
19th
THROMDE
TSHOGDE

THIMPHU THROMDE

11th April 2014

Minutes of the 19th Thromde Tshogde held on 11/4/2014

Venue: Conference Hall of the MoWHS

Time: 9:40 AM – 5:00 PM

Members Present:

1. Dasho Kinlay Dorjee	Thrompon	Chairperson
2. Namgay Tshering	Babesa	Dy.Chairperson
3. Dorji Dema	Motithang	Member
4. Kuenga Yonten	Norzin	Member
5. Rinzin Dorji	Changangkha	Member
6. Ugyen	Taba-Dechencholing	Member
7. Ugyen Penjor	Jungshina-Kawajangsa	Member
8. Minjur Dorji	Executive Secretary	Member Secretary

Thromde Officials present:

1. Krishna Kumar Thapa	Dy.Chief Finance Officer
2. Jigme Dorji	Chief, DCD & CSD
3. Biswanath Pradhan	Dy.Chief Survey Officer
4. Yeshey Wangdi	Dy.E.E, Solid Waste Section, Environment Division
5. Suk Kumar	Planner, Urban Planning Division
6. Thinlay Choden	Land Management Section
7. Nidup Zangmo	A.E. Electrical Section, Engineering Division
8. Dorji Zangmo	ICT Section

The chairperson welcomed the Thromde Tshogde members to the meeting. The following additional agendas were added. The review and endorsement of 18th Thromde Tshogde minutes was not done. The agenda for 19th Thromde Tshogde was adopted and the meeting began with agenda No.2.

1. Food stalls.
2. Unauthorized posters
3. CCTV to monitor solid waste issues
4. Parking fees for staff & Principals.
5. Chain link mesh fence of dog pond for Jangsa Animal Saving Trust
6. Collection of garbage from Royal Thimphu College

April 11, 2014

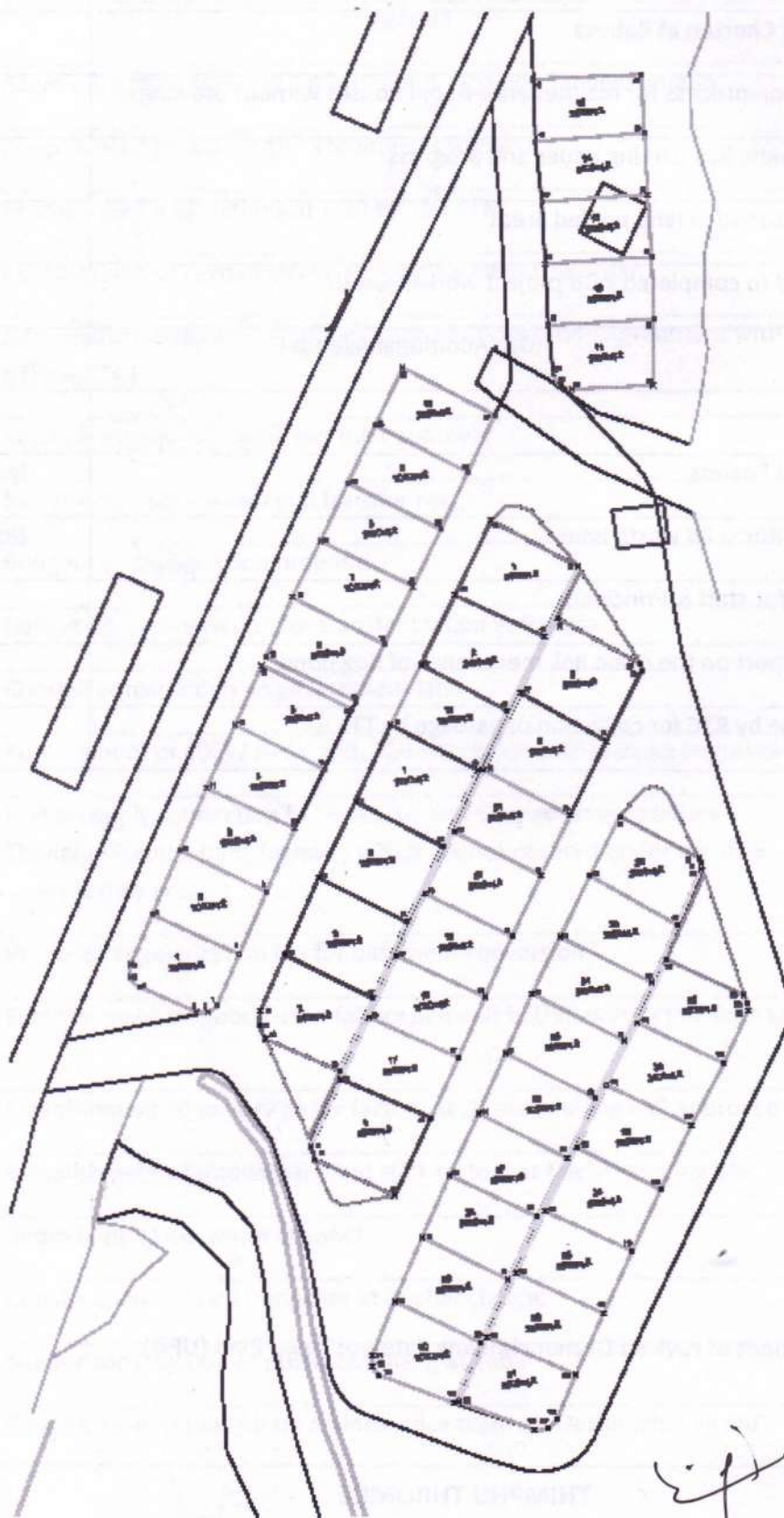
[MINUTES OF THE 19TH THROMDE TSHOGDE MEETING]

Sl. #	Agenda	Submitted by:
	• Review & Endorsement of 18 th Thimphu Thromde Tshogde minutes	Member Secretary
	• Adoption of Agenda for 19 th Thromde Tshogde	Member Secretary
1	Pending follow-up actions of TTM till 15 th TTM	
2	Endorsement of revised Dechencholing Satellite Town Plan	UPD
3	Administrative approval for finalization of Cooperation Agreement with UN-HABITAT	CSD
4	Roads in unplanned areas and their approval	SLMS
5	Mr. Thukten's 5% ownership transfer tax	-do-
6	Budget re-appropriation proposal	AFD
7	Budget Re-appropriation for transfer station at Babesa	Environment Div
8	Chorten construction on government land	TT
9	Replacement of 400W HPSV with 120 W LED luminaries along expressway	Engg. Div
10	Water supply connection to Semtokha and Changdelo area below Thimphu-Phuntsholing highway which are not covered under the ADB water supply project	Engg.
11	Proposed regularization fee for basement conversion	DCD
12	Establishment of wood based fabrication unit in UVII precinct at Taba LAP	-do-
13	Establishment of toiletry paper factory at Dechencholing LAP approved	-do-
14	Establishment of traditional scent stick factory at Dechencholing LAP	-do-
15	Redirecting of old water channel	Changbangdu Thuemi
16	Construction of Mani Dungkhor at Dechencholing	Dechen -Taba Thuemi
17	Site for construction of public Lhakhang at Taba	-do-
18	Requirement of road/drain maintenance team for Dechencholing LAP	-do-

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19	Local government association proposal	Babesa Thuemi
20	Budget for Chortens maintenance in F/Y 13-14	-do-
21	Relocation of Chorten at Babesa	-do-
22	Documentation process for maintenance of old houses without drawings.	-do-
23	Proposed Olakha bus parking issues and progress	-do-
24	Lack of access road in land pooled areas	-do-
25	Issues related to completed ADB project work in South	-do-
AOB (Additional Agenda)		
26	Food Stall	DT
27	Unauthorized Posters	Norzin Thuemi
28	CCTV to monitor solid waste issues	Norzin Thuemi
29	Parking fees for staff & Principals	Engg
30	Inspection report on the chain link mesh fence of dog pond	Env Div
31	Request made by RTC for collection of garbage by TT.	Env Div

Agenda No.2 Endorsement of revised Dechenchholing Satellite Town Plan (UPD)

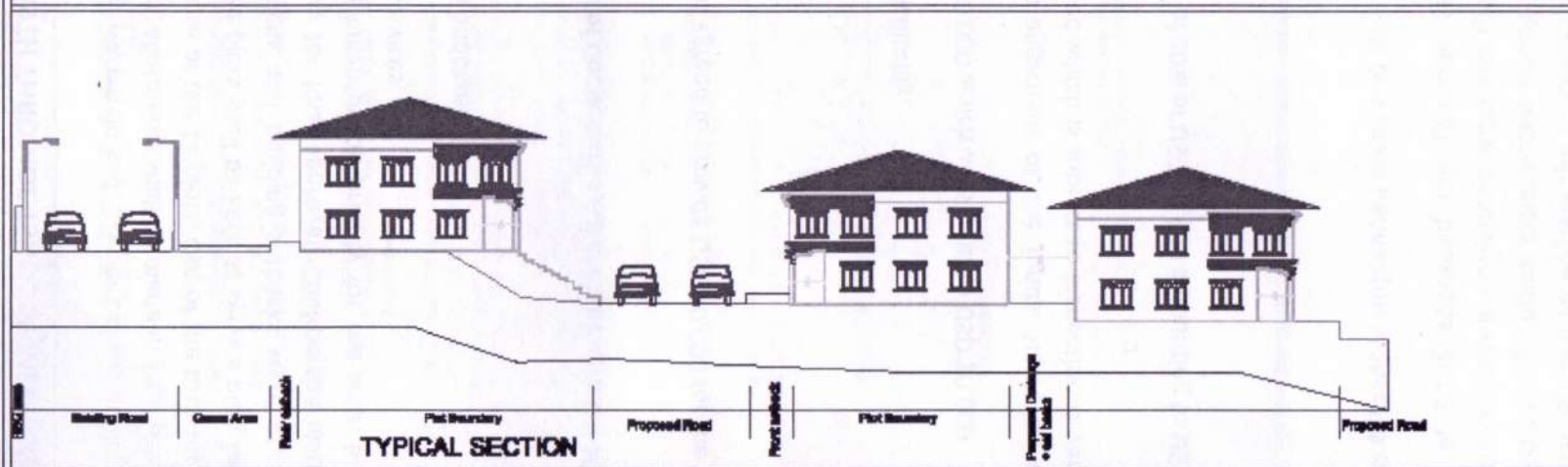


DEVELOPMENT CONTROL REGULATIONS FOR DECHENCHOLING SATELLITE TOWN

Plot size : 2000 - 2500 sq ft
Setback : 1.5 m on two sides adjoining other properties, 2 m at the rear and 3 m in front
Building Height : Two floors
Plot coverage : 50%

Other Conditions:

- (i). 2 m corridor supported by traditional kachhen in the front shall be mandatory
- (ii). Commercial activities shall be allowed only on the ground floor (subject to business clearance)
- (iii). Disturbing the ground to be minimized by constructing on stilts
- (iv). Balcony shall be allowed only at the rear
- (vi). Regulations not specified here shall be governed by the DCR 2004



The chairperson informed that several public meetings were held and consent of the public was sought for allotment of the plots based on lucky dip. However, allotments shall be made in groups as decided in the meeting. The last group of allotment shall comprise of the 12 plots. Out of the total forty six plots, forty three plots shall be allotted. The remaining three plots shall be kept as service plot. Layout of the plots including proposed architectural building designs and building setbacks were presented and discussed. The same shall be put up to the Ministry for final approval. Chairperson instructed that provision of water supply & Sewerage networks be taken up on priority for the area. Building plan approvals shall be given after provision of the above services.

Decision: Revised Dechenchholing Setellite Town Plan endorsed.

Action: UPD

Agenda No.3 Administrative approval for finalization of Cooperation Agreement with UN-HABITAT (CSD)

Member Secretary explained that the UN-HABITAT has agreed to provide USD 50,000 for the following activities:

1. Installation of Sewerage System for Changdelo &
2. Construction of Aqua Privy toilet for girls at Dechenchoing.

Thimphu Thromde is required to put in 20% of USD 50,000 which works out to USD 10,000.

The councilors expressed their appreciation for arrangement of the funds. However, chairperson emphasized that the quality of works must be ensured which is subject to inspection & verification by the donor.

Decision: Approved Thimphu Thromde's contribution of 20% of USD 50,000 amounting to USD 10,000.

Action: CSD & AFD



Thimphu Thromde
Post Box No - 215
Thimphu-11001 Bhutan

3 April 2014

Notesheet

Sub: Administrative approval for finalization of Cooperation Agreement with UN-HABITAT

The UN-HABITAT in partnership with Coca-Cola has extended financial support to Thimphu Thromde for the following 2 projects that were proposed by Thromde under the program that has been mutually agreed upon:

1. Installation of Sewerage system for Changdela, Thumphu
2. Construction of Aqua Privy toilet for girls at Dechencholing (Under 'Support My School initiative')

While the UN-Habitat has agreed to provide USD 50,000, the Thimphu Thromde is required to put in 20% of this amount, which works out to USD 10,000. (Corresponding emails attached for reference). The Project paper has been developed for the above projects including financial budgetary projection of USD 50,000. The tentative duration of the project shall be 18 months.

Now that the projects have been approved by the UN-Habitat, Thromde has been informed about finalization of the Cooperation agreement with UN-Habitat at the earliest. Additionally, administrative and banking information needs to be furnished at our end prior to execution of the agreement. The details sought are:

1. Brief note on Thimphu municipality
2. Signing Authority with Name
3. Bank details for receiving fund of USD 50,000: Name of Bank, Bank Address, Account Title, Account No. Swift code for fund transfer; etc.

Submitted for administrative approval and financial sanction of 20% of the contribution in respect of Thimphu Thromde, equivalent to USD 10,000.

Head, Water and Sewerage section (WSID)

Chief Engineer, Engg

Executive Secretary
Thimphu Thromde

Dasho Thrompon
Thimphu Thromde

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Agenda No.4 Roads in unplanned areas and their approval (SLMS)

The head of SLMS appraised the Thomde Tshogde regarding the problems encountered during construction of roads in unplanned areas and that there is coordination issues within Thomde. In view of the practical difficulties experienced during the implementation of road work at Taba recently, Thomde has decided to address the problem through coordination of activities among the concerned divisions. Member Secretary informed that an office order has already been issued to the concerned

divisions regarding the matter. The Chairperson instructed that the office order issued in this regard must be strictly complied to and informed that approval of the Thromde Tshogde is not required.

Decision: Ensure compliance to office order issued by Executive Secretary.

Action: SLMS/All the relevant Divisions.

Agenda No.5 Mr. Thukten's 5% ownership transfer tax (SLMS)



Ap Thukten's 5% Property Ownership Transfer Tax (Nu. 71,029.00)

From the documents that were gathered, the following observations were made:

- An old property ownership transfer form was submitted to the erstwhile Thimphu City Corporation on **27/03/1997**, for transfer of ownership of the property from Late Karsang to Karma Thuji (Ap Thukten's son). Back then, the Building Section noted that the structure on the plot was constructed in the early seventies.
- The 33rd City Committee Meeting held on **25th June 1999** noted two problems:
 1. The Phendey Tshogpa of Sunday Market had objection against the transaction since they had a Court case over the property.
 2. In 1993, the cadastral plan for Sunday Market was rationalized and was approved by a Committee. While carrying out the exercise, a small portion of the structure fell on the adjoining plot. The plot was demarcated; however, the owners' were reluctant to remove the portion falling on the adjoining plot.
- Thereafter, the following recommendations were made:
 1. To transfer the ownership only after the Court case was settled.
 2. The portion of the structure that fell on the adjoining plot to be removed before the ownership transfer since further adjustment was not possible.
- Letter No. 19/TCC/UDCU/99-2000/4172 dated **13/10/1999** was written to Ap Thukten informing that transfer of ownership from Late Karsang to Karma Thuji had been discussed in the 33rd City Committee Meeting held on **25th June 1999**. The letter also stated that the community of Sunday Market had lodged a complaint against the transfer of Late Karsang's property to Karma Thuji's name. It appears that the Sunday Market Community had registered a Court case on **12/01/1996**.
- Court Order No. 9933 dated **13/06/2002** addressed to the ThimThrom Phenday Tshogpa stated that there was no point for the Tshogpa to object against the transfer of ownership from Late Karsang to Karma Thuji because Court Verdict No. ThimThrim/Isoe Ka (1054)94-732 dated **13/07/1994** clearly pointed out that the ownership of Late Karsang's property was to be transferred to Ap Thukten. The Phenday Tshogpa had no choice but to abide by the aforementioned Court order.
- Subsequently, the next property ownership transfer form was submitted on **18/11/2002** for transfer of ownership from Late Karsang to Ap Thukten where the following observations were made:

Dasbo Thrompon: 00975-2-323665 Executive Secretary 00975-2-340355
 PABX: 0075-2-323662/322265/325210, PABX Branch Office: 0075-2-336310/322757
 Fax: 00975-2-324315/334252 Email: info@tcc.gov.bt



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Thimphu Thromde

Post Box No - 215

Thimphu-11001: Bhutan



1. On **16/04/2003**, the Building Unit noted that the structure had encroached off the boundary.
 2. On **3/12/2002**, the Survey Section noted that the plot had been demarcated; however, a portion of the structure fell in an adjoining plot.
- Ap Thukten had filed a Court case against TCC with regard to boundary pillars on **30/04/2003** and the case was settled on **24/12/2003** vide Court verdict No. 11787.
 - Letter No. 21/TCC/DCD-ULM/2009/3841 dated **9th June 2009** was sent to Pema Deki informing her that Late Damdi's share cannot be transferred to her in the absence of a legitimate heir and written will of the deceased (Section 212 of Land Act 2007). Apparently, Mrs. Pema Deki was Late Damdi's niece.
 - Along with the **Land Act 2007**, came the amended property ownership transfer form. Accordingly, the applicants submitted the new forms for transfer of ownership on **4/04/2011** and this time request was made to transfer,
 1. Late Karsang's name to Ap Thukten,
 2. Late Damdi's name to Mr. Passang,
 3. Late Tenzin jamtsho's name to Mr. Jabla & Mrs. Pema Khandu.
 - Letter No. Tha (51)/2011/2625 dated **18/05/2011**, of the Naturalization Division, Department of Immigration, certified that Mr. Passang (Refugee card No. 0065 or CID No. 11410009637) was son of Late Damdi. Before being granted citizenship by His Majesty the King in 2009, Mr. Passang was recorded as a Tibetan refugee in Khasakha village, Mewang Gewog, Thimphu Dzongkhag.
 - The transaction documents were forwarded to NLCS on **7/06/2011** vide transaction ID No. Pending case/2002/Sunday Market. NLCS forwarded the Lag Thrams to the Thromde on **2/08/2011**.
 - Ap Thukten paid his 5% ownership transfer tax (Nu. 71,029.00) to the Thromde on **9/08/2011**.

Dasho Thrompon : 00975-2-323665 Executive Secretary: 00975-2-340355
PABX: 0075-2-323662/322265/325210, PABX Branch Office: 0075-2-336310/322757
Fax: 00975-2-324315/334252. Email: info@tcc.gov.bt

16th TTM

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Thimphu Thromde
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5% property ownership transfer tax paid by Ap Thukten

- Plot No. H-8B measuring 2,878 sq. ft. located in the Sunday Market was transferred from Late Karsang, Late Damdi, & Late Tenzin Jamtsho to Ap Thukten, Mr. Jabla, Mrs. Pema Khandu, & Mr. Passang. New Thram No. TT-972 was issued on 2/08/2011 under the joint ownership of the 4 transferees.
- Initially, late Damdi's share of the property was to be transferred to Mrs. Pema Deki. However, it was later decided that late Damdi's name shall be replaced by Mr. Passang (late Damdi's son).
- The 5% property ownership transfer tax was NOT applicable to Mr. Jabla & Mrs. Pema Khandu since they were inheriting their late father's (Late Tenzin Jamtsho) share of the property.
- Similarly, the 5% property ownership transfer tax was NOT applicable to Mr. Passang because he was inheriting his late father's (Late Damdi) share of the property.
- However, Ap Thukten paid a sum of Nu.71,029.00 (Seventy one thousand and twenty nine) vide receipt No. 24530 dated 9/08/2011 as 5% property ownership transfer tax. The tax was worked out based on the current PAVA rate for plots falling under the Urban Core Plan (sub-precinct 2A), that is, Nu.1,233.89 per sq.ft.
- Ap Thukten now states that the plot adjacent to his plot was transferred from Aum Yangchen to Dasho Nima Wangdi and Mr. Kuenga Phuntsho in 2006. Back then, Dasho Nima Wangdi paid Nu.20,715.00 only as 5% ownership transfer tax.
- The 5% property ownership transfer tax (Nu.20,715.00) was worked out based on Nu.150.00 per sq.ft. for 2,762 sq.ft. amounting to Nu. 414,300.00. Nu. 150.00 per sq.ft. was in force when the transaction took place in 2006.
- Ap Thukten says that his application was registered with the City Corporation since 1995 and that his work was kept pending without any valid reasons. He asserts that it was unfair for him having paid Nu.71,029.00 when he could have paid a far less amount had his work been done on time. He now requests the Thromde that his tax be worked out at par with Dasho Nima Wangdi, given the same location and the balance amount be re-imbursed to him.

Dusho Thrompon : 00975-2-323665 Executive Secretary:00975-2-340355
PABX: 0075-2-323662/322265/325210, PABX Branch Office: 0075-2-338310/322757
Fax: 00975-2-324315/314252. Email: info@tcc.gov.bt

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The issue was presented and the matter was thoroughly discussed. The following course of actions was decided:

Decision:

- Form a committee headed by Thromde Legal Officer, Babesa Thromde Thuemi
- Call Mr.Thukten, obtain necessary relevant documents and discuss with him.
- Enquire as to what happened between the years 2003 to 2007.
- Present the findings in the next (20th Thromde Tshogde) for decision.

Action: Thromde Legal Officer/ SLMS

Agenda No.6 Budget re-appropriation proposal (AFD)

The proposed re-appropriation of budget amounting to Nu.3.656m from maintenance of roads to maintenance of property-vehicles during the current financial year 2013-14 was discussed. The proposed budget re-appropriation was approved to enable delivery of essential Municipal public services such as solid waste collection and other activities. The chairperson instructed the environment division to expedite the work of "out sourcing of solid waste collection and disposal system".

Decision: Proposed budget re-appropriation approved.

Action: AFD



ROYAL GOVERNMENT OF BHUTAN
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 རྒྱལ་ཁབ་ཀྱི་འཕུལ་ཁུངས་

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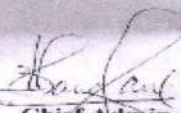
No.TT/Finance (04)/2013-2014/
14th March 2014.

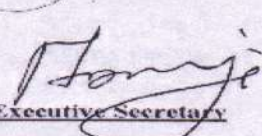
Re-appropriation Proposal.

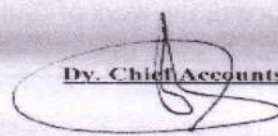
The Thimphu Thromdey had a budget of Nu.11.000m under maintenance of property-vehicles during the current financial year 2013-2014. The expenditure to the extent of Nu.10.971m has been spent as on 12th March 2014 and there is left only balance of Nu.0.029m. The average expenditure comes to Nu.0.914m per month. In order to cover expenditure for remaining 4 months till June 2014, a sum of Nu.3.656m is still required.

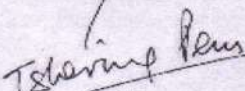
In view of non-availability of sufficient fund under Direction Services, it is proposed to re-appropriate the like amount of fund from the road maintenance budget where we have spent only 3.577m till 13th March 2014 out of budget of Nu.15.000m kept.

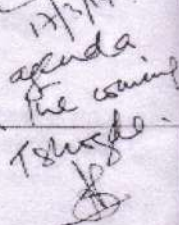
Submitted for approval please.


Chief Admin. Officer.


The Executive Secretary


Dashed Thrompon.


Tshering Namgyal


Tshogde.

Let us sit and discuss in this room. Don't submit to Tshogde to final approval.

Please include this as an agenda in the coming Tshogde.

21/3/14

Total fund reappropriated
Nu. 3.656m
212
3868 m.

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Agenda No.7 Budget Re-appropriation for transfer station at Babesa (Env.D)

The initial cost of the work for construction of transfer station was Nu,0,89m whereas the actual cost was Nu.1.35m thereby resulting in the shortfall of Nu.0.46m. The reasons for overshooting the initial cost was due to change in alignment and increase in the height of wall.

The re-appropriation of additional fund amounting to Nu.0.46m from construction of Public toilet to budget head of transfer station proposed by Environment Division is approved by Thromde Tshogde. However, re-appropriation of fund must be done from capital to capital heads of accounts.

Decision: Budget re-appropriation for transfer station at Babesa approved.

Action: (Env.D)

Agenda No.8 Chorten construction on government land (TT)

Decision: Site plans should be prepared for the locations proposed to construct chorten on Government land.

Action: SLMS/UPD.


Agenda No.9 Replacement of 400W HPSV with 120 W LED luminaries along expressway

The details of estimates for the proposed replacement of existing 400W HPSV with 120W LED luminaries along the expressway was presented including its advantages and justifications. The provision of LED luminaries will be able to save the cost of energy in the long run although the capital investment cost is higher than that of HPSV luminaries. Considering the advantages and justifications, the Tshogde approved the proposal for which, an amount of 10m shall be utilized from Thromde's fund.

However, the fund required for the work may also be proposed through the SDP, Gol/GNHC funding. Accordingly, a project proposal may be prepared immediately to enable submission to the GNHC Secretariat to process and secure the fund. The project proposal should be prepared for Nu.50m.

Decision: Approved for replacement of 400W HPSV with 120w LED luminaries along the expressway amounting to Nu.10million. The fund is to be utilized from Thromde's account. Prepare project proposal and process to secure fund from Gol through SDP/GNHCS.

Action: (Engg.D)



Agenda No.10 Water supply connection to Semtokha and Changdelo area below Thimphu-Phuntsholing highway which are not covered under the ADB water supply project. (Engg.D)

Agenda for 19th Thromde Tshogde

Agenda: Water supply connection to Semtokha & Changdelo/area below Thimphu-Phuntsholing highway which are not covered under the ADB water supply project.

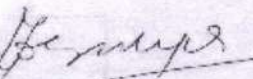
Background: Thimphu Thromde has constructed a 25cum RCC water tank for water supply to Semtokha area situated below Thimphu-Wangdi highway and above Semtokha Bridge. Similarly, a 50cum RCC water tank has also been constructed for augmentation of water supply to Changdelo area and Loselling Middle Secondary School including a separate pipeline for the private properties/RBA located below the highway.

The above areas are not covered within the scope of the ongoing ADB water supply project. It was envisaged that the source of water to these tanks would be from the existing community water supply pipelines to Olakha & Chang Jalue/Lungtenphu as these areas fall under the LAP while permanent treated/metered water supply is being provided through the ADB water supply project.

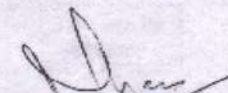
Proposed connection: Consequent to the provision/ construction of water tanks for Semtokha and pipelines/tank for Changdelo, it is proposed to divert/use one of the existing 75mm diameter HDPE pipeline to Semtokha & Changdelo including the properties located below Thimphu-Phuntsholing highway. The existing 75mm HDPE pipeline was originally provided by Thimphu Thromde through contract in 2006-07 for interim water supply to the above areas of Olakha & Chang Jalue/Lungtenphu.

It is submitted to the Thromde Tshogde for accord of administrative approval to implement the proposal and accordingly instruct the Customer Service Division to execute the work.

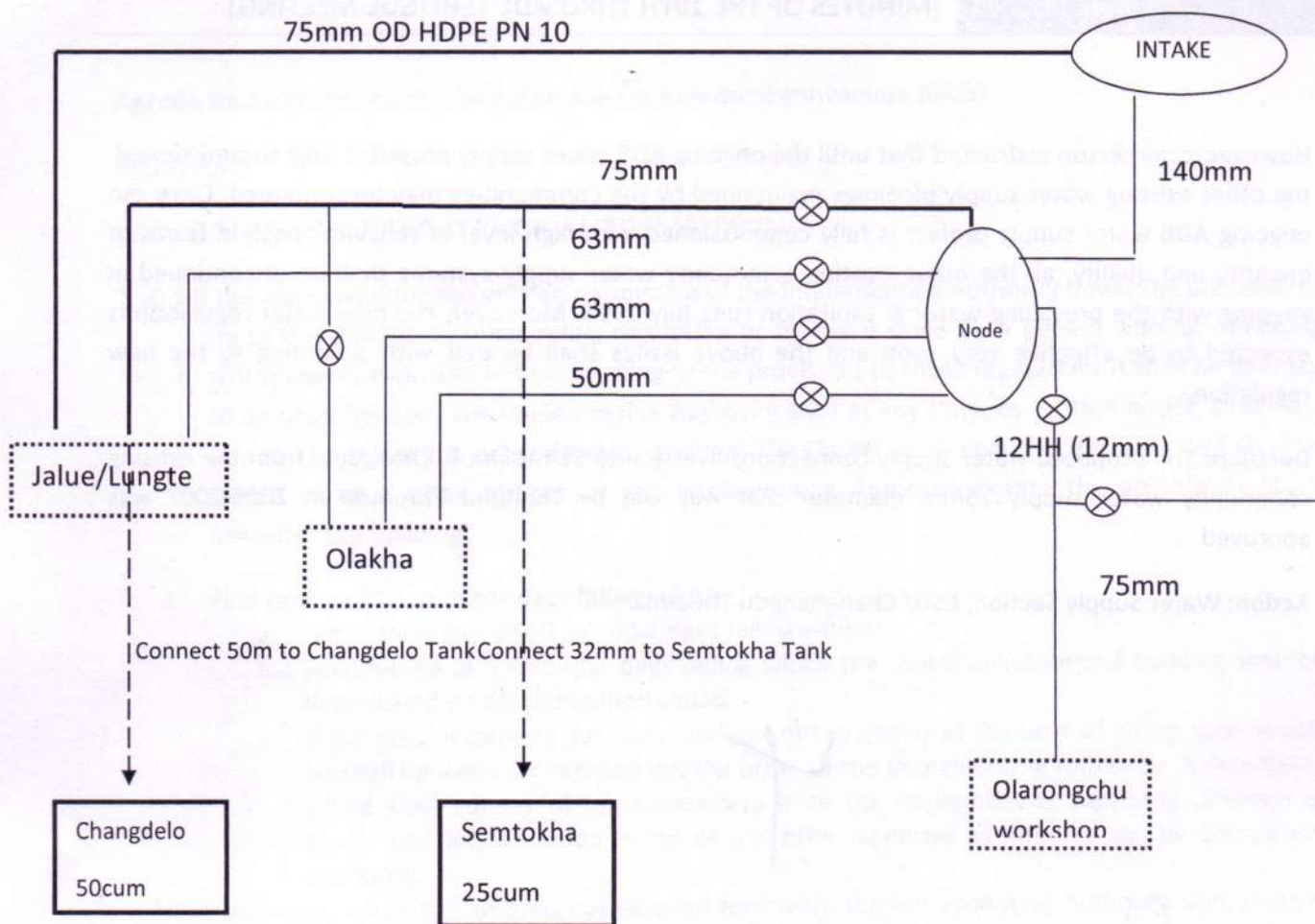
Attached: Sketch maps


(Naphel Drukpa)

E.E/WS/ED/TT


Chief Engineer
Engineering Division/TT

Schematic diagram showing the existing system to Chang Jalue, Lungte and Olakha and proposed connections



- New pipeline to Changdelo could also be connected to ADB Project pipeline.
- Connect new pipeline to ADB Project pipeline for areas below the old National Highway/RBA which are not covered under the LAP.

The proposed water supply connection to Semtokha and Changdelo area below Thimphu-Phuntsholing highway which are not covered under the ADB water supply project was presented and discussed.

The Tshogde approved the proposal for implementation. As proposed, the existing 75mm diameter water supply line laid during the year 2006-07 from Chamgang intake for Olakha and Chang Jalue/Lungtenphu will be diverted and shared between Semtokha and Changdelo/properties below the old highway.

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However, chairperson instructed that until the ongoing ADB water supply project is fully commissioned, the other existing water supply pipelines maintained by the communities may be continued. Once the ongoing ADB water supply project is fully commissioned with high level of reliability both in terms of quantity and quality, all the other existing community water supply systems shall be discontinued in keeping with the prevailing water & sanitation rules July 1995. Moreover, the new water regulation is expected to be effective very soon and the above issues shall be dealt with according to the new regulation.

Decision: The proposed water supply connection/diversion to Sementokha & Changdelo from the existing community water supply 75mm diameter that was laid by Thimphu Thromde in 2006-2007 was approved.

Action: Water Supply Section, CSD/ Changbangdu Thuemi.



Agenda No.11 Proposed regularization fee for basement conversion (DCD)**Background****2.10 DEVELOPMENT WITHOUT PRIOR WRITTEN APPROVAL**

2.10.1 If the work requiring the written permission of the Implementing Authority under the provision of these Regulations or other rules, regulation or by-law is done by a person without obtaining written permission and not conforming to the provisions of these regulations it shall be deemed to be unauthorized. The Implementing Authority shall at any time, by written notice, order the same to be removed, pulled down or undone. The Owner of an unauthorized structure shall be served at least three notices by the Implementing Authority before the demolition of an unauthorized building:

1. First notice of 15 calendar days failing which
 - a. reminder notice of 10 calendar days failing which
 - b. Final notice of 5 calendar days failing which the illegal/unauthorized building shall be demolished by the demolition squad.
 - c. If the person carrying out such work is not the owner at the time of giving such notice, he shall be liable for carrying out the order of the Implementing Authority. A demolition squad shall consist of representatives from the Implementing Authority, Division of Power and Royal Bhutan Police or any other agencies as directed by the Competent Authority.
2. If such erection or execution is not stopped forthwith, the Implementing Authority shall remove the person who is directing or carrying on the erection or execution from the premises by the police and shall take necessary steps to prevent the reentry of such person on the premises without permission.
3. If the requisitions contained in the order are not carried out by the person or owner within the given period, the Implementing Authority shall remove or alter such work and the expenses thereof shall be paid by the person or owner as the case may be.
4. Take suitable action against the registered architect/ engineer, developer and others as specified in the Regulations.

2.10.2 In cases where development has already started/commenced on site for which development permission in writing is not obtained from the Implementing Authority, but where this development on site is in conformity to the provisions of these Regulations, the development permission for such work on site without the prior permission may be granted by the Implementing Authority on the merits of each individual case. For such development works the development shall be regularized by paying the penalty addition to the Scrutiny Fee and Service and Amenities Fees.



2.8.7 DEVIATION DURING CONSTRUCTION

Deviations during construction from the approved building plan shall require prior approval from the Implementing Authority and would be approved only if it is in conformity to these regulations. The procedure laid down for plans or other documents here to before shall apply to all such revised (amended) plans. In case the approval for deviation (which is in conformity to these Regulations) is not sought from the Implementing Authority prior to deviation, penalty shall be paid to the Implementing Authority as per the following formula:

Amount= Excess area deviated x 1*(prevailing unit area cost of construction, based on current BSR)

Note:

1. Internal deviations which does not have structural implications and which are within the set back rules may be approved after resubmission of as-built drawings and upon payment of a lump sum penalty as may be fixed by the City Committee from time to time.
2. Any deviations which are not in conformity to these Regulations shall demolished at the owner's own risks/costs.

2.8.8 ILLEGAL OCCUPATION OF BUILDING

(a) Notwithstanding the provision of other laws to the contrary the Implementing Authority may by written notice, order the whole building or part thereof to be vacated forthwith, or within the time specified in such notice:-

(i) if such building or part thereof has been unlawfully occupied in contravention of these Regulations.

(ii) if a notice has been issued in respect of such building, or part thereof, requiring the alteration or reconstruction of works specified in such notice have not been commenced or completed.

(iii) if the building or part thereof is in a ruinous or dangerous condition, which are likely to fall and cause damage to persons occupying, restoring to or passing by such building/structures or any other structure or place in the neighborhood thereof.

(iv) If the site is in danger of collapsing, due to land slide, or erosion, or flood, or if the site is in danger of stones, boulders, debris, earth falling on it from areas at a higher elevation

(b) The reasons for requiring such building or portion thereof to be vacated shall be clearly specified in the notice.

(c) The affixing of the written notice on the premises shall be deemed a sufficient intimation to the occupiers of the building or portion thereof.

(d) On the issue of notice, a person occupying the building or portion thereof to which the notice relates shall vacate the building or portion as directed in the notice and no person shall so long as the notice is withdrawn, enter the building or portion thereof, except for the purpose of carrying out a work of reinstatement which be lawfully permitted to be carried out.

(e) A person who acts in contravention of the above provisions or who obstructs the action taken under these regulations shall be removed from such building or part thereof by the police, which may also use such force as is reasonably necessary to affect entry in the said premises.

(f) The cost of measures taken under this provision shall be recovered from the owners.

Table 2.10.2: RATES OF REGULARIZATION FEE FOR DEVELOPMENT PRIOR TO WRITTEN PERMISSION

1. For Construction/ development of Buildings without approval but in conformity to these Regulations.

Amount= Total Built-up Area x 1*(prevailing unit area cost of construction, based on current BSR)

2.11. CHANGE OF BUILDING OR PREMISES USE

The applicant shall apply in writing to the Implementing Authority for conversion of building or premises to other uses or activity. Permission for change of use shall be given only if the building use conforms to precinct use schedule, structural safety of the building and other relevant clauses of these regulations. Change of building use without written permission of the implementing authority shall be regularized on payment of fines only if it conforms to the land use schedule and safety standards. If the building use does not conform to the land use and safety standards it will revert to the original use and the defaulter shall still pay a fine.

The fine shall be 20% of the cost of construction of misused floor area.

Proposed basement conversion fee

1. As per DCR clause 2.11
2. Nominal fee (existing practice) = $(5000 + (30 \times \text{Plinth area})) \times 3$
3. Attic regularization fee= $\text{Area} \times 46.14/\text{Sq m}$
3. New basement regularization fee= $((\text{Area} \times 46.17) \times 5 + 10000)$. Note:

Decision: The proposal for regularization was thoroughly discussed and approved as proposed.

Action: DCD

Agenda No.12 Establishment of wood based fabrication unit in UVII precinct at Taba LAP

The proposal was presented and discussed. The establishment of wood based fabrication unit in UVII precinct is expected to create noise pollution due to operation of wood working machines. However,

timings shall be fixed and monitored for operation of the fabrication units to ensure that the general public is not disturbed.

The proposal was approved by Tshogde for establishment of wood based fabrication unit in UVII precinct. The approval is accorded to be implemented uniformly in all the LAPs within Thimphu Thromde. The minutes of the Thimphu Tshogde meeting shall be forwarded to the Ministry of Works & Human Settlement.

Decision: Establishment of wood based fabrication unit in UVII precinct at Taba LAP was approved. A copy of the minutes of the 19th Thimphu Tshogde meeting shall be forwarded to the MoWHS.

Action: DCD

Agenda No.13 Establishment of toilet paper factory at Dechencholing LAP approved

Agenda No.14 Establishment of traditional scent stick factory at Dechencholing LAP

Decision: Similarly, the proposals for establishment of toilet paper factory and traditional scent factory at Dechencholing LAP [agenda 13 & 14] were approved in view of creating employment opportunities and generating income of the residents.

Action: DCD



Agenda No.15 Redirecting of old water channel



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Thimphu Thromde
 Post Box No - 215
 Thimphu-11001, Bhutan



TT/ ENG/URDPS (3)2013-14/

24th December, 2013

SITE INSPECTION REPORT

To: The Chief Engineer, Engineering Division, TT
 From: Asst. Engineer, Drainage Unit, URDPS, TT
 Copy to: Dashi Thrompon, TT
 Executive Secretary, TT
 Head, URDPS
 Head, Water Supply & Sewerage, TT

Subject: Redirecting of OLD water channel.

Location: Above Druk School, Changidaphu (Kala Bazaar)

Date of visit: 23.12.2013

Time of Visit: 11.00 Am

• Observations during site inspection:

1. As brief history narrated by Druk School proprietor Aum Lhaden said that the old existing main storm water drain connecting from just below the Tiny day care centre was being blocked by Late Ex. Lyonpo Dawa when he was as a head of NUDC, City Corporation, Thimphu. Therefore, during the visit while inspecting it was found that old existing drain is being buried beneath wall and plinth protection of Late Lyonpo's building. (Reason for blocking the main drain is yet not known). Now as stated in letter Aum Lhaden wants that main drain is reconnected to old existing drain in order to stop current earthen drain passing above the School, which is causing lots of problem like water seepage and also mixed with some sewerage water coming to their area, etc.
2. Secondly as said by the proprietor, she will never agree or allow constructing proper storm water drainage above their school where the existing water is running, as notified above asking to reconnect the existing earthen drain to old main drain. (if there is any plan or discussion, proprietor is also insisting to involve them in meeting or discussion for clarification)
3. Other one that is bothering them are: i) so many water pipe lines laid along the existing earthen drain with so many leakages and ii) to maintain proper sewerage system in that area. (Directly or indirectly school children's health are being affected due to above problems eg. All seepage, dirty/waste water making the school area unhygienic.)

• Recommendations:

1. The Management should discuss all the above points with concern Head of Division, TT and solve the issue along with the planner from Planning Division, TT for drain alignment.

Please find photo attached herewith.

By Inspecting Member;

Asst. Engineer
 Drainage Unit
 URDPS, ED

Dashi Thrompon - 00975-2-323665 Executive Secretary, 00975-2-340355
 PABX: 0075-2-323662/322265/325210, PABX Branch Office: 0075-2-336310/322757
 Fax: 00975-2-324331/5334252, Email: info@tcc.gov.bt
 www.tcc.gov.bt

Decision: The planning Division should study and propose how to resolve the problem.

Action: UPD

UP

Agenda No.16 Construction of Mani Dungkhor at Dechencholing

The proposal to construct one Mani Dungkhor at Dechencholing was discussed. The Thromde Tshogde approved the land required for the construction of Mani Dungkhor. However, approval for construction may be sought from the Department of Culture, Ministry of Home & Cultural Affairs.

Decision: Approved the construction of Mani Dungkhor at Dechencholing.

Action: Dechencholing – Taba Thuemi & concerned Division of TT

Agenda No.17 Site for construction of public Lhakhang at Taba

Decision: Since the proposed site falls within the jurisdiction of Thimphu Dzongkhag Administration, it was decided to write to Dzongkhag for allotment of the site.

Action: Dechencholing – Taba Thuemi & concerned Divisions of TT

Agenda No.18 Requirement of road/drain maintenance team for Dechencholing LAP

Chairperson opined that we should work out the provable revenue that would be generated from the proposed area. The example of already out sourced management of solid waste and drainage in South Thimphu was cited. As an interim measure, it was discussed and decided to engage Thromde workers residing in Dechencholing LAP once in a month. With regard to the cleaning of drains constructed under the World Bank Project, Project Coordinator shall be asked to follow up with the contractor.

Engineering Division should work out the income generation based on area vs. expenditure that would be required for O&M of road & drain at Dechencholing.

Decision: Engage Thromde workers to clean once every month.

Action: URD&P Section, Engg.Division

Agenda No.19 Local Government Association Proposal

The issue was tabled for discussion by Babesa Thuemi. The formation of a Local Government Association was proposed. However, Tshogde decided to carry out more comprehensive discussions on the proposal before taking final decision.

Decision: More discussions needed.

Action: Babesa Thuemi/TT

Agenda No.20 Budget for Chorten maintenance in F/Y 13-14

The budget required for maintenance of existing chortens should be looked into in the budget of 2014-15 and necessary re-appropriation shall be processed accordingly.

Decision: Explore the possibility of budget re-appropriation for maintenance of Chorten during 2014-15.

Action: AFD.

Agenda No.21 Relocation of Chorten at Babesa

Relocation of chorten at Babesa was approved. However, a committee comprising relevant institutions/organizations has to be formed to prepare inventory of nangtens of the old chorten and to implement and oversee the proposed relocation work.

Decision: Form a committee for carrying out the activity.

Action: Babesa Thuemi & relevant division of TT

Agenda No.22 Documentation process for maintenance of old houses without drawings.

It was decided that a regulation be prepared to address the inconvenience faced by the general public. DCD should prepare a proposal and submit in the next Thromde Tshogde meeting for further discussion.

Decision: Prepare proposal and submit in the next Thromde Tshogde.

Action: DCD.

Agenda No.23 Proposed Olakha bus parking issues and progress

Babesa Thuemi expressed the concerns of general public regarding the proposed Olakha bus parking and enquired about its progress. Jungshina Thuemi informed that Dratshang Lhentshog may be interested. Babesa and Jungshina Thuemis shall follow up with Dratshang Lhentshog.

Agenda No.24 Lack of access road in land pooled areas

The issue regarding lack of access road in land pooled areas was raised by Babesa Thuemi. The need to make provision of access road in land pooled areas was thoroughly discussed. The Tshogde decided to provide access road in land pooled areas where it is technically feasible.

Decision: Provide access road in land pooled areas where it is technically feasible.

Action: UPD

Agenda No.25 Issues related to completed ADB project work in South

Babesa Thuemi raised the following issues within his constituency:

- Existing community water supply system, especially the existing temporary HDPE pipe house connections are leaking which results in damage of the roads. Besides, these pipelines are susceptible to contamination as the water supply sometimes is irregular.
- Incidences of water logging due to blockage of drains also contribute to deterioration of road surface.

- Non- provision of water supply networks below the express way (adjacent to Babesa LAP above sewerage treatment plant & opposite to Helipad) which are not covered in the scope of ongoing ADB water supply project was highlighted.
- All the existing community water supply house connections are to be gradually lifted after providing metered water supply connections from the ADB water supply distribution network system.
- Copy of work orders to be made available to the Thromde Thuemis to facilitate quality control of construction works in their respective constituencies.

Decision: As above.

Action: Babesa Thuemi, ADB Project, CSD, Engg.Division

Agenda No.26 Food Stall

The chairperson informed the Tshogde that two graduates had proposed setting up of fast food stalls within the Thromde areas. After a thorough discussion it was decided that the proposal should be tried out on pilot basis at designated locations. Based on the result of pilot project, fast food stalls would be gradually expanded within the Thromde areas with introduction of mobile fast food stalls/vehicles/vans etc.

With regard to the existing Porridge vendors along Norzin lam, a focal person has to be appointed to facilitate coordination with Thromde to take care of the wastes generated due to the activity. Identity cards shall be issued to the food stall operators and a fee shall also be worked out.

Decision: Approved for setting up fast food stalls at designated locations on pilot basis. Appoint focal person/representative for the porridge vendors along Norzin lam.

Action: Env.Division.

Agenda No.27 Unauthorized Posters

Norzin Thuemi appraised the Tshogde regarding unauthorized sticking of bills/posters on building walls, posts/pillars etc. thereby creating nuisance in public places and spoiling the aesthetic appearance of the city. Movie posters shall not be allowed to be displayed in public places. Such posters should be displayed outside the movie halls only. Notifications shall be issued for awareness of the general public and fines shall be imposed for non compliance to the notification in accordance to the solid waste management rules.

Decision: Approved for issue of Public notification. Activity should be monitored as per solid waste management rules.

Action: Env.Division



Agenda No.28 CCTV to monitor solid waste issues

The Norzin Thuemi appraised the Tshogde regarding the need to install CCTV at strategic locations along Norzin lam on pilot basis to monitor the solid waste activities. After discussion, it was decided to identify the required budget for the activity. Subsequently, based on the performance & findings of the pilot project, it shall be replicated in other areas covering all the Thromde constituencies. Further, it was decided that one vehicle/compactor shall be handed over to Dzongkhag Administration for collection and disposal of wastes from extended areas.

Decision: Approved for installation of CCTVs along the Norzin lam on pilot basis.

Action: ICT Section, TT

Agenda No.29 Parking fees for staff & Principals

The following were decided after a thorough discussion:

- Contract duration of three years was approved.
- The cost of prepaid parking card of Nu.1000 per month shall be reduced to Nu.500 per month only.
- Thromde Staff shall not be provided with free parking card from outside the concession area of MLCP.
- Allotment of parking card for the 26 Government School Principals was approved at par with Thromde Staffs in the forth coming new contract as well as for the remaining period of three months in the current contract.
- Thromde Staffs having legal & registered ownership of vehicle only shall be provided with parking cards.
- Thromde Staffs going on transfer, extra ordinary leave, study leave etc. shall hand over the parking exemption cards issued to them before they are relieved from the office.
- The parking at Changzamtog area is to be deleted from the forthcoming contract and shall be included as and when required.

Decision: As stated above.

Action: URD&P Section, Engg.Division.

Agenda No.30 Inspection report on the chain link mesh fence of dog pond

The proposal presented by environment division to permit the existing chain link mesh fence of dog pond was approved to be used by Jangsa Animal Saving Trust. The material is to be handed over with a proper handing/taking note. The cost of the same as per the estimate is Nu.80,256.40

Decision: Approved as proposed.

Action: Env.Division.

April 11, 2014

[MINUTES OF THE 19TH THROMDE TSHOGDE MEETING]



JANGSA ANIMAL SAVING TRUST
P.O. Box: 754
PG KHANGZANG, CHANGJALU LAM,
THIMPHU: BHUTAN

Tel: (0) 02-335482/323949/323517
Mobile: 17662579, 17643532
Email: jangsa.member@gmail.com
Website: www.animalsavingtrust.org

JAST/rel/16/2014

To,
The Dasha Thromdon,
Thimphu Thromde,
Thimphu.

26th March 2014.

Sub: Appeal to provide the remaining materials of prior Memelakha dog pound.

Dear Sir,

This is to solicit and follow up to your good office of providing the remaining unused materials of erstwhile Memelakha dog pound to Jangsa Animal Saving Trust (JAST).

Since the opening of the dog pound at Memelakha in Dec 2007, even while the dog pounding initiative was done with a good motivation, the undertaking placed a strain on dogs and began to suffer. Jangsa responded to their plight and began to organize daily feeding programmes. In addition, the Trust led a campaign to have the pounds closed and to instead adopt the more humane approach of 'sterilization and release'.

Altogether, Jangsa organized the feeding, planning and many other necessities for around 2000 dogs for 3 years until pounding in Thimphu finally ended in April 2009. The entire remaining dogs were re-housed at a more spacious and hygienic location by the Trust, where it continues to feed and take care of their welfare.

Thus, all the remaining materials such as wire mesh chain links, woods and CGI sheets were considered and approved to be provided to JAST by City Corporation after the conclusion of necessary ongoing audit and inspection at that period.

In this regard, we beg to seek Dasha's kind approval to grant us to provide these discussed remaining materials in Memelakha in support of our dedication towards the practice of Tsechen. The materials will be highly valuable to us and will be well-utilized in renovating our current dog shelter in Serbubhang.

Thanking you earnestly,

With Prayers,

Dorje

Tshering Dorje
Director,
Jangsa Animal Saving Trust

Handwritten note:
It is estimated the quantity of wire mesh chain links at JAST is around 1000m. The Jangsa Trust is planning to use it for the dog shelter in Serbubhang.

Jangsa Dechencholing Monastery 10th mile P.O. Kalimpong - West Bengal (India)
Contact: 0091-3552-250428/256126 Mobile: 0091-9932371499 Email: tsokkeydorjee@gmail.com
www.facebook.com/jangsaanimalsavingtrust

Received
Date: 11/04/14
Duty No: 553



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Thimphu Thromde
Post Box No - 215
Thimphu-11001: Bhutan



14/TI/Env/SWM/2014/

10th April, 2014

Inspection Report on the Chain Link Mesh fence of Dog pound

As per the directives from Dashi Thrompon to estimate the quantity of chain link mesh of Dog pound at Mermelikhu. Two officials from the Environment Division went for inspection on 08/04/14. The findings of the inspection are as given in the table below:

Sl. No	Name	Quantity	Length	Unit/wgt.	Total Wgt.	Rate	Amount
1	Angle post	15 Nos	2.8	4.5kg/mtr	189 kgs	58	Nu. 10962
2	Chain Link fence	1 No.	161.1 X 2= 322.2 m ² / 3464.72 Sq. feet			20	Nu. 69,294.4
Total Amount:							Nu. 80,256.4

A rough map of the Dog pound with its measurement has been attached for kind reference.

Officials Present:

1. Phub Tshering, ARO
2. Monu Jyoti, Sr. Technician

Dashi Thrompon: +975-2-3230006 Executive Secretary: +975-2-340355
Phone: +975-2-336310/322757/322265 Fax: +975-2-323662/340415/338951
www.tcc.gov.bt

Agenda No.31 Request made by RTC for collection of garbage by TT. (Env.D)

Thimphu Thromde prepared an estimate for the same amounting to Nu.921.97 per collection. However, the Tshogde approved the proposal at an amount of Nu.10,000 per month subject to further negotiations with Royal Thimphu College.

Decision: Finalize after negotiation with RTC

Action: Env.D

Cost Estimation for each collection from RTC25th April, 2014**A. Amount required for fuel:**

Distance Travel (to and fro) = 50 km per collection

Kmpl of vehicle = 4 km per litre

Rate of the fuel = 55.58

Therefore, fuel required = $50/4$ = 12.5 LTotal Amount = 12.5×55.58 = Nu. 694.75**B. Fee for the Driver and handy boy:**

For Driver,

Average salary per month = 10,000 Nu

Salary per day = $10,000/30$ = 333.33 Nu.Salary per hour = $333.33/8$ = 41.67 Nu.

For Handy boy,

Average salary per month = 5,580 Nu.

Salary per day = 186 Nu.

Salary per hour = 23.25

Speed of the vehicle = 20 km/hr

Time required = $50/20$ = 2.5 hours

Loading and Unloading time (approx.) = 1 hour

Total time required = 3.5 hours

Therefore, the fees charged per collection = $3.5 \times 41.67 + 3.5 \times 23.25$ = Nu. 227.22**Collection Fee = X**Total Cost per collection = $A+B+C = 694.75 + 227.22 + X$ = Nu. 921.97+ X