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**Thimphu Thromde**  
Building No. 08  
Gongdzin Lam  
Thimphu- 11001 : Bhutan



# Operation Manual

*(A working guide for providing effective & efficient land services)*



**Land Record and Survey Division, Thimphu Thromde**  
**June 2024**

*Version 1.0*

## Foreword

The Land Record and Survey Division under Thimphu Thromde was formally established by the RCSC during its 156th Commission Meeting on March 5, 2019. The Division consists of two sections: the Land Record Section and the Survey Section. The primary mandates of the Division are to manage, regulate, and administer urban land, as well as to facilitate cadastral and survey activities.

As the capital city, Thimphu possesses significant and diverse landed properties. Given the complex nature of land issues in the city, the Division must exercise great care and responsibility in delivering efficient and effective land services. It is crucial that our employees are well-versed in the legal proceedings as dictated by the Land Act 2007. This document should be reviewed periodically since its applicability should adapt to new laws and regulations.

In this context, this employee manual has been developed to guide the Division's employees in their service to Thimphu Thromde.



**(Karma Namgyel)**  
Executive Secretary

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## **List of Acronyms**

1. TCC - Thimphu City Corporation
2. LG - Local Government
3. NLCS - National Land Commission Secretariats
4. NOC - No Objection Certificate
5. OC - Occupancy Certificate
6. PLR - Proportionate Land Right
7. RoW - Right of Way
8. CID - Citizen Identity Card
9. STG - Strata Transaction Guideline
10. PAVA - Property Assessment and Valuation Agency
11. LRSD - Land Record and Survey Division
12. LUC - Land Use Certificate
13. TLMC - Thromde Land Committee Meeting
14. SLA-1 - Application for allotment of State land
15. UPD - Urban Planning Division
16. LAP - Local Area Plan
17. TT - Thimphu Thromde
18. CPLC - Cash Payment in Lieu of Land Contribution
19. BPC - Bhutan Power Corporation
20. IEE - Initial Environmental Examination
21. I&MS - Infra and Maintenance Section
22. COED - Compliance and Enforcement Division
23. SLMD - Survey and Land Management Division
24. GIS - Geographic Information System
25. MAX - Managing For Excellence
26. HRO - Human Resource Outsourcing
27. EPMS - Electronic Payment management System
28. SoP - Standard Operating Protocol

# 1 Objective

The purpose of preparing this manual is to provide a comprehensive and standardized reference document for all services facilitated by the Land Record and Survey Division of Thimphu Thromde. The following are some key purposes of creating this document:

*Standardization:* The manual will help standardize processes, procedures, and practices. It ensures that employees follow consistent methods and guidelines, which can lead to increased efficiency and reduced errors.

*Onboarding reference:* It will serve as a valuable resource for training new employees who can refer to the guidebook to learn about the legal instruments and procedures in order to expedite their onboarding process. Meanwhile, It will act as a quick reference tool for employees to look up information they need on the job.

*Compliance and Legal Protection:* The guidebook contains important legal and compliance information. Employees with such information can ensure that they are aware of their rights and responsibilities, which can help protect the organization from legal issues.

*Conflict Resolution:* In case of disputes or misunderstandings, the guidebook can serve as a reference to resolve conflicts by clarifying policies and procedures. It provides a common source of information for all parties involved.

*Efficiency and Productivity:* By providing clear guidelines and procedures, the guidebook can contribute to increased efficiency and productivity. Employees can spend less time searching for information or trying to figure out how to complete tasks.

*Employee Empowerment & Satisfaction:* A well-structured guidebook can empower employees by giving them the tools and knowledge to perform their jobs effectively and make informed decisions. Providing employees with a clear, organized, and informative guidebook can contribute to their overall job satisfaction by reducing confusion and providing a sense of security.

Overall, a working guidebook is a valuable tool for the Division to ensure consistency, compliance, and effective communication while supporting employee development and organizational growth.

## 2 Scope

The document shall;

- be called as the “Employees Manual for providing effective & efficient land services in Thimphu Thromde 2024”
- Extend to the administration jurisdiction of Thimphu Thromde
- Come into force from the date of endorsement by Thromde Management/ Thromde Land Committee and due consultation with NLCS.

## 3 A brief history of land registration within Thimphu Thromde

Land registration under Thimphu Thromde (formerly Thimphu City Corporation - TCC) began in the 1970s, with the first registrations occurring in the Norzin Lam area. The earliest land grants were accorded through Kasho by His Majesty the Third Druk Gyalpo. Other properties were either allotted through government-issued allotment orders or auctioned by the government.

ROYAL GOVERNMENT OF BHUTAN  
DEPARTMENT OF TOWN PLANNING  
MINISTRY OF DEVELOPMENT  
THIMPHU : BHUTAN.

No. TP/24(3)CCH/1976/76/1914 Dated 12-5-1976.

ALLOTMENT ORDER.

APPLICANT :

The Central Town Planning Committee in its 29th meeting held on 28th April, 1976 has approved the allotment of a plot to Mr. Sama Rinchen.

The details of allotment are as under :

1. Name of allottee : Mr. Sama Rinchen
2. Town of allotment : Thimphu
3. Type of plot : Commercial
4. Size & No. of plot : 100 Sq. M. APC/TP/TH/13
5. Location : Shopping complex between BOD and Swiss Bakery & Confectionery

This is issued with the kind approval of the Hon'ble Chairman, Central Town Planning Committee vide his letter No. ... 11.02.1976 dated 27.5.1976

You are advised that before taking up any construction on the allotted site you may kindly submit three copies of drawings showing the proposed construction for scrutiny and approval of the Central Town Planning Committee.

The drawings submitted must conform to the conditions of sale of site as may be imposed by the Govt. at any time and to Appendix 'A' of this order, or other rules as may be framed by the Govt. in this behalf from time to time.

Arch. Control Sheet & Recommendations of the Expert Committee and h

File No. 24

Copy to :-

1. The Hon'ble Home Minister, Chairman, Central Town Planning Committee, Thimphu with reference to his above quoted

Figure 1 Allotment Order

Initially, the TCC boundary encompassed plots within Thimphu Old City, including eight localities such as CORE Area (Norzin), Chang Gumji, Chang Khorlo, Chang Gayney, Chang Bardo (Zeri), Kawang Damisa, Kawang Dajo & Kawang Jangsa. Later in 1994, the city limits expanded to include peripheral areas like Zilukha, Hejo, Langjophakha, and Changzamtog. The Thram records, known as *Chazhag Thram*, were maintained and are still kept by Thromde. These records contain detailed information about *plots, thrams, ownership, registered areas, occupied areas, and any excess or deficit areas*. The excess/deficit land issues were resolved according to the National Assembly resolution of 1993 and implemented by Thromde.

Plot No.	Area	Ownership	Registered Area	Occupied Area	Excess/Deficit	Remarks
1	26	Changzhang	0.02	0.02	0.00	
2	26	Changzhang	0.02	0.02	0.00	
3	26	Changzhang	0.02	0.02	0.00	
4	26	Changzhang	0.02	0.02	0.00	
5	26	Changzhang	0.02	0.02	0.00	
6	26	Changzhang	0.02	0.02	0.00	
7	26	Changzhang	0.02	0.02	0.00	
8	26	Changzhang	0.02	0.02	0.00	
9	26	Changzhang	0.02	0.02	0.00	
10	26	Changzhang	0.02	0.02	0.00	
11	26	Changzhang	0.02	0.02	0.00	
12	26	Changzhang	0.02	0.02	0.00	
13	26	Changzhang	0.02	0.02	0.00	
14	26	Changzhang	0.02	0.02	0.00	
15	26	Changzhang	0.02	0.02	0.00	
16	26	Changzhang	0.02	0.02	0.00	
17	26	Changzhang	0.02	0.02	0.00	
18	26	Changzhang	0.02	0.02	0.00	
19	26	Changzhang	0.02	0.02	0.00	
20	26	Changzhang	0.02	0.02	0.00	
21	26	Changzhang	0.02	0.02	0.00	
22	26	Changzhang	0.02	0.02	0.00	
23	26	Changzhang	0.02	0.02	0.00	
24	26	Changzhang	0.02	0.02	0.00	
25	26	Changzhang	0.02	0.02	0.00	
26	26	Changzhang	0.02	0.02	0.00	

Figure 2 Changzhang thram

In 2002, the municipal boundary was extended to its current size of 26 square kilometers, incorporating areas such as Samtenling (Babena), Jungzhina, Taba, and Dechencholing in the north, and Changbangdu, Lungtenphu, Lubding, Simtokha, Serbithang, and Babesa in the south. When Thromde received the Thrams for these areas from the Department of Survey and Land Records (DSLRL), excess and deficit issues were resolved per the National Assembly resolution. The Thram records handed over to Thromde were in the form of *single-page* documents containing information about *thram, plot ownership, and registered area*. However, Thromde did not receive documents detailing the *excess and deficit regularization or land transaction* details.





*Returned:* The transaction is returned to the applicant or concerned officials for necessary corrections.

The documents required (not limited to) for a sale-purchase/inheritance transaction is as follows:

- I. *Internal agreement:*
  - Must be endorsed by both parties with legal stamp and witnesses from both sides.
  - Must attach *Death Certificate* if the land owner is deceased.
  - Only Thumb prints shall be accepted on all pages
  - No overwriting/corrections shall be accepted
- II. *NoC from bank (if the property is mortgaged)*
  - Parties must inform the respective banks to enable temporary release of property in the e-sakor system in order to enable the transaction.
- III. *Occupancy Certificate (for building/flat transaction)*
  - A valid OC must be obtained from the Compliance & Enforcement Division of Thimphu thromde
- IV. *PLR Agreement Form:* Unless the PLR (proportionate land rights) of the property is already registered in the Thram/Lagthram, the PLR form is mandatory to apportion the property rights over individual flats/units. The *Building/Flat information validation* form may also be required.
- V. *Common property declaration form:* The parties may also include the easement rights (parking, store, jamthog, basement, road access, etc.) in the PLR form or the Common Property declaration form.
- VI. *Any other document:* In case of easement viz. road access, RoW for utilities, parkings, etc, parties may be required to submit a letter of undertaking.

## 4.2 Check list for Urban Land Transaction

1. Vacant Land Transaction		
Sl.	Requirement	Details
i	Internal Agreement	Requires thumb impression and details of parties involved with CID no, area in sq.ft, plot ID, Thram no, precinct, date and sale value (if sale/purchase). Over writing will not be accepted. (In case of multiple pages, a thumb impression on each page by all the parties including witnesses is required)
ii	Precinct verification	To be verified by the Urban Planning and Design Division.
2. Land with Building (solid/whole) Transaction		
Sl.	Requirement	Details
i	Internal Agreement	Requires Thumb impression and details of Parties involved with CID, area in sq.ft, plot ID, Thram no, precinct, date, building number, sale value (if sale/purchase). Must be mentioned as “under construction” for buildings undergoing construction during the transaction. Over writing will not be accepted. (In case of multiple pages, a thumb impression on each page by all the parties including witnesses is required)
ii	Precinct verification	To be verified by the Urban Planning and Design Division.
iii	Building Occupancy Certificate (OC)	Obtain OC for RCC buildings (or) to whom it may concern certificate for Traditional houses to be obtained from Compliance and Enforcement Division (CoED)
3. Strata (Building & Flat) Transaction		
Sl.	Requirement	Details
i	Internal Agreement	Requires Thumb impression and details of Parties involved with CID, area in sq.ft, plot ID, Thram no, Precinct, date, building number, sale value, flat no (as per Zhichar QR) with Proportionate Land Right (PLR). Over writing will not be accepted. (In case of multiple pages, a thumb impression on each page by all the parties including witnesses is required)
ii	Precinct verification	To be verified by Urban Planning and Design Division;
iii	Building Occupancy Certificate (OC)	Obtain OC for RCC buildings (or) to whom it may concern certificate for Traditional houses to be obtained from Compliance and Enforcement Division (CoED)
iv	Common property declaration form	Form available with Land Division and Thomde website <a href="http://www.thimphucity.gov.bt">www.thimphucity.gov.bt</a> or <a href="https://web.nlcs.gov.bt/">https://web.nlcs.gov.bt/</a>
v	Proportionate Land Right form	Should be endorsed by the co-owners/joint owners if the PLR are not endorsed. PLR form available with Land Division and Thomde website

		<a href="http://www.thimphucity.gov.bt">www.thimphucity.gov.bt</a> and <a href="https://web.nlcs.gov.bt/">https://web.nlcs.gov.bt/</a>
vi	Building validation form	If the building is not updated in Building Information System (Zhichar System), Building number will be provided by GIS section and QR will be provided by CoED
<b>4. Plot consolidation/merging/subdivision and segregation</b>		
<b>Sl.</b>	<b>Requirement</b>	<b>Details</b>
i	Application	Requires Thumb impression and details of Parties involved with CID, area in sq.ft, plot ID, Thram no, Precinct, date. Over writing will not be accepted. Area to be subdivided/merged should be reflected in sq.ft and should be rounded off to the nearest whole number (no decimal points).  (In case of multiple pages, a thumb impression on each page by all the parties including witnesses is required).

<b>5. Other Transactions</b>			
<b>Sl.</b>	<b>Transaction Type</b>	<b>Requirement</b>	<b>Details</b>
i.	Court verdict transaction	Enforcement order along with court verdict.	Along with the Court verdict, an enforcement order should be obtained from the Legal Division, National Land Commission. The applicant should scan and upload all these documents during the filing of online transaction.
ii.	Transaction from deceased	1. Agreement  2. No objection Certificate (NoC)  <i>(Form sample available at <a href="https://web.nlcs.gov.bt/">https://web.nlcs.gov.bt/</a>)</i>	In the agreement, the deceased can be represented by any of the family members. However, agreement is not required in case the heir is the only family member. The parties/individual should also submit an <b>Undertaking letter</b> (along with a witness) affirming the declaration of the rightful heir.  No objection (NoC) from family members for <b>Individual/family ownership</b> and NoC co-owners for <b>joint ownership</b> if individual land share is not mentioned. The agreement must include thram details, area, precinct and date must be reflected and endorsed with thumb impression.  <b>Death certificate</b> or acknowledgement letter from LG if records of the deceased are not updated in the census record.

#### 6. General Requirements;

- Lagthram copy - for all transactions.
- A copy of marriage certificate for transactions between spouses (husband to wife or vise-versa).
- Power of attorney - endorsed with legal stamp and thumb impression of the witness (if the parties are not present during transaction and for collection of Lagthram)
- In case of encumbrances (incomplete document/formalities, non-payment of 3%, encroachment issues, etc.) the transaction will be returned to the applicant.

**Precinct verification to be completed by Urban Planning & Design Division**

Transaction ID: .....	
Thram No: .....	
Plot ID: .....	
The said plot falls under Precinct: .....	
<b>Verified by;</b>	
Name: .....	Designation .....
Sign & Date.....	

#### **4.3 Content of agreement**

- The agreement should have the date of execution and the details of both the parties and their witnesses viz. Name and CID.
- It is mandatory to mention the price of the property (land or building) if the transaction is sale/purchase.
- Should mention details of the land to be sold viz. Thram no., plot no., area and location.
- If it is a flat transaction, the agreement must mention flat no. (as mentioned in the BIS QR and the PLR of the flat.
- The parties may mention any other terms and conditions if deemed necessary.
- The agreement must be endorsed with thumb impressions of all parties involved on the legal stamp.
- Should mention details of the building or any structure built.

#### 4.4 PLR for flat transactions

A clear interpretation of *rights over a property* as provisioned in the STG 2021 is highlighted below;

- a. **Land Rights or PLR:** Shall only be allotted to *unit/s* reflected in the OC (Occupancy Certificate)
- b. **Use Rights:** Shall be allotted to units/structures/spaces which may not be reflected as independent units in the OC but are existing on ground and are agreed between the co-owners. Common properties viz. parking, store, jamthog, basement, etc shall only be entitled for use rights and not PLR.

If the PLR of the flats are already apportioned and recorded in the Thram, it shall prevail in case of any discrepancies (banks, internal agreement). Any changes to be affected in the PLR should be unanimously agreed between all rightful owners.

However, if the PLR is not apportioned;

- The parties may choose to either submit the *flat area* (area occupied by the flat) or the *PLR area* in the agreement form.
- In case the parties submit the *flat area*, the Division will calculate the PLR based on the *size of the flat* as per the formula prescribed in the STG 2021.
- In case of any discrepancies in the PLR issued by the banks and the internal agreement between the parties, the Division shall convey in writing to the parties (bank & owners) to resolve the issue and submit the agreed PLR.
- The parties may also include the easement rights (parking, store, jamthog, basement, road access, etc.) in the PLR form or the Common Property declaration form. Subsequently, use rights may also be recorded for such properties.
- In case of joint ownership over a flat the PLR shall not be further divided amongst the joint owners.

#### 4.5 PLR for Jamthog and Basement

Jamthog and the basement should be officially approved and recorded in the occupancy certificate as an independent unit. Meanwhile, the basis for PLR calculations shall be following the STG 2021.

#### 4.6 Land & Building valuation

- Value of the land will be calculated as: *Area X prevailing PAVA rate*.
- The value of the flat or building will be calculated by the Compliance and Enforcement Division.

#### **4.7 Property Transfer Tax**

- Under the provisions of the *Property Transfer Tax Act 2020*, the property transfer tax of 3%, applicable to both land and buildings, will be calculated based on the value mentioned in the agreement or the PAVA rate whichever is higher.
- Whether the transfer tax is applicable or not shall depend on the provisions of the Act.

#### **4.8 Court verdict transaction**

- Court verdict transactions shall be applied by the concerned citizen/LRSD officials based on the court verdict.
- The transaction shall be based on the enforcement order (*Tarchey Kaja*) issued either by the Court or NLCS.
- Since most of the court verdict does not spell clarity on the PLR (in case of flat transactions) the parties should submit the PLR forms as mentioned under section 4.3 (*PLR for flat transaction*).
- 3 % property transfer tax shall be levied in the case of sale/purchase.

#### **4.9 Withdrawal of land transaction**

- In case of withdrawing a transaction, both parties (transferor and transferee) must submit a joint application requesting to revoke the transaction. Requests from only one party will not be entertained.
- Subsequently, all original documents submitted to the Division shall be returned to the parties with proper handing/taking and the transaction will be deleted from the e-sakor system.

### **5 Land disputes**

All land disputes shall be dealt in accordance with the *Dispute Settlement Guidelines 2018*. The Thromde Land Dispute Settlement Committee shall be comprised of the following members;

1. *Dasho Thrompon (Chairperson)*
2. *Executive Secretary*
3. *Chief, LRSD (Member Secretary)*
4. *Legal Officer*
5. *Concerned Thuemi*
6. *Any other members (as relevant)*

The decision of the Committee shall be conveyed to the parties as per the prescribed format and the appeal period of 10 working days shall be allowed.

## 6 Issuance of Lagthram

As per Land Act 2007 the right to information of a property shall only be issued to the Thram holder. Correspondingly;

- The original Lagthram shall only be issued to the Thram holder of the property.
- However, it may also be issued to individuals authorized by the thram holder. The authorized individual must submit his/her CID copy and phone number for verification by the Division.
- The letter of authorization shall require endorsement (thumb impressions on legal stamp) by the Thram holder along with a witness.
- In case of individuals residing overseas, the authorizations shall also be accepted through emails.
- Lagthram charges (Nu. 500/-) shall be mandatorily collected and a record of proper handing/taking is a must.

## 7 Land registration on LUC

- As per the *Rules and Regulation of the LUC 2023*, allotment of land on LUC is permissible only to Government Institutions, including State-Owned Enterprises and Government owned Corporations and Gerab Dratshang.
- LUC for Agencies other than Thimphu Thromde should be approved by TLCM.
- LUC for Thimphu Thromde shall be recommended by concerned Division and need not be routed through TLCM.
- The applicant must submit the duly filled SLA-1. (Application for allotment of State Land).
- Upon receiving the application, a joint team from LRSD, UPD, and Environment Division shall visit the proposed site for verification.
- The proposal will be endorsed in the Thromde Land Committee Meeting (TLCM) and then submitted to NLCS for further approval.

## 8 Leasing of State land

State land leasing shall adhere to all provisions of the *Land Lease Rules and Regulations 2023*.

### 8.1 Temporary Land lease

- Temporary land lease is a maximum lease term of six months. The applicant shall fill up the forms and submit it to LRSD. Currently Thimphu Thromde facilitates temporary land lease only to private individuals for construction of labor camps and storage of materials for construction of Buildings.



- LRSD along with UPD will verify the proposed area and accordingly approve the proposal if there are no other issues.
- Upon the approval, the lease agreement will be drawn between Thimphu Thromde and the Lessee.
- The lessee shall pay the fees @Nu.5 per sq. ft to Thimphu Thromde on the day of signing the agreement.
- No construction of permanent structures is permitted within the temporarily leased land.
- Leases should surrender the land upon completing the lease term with proper handing-taking.

## **8.2 Long Term Land Lease**

- Long-term leases a lease with a maximum term of 30 years. Currently, Thimphu Thromde does not entertain long-term leases to any of the private individuals due to the scarcity of state land within the Thimphu Thromde.

## **9 Encroachment issues and the way forward**

As per the Land ACT 2007, encroachment on State land shall not be tolerated. The following actions will be taken against encroachment cases;

- Perpetrators will be notified to free the State land within 15 days from the notified period. A copy of the letter will be shared with the CoED (concerned Building Inspector).
- Upon failure to adhere to the notice, a second notice of 10 days will be issued.
- Upon further failure to adhere, the case will be referred to the Management/Land Committee for seeking directives for demolition/further action.
- Plots with encroachment issues shall not be entertained for any land facilitation (transaction, issuance of lagthram)
- Depending on the severity of the encroachment (major and minor) the properties may be put under freeze.

## **10 Excess/deficit cases**

### **10.1 Landowners having deficit area**

- If the area is less than the registered Thram area, the adjustment will be carried from the adjoining available state land but in places where state land is not available, tax paid for the deficit area will be refunded.

### **10.2 Landowners occupying excess land**

- To carve out the occupied excess land and declare it as state land as per rules and regulations for excess and deficit land Thromde, 2015.

- If the area is occupied by permanent buildings, excess land shall be carved out after maintaining a minimum setback of 3 meters.
- While carving out the excess land, reasonable effort shall be made not to render the excess area useless.
- The legal area, after adjusting the land pooling if applicable, shall be demarcated and pegged precisely. The cost of pegs shall be borne by the landowner.
- The concerned Thromde shall take over all excess land as state land within three months of issuing the new Thram.
- The Thram of landowners occupying excess land who fail to cooperate for updating Thrums and/or boundary demarcation shall be left pending. Tax for pending Thrums shall not be accepted and no development shall be permitted on the land. Thereafter, the pending Thrums shall be dealt as per Sections 224 to 226 of the Land Act 2007.

## 11 Pending Thrums

There are a few cases of pending Thrums due to land pooling not agreed upon and excess land occupied, absentee during the cadastral survey.

- Collect kappa from NLCS
- Should abide by land pooling rules and regulation
- NO excess land
- NO encroachment
- Site plan to be prepared by UPD as per LAP and endorsed by the landowner
- There should not be any structures and occupations on the declared Stateland. All structures on the state land should be removed before processing the lagthram.
- Upon completing all formalities, the Division should forward to NLCS requesting for Map and Thram updation and final approval for releasing the lagthram.

## 12 Plot realignment

The facilitation is guided by the ***Realignment Guidelines, 2021*** which emphasizes that *public interest should prevail over individual interest*. Meanwhile, the following are a few important aspects that must be;

- Applicants should submit the realignment form with their proposal.
- The private land to be surrendered should also benefit the State.
- In the event, there should not be any trapped land created.
- Realignment between private owners should be accepted by all the affected landowners.
- The proposed realignment plan should be consulted with the Urban Planning Division to incorporate Thromde plans.
- Recommendations should be forwarded to NLCS for final approval.

### 13 Procedure of availing land demarcation

A standard requisition form for Land Services (demarcation of plot boundaries/ Layout/issuing of the site plan) is designed with detailed information for availing the Service.

- The Landowner may submit a duly filled form to the Land Record and Survey Division.
- The Surveyors should verify the submitted form and issue an invoice to the land owner for payment of the demarcation fee.
- The demarcation fee is levied as per the approval of the 20<sup>th</sup> Thromde Tshogdue convened on 4th June 2020.
- A minimum demarcation fee of Nu. 2000/- shall be levied and the payment shall be to Revenue Unit TT. before the service is delivered.
- The Surveyor may then give an appointment date for the fieldwork.
- Before moving to the field Surveyors have to ensure to prepare the correct site plan with the required coordinates.
- All Surveyors are advised to use the Local projection parameters for the Survey works.
- To ensure accuracy of work, all Surveyors are advised to use Total Station Instruments where the areas are clustered and covered by trees.

### 14 Cash Payment in lieu of Land Pooling Contribution (CPLC)

This land management tool is an arrangement in the land pooling scheme where payment of cash can be accepted in lieu of land contribution and is referred as ***cash payment in lieu of land contribution***. The criteria for CPLC eligibility is as per the “*Guidelines for cash payment in lieu of land contribution in land pooling scheme*”, 2016.

Upon receiving the CPLC proposal from the land owner the case is duly verified by the Urban Planning Division and presented to the Management for endorsement and submission to NLCS for approval. These cases are facilitated only after receiving approval from NLCS along with the Kappa form and the amount reflected for the payment (***prevailing PAVA***). The following formalities are then carried out for completing and processing to NLCS.

- The land owner shall be intimated to pay the CPLC amount to the Thromde revenue unit and obtain a receipt.
- The proposed site plan of the plot shall be prepared by UPD highlighting the plot boundary coordinates.
- The plot is demarcated on the ground and endorsement from the land owner should be obtained.
- After completing the signing formalities from relevant officials in the kappa/endorsement form, the reports are compiled and submitted to NLCS for approval and update.
- Upon approval, Thromde shall print and hand over the new lagthram.

## **15 RoW (road, utilities, and easement)**

### **15.1 Resolving RoW issues**

The Right of Way (RoW) proposal from private individuals/other agencies/Divisions within Thimphu Thromde for the below services should get proper approval from the Thromde.

1. Access Road
2. Footpath
3. Sewerage
4. Drainage

### **15.2 Resolving of Right of Way issues**

#### **15.2.1 Access Road**

1. Thimphu Thromde has the authority to approve or reject the RoW proposal in urban jurisdiction as clearly stated in section 12 of Chapter 2 of Road Acts of Bhutan, 2013, For roads in a Thromde, the Thromde Administration is responsible for the administration and management of all roads, constructed or maintained by it, including any access roads.
2. The road right of way should be following the structural and local area plans and in the absence of such plans, by a notification, in writing duly filled IEE form shall be submitted to the Urban Planning and Design Division (UPDD). The UPDD will review the proposal and issue a layout plan if feasible as per section 268 of the Land Act, 2007, “customary right of way shall not be obstructed.
3. The Land Record and Survey Division will carry out our preliminary verification of land record of the applicants concerning impact on private properties as per section 257 “The landowner/representative shall facilitate by guiding the survey team to the area, showing the boundary of land parcels and providing other necessary information where required”.
4. Under the section 47 of the Regulation for Environmental Clearance of Project 2016, “consent must be obtained from an individual or juristic person if the activity has a direct impact on property”. As a part of the approval process, environmental clearance from the City Environment Division shall be sought before carrying out any ground development.
5. The Construction of private roads through both private lands shall be allowed to connect to adjoining landed properties. In the case of private land, the owners should mutually agree and should lawfully execute an undertaking so as not to cause problems in the future. As it is reflected in section 271 of the Land Act, 2007 “The landowner, whose land is surrounded by the land belonging to other landowners and if he has no access to a public way or his other land, may pass through the surrounding land to reach the public way or his land”.
6. The road shall be constructed in a manner to provide effective stormwater drainage and to prevent run-off onto adjacent property. Section 272 of the Land Act, 2007 states “The place and the manner in creating such passage must be so chosen as to meet the needs of the landowner and at the same time cause as little damage as possible to the surrounding land”.

7. No individuals shall have the user right to a road constructed by them through the state land as stated in section 294 of the Land Act, 2007 “No person or persons shall have the exclusive use right to a road constructed by them through the Government land or Government Reserved Forests land. The new users may contribute to the maintenance of such road”.
8. For the construction of private roads, public consultation is not required and it is also specified in Chapter 3 section 38 of Road Rules and Regulation, 2016 “A proposed closure of a road or part of a road is exempt from the requirement of consultation, if:
  - The road is not public; and
  - No existing access to any land is denied”
9. If any dispute or conflict relating to the road arises, the parties shall be made to settle the matter amicably. In the event of failure to settle the dispute amicably, any party not satisfied may appeal to the Thimphu Thromde through the local representative (thuemi).
10. In case the dispute cannot be settled based on the provisions for appeal to Thimphu Thromde either of the parties can appeal to higher authorities as per section 361 of Land Rules and Regulation of Kingdom of Bhutan, 2007 “Any individual may take legal recourse to prevent the obstruction of a customary right”.

#### 15.2.2 Footpath

- a. Thimphu Thromde may, where it deems necessary, create a footpath to add to the convenience of the general public, or to the convenience of persons residing in the area as per the Chapter Six Section 65 of Road Act of Bhutan, 2013 states” The Department or a Local Government may provide on or by the side of a road managed and maintained by them, a proper and sufficient footway if it is necessary or desirable for the safety or accommodation of pedestrians, and they may light any footway provided by it, if required”.
- b. Property owner’s want to get access to their plot and need to puncture, cut, and dig within the footpath should get proper approval from Thromde. The damages to the road the applicant shall be responsible for remedying the condition to the original state at the person’s own cost.
- c. The footpath shall be constructed properly to provide effective stormwater drainage and to prevent run-off onto the main road.
- d. The property owner during the drawing approval or at the time of construction should inform to Thimphu Thromde Infrastructure Division of the plan map to keep access to their plot as stated in chapter nine section 110 of Road Act of Bhutan, 2013 “The provision of a new means of access to any premises from a road includes the provision of a road, a footpath or a footway to those or any other premises”.

#### 15.2.3 Sewerage, Drainage, and cable lines (water pipes, Telephone, BPC lines, and TV cables)

1. The property owners should design of sewerage and drainage outlet and approve before the actual construction from the Compliance and Enforcement Division (CoED). CoED should

review in the initial drawing approval stage to minimize the effect on the RoW and facilitate in line with the TSP and DCR.

2. The Thromde should convey or provide notice to the applicant to “ensure non-spillage of sewerage and drain outlets and construction materials on the RoW by preventing leakage, overloading and by covering all such materials appropriately” as per the section 77 of chapter nine, Road Act of Bhutan, 2013 during the construction.
3. The landowner or any agency should properly construct or lay drains or pipes, BPC, telecommunication, and TV cable lines in the road RoW or in any land adjoining without affecting the people’s sentiments as per section 275 of the Land Act of Bhutan, 2007 “The landowner of a piece of land is bound, subject to reasonable compensation being paid to him, to allow the laying through his land of water pipes or irrigation channel, drainage pipes, telecommunication structures, electricity poles, and sub-stations or other similar installations by a government agency or for the use of the adjoining or neighboring land if, without making use of his land, they could not be laid or could be laid only at an excessive cost. The landowner may require that his interests be taken into consideration”.
4. Sewerage connection should be given to the nearest manhole or to the manhole which has minimum damage to the existing RoW and ensures that the connection route complies with the minimum gradient and slope required for sewer lines. The utilities cost to connect to the manhole should be bear by the landowner. However, there should not be any damage to the neighboring plot. As clearly stated in section 279 of the Land Act of Bhutan, 2007 “If the lower land is damaged by artificial drainage constructed on the higher land and if before water flowed naturally onto the lower land, the owner of the lower land may, without prejudice to any claim for compensation, require the owner of higher land to construct the drainage right through the lower land to a public drain. The cost shall be borne by the owner of the upper land”.
5. The property owner is to keep RoW provision for installing utility lines (water pipes, cable, telephone, and electricity lines) or keep a sleeve so it will be convenient for agencies or private individuals to lay any lines and there will be less damage to infrastructure facilities. In the Land Act, 2007 section 116 stated “However, he may lay underground water pipes or similar installations on his land at a distance of half a meter from the boundary”.

## **16 Electric pole shifting**

Shifting of electric poles is carried out as per the provisions of *Section 275 to 277 of the Land Act 2007*. The procedure is as follows;

- Application has to be verified by concerned zone Urban Planners, accordingly surveyor has to pick up the utilities' detailed data to planners.
- The planner will forward the copy of the planned map to the Bhutan Power Corporation (BPC) for the preparation of the appointment.
- Upon receiving the appointment date, the surveyor will demarcate the given coordinates on the ground in the presence of the land owner and BPC focal person to shift the plot.
- Survey fees are exempted.

## 17 Access Road

In line with the **Road Act 2004**, Thimphu Thromde has developed an IEE form for **Access Road under Thimphu Thromde (If the proposal is from a private individual/other agencies)**, which involves the following process;

- The application form of access road has to be verified by the Urban Planning Division (UPD).
- The proposed site plan of the access road is obtained from UPD with road coordinates.
- The demarcation of the road is then shown to the owner and environment division on the ground.
- Then, the application has to be forwarded back to the environment division after completing the necessary activities from the survey site.

## 18 Inspection from occupancy certificate

As per the **Development Control Regulation 2016**, the purpose of an occupancy certificate is to guide building certifiers, other building practitioners, owners, and agents. Therefore, the procedure of verifying by survey on the ground is as follows;

- Obtain the internal memo from the head of the Infra and maintenance section(I&MS), Compliance and Enforcement division (COED)
- Set the appointment date and inform the land owners accordingly.
- Pick up the build-up details of the ground and prepare a survey report.
- Submit the report to COED for further process duly signed by the Head of the Survey and Land Management Division (SLMD) or concerned surveyor.

## 19 Survey facilitation for Thromde's project

Surveyors are required to facilitate the survey for the thromdes' project as and when required at any time. However, while facilitating the one should follow the following procedure to have proper workflow.

- Survey facilitation required by any division has to submit the internal memo addressed to the Head of Survey and Land Management Division.
- Upon receiving the internal memo remarked by the head to the surveyor, then the surveyors can survey as requested.
- No charges are applied.

## 20 Data Archival

The role of LRSD is primarily a geo-data collector. Meanwhile, the Division also maintains and archives non-spatial data pertaining to landed properties within the Thromde viz. Land title information, building information, legal documents, etc. While the hard copy documents are archived in the record room under the custody of the division, the geospatial data is handed over to the GIS section for archives.

## **20.1 Hard copy**

- Any documents received are filed in the concerned plot file maintained in the archive room
- Access to plot files by other Divisions (especially UPD and CoED) requires consent from LRSD.
- Proper handing/taking should be maintained

## **20.2 GIS data**

- Cadastral Data (Plot boundary and features) are submitted to NLCS for update.
- Concerned surveyors should ensure that the data is updated in the National Geodb appropriately.
- Topographical and infrastructural-related data are submitted to the GIS section for updating in the Thromde geodb.

## **21 Surveyors LOG in Epicollect, ST**

All Surveyors are required to keep a real time log of their day-to-day field activities through the *Epicollect System*. The Epicollect data can be used for the purpose of resource mapping and evidence based reporting and assessment.

The Epicollect project is titled as “Survey and Land Management System” and the field officers (Surveyors) are required to upload the field data through the epicollect app using their mobile phones.

## **22 Orientation GUIDE for New Recruits and Interns**

### **22.1 Familiarization: Culture & Connection**

- Appraisal to Dasho Thrompon and Executive Secretary
- Introduction to all the department and divisions of Thromde
- Meeting with the Human Resource Officer for completing office joining protocols and formalities.
  - MAX system: Get User ID and Password from HRO.
  - EPMS: Accounts formalities
- Thimphu Thromde social media platforms (Media Relation Officer)
- Familiarization tour within the Organization (with other Divisions)
- Thimphu Thromde social media platforms (Media Relation Officer)

### **22.2 Compliance & Clarification for new recruits:**

- a. Roles and Responsibility: General guidelines for Surveyor
  - Acts
  - Legal Matters



- Rules and Regulations
  - SoP
  - Employee Manual
- b. Assignments
- Area of Responsibility (zones)
  - Survey field Assistants
  - E-sakor and My NLCS credentials and password
  - CORS credentials and password
  - Epicollect
- c. Procurement & Handing Taking
- Logistics & Office equipments/Requisition form
  - Instruments
  - Cadastral Data

## 23 Standard turnaround time (TAT) for land services

Sl.	Service/Facilitation	TAT	Remarks
1.	Verification and Acceptance of Transaction	4 days	The LR should verify and either accept/reject the transaction within 4 days from the date of submission.
2.	Land Transaction (Notification period in Thromde)	30 days	From the date of ACCEPTING the Transaction
3.	Resolution of Kappa Pending	15 days	The TAT pertains to the formalities at Thromde level. It does not account for the TAT of NLCS.
4.	Plot Realignment	15 days	
5.	Long Term Lease	30 days	
6.	LUC	30 days	
7.	Temporary lease	10 days	
8.	Boundary Demarcation	3 days	
9.	Site plan (Soft Copy)	1 day	
10.	Lagthram printing	1 day	
11.	Land valuation	1 day	

12.	Property verification (Housing)	1 day	
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## 24 Surveying Standards and Tolerances

The basis for all survey works shall be in accordance with the Guidelines for NCRP works in Thomde 2012. As per the guidelines, the survey tolerance for urban areas should be maintained within 0.5%.

## Legal References

Department of Human Settlement. (2017). *Building Regulations and Land Pooling Scheme 2017*.

Department of Revenue & Customs. (2020). *Rules on the Property Ownership Transfer Tax Act of Bhutan 2020*.

Khandu,S. (2009, April). *National Land Commission Survey Manual*. 3<sup>rd</sup> edition, National Land Commission/Thimphu/Bhutan.

National Land Commission Secretariat. (2021). *Strata Transaction Guideline 2021*.

National Land Commission Secretariat. (2018). *Land Dispute Settlement Guidelines 2018*.

National Land Commission Secretariat. (2023). *Rules and Regulations for Lease of Government Reserved Forest Land & Government Land*.

National Land Commission Secretariat. (2021, August 27). *Guideline for plot boundary realignment/reconfiguration*.

Royal Government of Bhutan. (2004). *THE ROAD ACT OF THE KINGDOM OF BHUTAN 2004*.

Thimphu Thromde. (2016). *Thimphu Thromde Development Control Regulation 2016*.

NCRP (2012). *Guidelines for NCRP works in Thromde 2012*.