

**MINUTES OF 170<sup>TH</sup> MEETING THE MUNICIPAL CORPORATION CHANDIGARH  
HELD ON 29.08.2011 AT 11.00 A.M. IN THE ASSEMBLY HALL OF THE MUNICIPAL  
CORPORATION, CHANDIGARH.**

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The following were present:

1.	Sh. Ravinder Pal Singh	Mayor
2.	Smt. Prerna Puri, IAS	Commissioner
3.	Smt. Sheela Devi	Dy. Mayor
4.	Brig. K.S.Chandpuri (Retd.)	Councillor
5.	Sh. Arshad Khan	Councillor
6.	Sh. M. P. S. Chawla	Councillor
7.	Dr. A.P. Sanwaria	Councillor
8.	Ar. P.K. Mukherjee	Councillor
9.	Sh. Resham Chand Jakhu	Councillor
10.	Dr. Pam Rajput	Councillor
11.	Smt. Harjinder Kaur	Councillor
12.	Sh. Manjit Singh	Councillor
13.	Sh. Pardeep Chhabra	Councillor
14.	Smt. Kamlesh	Councillor
15.	Sh. Surinder Kumar Jagota	Councillor
16.	Sh. Harphool Chand	Councillor
17.	Sh. Jagjit Singh Kang	Councillor
18.	Sh. Bhupinder Singh	Councillor
19.	Sh. Rajesh Kumar Gupta	Councillor
20.	Smt. Anju Beniwala	Councillor
21.	Sh. Devinder Singh Babla	Councillor
22.	Smt. Sarita Devi	Councillor
23.	Sh. Vijay Singh Rana	Councillor
24.	Sh. Ram Sumar Morya	Councillor

25.	Sh. Ram Lal	Councillor
26.	Sh. Jatinder Bhatia	Councillor
27.	Sh. Anil Kumar Dubey	Councillor
28.	Smt. Raj Kumari	Councillor
29.	Sh. Gurcharan Dass Kala	Councillor
30.	Smt. Sunita	Councillor
31.	Sh. Lalit Siwach, HCS	Secretary

**The following Officers also attended the meeting: -**

1.	Sh. Sunil Bhatia, PCS	Additional Commissioner-I
2.	Sh. S.S. Bida	Chief Engineer
3.	Sh. R.C. Diwan	Superintending Engineer (P.H.)
4.	Sh. Mukesh Anand	Superintending Engineer (B&R)
5.	Dr. B.K. Salwan	Municipal Health Officer
6.	Sh. Amar Chand	Chief Accounts Officer
7.	Sh. Vishal Gupta	XEN Roads Divn. No.1
8.	Sh. Jai Pal Singh	XEN Roads Divn. No.2
9.	Sh. Sanjay Arora	XEN Roads Divn. No.3
10.	Sh. R.S. Bedi	XEN (P.H. Divn.No.1)
11.	Sh. R.S. Ahluwalia	XEN (P.H. Divn.No.2)
12.	Sh. Anil Bansal	XEN (P.H. Divn.No.3)
13.	Sh. Gurpreet Singh	XEN (P.H. Divn.No.4)
14.	Sh. Arun Kansal	XEN. Horticulture

At the outset, the Secretary welcomed the Mayor, Councillors, Officers and the Media persons present in the meeting.

Sh. Anil Kumar Dubey congratulated Sh. Anna Hazare for success of the crusade against corruption and desired that House should pass a resolution in his support and to thank him.

At this Sh. Manjit Singh objected and started speaking loudly. Some other councillors also joined him.

Dr. A.P. Sanwaria was of the view that Sh. Anna Hazare should not be dragged into politics as he belongs to whole nation and not a particular political party.

There was a din in the House for quite some time as some councillors continued speaking loudly together.

Sh. Devinder Singh Babla said that Sh. Anna Hazare belongs to all and not to the BJP and instead of making the subject an issue of debate, the House should discuss development matters of the city as the elections are approaching.

Sh. Ram Lal said that Sh. Manjit Singh disturbs the smooth functioning of the House every time and requested the Mayor to make him disciplined and let the House run smoothly.

### **AGENDA ITEM NO. 1**

#### **Confirmation of the minutes of 169<sup>th</sup> meeting of the General House held on 29.07.2011 at 11.00 a.m. in the Assembly Hall of the MC, Chandigarh.**

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

Sh. P.K. Mukherjee pointed out that at page No.4 of the minutes of 169<sup>th</sup> meeting, it has been mentioned that the agendas passed in 168<sup>th</sup> meeting should not be considered passed and asked the reason for this.

The Mayor replied that the Councillors of the opposition party gave in writing a representation to the Home Secretary objecting on passing of those agendas. Therefore, those agendas will now be again placed before the House for approval.

Sh. P.K. Mukherjee enquired about implementation of the Public Disclosure Act as mentioned at page 4 of the minutes of 169<sup>th</sup> meeting.

Secretary apprised that after approval of the House, the draft notification of the Act has been sent to the Chandigarh Administration for approval of notification.

***The House confirmed the minutes of 169<sup>th</sup> meeting of the General House held on 29.07.2011 at.11.00 AM in the Assembly Hall.***

Sh. Jatinder Bhatia said that minutes are not recorded properly and important issues of members are some time not recorded. He further stated that development works are not being carried out and the Chief Engineer has no reply on this point. He pointed out that the tenders for Night Food Street were invited six times but not finalized yet. Similarly the grant-in-aid received for construction of SSKs 4 years ago has not been utilized so far. It is a rule that in case grant-in-aid is not utilized within two years, it has to be refunded and thus it is a fraud with Government of India. The work on the community centre of Sector 47 has not so far been started despite his repeated reminders to the Chief Engineer and there is no coordination between three wings of the Engineering Wing. The residents of the area are suffering and the Municipal Corporation is also incurring loss of revenue. The Contractor has not started the work in Sector-47 & 48 even after lapse of two months after allotment of work and the Engineering Wing never takes any action against such contractors. He asked the Chief Engineer, the reason for delay in aforementioned projects and re-tendering for the development projects of Sector 47 & 48. He pointed out that re-carpeting of roads in Sector 48 has not been carried out after widening even after lapse of one year. He further stated that in the reply of his question dated 27.11.2010 relating to Electricity Wing, the facts have been concealed that out of 18 companies 16 had replied that they supplied the items to

the Corporation, whereas one of the company replied that it did not supply any electric items to the Corporation.

Sh. Anil Dubey stated that a proposal for construction of day market in Mouli Jagran was approved 3 years ago but one of the '*nikamma*' officer is deliberately delaying the matter time and again without any reason. He asked whether the Mayor is so weak that officers do not hear him or the officers don't have any knowledge.

Sh. Pardeep Chhabra and some other Councillors objected on the comments and said that subject is being politicized.

***All the officers stood up and walked out of the House.***

The Mayor warned Sh. Anil Dubey to speak sensibly and not to utter any unpleasant remark against the officers as they have gone out of the House in protest.

Sh. Devinder Singh Babla stated that it was unfortunate and unprecedented that the officers have walked out of the House just due to uncalled for remarks by Sh. Anil Dubey.

At this many Councillors stood up and started speaking loudly together.

***The House was adjourned for tea at 11.45 a.m. and re-assembled at 12.45 p.m.***

Sh. Devinder Singh Babla said that today was sufficient time to discuss the development projects of the city as there was no development item in the agenda. He addressed the officers and said that Councillors are elected representatives, who have to face the public and moreover the elections are approaching nearer, therefore, the priority of all Councillors is development of their wards and to complete the ongoing projects at the earliest. No Councillor wants to offend any officer but such words are uttered when the work in his ward is stalled or delayed unnecessarily. He offered apology in case any Councillor used unwarranted words. He

further stated that it happened first time in the history of the Corporation that officers left the House in spite that Mayor and Commissioner were seated in their Chair. It was insult to the House and the Councillors will also have to face embarrassment when the news will appear in the newspapers the next day. The Councillors and officers should respect the sentiments and feelings of each other and this incident should not be carried forward.

The Commissioner stated that whatever happened in the House was unfortunate. The officers of the Corporation are duty bound and working very hard to complete the projects as approved by the General House within time frame. She requested that every Councillor should address the Chair and no personal remarks should be uttered by any one and dignity of officers should be maintained as well. The proper method is that the members should be to address the Mayor who would further ask the concerned officer to apprise the House.

Sh. Gurcharan Dass Kala stated that it was the first incident in the history of the Corporation that the officers left the House in the presence of the Commissioner and the Mayor. It would be mentioned as a black day in the history of the Corporation. He further said that no member of the opposite party will sit on their seats and will not allow the House to run until Sh. Lalit Siwach is sitting on the Chair of the Secretary as it was insult of the House.

Sh. Anil Dubey firmly said that he would utter such words in future also if his projects are delayed and stalled unnecessarily.

***All the members of the opposition party came to the well and sat down and started speaking loudly together.***

The Mayor stated that Sh. Sunil Bhatia, Addl. Commissioner has stated that it was a common decision of the officers and they were not instigated by Sh. Lalit Siwach.

Sh. Sunil Bhatia, Additional Commissioner said that nobody instigated them and it was felt that the words used by Councillor against the officers were not proper, therefore, it was a general consensus of the officers.

At this Sh. Gurcharan Dass Kala strongly opposed and said that everybody has seen that Sh. Lalit Siwach, Secretary stood up first and then all the officers followed him. He admitted that Sh. Anil Dubey used improper words for which he offered apology but asserted that the action of officers was also improper. However, he demanded an apology from the Secretary also, only then they would allow the House to run.

The Commissioner again requested the Councillors to take their seats and stated that nobody has instigated anyone and whatever happened in the House was unfortunate and reiterated that it was not proper to pass personal remarks.

**There was a din in the House for some time.**

Sh. Pardeep Chhabra stated that the views of the senior members of the House should also be sought on this issue.

The members of the opposition party took their seats.

Brig. K.S.Chandpuri(Retd.) stated that the main objective of the House is to debate on the agendas placed before it and to pass or reject them. The elected Councillors are answerable to the public for the development works in their wards. The officers of the Corporation are governed by the central rules and there are some limitations of officers and they are bound by their duties. No individual has power to pass remarks on their performance as there is higher authority for every officer for assessing their performance. Whatever happened in the House was openly seen and observed by everyone present here. He stated that being the senior most member of the House, he on behalf of all the members tenders apology for whatever was said against officers by any

member. It would be proper that the Councillors should address the Mayor and apprise him their problems and the Mayor should further ask the Commissioner to reply the question of the members.

Sh. Gurcharan Dass Kala objected that no member of the House should apologize on their behalf as they have not done anything wrong.

Sh. Jatinder Bhatia also stated that he stands by his words whatever he stated in the House and asserted that whatever he said was right and nobody needs to apologize on his behalf.

**At this there was again a din in the House as many councilors continued speaking loudly.**

All the Officers left the House.

*The House was adjourned at 1.35 PM and re-assembled at 1.50 PM.*

## **AGENDA ITEM NO. 2**

### **Question/Answer**

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

### **Question No. 1 by Smt. Harjinder Kaur, Councillor**

The Mayor said, since Smt. Harjinder Kaur has left the House, the question would be discussed in the next meeting.

### **Question No. 2 by Sh. Jatinder Bhatia, Councillor**

Sh. Jatinder Bhatia pointed out that the second part of his question pertaining to the approval of F&CC or General House has not been replied properly. He further said that the reply of his question has been sent him without numbering and binding as a result it is not possible to find out the Annexures as it contains about 500 pages. He desired that the Annexures of the reply should

be properly numbered and proper reply be sent to him so that it could be discussed in the next meeting of the House.

**Question No. 3 by Dr. A.P. Sanwaria, Councillor**

Dr. A.P. Sanwaria said that he had submitted the question in the month of July and also visited the office of the Secretary for the reply of the said question to be placed before the meeting of General House in the month of July, 2011, but he replied that he has already sent reminders to the concerned officer. Then he approached the Commissioner, who directed the concerned officer to prepare the reply and resultantly the reply of the question has been placed before the House which is not complete and proper. He further said that there is no system in the office and the Councillor do not receive the reply of their questions in time.

The revised reply of the question of Dr. A.P. Sanwaria was supplied to all the members in the House.

Dr. A.P. Sanwaria said that it will take some time to go through the reply and requested to take up the next question till then.

**Question No. 4 by Sh. Pardeep Chhabra, Councillor**

Sh. Pardeep Chhabra stated that due to elections of SGPC, Code of Conduct has been in force in the city, whereas only 12000 voters of the city are eligible to cast the vote in the election against the population of 12 lac. He was of the view that there is some lapse on the part of the Administration and this matter should have been taken up with the Election Commission of SGPC. The elections of the Corporation are also approaching near and many approved projects are pending. It has been observed that tenders of Chandigarh Administration, Punjab & Haryana Government are being published in the newspapers. He desired that this matter should be taken up with the concerned authority as Councillors are not in a position to influence the voters of SGPC in

any way. He further said that even after introduction of e-tendering system, it takes about one year to finalize the tender. He desired that the tender should be opened on the last day of tendering and whole process should be finalized within minimum time frame. All the Councillors are concerned for the development of the city and Code of Conduct will be imposed after notification of the elections of the Corporation and then no development work could be taken up. Recently the Parliament has also passed the implementation of “**Citizens’ Charter**” which was also approved by the House in the year 2009 but could not be implemented. The officers as well as the Councillors should be answerable to the public for non-completion of projects in time. He pointed out that the Corporation has to request the Administration for supply of the cement and the ongoing projects are pending due to non-availability of the cement. He requested the Commissioner to implement the Citizens’ Charter in the Corporation at the earliest so that everybody should be accountable. Regarding reply to his question, he further said that an embezzlement worth crore of rupees has already been happened in the Corporation, but the office has wrapped the issue with the reply that a letter has been written to the Police for registration of FIR. He desired that all the persons involved in unauthorized construction and illegal occupation of sites in Vikas Nagar, Mauli Jagran should be made public and action be taken against them. He further said that in the reply it has been mentioned that Junior Engineer of the area has to report the unauthorized construction but no report has been received so far. The office has published a notice in the newspapers inviting the encroachers to submit the documents in support of their claim instead of taking action against him which shows the weakness of the Corporation. He further asked the Commissioner whether any team has been constituted to find out the illegal occupiers as mentioned in the reply and whether the matter has been pursued with the police whether FIR has been lodged. He asked, how it happened that people have constructed three storey buildings on public land and even water and electricity connections have been issued to them in connivance with the mediators. Plots worth crore of rupees have been encroached upon by the people and strict action is required to be taken against them as

well as the officers of the Corporation and local persons involved in this business. He requested the Commissioner to conduct an enquiry in this episode and officers responsible for this negligence should be brought to the book. He also desired that the reply to his question should be prepared in detail properly.

Sh. Anil Dubey stated that he had pointed out, when Sh. R.K. Rao was the Commissioner, that some people are forging the documents for the vacant plots and planning to sell them. A team consisting of the officials of Estate office and Municipal Corporation was constituted to survey the area and find out illegal occupants. He asked, why these spaces were left and for what purpose and who is the responsible? He himself had demolished 7-8 structures being constructed by unauthorized persons and got the illegal water connections disconnected through the concerned SDO. He apprised that water and electricity connections have been released to these plots and even the Corporation is accepting rent from the illegal occupier of these plots. These houses have been sold further to the poor and illiterate persons, who deem the forged documents as genuine. It has been mentioned in the reply that the request of Sh. Anil Kumar Dubey was forwarded for further directions of the Administration in the matter. The houses in Vikas Nagar, Mauli Jagran were allotted on lease basis for five years and some of the allottees have sold the houses on power of attorney which is not legal. The officers knew this dealing but did not take action against such allottees. After five years, notices were issued to the residents to produce the original allottee only then the rent will be accepted. He further said that he had recommended in the said letter to get the survey of the colony conducted and the houses occupied by the people for the last 15 years should be transferred in their name by charging the suitable amount from them. He also recommended that enquiry should be conducted as to who forged the documents pertaining to those vacant plots and sold them to the poor and illiterate persons. He further recommended that some eligible persons have been left out for allotment of sites, who should be allotted the sites and ineligible persons should be evicted. He also desired that the illegal residents should be given time to vacate till

March, 2012 as their children are studying in nearby schools. He pointed out that the residents of the houses built outside lal dora should also be allowed to cast vote in the forthcoming elections of the Municipal Corporation, Chandigarh.

Sh. Pardeep Chhabra apprised that the letter pertaining to lodging of FIR was written on the direction of the Punjab & Haryana High Court. **He requested that a proper enquiry from the vigilance be got conducted for illegal sale of sites and encroachment in Mauli Jagran. He also desired that the reply in the matter of M/s Uppal Housing, Manimajra be also furnished.**

*The Mayor stated that the illegal occupants of sites in Mauli Jagran be ousted and the Municipal land should be got vacated.*

Sh. Arshad Khan stated that three parties are involved in Uppal Housings, Manimajra i.e. Estate Office, Municipal Corporation and the builder of the flats. There was no provision of EWS houses in the allotment letter issued to the M/s Uppal Housings. The Estate Office also issued occupation certificate to the builder after inspection of the site, which shows that everything is clear and nothing illegal has been constructed. The purchasers saw the allotment letter and occupation certificate issued by the competent authority of the Estate Office and they moved in the houses. Now they are being harassed as they are not being allowed to sell their flats. He further stated that if the provision of EWS was discussed in the House before auction of the site then why the said term and condition was not incorporated in the allotment letter and asked which officer was responsible for the negligence. Then the officials of the Estate Office also inspected the site and issued occupation certificate. He asked the fault of the residents for which they are being harassed. **He desired that responsibility of the officers be fixed for not incorporating the provision of EWS Houses in the terms and conditions of allotment letter.**

Dr. A.P. Sanwaria and Sh. Jatinder Bhatia also supported the views of Sh. Arshad Khan.

The Additional Commissioner-II stated that there was no condition of EWS House in the allotment letter and possession letter but the Zoning Plan approved by the Chief Architect contained the provision of 15% EWS Houses and it was also mentioned therein that the conditions of the Zoning Plan will be part of final occupation certificate to be issued to the builder.

The Mayor said that when this issue was raised in the House, the Deputy Commissioner, Chandigarh was also looking after the charge of Commissioner, Municipal Corporation and he had assured in the House that the officers responsible for this lapse would be penalized.

Sh. Arshad Khan again pointed out that the office is not issuing the NOC to the residents to sell their flats and they are suffering for no fault and he requested that this condition be waived off. He further desired that correcting measures be taken on this issue as the Corporation is at fault and not the purchasers of the flats, who are being harassed.

The Additional Commissioner-II stated that a show cause notice is to be issued to the builders as per assurance given by the then Commissioner in the House.

The Mayor said that the office can not issue No Objection Certificate to the owners of the flats as the office has issued show cause notice to the builders. Moreover, when a presentation was shown to the members by Sh. Kamlesh Kumar, Joint Commissioner, everybody was of the view that show cause notice be issued to the builders for resumption of the site.

Smt. Kamlesh stated that this issue was discussed in the year 2004 when she was Mayor and it was clearly apprised to the members that 15% flats would be allotted to the EWS. She asked why this condition was not incorporated in the allotment letter and desired that responsibility of the concerned officer should be fixed for the negligence. She also desired that in future such terms and conditions prepared by the office should be placed before the House for approval before

making any type of allotment. She further said that the website of the Corporation was launched in the year 2004 and it was also decided to put the tenders in the website, keeping in view the complaints of favouritism in allotment of tenders. Then the process of e-tendering was started. It has been observed that many department display the comparative statement of the tenders received shortly after the closing of tenders. But there is no such provision in the Municipal Corporation and even months are taken to allot the tenders without any reason which raise the doubts in the minds of people. She further apprised that the “**Citizens’ Charter**” was also approved in the year 2004 in which the time frame for completion of different types of works was mentioned and every type of information was mentioned for the benefit of the general public. But it is regretted that the said “**Citizens’ Charter**” has not so far been implemented. She desired that every type of work should be time bound and the officers should be made accountable. She further said that in the year 2009 the Corporation approved Public Disclosure Law in the meeting of General House which requires to be publicized so that every type of information pertaining to the various wings of the Corporation should be available for the benefit of general public. Making law is not sufficient until it is implemented properly and strictly.

**The House was adjourned for lunch at 2.35 p.m. and reassembled at 3.20 p.m.**

**Question of Dr. A.P. Sanwaria**

**The Mayor stated that the question will be discussed in the next meeting.**

Dr. A.P. Sanwaria said that the reply to his question be prepared again after going through the questions carefully.

**AGENDA ITEM NO. 3**

**Report on the Study Tour of Councillors to Chennai-Puducherry from 04.06.2011 to 12.06.2011.**

The Secretary placed agenda item No.3 for information of the House.

**The House noted the report on the study tour of Councillors to Chennai-Puducherry.**

**AGENDA ITEM NO. 4**

**Information regarding – Enhancement in allowances of Mayor and Councillors of Municipal Corporation, Chandigarh.**

The Secretary placed agenda item No.4 for information of the House.

**The House noted the enhancement in allowances of Mayor and Councillors.**

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

**Secretary,  
Municipal Corporation,  
Chandigarh.**

**Mayor,  
Municipal Corporation,  
Chandigarh.**