

**MINUTES OF 226th MEETING OF THE FINANCE AND CONTRACT COMMITTEE
HELD ON 11.12.2012 AT 12.00 NOON IN THE COMMITTEE ROOM OF THE
MUNICIPAL CORPORATION, CHANDIGARH.**

PRESENT :-

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| 1. | Smt. Raj Bala Malik | Mayor |
| 2. | Sh. V.P. Singh, IAS | Commissioner |
| 3. | Smt. Harjinder Kaur | Councillor |
| 4. | Sh. Rajesh Kumar Gupta | Councillor |
| 5. | Sh. Pardeep Chhabra | Councillor |
| 6. | Sh. Rajiv Kumar Gupta, PCS | Secretary |

OFFICERS PRESENT :-

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| 1. | Sh. Sunil Bhatia, PCS | ACMC-I |
| 2. | Sh. Lalit Siwach | ACMC-II |
| 3. | Sh. S.S. Bida | Chief Engineer |
| 4. | Sh. Mukesh Anand | S.E.(B&R) |
| 5. | Sh. R.C. Diwan | S.E. (P.H.) |
| 6. | Sh. B.R. Salwan | MOH |
| 7. | Sh. Desh Raj | C.A.O. |
| 8. | Sh. Vishal Gupta | XEN (Roads-I) |
| 9. | Sh. Jai Pal Singh | XEN (Roads-II / III) |
| 10. | Sh. Harinder Singh | XEN (P.H. Div. No-I) |
| 11. | Sh. Anil Bansal | XEN (P.H. Div. No-III) |
| 12. | Sh. Gurpreet Singh | XEN (P.H. Div. No-IV) |
| 13. | Sh. Surinder Pal Singh | XEN (Electrical) |

The Secretary welcomed the Mayor, Councillors and Officers in the meeting of 226th meeting of the Finance & Contract Committee.

AGENDA ITEM NO. 1

Confirmation of the minutes of 225th meeting of the Finance and Contract Committee held on 20.11.2012 at 3.00 p.m. in the Committee Room of the MC, Chandigarh.

The Secretary put up agenda item No.1 before the Committee for confirmation.

The Commissioner told that one thing was left in the bye-laws of Community Centre passed in the previous meeting, which have been included as under :-

“The rent of Community Centres in villages & rehabilitation colonies would be half of the rent of community centres in urban areas.

“The Committee confirmed the minutes of 225th meeting of the Finance and Contract Committee held on 20.11.12 with the above mentioned amendment.”

The Commissioner apprised the Committee that the Chandigarh Administration had granted six months extension to such employees who were going to retire on 30.10.2012. Ninety percent staff of Corporation had been transferred from the Administration. According to the Section 428h Punjab Municipal Corporation Law (Extension to Chandigarh) Act, 1994, all benefits would be applicable to the transferred staff from the Chandigarh Administration equal to the employees of Chandigarh Administration. In view of the above fact, the matter was orally discussed with the Administration and it was assured that the same rule would be applicable to the employees of Municipal Corporation, Chandigarh. Although, the notification in this respect had been issued by the U.T. Administration yet, the copy had not been endorsed to the Corporation, whereas retirement orders of two or three employees have not been issued, those were to retire on 31.10.2012 as per the assurance given by Chandigarh Administration. The matter should be discussed in the House

Sh. Pardeep Chhabra suggested that the Corporation should provide re-employment to such employees as per pattern of reemployment for the retirees i.e. last pay drawn minus pension, if the permission is granted by the Administration, then they would be deemed not to be retired.

The Commissioner said that formally the Corporation should retire such employees and a policy decision should be taken for their retention till the permission of Administration. The permission should be granted for six months, if the permission is granted for extension by the Administration, then they would be treated not to be retired. Otherwise, they would be deemed to be retired on the due date and would be paid as per policy laid down for the reemployment i.e. last pay drawn minus pension. The Chandigarh Administration has granted extension to its employees for six months and has recommended the case to Ministry of Home Affairs for extension of one year. He further told that as per the notification no increment would be allowed within this period, however, if the promotion was due, then all the consequential benefits would be allowed.

The S.E.(P.H.) said that once an employee is retired, he would be treated as retired in future and he can not be deemed to be in service and suggested for the reemployment for six months.

Sh. Rajesh Gupta was of the view that the extension should be allowed to the employees of Corporation on the pattern of Administration because 90% staff of the Corporation had been transferred from the Administration.

Sh. Pardeep Chhabra said that as per provisions of Section 428 H of Punjab Municipal Corporation Law (Extension to Chandigarh) Act, 1994, every transferred

officer/employee would enjoy the same facilities which has been provided by the Administration to its employees.

The Commissioner read out the provisions of Section 428h as under :-

That every officer and other employees serving under the Administration immediately before such commencement in connection with the transferred functions shall be transferred who become an officer or other employee of the Corporation with such designation as the tenure at the same remuneration and on the same terms & conditions of service as he would have held the same if the Corporation had not been established and shall continue to do so unless and until such tenure, remuneration and terms & conditions are duly altered by the Corporation.

The Commissioner said that the matter can be resolved by the Committee and can be discussed in the House also but ultimately the permission of the Administration will have to be taken, but problem is for the interim period till the decision of the Administration.

The S.E.(P.H.) said that the Chandigarh Administration had taken the cognizance regarding the employees itself as the notification issued by Government of Punjab was not endorsed to the Chandigarh Administration, therefore, the Corporation should also take the cognizance of this notification in favour of its employees.

The Commissioner apprised the Committee that in the meeting of Secretaries, it was discussed that the Punjab Government had not given the benefit of one year extension in service to the employees of Boards & Corporations and it was informed in the meeting that the benefit would be extended to the employees of Municipal Corporation, Chandigarh, but the copy of the notification has not been endorsed to the Corporation.

Smt. Harjinder Kaur suggested that extension to the employees of Corporation should also be granted in anticipation of the approval of Administration, so that the work may not suffer, as there is already shortage of staff in the Corporation.

After detailed deliberations, the Finance & Contract Committee felt that since most of the employees of Municipal Corporation were transferred from the Chandigarh Administration, the benefit of the above mentioned notification of the Chandigarh Administration should also be given to the employees of Municipal Corporation (all the employees including the transferred employees). The committee unanimously resolved that a recommendation in this regard should be sent to the Chandigarh Administration for the approval of the Administrator, UT, Chandigarh. It was further resolved that in anticipation of the approval of the Administrator, the employees due to retire on 31st October 2012 onwards should not be retired. They should be allowed to continue for 6 months beyond their retirement date. However, in case the Administrator does not approve the above recommendations of the Corporation, such employees (who would be working beyond their retirement date) would be deemed to be retired on their actual date of retirement. For the period for which they have worked beyond their retirement date, they would be considered to be re-employed and the remuneration for that period shall be the last pay drawn (-) minus pension and undertaking to this effect should be obtained from all such employees in addition to the option annexed along with the notification of the Chandigarh Administration. It was further decided that above decision of the committee may also be got ratified from the House of the Corporation.

AGENDA ITEM NO. 3

Handing Over underground parking opposite CMC Building & opposite MOH, Sector 17, Chandigarh for management & running to Business promotion council, Sector 17, Chandigarh- Signing of Memorandum of Understanding.

The Secretary put up agenda item No.3 before the Committee for consideration.

“The Committee noted with satisfaction about the MOU signed between Sh. Lalit Siwach, Additional Commissioner-II on behalf of the Municipal Corporation and Sh. Darpan Kapoor on behalf of the Business Promotional Council for underground parking opposite CMC building and opposite MOH, Sector 17, Chandigarh for management & running to Business Promotion Council, Sector 17, Chandigarh.”

AGENDA ITEM NO. 4

Cleanliness of neighborhood park being booked for functions in the Booking Centre, Municipal Corporation, Chandigarh.

The Secretary put up agenda item No.4 before the Committee for consideration.

The Chief Engineer said that function of cleanliness of parks had been with the M.O.H. and the said decision should not be altered.

The Additional Commissioner-I told that M.O.H. had no sufficient staff for the cleanliness of parks. The booking agency should charge for the cleanliness of parks.

The Commissioner said that the issue regarding the cleanliness of Community Centre had already been settled, so far as the cleanliness of parks is concerned, refundable security amounting to Rs. 200/- or Rs.500/- should be kept and the same should be refunded after the cleanliness of parks.

Sh. Pardeep Chhabra said that norms of booking of parks are different. He suggested that Rs.500/- should be allowed for all parks irrespective of area of park. He further said that the tent owner would take permission for erecting tents on the roads.

The Committee considered & unanimously resolved that Rs. 1000/- be charged for booking of park for all categories of parks and Rs.500/- as cleanliness for all categories and suitable amount of imprest be given to the Sanitary Inspector and the Sanitary Inspector will spent Rs.500/- per function for cleanliness of park irrespective of the area of park and a utilization certificate be submitted in this regard.

It was also resolved that a board be installed in all the Community Centres stating that Rs. 500/- would be charged for the cleanliness charges.

AGENDA ITEM NO. 5

Construction of Toe Wall and Cement Concrete Walking Track in Park, Sector 29 B, C&D, Chandigarh.

The Secretary put up agenda item No.5 before the Committee for consideration.

“The Committee considered and approved the estimate amounting to Rs.33.24 lacs for Construction of Toe Wall and Cement Concrete Walking Track in Park, Sector 29 B, C&D, Chandigarh .”

AGENDA ITEM NO. 6

RCE P/F 60mm & 80mm thick paver blocks in internal roads near Bhopal Stadium, Village Burail, Chandigarh.

The Secretary put up agenda item No.6 before the Committee for consideration.

“The Committee considered and approved the rough cost estimate amounting to Rs.27.91 lacs for P/F 60mm & 80mm thick paver blocks in internal roads near Bhopal Stadium, Village Burail, Chandigarh .”

AGENDA ITEM NO. 7

RCE P/F 60mm & 80mm thick paver blocks in internal roads near Old Qila, Guga Mari Mandir and Ghumar Mohalla, Village Burail, Chandigarh.

The Secretary put up agenda item No.7 before the Committee for consideration.

“The Committee considered and approved the rough cost estimate amounting to Rs.29.11 lacs for P/F 60mm & 80mm thick paver blocks in internal roads near Old Qila, Guga Mari Mandir and Ghumar Mohalla, Village Burail, Chandigarh.”

AGENDA ITEM NO. 8

Purchase of 46 additional new Garbage Bins of 4.5 Cubic M. Capacity.

The Secretary put up agenda item No.8 before the Committee for consideration.

The Additional Commissioner-I told that the old garbage bins are being repaired and would be received shortly.

The members were of the view that 50 new garbage bins of 4.5 Cubic M. Capacity be purchased instead of 46 and tender be given to the present firm.

“The Committee considered and accorded approval to purchase 50 new garbage bins of 4.5 Cubic M. Capacity amounting to Rs.26,00,000/- approximately from the present contractor.”

AGENDA ITEM NO. 9

Operation and Maintenance of Gaushala by Chandigarh located NGO's/Registered Body/Individual body.

The Secretary put up agenda item No.9 before the Committee for consideration.

Sh. Pardeep Chhabra said that gaushala of Sector-45 should be allotted to Gauri Shankar Sewa Dal.

Sh. Rajesh Gupta said that two NGOs namely Aggarwal Sabha & Gauri Shankar Sewa Dal both of Chandigarh applied for gaushala of Sector-45. He suggested that the gaushala of Sector-45 should be given to the first comer.

Smt. Harjinder Kaur said that the gaushala of Maloya should be allotted first and decision regarding the gaushala of Sector-45 be taken lateron.

It was decided that the gaushala of Sector-45 be allotted to Gauri Shankar Sewa Dal and gaushala of Maloya be offered to Aggarwal Sabha.

AGENDA ITEM NO. 10

Purchase of vehicle for fire and Emergency Services, Municipal Corporation, Chandigarh.

The Secretary put up agenda item No.10 before the Committee for consideration.

The Commissioner said that the permission from Administration had already been obtained from the purchase of these vehicles, only financial permission is required.

Sh. Rajesh Gupta said that the purchase of Bolero for one department had been approved eight months ago, but the same had not been purchased so far.

The Commissioner said that the permission for the purchase of new vehicles has to be taken from Chandigarh Administration, as per the directions of Government of India.

“The Committee considered and accorded approval to purchase one TATA 407 and 02 No. Bolero Jeep for Fire & Emergency Services at the cost of Rs. 18.50 lac approximately.”

AGENDA ITEM NO. 2

Action Taken Report on the resolutions passed by the Finance & Contract Committee w.e.f January, 2012 till date.

The Secretary put up agenda item No.2 before the Committee for consideration.

Regarding the issue of night food street, the Additional Commissioner-II said that the allotment letters have already been issued and some other formalities would be completed soon.

On query raised by Smt. Harjinder Kaur about the news of un-spent budget of Rs. 10.00 crore, the Commissioner clarified that this budget is only for the construction of dispensary and we are waiting for the site. He further clarified that the budget was allotted to the M.C. for dispensaries, but the same could not be used as the salary of staff is being by the Administration.

Sh. Pardeep Chhabra said that an agenda was passed for the renovation of Dhobi Ghat of Sector-7, but agenda for renovation of all the Dhobi Ghats, has not been put so far before the F&CC. The condition of all the Dhobi Ghats is bad and a policy should be framed regarding modernization of Dhobi Ghats.

In the meeting, the members complained that the lift installed in the office is still not functional. The Committee discussed the issue regarding operation of lift in M.C. building. It was told by the S.E.(B&R) that the work of providing lift in M.C. building was allotted to M/s Kone Elevator India Pvt. Ltd. Chandigarh amounting to Rs.17,59,000/- with a time limit of 90 days plus Rs.3,40,184/- towards annual maintenance fee for five years after two years defect liabilities period vide E.E. Elect. allotment No.2204 dated 08.04.2008. But the firm could not complete the work within stipulated period as such agreement of the firm was rescinded. Then XEN (Elect.) approached other reputed manufacturing agencies of the lift for competing the balance work of erecting and commissioning of the lift. But, all the agencies have refused to take up the work in hand citing reasons that the components of the lift are monopoly/parentage

item, therefore, they could not complete the pending work. The M/s KONE Elevators then approached the M.C. for completing the work and by making their best efforts completed the work on the already allotted rates and lift was commissioned.

But it has been observed that there are frequent breakdown of the lift during its operation, which have been highlighted by the Councillors and other general public who visits the M.C. office and it has also been observed that there are some minor technical faults which needs routine maintenance, otherwise lift will remain out of order. E.E.(Elect.) approached other agencies for maintenance of the lift, but none of the agency is ready to do the maintenance work since components of the list are monopoly items. The existing agency M/s KONE Elevator India Private Limited has been requested a number of times for repair of lift, but the agency insist upon revoking of decision regarding rescinding/termination of the work and release of their pending payment only then the maintenance work shall be taken by the agency.

The matter was discussed and following was resolved.

“The Committee discussed the matter and unanimously resolved to revoke the decision of rescinding the work and to release the pending payment to the agency as the work was completed by the agency at the old rates and is ready to take over the operation and maintenance at the old rates. The committee also resolved that agency be further allowed to take up the maintenance work of lift for five years on already allotted rates as envisaged in the original agreement.”

Sh. Rajesh Gupta said that in some cases, the estimates had already been approved, but the tenders for the same have not been floated so far.

The S.E.(B&R) told that feasibility report is sought in respect of V-6 roads from the Public Health Wing. The feasibility report regarding fixing of paver blocks on V-5 is not

required. It has already been resolved by the House that no estimate would be prepared without obtaining the feasibility report from the Public Health wing.

Sh. Pardeep Chhabra said that no tent should be allowed on the roads & paver blocks & without permission, there should be fine of Rs. 5000/- on the tent owner like the DJ owner.

The Commissioner asked to the S.E.(P.H.) how many works are pending for which the estimates had already passed.

The S.E.(P.H.) explained the position of pending works.

The Commissioner asked the Executive Engineer, P.H. Division No. IV about the budget provisions for organizing the seminar on Women's Empowerment.

The Executive Engineer (P.H.) Secretary of the Women Empowerment Committee told the members that the Women Empowerment Committee had decided to organize a seminar on Women Empowerment in collaboration with the Punjab University, Chandigarh and the event will require an expenditure of Rs.55,000/-. He further told that the Committee had no financial power. He said that no formal agenda could be brought in the &CC due to paucity of time.

Therefore, the F&CC considered & unanimously resolved to organize the seminar on Women's Empowerment in collaboration with the Punjab University, Chandigarh and tentative expenditure amounting to Rs. 55,000/- was approved for this seminar.

It was brought to the notice of F&CC by Sh. Pardeep Chhabra that recently a festival was organized at Kala Gram and approximate 250 safaikaramcharies from the

Corporation were deployed in this festival for 15 days. As a result of this, the sanitation of the city has suffered. He suggested that the safaikaramcharies for such events should not be deployed in bulk.

Smt. Harjinder Kaur also agreed to the views of Sh. Pardeep Chhabra.

It was unanimously resolved by the Committee that for such events, safaikaramcharies would not be provided in bulk. It was also decided that safaikaramcharies will not be withdrawn from street sweeping for such events.

Smt. Harjinder Kaur told that the barricades alongwith the labour of the Corporation were also used for the function at Kala Gram for about 15 days. She was of the view that the barricading should be provided by the Corporation on advance payment.

It was further resolved that barricading would be provided on advance payment and labour for that be hired at their own.

The Commissioner said that a competition programme of artist should be organized by the Corporation in Plaza or at other place.

Smt. Harjinder Kaur suggested that grass root level artists should be invited in that programme and there would be appreciation for the Corporation. It was also decided that the Secretary Arts, Culture & Sports Committee would organize this programme. She further said that no invitation cards were sent to the Councillors from the Administration on the events and it is a disregard of the Councillors. Therefore, the Corporation should also not co-operate to the Administration.

The S.E.(B&R) said that the new year's celebration is to be organized by the Administration in Sector-17, however, the arrangement of lights would be done by the Corporation and it would meet the expenditure of approximately Rs. 3.00 lac or 4.00 lac.

The meeting ended with vote of thanks to the Chair.

**Secretary,
Municipal Corporation,
Chandigarh.**