old form which requires approval from different divisions and

sections within Thromde office. It has been observed that the current practice makes it difficult for clients to meet the concerned official on same day.

### Discussion

Jungzhina *Thuemi* also expressed the difficulties with regard to old form. He said that it takes almost 3-5 days to get approved due to approval from multiple offices.

### Decision

Tshogde approved the new form proposed by UPD and office order to be issued immediately and start using the new form without having to wait for the minutes to be endorsed. Also the form should be in Dzongkha version as well.

**Action:** UPD, Thimphu Thromde

### Agenda 15: Karma (Hejo) regarding denial of *satshab* for acquired green area

The Land and Survey section of Thimphu Thromde submitted that Mrs. Karma in Hejo whose plot has been acquired as "Green Zone" has put up an appeal letter to Thromde Office to exempt her from relocating in *Satshab* land. The Tshogde was informed that she is the only plot owner in the Green Zone area with the house



already existing when the area was declared as green zone. She is eligible for one plot and cash compensation for the rest. She submitted that, it is the only land she inherited from her parents and being the only earner in the family, it will be difficult for her to construct house/building in new land even if it is being compensated. She does not have any other land.

### Discussion

Jungzhina *thuemi* gave a detailed explanation about her land. In her case, she has two plots falling under green zone, one plot is wet land (15 decimal) and the other plot is dry land (26 decimal). All other owners in the area have their lands as wet land. The members said she could



be exempted from relocation since she had her house built even before the area was declared as green zone. Also her structure is on the peripheral area. However, no concrete structures should be allowed on her plot even if she wants to rebuild the house. For this, the land section put forth to the Tshogde, as to which plot should be allotted or compensated. Many members supported that she can be exempted from relocation for both the plots. But some said that even if the plot on which the house has been constructed is to be exempted, other plot should be given cash compensation.

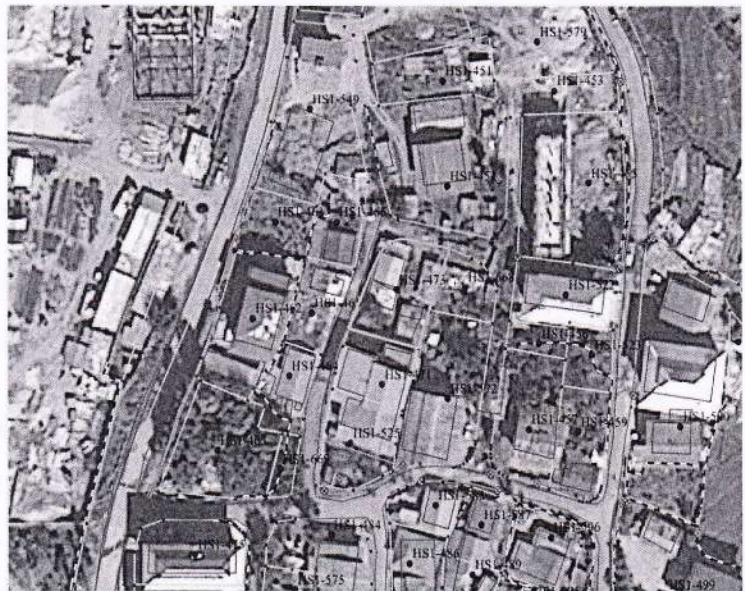
### Decision

The proposal of applicant to exempt from relocating in *satshab* land was, in principle accepted by Tshogde. However, from two plots, it could not be decided how much area to be allowed to retain in the existing location and how much to be compensated/*sathab* allotted. SLMS was advised to submit field verification report on actual occupation of land by house or actual required area for settling there in next sitting.

**Action:** Survey and Land management Section, Thimphu Thromde

### Agenda 16: Dorji Rinchen (Hejo) regarding objection to road depicted in the plan

The Land and survey section of Thimphu Thromde submitted that Mr. Dorji Rinchen holding the *Thram* No 124 and plot No 103 in Hejo has put up a complaint letter to Thromde that he is not willing to accept his plot as per the approved plan. This is because the planned road adjoining his plot benefits only one plot owner and also that the plan was never discussed with him. He wanted the road to be discarded and his land to be shifted towards the proposed road. For this the other land owner Mrs. Kinley Yangden has also put a letter to Thromde stating that she has constructed her building facing upward according to





the approved site plan and if the road is to be closed, she will have no access road. Presently she has access road from below but later when her brother builds his own building facing downwards, she will have no access road to her building.

### **Discussion**

The people from UPD explained that Mr. Dorji Rinchen should not interfere on the planned road. He has been given his land and has to accept it. Some members questioned if the plot coverage of Mrs. Kinley Yangden has been looked into because if the coverage from existing building is already 40%, sub-division cannot be allowed and therefore, the complaint by Mrs. Kinley Yangden that she will not have access after construction of another building on the same plot does not make sense. Moreover, they should not have the liberty to enjoy the access road of about 3.5meters on government land when some people are even made to vacate from 2 decimals government plot.

For this Jungzhina and Babesa *thuemis* stated that the site plan has been approved by TT and they have constructed according to the site plan. Now after having constructed the building according to the plan, if the plan is to change, it would be unfair on their part. Few other members said that if the site plan cannot be changed, it is of no use putting up to Tshogde. The main reason for putting up to Tshogde is that the Tshogde has to discuss and explore other feasible alternatives. Jungzhina *thuemi* reminded Tshogde to first decide to allot Mr. Dorji Rinchen's plot and then discuss and decide on Mrs. Kinley Yangden's case. This was also supported by Dechenchholing *thuemi*.

### **Decision**

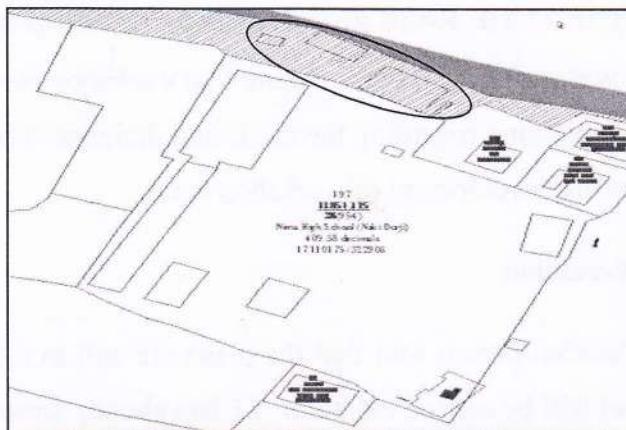
Tshogde decided that Mr. Dorji Rinchen should be asked to accept his plot as per the plan. Mrs. Kinley Yangden's plot has to be resurveyed and see if the sub-division is permissible. And also TT will have to see whether the road is to be allowed or discarded. If that road is to be discarded, the approaching road above near Chorten will be widened.

**Action:** Survey and Land Management Section, Thimphu Thromde



### **Agenda 17: Compensation and Betterment charges for Mrs. Naki Dorji, for affected wall and structures falling in the buffer zones, Taba LAP**

As per NCRP of the area, the Chemistry LAB, septic tank, toilet, water tank and boundary wall of Nima HSS fall under buffer zone. If Thromde ask Nima to remove the structures, Thromde has to pay a compensation of Nu 9.09 Million. The case was put up to Tshogde to discuss and decide whether TT should retain the structures falling within buffer zones and collect betterment charges or ask the owner to remove the structure and pay the compensation.



#### **Discussion**

Many members were of the view that compensation is too much for the removal of those structures. If those existing structures are allowed in the buffer zone, Thromde should determine the safety of the structures from possible flooding. .

#### **Decision**

Tshogde decided that Thromde will consult Nima and try to do some adjustment in the plan and save Chemistry LAB and water tank as there is more than 5 meter setback from the stream. However, the girl's toilet, store and the septic tank have to be dismantled as those structures are right above the stream. The estimate to be re-calculated based on the above decision. Tshogde also decided that the land owner can be given option to either retain or remove the structures. However, TT should get an undertaking letter from the land owner that he/she will be solely responsible to bear all the risks in case of any risk associated with the nearby stream in future. If the owner is willing to remove the structures, TT has to pay the compensation of Nu 9,092,547.

**Action:** Taba Planner, UPD, Thimphu Thromde

**Agenda 18: Road and drainage development for Workshop areas**

It was put up by Babesa *thuemi* that workshop owners and also the tenants living there have been complaining regarding the roads and drainage systems there. He wanted to know about the plans for the development of workshop areas.

**Discussion**

The chairperson said that the plans are still in pipeline and those areas are not being neglected and will be carried out soon. TT has already carried out certain development works in workshop areas and will continue this year. Around 200 meters stretch of road and drain in the area will be redeveloped this fiscal year. Due to budget constraints, TT can't do it at once but will take up phase wise. He also said that workshop owners should at least take collective initiatives to maintain existing infrastructure.

**Decision**

The Tshogde decided that 200 meters stretch concrete road and drainage from middle will be developed this year since it was curtailed from last FY's contract to facilitate sewer installations. Therefore the Engineering division has to carry out this work as an addendum in the new contract this FY for which the cements will be issued by the department. Even the road going from workshop will be looked upon as the development works at the workshop areas are carried out.

**Action:** Engineering Division, Thimphu Thromde

**Agenda 19: Entertainment (Football ground & Children Park) area in Babesa and Semtokha LAP**

It was a proposal by Babesa *thuemi* to install entertainment/sport facilities and recreational parks in Babesa and Semtokha LAP. The feasible areas identified are near the river bank below sewerage office or near IT Park service land. He pointed out that even if there are no funds, this is just to make sure that certain areas are identified and kept as parks or sports complex areas.



**Discussion**

The chairperson said that TT has a plan to develop such sport complexes in North Thimphu. The area in the north has been already allotted to BoC to develop the facilities. Same could be planned in South Thim-throm. He also said that IFC has shown interest to study the possibility of developing such facilities through PPP Model.

**Decision**

The Tshogde agreed that few such facilities should be developed within Thimphu Thromde. It was decided to write to MoIC to handover the vacant land near IT Park, which is now under Department of Information & Technology (DIT) for the development of sport complexes for south Thim-throm.

**Action:** SLMS, Thimphu Thromde

**Agenda 20: The issues regarding the 21 pending cases**

This issue was raised by Babesa *thuemi* regarding the 21 pending cases of land up-gradation since 2000 NCRP. The *thuemi* said that the land owners were not able to pay and update the *thram* for the access land since their land fall under LAP areas. Out of 21 pending cases, 3 cases fall under the LAP and rest 18 cases have no information. He submitted that Tshogde should decide whether the payment can be based on old rates as the public are at not fault for delays. *Thuemi* also stated that NLCS is still waiting for Thromde to clarify why 21 pending cases from the year 2000 NCRP is still left unresolved and how many of them are genuine cases that can qualify for old rates for land regularization.

**Discussion**

It was decided that 3 cases are still pending as it falls under LAP areas. Whether other 18 cases have been resolved or not are still pending and needs to be looked into.

**Decision**

Tshogde decided that if the pending cases are due to LAP, it has to be given at old rates. But all 21 pending land cases have to be studied thoroughly and must be tabled as an agenda in next Tshogde meeting.

**Action:** Survey and Land Management Section, Thimphu.

**Agenda 21: Sewerage Connection for Motithang area**

This was brought up by Motithang *thuemi* as a follow up to discussion during 5th Tshogde Meeting. The *Thuemi* pointed out that nothing has happened at the site so far.

**Discussion**

The Chairperson said that TT has been looking for funds to provide sewer network in Motithang. He also informed that TT has proposed under SDP finding of GoI and also talked with IFC to explore PPP model for the activity. It was also proposed to JICA and other sources. However, Thromde did not get any positive commitments from any agency so far.

**Decision**

The Motithang *thuemi* pledged if it could be done by 2015. For this the Tshogde decided that TT will keep on looking for funds and support and will give top priority.

**Action:** Thromde Management/Sewerage Section, TT

**Agenda 22: Cattles found roaming around Motithang areas causing nuisance**

This issue was put up by Motithang *thuemi*. She reported that there are stray animals like cows and horses roaming around Motithang areas unattended causing nuisance to the people living there by way of blocking traffic and trampling private gardens.

**Decision**

Tshogde decided that Environment Division of Thimphu Thromde has to take a lead to catch those cattle and levy penalty.

**Action:** Environment Division, Thimphu Thromde

**Agenda 23: Arrangement for the placement of dustbins near Takin Preserve areas**

The Motithang *thuemi* requested Tshogde to instill few dustbins in and around *Takin* zoo areas as many people including tourists visit this place. For this the members said that it is not under



Thromde boundary so NEC or the Zoo management has to take a lead. Motithang *thuemi* said if Thromde could either write to NEC or Zoo Management for the same.

### **Decision**

Tshogde decided that since it is not under Thromde boundary, a letter or the copy of the 21<sup>st</sup> Tshogde Minutes shall be sent to NEC or the Zoo management to action the concerns raised.

**Action:** Environment Division, TT

### **Agenda 24: Proposed that a campaign should be organized- end of October and beginning November to collect and dispose old prayers flags on the Sangaygang hill**

This was put up by Motithang *thuemi*. She said that everybody goes up to Sangaygang to erect prayer flags and no one cares about the cleanliness of the place. The old worn out prayer flags does not look good. Therefore she urged Tshogde to organize some kind of campaign to collect and dispose-off old prayer flags and to work out to make the surrounding clean.

### **Discussion and Decision**

Many members pointed out that since it is not under Thromde's jurisdiction, it should not be discussed in Tshogde. However the *thuemi* can write to Dasho Thrompon and TT can officially direct to the concerned agencies. Another option would be to ask the MHSS to co-ordinate a cleaning campaign in the area.

**Action:** Thromde Education Office, Thimphu Thromde.

### **Agenda 25: Maintenance works for Babena Bridge**

Jungzhina *thuemi* said that the bridge has served its useful life and it is now high time for the bridge to be maintained or replaced for the safety of the passerby. It is a small bridge, only used by the people living there.

### **Decision**

Tshogde decided that the Bridge maintenance works will be carried out once the site visit has been made by the concerned people of Thromde.

**Action:** Engineering Division, Thimphu Thromde

**Agenda 26: Street lighting transport fare to be borne by TT**

The Street Lighting Company in Singapore, J.K. Lumix has provided TT with equipment for 8 number street lights known as induction lamps for free but the transportation fare through air from Singapore to Bhutan has to be borne by TT. These 8 number Street lights have been installed along express way. These Induction Lamps are very energy efficient and it would help TT reduce electric bills drastically. The transportation fare comes to around USD 1,300 (BTN 78,000).

**Decision**

The Tshogde had decided to bear the transportation costs and it to be used from the reserve fund of TT.

**Action:** Engineering Division and AFD, Thimphu Thromde

**Agenda 27: Pre-paid car parking card for Indian Embassy**

The Indian embassy has requested TT for the issuance of pre-paid parking card for 16 cars, which include both private and government vehicles. This requisition has to be discussed and decided by Tshogde.

**Discussion**

The Chairperson said that the case was discussed with the Indian Embassy Office with Mrs. Radha. She said that TT has to discuss with MoFA on such eligibility. When TT discussed with MoFA, it was found out that no such facilities are provided for staff of Bhutanese Embassy in India. It was also observed that no such provisions have been mentioned in the current parking contract. Norzin *thuemi* also said that it would be better if we go by the government rules and regulations of providing such facilities. Even the same requisitions have been made by the principals of various Thromde Schools and are still not provided.



**Decision**

Since it is a PPP model, there is no provision in the contract agreement and therefore it can't be provided. Thromde shall inform the Indian Embassy on the same explaining why the card could not be issued.

**Action:** Engineering Division, TT

**Agenda 28: Betterment Charges in Core Areas**

In other parts of the city there are land pooling system and betterment charges but in core areas like Motithang, Changangkha, Kawangjangsa and few other places until now, no such charges have been levied. There are no such clear cut rules in the land pooling rules and regulation 2009 saying that above areas are exempted from such charges. Therefore, the issue is brought to Tshogde for further deliberations. If betterment charges are to be collected in lieu of land pooling, it is expected to help TT generate substantial revenue.

**Discussion**

Dechenchholing *thuemi* said the betterment charges are for those where basic facilities like sewerage, water and street lights are being provided. Since people in core areas avail all these facilities more than any other part of Thromde, appropriate provisions of land pooling rules and regulations should be applied uniformly to all parts of Thromde. Jungzhina *thuemi* said that it would be advisable to collect such charges provided that Thromde provide all the services without any interruptions. He also said that if services are effective and efficient, people will be ready to accept this proposal. The Motithang and Norzin *thuemis* said that it has to be discussed with the people and TT can't go on applying these charges.

The Chairperson said that land pooling and betterment charges should not be mixed. Since it's already developed, land pooling system will not be applied.

**Decision**

After much deliberation Tshogde decided that TT would write to Ministry of Works and Human Settlement (MoWHS) expressing all the views of Tshogde and get some directives from the government.

**Action:** UPD, TT

**Agenda 29: Sending a letter of appreciation to the government of Japan**

Tshogde has decided to send a letter of appreciation to the people and the government of Japan for having donated 4 compactor trucks to TT expressing the gratitude and its usefulness in managing the solid waste in Thimphu Thromde.

**Action:** Environment Division, TT

**Agenda 30: Requisition of 4 laborers by Dechenchholing *thuemi* to clean up Dechenchholing areas**

The Dechenchholing *thuemi* proposed that 4 laborers will be hired to clean up Dechenchholing areas and those laborers are to be paid by Thromde at the prevailing laborer's rate. Also they must be accommodated in the labor camps as and when constructed by Thromde.

**Discussion**

The chairperson asked the *thuemi* if a community committee could be formed like in Olakha-Lungtephu areas where by people can form a group for maintaining their areas. Some members pointed out that the committee members with Dechenchholing *thuemi* will sign a MoU with *thromde* and then the laborers will be paid by the Thromde. Those laborers will be monitored by the *thuemi* himself.

**Decision**

Tshogde decided that the Dechenchholing *thuemi* will identify and recruit 4 laborers. Laborers will be paid existing daily wages. The MoU will be signed between *Thuemi* and Thromde Office, detailing out clear roles and responsibilities of each part. Tshogde also agreed to accommodate those 4 laborers when Thromde provides labor camp in the area.

**Action:** Dechenchholing *thuemi* and Engineering Division

**Agenda 31: Muster roll of Thimphu Thromde**

This was put up by the AFD of Thimphu Thromde that the current muster roll in TT comes to around 348 and their payment amounts to 2.2 Million monthly. They are divided among various



sections and also very difficult to monitor. The main issue is with regard to age limit of the muster roll. He submitted that it may be necessary to set age limit to muster roll staff.

### **Discussion**

The members said that there should be certain terms and conditions and need to be in line with labor act.

### **Decision**

Tshogde decided that, since most of the muster rolls are under Environment and Engineering Division, these two divisions should take a lead to develop terms and conditions in line with the labor act and it must be tabled in next Tshogde.

**Action:** Environment and Engineering Division, Thimphu Thromde

### **AoB:**

1. The Tshogde also discussed about the area requirement for the construction of hotel in UV-II. This issue was brought up when one of the members said that someone in Bebesa with 38 decimal plot in UV-II, put a proposal for hotel construction instead of approved residential building in view of surplus residential houses in the current market. The DCD head informed the Tshogde that it is clearly mentioned in DCR that hotel construction can be allowed in UV-II only if the area is more than 2500sqm. The members agreed that if the area is less than 2500 sq.m, the construction of hotel in UV-II should not be approved.
2. Tshogde also discussed on the decision that Thimphu Thromde has made to donate one compactor truck to Dzongkhag Administration. This is expected to reduce waste being brought by people from nearby settlements like Kabisa and Debsi inside Thromde boundary for illegal disposal and dumping. The chairperson said that it will be done soon and Environment division is already working on it.
3. Some members submitted that the life insurance needs to be increased from current ceiling (Nu 10,000 per head) taking into account current market rates. Langjuphakha

*thuemi* said that it has been already discussed with RICB and that it will be put to the parliament by RICB.

4. Some members also put to Tshogde that till last year, Heads of division and few sections were given certain amount (Nu 1000/-) monthly to entertain guests, but this system has been stopped. The member secretary stated that it has been stopped to minimize the costs. However Tshogde decided that AFD should study the past expenses and present in the following Management meeting.
5. To be tabled in Next Tshogde:
  - a. *Agenda 14*: A case in Hejo Green area where Mrs. Karma denied *satshab*. The 21<sup>st</sup> Tshogde decided that SLMS should carry out the detail study and should be presented in next Tshogde and it would be approved which plot of the two will be relocated.
  - b. *Agenda 19*: Regarding the 21 pending cases. 21<sup>st</sup> Tshogde decided that a detail study to be carried out and be tabled in next Tshogde.
  - c. *Agenda 31*: Muster roll terms and conditions to be developed and presented by the environment and engineering divisions and will be approved by next Tshogde.
6. Amount to be used from Thromde Reserve Fund:

Sl/No	Agenda	Particulars	Amount (Nu)
1	Agenda 2	Remittance of Liquidity damage recovered from construction bills into RAA from revenue accounts	8,000,000
2	Agenda 3	Support for maintenance of staff toilet and Boys toilet for Zilnon Namgyeling Pry. School	40,120
3	Agenda 4	DCD Library development	100,000
4	Agenda 10	Post Transaction Services for Parking Project by IFC(5000 USD/month for six months)	1,800,000
5	Agenda 26	Street Lights transport fare from Singapore to Bhutan	USD1300. (Nu78,000)
<b>Grant Total</b>			<b>10,018,120</b>

The total fund to be used from reserve fund is Nu 10,018,120 (10.02 Million).



**Conclusion**

The chairperson thanked the participants for their presence and active participation and said that similar participation would be expected in next Tshogde. The Tshogde was adjourned at 6:20PM.

**Tentative date for next Tshogde:** 10<sup>th</sup> December, 2014.

**Minutes Writer:** Karma Dorji, Assistant Planning Officer, Thimphu Thromde.

A handwritten signature in dark ink, appearing to read 'Karma Dorji', is written over a large, loopy circular flourish.