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རྫོང་ཁག་བདག་སྐྱོང་བསམ་ཆེ།

DZONGKHAG ADMINISTRATION, SAMTSE

A prosperous community living in harmony with diverse culture and safe environment



SD/SATHRAM-A4/2023-2024/ 498

6 February, 2024

NOTIFICATION

Subject: Notification for State Land Lease Rates-2023

The Dzongkhag Administration hereby notifies all the stakeholders that the rates for leasing state land have been revised with effect from 15 January, 2024 as per the notifications received from National Land Commission Secretariat, Thimphu. The revisions are outlined in the notification number: NLCS/DoLAM-(01)/2023-24/000261 dated 15 January, 2024 which is now superseded by notification number: NLCS/DoLAM (01)/2023-24/000743 dated 01 February, 2024.

The Revised state land lease rates-2023 will be implemented under the following conditions as reflected in the notification:

1. For Existing Leases:

- The old lease rates of 2009 will continue to apply until the completion one cycle-year, not exceeding 31 December, 2024. Subsequently, the revised state land lease rates-2023 will be implemented in accordance to Clause No. 3 in the state land lease agreement, which stipulates that the lease rent is subject to revision based on the notifications issued National Land Commission Secretariat.

2. For new leases:

- The revised 'state land lease rates-2023' will be applicable

Therefore, all existing lessees are hereby notified to re-execute the lease agreement before 31 December, 2024 or before completion of one cycle-year. A 24% penalty will be imposed those leases failing to re-execute lease agreement before the completion of one cycle-year. The Dzongkhag Administration shall take necessary action as per the provisions of the Land Lease Rules & Regulations, 2018 failing to re-execute lease agreement within the stipulated dateline.

Note: Enclosed herewith are the new "State Land revised rates-2023" and Notification for references.

(Chairman)

Dzongkhag Land Lease Committee

- The Secretary, National Land Commission Secretariat, Thimphu for kind information.
- The Dungpa, Dorokha & Tashicholing, for dissemination of information in the dungkhag.
- All Regional and Sector Heads, for information.
- The Gup, 15 Gewogs, SDA to notify lessees in your respective gewogs.
- The Legal Officer, SDA for necessary action.
- The ICTO, SDA to upload in Dzongkhag website.
- All Lessees, 15 gewogs under Samtse for compliance and necessary action.



Department of Land Administration & management

1st February, 2024

Notification No: NLCS/2024/03

Subject: Clarification on the implementation of the Revised State Land Lease Rate, 2023

In accordance with the provisions of Section 309 of the Land Act of Bhutan 2007, and recognizing the necessity for periodic revisions, the Ministry of Finance, in collaboration with stakeholders, including the National Land Commission Secretariat), undertook the process of revising lease rates. Subsequently, a notification regarding the revised lease rates for the year 2023 vide Notification no: NLCS/2024/02 dated 15/01/2024, was disseminated to all pertinent stakeholder agencies, as well as the Dzongkhag and Thromde Land sectors.

Notwithstanding the aforementioned notification, concerns were raised by officials from the Land Sectors at the Local Government regarding challenges encountered or anticipated during the implementation of the revised State Land Lease Rates in 2023.

Upon careful consideration of the recommendations provided by officials from Dzongkhags and Thromdes, aimed at preventing discrepancies and ensuring uniform implementation, the following conditions shall be applicable for implementation:

1. For all the existing leased land, the old lease rates of 2009 may be applied until the completion of a one-year cycle (not exceeding beyond 31st December 2024). Subsequently, the updated 'State Land Lease Rates of 2023' shall be implemented in accordance with Clause No. 3 in the State Land Lease agreement, which stipulates that the "lease rent is subject to revision as per notifications issued by the National Land Commission".
2. For all new leases, the revised 'State Land Lease Rates of 2023' shall be applicable.

It is hereby informed that this Notification shall supersede the earlier Notification no: NLCS/2024/02 for implementation.



Secretary



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Royal Government of Bhutan

National Land Commission

Department of Land Administration & management



CC:

- 1 The Gyalzim, Office of Gyalpoi Zimpon (OGZ) for kind information.
- 2 The Secretary, Ministry of Finance (MoF) for information and reference.
- 3 The Secretary, Ministry of Industry, Commerce and Employment (MoICE) for information and implementation.
- 4 The Secretary, Ministry of Energy and Natural Resources (MoENR) for information and implementation.
- 5 The Secretary, Ministry of Infrastructure and Transport (MoIT) for information and reference.
- 6 The Secretary, Ministry of Agriculture and Livestock (MoAL) for information and reference.
- 7 The Dzongdag/Executive Secretary, Dzongkhags/Thromdes for immediate implementation.
- 8 Land Record Sectors, Dzongkhag/Thromdes for immediate implementation.



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Royal Government of Bhutan

National Land Commission

Department of Land Administration & management

Land Management Division



NLCS/DoLAM/LMD-Lease/B12/2023-24/ 000261

15/01/2024

Notification no: NLCS/2024/02

Subject: Implementation of Revised State Land Lease Rates, 2023

State Land (SL) leasing in the country plays a crucial role in land management, urban development, and economic growth. It provides opportunities for individuals, public and private entities to utilize land resources for commercial, industrial, agricultural, or recreational purposes.

The lease rents for SL (State Land) were established in February 2009 and have remained unchanged for over 14 years. However, during this period, discrepancies were identified in the determination of lease rents, where the rents showed no correlation with the land value, among other factors. It is crucial to periodically revise lease rates to adapt to evolving economic conditions, promoting the effective utilization of land, enhancing revenue generation, and discouraging underutilization.

Hence, in adherence to Section 309 of the Land Act of Bhutan 2007, which mandates the revision of land lease rates every five years, the process of revising the lease rates was initiated. The responsibility for coordinating this revision was delegated to the Property Value and Assessment Agency (PAVA) unit within the Ministry of Finance (MoF), with active collaboration from pertinent stakeholders, including the NLCS.

Following the successful completion of the revision process, the NLCS would like to inform all relevant stakeholders to implement the revised 'State Land Lease Rates 2023' with immediate effect. The Land Record Sectors at the Local Governments shall ensure to maintain updated and accurate inventory of all lease rent payments, and submit an annual report to the HQ NLCS to ensure ongoing oversight and accuracy in lease rent management.

Anticipating your continued cooperation and commitment to the successful implementation of the revised 'State Land Lease Rates 2023'

Note Enclosed herewith are the revised 'State Land Lease Rates 2023' for implementation.


Tshering Gyaltsen Penjor
Secretary

Land Lease Stamp
223024

Subject: Land Lease Rates
12556

Chief, Land Management Division
124003

Date: 15/01/2024
125219



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5. The Secretary, Ministry of Infrastructure and Transport (MoIT) for information and reference.
6. The Secretary, Ministry of Agriculture and Livestock (MoAL) for information and reference.
7. The Dzongdag/Executive Secretary, Dzongkhags/Thromdes for immediate implementation.
8. Land Record Sectors, Dzongkhag/Thromdes for immediate implementation.