

Minutes of the 15th Thromde Tshogde Meeting

Venue: Conference Hall, MoWHS

Date: 26th July, 2013

Time: 9:30 a.m. - 4:00 p.m.

Members present:

1.	Kinlay Dorjee	Thrompon	Chairperson
2.	Namgay Tshering	Babesa	Deputy Chairperson
3.	Kinley	Changbangdu-Olakha	Member
4.	Kuenga Yonten	Norzin	Member
5.	Ugyen	Dechencholing-Taba	Member
6.	Rinzin Dorji	Changangkha	Member
7.	Dorji Dema	Motithang	Member
8.	Minjur Dorji	Executive Secretary	Member Secretary

Members absent:

1.	Ugyen Penjor	Jungshina-Kawajangsa	Member
----	--------------	----------------------	--------

Opening Remarks:

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

- The Chairperson informed the meeting that looking at the expenditure for the FY 2012-13 it is quite worrying as the expenditure incurred for most of the items exceeded the approved budget. If nothing is done to streamline such expenses then the Thromde's aim of meeting its recurrent expenses from its own internal revenue could never be achieved. Further the Royal Audit Authority may also object to incurring expenses more than the approved budget without seeking approval from a competent authority.
- After a thorough discussion the following decisions were made:

- Starting FY 2013-14 the current budget outlay would be distributed amongst Divisions including the office of the Thrompon and Executive Secretary.
- The responsibility to manage the funds will be entrusted to the respective Division Heads
- The TA/DA and overtime payments will be paid only if approved by the Executive Secretary
- Expenses incurred in excess of approved budget would not be entertained hereafter
- If additional fund is required in the interest of the works then the same should be submitted to the Tshogde with substantiation for approval
- In case of capital works budget re-appropriation should be made before incurring any additional expenses
- The Accounts Section should keep proper records of expenditure against approved budget
- A copy of the budget appropriation should be provided to the Procurement Officer so that office supplies could be issued to each Division based on the approved budget
- The Thromde Tshogde endorsed the excess expenditure incurred during the FY 2012-13. However, henceforth the Tshogde will not consider such excess expenses if prior approval is not obtained.

Action: AFD

- The chairperson informed the meeting that the Ministry of Finance has recently circulated an instruction to all Government Agencies to project budget to pay property taxes. Therefore, the Revenue Section should now send letters to government agencies asking them to remit the property taxes.

Action: Revenue Section, CSD

Review & Endorsement of 14th Thromde Tshogde Minutes:

SN	Issues Discussed/Decision	Decision/ Directives from	Action and follow up by;	Actions to be taken
2	Approval to purchase utility vehicles and one backhoe loader upon replacement	15 TTM		Backhoe loader purchased at a cost of Nu. 2.40 million from internal revenue

3	Supplementary Budget sanction and fund from Revenue account	-do-		Supplementary budget incorporated
4	Issues with regard to Census updating from Babesa Thuemi	-do-	AFD to issue office order to provide a copy to the Thumis of the MAYIG	The census incorporation of the people not enlisted in the "MAYIG" is expected to be resolved soon. The Thsogde also decided that a copy of the Mayig should be provided to all Thumis by the Census Section, TT so that information of all registered persons could be gathered by the respective Thumi including telephone numbers. The census hereafter shall be carried out demkhong wise on a Saturday. However, the people has the option to visit the census office at Thimphu Thromde if they don't wish to avail the services at the respective demkhong. The schedule of census shall be made public through sms rather than media henceforth. Hence, the Thumis should start gathering the information of all registered people.
5	Follow up action till 13th TTM from Babesa Thuemi	-do-		It was decided that the review of the past TTM will be carried for every five past sittings. Hence, the review for 6 th to 10 th TTM will be done today.
9	Development of overhead pedestrian bridges within the city area	-do-	DCD	There are no funds to construct the bridges. However, the TT decided that all documents should be kept ready so that the bridges could be constructed as soon as the funds are mobilized

After the review and further discussions the Tshogde endorsed the 14th TTM.

Adoption of 15th TTM Agenda

The Agendas for the 15th TTM was adopted after incorporating the following additional submissions:

- Expenses incurred for Lt. Prem Rai
- Tshechu Program
- Construction of Meat shop at Centenary Farmer Market
- Approval for construction of residence in G2 precinct
- Approval for purchase of spare parts for Electric Crematorium

Deliberations of 15th Thimphu ThshogdeAgenda 1: Presentation on outstanding issues from 6th – 10th TTM

SN	Issues Discussed/Decision	TTM	Actions to be taken	Follow-up by:
4	Access road request by Dechencholing-Taba Thuemi	6 th	The Tshogde decided that the road will be taken up in the 11 FYP period	Engineering Division
12	E-4 issues (land holding less than 25 decimals)	-do-	The matter to be discussed with MoWHS	UPD
8	Procurement of tipper trucks/road roller/tractor/cycle for URS	7 th	All purchased except road roller	Engineering Division
9	Fixation of lease rate for transfer station	-do-	Pending. However, fencing of the area will be done soon.	Environment Division
12	Homeless people in Norzin street	-do-	Pending. The Tshogde instructed that all intoxicated people sleeping in public places should immediately be sent to the hospital as is decided at a stakeholders meeting on alcohol and drug abuse.	AFD
13	Access road at Chang Gedaphu	-do-	The proposal to blacktop the road is kept on hold as sewer lines needs to be installed first.	Engineering Division
1	E-4 land and Traditional Village inventory	8 th	Traditional village inventory to be presented to the 16 th TTM	UPD
12	Compensation for people residing near IT park	-do-	The road was developed by DoR with funds from IT park so the compensation should be paid by IT Park/DoR	Land Section
1	Rental issues in Thimphu	9 th	Keep it pending as the new government has plans to review the tenancy act	
16	Waste report	-do-	The report should be provided by the inspectors	Environment Division
20	Drains in Motithang	-do-	To be kept pending as there is no plan	
21	Emptying septic tanks	-do-	The Tshogde decided that the stirring of sludge should be done by the public themselves for better desludging of septic tanks.	Customer Service Division
			The drivers of the desludging tankers should not engage in corrupt practices	
4	Audit Memo write off (Revenue Section)	10 th	The Revenue Section should follow up with RAA on the outcome of the decision taken by TT and report to the 16 th TTM	Revenue Section

Agenda 2: Endorsement of proposed road along the buffer next to Nob Tshering's plot in Pamtsho

The Urban Planner presented to the floor the current road plan. He said that as per the current plan the proposed road construction is possible but it would be more costly as "a" huge retaining structure should be built to accommodate the planned road. Then he presented the two proposals one as suggested by Thrompon and the other as proposed by the Urban Planning Division. The plan as suggested by Thrompon would compromise on the buffer rule which states that a minimum buffer of 15m should be maintained on the sides of a stream as the new proposed road would be along the buffer. On the other hand as per the plan proposed by UPD plot reconfiguration will be necessary so that the buffer could be maintained as planned. Also he pointed out the advantages of having buffers and how it would benefit the community as a whole.

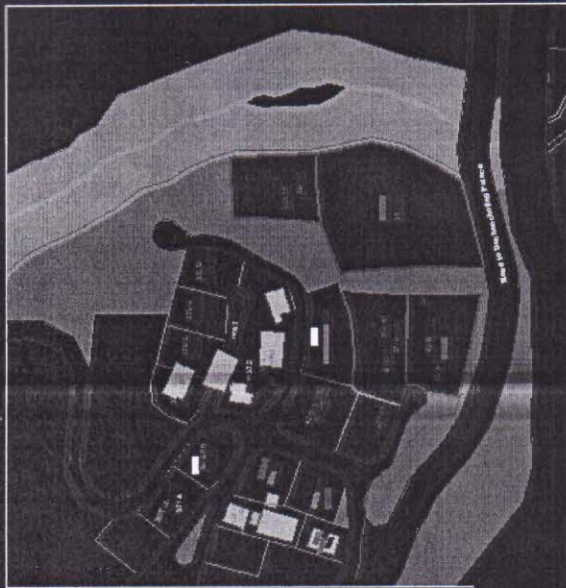
During the course of discussion issues were also raised whether the buffer is indeed necessary for a stream which has no source but is fed by the overflow of a nearby power plant. Further some members suggested that the buffer rule should be reviewed and accordingly introduce buffers for river, stream and spring category so that precious land is not lost and is being prevented from being beneficial for only few people residing near such buffers.

After a thorough discussion it was decided that the proposal as prepared by UPD will be considered (Proposal B). However, if the plot owners do not consent to proposal B, then the proposal A will be explored.

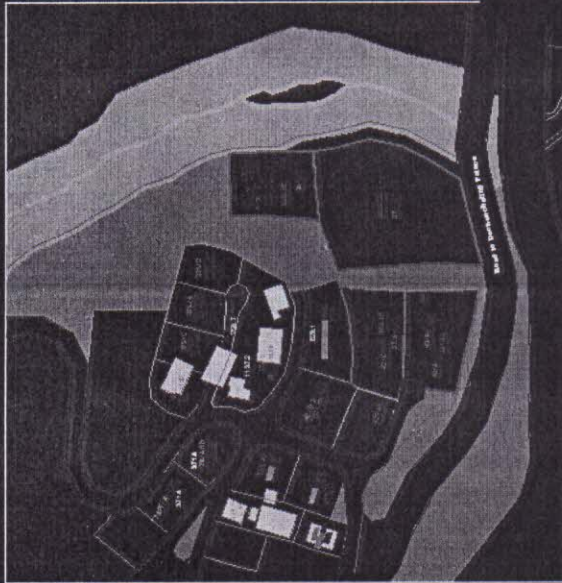
Further to safeguard the green area for general public use a proper fencing should be constructed.



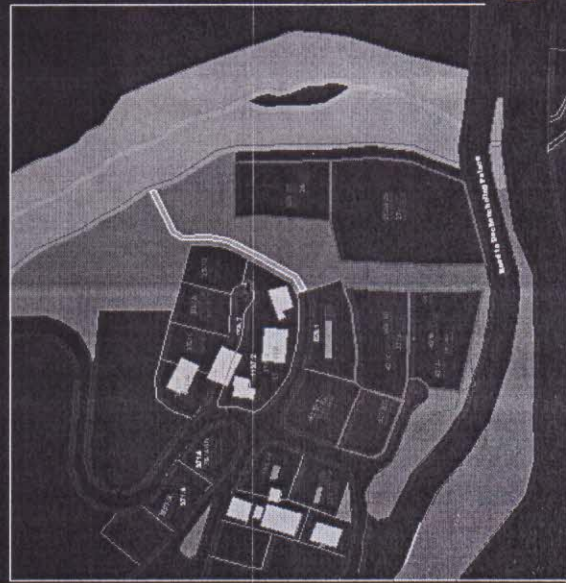
Existing Plan



Proposed Plan A



Proposed Plan B



Action: UPD

[Handwritten signature]

Agenda 3: Land extension proposal for Kuensel Phodrang Primary School, Changbangdu LAP

Based on the proposal submitted by the Kuensel Phodrang School, the Urban Planner submitted to the floor to consider extending the school boundary for future expansion. The school at present has only an administrative cum classroom building and a principal's quarter. The school is lacking even basic games/recreational facilities so the committee endorsed the proposal to include a minimum of 5 acres of government land to the existing Thram. The UPD should however prepare the plot boundary extension taking into consideration of the urban and rural boundaries so that the school premises do not encroach into the park areas and submit to NLCS for formal approval.

Action: UPD

Agenda 4: Plot relocation of Mr. Samdrup Norbu

The Urban Planner submitted to the floor that the plot relocation of Mr. Samdrup Norbu at Chubachu is pending since 2011. The issue was forwarded to the NLCS but to no avail. The owner is now asking the UPD to issue the development site plan at its current location if the plot relocation is not feasible. However, the UPD is reluctant to issue the site plan as the building if constructed will be directly overlooking the Jigme Losel primary School which will not be pleasant at all.

The Chairperson informed the floor that it is understood that the NLCS is not in a position to take up this issue in isolation but would want the Thromde to prepare a plan of the entire core so that the excess/deficit issues could be resolved.

Therefore, it was decided that the issue should be kept pending until the excess/deficit issues in the core area is resolved.

Action: UPD

Agenda 5: Request for Change of Access Raod

The Urban Planner submitted that Ms. Kadum & Gaygay Lhamo has requested vide letter No. Nil dated 7.6.2013 to consider change of access road to their plot at Simtokha LAP from expressway

rather than from behind the building (facing the river) as approved. The applicant has reasoned that the access as approved is difficult to be constructed due to the difficult topography.

After detailed discussion the Tshogde decided that until the planned road from behind the building is constructed by Thimphu Thromde, temporary access to the building from the expressway will be considered. The cost to open the crash barrier should be borne by the applicant but the material should be handed over to TT.

Action: UPD/Engineering Division

Agenda 6: Approval to charge nominal fee for spatial data requests

Head GIS submitted to the floor proposing to charge nominal fee for the spatial data when requests are made by offices and individual. The aim is to recover the expenses incurred earlier in procuring the satellite image by Thimphu Thromde and its derived products.

After reviewing the proposed fee structure the Tshogde endorsed the fee as detailed below:

Data	(Unit)	Rate (Nu.)	Rate/10 decimals (Nu.) APPROVED
Image	Sq. Km	29,000/-	30/-
DEM	Sq.Km	32,019/-	15/-
Contours 2m	Sq.Km	32,019/-	15/-
Feature datasets	Sq.Km	51,186/-	20/-

For printing maps

Size	Rate (Nu.) APPROVED
A0	1000
A1	500

Action: GIS



Agenda 7: Financial support from Tashi Commercial Corporation for dog sterilization

The chairperson informed the floor that a sum of Nu. 100,000.00 were contributed by Tashi Commercial Corporation for the stray dog sterilization program conducted jointly by Thimphu Thromde and Department of Livestock. However, the money was deposited into the Thromde's Revenue Account rather than into the separate account opened for this purpose. Therefore, the Tshogde's approval is solicited to withdraw Nu. 100,000.00 from the Revenue Account and deposit it into the specific account opened for this activity.

The Tshogde approved the submission.

Action: DCAO

Agenda 8: Agendas from Dechencholing Thuemi

- Iron pillar in public places
 - The Thuemi submitted that during the construction of Dechencholing LAP numerous plot demarcation pillars were damaged due to unavoidable circumstances. However, in order to avoid complications in future the need for reinstating the boundary pillar has become necessary. Therefore, he submitted that the construction company be instructed to reinstate the boundary pillars as the construction of roads is nearing completion in Dechencholing.
 - The Project coordinator submitted that the contractor could not be blamed in totality as the pegs are bound to be damaged when the road corridor is cleared as the dividing line between the private plot and the road ROW is just a thin line.
 - After detailed discussion the Tshogde decided that the plot boundary demarcation be reinstated and the cost is borne by the project as compensation.

Action: World Bank Project

- Access road in Taba
 - It was decided that the road which is in bad state would be developed after the rains in the FY 2013-14 itself.

Action: Engineering Division

- Problem between NLCS and Thimphu Thromde

- The Thuemi submitted to the floor that great differences exist between Thimphu Thromde and the NLCS in conducting business. The problem especially could be attributed to the blame game when official papers are misplaced or lost.
- To this the house not only deliberated on the blame game issue but also on the authority of taking decisions such as imposing betterment charges in lieu of land pooling when the pooled land is not at all beneficial to the community at large.
- Since there are many issues upon which differences between TT and NLCS exist the Tshogde decided that a legal opinion will be sought from OAG to ascertain whether the actions taken by TT is in line with the Local Government and Land Acts

Action: UPD/Land/Legal Section

- Salary

- The Thuemi submitted to the floor reiterating that the Thromde Thuemi not only shoulder the responsibility of a Tshogpa in rural areas but also shoulder the responsibilities of Gup. Hence, the Thuemis requests the Thimphu Thromde to submit their grievances with the Royal Government of Bhutan.
- The Chairperson informed the Thuemis that we need to wait for salary revision by the new government since it is already there in their manifesto.

Action: AFD

- Tenancy Act

- The matter was decided to be kept on hold as the new government's manifesto spells out to review the Tenancy Act.

Agenda 9: Snooker club in extended areas

The Thuemis submitted that establishing snooker clubs in the extended municipality should be considered. This is because the general public argues that the percentage of land pooling and the amount of property taxes paid are the same irrespective of the category of the land. Therefore, the general public feels that there should not be any distinction when it comes to business opportunities.

The house deliberated that although the concerns of the public are appreciated the existing rules do not permit to set up snooker clubs in the UV-2 category. But in lieu of one of the business permitted to be established in the UV-2 a sole snooker club may be permitted.

The Tshogde decided that the proposal to consider snooker club in UV-2 be incorporated in the DCR revision.

Action: DCD

Agenda 10: Illegal construction by Mr. Karma, Dechencholing LAP

The DCD submitted that Mr. Karma has constructed a G+1 semi permanent building at Dechencholing without prior approval. Since the building is a semi permanent structure possibilities were explored to regularize the construction but the building do not conform to the setback rule as a setback on one side measures only 2.8m. However, the building is in conformity to the coverage rule.

The Dechencholing Thuemi submitted that Mr. Karma is an innocent and ignorant person so he has not defaulted on the building rules knowingly. Further he also submitted that the approval to construct a single storey structure was allowed after discussion with the Thrompon. The reason for adding a second floor was taken by the defaulter purely based on the site situation. Therefore, he submitted the floor to consider regularizing the construction without imposing any penalty.

After much deliberation the Tshogde decided that Mr. Karma should furnish the site plan, architectural drawings including plan, elevation and section view to DCD for regularization. With regard to the submission of electrical drawings the Tshogde instructed the DCD to seek clarification from BPC.

Action: DCD

Agenda 11: Enforcement of new fine book and waiver of old pending fines

The Building Section submitted that it has become difficult to collect the fines imposed upon the defaulters of waste prevention and management rules and regulations. This is because no records are available about to whom the old fine book were issued. Further the old book does not bear any serial numbers. As such it is evident that whoever possesses the old fine book can just impose fines and issue the receipts at the site itself and may have not deposited the fines collected into revenue section.

Therefore, the Thsogde's approval was sought to introduce the new fine book and to keep track of the books issued and fines collected. Further it was submitted that the old fine books should be cancelled



and whatever fines which could not be collected should be waived off. The reason for waiving off the fines imposed was because it was difficult to trace the defaulters as no details are available especially for the hawkers, non residents and individuals.

However, after quite a detailed discussion the following decisions were taken:

1. Introduce the new fine book. Issue office order asking staffs who possesses the old fine book to surrender the same.
2. The fines imposed earlier should be collected if the details of the defaulters are available
3. Publish the names of the defaulters in print media if details are available to notify them to deposit the fines within the stipulated deadline
4. With regard to soil disposal security fee should be collected in the form of cash/cheque only by the Accounts Section.

Action: DCD

Agenda 12: Expenses incurred for Lt. Prem Rai

The Tshogde was informed that the following expenses were incurred for bringing back the dead body of Lt. Prem Rai, working in the Engineering Division who passed away in Thailand while attending a training sponsored by the government.

1. Advance to Royal Bhutanese Embassy, Bangkok – Nu. 239,197.00

The Tshogde decided that the expenses incurred in carrying out post mortem and logistics arrangements to ship the dead body back to Bhutan could be borne by the office. However, statement of expenses should be availed from the RBE, Bangkok.

Action: Accounts Section/AFD

Agenda 13: Tshechu Program

The Tshogde was informed that as in the past an entertainment program should be organized by the interested private individual/firm during the Thimphu Tsechu period. Hence, an announcement should be made in the media to invite proposal from interested individual/firms. A detailed terms of reference should be prepared before the announcement is made.

Action: Tshering Penjor, Offtg. Chief Environment Officer & Lopen Ugyen Tshering

Agenda 14: Meat Shop at CFM

The Tshogde instructed the DCD to expedite finalizing the design and drawings for the proposed meat stalls at Centenary Farmers' Market. The aim of the new meat stall is to centralize all the meat shops in the core area so that aesthetic and hygiene is improved which could uplift the living environment of the general residents.

Action: DCD

Agenda 15: G-2 Precinct

The DCD submitted that a plot owner is seeking approval to construct a residential building in G-2 precinct downstream of Samarzingkha. But as per the DCR residential structures are not permitted. Hence, the guidance and instruction of the Tshogde is sought as the plot owner who has purchased the land is deprived of any benefits if the land cannot be used other than as forest.

The Tshogde decided that in the interest of the plot owner the UPD should explore availability of 25 decimal land in E4 precinct and the remaining land should be acquired by the Thromde.

Action: UPD/DCD

The Chairperson expressed gratitude to all the Thromdes and participants and concluded the 15th Thromde Tshogde Meeting. The 16th Thromde Tshogde Meeting was scheduled to be held on 27th September, 2013.

Minute written and compiled by Kinley Penjore, Head ADB Project

