



# SaZhi

“Securing the priceless land for prosperity and happiness”

National Land Commission's quarterly newsletter

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## Inside this Issue

The procedures for rural land transactions	Pg. 3
Urban Land Conveyance procedures	Pg. 6
Topographical Survey of Hydropower Projects	Pg. 7
Rahabilitation Programme at Khenadang, Pemagatshel	Pg. 9

### Overall concept & advisor:

Pema Chewang, Secretary

### Editorial board

Tshewang Gyeltshen-Director

Tenzin Namgay- Head ,CID

Gungsang Wangdi- PPS

## Hotline: 152 for Land Services

The National Land Commission Secretariat has introduced a hotline facility to assist those who need to contact NLC to clarify land related issues and matters. The main purpose of setting up such a facility is to improve land service delivery by way of answering any questions of public without having them to come in person to the office. Anyone who wishes to seek any clarification on any

land related matter can now use our hotline No.152 during office hours.

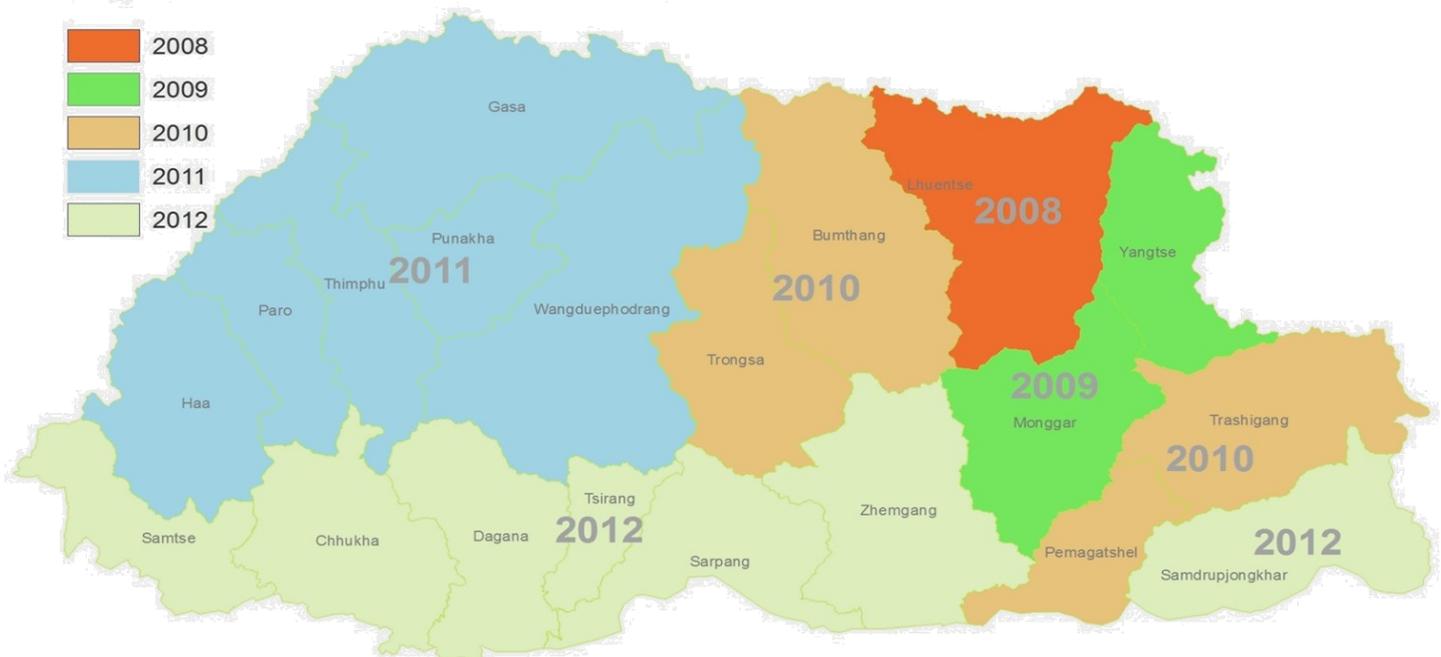
To facilitate and guide the visitors at the NLC office, Help Desk counter manned by PRO is established at the entrance of the office. It is expected to help visitors or clients to get immediate information and also assist them to meet the right dealing person.



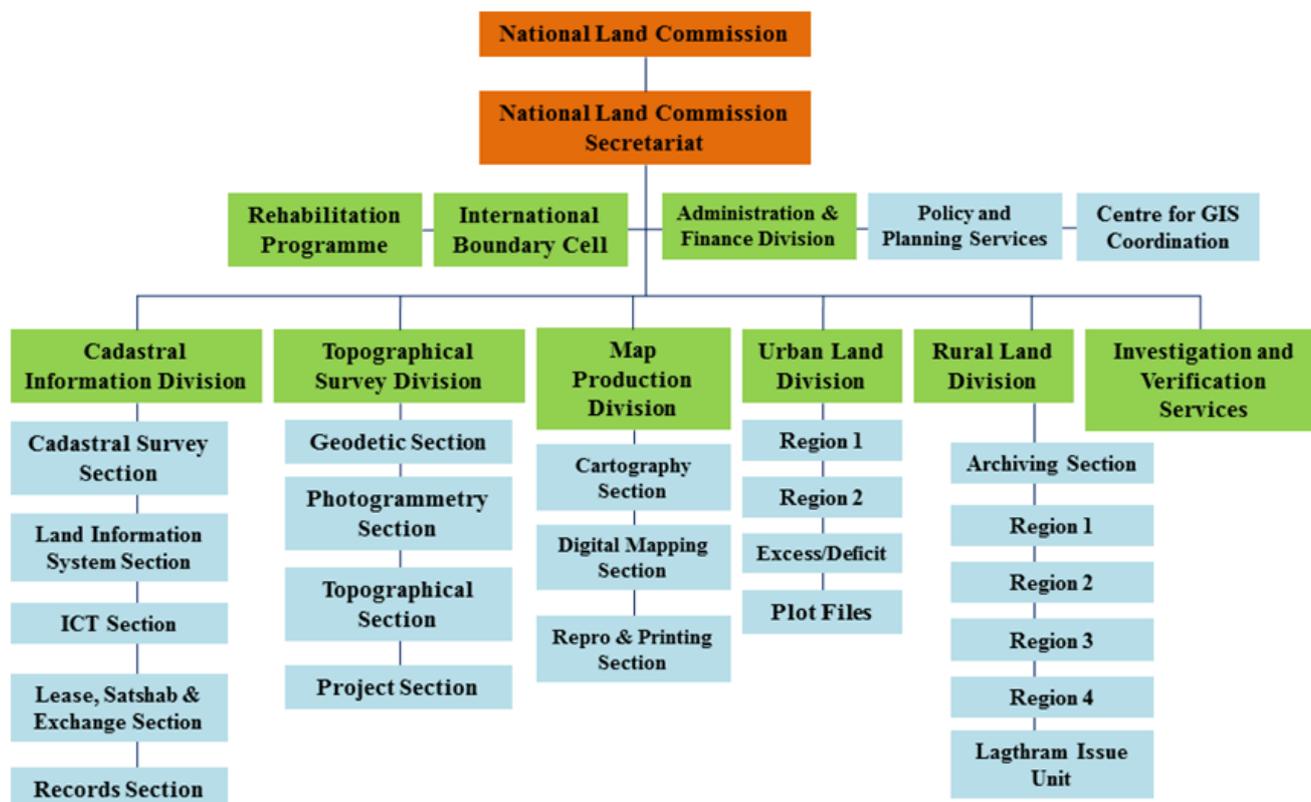
## Legend

- 2008
- 2009
- 2010
- 2011
- 2012

Map Representing NCRP Execution Year



## 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	Mr. Tenzin Dendup	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

# The Existing Procedure for Rural Land Transaction

The parties entering into land transaction must submit a transaction deed and the application for change of ownership in the form **LT-1** to the Gewog. The deed must have at least two witnesses with legal stamps affixed by the transferor and transferee. It must specify the terms and conditions and nature of the transaction including the cost of land in case of sale.

If another person is authorized to transact, he should submit

filled up authorization form **LT-5**.

The following documents are mandatory to be submitted along with the application:

- i. Transaction deed.
- ii. No objection letter from: a) the family members of transferor, in case of family land, b) the co-owners in case of joint ownership land
- iii. Family tree information if the land is registered as family land (Transferor).
- iv. Original Lagthram (Transferor) Clearance from Financial Insti-

tutes if the plot is mortgaged (Transferor).

- v. Death certificate or endorsement by Local Authority in the case of deceased (Transferor).
- vi. Land holding declaration as prescribed under form **LT-4** (Transferee).
- vii. Photocopy of I.D card (Transferee and transferor).
- viii. Original Lagthram if transacted plot is to be merged with the existing Thram (Transferee)

The Gup must verify the records involved in transaction with the Gewog Thram and authenticate the transaction documents. If any of the required documents as specified above are not



Field work

Execute land transaction through internet (E-Sakor)

Survey, if subdivision of plot is required



Dzongkhag

Submit land transaction documents (Hard Copy)



Gewog

Landowner request for land transaction



attached with the application, transaction shall be deemed incomplete and shall be returned to the parties.

If all the require documents are complete, the transaction shall be registered by the Gewog and issue a transaction I.D number to the parties involved by the Gewog Office. The transaction number for respective Dzongkhag and Gewog are assigned with the name of the Dzongkhag and Gewog as prefix followed by the identity number (eg. Thimphu/Kawang/01)

On the date of issuing transaction number, the Gup shall post a transaction notice on the Ge-

wog office notice board for public viewing for 30 days.

If any objection to the transaction arises within 30 days of public notice, the Gewog shall assess the nature of objection.

If the objection is legitimate as per the relevant laws, the transaction applications will be returned to the parties within 15 days of the receipt of the objection with justifications.

If no objection is received, the Gup shall forward the transaction documents to the Drungkhag/Dzongkhag within 7 days after the expiry of 30 days public viewing. Upon receipt, the

## Thram's Corner

### History

The *Thram Marthram Chenma* prepared during the reign of our first Monarch His Majesty Gongsar Ugyen Wangchuck in 1919 recorded the land parcels in terms of "**Soen Dre**". Soen Dre literally means container of seed. In other words, Soen Dre was used as measurement unit



Dre

of land during that time.

Drungkga/Dzongkhag shall verify transaction documents for transaction are as per relevant rules and carry out one of the following.

1. If a transaction entails subdivision of land, the / Drungkhag/ Dzongkhag will survey within 30 days after receiving the transaction documents from Gewog and prepare the report in form **LT-3**.
2. After survey, the Drungkhag/ Dzongkhag will validate the transaction documents and survey report and submit to the NLC for approval within one week via online e-sakor.

The following documents should be submitted for the transaction

in e-sakor:

- LT-1B (Endorsement of Gewog)
- LT-3 (Survey Report)
- Xml file of the plot (if there is subdivision)
- LTR-1C (Validation of Dzongkhag)

If the transaction does not require subdivision, the Drungkhag/Dzongkhag shall validate the transaction documents and submit to NLC for approval within one week via e-sakor online after receiving from the Gewog.

The NLC shall validate the documents received via e-sakor online to complete the registra-

tion of land in the Chazhag saThram. If approved, the NLC shall intimate Drungkhag/ Dzongkhag to update their records and also to inform the concerned Gewog and parties accordingly within 15 days .

If the transaction is not approved, the NLC will inform the Drungkhag/Dzongkhag with reasons.

Transaction of Nu.200/- each shall be paid by the transfer and transferor to Gewog Office. However, no transaction fee shall be collected in case of inheritance.

*Note: Simplification of the existing land transaction forms are under review.*

## KNOW YOUR LAND ACT

### The Land Act of Bhutan 2007

**Section 300:** A person committing any of the following acts shall be guilty of an offence of violation and shall be liable to be sentenced in accordance with Bhutan Penal Code:

- a) Not reporting any mortgage or leasehold on private registered land for recording in Thram.
- b) Not recording the prescribed contents in Thram in accordance with the provisions of the Act.
- c) Not reporting the change of any land category.
- d) Providing access to Thram data in contravention of this Act.
- e) Failure to provide access to a registered land to authorised person.
- f) Failure to attend by the landowner or his authorized persons.
- g) Infringement of rights established under the Chapter on Easement.
- h) Not registering land in accordance with section 44 of this Act.



LAND ACT OF BHUTAN 2007

## Towards Institutional Development

The major renovation works of National Land Commission Secretariat have been complete which was started in July 2013. With renovation of the office the General Conference Hall has been furnished to accommodate more than 150 participants.

The Secretariat has also established Calibration Centre at Namselling on 3 acres land to facilitate maintenance and calibration of surveying instruments within the country.

With the objective of improving land service delivery online, the

lease line internet bandwidth has been increased to 10 mbps from 4 mbps. Meanwhile, work for revamping of Local Area Network (LAN) and setting up of data centre is under progress.



*Conference Hall, NLCS*



*Calibration Centre site at Namselling, Thimphu*

## Expediting satshab allotment

Three special teams comprising of Land Registrars and Surveyors are deployed in Dzongkhags that have backlog cases of land

substitution for those landowners whose lands were acquired for various developmental activities. So far 889 satshab backlog

cases have been reviewed by the team in following 5 Dzongkhags:

Dzongkhag	No. of satshab cases	No. of cases opted for cash compensation	Total cases	Acquired by
Dagana	418	94	512	DoR, MoH, MoAF, & MOE
Mongar	28	0	28	MoH, MoAF & MoE
Punakha	31	0	31	RBG, MoAF, MoH, MoE
Trashigang	50	163	213	DoR, MoAF, MoH & MoE
Trongsa	81	24	105	MHPA & Samcholing
<b>Total</b>	<b>608</b>	<b>281</b>	<b>889</b>	

## The Existing Urban Land Conveyance

by **Yeshi Dorji, Chief Land Registrar**

Land transaction is due to one of the following reasons:

Inheritance	Transfer of landownership from parents to their legal heirs
Sale-purchase	Selling and buying of land between two or more parties
Exchange	Exchange of one or more plots based on mutually agreed proportion and/or location
Gift	Transfer of land and its ownership without any cost
Auction	Buying forfeited mortgaged land disposed through public auction, as per the Court order. This normally happens upon default of loan repayment.

Transaction fee of 5% of the cost (PAVA rate) of the transacted land is levied for all types of transactions, except inheritance.

### Land Transaction Process

There are two different processes for land transaction: Before and after issuing the new Thrams, following the cadastral resurvey exercise. Before the new Thrams are issued the conventional method of paper based transaction is used. After the new Thrams are issued e-Sakor based online land transaction will be used.

#### 4.1 Conventional method

##### Step 1:

Land Transferor and Transferee execute deed and complete prescribed land transaction form LT (U) Form 1, Part I and submit to Thromde Office.

##### Step 2:

Thromde Office scrutinizes the documents and places the proposed transaction on public notice for a period of 1 month.

##### Step 3:

If the transaction involves plot fragmentation Thromde Office will update the plan and carry out field survey. Presence of Tshokpas and adjoining plots owners are required at the time of adjudication. Survey report and boundary endorsement form are prepared.

##### Step 4:

Thromde office will complete form LT(U) Form 1 Part II and submit to the National Land Commission Secretariat (NLCS). Some Thromdes collect transaction fee at this stage. Others collect at the time of handing over the Lagthrams.

##### Step 6:

Once at the NLCS, the Urban Land Division (ULD) carries out preliminary scrutiny of the transaction documents. If some important documents are missing, such as internal agreement or family NoC, the documents are returned outright. If everything is in order, then the documents are forwarded to the Cadastral Information Division (CID) for map validation and updating in the Geodatabase. Transactions which do not involve plots fragmentation are not forwarded to the CID.

##### Step 7:

After receiving the map validation report the ULD completes form LT (U) Form 1, Part III and seeks formal approval for transaction.

##### Step 8:

After the approval for transaction is sought the ULD updates Transferor Thram, prepares Thram of Transferee and Lagthrams Transferor and Transferee. Copies of the Thrams and original Lagthrams are then forwarded to Thromde Office for issuance.

#### 4.2 e-Sakor Method

Steps 1 - 3 of conventional method will be applicable for e-

Sakor also. The communication between Thromde office and NLCS will be through internet, managed by an online land transaction e-Sakor.



National Land Commission

eSAKOR

Following steps are executed in e-Sakor environment:

Once in the e-Sakor environment, the authorized registrar (normally Land Record Officer) at the Thromde office will register and initiate the transaction in the system.

The verifier verifies all Thram details.

The Mapper verifies all maps.

The Approver scrutinizes and approves transactions.

#### 4.3 Land transaction between and among Government institutions

The general process of transacting land between and among Government institutions is like private land, but the form to be used is LT(U) Form 2.

## Topographical survey of Hydropower Projects

By Tenzin Norbu, Survey Engineer

### Topographical survey of Jomori HEP

Topographical survey of 15 sq. km Jomori Hydro Electric Power in Lauri gewog under Samdrup-Jongkhar is being undertaken as one of the major projects after the National Cadastral Resurvey Programme. The project area stretches from the Jomori and Zangtheri confluence to the confluence of Jomori and Tsanglari. The survey project was divided into three components viz. DAM and reservoir area, 5.6 km Head Race Tunnel (HRT) stretch, and Power house and TRT stretch. As of now, the detail survey of two components; DAM and Reservoir area, and Power house and TRT stretch have been completed. The 5.6 km HRT stretch is scheduled to be completed soon.

### Preliminary field visit of Kuri-Gongri HEP

The team from the Topographical Division will be taking up Topographical survey of Kuri-Gongri HEP as the second major project.

The preliminary field visit has been made with the intent of identifying 15 permanent control stations. However, the 2 control stations that were planned during the field reconnaissance had to be rejected as the control stations falls on the power house location. Consequently, three new control stations were identified during the field visit in lieu

of the two rejected stations. The topographical survey division is ready for the construction of the pillars for the detail survey work.



*Global Navigation Satellite System (GNSS) observation of upcoming Jomori Dam*



*Detail Survey of upcoming Jomori Hydropower Project site*



*Camp site at Digerba woong*

## Geodesy training

By Kinzang Thinley, Specialist, Geodesy

In order to strengthen the geodetic and geophysical surveying, a training sponsored by Gross National Happiness Commission was conducted for one month at Space & Earth Geodetic Analysis Laboratory (SEGAL), University of Beira Interior, Covilha, Portugal. The gist of the training are: train in handling of Gravimeter for data observation and processing of data with utility software for gravity data and analyze the existing gravity data of Bhutan for realization of local geoid model. Other topic is to study and observe for the setup of Global Navigation Satellite System (GNSS), Reference Stations



Photo1: Lacoste Romberg and CG-05 Gravimeters

net - work connectivity through internet for online GNSS data access, plan and study the methodology for realization/fixing of coordinates of permanent reference stations based on Druk-

ref03, Zero Order coordinates and International Terrestrial Reference Frame (ITRF) coordinates realization.

The candidate is proficient in handling the Gravimeter data observation for planning and implementation for data collection for realization of geoid modeling. A preliminary geoid model is realized using the existing gravity data with Topo Division during the training period. Planning and study is carried out for the implementation of six GNSS permanent reference stations networking for online access, realization/fixing of coordinates based on Zero Order, Drukref03 and realization of ITRF coordinates for the control stations.

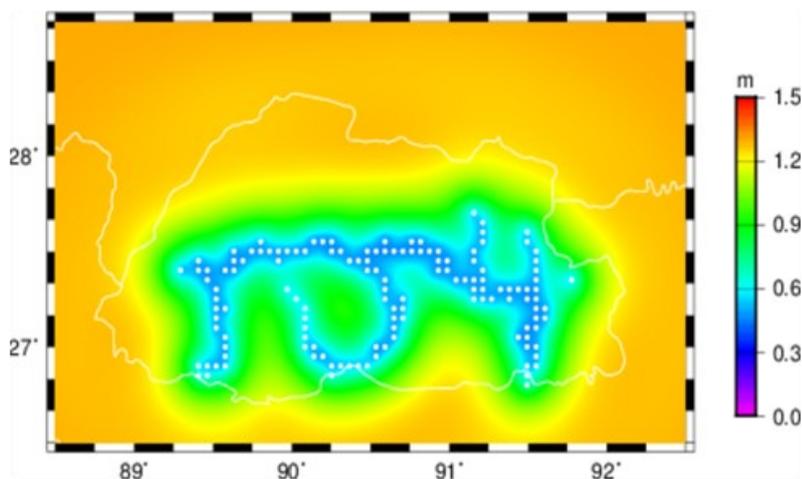


Photo2: Preliminary analytical result of Local Geoid Model for Bhutan

## National Cadastral Resurveying Programme

The National Cadastral Resurvey Programme for 20 Dzongkhags was started from June 2008 and ended in December 2012. Although majority of plots were resurveyed some of the plots in every Dzongkhag could not be surveyed due to absentee of landowners, dispute, those plots with overgrown trees left as Transformation Plots (TP plots) and isolated plots. Therefore, the Secretariat initiated NCRP spillover activity to clear those pending cases since the beginning of 2013. Till date 14 Dzongkhags are completed and left with six Dzongkhags

(Tsirang, Dagana, Haa, Paro, Thimphu and Gasa). The spillover activity is expected to complete the entire country by end of 2014.

There are also challenges faced by field surveyors and the team members. Surveying isolated forested plots with total station is time consuming and arduous when line of sight is limited. It is much easier to survey the forested plots with Global Navigation Satellite System (GNSS) instruments but they are limited in number. Further, it becomes difficult when the landowners don't know the plot boundary

since it is mostly covered by overgrown trees. The cases became worse in absence of adjoining land owners. Moreover, some landowners were unaware of the Spillover activity despite repeated announcement in the media and other sources. Sometimes, they turned up late or after the completion of survey in the Gewog.

In addition to the above challenges, most Control points are destroyed and some removed that leads to re-observation that becomes hectic for one control team.

## Rehabilitation Programme at Khenadang, Pemagatshel

By Ugyen Tenzin, Program Director

The rehabilitation program initiated under the command of His Majesty the King is a precious gift in the effort to alleviate poverty and improve livelihood of the people who are dependent on agriculture. This program penetrates into landless households and socio-economically disadvantaged communities with land kidu and support services.

The project in Khenadrang under Zobel Gewog of Pemagatshel Dzongkhag has mainly focused on socio-economically disadvantaged communities in far flung villages of Pema Gatshel Dzongkhag.

These communities were far from road access and had no opportunities to supply drinking water as there was no scope of water sources due to its location at higher elevation. The rural electrification program could not reach as these places were very far and isolated. Many children were deprived of their opportunities to education as the schools were in distant places and not convenient to them.

### Objective of rehabilitation program

The objective of rehabilitation program is to reduce poverty for landless and socio-economically disadvantaged communities through provision of adequate land and support services and also enhance their livelihood by facilitating income generating activities.

### Scope

The scope of beneficiaries under rehabilitation project in Khenadang through rehabilitation program are:

- Better shelter for living.
- Improved livelihood with basic amenities.
- Better social environment with education and health facilities.
- Proper access to market and income generation through farm roads.
- Improved livelihood with more cash income through income generating interventions.
- Less migration to urban area.
- Poverty alleviation.

### Impact of the project

His Majesty granted a total of 124.36 acres of land to 44

households who have been rehabilitated in Khenadang. They were shifted from 5 different villages of Pemagatshel namely Bainangwoong, Barphu, Chomashing, Namkhari and Waphai.

The resettlers, through this noble project, are now settled with all basic amenities at door steps as well as education and health services. They have also been supported with various interventions to improve their livelihood.

The project commenced from early 2011 and was completed in June 2013.



*A far flung Waphai village where basic amenities could not reach*



*In their parent village, fetching water from a small source of spring water was more than half hour walk from their house. When this spring dried up, they had to walk more than 3 hours to fetch water from the river down in the valley.*

## Activities under Rehabilitation Programme



House Construction



Water Supply



Farm Road



Extended Class Room (ECR)



Out Reach Clinic (ORC)



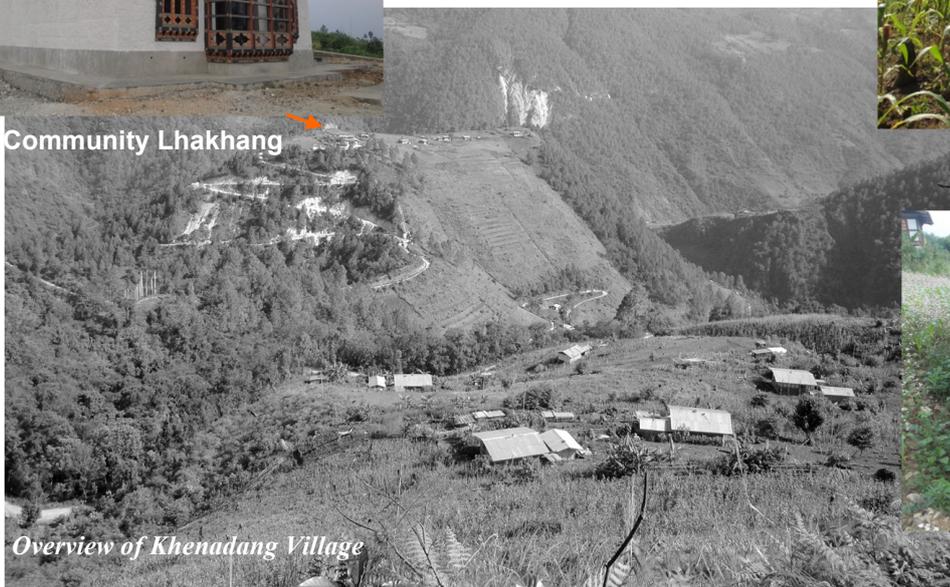
Electricity Supply



Community Lhakhang



Rehab land under active cultivation



Overview of Khenadang Village



Poultry Farm

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