



SaZhi

“Securing the priceless land for prosperity and happiness”

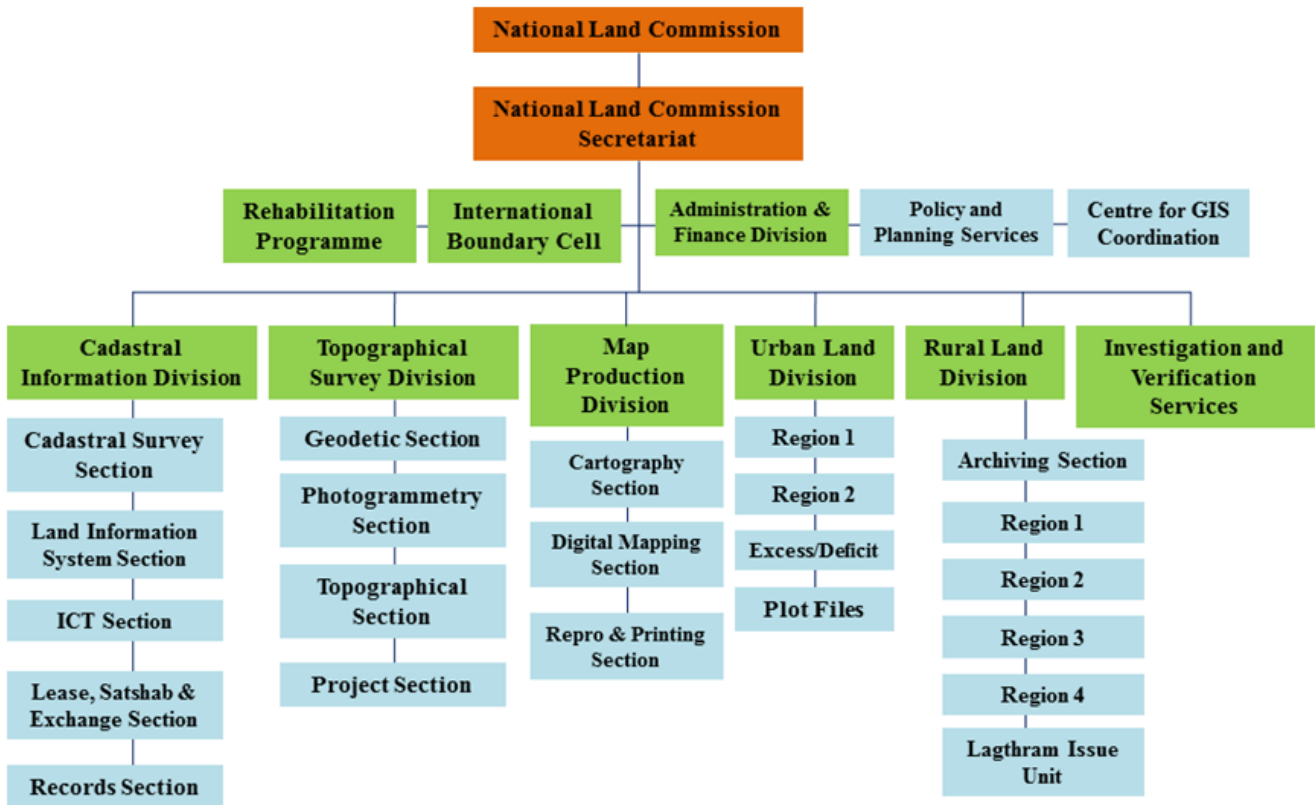
National Land Commission's quarterly newsletter

January –March 2014 Vol. I, Issue I



“There are many reasons why people should have land. First of all, it will benefit the people. We must do everything to ensure that our limited arable land is of greatest benefit to the people and their children. Land must bring social, economic and political strength to the people.” His Majesty the Druk Gyalpo Jigme Khesar Namgyel Wangchuck -Royal Address during the launch of the Historic Land Reform in Lhuntse, March 2009

Existing Organogram of the National Land Commission



Present NLC Commission Members

Sl. No.	Name	Agency	Remark
1	Dasho Dr. Sonam Tenzin	Secretary, MoWHS	Chairman
2	Dasho Sonam Tshering	Secretary, MoEA	Member
3	Dasho Ugyen K. Namgyel	Zimpon, Office of Gyalpoi Zimpon	Member
4	Mr. Lam Dorji	Secretary, MoF	Member
5	Mr. Tshering Dorji	Secretary, MoHCA	Member
6		Secretary, MoAF	Member
7	Dr. Ugyen Tshewang	Secretary, NEC	Member
8	Mr. Pema Chewang	Secretary, NLC	Member Secretary
9	Mr. Ugen Takchhu	Surveyor General, NLCS	Member
10	Mr. Phub Tshering	Secretary General, BCCI	Member
11	Mr. Minjur Dorji	Executive Secretary, Thimphu Thromde	Member
12	Mr. Choeki Khorlo	Specialist, International Boundary	Member

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Overall Concept:
Pema Chewang, Secretary

Editorial board
Tshewang Gyeltshen-Director
Tenzin Namgay- Head ,CID
Gungsang Wangdi- PPS

Message from the Secretary

Dear Readers,

Kuzuzangpo la! Let me introduce to you our first quarterly newsletter, "Sazhi". As the name suggests ("Sazhi" meaning "land"), through this newsletter we would like to keep you informed of the things happening in the sphere of management and administration of land resources in the country. As you know, the primary mandate of the National Land Commission is to oversee all activities related to management and administration of the country's land resources. There is no doubt that the landed property plays a vital role in our lives and by extension it forms an im-

New Secretary joins office

Gyalpoi Zimpon Wogma Pema Chewang joined the National Land Commission (NLC) on March 12, 2014 as the new Secretary. Hundreds of well wishers, friends and family members attended the handing-taking and Tendrel ceremony. He served at the Office of the Gyalpoi Zimpon prior to the present post. He also served in the Ministry of Finance, the World Bank and the Gross National Happiness Commission



portant basis for advancing the socio-economic development of the country and the wellbeing of our people.

Given the level of significance, it is only fair that the end users of services are aware of the various plans and programmes the National Land Commission Secretariat has in place in fulfilling its broad mandate. This quarterly newsletter will be used as the medium to disseminate such information. Further, it is expected to answer some of the questions the readers may have on the land issues.

In this first issue of the "Sazhi" our focus is more on introducing the organization and the work we do. More interesting stories will be covered in the upcoming issues.

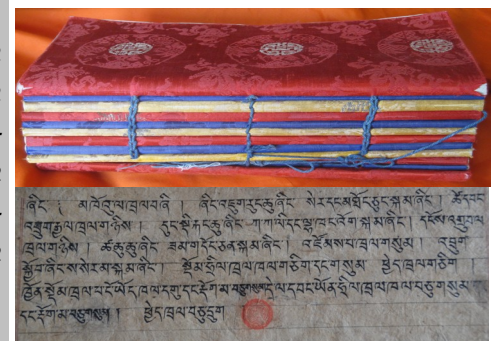
We wish you a happy reading!

Thram's Corner

History

The Sathram (land recording system) was introduced in Bhutan during the era of Zhabdrung Ngawang Namgyal which dates back to 17th century. However, the most commonly known land record is Thram Marthram Chenma prepared during the reign of our first Monarch His Majesty Gongsar Ugyen Wangchuck in 1919. The Sathrams were prepared mainly for the purpose of taxation in the past.

Martham Chenma means the red sealed land record.



Martham Chenma 1919-1966

Online land conveyance system

E-Sakor, the online land conveyance system was launched in 2012. Lhuntse was the first Dzongkhag to operate online system to carry out land transactions. As of today, the system is operational in 12 dzongkhags (Lhuntse, Mongar, Tashigang, Tashiyangtse, Bumthang, Trongsa, Wangdiphodrang, Dagana, Punakha and Haa).

The online system can be implemented only in those Dzongkhags where National Cadastral Resurveying exercise was completed and new lagthrams issued.

Once the system is fully operational in all 20 Dzongkhags, it is expected to greatly enhance the service delivery pertaining to land transactions.

Owing to internet connectivity problems in the Gewogs, *E-Sakor* is functional between the Dzongkhags and the NLCS. The land transactions between Gewogs and Dzongkhags are still processed in conventional system of hard copies. With improving ICT infrastructure, it is envisaged that the system can be enhanced to incorporate Gewogs within the *E-Sakor* system.

The **Urban E-Sakor** system was



online land transaction system

launched in June 2013. As of date, it is operational in Thimphu Thromde for local areas where new Thrams have been issued.

E-Sakor is a comprehensive land information system. Mortgage module has already been developed. Soon a number of tools will be developed and made available to users online to access land services online.

KNOW YOUR LAND ACT

The Land Act of Bhutan 2007

Enacted— On 27th day of June 2007 by the 87th Session of the National Assembly of the Kingdom of Bhutan .

Section 16 : Chhagzhag Sathram or Thram shall be the sole authoritative document that shall record and establish the legitimacy of title to land of a juristic person in the country.

Section 23: The Commission Secretariat or its authorized agency shall issue Lag Thram to the Thram holder as copy and evidence of his land in the Thram. Copies of the cadastral map of his land shall be attached to the Lag Thram.

Section 71: Granting of Kidu and rehabilitation land shall be the royal prerogative of the Druk Gyalpo.

Section 137: The land recorded in the Thram as Kidu or rehabilitation shall not be sold within 10 years of its allotment.

Section 299 (e): Encroachment on a state owned and private registered land constitutes an offence of petty misdemeanour and shall be liable to be sentenced in accordance with Bhutan Penal Code.

and 19 Dzongkhag Thromdes.

Land Transactions

The Urban Land Division has started processing land transactions of urban areas immediately after the handing-taking of Thrams.

Cadastral Resurvey in Thromdes

Phuentsholing

The cadastral resurvey in

Phuentsholing Thromde was long overdue. Unfortunately, the Thromde could not complete local area planning at the time of NCRP in Chhukha Dzongkhag. Therefore, ULD spearheaded NCRP in Phuentsholing Thromde. So far, NCRP in extended area and Rinchending LAP are completed. NCRP in Damdara, Kabreytar and Core are yet to be done after Thromde completes all local area planning formalities.

Gelephu

The NCRP within Gelephu Core area could not be carried out in 2012 since there were numerous land issues. These issues were resolved during the past two years. Therefore, in order to complete NCRP in Gelephu Thromde in all respect the core area is being taken up. One land registration team and five survey teams are in Gelephu.

Rural Land Services

Rural Land Registration

The Division is responsible for managing and administering of all rural land matters. It deals with all land transactions, new registration and issuance of Lagthrams, provisional certificates, land acquisition and allotment of satshab, land exchange etc.

Land transaction

Land transaction means transfer of land ownerships from one owner to another either through sell and purchase, inheritance, gift or donation.

New registration

New registration means registration of new land in the Chhazhag sathram either granted through Royal Kasho or allotted as satshab in lieu of registered land acquired by the government.

Land acquisition

Private registered land acquired by the government in the interest of the nation.



Mr. Sonam Jamtsho
Head of Rural Land Division
Contact no: 338066/1760 5321

Satshab

Substitute land provided by the government as land replacement for his/her land acquired

Legal Services

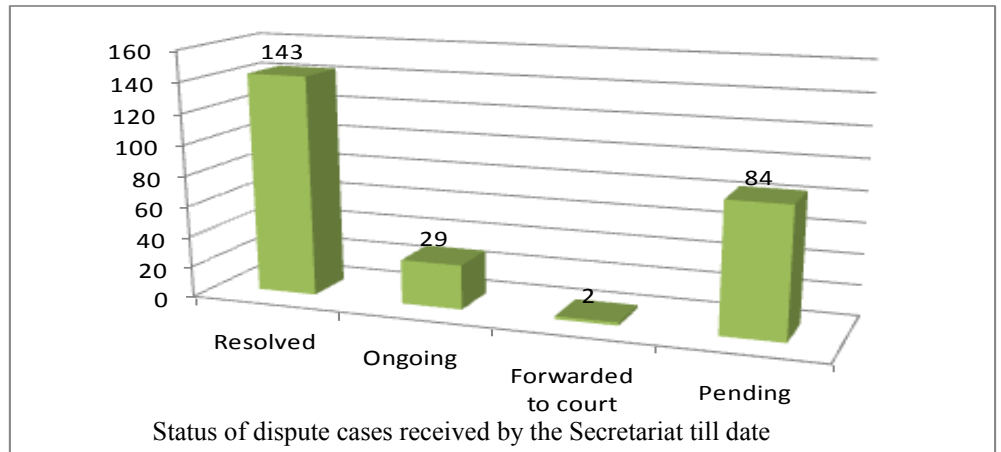


Mr. Karma Jamtsho
Head of Legal Services
Contact: 338945/ 17762253

In accordance with the sections 45 to 50 of the Land Act of Bhutan 2007 the Legal Services under the Secretariat was set up in July, 2011 to investigate and resolve disputes pertaining to errors in Thram and cadastral records.

The Secretariat entertains only those disputes pertaining to boundary, easement, excess/deficit and anomalies in record and ground truth.

The Legal Services has registered 258 dispute cases, of which 143 cases have been



investigated and resolved so far. Two cases have been forwarded to the Royal Court of Justice while 29 cases are under investigation.

The land dispute cases received are registered with the Legal Services. The cases are studied thoroughly referring relevant documents available with the Secretariat. If cases require field visit, a verification team consisting of Survey Engineer, Legal Officer, Land Record Assistant go to the site. The team member also consists of at least 3 senior citizens from the locality.

Findings and recommendations of the verification team is then presented to the Dispute Settlement Committee in the Secretariat. The Committee's decisions are conveyed to the parties involved and are provided 30 days period to appeal to the court of law if either party is not satisfied with the decision passed.

In case if no appeal has been made within the stipulated time, the Committee's decision is implemented by updating the Thram and map records and ground demarcation if necessary.



Workshop on Development of Geospatial Portal in Bhutan was held at Hotel Migmar on 25th March 2014. It was jointly organized by ICIMOD and NLC. 34 members including members of Centre for GIS Coordination (CGIS) and ICIMOD attended the workshop.

Cadastral survey services

The National Land Commission Secretariat is responsible for ensuring reliable and quality cadastre for land registration system by adopting the most recent technology such as Total Stations and Global Navigation Satellite System (GNSS).

The Cadastral Information Division is responsible for cadastral surveying and maintenance of cadastral geodatabase. Cadastral survey is performed in Drukref-03 datum, which complies with international standard.

Cadastral survey is carried out for allotment of satshab, exchange, freehold and leasehold, plot fragmentation, demarcation, identification of plot boundary, validation of Local Area Plan and verification of excess/deficit issues. Detail surveys such as roads (highways, streets and farm roads), electricity, telecommunication, irrigation channels, and other features affecting the cadastre are also being executed.

The Division renders technical expertise in resolving disputes and excess/deficit issues and provides manpower supplement to the local government. Those individual landowners or parties who require cadastral survey shall have to submit their application in a prescribed form. The applicant

will have to deposit estimated expenses with the AFD, NLCS before the actual surveying.

The service charges are determined as per specifications made in the indent form.

After completion of field survey, the Cadastral survey section will review, process and update in the database and inform the landowner thereof.

Cadastral maps are issued on request for specific purpose. Land owners can request for cadastral map of their plots either in hard or softcopy for a fee. Government agencies can apply for cadastral map over large areas for executing projects in public interest.

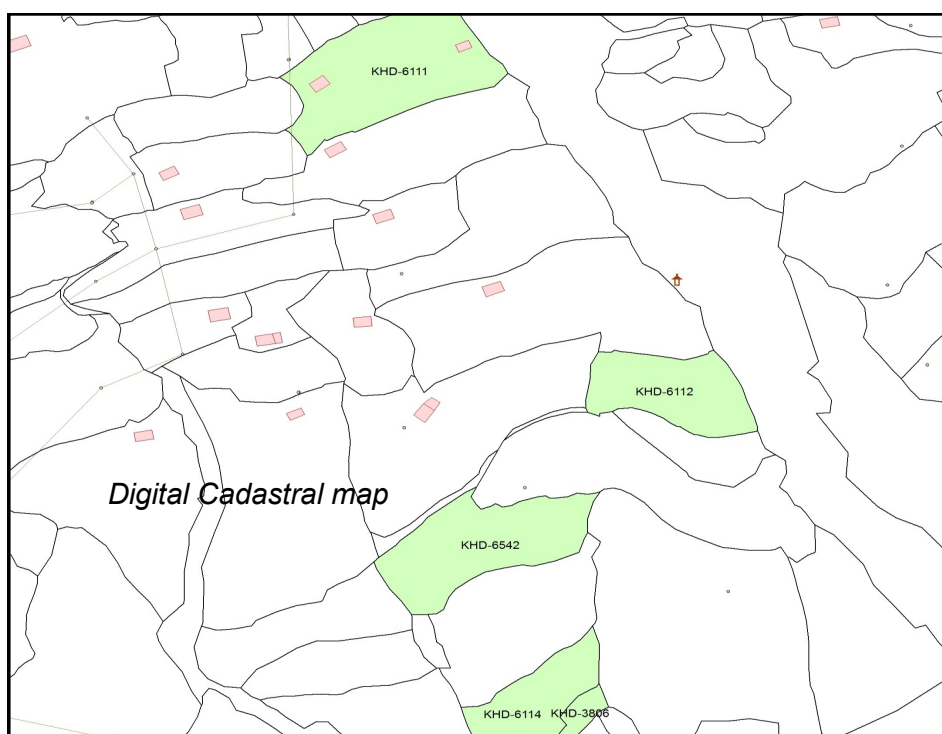
The judiciary can access cadastral maps to use it as evi-



Mr. Tenzin Namgay
Head of Cadastral Information Division
Contact no: 325219/ 17411715

dence of legal boundary in adjudicating land disputes.

Broadly, there are three generations of cadastral maps; the original cadastral maps from the 1980s, the NSC cadastral maps from the 1990s and early 2000 and the NCRP cadastral maps after 2008 in the archives of the Division. Continuous improvements have been made in their accuracy from one generation to the next.



Surveying Equipments used in NCRP



A survey engineer observes with a Total station



Reflector (Prism)



Global Positioning System (GPS) Receiver



Global Navigation Satellite System (GNSS) receiver

Map Production & Printing Services



Mr. Shankar Sharma
Head of Map Production Division
Contact: 328177/ 17628031

The Map Production Division is the custodian of maps. It processes, designs and publishes diverse map products, booklets, pamphlets etc.

The Division adopts, prepares and issues technical guidelines and map specifications in line with standard practice of surveying and mapping. From time to time technology of map production in various scales and formats is being upgraded.

The Division also maintains map database and updates periodically. Compilation, cartographic treatment/processing, production of thematic maps and mass printing of topographic and user defined maps. Topographical Base Maps are being digitized and create digital cartographic database. As per direction and requirement from time to time, boundary strip maps and international boundary map are also produced.

Every map has its indices and whenever digital map data is being modified in the field it has to be updated. Thus maintenance of index of digital data as when updated in the field.

Besides map production, the Division also carry out delineation of administrative boundaries along with standardization of geographical

names as and when directed. Beyond routine mandate extra-departmental assignments, small and large scale mapping and others as per demands of clients are carried out. However, it is based on payment basis.

Some of the maps and data are made available without restriction for sale. Following are some of the products;

1. Administrative Map
2. Physical Map of Bhutan
3. Road Network of Bhutan
4. Communication map
5. Rivers of Bhutan
6. Historical map
7. Trekking route map
8. Dzongkhag and boundary map
9. Gewog boundary map
10. Other thematic map

The work for establishing and developing National Spatial Data Infrastructure is under progress.

Topographical services

The Topographic Division of the Secretariat is responsible for collecting and maintaining up-to-date fundamental topographic and geodetic data for establishing national geospatial database of the country using the state-of-art technology, which shall provide data and information for various developmental activities.

Every country in the world has National Reference Framework and geodetic control network. These two networks provide basis for other survey works. It is vital to establish, monitor and update high precision levelling network and Permanent Reference Stations (PRS).

The Division not only conduct topographical survey but also perform geophysical and magnetic surveys.

Aerial photographs and satellite imageries are not produced in our country. The Division plan, procure and process aerial photographs and satellite imageries. These imageries are used to extract 2-Dimensional and 3-Dimensional spatial data for topographical mapping.

The Division also carry out base mapping of the entire country at the scale of 1: 25 000 and urban areas at scale of 1: 10 000. Periodically these base maps are revised and updated.

Besides base mappings, exter-



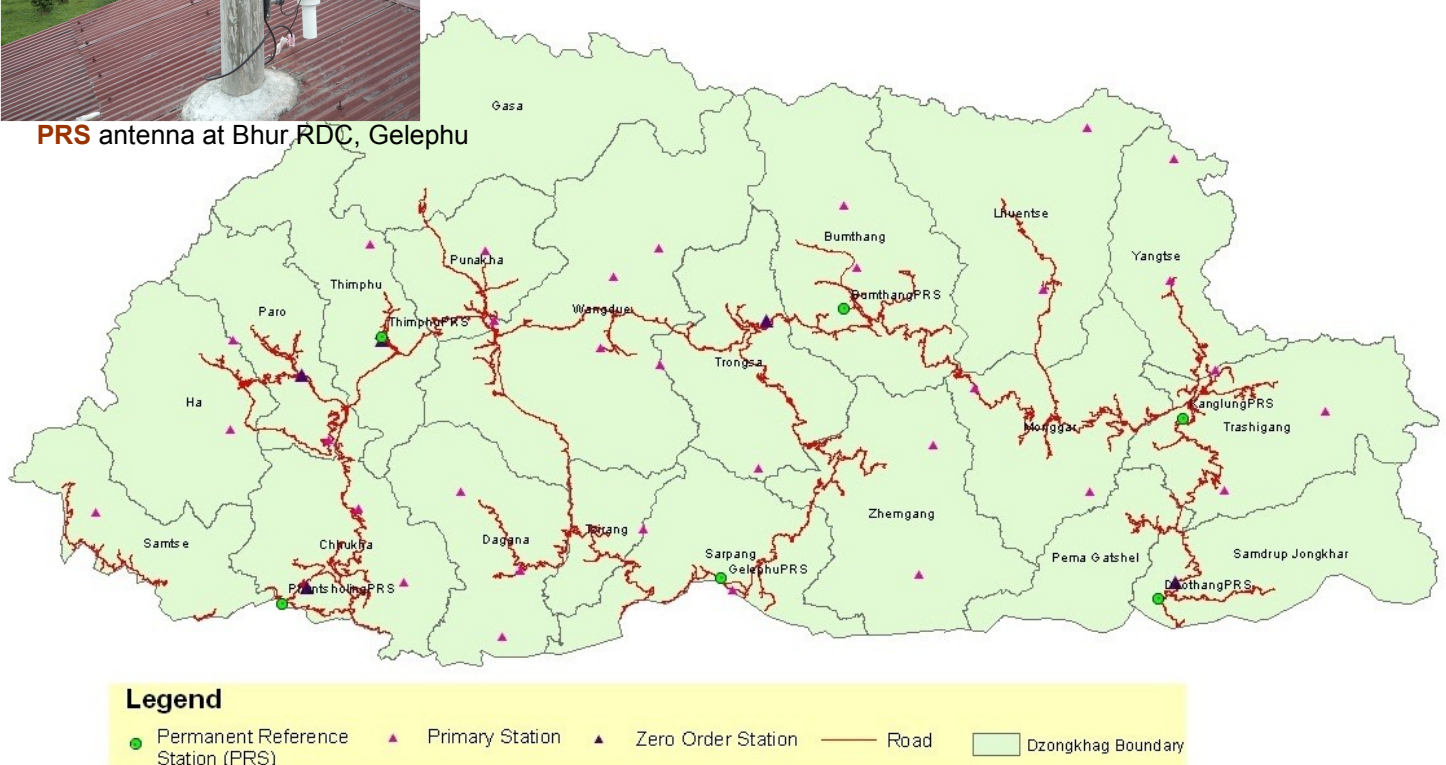
Mr. Tshering Penjor
Head of Topographical Division
Contact no.: 324989/ 17140171

nal surveying service such as projects including hydro-power, road network, industrial development, town planning, etc. All these services are delivered with professional standard and expertise. The service has gained the satisfaction and confidence of various clients, which is provided at an affordable rates and completed on time.



PRS antenna at Bhur RDC, Gelephu

Geodetic Control Network



National Rehabilitation Programme

The rehabilitation programme is in continuation to the resettlement program initiated in 1997 by His Majesty the Fourth Druk Gyalpo, under which land 'Kidu' was granted to the landless, near landless and households dependent on shifting cultivation (Tseri/Pangzhing). The initiative was in recognition of the linkages between land and poverty. The current programme is built upon the strengths and experiences of the past programme, with a distinct feature of 'taking Kidu to the people' through the Office of the Gyalpoi Zimpon.

The main objective of the rehabilitation programme is to reduce poverty through enhancement of sustainable livelihoods. To implement this noble programme, National Rehabilitation

Programme Office (NRPO) was established in 2009 under NLCS headed by Mr. Ugyen Tenzin as Program Director. The implementation of program is guided by the rehabilitation strategy document formulated by NLCS in collaboration with other stakeholders, which seeks to streamline the approach and procedures to effectively and efficiently implement rehabilitation programme in an equitable and transparent manner.

The strategy provides a framework for the implementation of rehabilitation programme for the landless and socio-economically disadvantaged/marginalized communities. It outlines the processes by which the target groups/individuals are identified and confirmed,



Mr. Ugyen Tenzin
Specialist (Program Director of Rehabilitation Programme)
Contact no.: 321475/ 17631310

and defines the different categories of beneficiaries. It also provides details on the selection methods for potential rehabilitation sites; determination of land grant sizes and their tenure-ship; types of support to be provided including identification of income generating initiatives, implementation mechanisms and responsibilities, monitoring and evaluation of the programme.



The first Rehabilitation site at Khenadang in Pemagatshel Dzongkhag

Alienable & Disposable Land

The Topographical Division is carrying out an inventory of vacant state reserve forest land (SRFL) in the country. The short term objective of the project is to provide substitute land in timely fashion and the long-term mission is to establish an inventory of SRFL for sustainable

management of usable land. This involves surveying and physical verification of potential state land that can be cultivated or developed along with attribute data consisting of 25 entities.

As of now, physical survey of SRFL has been completed for

six Dzongkhags of Wangdue, Chukha, Paro, Punakha, Samdrup Jongkhar Samtse, Tsirang and Zhemgang. Total area of more than 6000 acres has been surveyed along with attribute data.

National Cadastral Resurvey



Mr. Tshewang Gyeltshen
Director

Contact no.:325274/17140455

New Sathram Compilation (NSC) means preparation of new sathram based on the results of the first cadastral mapping survey. During this survey Thram was integrated with the cadastral maps. The NSC in all 20 Dzongkhags started in 1990 and completed in 2005. The excess land and its payment became one of the pressing and contentious issue during the NSC as the actual land occupied/claimed on the ground was detected more than the legitimate area registered in the Thram. Any occupied or claimed area beyond the registered area in the Thram is termed as excess land, which as per the provisions of the land laws is encroachment into state land.

National Cadastral Resurvey Program (NCRP)

On 24th September, 2007 His Majesty the King commanded to "...correct and complete cadastral resurvey of all 20 Dzongkhags with coordinates, using the best technology available in the world, and the best experts- we must develop a dynamic and effective land registration system throughout the country, to ease process of land transfer and registration and at the same time enable confident dealings in property, finance and business".

Subsequently, the Royal Government of Bhutan has approved total budget of Nu.1200 million for the National Cadastral Resurvey Programme (NCRP). Initially, the project duration as per the command was three years, but later reconsidered for five years i.e. June 2008 – June 2013.

Main objectives of the NCRP

In pursuance to the Royal Command, NCRP was implemented by the National Land Commission (NLC) with following objectives:

1. To achieve the noble aspiration of His Majesty the King in resolving land related problems, once and for all.
2. To establish accurate and reliable land information system
3. To strengthen land tenure and the security of land-ownership.
4. To automate land conveyance system through application of Information and Communication Technology (ICT).
5. To enhance land related service delivery.
6. To establish multipurpose cadastre in support of good governance.

His Majesty has granted excess land Kidu in 10 Dzongkhags based on the NCRP results to 75,468 Thram holders of 75,327 acres. His Majesty also granted excess land payment exemption of Nu.1104.140 million.

To be continued.....

Farewell to former Secretary

Dasho Sangay Khandu joined the National Land Commission (NLC) on 15th August 2007 as its first Secretary. The NLC was also established in that year with enactment of the Land Act of Bhutan 2007.

After serving for six and a half years he was transferred to DHI as the Chairman. He joined the



new office on 10th March, 2014.

Dasho Sangay Khandu was awarded the white scarf without fringes and Patang in 2008 and the red scarf in 2010 by His Majesty the king during his tenure as Secretary of NLC. All staff of the NLC extended their heartfelt gratitude and offered Tashi Lekmoen.

Longest serving person in the office

Mr. Kezang Phuntsho hailing from Lhuntse Dzongkhag is the senior most staff in the National Land Commission Secretariat. He first joined the service in 1973.

He superannuated on 15th July 2013 as Chief Land Registrar of Rural Land Division after more than 40 years of dedicated service. He continues to serve the Secretariat on contract.



He started his career as a humble Lower Division Clerk (LDC)

in the then Land Records Office under MoF. During his tenure, he made significant contribution to the evolution of land registration system.

To his junior colleagues, he is a perfect mentor, kind-hearted boss and easy to get along with. He is popularly known as Lop Kezang and he is 59 this year.



Tree plantation in the office premises on 21st March 2014



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