

**MINUTES OF THE 187th MEETING OF THE MUNICIPAL CORPORATION CHANDIGARH
HELD ON 17.12.2012 AT 11.00 A.M. IN THE ASSEMBLY HALL OF THE CORPORATION
CHANDIGARH.**

The followings were present:-

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| 1. Smt. Raj Bala Malik | Mayor |
| 2. Sh. V.P. Singh, IAS | Commissioner |
| 3. Sh. Darshan Kumar | Sr. Dy. Mayor |
| 4. Sh. Satish Kumar | Deputy Mayor |
| 5. Sh. Babu Lal, IAS (Retd.) | Councillor |
| 6. Sh. Anoop Sunny Gill | Councillor |
| 7. Prof. Aruna Goel | Councillor |
| 8. Sh. Surinder Bahga | Councillor |
| 9. Dr. Amrit Tiwari | Councillor |
| 10. Maj.(Retd.) D.S. Sandhu | Councillor |
| 11. Sh. M.P. Kohli | Councillor |
| 12. Sh. Satpal Bansal | Councillor |
| 13. Dr. Shagufta Parveen | Councillor |
| 14. Sh. Saurabh Joshi | Councillor |
| 15. Smt. Sheela Devi | Councillor |
| 16. Smt. Poonam Sharma | Councillor |
| 17. Smt. Asha Kumari Jaswal | Councillor |
| 18. Sh. Subhash Chawla | Councillor |
| 19. Sh. Pardeep Chhabra | Councillor |
| 20. Sh. Sat Parkash Aggarwal | Councillor |
| 21. Sh. Arun Sood | Councillor |
| 22. Smt. Gurbax Rawat | Councillor |
| 23. Sh. Mukesh Bassi | Councillor |
| 24. Sh. Gurcharan Dass | Councillor |
| 25. Sh. Des Raj Gupta | Councillor |

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| 26. Sh. Malkiat Singh | Councillor |
| 27. Smt. Harjinder Kaur | Councillor |
| 28. Sh. Harphool Chander Kalyan | Councillor |
| 29. Sh. Rajesh Kumar Gupta | Councillor |
| 30. Sh. Satinder Singh | Councillor |
| 31. Smt. Heera Negi | Councillor |
| 32. Sh. Davesh Moudgil | Councillor |
| 33. Smt. Rajinder Kaur | Councillor |
| 34. Smt. Kashmiri Devi | Councillor |
| 35. Sh. Naresh Kumar | Councillor |
| 36. Sh. Jannat Jahan-UI-Haq | Councillor |
| 37. Sh. Rajiv Kumar Gupta, PCS | Secretary |

The following Officers also attended the meeting: -

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| 1. Sh. Sunil Bhatia, PCS | Additional Commissioner-I |
| 2. Sh. Lalit Siwach, HCS | Additional Commissioner-II |
| 3. Sh. S.S. Bida | Chief Engineer |
| 4. Sh Mukesh Anand | S.E.(B&R) |
| 5. Sh R.C. Diwan | S.E.(PH) |
| 6. Dr. B.K. Salwan | M.O.H. |
| 7. Sh. Desh Raj | C.A.O. |
| 8. Sh Yogesh Gupta | XEN (Roads-I) |
| 9. Sh Jai Pal Singh | XEN (Roads-II) |
| 10. Sh Harinder Singh | XEN (P.H. Div No-I) |
| 11. Sh R.S. Ahluwalia | XEN (P.H. Div No-II) |
| 12. Sh Gurpreet Singh | XEN (P.H. Div No-IV) |
| 13. Sh Surinder Pal Singh | XEN (Electrical) |

At the outset, the Secretary welcomed the Mayor, Commissioner, all the members of the House.

Sh. Davesh Moudgil congratulated the Mayor, Commissioner & Joint Commissioner for successful organization of a seminar without spending any amount of the Corporation on India Urban Development Vision-2020 held on 3rd & 4th December, 2012. He told that experts from all over the country were invited to attend this seminar and they expressed their expert views in detail regarding the various issues concerning urban development including use of drinking water, solid wastage management, street lighting etc.

Major D.S.Sandhu (Retd.) appreciated the Chrysanthemum Show held in Terrace Garden and he congratulated the officers of the Corporation, particularly the S.E (B&R), who made planning of this successful function. He said that the people of the city were happy as the work has been done meticulously. He asserted that this appreciation should be recorded.

Smt. Aruna Goel & Smt. Heera Negi also appreciated and congratulated the officers on the successful function on Chrysanthemum Show.

Sh. Des Raj Gupta said that he had brought an agenda for giving the status of sectors to Manimajra, but the said agenda was deferred in the previous meeting as he was not present at that time and requested that the said agenda be discussed today in the House.

AGENDA ITEM NO. 1

Confirmation of the minutes of 186th meeting of the General House held on 26.11.2012 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.

Major D.S.Sandhu (Retd.) said that the agendas were passed and minutes were also recorded accordingly, but the House was never apprised with the fate of agendas,

whether the action was taken or not on the resolutions passed by the House. He gave the instance of cycle tracks, according to the minutes at page No.1, a letter was to be written to the SSP, Chandigarh for getting the use of cycle tracks by the cyclists and rickshaw pullers. He gave the second instance of recarpetting of roads. He further said that the Councillors should be apprised with the facts that such and such action had been taken on the resolutions passed by the F&CC or House, so that they can further apprise the public. He said that he asked the question regarding the development works, but no reply had been given so far. He further said that in the last meeting, it was decided that the Enforcement Wing should be strengthened by providing staff, motor cycles & walkie talkies to the Inspectors, but the enforcement Committee is not aware about the steps taken in this respect. He criticized the working of enforcement wing.

The Commissioner clarified that action taken report regarding the resolutions passed by the F&CC had been discussed and the action taken report in respect of the House is being prepared which would be placed shortly. He further apprised that action is taken on the resolutions passed by the House, not on the simple discussion.

Sh. Satinder Singh said that an agenda was put before the House with the signatures of 8 Councillors regarding the amendments in the service rules of the employees of Corporation as per the decision taken by the Committee and it was decided by the House in 166th meeting that the case would be referred to the Administration for 60:40 in promotions, but the agenda had not been put so far. He further requested for time bound report from the Sub Committee.

The Commissioner said that there were some ambiguities pointed out in service rules as on some posts, the notified rules are different from the earlier recommendations of

the Corporation. However the final authority to approve the rules vests in the Administration. It was decided in the earlier meeting of the Corporation that a Sub Committee should be constituted to reconsider the ambiguities in the service rules and submit its report. The present matter should also be discussed by the same Committee.

The Secretary apprised the House that in the minutes of Supplementary Agenda Item No.3 of the previous meeting, the salary of Sanitary Inspectors had been enhanced, but the date of effect was not recorded.

It was decided to include in the minutes that enhancement of salary would be w.e.f from 01.12.2012.

He further apprised the House that in the minutes at Page No.21 Agenda Item No.14 of previous meeting, the approval of tender had not been recorded.

It was decided to incorporate in the minutes regarding approval of the splitting of tender as proposed in the Agenda as well as to extend the earlier contract for one month more or till the new agencies take over, whichever is earlier.

Sh. Arun Sood said that he had raised the issue of Children graveyard in Sector-25 for the construction of its boundary wall. As the land belongs to Forest Department and we should resolve the issue to send a request to the said department.

The Commissioner apprised that it is very difficult to construct a wall on forest land therefore, it would be appropriate that a formal request be sent to the Forest Department to construct the boundary wall on their own.

“It was resolved that a formal request be sent to the Forest Department to construct the boundary wall of Children graveyard, Sector-25, Chandigarh at their own land.”

Sh. Sat Paul Bansal said that the implementation of resolutions was very poor. No reply of the queries is given beside the repeated reminders. He further said the reply of the questions asked by the Councillors be given properly and meticulously.

Dr. Amrit Tiwari said that a request regarding placing an agenda with the signatures of six Councillors was sent for the appointment of Nodal Officers in the various wards, but the same was not included for discussion till date. She further said that the telephone Nos. of the Nodal Officer should be displayed in the green belts and in prominent areas, so that the public can contact them easily.

The Commissioner clarified that the issue of Nodal Officers was discussed in the F&CC and it was decided that the Secretaries of the Ward Committees were supposed to be the Nodal Officers of the Wards Committees. He further told that the delay had occurred in the constitution of Ward Committees due to election of Ward No.7, which has also been finalized and it is expected that the Ward Committees would be functional soon.

Smt. Harjinder Kaur said that a Sub Committee was constituted for delegation of financial powers to the officers, but no meeting of the said Sub Committee had been held so far. The Mayor requested the members of Sub Committee to hold the meeting early.

“The House unanimously confirmed the minutes of 186th meeting of the General House held on 26.11.2012 at 11.00 a.m. in the Assembly Hall of the Municipal Corporation, Chandigarh, with the abovementioned amendments.”

Sh. Davesh Moudgil said that Major D.S.Sandhu (Retd.), Sh. Malkiat Singh & myself submitted our resignations from the membership of Enforcement Committee under protest, but the working style of the Enforcement Wing remained unchanged. He showed the pictures of encroachments in the House erected at various places in the city. He further said

that the Corporation insist for the planning and heritage status of the city, on the other hand the markets are used as haat bazaar. The internal encroachment of the buildings is removed by the Administration whereas the outside encroachment is removed by the Corporation. He gave the instance of encroachment erected by Sh. K.D.Singh, M.P. which was removed after report in the newspapers. He further said that there was no record for challaning and how much amount had been collected from the encroachers by issuing challans. He suggested that there should be limitation of number of challans of the encroachers, after exceeding the limitation of number of challans, the licence of encroachers should be cancelled. A sector-wise survey was got done for the issuance of one time licence to the barbers, cobblers & vegetable vendors as per requirement, so that the licences may be issued to them at random and no licence be issued thereafter. He further apprised the House that the water is thrown on the roads by the encroachers and the newly recarpetted roads are being damaged by the water. The rehri markets of the city are so thickly congested and encroached, if the fire breaks, there would be great disaster and loss of human lives. He further said that he demanded for framing the policy for loading and unloading of the material in Industrial Area and told that business of Rs. 1200.00 crore per annum is done there and it is the responsibility of the Corporation to protect the rights of small scale industries. A piece of land measuring 2.64 acre was identified for parking in Industrial Area six months ago, but no action had been taken so far to remove encroachment there.

Sh. Subhash Chawla said that it had not happened first time, the agendas are passed in the House, but when we go outside, the picture is totally adverse. All the allegations are leveled against the ruling party and other political parties intervene in the matter. He suggested that the whole House should take oath to implement the decisions unanimously in letter & spirit. He further said who would decide whether the material was loaded or unloaded or was already lying there. He gave the example of wine seller who had

encroached the municipal land, when the drive was launched against the encroachment, the other political parties intervened in the drive. Therefore, the matter should be left on the officers for removal of encroachment.

Sh. Arun Sood said that the Enforcement Wing of the Municipal Corporation had adopted the policy of pick and choose. A uniform policy should be followed. He gave the example of Sector-22 market where the encroacher used to display their articles in Varandas also after the duty hours of the Inspectors. He again asserted that a uniform policy should be framed regarding the encroachment.

Sh. Subhash Chawla suggested that the area Councillor should accompany the Enforcement team at the time of drive and the Councillor would tell that this encroachment should be removed. The pick and choose policy would be stopped automatically.

Sh. Gurcharan Das Kala said that the city Chandigarh had expanded and there is shortage of staff and vehicle comparative to the area of the city. He suggested that in order to strengthen the Enforcement Wing, the number of staff and vehicle should be increased. Sh. Satinder Singh also supported Sh. Gurcharan Das Kala.

The Commissioner said that he agrees with Sh. Gurcharan Das Kala. Eleven Inspectors of Enforcement Wing are not sufficient for the whole city. He further said that last week enforcement drive was launched in Industrial area phase-I & II with enforcement staff of Estate Office. So far as the licences are concerned Administration has banned the issue of new licences and many of rehries are being operated without licence. Some of the people approached the High Court of Punjab and Haryana for issuance of licences. The Hon'ble High Court directed the Administration to formulate a policy for issuance of new licences. After that the matter came to Municipal Corporation. He said that bye-laws exist in respect of issuance of new licence. The matter has been referred to the Administration with some

amendments and suggestions. This problem would be solved only when the Administration takes a policy decision in this matter. So far as the policy for loading and unloading is concerned, law is very clear that no encroachment can be allowed. If any policy decision is to be taken for loading and unloading, the Enforcement Committee can deliberate on the matter. A separate Committee is not required. As far as the issue regarding the parking in Industrial Area is concerned, no public land would be provided for commercial parking. The Hon'ble High Court has given clear cut direction in the case of Centra Mall. The onus of parking lies on the owner of vehicle and he assured that there would be no pick and choose in future. He further told that the Enforcement Wing of the Municipal Corporation needs to be strengthened and we shall try to increase the staff of Enforcement Wing. He said that the fine is imposed according to the prescribed law.

The Additional Commissioner-II informed that revenue amounting to Rs.10.00-12.00 lac per month is collected by Enforcement Wing.

Smt. Harjinder Kaur said that improvement in Enforcement Wing was a challenge for the Corporation, but priorities can be given on some other issues particularly on mushroom growth. The resignation from the Enforcement Committee is not a solution of this issue.

The House adjourned for tea break at 12.25 p.m. and reassembled at 12.55 p.m.

Sh. Saurabh Joshi said that the last meeting of the road committee was held day before yesterday. He further said that all the matters which were resolved by the Road Committee had not been put before the House and told if four Councillors signed the agenda that becomes the table agenda according to the provisions in Rules of Municipal Corporation, but such agenda has been withdrawn and he would not like to comment on this issue. He

has come to know that about 185 k.m. road have been recarpeted and he showed the picture of a new recarpeted road which has an ugly picture in the news clipping. He asked why the quality of road material is going down as the newly carpeted roads break down after two or three days whereas their life should be two or three years minimum. He further told that the roads recarpeted by the Administration are better rather than the roads of Municipal Corporation, Chandigarh.

The Mayor thanked all the Councillors, Officers and Media persons for their cooperation during her tenure.

Smt. Jannat Jahan-UI-Haq said that she had spoken in Road Committee meeting that the road between Sector-18 and 19 had been recarpeted recently, but the material of said road seems very poor and the matter of this road has been highlighted in the newspaper also. She further said that the contractor of said road should be pulled.

Smt. Harjinder Kaur suggested that the maintenance material of roads should be available at every time. He further said that the area Councillor should inform the authority regarding the water leakage which damages the roads and highlighted the issue of Enforcement Wing. She stressed that the mushrooming on V-5 & V-6 roads should be removed on priority basis.

Sh. Des Raj Gupta said that Aggarwal Sabha had come to him and demanded that the chowk be named as Aggarsen roundabout which would be maintained by the said sabha and he further said that an agenda for giving the status of Sectors in Manimajra was deferred and the same should be brought today in the House.

Sh. Gurcharan Das Kala opposed it and apprised the House that the original name of Manimajra was Manu and with the passage of time it converted into Manimajra, therefore, the name of Manimajra should not be changed.

The Commissioner told that the Municipal Corporation was not authorized to give a name to any roundabout. According to the edict of Chandigarh no stature could be installed at any roundabout.

Sh. Arun Sood read out the Section 16 of Municipal Act and stressed that the roundabouts be given the names of high dignitaries those had sacrificed their lives for the country, so that the new generation could remember them.

Sh. Satinder Singh told that although the bank square area is a paid parking yet the banks and other offices have encroached the said parking on their own name. It is mockery with the public and this issue should be resolved.

Smt. Asha Jaswal said that condition of SSKs in her ward was worst. The garbage bins are broken and garbage is always littered out of the bins.

Smt. Heera Negi demanded for the construction of SSKs in Sector-46.

Sh. Sat Parkash Aggarwal stressed for giving the name of chowk as Aggarsen Chowk, which would be maintained by the Aggarsen Sabha.

The Commissioner said that the written request be given which would be considered according to the policy.

Dr. Amrit Tiwari clarified that the roundabouts were allotted to the institutions on undertaking that the roundabouts and pedestrians would be maintained by the said institutions. She opposed to give the name of any chowk on cast consideration.

Sh. Malkiat Singh demanded for toe wall in village Attawa and removal of encroachment from there.

Sh. Arun Sood distributed the copy of agenda circulated by Sh. Sham Lal Ghavri ,President, Sweeper Union, Chandigarh and read out the same in the House and demanded disciplinary action against Sh. Sham Lal Ghavri and his removal from services of Corporation as he is challenging the authority. He further said that this sweeper union is affiliated with the Congress. He insulted the Coucillors and strict action should be taken against him.

There was din in the House on this issue.

Dr. Amrit Tiwari requested the House to resolve unanimously that a strict action should be taken against Sh. Ghvari. She further said that contractual employees be recruited instead of permanent/regular employees.

Sh. Pardeep Chhabra said that a scheme was launched in Sector-22 for door to door garbage collection and that scheme was appreciated by the whole city, but the sweeper union was against the said scheme and the opposition supported the Union, due to that reason the scheme was failed and withdrawn. He further said that if the said scheme would had not been withdrawn, the Corporation did not have to face this situation. These people are taking the latitude because the House was not unanimous at that time. He condemned the language in the agenda circulated by the Sweeper Union and he suggested that the union may be heard and the facts should be verified first before taking any action. The dignity of the Councillor should not be challenged. He said that due to the failure of door to door collection scheme, the condition of sanitation is very bad & garbage is not being collected regularly in his ward.

Sh. Saurabh Joshi also read out the contents of agenda of Sweeper Union and said all the Councillors should be united because it is insult of the House, officers and public also.

Sh. M.P.Kohli said that by using such derogatory language sweeper union has insulted the House and suggested that signatures of Sh. Ghavri should be verified before taking disciplinary action against him.

The Commissioner said it is matter of union and action would be taken after verification of facts and according to the procedures & service rules.

Sh. Subhash Chawla said that he has come to know that the election of sweeper union is to be held in the month of January, 2013 and both the unions used such languages near the election to entice their voters. He admitted that the INTUC is the affiliated body of Congress. He said that the foul language has been used. He further said that when he was Mayor, he took the steps against Sh. Ghavri, and the sweeper union went on strike for 12 days. At that time also the election of Sweeper Union was on and this union was affiliated with the BJP and Sh. Ghavri became the Pradhan. He apprised the House that all the Mayors had faced such incidents during their tenure. If Ghavri is pleasing the sweeper union for enticing the votes in his favour, no action is required against him.

There was din in the House on this issue.

AGENDA ITEM NO. 2

Providing and fixing 80mm thick interlocking paver blocks along with boundary wall of Modern Housing Complex and open space between two blocks of category houses, Manimajra, Chandigarh.

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

“The House considered & unanimously resolved that the rough estimate amounting to Rs.61.18 lac for providing and fixing 80mm thick interlocking paver blocks along with boundary wall of Modern Housing Complex and open space between two blocks of category houses, Manimajra, Chandigarh, be and is hereby approved.”

AGENDA ITEM NO. 3

Engagement of 20 safaikaramcharies for each ward for a period of one year.

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

“The House considered & unanimously approved the proposal for engagement of 20 safaikaramcharies for each ward for a period of one year. The entire manpower shall be outsourced by inviting tenders as per the terms & conditions applied in the tender for 670 safaikaramcharies.”

AGENDA ITEM NO. 4

Hiring of 20 No. Tractor Trolleys.

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

“The House considered & unanimously granted the extension to the existing contract for hiring of 20 no. tractor trolleys from M/s U.K. Biswas, from 1.12.2012 to 31.3.2013 or till the tender is finalized, whichever is earlier on the same terms and conditions.”

AGENDA ITEM NO. 5

Regarding extension in service of Govt. Employee who are due to retire on 31.10.2012.

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

The Commissioner informed the House that recently by way of a notification the Chandigarh Administration has allowed extension of 6 months in service to the employees retiring on or after 31st October 2012. However, this notification has not been endorsed to the Municipal Corporation, Chandigarh because of which the employees of the Municipal Corporation would not get this benefit of extension in service. He informed the House that most of the employees of the Municipal Corporation are transferred employees from the Chandigarh Administration and therefore, there is a lot of heart-burning amongst the employees of the Municipal Corporation who feel left out. He informed the House that this matter was discussed in the last F&CC meeting and the F&CC has decided that this benefit should be extended to the MC employees also. He briefed the House regarding deliberation decision of F&CC and requested the House to consider for ratification.

“It was unanimously resolved to ratify the decision of the Finance & Contract Committee to request the Chandigarh Administration for extending the benefit of extension of 6 months to the employees of Municipal Corporation also. In the meanwhile the employees retiring on or after 31st October 2012 should be allowed to continue in service. In case the Administration does not approve the Corporation’s recommendation, these employees shall be deemed to be retired on their actual date of superannuation and for the time spent in service of the Municipal Corporation beyond the superannuation date, the employee shall be deemed to be re-employed on a remuneration of last pay drawn (-) minus pension.”

SUPPLEMENTARY AGENDA ITEM NO. 1

Regarding exemption of residential area for collection of charges of house to house waste in Sector-22 as approved by the General House in the 178th held on 30.3.2012.

This item could not be discussed.

SUPPLEMENTARY AGENDA ITEM NO. 2

Guidelines for the management of the Community Centers and Janj Ghars, under the control of Municipal Corporation Chandigarh-2012

This item could not be discussed.

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

**Secretary,
Municipal Corporation,
Chandigarh.**

**Mayor,
Municipal Corporation,
Chandigarh.**