



SaZhi

“Securing the priceless land for prosperity and happiness”



National Land Commission's quarterly newsletter

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Overall concept & advisor:

Pema Chewang, Secretary

Editorial Team

Gonpo Tenzin- Chief, PPD

Gungsang Wangdi- PPD

Dorji Wangchuk, LMD

4 Dzongkhags get additional RTK machines



On 2nd August, 2016 the NLCS handed over Real Time Kinematic (RTK) survey machines to four Dzongkhags of Haa, Tashigang, Trongsa and Zhemgang. These were calibrated and maintained after being used for spillover NCRP.

With the additional survey instruments in these Dzongkhags, the land survey services are expected to improve and enhance effective delivery of land services to the public.

New Lagthrams Issued



Officiating Director, Department of Land Administration & Management handing over Lagthrams of Gelephu Thromde to Thrompon

Gelephu Thromde received the Lagthrams for Core area in December 2014 as the National Cadastral Resurvey Programme for the same had been completed. However, survey and demarcation of plots within the LAP III and IV have been completed only last year as the urban plan for these two areas were prepared later.

The Officiating Director, Department of Land Administration and Management handed over a total of 369 lagthrams for fine plots (166 thrams for LAP III and 203 for LAP IV) to Gelephu Thrompon

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Mr. Tikaram Kafley on 5th August, 2016.

On 29th August, 2016 Thrams of Mongar, Lingmethang and ked-eykhar Towns of Mongar Dzongkhag were also issued. There are 381 thramholders in these towns, of which only 254 were found to be fine plots. Remaining plots have issues such as incomplete documentation, excess land and structure overlaps on the state land.

The Thrams for fine plots of Tashiyangtse town (402 thrams)



Tashiyangtse Municipal Engineer Jigme Rinzin receiving Lagthrams

were also handed over to Municipal Engineer Jigme Rinzin on 7th September, 2016 . There

are 476 thrams in Tashiyangtse Throm including the extended area.

Summary of Guest Speakers' presentation for Friday Forum

The Friday Forum was Initially started by the Secretary to enhance the skills on public speaking. The staff of NLCS having completed the round of presentation, the Secretary had started to invite guest speakers to the Forum.

The objective of inviting guest speakers from various organizations is to keep NLCS staff abreast of what other organizations are doing. Besides, former senior staff of NLCS are also invited to share their past experiences in land administration.

The NLCS invited Mr. Kezang Phuntsho, former Chief Land Register of Rural Land Division as a guest speaker for the 42nd Friday Forum held on 12th August, 2016.

Mr. Kezang Phuntsho served in land registration and administration for over 40 years.



*Mr. Kezang Phuntsho
Former Chief Land Registrar*

As a testimony to his longest service term in the NLC history, he begun his presentation from the establishment of the first Survey office in 1956 to the commencement of the current National Land Commission in 2007.

History of National Land Commission

The first Survey Office Headquarter was established in Samtse in 1956 with Babu Thakur Singh Prasad Sina who

was from Darjeeling, India as the Head. The first nation-wide chain survey was conducted from 1964 to 1966 .

In 1967, Land Record Office was established under the Ministry of Home & Cultural Affairs erstwhile Office of Kidu Lyonpo. The earlier land records were maintained in Langdo and Soendre which converted to acreage as per the Chain survey record.

The Ministry of Finance took over the Land Record Office in 1970 and was headed by Lyonpo Chogyal. The Chief Land Record Officer was Mr. Damcho Rinchen from Yebisa, Punakha (1970-1973).

In 1972 the first copy of Lagthram was issued to the land-owners.

The land transactions as per the Land Act 1979 commenced after Mr. Lhakpa Drukpa from

Wangduephodrang headed the office as the Chief.

In 1982, the Land Record Office was transferred from Ministry of Finance to Ministry Home Affairs under the Surveyor General. The Minister for Home Affairs was Lyonpo Tamzhing Jagar. Dasho Sonam Rabgye was the first Surveyor General of Bhutan.

New Sathram Compilation (NSC) started with 9 gewogs of Paro Dzongkhag using Plane Table surveying method. The unit of measurement was in hectares.

From 1991 to 1998 Kidu Lyonpo Dargo Tshering was the Minister of Home Affairs and the Head of the Department of Survey and Land Record (DSLRL) was Secretary Dasho Pema Wangchuk while Head of the Land Record was Mr. Sithar Namgay, who then served as the Director (1991-1999).

Land transaction system using computer and Otoka was initiated in 1990s. NSC data of the whole country enabled land transactions using computer.

Land allocated through Resettlement programme to the beneficiaries in Southern Dzongkhags were registered in the Thram.

In 2003, the DSLRL was transferred from Ministry of Home Affairs to the Ministry of Agriculture when Lyonpo Sangay Ngidup was the Minister.

On 15th August, 2007 the then DSLRL under the Ministry of Agri-

culture was delinked from the Ministry and institutionalized as National Land Commission following the enactment of the Land Act, 2007 by the 87th National Assembly.

Dasho Sangay Khandu was the first Secretary of the Commission. Dasho served as the Director of the Department of Trade under the Ministry of Economic Affairs erstwhile Ministry of Trade & Industry prior to joining NLC.

With the enforcement of the Land Act 2007, Land rules and regulations was formulated and other relevant guidelines and policy to support implementation of the provisions of the Land Act 2007. According to Mr. Kezang Phuntsho, there had been drastic change in terms of the office set up and development in the human resource capacity.

Etiquette

Mr. Jigme Yoezer, the Head of Driglam Division and Deputy Chief Driglop Tshering of Department of Culture, Ministry of Home and Cultural Affairs were invited for the 46th Friday Forum on 16 September 2016.

They were invited to present on the importance of Driglam Namzhag, the etiquette.

Mr. Jigme Yoezer said "Regardless of the size of a country the law is the basis for peace and harmony". If the conduct of an individual is in conformity with laws there won't



*Mr. Jigme Yoezer
Head, Driglam Division,
Department of Culture, MoHCA*

arise any conflicting issues amongst citizens of a country.

His presentation covered on the purpose and importance of etiquette.

Driglam namzha refers to Bhutan's code of etiquette. Drig in Dzongkha signifies order, norm and conformity. Lam literally means the way while namzha refers to a concept or system. Therefore, it is a system of orderly and cultured behaviour.

Etiquette of Bhutan is firmly rooted in a righteous code of conduct of body, speech and mind. It is one of the main national identities of the country. The preservation and promotion of Bhutanese etiquette has become very crucial than before to counteract the invasion of western culture.

Driglam Namzha instills wholesome values such as humility, self-control, calmness and compassion in a person and also display sensitivity and respect to others.

He stated that Etiquette is fundamental for an individual development and a civilized mecha-

nism for the harmonious functioning of a society. It goes beyond the colour of scarves and number of bows. Its intrinsic value lies in an expression of courteousness, sensitivity, decency, decorum and elegance. Based on this value driglam namzha is a unique Bhutanese heritage.

It is the responsibility of every Bhutanese citizen to uphold and sustain this value so that the peace and harmony and sovereignty of our country will be further strengthened and perpetuated.

The main purpose of the etiquette is to maintain respect among one another and to one's behavior with loyalty and dedication and maintain our traditional culture.

Further, due to disciplined mentality and external behavior every Bhutanese citizen would contribute in achievement of our country's aims and objectives of GNH. He emphasized that the basis of buddha dharma and essence of good quality of relationship in a society emanates from etiquette. Therefore, it is indispensable for every citizen,

young, adult and old to know and uphold our unique Bhutanese etiquette,

Given the limited time for presentation the Guest speaker had to cut short his presentation on etiquette after having only completed the purpose and importance. However, the organizer of Friday forum assured the audience that due to the importance of etiquette in our day to day life the office will request the Department of Culture to conduct Driglam Namzha course for NLCS staff in the future.

GNSS-RTK Survey Training

By Sonam Tobgye, Sr, Survey Engineer

The NLCS conducted a week-long training for 26 Surveyors from various Dzongkhags and Drungkhags on fundamentals of GNSS-RTK surveying from 5th to 9th November, 2016.

The GNSS-RTK surveying was widely used during the nationwide cadastral surveying. Today, it is proving to be an efficient and effective mode of surveying with numerous associated advantages. However, there are only a few Surveyors with technical capacities to use the instruments effectively. Furthermore, the Commission over the years has witnessed various instrument brands with various advantages over one another.

The main objective of the train-



Trainees learn to use GNSS-RTK machine in surveying

ing was to provide the fundamentals of GNSS-RTK Surveying within the context of Cadastral Survey. During the course the participants were delivered with a comprehensive Theory lectures (classified into different

Modules) and practical field lessons. The training assessment in the form of Test and Mini-Projects was also conducted to comprehend the outcomes of the training.

Gyelpozhing Residents receive Land kidu

By Rinchen Jamtsho, Land Registrar

His Royal Highness Gyaltsab Jigme Dorji Wangchuck presented Kashos from His Majesty The King granting Land Kidu to the people of 42 families from Mongar on 19th August 2016 inside Gyalpozhing Zangdopelri Lhakhang.

The recipients of the Land Kidu were from Gyalpozhing and

Menchugang under Mongar Dzongkhag.

His Royal Highness the Gyaltsab conveyed His Majesty's messages on the importance of ownership and effective use of land.

Kidu beneficiaries, Sector heads of Mongar Dzongkhag

Administration, Staffs of Kurichu Hydropower Project (KHP) and officials from NLCS were present during the Kidu award programme.

HRH Gyaltsab and Ashi also granted Tokha to the people. Cultural program was staged by students of Gyalpozhing Higher Secondary School and staff of KHP.

NLCS staff completes the Integrated Training Programme

Integrated Training Programme for NLC staff was initiated in collaboration with Royal Bhutan Police training centre at Tashigatshel, Chhukha. The main objective of the training was to improve physical fitness, endurance and instil discipline in the course of service to TSA-WA-SUM. The training module comprised of outdoor classes for physical training and indoor lectures on various relevant subjects concerning the nation and individuals.

The first batch of Training started from 4th April, 2015 and the last batch completed the training on 30th July, 2016. There were 13th batches of trainees with 35 officials of NLCS in every batch except for 12th and 13th batches which had only 34 and 29 trainees respectively. The duration of training programme was 3 weeks.

Total of 448 staff of NLCS completed the Integrated



The last batch of trainees (13th Batch) with Minister of Home and Cultural Affairs

Training Programme out of which 359 were male and 89 female. Of the total staff who completed the training, 139 serves in Dzongkhags, 16 in Drungkhags, 17 in Thromdes and 276 in Headquarter.

The Integrated Training Programme had given the NLCS staff a lifetime opportunity to experience the military disci-

pline and strict time management. Every Tuesday the staff who completed the training display themselves in combat uniform to reinforce the discipline in the office.

The closing ceremony of the Integrated training programme was held at Tashigatshel on 30th July, 2016.

Concept on National Land Suitability Analysis and Zoning

*By: Mr. Yeshe Dorji,
Officiating Director,
Department of Survey & Mapping*

Zoning is a process of “dividing a particular region of land into districts or zones and specifying the types of land uses that are allowed and prohibited for each zone.” Zones specified in the land use plans are commonly implemented through ‘Zoning Ordinance’ which is the “written regulations and laws that define how property in specific geographic zones can be used” (Investopedia). It essentially entails, amongst many, drawing a clear line between individual rights and interest of the nation and between present priorities and future strategies, of ad-hoc land use and systematic and sustainable land development.

The concept and strategy of zoning is perceived in different contexts in different regions. Zoning is normally implemented in municipalities, but macro zoning at regional or national level is not a new. In Bhutan, structural and local area plans have numerous zones implemented through the development control regulations.

Since the process of zoning is tedious and complicated some people tend to shun the idea of zoning saying that it is more restrictive approach of development. Unfortunately,

this is the only way of achieving a planned land use development in societies where monitoring and enforcement of land use regulations are weak.

Bhutan has envisaged and practiced land use zoning in many ways and forms. Identification of national parks and biological corridors, declaration of Dzongkhag and Yenlag Throms, declaration of community forests, delineation of Naykhor Tsamdro (Community pastureland) and industrial estates are some examples of zones. However, these zones are not supported with adequate legal provisions for effective regulation and development. There are numerous policy statements and regulations that directly promulgate the need for zoning. Some of these are highlighted hereunder:

Constitution of the Kingdom of Bhutan (Article 5.b) states the Government shall ensure that a minimum of sixty percent of Bhutan’s total land is maintained under forest cover for all time.

Land Act 2007 (Section 302) states based on the recommendation of the Commission, the Government may

declare any area in the country as Thromde including buffer zone, industrial, and protected agricultural areas.

Economic Development Policy of the Kingdom of Bhutan 2010 states a comprehensive land use policy with clear zoning for industrial, tourism, environment conservation, and prime agricultural land shall be developed by 2011.

The Draft National Land Policy 2011 states broad zoning based on land use capability to fulfill land needs for different purposes.

Bhutan National Adaptation Programme of Action requires clear zoning of vulnerable areas of natural hazards.

Since land use zoning is long overdue NLCS in consultation with GNHC plans to initiate this important exercise by bringing all stakeholders on the same board for envisioning and sorting out sectoral differences. The national land suitability and zoning (NLSZ) exercise will be carried out based on the principle of multiple disciplinary, participatory and complementary approaches. It will entail overlay of national policy framework and views of people at the grassroots.

Strategy for pilot URS implementation under formulation.

On 16th September, 2016 a meeting was held with the National Rehabilitation Task Force members for discussion on pilot implementation of Use Right System (URS). Subsequently, a two day meeting was held in Paro from 29th to 30th September 2016 for developing a comprehensive strategy for implementation of Pilot project on URS.



Rehabilitation Task Force members meeting on URS

The main objective of the URS is to enhance livelihood of beneficiaries through sustainable management and effective utilization of vacant state land. The use right certificate will be given to beneficiaries as long as the land is used productively for the purpose for which the land is allocated.

To ensure that the programme is implemented effectively and efficiently in an equitable and transparent manner, the National Strategy for Use Right System is under formulation in consultation with the Task Force for the URS.

The strategy will provide a

framework and overall guidance for implementation of the URS for beneficiaries. It will also provide an overview principles and objectives of URS and the processes for identification of beneficiaries and conduct of feasibility study for potential sites. It will include land size determination, tenure-ship, types of support to be provided, institutional structure and responsibilities at all stages of implementation, monitoring and evaluation of the programme.

In order to derive ideas from other countries who practice such system, GNHC presented on international best practices and how URS system works. While our country tries to learn from other countries' best practices Bhutan always has its own unique ways to doing things. Therefore, the strategy will be formulated to suit the need of our country in alleviating poverty and reduction of employment issues as well.

Appointment of a new Head for Policy & Planning Division

By Tshering Tashi, Human Resource Officer



Mr. Gonpo Tenzin has been appointed as the new Head for Policy & Planning Division under National Land Commission Secretariat. He was transferred from Gross National Happiness Commission. He served as the senior

Research Officer in Research & Evaluation Division of GNHC. He had also served in the Office of Gyalpoi Zimpon for 7 years before he joined GNHC.

Obituary



Dasho Pema Wangchuk, the Secretary of International Boundaries passed away on 17th November, 2016. The staff of National Land Commission Secretariat profoundly mourn the sudden demise of Dasho. We extend our heartfelt condolences to the family members and offer sincere prayers for blessings in spirit and strength at this difficult time. He will always remain in our hearts and be missed by everyone for his selfless dedication and longest service to TSA-WA-SUM.

Dasho Pema Wangchuk first joined the civil service in 1963 and was conferred red scarf in 1972 by His Majesty the Third King. Later Dasho served in various capacities in the then Department of Survey and Land Records under the Ministry of Agriculture. In 2008, His Majesty the King awarded Druk Thugsey in recognition of his long, consistent and fruitful service with sincerity, dedication and humility.

KNOW YOUR LAND ACT

The Land Act of Bhutan 2007

Land Ceiling

Section 64: The land ceiling for a family and, those organizations and entities not listed in Section 68 of this Act shall be 25 acres consisting of one or more land categories are specified in Section 19 of this Act.

Section 65: A person may own land either in his name, and/or in the name of joint ownership other than family land. A person shall belong to a family.

Section 66: Land belonging to a person either in his name and/or in the name of joint ownership shall be included with the family land under the land ceiling.

Section 67: Based on the contents off Thram in Section 17 of this Act, and using other relevant data as may be deemed necessary, the Commission Secretariat shall develop a monitoring system and implement it in collaboration with the Local Authority to enforce the land ceiling in Section 64 of this Act. Within 360 days from the date of enforcement of this Act, a person shall dispose his excess land to ensure compliance of the provisions on land ceiling under this Act.

Know the definition

1. Gerab (Geduen and Rabdey) Dratshang means Zhung Dratshang, Rabdeys, and other religious institutions belonging to Gerab Dratshang, and under the purview of Dratshang Lhentshog.
2. Government institutions include various Government agencies under the three branches of the Government, armed force, police, constitutional bodies, corporations owned by the Government, and any other Government agencies.
3. Government means the Royal Government of Bhutan.

National Land Commission

Kawangjangsa,

Thimphu

PO Box No. 142

PABX +975-02-321217/328181

Hotline: **152**

Or

visit our website: www.nlcs.gov.bt