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THIMPHU THROMDE

Minutes of 9th Thromde Tshogde Meeting

Venue: Namgay Heritage, Conference Hall
Time: 2:00 pm – 7:30 pm
Date: 11th May 2012

AGENDA FOR THE 9th THROMDE TSHOGDE MEETING.

Venue: Conference Hall, Namgay Heritage

Time: 2:00 PM - 7:30 PM

Date: 11th May 2012

Sl. #	Agenda	Submitted by:
1	Review & Endorsement of 8 th Thimphu Thromde Tshogde minutes	Member Secretary
2	Adoption of Agenda for 9 th Thromde Tshogde.	Member Secretary
3	Rental issues in Thromde	Norzin member
4	Need of fire brigade in Dechencholing	Dechencholing-Taba member
5	Land for constructing Lhakhang	-do-
6	Criteria for betterment charges	UPD
7	Request from Yab Ugen Dorji regarding plot no. 60, Thram no. 772 at Babesa	-do-
8	Betterment charges for plot at Taba	-do-
9	Conversion of E-4 precinct into UV category	-do-
10	General DCR for Hejo-Samtenling	-do-
11	Endorsement of overtime job	DCD
12	Conversion of UV-II to UV-I	UPD
13	Nuisance created by late night construction activities within town area	DCD
14	General outstanding issues related to building construction deviation, occupancy certificate, basement conversion, illegal developments etc.	-do-
15	Building valuation of property transfer	-do-
16	Demolition Team	-do-
17	Service charge for copy of drawings	-do-
18	Waste Report	Environment Div
19	Penalty for soil dumping at Motithang	-do-
20	Lyonpo Chenkhab's electrical connection for street light from his private property	Engg. Div

21	Street lights	Motithang member
22	Drains	-do-
23	Emptying of Septic Tanks	-do-
24	Waive off of transaction fees of land transfer from Aum Kinley Bidha to Aum Passang Lhamo	Babesa member
25	Land replacement for the affected areas in the E-4 zones by electric poles	-do-
26	Driglam Namzha	-do-
27	Horses from Lingzhi gewog	-do-
28	Garbage issues with neighboring gewogs bordering to Kuenselphodrang sharing with Chang gewog and Dechencholing area sharing with Kawang gewog	-do-
29	Request from all the Thuemis understanding the problems of building inspectors.	-do-
30	Problems with the transaction fees for joint ownership	-do-
31	To circulate agenda in Dzongkha	-

MINUTES OF THE 9TH THROMDE TSHOGDE MEETING.

Venue: Conference Hall, Namgay Heritage.

Date: 11th May 2012

Time: 2:00 PM - 7:30 PM

The following members were present during the meeting:

1.	Kinlay Dorjee,	Thrompon,	Hon'ble Chairman
2.	Namgay Tshering,	Babesa Member	Deputy Chairman
3.	Kinley,	Changbangdu-Olakha	Member
4.	Kuenga Yonten,	Norzin	Member
5.	Ugyen Penjor,	Jungshina-Kawajangsa	Member
6.	Ugyen,	Dechencholing-Taba	Member
7.	Dorji Dema,	Motithang	Member
8.	Rinzin Dorji,	Changangkha	Member
9.	Minjur Dorji,	Executive Secretary	Member Secretary

Also the following officials of Thimphu Thromde were present as an invitees:

1. Rinchen Wangdi, Head, Customer Service Division
2. Sailesh Humagai, Offtg. CUP, Urban Planning Division
3. Pema Dorji, Offtg. Head, Environment Division
4. Jigme Dorji, Offtg. Head, Development Control Division
5. Rinchen Wangdi, Planner, UPD
6. Suk Kumar Gurung, Planner, UPD
7. Kinley Penjore, ADB Project Manager
8. Tshering Pem, Assistant Dzongkha Coordinator

Opening Remarks by the Chairperson:

The chairperson welcomed the council members and other attendees to the 9th meeting being held after 2 months of the last meeting. The chair made special remarks on the following for the information of the house:



a) **Customer Service Division:** The chair said that due to the hard work done by the Engineering Administration & Finance and the Customer Service Divisions, the Customer Service Centre could be successfully opened on 15 May 2012. Therefore, the council would like to offer its gratitude to all the people involved in making the CSC a reality.

However, he said that the council expects more efficient and timely delivery of services to the public and the CSD should strive to achieve the same.

b) **Solid Waste Management:** The chair informed the floor that the town is becoming cleaner by the day with the enforcement of the Solid Waste Management Rules and Regulations (SWMRR) on 18 April 2012 because of the good work done by all. However, the house was reminded that to continue the good work the individual house owners should be entrusted the responsibility to keep their surrounding clean. To ensure that the surroundings are kept clean in every nook and corner of the city the city is now divided into 10 zones and a group of designated inspectors including representatives of the area in each areas are now being put in place not only to enforce the SWMRR but to also oversee all kinds of activities which are against the law like illegal constructions.

He also said that even though the inspection group is put in place all individual working in Thimphu Thromde should take initiative to enforce the SWMRR and should not hesitate to penalize the defaulters.

c) **Inadequate Water Supply:** The chair informed the house that the water shortage in Changbangdu/Changzamtog area could not be solved as planned because some problems were detected with the underground water system constructed. Nevertheless, the Engineering Division has rectified the problem by reducing the angle of the bends in the pipe and constructing thrust blocks at the critical bends. It is hoped that the water could be provided to the residents in the target area within a week's time.

1 Adoption of the Agenda

The chair informed that there are 20 issues to be discussed as per the agenda. He then enquired whether there is any addition or deletion of the agenda. Hence, the following 5 new issues were added in the agenda:

- i. Demolition Team

- ii. General DCR for Hejo/Samteling
- iii. Service charge for the copy of drawings.
- iv. Agenda to be circulated in Dzongkha

With the addition of the above 4 issues the agenda was adopted.

2 *Review and Endorsement of the 8th Thimphu Thromde Tshogde Minutes*

The member secretary submitted the review of the 8th Tshogde Minutes.

- a. **E4 and Traditional Village Precincts** – since the works are not complete 2 more weeks was provided to complete the Inventory of the E4 and Traditional Village precincts.
- b. **Budget Proposal for Financial Year 2012-13** – The budget for the FY 2012-13 was submitted to the Department of National Budget, Ministry of Finance. The only deletion at the moment is the construction of City Hall. However, the DNB informed that the matter will be submitted to the Cabinet for further directives. The approved budget once received will be presented to the Thromde Tshogde for further approval for allocation of funds to critical activities.
- c. **Nomination of candidates from respective zones** – the nomination was completed on 4 May 2012 with the exception of Norzin Demkhong. A meeting was also convened with the building/sanitary inspectors and the local representatives and an agreement has been signed as well. A query was made from when the remuneration of the local representatives could be made. To this it was decided that the local representatives of Lungtenphu and Babesa (5 persons) should be paid from 1 April 2012 as they have been working from that day. The other should be paid from 1 May 2012. It was also decided that mobile phone vouchers @Nu. 300/- per month will be paid to all the inspectors including local representatives (32 persons in total) to facilitate effective and timely communication regarding issues in the respective zones.

A query was also raised as to whom the local representatives should report to while it is clear that the building/sanitary inspectors would report to the respective division. To this it was decided that a team leader would be chosen on service seniority basis among the building and sanitary inspectors. The inspectors and the local representatives should report to the team leader who in turn will report to the overall head who is the Chief, Customer Service Division.

It was also decided that the inspectors should submit monthly report specifying what has been done and how much fine has been imposed. If illegal actions are observed by others then the inspectors would be held accountable. Furthermore, it was decided that the identity cards of the local representatives should be provided at the earliest.

- d. **Access to plots 147/PT-A and 13/PT-A in Lungtenphu LAP** – Since the plots belongs to Thadra Gonpa as per the cadastral map the plot is not relocated.
- e. **Access Road in Olakha** – the road connecting the underpass at the Olarongchu expressway bridge is currently being developed by M/s Bhutan Engineering Company Pvt. Ltd. as an additional work and is expected to be complete by end of the month.
- f. **Traffic congestion in Sabji bazaar** – the traffic congestion is eased by designating a one-way road in consultation with the traffic police.
- g. **Maintenance of road above Changangkha Lhakhang** – nothing could be done at the moment
- h. **Same building height like others for Jungshina and Pamtsho** – the decision to provide same building height is being implemented
- i. **16 pending issues in Babesa** – Since the issue is with the National Land Commission Secretariat it was proposed that the case be taken up by the Thrompon with the NLCS.
- j. **Apple compensation for the people residing near IT park** – the case was submitted to the Ministry of Information and Communications as the apples had to be cut down during the construction of the road to IT park.
- k. **Support for reconnection of the water pipe** – the pipe belonging to the house owners damaged by the contractor while implementing the Simtokha LAP works is procured and replaced by the contractor.
- l. **Moratorium on construction activities at Motithang and Changangkha** – the moratorium on construction activities is implemented.

3 *Rental Issues in Thimphu Thromde*

The Norzin Thuemi submitted that the public has requested the City Council to look into the rental problems faced by the tenants in Thimphu Thromde. The complaint is that the building owners do not follow the tenancy act and revises the rent quite frequently. In this regard, it was discussed that although the Ministry of Works and Human Settlement has instructed the local governments to implement the Tenancy Act a clear cut rules and regulations has to be formulated and provided to the local governments. It was also discussed that more work needs to be done to implement the act including the following:

- a) An exhaustive data base is required to ascertain the number of tenants in the city
- b) A separate office may be required to oversee the implementation of the lease agreements

It was finally decided that the MoWHS will be requested to prepare the rules and regulations and provide further clear cut directives for implementation of the tenancy act form July 2012.

Action: AFD to take up the issue with MoWHS

4 Need of Fire Brigade in Dechencholing

The Dechencholing Thuemi submitted that a fire brigade is required at Dechencholing which could also provide services to the residents of Begana and Kabisa during emergency. Moreover, a land measuring about 20 decimal would be required to set up the fire brigade facility. The proposal was welcomed by all and it was decided that the land would be provided in the neighborhood node area in the local area plan. However, with regard to the fire brigade a request would be submitted to Royal Bhutan Police.

Action: AFD to take up the issue with RBP

5 Land for Lhakhang Construction

The Dechencholing Thuemi also submitted to allot a land to construct a Lhakhang in the area. It was decided that the Lhakhang could be build in the heritage precinct where the land has already been demarcated.

Action: Dechencholing Thumi to construct the Lhakhang in the heritage precinct

Issues submitted by Urban Planning Division:

6 Criteria for Betterment Charges

The Urban Planning Division presented the criteria developed to impose betterment charges in lieu of the land pooling where required for review and approval by the council. It was reported that in principle the betterment charges are applied where no land is available for pooling. However, with the absence of clear criteria it is difficult to apply the betterment charges. Following are the proposed criteria:

- i. Availability of area in the plan
- ii. If the plan is not affected by allowing to retain the whole/partial portion of the land
- iii. If the plot is already developed and there is no vacant land physically available to pool after maintaining the required setbacks

- iv. No roads, footpaths, drains and amenities are compromised as per the plan
- v. The pooled land does not have a reasonable benefit in the overall plan

The proposal was endorsed by the council. However, the following should be observed:

- a. A Betterment Charges Committee/Land Acquisition Committee has to be instituted who should investigate the viability to impose betterment charges.
- b. The findings of the committee should be submitted to the council for taking decisions
- c. All the issues in one area should be submitted together rather than on case by case basis
- d. The findings should be substantiated by a documentary evidence like photographs and maps (both cadastral and plan)
- e. The proposed criteria shall be forwarded to NLCS for their information

Action: UPD to submit the criteria to NLCS

7 *Request from Yab Dasho Ugyen Dorji regarding plot no. 60, Thram no. 772 at Babbesa -*

It was submitted that Yab Ugyen Dorji has requested the following with regard to his plot No----at Babesa:

- a. Allow him to develop the land without having to adhere to the buffer rules
- b. Allocate a substitute land if land development is not allowed
- c. Provide monetary compensation at market rate rather than PAVA rate

With both (a) and (b) not possible, it was decided to explore whether there are any vacant plots in E4 area and seek the opinion of the applicant whether he would accept the proposal.

Action: UPD to identify vacant E4 plots and seek opinion of the applicant and submit to the next meeting

8 *Betterment Charges for Plots at Taba*

It was submitted that Ms. Rinchen Dolma and family has requested to levy betterment charges in lieu of land pooling for the Plot nos. 30,31,35,31/A&B, 34,35A,33,35A-1, 30A & 30A-1 in Thram No. 269,1168, 1169, 1170, 1171, 1172, TT-358 & TT-746 at Taba the reason being that the plots are totally isolated from the overall local area plan. The applicant also submitted that the land required for roads and other amenities will be provided through land pooling rules and the balance land pooling area will be paid as betterment charges. After detailed deliberations the following suggestions were made:

uf

- a. No sub-division of the land should be done by the Thimphu Thromde
- b. One access to one plot should be provided
- c. Service plots should also be created through land pooling
- d. Create some public plots as well for use in future
- e. The balance land can be considered for betterment charges

Therefore, the decision was made to revise the plan taking into consideration of the above suggestions and present it to the next council meeting.

Action: UPD to revise the plan and submit to the next council meeting

Regularization of trap land – It was reported that Ms. Dechen Peldon Dorji holding plot No. 105 and Thram No. 588 has requested to regularize and allot the trap land in front of her plot. After a brief deliberation it was decided that the trap land be retained as it is so that it can be used to construct drains in future if required.

Action: UPD to intimate the decision to the applicant

Betterment charges – It was reported that Tashi Zomba holding plot No. 951B and Thram No. 924 with a registered area of 11 decimal falls in the guided land development area where the land pooling of 12.67% is applied. At present her land is fully developed with retaining wall all around her plot. Further, it was reported that a joint site visit was done together with Dasho Thrompon and the plot owner and found that it was not feasible to pool the land. Hence, UPD was instructed to revise the plan taking into consideration to levy betterment charges amounting to Nu. 139,491.50 instead of land pooling and submit to the City Council for approval.

After a brief deliberation the council approved the submission based on the fact that the land pooled would not affect the overall plan of the local area.

Action: UPD to intimate the decision to the applicant

9 *Conversion of E4 to UV Category*

It was submitted that Ms. Karma Dolkar & Rinchen Padey holding a plot No. 41&41C, Thram No. 89 at Semtokha (ck if correct) has requested to convert their plot from E4 to UV category. The request has been made taking into consideration that ground profile on the right bank of the Olarongchu which is considered as UV as per the local area plan and the ground profile on the left bank where there plots are located are similar but are considered as E4 as per the plan.

The house deliberated in length on the issues such as whether the applicant would participate in the land pooling exercise. But the house also raised concerns that precedence may be created if the applicants request was considered and the entire E4 area in the same locality may have to be converted to UV. Therefore, the following decision was made:

- a. The issue of the E4 areas in general has to be solved first
- b. Hence, reject the applicant's proposal and retain the precinct as E4.

Action: UPD to intimate the decision to the applicants accordingly

10 *General DCR for Hejo-Samtenling*

It was proposed that the General DCR be applied instead of specific DCR for Hejo-Smateling LAP. The council decided that the proposal be studied thoroughly and incorporate in the DCR review and revision and submit it to the Ministry of Works and Human Settlement for approval.

Action: UPD to incorporate the changes in the DCR revision

Issues submitted by DCD:

11 *Endorsement of Overtime job*

It was submitted that the officials involved in drawing scrutiny for private building construction worked over time to clear the back log of building construction applications and the officials are granted 2 months basic pay as an incentive for the job in 2011 while it varied from 1.5 month to two months in 2012 depending on the amount of work. The issue is submitted to the council because as per the Bhutan Civil Service Rules the officials above "S" category cannot be paid any overtime payment and thus could warrant audit objections.

To this the council suggested that a report should be submitted with the following features to take appropriate decisions:

- a. What was the number of the drawings being backlogged
- b. How many days are required to scrutinize one drawing
- c. How many drawings were scrutinized during normal working hours
- d. How many drawings were scrutinized during the overtime period
- e. What was the revenue generated by means of imposing scrutiny fee
- f. Even the Note-Sheet approved by the management should be submitted as a supporting document

Action: DCD to submit the desired information to the next council meeting

12 Conversion of UV-II to UV-I

It was submitted that the plot owners below the JDWNRH (Hotel Rignam line) has requested to convert their plots from UV-II, MD to UV-I precinct and permit them to construct G+4 buildings. The request was made taking into consideration of the fact that the plots were earlier designated as a commercial area in the 1992 urban development plan and therefore the plot owners had been paying the commercial tax rates. Moreover, most of the plot along the stretch were developed prior to DCR regulation and are used for commercial activities. However, during the preparation of the structure plan the area was categorized as UV-II which according to the applicants is unfair. Therefore, taking into consideration of the above submissions it was recommended that the plots be categorized as UV-I but allow only G+ 3 constructions with 50% coverage. The proposal was endorsed by the council and further instructed that a copy of the minutes be attached with the plot file for future reference on how the decision was taken.

Action; UPD & DCD to reflect the changes in the plan and inform plot owners about it.

13 Nuisance created by late night construction activities within town area

It was reported that the general public has raised concerns on the disturbance created by late night construction activities in the town areas. To this the house felt that the council should take appropriate decisions to control noise pollution as it is enshrined in the local government act. The council also deliberated on the difficulties faced by the building owners in repayment of loans if the construction is prolonged due to ban on late night construction. However, it was felt that the citizens right to a peaceful atmosphere should be respected and hence the following decisions were made:

- a. Late night construction which do not emit noise will be allowed

- b. Any activity which causes noise pollution like cutting the tiles/marbles, using vibrators for concreting, using power chain saw, etc will not be allowed from 9:00 pm to 8:00 am.
- c. The Thimphu Thromde should make a general notification in the media to inform all the builders to abide to the notification
- d. And also inform all the building owners whose construction is in progress
- e. All above issues shall be captured while revising DCR

Action: DCD to make a public announcement

14 General Outstanding Issues related to building construction deviation, occupancy certificate, basement conversion, illegal developments, etc.,

It was submitted that there are several outstanding issues with regard to the deviation from approval drawings such as conversion of Jamtho to residential space, conversion of basement to residential units, enclosure of Verandah to rooms, illegal constructions, encroachment to government land etc. In the beginning heavy penalty was imposed with the aim to curb illegal constructions but penalty was never paid nor was demolition done in the past. However, since most of the issues are old case the Tshogde had decided to levy certain nominal fees and regularized them as long as the life and safety of the resident is not compromised. The Division presented regularization fees as per DCR and other fees approved in the past by the City Committee as follows;

1. Deviation during construction or illegal construction which conform to DCR regulations....

Amount = Deviated area x 1 * (prevailing unit area of construction based on current BSR)

2. Change of use without approval;

20% of the cost of construction

3. For Illegal constructions (Nominal fee has been applied)

Amount = (5000 + 30/Sqft) x 3 based on BBR

4. Attic regularization fees = 46.14/SQM

5.

The council decided to impose nominal fees (category 3) for regularizing the pending issues and also instructed the following

- a. A copy of the building construction approval should be given to the concerned Thumi so that deviations can be controlled from the very beginning

- b. Any illegal constructions should be dismantled as soon as it is observed

Action: DCD to work out the penalty and submit to the next council for approval

15 *Building Valuation for Property Transfer*

It was reported that it has become difficult to assess the value of the property especially to calculate the property transfer tax during property transaction as there are no clear cut rules to assess the property value. Normally, the property value should be assessed taking depreciation into consideration as the life of the structure reduces with the passage of time. However, the matter is made complicated because the compensation of a structure is assessed based on the current market rate which in fact should also have been assessed taking depreciation into consideration. To this the council said that the although the logic seems to be reasonable but the property values should be assessed as follows:

- a. Property Transfer – the valuation should be assessed taking depreciation into consideration. However, if no document could be produced to specify the age of the structure then the depreciation should not be considered.
- b. Compensation – the existing rules for compensation should be honored and hence depreciation should not be applied.

Finally it was decided that the modality of assessing the values for property transfer should be included in the DCR during the revision of the DCR.

Action: DCD to include the modality to assess the property value in the DCR revision

16 *Demolition Team*

In order to abide by the instruction to demolish any illegal constructions at the very beginning a demolition team is necessary. Therefore, it was submitted to approve forming a demolition team and some remuneration for the members. Taking into consideration of the importance of the team the council approved the following:

- a. A demolition team comprising the following will be constituted (Thrompon, Executive Secretary, Head DCD, Head UPD, Head Engineering, Head CSD, , Legal Officer, Concerned Thumi, a representative of Royal Bhutan Police).
- b. A lumpsum remuneration of Nu.1000.00 (One Thousand) per demolition which will be met from the current budget.

17 Service Charge for Copy of Drawings

It was reported that people come to the DCD asking for a copy of the approved drawings even though plot file is with Survey and Land Section. The need was realized due to difficulty in getting a copy or the plot file is missing. In order to maintain complete record of a plot it is important to provide a copy to the customers but record maintaining staffs have to produce copies and decided to charge nominal fee of Nu. 1000 per copy.

Action: Head of Survey and Land Section

Issues submitted by Environment Division:**18 Waste Report**

The environment Division submitted a report on the actions taken based on the waste prevention and management rules and regulations 2012. It was reported that till date fine was imposed to 30 defaulters but only 22 paid the fine. There are 6 defaulters who have not paid the fine and 2 had to be cancelled. The amount of fine still to be realized from the defaulters is Nu. 180,000/-. The council appreciated the good work done by the Environment Division but instructed that all the Thimphu Thromde officials should take part in enforcing the rules.

The council also approved that 50% of the fine amount realized be given to the concerned inspectors as an incentive. However, the council also instructed that the inspection should be carried out till 11:00 pm and also station 3 people at the city bus parking as the area is littered very badly.

Action: Environment Division to designate 3 people to monitor littering at City Bus Stand

19 Penalty for Soil dumping at Motithang

It was also reported that the defaulter from Motithang has requested to waive off the penalty or to consider 50% discount on the total fine amount. The reason being that the defaulter has removed 50% of the illegally dumped soil and has also leveled the remaining soil dumped at the site.

To this the council approved to impose only 50% of the fine imposed but asked the ED to maintain proper records to substantiate that 50% of the illegally dumped soil has been removed by the defaulter. It was also decided that 50% of the fine as incentive to concerned inspector shall not be applied for above case.



Action: Environment Division***Issues submitted by Engineering Division:*****20 *Lyonpo Chenkhab's electrical connection for street light from his private property***

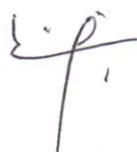
It was reported that a letter No. TCC-Eng/E(05)/2011-12/1257 dated 25 April, 2012 was sent to the Hon'ble Lyonpo requesting to arrange a separate electrical connection form his own premises which as of now is being connected to the public street light system. Moreover, it was also mentioned in the letter that maintenance works for the lighting within Lyonpo's compound will not be taken up Thimphu Thromde henceforth. In response a letter No. RPC/DZT/14/2012/872 dated 30-4-2012 of the Chief Administrative Officer of the Royal Privy Council was received wherein it was stated that Lyonpo has been granted equal status to that of the Council of Ministers and also receives the same benefit to that of the Ministers. Therefore, the request was that the Thimphu Thromde should consider providing street light connection and carrying out maintenance works.

The council decided that the Lyonpo should be informed to get separate connection since Thromde has not mandate and fund allocation to provide such free services.

Action: AFD to intimate the decision to the applicant***Issues submitted by Motithang Thuemi:*****21 *Streetlights***

The Motithang Thuemi reported that several complaints have been received from the residents residing behind Lhatshog Tshongkhag that miscreants have broken down car windows and also indulged in other form of vandalism to public and private properties. Hence, the residents are requesting to install streetlights in this area. Furthermore, the Thuemi requested that a proper survey be carried out to assess the need of installing streetlights in other areas in the locality.

In this regard it was decided that since the requirement of streetlights seems genuine the works will be carried out in the FY 2012-13 as there is no budget in the FY 2011-12.

Action: Engineering Division to include the work in the FY 2012-13 work plan

22 Drains

The Motithang Thuemi also reported that in the same area the roadside drains have been either damaged or completely broken due to the construction of the access to plots. Hence, a discussion is required as to how serious actions could be taken against the defaulters as a Thumi alone cannot deal with the defaulters. The council decided that the Engineering Division should investigate and report on the findings so that appropriate actions could be taken.

Action: Engineering Division

23 Emptying of septic tanks

The issue was not discussed as it was felt that the issue should have been submitted to the Engineering Division who in turn should study the proposal and submit its recommendations to the Council for giving appropriate decisions. However, it was decided that the matter be forwarded to Engineering Division who in turn should come up with recommendations to be discussed in the Thromde Management Meeting.

Action: AFD to intimate Engineering Division to take appropriate actions

Issues submitted by Babesa Thuemi:**24 Waive off of transaction fees of land transfer from Aum Kinley Bidha to Aum Passang Lhamo.**

Babesa Thuemi submitted that Aum Kinley Bidha has given an undersized plot of land to Aum Passang Lhamo in the Babesa traditional village area. However, as the recipient is not in a position to pay the transaction fee and property transfer tax the land transaction could not be completed. Hence, the recipient has requested to waive off the transaction fee and property transfer tax by the council. To this the council suggested that since an undersized plot cannot be processed for transaction the matter be referred to the Gyalpoi Zimpon to solicit KIDU for additional land required to make a standard plot.

With regard to the waiver of property transfer tax the recipient should approach the Department of Revenue & Customs for consideration.

Action: AFD to intimate the decision to the applicant

25 Land replacement for the affected areas in the E-4 zones by electric poles

The Thuemi reported that there are several plots being affected by the HT lines of the Bhutan Power Corporation especially in the E-4 areas. Hence, it was suggested that land replacement be provided for such plots affected due to HT lines. The council suggested that since such cases are not immune to Thimphu Thromde alone a policy change may be required. Therefore, the council decided that no action can be taken and such cases cannot be entertained by the council in future as well.

Issues from DYT

The Babesa Thumi in the capacity as the Dy. Chairperson of the Thimphu Thromde Council represented Thimphu Thromde at the Thimphu Dzongkhag DYT and the followings are the submission to the council for deliberation and taking appropriate decisions:

26 Driglam Namzha

As per the resolution of the Thimphu Dzongkhag DYT the Thimphu Thromde should formulate and strictly enforce the rule to let all the residents in Thimphu Thromde to wear Gho/Kira to preserve the traditional customs. To this the council said that the Thromde may not have the authority to formulate rules to make people wear Gho/Kira at all times. Hence, the council decided that all the visitors to Thimphu Thromde offices should wear Gho/Kira.

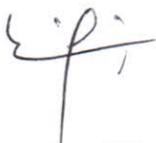
Action: AFD

27 Horses from Lingshi Geog

The people of Lingshi requested Thimphu Thromde to allow their cattle to be brought into the city because the people take shelter in the city and leaving the horses outside city boundary are often lost or stolen which causes lots of inconveniences to them. If they are not allowed to bring their horses into the city boundary then they be provided land at Dechencholing where they can sty their horses. The council deliberated on the issue and decided that the request cannot be entertained because of the following:

- a. The rule do not permit any cattle in the town area
- b. The littering by cattle can be prevented
- c. The expenses on cattle feeds can be curtailed
- d. They could tie their cattle in Kawang geog area which is adjacent to Dechencholing

Action: AFD



28 *Garbage issues with neighboring geogs bordering to Kuenselphodrang sharing with Chang geog and Decehencholing area sharing with Kawang geog*

The DYT expressed their concern that sanctity of Kuenselphodrang is not respected by indiscriminate littering by the residents of the Thimphu Thromde. Moreover, the DYT feels that city residents dump garbage in the Dzongkhag Administration jurisdiction especially in Chang and Kawang geog territories as it borders Thimphu Thromde boundary. To this the council said that the Waste Prevention and Management Act and the associated rules and regulations are framed not just for Thimphu Thromde but for the whole country so the geogs should implement the act and the rules and should penalize the defaulters whether they are from the city or from the geogs. The Thimphu Thromde also do not differentiate the defaulters

Action: AFD

29 *Request from all the Thuemis understanding the problems of building inspectors.*

The Thromde Thuemis expressed their concerns especially with regard to providing uniforms, housing and trainings to the building inspectors. The council however decided that such issues should be discussed in the management meetings.

Action: AFD

30 *Problems with the transaction fees for joint ownership.*

It was reported that there are some general concerns of the public about who should bear the property transaction tax especially for the property to be owned jointly. To this the council said that as per the rule the sales tax should be borne by the seller hence the buyer(s) need not worry about the payment of transaction tax.

Miscellaneous Issues;

31 **Agenda to be circulated in Dzongkha** – The members reported that many a times the agenda for the meeting is circulated only in English which to them is not convenient because many members are not conversant in English. Moreover, since the meeting is conducted in Dzongkha the agenda for the meeting should also be circulated in Dzongkha. To this the council decided that henceforth all the agenda for the council meeting should be circulated both in Dzongkha and English.



