

**11th Thromde Tshogde Resolution**

**7th February 2020**

Sl. NO	Agenda	Discussion	Decision	Action to be Taken
<p><b>Dasho Thrompon made the opening remarks welcoming the members. Dasho also made awareness on the worldwide spreading disease "Corona Virus "and asked the Thuemis to make further awareness to the public and the precautionary measures. The Chairperson asked the floor to adopt any new agenda which needs urgent discussion/endorsement.</b></p>				
<p><b>Legal Officer made the follow-up report of 10th Thromde Tshogde</b></p>				
1	<p>Requirement of Financial Support and Technical Expert in Rinchending Lhaxhang Premises (Geo-tech study and DPR). (Environment Division)</p>	<p>Envnt Head: Landslides &amp; flashflood occurs in that area every summer. Investigations have been made in collaboration with Ministries and Environment Division had made 7 appeals to DDM, MOHCA for financial support. Short Term measures have been carried out by Thromde Administration as per recommendations but couldn't carry out the Long Term Measures due to lack of fund and expertise. Env Division should write to MoWHS, MoHCA &amp; DDM to support for fund for detail Geo-Tech studies and implementation. Head, UPD raised that since Geo-Tech Studies for Rinchending LAP is on-going, having another studies for the same area may duplicate and complicate the issue.</p>	<p>Environment Division to write to the MoHCA (DDM) and MoWHS seeking fund and expertise to carry out the Long Term Measures as Thromde doesn't have budget with a copy to Dasho Dzongdag, Dasho Drungpa, MP of the constituency and NC member of Chhukha Dzongkhag</p>	<p>Environment Division to follow-up on this and UPD to render necessary supports</p>
2	<p>Endorsement of fixed deposit in RICBL. (Finance Division)</p>	<p>Audit Team had made an observation on the sum of Nu. 40M which Thromde has assured with RICBL with the condition that RICBL will pay an annual interest of 0.4m and also cover up the insurance of the Regular employees and elected members. The Audit mentioned that Thromde had neither sought approval from Tshogde nor Ministry of Finance. The Local Government Act specifies the authority of LG to invest the revenue but the question was on the authority as per the Financial Act.</p>	<p>The investment has been made in order to enhance the financial status of the Thromde Office in good faith. Out of two schemes, one has been matured and returned back to the office with an interest of Nu. 675,000. The floor, in principle collectively decided to endorse the investment made, however its details to be discussed during Budget presentation for final approval.</p>	<p>Finance Division to study all the relevant acts and present during the budget meeting.</p>
3	<p>Construction of two schools under Phuentsholing Thromde. (Education Services)</p>	<p>Education Officer: With the new policy of new age of admission to class PP, more than 700 students have been admitted as of date but still more than 300 students are not yet admitted due to lack of classrooms. So two schools need to be constructed to avoid future congestions and shift system. Location of school constructions to be identified. With increase in population, school construction is required. UPD should</p>	<p>The Tshogde members unanimously agreed to the proposal of constructing two schools but UPD, Thuemis and TEO to identify the location and put up for discussion and further submission to Ministry of Education.</p>	<p>TEO to follow-up on identification of location, discussion and submission to MoE.</p>

		<p>identify the location for school construction and will be discussed and submit to MoE.</p> <p>Detailed study &amp; discussions to be made before submitting to Ministry of Education</p>		
4	<p>Location of Satellite Clinic at Wangdi Garage, Lower Market. (Land and Survey Division)</p>	<p>Land &amp; Survey Services: Setting-up of Satellite Clinic was first identified in PWD Colony but it had to be cancelled later. Next, Pasakha area was identified but later it was decided that rather than a satellite clinic, BHU to be constructed. So, with the requirement of satellite clinic in core area, looking at the population (service users), setting-up of satellite clinic to be done in the area where currently Wangdi Workshop is located on government land (encroachment). First notification (27th Jan 2020) of vacation to Wangdi Workshop has been served, which is not yet followed. The second (final) notification will be served on Monday and after which, if not followed, demolition team will be carrying out the necessary action. Grievance letter has been put up by the workshop owner to reallocate the plot for workshop as well as tyre services plot. They even applied for time extension for vacation which the Thomde Committee regretted all three grievances as the satellite clinic has to be set up immediately, that too, in the core area.</p>	<p>The Tshogde decided not to accept any grievances as setting-up of the satellite clinic is a national importance and the site has to be handed over to MoH immediately since the budget is approved by ADB. Wangdi Workshop has to be vacated after serving second notification as decided in the Thomde Lease Land Committee meeting.</p>	<p>Dy. Chief Survey Engineer to be responsible for this particular work.</p>
5	<p>Construction of BHU in Pasakha. (L&amp;S Services/UPD)</p>	<p>Instead of BHU, a 10 bedded hospital to be constructed by the Ministry of Health under PTA budget. 35 decimal of land is registered for construction of hospital but UPD informed the floor that the plan has provisioned for 70 decimals of area for which the land pooling issues is not resolved yet.</p>	<p>The floor instructed the Dy. Chief Survey Engineer to write up to MoH on the ground works completed by Thomde and carry forward with the due process for construction of the BHU.</p>	<p>Dy. Chief Survey Engineer to be responsible for this particular work.</p>
6	<p>Endorsement of Financial Year 2020-2021 Activities. (Finance Division)</p>	<p>Activities with budget for FY 2020-2021 to be submitted to GNHC latest by 20th February 2020 to enable the agencies to review &amp; priorities the activities</p> <p>Finance Division to be careful on the budget ceiling and assist the Planning Officer on finalizing the compilation with financial guidelines</p> <p>-Budget planning and ground activities to be done before being asked by others to avoid work duplication, wastage of resources and etc</p>	<p>All Division Heads should submit the activities and Budget to Planning Officer latest by 15th Feb 2020 for further submission to GNHC by 20th Feb 2020. The discussion on the final report to be made before submission to GNHC</p>	<p>Respective Division Heads to submit the proposals on time and Planning Officer to follow-up on this and submit to GNHC. Finance Officer to assist Planning Officer</p>
7	<p>Clearance to set up permanent Crusher Plant and Hot Mixed Asphalt Batching plant at private plot in Amochhu corner by Rigsar Company.</p>	<p>A proposal has been received by Thomde Administration from Rigsar Construction to set up a permanent crusher plant and Mixer plant nearby Amochhu on a private registered plot within Thomde area (way to Gewog), currently used by the private company for PTDP and other projects. The Chief, DRD informed that approval for set up of crusher plant in the said location was already given purely on temporary basis and permanent set up would not be allowed in line with precinct plan.</p>	<p>Approval for permanent set up would not be allowed as it is against the precinct rules. However, temporary set up would be allowed depending on projects and circumstances.</p>	<p>DRD to respond accordingly as per the decision of the Tshogde</p>

	(Infrastructure Division)	Head, UPD explicated that permanent set up must not be allowed as the area is designated for residential area (UV2). The floor decided that permanent set up must not be allowed since it would contradict the precinct use.		
8	Approval for Yearly Business Festival by BCCI. (Development Regulatory Division)	The Chairperson elucidated the floor that BCCI wants to conduct an annual event to promote the business perspective & relations within the business communities. To lessen the burden of seeking approval every time, one time approval to be sought from Tshogde to conduct a business festival every year. The Chief, DRD reiterated that location clearance for time bound entertainment is being accorded by Entertainment Licensing Committee (ELC) and why would there be a need to seek separate approval from Tshogde. He also clarified that location of the festival must be identified outside the core town since main town area does not have ample space for such activity. The chairman responded that BCCI wishes to have one time approval so that they could conduct the festival yearly like in other Thromdes. The Head, UPD raised that timing of the festival must be looked into since Phuentsholing is crowded in winter. Some other members pointed out those benefits to Thromde might have to be looked into and the detailed activities must be specified so that gambling related functions are avoided. The floor agreed that detail activities of the festival must be present to the next session of the Tshogde.	The agenda will be decided during the next Tshogde with a presentation from the BCCI with a detailed plan of the events.	DRD to write to BCCI informing them to make presentation on detail activities and plan of the festival in the next Tshogde
9	Legal Status for Happiness Center. (Maed Thuemi)	Mead Thuemi: Though Happiness Center has been existing but without a Legal Status which disables them from acquiring benefits and assistances from other organizations/privates. Chairperson: Happiness Center was first set up for homeless people but after completion of the quarter, those homeless people disappeared. So later converted it to Happiness Center where youths under difficult circumstances (addicts) resides to do away with addiction problems and all. Without legal status, no one is willing to come forward to assist the sustainability of the youths of Happiness Center. Youths from Happiness Center made presentation on the existence of it Proposal for legalization of land under Thromde on the name of Happiness Center. Management guidance will be sought from Nazhoel Lamtoen and will be established as independent organization - Dy. Chief Survey Engineer: There won't be any issue in registering the land as proposed but legalization of it as an organization/institution isn't in the authority of Thromde. - UPD: As per Land Use Plan, the land where Happiness Center has been	The Happiness Center should be operated as a part of open space park (G2 precinct) and land registration in the name of Phuentsholing Thromde to be processed after a detailed study is carried out.	Land & Survey Services in consultation with UPD to follow-up on this.

		<p>established is recognized as Green Open Space (G2). Reallocation of the center or change of land precinct must be done. It would be possible, if Happiness center can be turned into an open space park.</p> <p>- Land was used for rental services by a private firm when given on lease.</p>		
10	Preparation of DPR for Remaining LAP.(UDP)	<p>The UPD submitted that the remaining LAPs require having detail infrastructure design with reviews in the plan itself. However the activity for urban designing and detailing has been taken out in the 12th FYP during the preparation. The need for detailing has been felt due to improper infrastructure development happening without holistic analysis and considerations. The management also felt the need and has instructed the UPD to take forward with the work. The budget outlay in 12 FYP has a budget provision for which the activity needs to be included. The management informed the activity shall be included during the MTR of 12 FYP. Further it was submitted that, Ammochhu LAP DPR needs to be carried out immediately as without the designs for the LAP area, the on-going project (Four Lane Pling-Samtse Highway) cannot take up the provisioning works in the corridor due to lack of design team in the project. As the project is already under is time bound, provisioning works is must and the DPR for the LAP also have to be carried out one time. Thus, to facilitate the project and better provisioning of all infrastructures, UPD proposed to initiate the DPR with the call of a consultancy.</p>	<p>The activity of Preparation of detail Infrastructure Designs with urban design and revisions shall be included in 12FYP in MTR. The budget already outlaid in the 12FYP to be utilised for the same. Preparation of DPR for Amochu LAP to be carried out immediately and provide to the Project as the project includes some activities of our plans. The budget estimate plans and re-appropriation and also the work plan to be endorsed during the next Tshogde. Internal discussion on financial perspective will be done lead by Finance &amp; Urban Planning Division.</p>	<p>UPD to coordinate with PPS for inclusion of the Activity in the 12FYP during MTR. Urban Planning Division to do the preparatory works &amp; Finance Division to coordinate the meeting for budget allocation discussion for the current works.</p>
11	Budget for preparation of DPR for Industrial area of Pepsi Factory. (Urban Planning Division)	<p>Thromde decided not to renew the lease agreement with Pepsi Factory, so requirement of a DPR to be in place to avoid future problems. Man-power shortage is the main issue in UPD while implementing the mandated works for which additional manpower is required.</p>	<p>Urban Planning Division will be carrying out the work for being the right division for the work with approval to recruit an additional manpower- Urban Planner/Architect/Urban Designer (directly from revenue) HRC of the Thromde will deliberate on the experience, position level and salary for the new recruit.</p>	<p>UPD to carry out the work. HRS to put up in the HRC and proceed with recruitment.</p>
12	CCTV Budget Approval from overall saving. (ICT Services)	<p>ICT Services: Installation of 75 CCTV is as per the 12th FYP and budget proposal to install 25 CCTV in the FY 2020-2021 has been made to MoIC (eGBP) but if not approved by the government, approval may be granted to use the budget from Thromde Overall saving.</p>	<p>This agenda will be discussed during the next Tshogde Session after studying the budget availability under ICT services.</p>	<p>ICT Services to follow-up to put up the agenda during the next Special Tshogde.</p>

13	Budget for Omchu DPR. (Finance Division)	Omchu DPR is already in place but up gradation (as per ADB recommendation) is required to avail the grant from ADB and the budget for up gradation of the DPR lead by Urban Planning Division will be used from the overall saving.	The Budget for upgrading the Omchhu DPR will be met from the overall saving and the work will be done by Urban Planning Division.	UPD to proceed with the work.
14	Digital Bill Board for Advertisement and display of HMs'Kupar at prominent places. (ICT Services)	ICT Services: Since ICT Services couldn't get a clear picture of installation of Digital Billboard for Advertisement and display of HM Kupar, what if Electrical Section can carry out the work. Displays to be made by Administrative Services and ICT personnel's will provide technical services All Divisions should work collaboratively to complete the work successfully.	Electrical Installation will be done by Electrical Section whereby advertisement display and all will be managed by ICT services. Any office/private concerned to write to ICT for any display of advertisement on the billboard. ToR to be drafted for private display/advertisement The budget for the installation of billboards will be booked from overall savings.	ICT Services to follow-up on it and Electrical Section to assist.
15	Coverage rules for E4 construction. (DRD)	The Chief DRO explained that due to restriction of coverage to 25% in E-4 precincts, the developers always go for vertical cutting in order to maximize the use, disturbing the surrounding area and making susceptible to disaster. He pointed out that FAR (Floor Area Ratio) should be implemented instead of coverage which is approved in principle during the review of Core and Ammochu LAP by National Committee for Human Settlement (NCHS) in 2019. However, FAR needs to be revisited during the Kebreytar and Damdara LAP review which is on-going. The Chairman and other members also supported the idea to strictly implement the FAR instead of coverage requirements which could also take care of the proportion of built structures and urban form. The floor directed UPD to integrate the FAR during Kabreytar & Damdara LAP review for implementation.	UPD to review and integrate in the DCR during the Kabreytar and Damdara LAP review.	UPD in consultation with DRD to integrate in DCR during the Kabreytar and Damdara LAP review.
16	Budget Allocation for "Development of Nursery behind Archery Range of Nu. 19 Lakhs couldn't be utilized since the area is being used by SASEC project for material stacking, labor camp & fabrication works. So, approval may be	The plan to develop nursery behind archery range couldn't be implemented due to on-going SASEC Project works. SO the budget will be used for landscaping work under the same division.	Budget Allocation approved as proposed.	Environment Division to follow-up.

	accorded to utilize the budget for landscaping & improvement works “under the same division. (Environment Division)			
17	Revision of water charges for Commercial Activities. (Water Supply Section) (WSS)	Water Supply Section: Water related service charges has not been revised for decades but was visited for revision during the 8th Thromde Tshogde with effect from 1st July 2019. Within 6 months of wage rate revision, there had been lots of complains from the public on drastically increased rate. A particular complain from the Dratshang has been made stating that Thromde has revised the wage rate beyond the rules and regulations and had not been paying the water bill amounting to Nu. 67,000/- for the last 6 months. With so many complains, the section felt the need to appeal to the Tshogde to revisit the rates in the benefit of the public Tshogde has the full authority to revise the fees and charges and the last revision wasn't exceptionally higher than any other Thromdes. Moreover, the revision was done with much detailed study.	The Tshogde decided to adopt the revised rate submitted by the Water Supply Section in discussion with the Management. The new revised rate will come into effect from the month of February 2020. The revised rate is 20% over the previously existing rate for the commercial and industrial activities, whereas the residential and institutional remains the same. - The revision shall remain into effect for a minimum period of two years. WSS shall also write to Dratshang justifying that the revision of fees and charges by Thromde Tshogde is permitted unlike taxes which requires the approval of Parliament. The revised fees have been uniformly levied to all the users. Therefore, Dratshang must clear the outstanding dues within a specified time failing which water connection shall be disconnected.	Water Supply Section to issue notification and publish in PT website. WSS shall also write to Dratshang clear the outstanding dues within a specified time failing which water connection shall be disconnected.
18	Land Tax review in extended area- Pasakha, Pekarzhing, Rinchending and Neydra Demkhong. (Pasakha Thuemi)	Pasakha Thuemi: Land taxes in extended areas are comparatively higher compared to the income of the people living in those areas. People grumbling over the taxation policy The chairman pointed out that fair taxation policy is currently under revision by the Government and hence further deliberation was not required as it will be implemented as per Revised Taxation Policy after endorsement by the Parliament. However, he said that there are owners paying different rates in the same locality with same facilities that are why the public are making noise. Tshogde directed Land Record & Survey Division to verify in the ground for fairness and uniformity.	The land taxes will be implemented as per the Revised Land taxation Policy currently under revision by the Government.	Land Record and Service Division to verify those discrepancies in the ground for fair taxation.
19	Sitting Fees for Tenancy Dispute	Legal Officer informed that as per the Tenancy Rules and Regulation-2018, sitting fees for Dispute Settlement Committee members are entitled as per	The Fees for the Dispute Settlement Committee is endorsed by the Tshogde as per	Legal Officer and Dy.Chief Finance Officer

	Settlement Committee. (Legal Services)	the existing rules of Ministry of finance but the members haven't claimed till date. Tshogde approved the sitting fees in principle. However, Dy.Chief Finance Officer needs to look into the relevant rules as per Ministry of Finance and issue the order.	the entitlement (finance Division to find out the entitled amount as per Financial norms). Legal officer shall also issue the order for committee members in line with Tenancy Rules & Regulations	
20	Presentation of revised Amochu and core LAP for general information and endorsement. (UPD)	Review of Amochhu LAP has been thoroughly discussed and now is completed. The presentation is made for information to the floor as well as endorsement from the Tshogde There was a request from Public on provision of 10 floors in the Plan for larger plot sizes, where as the NCHS advised that the proposal is too early considering the nation's technological advancement and then directed to study further. A two storied structure (under construction) falling within the LAP has to be dismantled and compensated as it falls on the plan of construction of road. The owner was informed on the same but as of now, the owner has not accepted. But the compensation has to be carried out at any cost for the benefit of overall plan. It was also remarked that implementation of DCRs, precinct updation in the Lagthrams, and demarcation of reconfigured plots has to be conducted immediately.	The review of Amochu and core LAP has been endorsed as presented. The compensation of the affected structure to be assessed and processed as per the LAP. The implementation of DCRs, precinct updation in the Lagthrams, and demarcation of reconfigured plots to be conducted immediately by concerned sections and divisions.	DRD to write to the owner of two storey structure informing that the structure would be affected by new road alignment as per revised Amochu LAP which would be compensated as per PAVA rate. UPD and Land Record & Survey Division to carry out demarcation and updation of lagthrams. Implementation of all precincts and DCRs as per revision to be implemented with immediate effect by all concerned.
21	Moratorium for LAPs and possible Litigation. (UPD)	The UPD presented in detail the requirement of Moratorium for the three LAPs and its possible litigations. The presentation also highlighted the directives of DHS, MoWHS in February 2019. It was proposed that for all three LAPs, it is best to have Moratorium imposed with immediate effect. It was pointed out that LAP reviews for Karbeytar/Dhamdara has already started and for Rinchending LAP review, the GeoTech study is already underway. Moratorium is required as the LAPs need to be reviewed due to the various issues and allow any possible betterment of infrastructure provisions. The Urban Planner presented the Way forward as follow: 1. Issuance of all new site plans to be halted. 2. All process of Land transaction to be kept on hold	Proposed way forwards by UPD are endorsed by Tshogde. Moratorium will be implemented for Kabreytar and Damdara LAP immediately. For Rinchending LAP, Public consultation meeting to be conducted highlighting the need for moratorium for the LAP review. If majority of the public agree after meeting, moratorium can be imposed. Allow developmental activities where building approvals are already accorded. Building approvals to be issued for those	UPD and Thuemi, Rinchending to arrange for public consultation in coordination with UPD within two weeks. LSD to issue Liens with written conditions and inform the financial institutions for those already mortgaged in the LAPs having review.

		except for Solid Plot and Flat Transactions. 3. Lien Noting for new mortgages with written condition and Written information for already mortgaged properties 4. Exemption of vacant land tax for Plots on Moratorium. The Tshogde agreed to have Karbaytar and Dhamdara moratorium for seven months and Rinchending moratorium to be issued for one year after a public consultation. It was also deliberated that for the buildings already accorded with approval cannot be halted and for those with official site plans issued, needs to be considered case by case where if the owners already have the designs and drawings completed would have to be granted approvals after considering all implications on the LAP review.	with official site plans already issued on a case by case basis considering all implications on the review process.	
22	Topography survey & Geo-tech study for Pasakha LAP. (UPD)	UPD: Budget proposal has been made for Nu. 6M for the FY 2020-2021 as they already have planned activities.	Endorsed as proposed.	UPD.
23	Proposal for Study Visit for Regular Civil Servants who have never been on ex-country travel. (HRO)	Requirement of study visit for regular civil servants who have never been outside country in their entire service period Budget needs to be identified and detail proposal to be made during the next Tshogde.	Detailed proposal should be made during next Tshogde.	HRO to make the proposal with program and expenses.
24	Grant of incentives @ Nu. 5000/- per month for the muster roll engineers w.e.f. 1st Feb till April 2020. (HRO)	The workload assigned to the muster roll employees are much heavier than the payment they receive, which is much lower than the other engineers who does the same load of work. So, as an incentive for them, the HRC proposed to incentivize them with an amount of Nu. 5,000/- (lump sum) to all three, irrespective of their qualification.	Approved as per the proposal. Incentive of Nu. 5,000/- per month for two engineers (one Degree and one Diploma) for a period of three months with effect from 1st February to 30th April 2020	HRO to issue the order.

25	Fees for Demolition Squad. (Executive Secretary)	<p>Executive Secretary: Demolition Team needs to carry out risky works besides their mandated works and the team comprises of members from regional offices. The fees during demolition work will motivate the members to participate as they even need to risk their life during the demolition works. Thimphu Thromde has the system of paying the fees for the demolition team and even planning to increase the fees to Nu.5000. Other Thromdes are also in the pipeline to payment for demolition members.</p> <p>In the interest of the officials involved, Tshogde approve for payment of Nu. 2000/- as fees to every team member during every demolition including excavator/JCB driver and labors. The Tshogde also deliberated on the relevancy of the existing demolition members and reduced the numbers.</p>	<p>The Tshogde approved the payments of fees @ Nu. 2000/- for every team member during every demolition work . The member of the demolition team is revisited as follow:</p> <ol style="list-style-type: none"> <li>1. Thrompon</li> <li>2. Executive Secretary</li> <li>3. Land &amp; Survey</li> <li>4. Legal</li> <li>5. Chief, DRD</li> <li>6. BPC representative</li> <li>7. Representative OC of RBP</li> <li>8. Respective Thuemi</li> <li>9. Representative from Trade Office</li> <li>10. Respective BI 11. Excavator/JCB driver</li> <li>12. Laborers (No's to be determined as per site requirement).</li> </ol>	DRD to issue executive order.
26	Presentation on revenue collection for last 6 months. (Finance Division)	<p>Detailed presentation on revenue income and expenses made by Finance Division.</p> <p>Budget Utilization Plan was questioned as the budget requests are made at the minimal</p>	<p>Budget Utilization Plan to be used accordingly.</p> <p>SDP(Small Development Project) budget requisition to be made</p>	

**Participants Present:**

1. Dasho Uttar Kumar Rai, Thrompon as the Chaiperson
2. Lungten Jamtsho, Executive Secretary as the Member Secretary
3. Sharmila Limbu, Thuemi of Phuentsholing Toed as the Dy. Chaiperson
4. Nar Bdr Rai, Thuemi of as the Member
5. Pravat Rai, Thuemi of Pasakha as the Member
6. Passang Norbu Tamang, Thuemi of Rinchending as the Member
7. Tertha Maya Mongar, Thuemi of as the Member
8. Chungku Dawa, Thuemi of Phuentsholing Mead as the Member
9. Chief of Divisions as observer

**Minute of the Tshogde Approved by:**

**Members:**

1. Thuemi, Rinchending
2. Thuemi, Pekarshing
3. Thuemi, Pasakha
4. Thuemi, Phuentsholing Maed
5. Thuemi, Nyedra
6. Dy. Chairperson (Phuentsholing Toed Thuemi)

(Executive Secretary)

**Member secretary**

(Dasho Thrompon)

**Chairperson**