
14th ThromdeTshogde

Minutes

Thimphu Thromde



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Thimphu Thromde

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2.

Minutes of the 14th ThromdeTshogde Meeting

Venue: Conference Hall, MoWHS

Date: 10th May, 2013

Time: 1:30 P.M. - 7:15 P.M.

1. Members present:

1.1	Kinlay Dorjee	Thrompon	Honourable Chairman
1.2	NamgayTshering	Babesa	Deputy Chairman
1.3	Kinley	Changbangdu-Olakha	Member
1.4	KuengaYonten	Norzin	Member
1.5	Ugyen Penjor	Jungshina-Kawajangsa	Member
1.6	Ugyen	Dechencholing-Taba	Member
1.7	Rinzin Dorji	Changangkha	Member
1.8	Dorji Dema	Motithang	Member
1.9	Minjur Dorji	Executive Secretary	Member Secretary

Invitees:

✓ Hastabahadur Sangpang	CAO
✓ Jigme Dorji	CDCO
✓ Thinley Norbu	Offtg. CUP
✓ Sailesh Humagai	Urban planner
✓ Sarvajit Rai	Engineer CSD
✓ Krishna Kumar Thapa	Dy.CFO
✓ Thinley Choden	Land Registrar
✓ Tshering Pem	Asst. Dzongkha Coordinator

2. Opening Remarks:

The Chairperson welcomed the Tshogde members and the participants to the meeting. He made the following opening remarks:



- 2.1 Chairperson introduced one new staff to the ThromdeThuemis; Engineer Sarvajit Rai, who has been transferred from Gelephu Thromde. He has joined Customer Service Division and emphasized him to work towards improving the current system.
- 2.2 The Chairperson informed the meeting that necessary fund to develop the Taba Local Area Plan (below road) from the World Bank (WB) has been secured. He expressed Thromde's gratitude to the World Bank for considering the funding. He also thanked for effort put from MoWHS and MOF in mobilizing the funds. He informed the Tshogde that he also took the WB officials to Taba site to show and explain the ground realities. He highlighted the Tshogde members about the plan of getting the water from Begana to serve the northern part of Thimphu under WB funding.
- He also notified the floor that the WB officials were taken to view the water source at Cheri to see the water source. The preliminary studies required by the WB like social survey, resettlement action plan and environmental assessment reports for Taba has to be completed by 15th of May 2013. Very soon WB will be fielding their own two staffs to assist the said task so that the reports could be submitted on time to WB for fund release. It is envisaged by year 2014; implementation would be able to start at Taba under WB funding. With regard to Jungshina-Hejo-Samtenling LAP, there is no committed fund to implement the LAP. On the fore, he cautioned that it is nine years since the plan was approved for implementation and the people are aspiring for want of infrastructure development like in Langjophakha and Dechencholing.
- 2.3 The chairperson informed that he had an opportunity to meet and thank ADB Vice President last time during his visit to Bhutan for their unwavering support towards infrastructure development projects for the southern Thimphu. He also apprised the Vice President on three other LAPs in the south; namely Serbithang, area below Lungtenphu helipad and area below Wangdi highway which would require similar support. He expressed that he is hopeful of getting funds to take up other LAPS in the South as ADB has already rated Bhutan as a best performing donor country among the member countries. The chairperson updated that he joined the MoWHS to welcome the interim head Aum Neten. Soon, a presentation has to be made to interim head from Thromde on its roles and responsibilities, programs and projects, institutional set up, issues etc.
- 2.4 In line with the objective of making municipal water available for whole Thromde, the chairperson briefed the meeting about water supply schemes being implemented at Ngabiphu,




Changzamtog and Jungshina/Pamtsho by the beneficiaries through supply of water supply materials from Thromde office. He said that apart from these, there are still areas in the south such as Lubding, Semtokha Dzong area and E-4 Precincts where water could not be supplied. The Thromde office is working on the proposal to supply water from Chamgang source to above areas as well. However, three water tanks have to be constructed for which request for fund under GOI is already put up to GNHC. He also said that a meeting was held with the RBA Gongloen to discuss on the possibility of diverting a part of their current water supply from Lungtenphu RBA camp to Lubding. Equivalent quantity of water can be supplied to RBA camps below the road from existing Olakha community water scheme once Olakha area is connected to water supply from Chamgang under ADB project. He informed that the Gongloen has agreed to Thromde's proposal in principal and the details are being worked out.

- 2.5 The chairperson informed about the recent modification works carried out on diesel incinerator at crematorium. The members were updated on the dead body that has been recently burnt in the incinerator using electricity. The incinerator has all the features to incorporate traditional rituals. It took about one hour to complete the incineration. Unlike traditional method, the new incinerator produces very small quantity of residue. The power consumption bill for each body works out to about Nu.800 - Nu.1000. However, the Tshogde needs to decide on the user fees here after. Meanwhile, ES informed the floor that Nu. 9m budget approved for crematorium work in the current FY is still lying unspent. He sought the views of Tshogde as to whether another diesel incinerator should be converted to electrical incinerator. He also highlighted that around USD 53m was incurred for maintenance of a present incinerator. The Tshogde commented that before going for modification of another incinerator, four to five months would be required to observe the efficiency of completed incinerator.

Decision:

It was decided to impose Nu. 1500/- per dead body taking into account the electricity charge and salary for technician. ES informed that public notification needs to be issued in the interest of both Thromde and public at large. Taba Thuemi also suggested using the leftover budget rather than surrendering back to the government. Hence, it was decided to buy one power substation and upgrade two diesel incinerators to electrical incinerators. The current Thai company will be asked to take up the work. Jungshina Thuemi also suggested seeking Dratshang's support to convince the general public that the electrical incinerator is customized



to incorporate all traditional burning process. The Tshogde decided that the Thromde will write a letter to Dratshang requesting the same. It was also added that it is necessary to promote and use the technology considering the multiple environmental benefits.

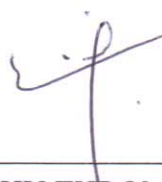
Action: Environment Division

- 2.6 Due to the growing number of basement construction and its change of use after construction is completed, concerns were raised as to whether to allow or discontinue with basement approval. The members commented that the current practice of allowing basement simply based on desk assessment is not appropriate. The members urged DCD to carry out proper investigations of site before considering the basement. In view of this, the Tshogde recommended that ES and DCD Head should coordinate to verify the feasibility of basement at site before final approval is accorded. The DCD head argued that the basement floor cannot be allowed for habitable purpose because of improper/inadequate lighting and ventilation required for normal living condition. In addition, the normal size window is also not permissible because it gives the feeling of extra floor which is not permissible by the existing regulation. The members highlighted that in view of the some of the approved basement being very small for vehicle parking, more discussion is necessary on what should be done with such basements given the huge investment that is incurred for basement.

Decision:

It was decided that a site visit will be made by team consisting of Thrompon, ES, Thuemis and other relevant staff to assess and decide on above issue. DCD Head was instructed to prepare a comprehensive report within one week on both existing and new buildings with approval for basement construction.

Action: DCD



3. Review & Endorsement:

Follow up Action: 13thThromdeTshogde Meeting held on 8thMarch, 2013

Sl.No	Issues Discussed/Decision	Decision/ Directives from TTM	Action and follow up by;	Actions to be taken
	Review and Endorsement 13 th ThromdeTshogde minutes.	13 th ThromdeTshogde	TT	Endorsed
	Adoption of 14 th TTM	14 th TTM	TT	Endorsed
1	Waste collection fees/charges	-do-	Env. D	
2	Setting up small restaurants at coronation park & Sangaygang	-do-	Env. D	
3	Costs, benefits & viability of taking over centenary farmers market	-do-	Env. D	
4	City Address System	-do-	GIS/IT	Street maps and the report ready
5	Waiver of Penalty	-do-	Revenue/Themis	referred to ACC for advice
6	Regularization of excess expenditure incurred	-do-	AFD	RAA
7	Request for clearance for establishment of manufacturing plant	-do-	DCD	
8	DSA for Mr. Tamiki Nakashima	-do-	AFD	Given
9	Mrs. Zangmo's land substitution	-do-	SLRS/UPD	Until CUP returns
10	Increment for URDPS labourers	-do-	AFD/URDPS	Given
11	Overtime payment & lunch allowance for NCRP staff	-do-	AFD/SLRS	Letter has been written to MOF for supplementary budget. No budget from NLCS. Re-appropriate from other heads
12	Budget proposal for 2013-2014 financial year	-do-	AFD	141m approved during budget discussion. Capital 268.95m approved in lieu of 416.881m by Budget.
13	Need for proper drainage system in Olakha (OlakhaThuemi)	-do-	Env D	
10	Agenda from Changbangdu - OlakhaThuemi	-do-		
10.1	Need for a proper drainage system in Olakha	-do-	Env D	
10.2	Chorten damaged by Wangchhu. Need for storm water drains	-do-	Eng D/URDPS	
10.3	Construction of access road and two toilets for Lhakhang at Samarzingkha	-do-	URDPS/Sewerage Section	Incorporated in the Budget.
11	Agenda from BabesaThuemi: Waste water flowing from RENEW rehab into the stream	-do-	Eng D & Water Supply Section	

	which is used for drinking water for Simtokha residents			
12	Penalty for waste dumping	-do-	DCD	List has been attached
13	Land for livestock products sales counter and BAoWE	-do-	UPD/SLMS/ DCD	Letter written to them charging Nu.20/- and they have not agreed. Eradicate urban poverty is a collective responsibility and it was proposed as they do not have income as such. In case of Livestock, they have agreed for Nu.20/-. Letter to be send to BAoWE to investigate the genuineness.
14	YabUgyenDorji's land in Babesa	-do-	UPD/SLMS	
15	SonamLhamo&Lhaden's case at HejoSamtenling LAP	-do-	UPD/DCD/S LMS	They have not reported
16	New Rate for Nursery Seedlings	-do-	Env D	Continued as per the approved rate of Tshogde
17	Urban House Insurance	-do-	Revenue Section	Process of discussion with RICB

4. Adoption of Agenda:

- Agenda from Hejo-Jungshina-Langjophakha-SamtenlingThuemi: Dratshang request to set up a carwash facility at Jungshina LAP.

5. Agendas for the meeting

5.1 Request made by driver SarmanSubba

Driver Sarman Subba during his tour to SamdrupJongkharThromde with the ES for Mayor's conference has on the night of 16.2.2013 unknowingly hit on the window glass pane of the hotel room where he was staying. The falling glasses have hit and damaged the wind shield and bonnet of a SantaFe (BP-1-C1057) belonging to Karma Namgay of Rainbow Tours and Treks parked in front of the hotel. At the time of incident, Thrompon's driver Nima was present and he has confirmed that the incident was purely unintentional and that Mr. Sharman Subba was not influenced by substances like alcohol etc. The incident was followed by an investigation on 17.2.2013 by the Executive Secretary and Thromde Thuemis. They have confirmed the incident was purely an accident.. Meanwhile, the owner had handed him with the cost estimate of Nu. 37,950/- to repair his car. The driver had put up a request to the management to consider cost for

repairing the damaged car as the amount involved is substantial against his salary. Moreover he was on official tour and it was purely an accident.

Decision:

As it was confirmed as a case of pure accident, the Tshogde decided to approve the payment of Nu. 37,950/- towards repairing BP-1-C1057 belonging to Karma Namgay.

Action: AFD

5.2 Approval to purchase utility vehicles and one backhoe loader upon replacement

In order to increase the performance, reduce the frequency of maintenance, efficiency of the vehicles and to improve the service delivery to the public, it has become necessary to auction the old model vacuum tankers and tippers. Therefore, based on the management meeting, CAO submitted to Tshogdeto get the consent to auction two vacuum tankers and two tippers. ES suggested that if one of the tipper is in running condition, it could be used for watering the trees within the Thromde. At the same time, he also raised the concern of audit memo over the road sweeping machine. This memo according to RAA would become only inactive subject to disposal as scrape. On the skyjacker to be auctioned, chairperson suggested to rebuild the body into a truck so that it could be made usable for refuse collection.

Decision:

The Tshogde accorded approval for auction of the following old vehicles of ThimphuThromde:

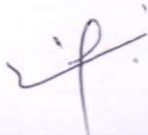
- | | |
|----------------------------|--------------|
| 1. Vacuum tanker BG-1-0230 | - 1995 model |
| 2. Vacuum tanker BG-1-0322 | - 2000 model |
| 3. Tipper BG-1-0358 | - 2002 model |
| 4. Tipper BG-1-0359 | - 2002 model |

The Tshogde also decided to buy a new backhoe and one vacuum tanker.

Action: AFD

5.3 Supplementary Budget sanction and fund from Revenue account

CAO and finance officer proposed to Tshogde for approval to transfer Nu. 100m from Revenue Account to CD Account as the CD account as of 30th April 2013 stands at Nu. 1.452m. The



supplementary budget is required to make payment for labour salary, NCRP activity staff overtime payment and IFC fee for multilevel parking which works out to Nu. 12,138m.

The Tshogde in principal approved for fund transfer as proposed. However, for lack of time, it was agreed to further discuss within next coming weeks. In the meantime, the chairperson reminded that Thromde division heads should control unnecessary expenditure. He said that at the current pace of expenditure Thromde would never achieve financial sustainability. He also cited about Nu. 250,000 being spent within 8 months for fuel of bull dozer alone at landfill site which is too high. He also emphasized that a random inspection should be carried out to verify monthly fuel consumption of machinery like landfill bull dozer to arrive at more realistic yearly expenditure for each machineries. Also members were briefed on the huge expenditure incurred on TA/DA for staff.

Decision:

- It was made clear by the Tshogde that there was no need to disburse DA for drivers reaching garbage/refuse to memelakha landfill site from now on. All DA claims by other staff should be as per existing rules. Further discussion is necessary on DA and overtime claim by Thromde staff.
- The Tshogde accorded approval for the following supplementary budget:
 1. Additional Labour Payment - Nu. 6.283 million
 2. National Cadastral Resurvey Program (NCRP) - Nu. 4.335 million
 3. Consultancy charge to International Finance Corporation for Thimphu Parking Project - Nu. 1.520 million

Total supplementary budget (1+2+3)

Nu. 12.138 million

The Tshogde also instructed to transfer 52 million, which remains as bank balance in revenue account, to the CD account of ThimphuThromde. Nu. 28 million which was advanced to ADB Project could be transferred to CD account and the rest of Nu.21 million to be adjusted from reserve fund.



- Thromde finance officer was instructed to present the budget status of the current FY in the next week during discussion on the basement issue.

Action: AFD.

5.4 Issues with regard to Census updating from Babesa Thuemi

Babesa Thuemi informed the meeting that many families had reported to him expressing the census registration issue of their children ranging from age one to seven. He was also made to understand that those families have applied for census registration of their children to the Thromde census officer on time. Despite submitting necessary census documents on time for census registration/updates, they said that their children's census was found unregistered. Therefore the families are left with predicament as to whom to approach for resolving this serious issue in hand.

It was also mentioned that the Thromde census officer seems to be negligent and so far nothing has been done to resolve above issues. However, Taba Thuemi reported that the applications for new registration have been forwarded to the department of census by Thromde census section and there seems to be confusion over the completeness of information from both sides. Apparently nobody from each of these offices bothered to follow up on this issue.

Decision:

In view of the census registration issue, Chairperson requested all Thuemis in their respective areas to compile the list of missing census as soon as possible following which a meeting will be held with the concerned agencies to discuss further.

Action: Census Section

5.5 Follow up action till 13th TTM from BabesaThuemi

Thuemi presented to the floor that as agreed earlier, the Tshogde should be briefed on the follow up actions taken on the decisions of the five preceding Tshogde meeting.. Thuemi wanted to know why no presentations are made on the decisions taken in the past Tshodge meetings.. The chairperson requested individual Thuemis to follow up with the individual division heads based on decisions taken in the past Tshogde meetings instead of waiting for presentations in the next Tshogde meeting.



Changangkha Thuemi also added that as decided earlier about the emptying of septic tank, it is not carried out properly as per agreed terms and conditions by sewerage section. The Thuemi also highlighted that the proposal put up to Thromde for construction of drains at Motithang is taking too long and requested to expedite the construction. UPD clarified that in absence of pending excess/deficit cases in the area, the Thromde is not able to demarcate drain alignment.. To this, chairperson made it clear that the drainage plan has to be started immediately by UPD.

Action: Thuemis/All Divisions

5.6 Roles and responsibilities of Thuemis from BabesaThuemi

Thuemis submitted that they need to have clear cut roles and responsibilities as they come across difficulties in dealing with the Thromde related activities in the field. Chairperson informed Thuemis to refer Thromde rules and regulations 2011. Thuemis also requested to give them a copy of official letters like work orders for activities concerning their constituency to keep them abreast on activities happening in their area. Norzin Thuemi raised the issue of issuing a copy of all relevant Acts, Rules and Regulations to help them with their works.

Decision:

It was decided a copy of relevant acts, rules & regulations and other documents will be made available to Thuemis.

Action: Thuemis/AFD

5.7 Construction of semi-permanent structure with ekra wall or mud block without having to submit drawings

DCD head submitted the following issues on above agenda:

- Difficult to implement and monitor (coverage, setback, parking space)
- Encouraging informal settlement
- May compromise safety against fire, earthquake and living condition
- Weakening our own established system
- Without formal approval, we cannot issue OC and other services
- We should also study further the implication on imposing under development tax, services and amenity fee, scrutiny fees.

Taba Thuemi remarked that the points stated by DCD head are really encouraging and supportive. However, he said that semi-permanent structures and RCC buildings should not be treated at par in terms of requirements for approval. He pointed out that people opting for semi-permanent structures are generally those that cannot afford permanent structures. For them, it would be expensive to hire people to design their structures.. He suggested if Tshogde could consider such cases without having to submit the designs. DCD head responded that given the problems of public and Thuemis wanting to help them, Thromde could have dedicated team (architect, engineers) to provide free design service so that the development takes as per regulations.. The members also suggested if there can be basic prototype design for semi-permanent structures

Decision:

The Tshodge decided that before giving such approval to construct semi-permanent structure, demarcation should be verified at site. For such structures, setback could be in the range of 1.5 to 2m. Layout has to be submitted along with front elevation and sectional drawings.

Action: DCD**5.8 Regularization of structures**

- a) Request to waive off penalty of Nu.34,32,957.39/- submitted by Mrs. Durga Maya Rai owning Plot No. 11L under Thram 724B-L located in upper Motithang

DCD head submitted the following for consideration:

Approval status:

- Approved vide 01/TMC/B&A/2006-07/a52 dated 10/1/2007
- G+1 residential building on Plot size 13.77 decimals in Motithang

Deviations:

- Constructed half basement which is being operated as restaurant
- Constructed attic without approval and not yet regularized
- Converted building from residential to resort

Note:

- The owner has 86 decimals of land under Thram No 724/B-L (13.77), JT-276 (57.11) and 724/B-M (13.77) in the same area
- The resort use could be regularized if the above plots are merged. However, the owner has to submit structural safety report



Regularization fees proposed:

	Attic regn	Change of building use	Regularization of basement	Total	Comments
Based on DCR	9,597	20,08666.57	14,14,693.82	34,32,957.39	20% of actual construction cost at the prevailing rate.
Based on nominal fees	9,597	8,14,511.04	1,18,889.7	9,33,400.74	(5000+A*30)3

Decision:

Upon merging the plots and submission of safety certificate, Tshogde decided to apply the nominal regularization fee of Nu.9,597 for attic and Nu. 1,18,889.7 for basement but waived off penalty for conversion of residential to commercial use.

Action: CSD

- b) Mr. Tashi Dorji, Plot No. 350, Thram No 976 located in Changzamtog's request for regularization of constructed one unit single storey structure.

The division had stopped the construction at the plinth level. However the owner had approached Dasho Thrompon, and the approval was given to regularize the structure as per DCR. The regularization is based on the fact that the structure although not approved is on his own plot and also that the setbacks are adequate. The current regularization fee is as follows:

	Regularization fee	Comments
Based on DCR	68,586.55	20% of actual construction cost at the prevailing rate.
Based on nominal fees	57,867.6	(5000+A*30)3

Decision:

The Tshogde after extensive deliberations on the issue decided to charge existing nominal fee as regularization fee. The Tshogde reconfirmed that any construction not conforming to the setback and coverage requirements shall not be regularized and it would be demolished.

Action: CSD and DCD

5.9 Development of overhead pedestrian bridges within the city area

DCD head submitted the following advantages and disadvantages on above issue:

Advantages:

- Reduce traffic causality and provide safe crossing path.

Disadvantages:

- Spoils the outlook of city development in our context specially of Thimphu valley.
- Risk of not being used by the pedestrian as it the known human tendency to take the shortest route.
- No scientific study done; public and inter-sectoral consultation as Thimphu City not only belongs to Thimphu Thromde.

Do we really need it?

- We could explore other alternatives such as Zebra crossing?
- The existing road width is not more than 12 meters so it would hardly take 30 second to cross if proper crossing points are created.
- Pedestrian cross over is mainly required for children, old age and disable person so even if we develop we should go for disabled friendly one.
- Should we request Department of Human Settlement to conduct further study before we go ahead?

Decision:

The Tshogde decided to go ahead with the construction of one overhead bridge and DCD head was instructed to expedite the design works.

Action: DCD**5.10 Presentation on Olakha Workshop by UPD**

The Sr. Urban Planner, UPD presented on the Olakha workshop to rework on the registered area after the application of 35% land pooling. Since the plot owners of the old workshop area had repeatedly raised their concerns on the high land pooling contribution (56.58%).

The area is surveyed in January 2-13 based on the present ground occupation . This was done to ascertain the present land holding at site against the plot owners initial registered area in order to bring down land pooling percentage to 35% across the board. The basis for recommending the land pooling percentage to 35% was due to the fact that the extended workshop area plan in Olakha was also done by pooling 35% only.

Upon analyzing the survey data it was observed that the land pooling contribution varied from +57% to -65%.

The total registered area of 21 plot owners is 908.786 deci. and if 35% only is to be pooled the area to be returned will be 590.7109 deci.

As per the survey, the 21 plot owners are already occupying 462.211 deci. Therefore, TT will have to return further 128.500 deci.

However the area that can be returned after the proposed plotting is only 61.0616 deci. Therefore, it is proposed that only 50% of the area be returned and Thimphu Thromde to compensate monetarily the balance 50% based on the following criteria:

1. It is proposed that half of the plots be returned physically and half in terms of monetary compensation as per PAVA rate.
2. Plots below 130 Sqm (3.2124 deci) to be given monetary compensation only

The amount that needs to be compensated will be Nu. **8,640,152/-** (Nu. Eight Million, Six hundred and forty thousand, One hundred and fifty two only)

Decision:

The Tshogde decided to convene the meeting first with the land owners on the agreement of 35% land pooling. Only then can Thromde finalize on the said criteria to resolve the issue.

Action:UPD

5.11 Dratshang's request to set up a carwash facility at Jungshina LAP

Jungshina Thuemi presented the case by stating that he had received a proposal from Dratshang enquiring about setting up a carwash facility at Jungshina on their registered land.

Decision:

As the similar proposals have been approved in the recent past, Tshogde decided to approve the proposal subject to fulfillment of NEC guidelines. The applicant should be asked to seek necessary clearance from NEC.

Action: Environment Division and CSD.

6. Fixation of date for next meeting

The Chairperson expressed gratitude to all the Thuemes and participants and concluded the 14th Thromde Tshogde Meeting. The 15th Thromde Tshogde Meeting was scheduled to be held on **26th July, 2013.**

Minute written and compiled by Sonam Tashi, Head GIS

