

MINUTES OF SPECIAL MEETING OF THE FINANCE AND CONTRACT COMMITTEE HELD ON 16.03.2012 AT 11.00 A.M. IN THE COMMITTEE ROOM OF THE MUNICIPAL CORPORATION, CHANDIGARH.

PRESENT :-

1.	Smt. Raj Bala Malik	Mayor
2.	Sh. V.P. Singh	Commissioner
3.	Smt. Harjinder Kaur	Councillor
4.	Sh. Pardeep Chhabra	Councillor
5.	Sh. Rajesh Kumar Gupta	Councillor
6.	Sh. Sat Paul Bansal	Councillor
7.	Sh. Subhash Chawla	Councillor
8.	Sh. Lalit Siwach, HCS	Secretary

OFFICERS PRESENT :-

1.	Sh. Sunil Bhatia, PCS	Additional Commissioner-I
2.	Sh. S.S. Bida	Chief Engineer
3.	Dr. B.K. Salwan	M.O.H.
4.	Sh. Ashok Gautam	Law Officer
5.	Sh. Avtar Singh	S.D.E.(HQ)

At the outset the Secretary welcomed the Mayor, Commissioner all the members and Officers in special meeting of the Finance and Contract Committee.

AGENDA ITEM NO.1

Action taken by Municipal Corporation, Chandigarh on the directions issued by the Hon'ble High Court of Punjab & Haryana dated 11.03.2011 in LPA No.249 of 2010 Sanawar Montessori School Versus Chandigarh Administration & Ors.

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

The Commissioner explained the agenda in detail and said that the Hon'ble High Court had issued directions to the respondents on 6.3.2012 in LPA No.249 of 2010 giving last opportunity to clarify their stand and the case has been adjourned to 26.3.2012. Earlier the Hon'ble High Court had directed the respondents to file counter reply on the deliberations of Sanitation

Committee and General House of the Municipal Corporation, Chandigarh. He said that it has already been decided to start a pilot project in Sector 22 and if it succeeds then it can be implemented in whole city. He also proposed that to improve the sanitation in the city 50 more bins are required to be purchased and to implement the door-to-door collection in whole city a Consultant has to be hired and comprehensive arrangements have to be made. At present Garbage Processing Plant is processing approximately 80% of garbage while remaining 20% is being directly dumped in dumping ground. The hotels' waste, waste of Market Committee is going directly to the dumping ground. He proposed that directions may be issued to hotels and Market Committees to segregate the garbage at their own. He also proposed that timing of the lifting of garbage be increased from 6.00 a.m. to 4.00 p.m. so that efficiency could be increased up to 50%.

Sh. Subhash Chawla said that Garbage Processing Plant was approved on the condition that it will accept more than 350 tonne garbage, but its capacity needs to be increased. He further said that the experience of engaging Consultant has not been good and already a matter is pending in the arbitration. He further pointed out that there is a condition in the MOU that J.P. Group will be preferred and this issue needs to be examined otherwise there would be litigations. Moreover, there are many complaints against J.P. Group and it has been debarred and if it is preferred then it would create litigation.

The Commissioner clarified that the matter has been got examined legally.

Smt. Harjinder Kaur said that technical expertise is required to implement this project and suggested that a project is already running in Cochin which was visited by the Councillors and it was recommended to adopt it. She further said that solid waste is coming to the dumping ground, but no action and penalty clause is there.

The members enquired about the hiring of manpower and it was explained that the manpower would be engaged through outsourcing.

Sh. Subhash Chawla said that before taking any decision in this regard charges to be collected from the residents need to be decided.

Sh. Pardeep Chhabra suggested that charges should be fixed category-wise according to the area of plots. Similarly charges of SCOs and Booths should also be decided.

The members were concerned about the non-performance of duty by the Safai Karamcharies and their absence from the work place.

After discussion the Commissioner assured the Committee that the Gazetted Officers would be directed to check the presence of Safai Karamcharies for which an office order would be issued.

Sh. Subhash Chawla was of the view that the NGO Kutumb Shree may be involved in this process. He further wanted to know about the Consultant to be engaged for this purpose. He also said that there should be terms and conditions for taking action against the Consultant for non-performance.

The ACMC-I said that there are 11 agencies which are working on public private partnership in India and they are on the panel of Govt. of India which would be invited to bid for this consultancy.

The Finance & Contract Committee noted the orders of Hon'ble Punjab and Haryana High Court dated 6.3.2012 passed in LPA No.249 of 2010 titled as Sanawar Montessori School Vs. Chandigarh Administration & Ors. and also related orders dated 23.8.2011, 19.9.2011 and 16.2.2012 passed in the same LPA. The F&CC considered the proposals contained in the agenda for implementation of the above orders of the Hon'ble High Court and deliberated at length on the issue.

After deliberations the following decisions were taken:

- 1. The F&CC noted that the Corporation is in the process of procuring 150 new garbage bins. It was decided to purchase 50 more new garbage bins so that these***

could replace the damaged bins which could then be repaired. The F&CC decided that the procurement process should be expedited.

It was noted that approval has already been granted for purchase of 40 more dumper placers for daily lifting of MSW. However, the same has been held up for want of approval from the Chandigarh Administration. The F&CC decided to request the Chandigarh Administration that the approval may be granted at the earliest so that the daily lifting of MSW in the city may not suffer.

- 2. To improve the daily lifting of MSW in the city, the committee decided to reschedule the timings of the garbage collection and removal vehicles from 6.00 AM to 4.00 PM. For this purpose the additional manpower should be engaged through the approved outsource agency engaged with the Corporation at the wages fixed by the Labour Department.*
- 3) The F&CC noted that some institutions like Grain Market, PGIMER, Panjab University etc. collect and transport their garbage themselves. Some of these institutions are sending their garbage directly to the dumping site. The F&CC decided that all these institutions should be directed to segregate their garbage at source. After segregation they will transport their waste for processing to the garbage processing plant or the dumping ground as applicable.*
- 4) The F&CC noted that launching of a pilot project in Sector 22 for door-to-door collection of household waste has already been approved in principle in its earlier meeting (214th held on 1.2.2012). It was decided that the same should be immediately implemented utilizing the in-house resources of the Corporation. The additional manpower and the equipment should be hired through service providers/contractors already engaged with the Municipal Corporation at the rates already approved. The F&CC further decided that the contractor while engaging manpower should give preference to the persons already involved in door-to-door collection of garbage in Sector 22 of which survey details are already available with the MOH office. It was decided to start door to door collection of garbage in Sector-22 w.e.f. 16.04.2012.*
- 5) The F&CC noted the observation of the Hon'ble High Court that the door-to-door collection needs to be implemented for the whole city. While agreeing that for this*

purpose the service of a consultant would be required to formulate the plan and manage the process, the Finance and Contract Committee felt that the terms of reference for engaging the consultant need a more detailed examination. The financial implications for the Corporation also need to be estimated before an informed decision can be taken. The F&CC, therefore, decided that this matter may be brought before the F&CC in the form of a detailed agenda in its subsequent meetings. Thereafter the matter should be taken to the General House for final approval along with the comments of the F&CC.

The F&CC further decided that the services of an expert agency should be taken to study the present system of garbage processing and disposal and to suggest further improvements to it. The scope of the agency should include providing a detailed development plan for scientific/engineered closure of dumping site (including the requirement of leachate treatment plant), a technical evaluation of the existing garbage processing plant and any other facility to be installed for further processing any waste which does not get presently processed. If possible a Government Agency should be preferred.

- 6) It was further decided that the Horticulture Wing of the Municipal Corporation should plant thick tree cover around the dumping ground and the processing plant to screen it adequately.*
- 7) The Finance & Contract Committee further decided that adequate charges need to be imposed on the residents who benefit from the door-to-door garbage collection system. The F&CC requested that a proposal in this regard should be submitted for approval to the F&CC.*

It was further decided that an awareness campaign should be launched to educate the residents for safe disposal of their household waste.

AGENDA ITEM NO.2

Regarding directions of Hon'ble High Court of Punjab & Haryana at Chandigarh in CWP No.7500 & 18390 of 2010 titled as Court on its own motion Versus State of Punjab & Ors.

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

The Finance & Contract Committee noted the orders of the Hon'ble Punjab & Haryana High Court in CWP No. 7500 & 18399 of 2010 titled as Court on its own motion Versus State of Punjab & Ors. regarding implementation of policy of vehicular free zones in part of Sector 17, Chandigarh. The F&CC noted that the Hon'ble High Court has directed the Chandigarh Administration to implement the above policy latest by 1st April 2012. The F&CC felt that there would be many stake holders like citizens of Chandigarh, shopkeepers, Police etc. who will be affected by such a policy decision, who need to be consulted while framing any such policy. Alternative arrangements may also need to be made in case the Administration decide to close any of the parkings for any time of the day. It was further noted that presently different parkings in Sector 17 have been contracted out by the Municipal Corporation and therefore, Municipal Corporation has legal, contractual and financial obligations which need to be considered while formulating this policy decision. Further since Department of Urban Planning, Chandigarh Administration is primarily responsible for the layout of all the sectors of Chandigarh, therefore, final decision regarding improving the pedestrianization has to be taken by them.

“In light of above, the F&CC decided that a reference should be sent to Chandigarh Administration immediately requesting them that while taking/finalizing any decision in this regard, the Corporation along with the stake holders should be duly consulted and the Corporation's interests should be kept in mind. The F&CC further felt that the Administration should also consult some experts before arriving at the final decision.”

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

**Secretary,
Municipal Corporation,
Chandigarh.**