

**MINUTES OF 156th MEETING OF THE MUNICIPAL CORPORATION CHANDIGARH
HELD ON 25.08.2010 AT 11.00 A.M. IN THE ASSEMBLY HALL OF THE MUNICIPAL
CORPORATION, CHANDIGARH.**

The following were present:-

1.	Smt. Anu Chatrath	Mayor
2.	Dr. Roshan Sunkaria	Commissioner
3.	Sh. Bhupinder Singh	Sr. Dy. Mayor
4.	Smt. Sheela Devi	Dy. Mayor
5.	Sh. Arshad Khan	Councillor
6.	Sh. M.P.S.Chawla	Councillor
7.	Brig.(Retd.) K.S.Chandpuri	Councillor
8.	Dr. A.P. Sanwaria	Councillor
9.	Sh. Resham Chand Jakhu	Councillor
10.	Dr. Neelam Malik	Councillor
11.	Dr. Pam Rajput	Councillor
12.	Ar. P.K. Mukherjee	Councillor
13.	Sh. Chander Mukhi Sharma	Councillor
14.	Sh. Pardeep Chhabra	Councillor
15.	Sh. Vijay Singh Rana	Councillor
16.	Sh. Harphool Chand Kalyan	Councillor
17.	Sh. S.K. Jagota	Councillor
18.	Smt. Kamlesh	Councillor
19.	Sh. Devinder Singh Babla	Councillor
20.	Sh. Manjit Singh	Councillor
21.	Sh. Jagjit Singh Kang	Councillor
22.	Sh. Ravinder Pal Singh	Councillor
23.	Sh. Rajesh Kumar Gupta	Councillor
24.	Smt. Anju Beniwala	Councillor
25.	Smt. Harjinder Kaur	Councillor
26.	Sh. Jatinder Bhatia	Councillor
27.	Smt. Sarita Devi	Councillor
28.	Smt. Raj Kumari	Councillor
29.	Sh. Ram Sumer Morya	Councillor
30.	Sh. Gurcharan Dass Kala	Councillor
31.	Sh. Anil Kumar Dubey	Councillor

32.	Sh. Ram Lal	Councillor
33.	Smt. Sunita	Councillor
34.	Sh. Lalit Siwach, HCS	Secretary

The following Officers also attended the meeting: -

1.	Sh. T.P.S.Phoolka, PCS	Additional Commissioner
2.	Sh. Kamlesh Kumar, HCS	Joint Commissioner
3.	Sh. R.K.Goyal	Superintending Engineer (P.H.)
4.	Sh. Mukesh Anand	Superintending Engineer (B&R)
5.	Dr. G.Diwan	Municipal Health Officer
6.	Sh. Desh Raj	Chief Accounts Officer
7.	Sh. Kamal Joshi	XEN (Elec. Divn.)
8.	Sh. Vishal Gupta	XEN Roads Divn. No.1
9.	Sh. Jai Pal Singh	XEN Roads Divn. No.2
10.	Sh. R.S. Bedi	XEN (P.H. Divn.No.1)
11.	Sh. R.S.Ahluwalia	XEN (P.H. Divn.No.2)
12.	Sh. K.S. Sihag	XEN (P.H. Divn.No.3)
13.	Sh. V.K. Garg	XEN (P.H. Divn.No.4)
14.	Sh. Arun Kansal	XEN. Horticulture

At the outset the Secretary welcomed the Mayor, Commissioner, Members of the House and the media persons and introduced himself.

Some members objected that they received supplementary agendas at 9.00 p.m. and they could not go through them.

Worthy Mayor said that she is in favour of placing/including all the agendas pertaining to development before the House and therefore all the agendas pertaining to development were sent as supplementary agendas.

Dr. A.P. Sanwaria said that in the main agenda there are only four fresh agendas rest of the agendas are repetition. He received the supplementary agenda only in the night and found that there are nine supplementary agendas, which should have been sent only in case of emergency as per rules made in this regard.

The Mayor said that there is constant pressure of Councillors on officers for preparing the development agendas pertaining to their wards. As a result the officers keep working on them and send agendas as and when it is finalized. Due to burden of work on the officers sometimes the agendas get late unintentionally. On the request of the Councillors only these agendas were included as supplementary agenda and most of the agendas relate to the areas of opposition party. She appreciated the staff of Agenda Branch who worked overtime and arranged to send the agendas to Councillors. She said that Councillors should come out of party line on the development issues.

Smt. Harjinder Kaur said that they are always committed for development of the city keeping aside the party affiliation.

AGENDA ITEM NO. 1

Confirmation of the minutes of 155th meeting of the General House of the Corporation held on 30.7.2010 at 11.00 a.m. in the Assembly Hall of the Municipal Corporation Chandigarh.

The Secretary placed agenda item No.1 before the House for confirmation.

Sh. Chander Mukhi Sharma pointed out that at page 21 of the minutes line 9-10 be read as "he said that out of 10 acre land allotted to company, plant has been setup in 3 ½ acre land and they have set up their office in rest of the land, which is encroachment as the ownership of the land lies with the Corporation".

Sh. Jagjit Singh Kang pointed out that at page 16, he had said that a committee be constituted consisting of Sh. P.K. Mukherjee and 2-3 other Councillors to check the work done by the contractors of road wing but it has not been mentioned in the minutes. He again requested the Mayor to constitute a committee at the earliest.

The Mayor assured that she will constitute the Committee at the earliest.

Sh. Devinder Singh Babla pointed out that at page 21 of the minutes it has been mentioned that a letter was received from Sh. Nirvikar Singh, ADC to then

Administrator for inauguration of the Garbage Processing Plant. He then called Sh. Chander Mukhi Sharma to Raj Bhawan and asked him not to talk about the plant. He asked the Commissioner whether such letter was received by him. He also objected that why Sh. Chander Mukhi Sharma did not apprise the House about it. He said that the terror of Sh. Nirvikar Singh is such that his name is being still mentioned in the diary of the Corporation. He asked why Sh. Pardeep Chhabra the then Mayor was not invited in the inauguration of the plant and who was behind this conspiracy. He further said that in the last meeting it was desired to place all the relevant documents in House for information but same has not been supplied.

Sh. Jatinder Bhatia said that in the last meeting he said that the pipelines have been laid down in Southern Sectors which are not functioning properly as they leak from many spots, but this para has not been included in the minutes. He further pointed out that at page No.8 of the minutes, it has been mentioned that there is no need for tendering the work under **“This head and should be done on priority basis”** and desired that this line be deleted. He had also mentioned that in the last meeting that this fund is not to be submitted to any committee for approval as it comes under Non-Plan Head but still petty repairs are not being taken up in sectors. He further pointed out that at Page-12 of the minutes at the bottom, he had asked about the 80% work completed by the contractor and the Mayor had asked officers to give the details of the 80% work which was supposed to be submitted in this meeting but this information has not been supplied.

The Mayor said that nine months have been lapsed after allotting the work to M/s Vachitra Construction Company but 100% work has not been completed and as stated by the Chief Engineer, he was supposed to submit the details of 80% work completed. The Mayor asked the SE(B&R) to supply the details of the works in her office.

Sh. Jatinder Bhatia said that at page 20, the last para of minutes, he has been quoted as saying that **“SAS Cadre be posted in Engineering Wing”**, he never made such

statement and rather asked whether the bills are being passed by competent authority or not.

The Mayor asked Sh.Jatinder Bhatia to get his statement rectified after listening audio cassettes.

Dr. A.P.Sanwaria repeated his long pending demand about the completion of Censory Park for which sufficient fund has already been released.

Sh. Ram Lal said that the Chief Engineer visited Ram Darbar along with the concerned Executive Engineer and found that road is not more than 8-9 feet wide.

The Mayor said that the Chief Engineer is not present in the House, therefore this issue be discussed in his presence. Moreover, the House has already decided that not even a single brick of any house will be removed. She further said that so far as the removal of paver blocks is concerned, the decision will be taken as per report of the Engineering Wing.

Sh. Anil Kumar Dubey, Sh.Gurcharan Dass Kala and Sh.Ram Lal started speaking simultaneously and loudly on the matter of Ram Darbar and said that the facts of the decision of the House are being distorted to hamper development work in colonies.

There was uproar in the House for some time.

The House adjourned for tea at 12.10 P.M. and reassembled at 12.30 P.M.

Sh. Anil Kumar Dubey said that no Councillor wants any demolition in his or her ward. The issue of widening road in the Ram Darbar is being politicized since the resolution was passed in the House. Earlier, colonies were being ignored on the pretext of encroachment and now when resolution has been passed by the House for widening of road, the matter is being stalled by one or another excuses.

Sh. Gurcharan Dass Kala said that the number of vehicles has increased manifold with the passage of time as a result there is dire need to wide the road in Ram Darbar to accommodate the increasing vehicles.

The Mayor read out the resolution of the House of previous meeting at page 15 of the minutes and said that the matter of removal of tiles is to be decided by the Chief Engineer as per decision of the House. The House has unanimously decided that not even a single brick of any house will be removed and the work will be carried out without any demolition.

Sh. Devinder Singh Babla was of the view that the demand of the local residents has to be kept in mind while taking the decision, despite that the area Councillor desires otherwise. He suggested that a team be constituted by the Mayor to get the survey conducted and to gather the public opinion and if the residents are of the view that the paver blocks should not be removed then decision can be taken accordingly.

The Mayor apprised the House that the Engineering Wing marked lines on the road according to which part of 400 to 500 houses was to be demolished for widening the roads. As a result, hundreds of people approached her. She along with SE (B &R) visited the area and found that the lines which were marked has created resentment as by doing that their doors/entry points will be on roads and it will be unsafe for children and old persons.

Sh. Ram Lal pointed out that the other day, the Chief Engineer along with Sh. Jaipal Singh, SDO, and JE visited the area. When he asked the Chief Engineer about the white paint markings on the road sides, the Chief Engineer and the concerned SDO showed their unawareness about the markings. The Chief Engineer rebuked the JE for the paint marks without his approval. He requested the Mayor to widen the internal road in Ram Darbar by removing the paver blocks at the earliest for which the tender has already been allotted.

The Mayor assured Sh. Ram Lal that the work will be started at the earliest after technical report of the Chief Engineer is received.

Smt. Kamlesh was of the view that in case the office is in favour of widening of roads after removal of tiles which have been fixed on concrete, as a result, the

corporation would suffer loss of crores of rupees, then she is not willing to participate in this issue and to become a part of this decision of the House.

Dr. A.P.Sanwaria addressed the Mayor and said that 1½ hour of the House has been wasted in futile discussions. He said that the condition of colonies is worsening day by day and requested the Mayor to take care of them.

Sh. Devinder Singh Babla said that Dr. A.P.Sanwaria being nominated Councillor should not speak on the platform of a political party just because his son is member of BJP. He had observed that one of the leaders of BJP had approached him and advised him to speak on the issue.

At this the opposition group took strong notice and started speaking loudly together.

The Mayor said that any person sitting in the guest Gallery whether political or non political, is welcomed and said that the member of the House should behave properly so that they should not take bad impression of the members out of this House.

Dr. A.P. Sanwaria said that he has been attacked personally and if his son is with BJP it does not mean that he is also in BJP. He said that personal attack is not tolerable.

Sh. M.P.S. Chawla said that in the last meeting, he had pointed out about the roads in industrial area which has been dug at many places for laying storm water channel, but no action so far has been taken to repair the road.

Sh. Jatinder Bhatia said that two months ago the roads were re-carpeted and now storm water channels are being laid down, which is sheer wastage of public money. He further said that he had raised this issue in the meeting of House and F&CC and asked the officer to lay down the storm water channel as this road was to be re-carpeted. It has come to know that the pipelines were laid before road was re-carpeted but due to non-payment the contractor has dug the road to take out the pipelines. This fact can be checked by visiting Industrial Area at plot No.411-417.

The Commissioner was of the view that coordination between Road Wing and Public Health Wing is must. He assured Sh. Jatinder Bhatia that he will visit Industrial Area next week and look into this matter and fix the responsibility. He said that there are standing instructions in this regard that pipelines will be laid first and then roads be carpeted.

The Superintendent Engineer (B&R) said that road cuts take some time to settle down and the said road will be repaired after rainy season is over.

Sh. Jatinder Bhatia pointed but that the work to carpet the roads of Industrial Area was allocated to the contractor and he was supposed to complete the work within 4 months i.e. April, 2010 and after that 4 more months have lapsed, even then the work has not been completed.

Dr. Neelam Malik apprised the House that project of cleaning the colonies was started last month through Art of Living Society for which the Mayor extended full cooperation for which she expressed her gratitude. She also thanked the officers of the M.O.H., Public Health and B&R Wings for full cooperation and the area Councillor for their support to make the project success. She specially thanked the Mayor and Dr. Diwan, Medical Officer of Health for their cooperation and hope that they will continue their support in future also.

“The House confirmed the minutes of the 155th meeting of the House held on 30.7.2010 with aforementioned amendments.”

Sh. Arshad Khan read out the contents of Section 8 of the Punjab Municipal Corporation Act as extended to Chandigarh and said that in this Act there is nowhere mentioned that the nominated Councillors have only advisory capacity. Therefore, the nominated Councillors should also be deemed as Councillor with the same breadth. He requested the Mayor that even in advisory capacity the nominated Councillors should also

be given time to be heard. He requested the Mayor to conduct the business of the House smoothly so that the nominated Councillors may also contribute sincerely with their advises.

Sh. Anil Dubey pointed out that two months ago a wall was constructed on the bank of rivulet in Mauli Jagran but it has collapsed in the rain.

The Commissioner directed the Assistant Commissioner to inquire into the matter and submit report to him at the earliest.

AGENDA ITEM NO. 2

QUESTION / ANSWER

The Secretary placed agenda item No.2 before the House for information and discussion.

QUESTION NO. 1 & 2

Sh. Chander Mukhi Sharma pointed out that there is variation in the information sent to him in personal capacity and the information sent to the Administrator, U.T., Chandigarh regarding sanction posts & filled up posts. He has calculated the detail given from page No.3 to 22 which comes as 146 (filled posts) whereas at page No.37 the information sent to the Administrator shows sanction posts 159 and filled posts 48. He said that either he or the Administrator was misinformed. At page No.25 sanctioned posts of Ministerial Staff have been shown as 244 whereas at page No.37 it is 159.

The Commissioner said that a revised and consolidated information on the staff will be supplied shortly.

QUESTION NO. 3

Sh. Chander Mukhi Sharma pointed out that at page No.41 the number of sanctioned posts of Senior Assistant has been mentioned as 4 whereas in the information supplied to him earlier it has been mentioned as 3 at page No.4. Similarly the number of

Junior Assistants has been mentioned as nil at page 41 whereas at page No.4 two persons have been shown as Junior Assistant.

The Commissioner directed the S.E. (B&R) and P.H. to consolidate the information again and correct information be supplied to Sh. Chander Mukhi Sharma.

Sh. Chander Mukhi Sharma again pointed out that at page No. 52 sanctioned posts of SDEs have been shown as 17 and asked the detail of the sub-division existing in the Corporation. He read out the contents of the resolution passed in the meeting of the House held on 30.6.2010 and consequently the letter sent by the Corporation to the Secretary Local Government.

The Mayor apprised the House that in the meeting of House held on 30.6.2010 it was resolved that advertisement published in newspaper for recruitment for SDEs should be withdrawn and Recruitment Rules be framed. In the meeting of F&CC she asked the officers about the action taken on the resolution of the House and whether the advertisement has been withdrawn. The officers supplied a copy of letter sent to the Secretary Local Government under the signature of Assistant Commissioner for Commissioner. She desired that a copy of the said letter be circulated to all the Councillors.

Accordingly the copy of the said letter was circulated to all the Councillors.

Sh. Chander Mukhi Sharma read the last para of page No.4 of the said letter and objected on the language of the letter and said that finger has been raised on the integrity of the members of the House. He said that the language of the said letter is condemnable. He further said that once the House has passed a resolution there was no need to write such a letter and only the factual position should have been written. This letter has been written after keeping at stake the sanctity of the House and the Corporation can frame its own Rules & Regulations and there is no binding of Chandigarh Administration. The officers should not have written such letter recommending setting

aside the resolution of the House as it is the power of Chandigarh Administration only. He accepted that the officials have approached the MP and Councillors only due to failure of the Executives to redress the problems of the employees of the Corporation as well.

Smt. Harjinder Kaur said that all members of the House are concerned with this issue as it is a sensitive issue and the employees are also member of a family. Officials cannot give their best unless they are given sufficient promotional chances. She further said that earlier Sh. Vinod Kumar Sharma, SDO died due to depression as he was not given his due promotion in the Corporation. She was of the view that we should provide sufficient opportunities of promotions to the officials so that they could deliver their best with anticipation that their hard-work will be appreciated. Bureaucrats come on deputation for 3 years and function in a settled manner, which some time is inhuman. She strongly said that they will jointly fight for the right of these officers even up to the level of Administration so that they could get their due promotion keeping aside political affiliation.

Sh. Pardeep Chhabra asked whether any such type of letter was sent to the Administration earlier also and what is the background and intention to send such letter. MP/MLA/Councillors are representatives of the public and they have to listen to the problems of the public whether they are Government employees or otherwise. He objected on using the word "impressed" and asked the intention behind using such word, which raise finger towards integrity of the Councillors. He said that official working for 30 years without any promotion will feel demoralized if he is not promoted. The J.Es and S.D.Os work from morning to evening and in odd hours in field. He asked who dictated the said letter and why it was sent to the Chandigarh Administration and what was the motive? He further said that on the day of meeting of the House in which the resolution was passed Sh. Pawan Kumar Bansal, Minister for Parliamentary Affairs was also present in the meeting and the letter implies that he was also impressed by the S.D.Es. He said that the House should condemn the language of the letter strongly.

Sh. Manjeet Singh said that the resolution was passed by the House keeping in view the promotion of the J.Es as S.D.Os. He said that office should have sent the resolution of the House as such to the Administration and it is the Chandigarh Administration to see whether the resolution is to be rejected or not. The office should not have recommended for setting aside the said resolution.

Sh. Ram Lal said that it is a violation of sanctity of the House as this resolution was passed unanimously by the Councillors which represent the residents of the city moreover the Member of Parliament was also present in the meeting. He said that the House passed the resolution that the J.Es given CDC charge should be promoted first as they have already rendered service of 15-20 years. He was of the view that it was mockery of representatives of the people.

Sh. Anil Dubey also supported the views of Sh. Ram Lal and said that the decision of the House should be implemented and the interest of the officials should also be protected.

Sh. Devinder Singh Babla said that it would be injustice if we ignore the J.Es, who have rendered service of 15-20 years and appoint S.D.Es directly in their place. He admitted that there is shortage of staff in the Corporation. Whenever a new Executive Engineer joins the Corporation on deputation from other State they take 2-3 months to settle down and to understand the nature of job. Officers are so much burdened with work that Councillors have to pursue their projects personally. He further said that this House is mini Parliament for the residents of the city and matters are brought in the House for taking appropriate decision and there is no personal interest of the Councillors in passing any resolution. Recently the Corporation recruited Firemen but the said appointments have been challenged in the High Court. The Councillors are not apprised about the works to be started in their area and nor they are informed even about the completion of the work and the officers make payment to the Contractor at their own level and sometime the work is not

according to the DNIT. He asked whether the Councillors do not have the right to check the work done in their areas as they are part of preparing and passing the said estimate in different committees and House. This issue has already been discussed and resolved in the House 5 times but the same was rejected by the Administration. He said that if the Corporation appoint S.D.O directly ignoring the J.Es holding the CDC charge of SDO then they will be demoralized and cannot work efficiently. Therefore this issue should be considered seriously.

Sh. Jatinder Bhatia said that this issue has already been discussed even in the previous House and it was assured by the officers that the office is going to frame its own Recruitment Rules but the same have not been finalized so far. The Municipal Corporation of Chandigarh and New Mumbai Corporation were constituted in the same year but the Corporation of New Mumbai has progressed much more than the Corporation of Chandigarh. Every year the funds allocated in the budget remain unspent and the officers say that it is due to shortage of staff. The Councillors had visited the Municipal Corporation of New Mumbai and its Mayor told that they had not accepted the staff transferred by the Mumbai Administration and instead they recruited the fresh staff. Works cannot be completed if there is a shortage of staff i.e. Road Inspector, J.E. and S.D.E. One J.E. is holding the charge of 3-4 wards and S.D.E. is in charge of 10 wards. All the departments and Corporation in Punjab and Local Bodies have their own Recruitment Rules and have sufficient number of officials. Every official has expectation of promotion during his service tenure, which is natural. By transferring the staff to Corporation most of the employees opted for the cadre of Chandigarh Administration as they were doubtful about their future. He said that Sh. Vinod Kumar Sharma, S.D.O died due to depression as he had discussed many times that he would retire without getting any promotion despite that he was a sincere and hard working officer. He was of the view that Corporation should not overlook the interest of its employees and should frame its own Recruitment Rules within the time frame

as already decided by the House keeping promotional avenues for its employees so that they should not feel demoralized.

Smt. Kamlesh said that in the last meeting of the House it was decided that the Corporation will frame its own Recruitment Rules within 3 months. She was of the view that officers are not willing to frame rules and it seems that this letter has been sent to Chandigarh Administration to linger on the framing of rules. When this resolution was passed by the House, the officers should have apprised the House that Recruitment Rules cannot be framed and once the resolution has been passed the officers should not have written such letter to Administration. She said that there is no rule which empowers the officers to act according to their sweet will keeping aside the decision of the House. Any official aggrieved with the decision of the officers can approach the Councillors as they are representatives of people. She said that the Commissioner of Mumbai Corporation had clearly told them during a visit that they were not bound to accept terms and conditions of the Administration as they are deciding authority. Similarly the Municipal Corporation, Chandigarh can also frame their own Recruitment Rules and not bound by the Chandigarh Administration's rules.

Dr. A.P. Sanwaria said that the House had resolved unanimously to withdraw the advertisement pertaining to the direct recruitment of S.D.Os and the officers should have consulted the House before writing such letter to the Chandigarh Administration. The Chandigarh Administration has annulled many resolutions of the House. He asked the motive behind writing the letter to Administration. The Corporation is going to receive more departments from the Chandigarh Administration for which staff is required and therefore the Recruitment Rules must be framed. He said that new officers may be recruited but the interest of the present J.Es should also be watched.

Sh. Arshad Khan said that justice done must seem to be done. He said that as Chairman of the Fire and Emergency Committee for the last 2 years he has been taking

up this matter regularly in the meeting of the Committee. After transfer of Fire and Emergency Services from Chandigarh Administration, Recruitment Rules were framed in 1997 but the Secretary Local Government annulled the said rules in 2002 saying that it was against the natural justice for the employees which are being transferred to the Corporation in terms of seniority etc. After that whatsoever promotions and appointments have been done in Fire and Emergency Wing are being done subject to the outcome of a writ petition pending in the Hon'ble High court. He had many times brought this matter to the knowledge of House that in case the said writ petition is decided against the Corporation, the said appointments and promotions will be annulled. In the year 2006 when Brig. Kuldeep Singh Chandpuri (Retd.) was the Chairman of Fire and Emergency Services, new Recruitment Rules were framed again. He pointed out that there is a clause in the rules of 1997 that before any amendments or editing in the rules the existing rules will be repealed first. He asked whether the Punjab Re-organization Act 1926 has been repealed at the time of framing new Recruitment Rules. Despite that the Corporation is continuing new Recruitment and promotions. He said that in case new S.D.Os are recruited directly there will be again litigation in case somebody approaches the Court. There is major default in the system of making Recruitment and promotion in the Corporation in absence of Recruitment Rules. There are two types of seniority in the Fire and Emergency Wing one at the time of appointment and second at the time of training. As per present practice any official getting training from National Fire Academy will supersede his senior once he obtains a certificate. The two officers namely Home Secretary and the Secretary of the Corporation have given affidavits in the Court giving different views regarding seniority of the Firemen, which is not fair and prove that there is systemic failure. He requested the officers to look into this matter and finalize the Recruitment Rules for the Fire and Emergency Wing as well as for other Wings of the Corporation.

Sh. Jagjit Singh Kang said that the office can recruit S.D.Os but simultaneously the right of promotion of the existing J.Es should not be ignored. He said that the recruitment in the Fire and Emergency Wing was done fairly.

The Mayor said that resolution was passed by the House unanimously in the meeting in which the Minister of Parliamentary Affairs Sh. Pawan Kumar Bansal was also present. The Councillors being representative of the public are supposed to hear the problems of the residents as well as the officials as they are also residents of the city and it is the duty of the Councillors to redress the grievances of the residents as well as the officials. The officers should not have written such letter to the Administration proposing to annul the resolution of the House.

Sh. Chander Mukhi Sharma said that the House is only concerned with the language of the letter in which the word "impressed" and "in excess of jurisdiction" has been written. These words raise finger on the integrity of the members and jurisdiction of the House. He asked whether any communication was received from the Chandigarh Administration seeking comments of the office on the resolution and who dictated this letter.

The Commissioner explained that he is also equally concerned with the interest of S.D.Es as they are the employees of Corporation. Maximum numbers of promotions and recruitments have been done during his tenure, which has regularly been recognized by the employees' organization. He admitted that there are some cases where officials do not get promotions even after rendering a service of 30 years which is definitely pinching. But there are certain rules, regulations and instructions issued by the Personnel Department of the Chandigarh Administration according to which the appointments and promotions of the employees are regulated. He aptly said that there was no intention of anybody to cast aspersion on anyone and it is absolutely wrong as the Councillors are respectable persons for all officers. He said that recruitment is such a sensitive issue that no officer wants to do it as it attracts allegations. He asserted that all the recruitments done

during his tenure were absolutely on the basis of merits and he never allowed the merit to be sacrificed as the system adopted in recruitment was such that an officer even did not know that who had set the papers and name of officers in the panel for interview. So far as schedule of post is concerned it is given every year in the budget estimate in the month of February. Earlier there was system to call the officers on deputation from Punjab and Haryana but despite many reminders none of the officers was ready to come to Chandigarh on deputation. The matter of shortage of staff was also discussed with the Administration and they were apprised the factual position. The Administration advised to go for direct recruitment of the S.D.Es. It is a revolutionary decision and the Corporation will not face shortage of staff in the coming 20-25 years if the recruitment is finalized. The S.D.Es have to play an important role as the projects of the Councillors are of the cutting edge nature. The proposal was sent to the Chandigarh Administration and after examining the issue thoroughly the Administration accorded its approval on 26.5.2010 for filling up some posts directly. The process adopted for the recruitments of S.D.Es is absolutely as per Recruitment Rules. More functions are being transferred to the Municipal Corporation, Chandigarh under which dispensaries and schools are to be constructed, which cannot be completed unless S.D.Es are appointed. The Administration has issued instructions according to which the CDC charge given to the J.Es has to be withdrawn. However Administration is being requested to relax this condition as the Corporation is facing acute shortage of staff. The Corporation is going to frame its own rules in which the promotion quota can be increased and which is a legal process to accommodate the J.Es holding CDC charge of S.D.E. He reiterated that the office has not cast any aspersion on Councillors i.e members of the House.

Sh. Pardeep Chhabra said that the Chandigarh Administration has recently given CDC charge to an S.D.E and there is no quota of 60:40 in Chandigarh Administration except for IAS officers as per information collected through RTI. He desired that the letter in question be withdrawn.

Many of the Councillors insisted to apprise the House who dictated this letter.

The Commissioner said that he has approved the letter and owned the responsibility for whatever is written in the letter. He categorically rejected demand of withdrawal of the letter. However he said that clarification will be sent to the Administration and a copy of letter will be endorsed to the Councillors. He further said that the Commissioner is supposed to work according to the rule and whenever he feels that any resolution of the House is beyond rules it needs to be brought to the knowledge of the Chandigarh Administration.

Sh. Chander Mukhi Sharma said that the Corporation has written letter to Chandigarh Administration after 1½ month after resolution was passed which is deliberated.

The Commissioner said that he was not present in the last meeting of the House otherwise he would have explained clearly that this cannot be done. He further said that since the Administration is seized of this matter and all the recruitment process has been stalled and next action will be taken according to the instructions of the Chandigarh Administration.

Sh. Chander Mukhi Sharma moved a resolution that House should pass resolution that the Commissioner has written letter is in excess and abuse of power and the said letter be treated as null and void and Chandigarh Administration be apprised accordingly. All other Councillors seconded it.

The Commissioner said that such resolution cannot be passed.

The Mayor said that the letter written by the Commissioner to Secretary Local Government on 16.8.2010 be treated null and void.

The House adjourned for lunch at 3.20 p.m. and re-assembled at 4.00 p.m.

The Mayor apprised the members that a visit of the Councillors to the Parliament, New Delhi has been arranged with the help of Sh. Pawan Kumar Bansal, Minister of Parliamentary Affairs on Monday i.e. 30.8.2010 to see the proceedings of the Parliamentary Session. She requested the members to give their option and Bio-data so that necessary arrangement can be made.

AGENDA ITEM NO. 3

Fact finding Inquiry Report in respect of:

- i) Widening of V-6 roads, Sector 8 A, B, C, Chandigarh.**
- ii) Construction of Hall in Ground Floor, Lobby and Mini Hall in First Floor and renovation of existing Community Centre Building, Sector-8, Chandigarh.**

The Secretary placed agenda item No.3 before the House for consideration.

The Commissioner apprised that as per inquiry report action has already been taken and explanation of the responsible officers has been called.

Sh. Chander Mukhi Sharma said that even after lapse of one year work has not been completed. He further said that the matter of giving wide publicity has not been inquired into by the Assistant Commissioner as directed by the Commissioner in the meeting and as such matter has been diluted and hushed up.

“The Commissioner directed the Assistant Commissioner to inquire into the issue again whether wide publicity was given or not and submit the report.”

Sh. Chander Mukhi Sharma said that the consolidated report will be discussed after inquiry is completed by Assistant Commissioner.

AGENDA ITEM NO. 4

Acquiring of land for new Dumping Ground.

The Secretary placed agenda item No.4 before the House for consideration.

Sh. Pardeep Chhabra said that before taking a decision in this matter the report of the Pollution Control Board should be obtained whether the gases emanated by

the dumping ground and water falling in Patiala Ki Rao, rivulet will not pollute the water in it. He further said that appropriate compensation should be given to the people whose land is to be acquired so that they should not suffer any loss. He further said that 10 acre land has already been filled up within 1 ½ year after setting up of Garbage Processing Plant. Therefore this aspect has to be kept in view.

Sh. Chander Mukhi Sharma was of the view that rate of compensation to be paid to the land owners should also be obtained from the Chandigarh Administration and the House be apprised accordingly.

The Commissioner said that the Corporation is to decide whether 85 acre land, as recommended by the consultant for dumping ground, is to be acquired or not then the approval of the Chandigarh Administration will be sought. After approval of Chandigarh Administration the land will be acquired by the Land Acquisition Officer and the rate of compensation is also decided by the LAO Chandigarh, however the amount of compensation is to be paid by Corporation. He further said that the proposed land has been seen by the officers of the Chandigarh Administration as well as by himself and it is most suitable land for dumping ground. He directed the MOH to obtain the clearance from the Pollution Control Board.

Sh. Chander Mukhi Sharma was of the view that all the relevant documents of the agenda including report of the consultant should also be placed before the House next time.

Smt. Harjinder Kaur said that approval of Chief Architect is not sufficient and clearance of Environment and Forest Department is also necessary, as the existing dumping ground at Dadu Majra was finalized keeping the health of thousands of people at stake. She further said that she read an advertisement in a newspaper inviting tenders for disposal of Bio-medical Waste and it was also mentioned that this bio-medical waste is to be disposed of in the dumping ground which is very dangerous and poisonous. As per Pollution Control Bye-Laws the distance of dumping ground from the residential location

has been specified and if the bio-medical waste as dumped there, it will cause health hazard and risk to the life of nearby residents.

The Commissioner explained that 12 acre land was available in that area out of which 10 acre land has been allotted to the Garbage Processing Plant and out of remaining 2 acre land, one acre has been proposed to be given for disposal of bio-medical waste. He further said that obtaining clearance from the Environment and Forest Ministry would take a lot of time therefore we should not wait for the same and should go ahead.

“The House deferred the agenda.”

AGENDA ITEM NO.5

Purchase of 02 Nos TATA 207 with Water Mist Generatic Unit and Telescopic light Mast for the Fire and Emergency Services, Municipal Corporation, Chandigarh.

The Secretary placed agenda item No.5 before the House for consideration.

Sh. Devinder Singh Babla was of the view that keeping in view a lot of grass growing in the parks there is need of Tractors in the Horticulture Wing to get rid of it.

The Mayor said that she has already written a note to the officers to hire tractors along with drivers and manpower for two months in rainy season to cut the grass and to maintain the parks and as such the issue is under process.

“The House considered and unanimously resolved that proposal to purchase 02 Nos. TATA 207 with Water Mist Generatic Unit and Telescopic light Mast for the Fire and Emergency Services, Municipal Corporation, Chandigarh be and is hereby approved.”

“The House further resolved that the Tractors along with drivers and manpower be hired for 3 months in rainy season in Horticulture Wing of the Corporation to cut the grass on the rate already approved for MOH Wing.”

AGENDA ITEM NO. 6

Framing the policy for transfer of ownership/Share of Flats of the Army Welfare Housing Organization at Manimajra.

The Secretary placed agenda item No.6 before the House for consideration.

“The House considered and unanimously resolved that the members of Army Welfare Housing Organisation, Manimajra be allowed to transfer the ownership of their flats after a period of 5 years from the date of issue of completion certificate as per policy of Chandigarh Administration as issued vide Endst. No.128/UTFI(4)/2009 dated 02.3.2009.”

AGENDA ITEM NO.7

Consideration of the recommendations of the House Tax Assessment Committee meeting of the Municipal Corporation, Chandigarh dated 20.5.2010.

The Secretary placed agenda item No.7 before the House for consideration.

Sh. Harphool Chand Kalyan proposed that wherever worship is being done should be exempted from property tax and the buildings like Brham Kumari Ashram, Sector 33, where only spiritual discourses are conducted should be exempted from property tax. He also suggested that property should be categorized for property tax purpose and the rate of tax should be reduced in the buildings where commercial activities are going on but only for the benefit of general public.

Sh. Ravinder Pal Singh was also of the view that the religious buildings where charitable clinics and meditation centres are running should also be exempted from the property tax.

Sh. Manjit Singh was of the view that property tax on the buildings should be ascertained on the basis of the allotment letter issued by the Estate Office. If the land is allotted for religious purpose then it should be exempted from tax and if the land is allotted for commercial purpose then it should be taxed.

Sh. Pardeep Chhabra pointed out that at Annexure-A attached with agenda a list of 35 buildings has been mentioned where different type of activities are being going on and there is lot of difference between annual demand of tax from these buildings. He suggested, these buildings be categorized according to the activities being run there for which survey should be conducted. The same should be placed before the House Tax

Assessment Committee and then brought before the House with the recommendation of the Committee.

The Mayor said that according to property tax Bye-laws there is a category of Institutional buildings which are other than SCOs, SCFs and Booths. She read out the provisions of the Property Tax Act. She said that there are some buildings like office of the Congress Party and BJP Party, where no commercial activities are being run which should be exempted from tax. There are other types of buildings like Parshuram Bhawan and Sood Bhawan, where marriage parties are being organized but at nominal rates and in some buildings diagnostic centres are being run at nominal charges. The representatives of these institutions have requested that they should not be treated at par with the other commercial buildings like hotels, cinema halls and marriage palaces. The representation of these institutions was considered by the House Tax Assessment Committee. According to Section 56 of the Municipal Corporation Act, the power to exempt any building from Property Tax is vested in the House. Therefore the recommendation of the House Tax Assessment Committee is placed before the House for taking appropriate decision in this matter.

Sh. Devinder Singh Babla pointed out that in case the purpose of the allotment is not mentioned in the allotment letter of the land then how the property tax to be imposed would be decided. There are some Bhawans which are being used totally for commercial purpose and quoted the example of Lajpat Rai Bhawan in Sector 15 which is always booked for marriage parties. He suggested that a fresh survey of such buildings should be conducted with due videography to prove that commercial activities are running there and concise decision has to be taken in this regard.

Sh. Chander Mukhi Sharma pointed out that the big hotels are charging for the grounds in front of them for organizing marriage party whereas while calculating property tax, the area of grounds is not being included. He suggested that this area should also be included for calculating property tax.

Sh. Arshad Khan said that the Corporation has no base documents to ascertain the definition of Industrial, Commercial and Institutional properties for tax purpose and if it is there then it is unscientific. He said that the Corporation has no detail data about the split, joint and new constructions and on what basis the tax is being calculated.

The Mayor asked Sh. Harphool Chand Kalyan to invite Sh. Arshad Khan and other interested Councillors as special invitee in the meeting of the House Tax Assessment Committee so that they can give their suggestions. He said that paying guest houses have not been included in the list for property tax as they are also providing the same services and doing good business.

“The House unanimously resolved that the lawns being used by the Restaurants, Hotels, Institutions and Clubs for commercial purpose and marriage parties should also be included in the area for calculating property tax.”

The Mayor said that the office should **get a fresh survey conducted of the commercial buildings and these buildings should be divided in 3 categories for property tax purpose** and wherever amendments in the Tax Bye-laws are required it should be proposed and recommended for consideration of the House Tax Assessment Committee, which will examine it and send its recommendations to the House for approval. **The report of the survey would be placed before the House in the next meeting of the House.**

Sh. Pardeep Chhabra pointed out that the Information Technology Park was declared SEZ to promote information technology but today the offices of the big business houses are functioning there which is totally commercial. He said that it is very important issue which needs to be looked into by the House. He further proposed that the Industrial and commercial plots which have been converted into commercial complexes and have provided free parking area in the basement and ground floor should be exempted from property tax. However, the paid parking should not be exempted from the property tax.

The Mayor said that House Tax Assessment Committee will also look into this matter and other recommendations of the members.

“The House considered and unanimously resolved that all “Political party offices” where no commercial activity is going on and Brahm Kumari Ashram, Sector 33 be exempted from property tax.”

“The House further resolved that fresh survey of religious places and Bhawans be conducted and the House Tax Assessment Committee should re-consider all the issues and give its recommendation to the House for final decision.”

Brig. Kuldeep Singh Chandpuri (Retd.) desired that Sainik Rest House, Sector 21 should also be exempted from property tax as the Ex-servicemen and their widows/dependents visit there.

The Mayor asked him to submit an application in writing in this regard.

AGENDA ITEM NO.8

Revalidation of Outsourcing of Manpower through service provider for sanitation work for the year 2010-2011.

The Secretary placed agenda item No.8 before the House for consideration.

The Mayor directed the MOH to prepare agenda regarding shortage of regular manpower in Sectors and submit the same before House in its next meeting.

“The House considered and unanimously resolved that the proposal to revalidate the contract of outsourcing of manpower through service provider for sanitation work w.e.f. 01.10.2010 to 30.6.2011 on the same rate and terms and conditions, be and is hereby approved.”

SUPPLEMENTARY AGENDA ITEM NO. 1

Rationalization of water tariff & Sewage Cess and simplification of Water Supply Bye-laws, 1960.

The Secretary placed Supplementary agenda item No.1 before the House for consideration.

Sh. Gurcharan Dass Kala said that the Corporation spent crore of rupees on laying water pipes for the purpose of supplying water from Kajauli to Water Works of

Manimajra 1½ years ago, but after the inauguration of the supply of water the residents of Manimajra never got water from Kajauli. He asked justification for laying the water pipes by spending 6 crore rupees. He said that water tariff can be increased only if the residents get regular and sufficient water otherwise this agenda should be deferred.

The S.E. (B&R) assured that water from Kajauli will be supplied to Manimajra residents/water works from next week.

The Mayor said that this agenda was earlier sent by the officers with 50% increase in water tariff but it was withdrawn. There is lot of pressure on the officers as the Grant-in-aid under the JNNURM Scheme will not be released by the Government of India. Now, only 10-12% increase in water tariff has been proposed in the present agenda. She asked the Commissioner to give detail background of the agenda.

Sh. Jatinder Bhatia also objected on the proposed increase in water tariff and said that the Southern sectors are not getting adequate water supply.

The Mayor said that the majority of the members are in favour of passing the agenda therefore it should be treated as passed.

All the members of opposition group stood in their seat and started speaking loudly against the proposed agenda. They came to the well of House raising voice to defer the agenda. They demanded that voting be carried out in favour of this agenda.

There was uproar in the House for quite some time on this issue.

Sh. Jatinder Bhatia said that in the agenda it has been mentioned that the rate of electricity charges have been increased therefore water tariff also need to be increased, which is totally wrong and no electricity charges have been increased after 2005. It has also be mentioned that Corporation is going to increase the hours of water supply from 14 to 16 hours whereas none of the southern sector is getting water for more than five hours therefore this plea is also wrong.

The Mayor asked the members of the House to raise their hands who are in favour of passing the agenda.

The members of the House raised their hands and after counting it was announced by the Mayor that 15 members are in favour of the agenda therefore the proposed agenda be treated as passed by majority.

Sh. Anil Dubey, Sh. Surinder Kumar Jagota, Sh. Rajesh Gupta, Smt. Rajkumari Mishra, Smt. Sunita, Smt. Sarita Devi, Sh. Gurcharan Dass Kala, Sh. Jatinder Bhatia and Smt. Harjinder Kaur opposed the agenda.

“The House considered and by majority resolved that the proposal of Rationalization Of Water Tariff & Sewage Cess and simplification of water supply Bye-Laws, 1960 (Annexure-‘A’) be and is hereby approved.

SUPPLEMENTARY AGENDA ITEM NO. 2

Rough cost estimate for P/L 40mm thick bituminous concrete on V-5 road in Sector 33 A, B, C & D, Chandigarh.

The Secretary placed Supplementary agenda item No. 2 before the House for consideration.

Sh. Rajesh Gupta said that estimate for carpeting/re-carpeting of V-6 roads should also be prepared at the earliest as the condition of internal roads is very bad.

Sh. P.K. Mukherjee was of the view that system has to be improved and before taking any decision on carpeting/re-carpeting of any road the officers should give certificate that the road requires carpeting/re-carpeting. He also desired that the officers should be held accountable and penalized for low quality work.

The Commissioner said that there is no rule of certification but it is a policy decision that a road will be re-carpeted after 5 years. However if House decides so, it can be introduced in future.

The Mayor was of the view that reasoning of carpeting/re-carpeting of road before completion of 5 years should be given by the officers in the Committee.

”The House considered and unanimously resolved that the Rough Cost Estimate amounting to Rs.77.40 lac for P/L 40mm thick bituminous concrete on V-5 road in Sector 33 A, B, C & D, Chandigarh, be and is hereby approved.”

SUPPLEMENTARY AGENDA ITEM NO. 3

Rough cost estimate for providing and fixing 60mm thick interlocking paver blocks on V-6 roads, Sector 10 A&D, Chandigarh.

The Secretary placed Supplementary agenda item No.3 before the House for consideration.

"The House considered and unanimously resolved that the Rough Cost Estimate amounting to Rs.64.90 lac for Providing and fixing 60mm thick interlocking paver blocks on V-6 roads, Sector 10 A&B, Chandigarh, be and is hereby approved."

SUPPLEMENTARY AGENDA ITEM NO. 4

Recarpeting of road from Kalagram Light Point to Thakur Dwara, Community Centre, Manimajra.

The Secretary placed Supplementary agenda item No.4 before the House for consideration.

"The House considered and unanimously resolved that the Rough Cost Estimate amounting to Rs.38.99 lac for Re-carpeting of road from Kalagram Light Point to Thakur Dwara, Community Centre, Manimajra, be and is hereby approved."

SUPPLEMENTARY AGENDA ITEM NO. 5

Rough cost estimate for Strengthening and carpeting of roads in front of Plot No.32 to 191 & 24/1 to 29/7 in Industrial Area, Phase-II alongwith paver blocks footpath.

The Secretary placed Supplementary agenda item No.5 before the House for consideration.

"The House considered and unanimously resolved that the Rough Cost Estimate amounting to Rs.343.00 lac for Strengthening and carpeting of roads in front of Plot No.32 to 191 & 24/1 to 29/7 in Industrial Area, Phase-II along with paver blocks footpath, be and is hereby approved."

SUPPLEMENTARY AGENDA ITEM NO. 6

Rough cost estimate for widening of V-5 road and P/F 60mm thick interlocking paver blocks footpath.

The Secretary placed Supplementary agenda item No.6 before the House for consideration.

“The House considered and unanimously resolved that the Rough Cost Estimate amounting to Rs.42.75 lac for Widening of V-5 road and P/F 60mm thick interlocking paver blocks in Sector 4, Chandigarh be and is hereby approved.”

SUPPLEMENTARY AGENDA ITEM NO. 7

Estimate for B/I one no. 12”x8” (304.80x203.20mm) i/d deep bore tubewell (with reverse rig method and any method of latest technology) and Construction of R.C.C. U.G.R. of 1,00,000 Gallons Capacity along with boosting arrangement at Bhopal Stadium in Village Burail, Chandigarh.

The Secretary placed Supplementary agenda item No.7 before the House for consideration.

“The House considered and unanimously resolved that the Rough Cost Estimate amounting to Rs.62.28 lac for B/I one no. 12”x8” (304.80x203.20mm) i/d deep bore tubewell (with reverse rig method and any method of latest technology) and Construction of R.C.C. U.G.R. of 1,00,000 Gallons Capacity along with boosting arrangement at Bhopal Stadium in Village Burail, Chandigarh, be and is hereby approved.”

SUPPLEMENTARY AGENDA ITEM NO. 8

Recommendations of Malba Bye-laws Committee regarding Disposal of Construction Material and Malba.

The Secretary placed Supplementary agenda item No.8 before the House for consideration.

Sh. Arshad Khan said that the committee has recommended mainly four amendments in the Malba Bye-laws. First the penalty to be increased from Rs.500/- to Rs.1500/- for any offence. Secondly three days’ time to be given to the violators to remove the malba from the site otherwise the amount of penalty would be increased to Rs.5000/- after that the offence would be treated as separate offence with the lapse of each day. A call centre of the Municipal Corporation, Chandigarh may be set up to receive the complaints from the public during the working hours. The complainant would be given a unique number which will be the identity of the complaint registered by the complainant. The Corporation will send its truck to pick up the malba and if the quantity of malba is ¼

truck then Rs.150/- will be charged, if the malba is half truck load then Rs.250/- will be charged and in case full truck of malba is there Rs.400/- will be charged. Malba has also been defined in the Bye-laws. There is also provision of removal of malba by an individual subject to that non-motorized vehicle like rehri and riksha will not be used to remove the malba and the malba should be thrown only at designated places. There is provision of penalty of Rs.10,000/- in case malba is thrown at non-designated place and using non-motorized vehicle. In case a defaulter does not pay the penalty the amount can be claimed through water charges bills.

Sh. Gurcharan Dass Kala objected that one of the clause cannot be applicable to villages where the streets are very narrow and vehicle cannot pass through them.

Sh. Devinder Singh Babla pointed out that at present the J.E. only issues notices to the offenders and some of them tear it once the J.E. is gone. He suggested that in the notice, it should be written in bold letters that amount of fine will be recovered by adding it in the water charges bill in case the offender does not deposit the same.

Dr. A.P. Sanwaria said that it has been observed that some so-called social workers approach the officers and get the amount of fine reduced from 500/- to Rs.50/-. He suggested that the amount of the fine should not be reduced in any case only then malba can be removed from the city.

Sh. Pardeep Chhabra said that there will be dispute in case the first floor is renovated by the tenant or owner and the notice will be issued to the owner of the house, similarly there are number of tenants in cabins and showrooms and some time the Government Houses are renovated and contractor throw malba on the public land. These issues also need to be looked into.

Sh. Jatinder Bhatia said that in the meeting of the committee it was discussed that in case a member of the Resident Welfare Association finds anybody throwing malba in

unauthorized place he will intimate the Corporation immediately. This clause should also be included in these Bye-laws.

The Mayor was of the view that in case of renovation of Govt. Houses it is the duty of the contractor to lift the malba and it can be made mandatory by including a clause in the terms and conditions.

Smt. Harjinder Kaur was of the view that one time cleaning drive should be launched by hiring private vehicles and people should be made aware to report dumping of malba by anyone in their area.

The Commissioner was of the view that instead of purchasing trucks, office can identify 2-3 agencies who will be engaged to lift the malba from various parts of the city.

Sh. Arshad Khan said that rules and policy are framed on the basis of certain criteria. On the basis of violations and circumvention, amendments are made at later stage. He said that there are some countries like Hong Kong, Dubai, Singapore wherefrom he has derived some best practice through net, where such offences are crime and punishable even up to the imprisonment. He said that such rules can be enforced only if there is provisions of severe punishments and people would deter only in anticipation of punishment. He said that whenever law is made it is made for good intends. Other facilities like logistic and infrastructure can be arranged according to the needs.

The Commissioner pointed out that as per Municipal Act fine cannot be more than Rs.500/-, however additional charges of lifting can be imposed.

The Mayor appreciated and thanked Sh. Arshad Khan for taking personal interest and hard work to frame Malba Bye-Laws.

“The House considered and unanimously approved The Municipal Corporation, Chandigarh (Disposal of Construction Material, Malba and Debris) Bye-Laws 2010 in principle.”

“The House further resolved that the Committee constituted for this purpose shall re-consider the issues raised by Councillors and amend accordingly and submit amended Bye-Laws to the Commissioner for further necessary action.”

SUPPLEMENTARY AGENDA ITEM NO. 9**Recommendations of Arts, Culture & Sports Committee regarding Management of Community Centres/Janj Ghars.**

The Secretary placed Supplementary agenda item No.9 before the House for consideration.

Brig. Kuldeep Singh Chandpuri (Retd.) said that he along with other members of the Committee and the Mayor has visited all the community centres of the city and it has been observed that some of the community centres are in very bad shape. There is no proper supervision of community centres as one supervisor has been looking after the work of 5-6 community centres. There is no mali to look after the plants in the community centres. The Committee after discussion has classified the community centres as per their conditions and requirements of renovation. He said that Corporation lack infrastructure and manpower to maintain the community centres. Therefore, the Committee after lot of discussion has decided that the management of community centres should be handed over to the elected governing body of the community centres. However, the Corporation should provide them care-taker, mali for which expenditure will be borne by the Corporation. He suggested that in case the House agrees to the recommendation of the Committee Bye-laws will be framed in this regard.

The Mayor said that the community centres are meant for celebration of social functions. The Governing Body has been empowered only to decide the fee to be charged from the members for the indoor games and using gym. The Mayor appreciated Brig. Kuldeep Singh Chandpuri (Retd.) for taking personal interest and convening so many meetings to finalize the recommendation of the Committee and desired that the House should give him a big hand.

Brig. Kuldeep Singh Chandpuri (Retd.) pointed out that in one of the community centres it has been observed that the occupancy of AC rooms is nil whereas the

electricity bill has been received upto Rs.4000/-. He asked who is using the AC rooms whether the mali or chowkidar sleep there or someone else?

The Mayor said that it has been reported that two rooms of the community centre in Badheri have been occupied by the MOH Wing. She directed the MOH to vacate two rooms of community centres of Badheri.

Sh. Ravinder Pal Singh objected on recommendation No.3 and said that the residents of other sectors should also be made eligible to be a member of the community centre as all sectors do not have community centres, therefore, all the residents of city should be eligible for membership.

The Mayor agreed on the proposal.

Smt. Harjinder Kaur pointed out that the Bye-Laws of Community Centres are already there whereas these recommendations are proposed for the public participation in the recreational activities going on in community centres. She pointed out that in case of the residents of Chandigarh are made eligible to the member of a community centres then after some time the number of members would increase so much that it would not be possible to enroll more members even from that sector, therefore she suggested that there should be some exceptions or conditions while enrolling the residents of other sectors as member of the community centre. She said that in developed countries children, women and senior citizens take active part in the community activities but the same culture has not developed so far in India. However, she thanked and appreciated Brig. Kuldeep Singh Chandpuri (Retd.), Mayor and other members of the team for making great efforts and giving valuable suggestions for proper utilization of community centres and said that it was a long pending demand of the city residents and hope that in case it succeeds then it would be replicated in other community centres also. It is a demanding concept in which the Councillors can play vital role by interacting with the community and making it success. She quoted Mr. Kohli of Patiala who achieved national level recognition for public involvement through community centres being area Councillor.

Sh. Manjit Singh pointed out that some persons have taken rooms of community centres situated in the colonies/villages on rent @ Rs.1000/- per month on the pretext of training centres. As a result the poor residents of colonies/villages could not use these community centres. He thanked the Mayor and the Commissioner for issuing orders to vacate those community centres. But even after lapse of one year the articles belonging to the NGOs are still lying there. He suggested that House should resolve that in future no community centre should be rented out to any NGO so that it could be utilized for community purposes.

Sh. Chander Mukhi Sharma wanted to know about the methodology of sharing of revenue if booking of community centres is centralized.

The Mayor said, the complaints from the residents of the city are being received that booking of community centres is not being done after 1.00 p.m. Keeping in view the demand of the Committee has recommended that booking of community centres should be done through e-Sampark Centres, so that the residents need not visit the office of the corporation. She further said that during her visit of Senior Citizen Forum's meeting, it was pointed out that the Corporation had decided to allow the association, whose membership is more than two hundred, to convene meeting once in a month in community centre free of cost. She asked the members to take appropriate decision in this matter.

The Commissioner said that booking of community centres should not be restricted to e-Sampark Centres and the present system of booking in the office should also continue.

The Mayor said that recommendation No.5 should be amended that **till the booking of community centre through e-Sampark Centre is started the present system would continue.**

The Commissioner was also of the view that booking of community centres should also be available at community centres also. He further suggested that the Governing Body of the community centres should have a separate account and the money

so collected should be utilized for development and renovation of community centres. So far as the membership fee is concerned it should be decided by the Governing Body, keeping in view the facilities available in the community centre.

Sh. Chander Mukhi Sharma was of the view that the provisions of life membership will not be useful and monthly membership fee should be charged instead. He also suggested that the old Bye-Laws should also be kept in view and amended on need basis and the recommendation of the Committee should also be included and a new set of Bye-Laws be framed and placed before the House for consideration and approval. He further said that there are three community centres in his Ward and therefore one supervisor for each community centre should be deputed.

The Commissioner suggested that Governing Body should decide the number of sweepers to be engaged on outsource basis.

“The House considered and unanimously resolved that the existing Bye-Laws and the recommendation of the Committee should be discussed again by the Committee and a consolidated Bye-Laws be brought before the House for consideration and approval in its next meeting.”

TABLE AGENDA ITEM NO. 1

To constitute All Party Committee to review the proposal to put up a Laser Fountain in sector 17 – by Sh. Surinder Kumar Jagota and 10 other Councillors.

The Secretary placed Table Agenda item No.1 before the House for consideration.

Smt. Harjinder Kaur objected that one of the Councillor has used derogatory remarks on this agenda by using her name and said that this agenda was not her personal but submitted by 11 Councillors. The Corporation, on the recommendation of the Chandigarh Administration has passed an estimate for setting up a Laser Fountain in Sector-17 which is said to be a unique feature in the city. Earlier also the Corporation had passed the proposal of the office to purchase road sweeping machines worth crore of

rupees. After some time she came to know that cheaper machines are available in the market and are being used in other cities of the country. This fact was brought to the notice of the then Commissioner, he was requested to review the proposal to purchase road sweeping machines as the cost was on higher side but the bureaucrats misguided the officers in the Administration on the ground that technical aspects are to be checked by the officers and not by the Councillors. She was shocked to hear about the statement of the officers as told her by the then Governor. The concern was only to save the public money. Similarly the fate of Garbage Processing Unit is before everyone. Now the project of Laser Fountain has been proposed and passed by the House for which global tender has already been floated in the newspapers. When she read the terms and conditions of the global tender in newspapers she was shocked. It says that **“the bidder should be an Indian based registered company”** which is contradictory as it is global tender. Another conditions is that **“it should not be a joint venture”**. Many projects in India are running successfully, which are joint venture. She further said that some of the Councillors were shown the presentation but the Councillors are not satisfied with that presentation.

The Mayor said that earlier a Committee was proposed by Smt. Kamlesh the then Mayor to visit Mumbai to see the Laser show but the Administration accorded approval for visit of Mayor, Commissioner and area Councillor only.

Smt. Harjinder Kaur suggested that an all party committee consisting of 4-5 members be constituted which will review the whole project. She has searched in the net and found that similar Laser Fountains have already been installed in other cities with a cost of Rs.45 lac approximately. Tamil Nadu has also installed similar Laser Fountain in collaboration with Ministry of Tourism, Government of India on BOT basis without spending even a single of penny. The Company has obtained right of revenue generated by imposing a ticket to see the Laser show. She further said that whether the fund is to be released by the Ministry of Tourism, Government of India, by Chandigarh Administration or by Municipal Corporation, Chandigarh, it is a public money and it would be criminal wastage

of money if Rs.3-4 crore are spent for this project. She suggested that project should be allotted with transparent manner and at minimum cost. She suggested that Councillors are policy makers and they should be involved in finalizing the terms and conditions of global tenders in this project as well as in future also as they cannot be in dark.

Sh. Ravinder Pal Singh asked whether it is necessary that the firm should be registered in India and whether the same terms and conditions were there in other global tenders. He further said that this matter should have been discussed at the time when agenda was placed before House as six months have already been lapsed. Moreover Sh. Pardeep Chhabra is Councillor has already seen the project. He further said that his colleague Councillors do not want to be a part of the proposed Committee and technical aspects of the project should be left over to the officers.

The S.E.(B&R) explained that there is a Clause that the firm should have Indian liaison office of the foreign manufacturer who have successfully executed similar works during the last seven years anywhere in the world.

The Mayor said that this agenda has already been unanimously passed by the House and asked Smt. Harjinder Kaur to check the documents in detail in the office of the Chief Engineer or S.E.(P.H.) as the record shown by the S.E.(P.H.) and the record available with her does not tally. After that if she has something to say in this matter she can submit in the next meeting of the House.

The meeting ended with a vote of thanks to the Chair.

**Secretary,
Municipal Corporation,
Chandigarh.**

**Mayor
Municipal Corporation,
Chandigarh.**